

From: [Uwkgg@aol.com](mailto:Uwkgg@aol.com)  
To: [Potala EIS](#); [Teresa Swan](#)  
Subject: Potala  
Date: Friday, August 24, 2012 5:00:19 PM

---

Mr Dargey's Environmental checklist must be reviewed and disqualified as it is incomplete. It does not mention adjacent uses and it incorrectly puts zoning comments where CP land use comments are supposed to go.

1



From: [Laura Loomis](#)  
 To: [Potala EIS](#); [Teresa Swan](#); [Joan McBride](#); [Doreen Marchione](#); [Penny Sweet](#); [Amy Walen](#); [Bob Sternoff](#); [Toby Nixon](#); [Dave Asher](#); [Mike Miller](#); [Jon Pascal](#); [Jay Arnold](#); [Andrew Held](#); [Byron Katsuyama](#); [Glenn Peterson](#); [C Ray Allshouse](#); [Kurt Triplett](#); [Robin Jenkinson](#); [Eric Shields](#); [Jeremy McMahan](#)  
 Subject: Potala EIS - Chap 3.1 Density Miscalculation and mischaracterization  
 Date: Saturday, August 11, 2012 1:26:47 PM  
 Attachments: [2012 EIS DENSITY.xls](#)  
[2012 Potala Chapter 3 1 with neighbor notations.pdf](#)

---

Good Morning everyone:

My name is Laura Loomis and my husband and I live in a one story single family home at 100 10th Ave South across the street from the proposed Potala Development. Our home is part of the study area included in the land use chapter of the Environmental Impact Study.

Kirkland has chosen to regulate the intensity of use (density) of residential properties by measuring units per acre. This is documented in the current citywide EIS. This is the chosen benchmark for density, and is the focus of my comments.

1

I strongly disagree with the lack of attention given to single family homes in the land use chapter. It states that the majority of the study area is multifamily homes. This is a gross mischaracterization. Our neighborhood group has accounted for every building within the study area and the opposite is true. There are 81 single family homes and only 44 multi-family homes in the study area. **There is a 2/3 majority of Single Family residences!** Our home is built to a density of only 6.66 units/acre. As one of the single family homeowners in the study area, which consists of 50% one story structures, I believe we contribute greatly to the ambiance of the area. **We are the predominant land use.** I am shocked by the misrepresentation of the facts in this study. I want to believe it was accidental and that the person doing the calculations did not personally visit the study area. I do not want to believe that a supposedly unbiased study was biased. I encourage you to correct this very egregious error in the EIS as soon as possible.

2

Beyond the incorrect representation of the single family land use, there are numerous errors in calculations for the multifamily buildings which will also require correction. Neighbors have noted that there are more than 15 errors and 82 omissions, in chapter 3.1 of the EIS.

These calculations are misleading by an astronomical amount. This greatly overstates the intensity of development that is seen as land use in the subject area.

I also protest that photos were taken from the vantage of 2nd & 10th Ave. South instead of 1st and 10th Avenue South to demonstrate the affect of the Potala project on blocking neighborhood views. This made it seem like there would be no impact on views of the residences on this street. This is another misrepresentation of the facts and I question why photos were not taken from both vantages to give people a clearer representation of the impacts.

3

On behalf of myself and my spouse, as well as all the neighbors in the study area and members of STOP and of "One Neighborhood Block." I expect to see an accurate characterization and description of land use in the final EIS. Please ensure

4

this is corrected. Otherwise, the old saying of "Garbage in, garbage out" will apply to this EIS document.

4  
cont.

I am attaching two documents that will point out areas of miscalculations and misstatements in Chapter 3.1.

5

Sincerely,

Laura Loomis

100 10th Ave S

Kirkland WA 98033

ID on Map

	Parcel Number	Link to Assessor	# of Bldgs	# of Stories	total # of units	Lot Sq Ft	Lot Acres	EIS Calculation	Address	Neighbor Calculation
	1	5555000000 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	2	3	4	16695	0.38	10.4	711 1ST ST S	10.53
	2	1720800400 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	4	9000	0.21	19.4	121 7TH AVE S	19.05
	3	1720800335 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	3	6000	0.14	21.8	714 1ST ST S	21.43
	4	2560880000 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	2	6002	0.14	14.5	720 1ST ST S	14.29
	5	4098500000 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	3	11	39938	0.89	12.3	725 1ST ST S	12.6
	6	8937000000 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	4	8400	0.19	20.7	730 1ST ST S	21.05
	7	2560900000 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	2	2	4	13868	0.32	12.6	734 1ST ST S	12.5
	8	3810950000 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	3	11	42233	0.97	11.3	735 1ST ST S	11.34
	9	7698200000 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	3	38	41436 not 9343	0.95	177	733 Lake St S	40
	10	8127900000 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	2	3	23	37900 not 42833	0.87	23.4	807 Lake St S	26.43
	11	9197570000 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	2	3	13	102564 not 58469	2.35	9.7	905 LAKE ST S	5.53
	12	192410000 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	4	2	8	27900	0.64	12.5	816 LAKE ST S	12.5
	13	2286600000 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	4	11100	0.25	15.7	935 1ST ST S	16
	14	3298580000 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	4	16078	0.37	10.8	945 1ST ST S	10.81
	15	825059209 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	4	7365	0.17	23.7	8 10TH AVE S	23.52
	16	825059272 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	7	8772	0.2	34.8	20 10TH AVE S	35
	17	7698320000 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	2	7492	0.17	11.6	735 STATE ST	11.74
	18	7981500000 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	4	2	4	15874	0.36	11	751 STATE ST	11.11
	19	825059276 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	4	16624	0.38	10.5	903 STATE ST	10.53
	20	3888350000 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	2	2	4	14754	0.34	11.8	911 STATE ST	11.76
	21	825059238 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	2	1	2	17939	0.41	4.9	904 3RD ST S	4.87
	22	9354900055 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	2	2	5 NOT 4	17998	0.41	9.7	912 3RD ST S	12.2
	23	9195250000 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	3	6	36537 not 20299	0.84	12.9	1003 LAKE ST S	7.14
	24	9354900370 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	3	9	17500	0.4	22.4	303 10TH AVE S	22.5
	25	1419780000 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	12	22330	0.51	23.4	315 10TH AVE S	23.53
	26	9354900430 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	2	9000	0.21	9.7	333 10TH AVE S	9.5
	27	825059244 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	1	3	8880	0.2	14.7	1017 STATE ST	15
	28	825059024 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	5	3	60	101750	2.34	25.7	10212 NE 68th St	25.64
	29	6641300000 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	2	2	8	18150	0.42	19.2	10108 NE 68TH ST	19.05
	30	6818000000 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	4	3	56	102700	2.36	23.8	6750 NE LAKE	23.73
	31	7804260000 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	3	12	29486	0.68	17.7	6736 LAKE WASHINGTC	17.84
	32	8662700000 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	2	2	7	28687	0.66	10.6	6714 LAKE WASHINGTC	10.61
	33	825059219 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	1	2	8450	0.19	10.3	6707 LAKEVIEW DR NE	10.53
	34	6640800000 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	3	9 NOT 16	21621	0.5	32	6620 LAKE WASHINGTC	18
	35	9320450000 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	2	3	16 (in 2 bld	30928	0.71	12.7	6627 LAKEVIEW DR	22.5
	36	Multiple multiple	8	2	21	80593	1.85	11.4	Marsh Commons	11.35
	37	1310400000 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	5	21869 not 5493	0.5	39.7	6721 LAKE WASHINGTC	10
	38	825059114 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	1	2	15319 not 3780	0.35	23	1025 LAKE ST S	5.71
J STEPHENS LANA M	1720800480 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	2	7050	0.16	12.5	709 1ST ST S	12.5 MISSING MULTIFAMILY	
BC HARASIMOWICZ KEVIN	3892100010 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	2	7279	0.17	11.76	740 3RD ST S	11.76 MISSING MULTIFAMILY	
BD HARASIMOWICZ KEVIN	3892100005 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	2	7279	0.17	11.76	744 3RD ST S	11.76 MISSING MULTIFAMILY	
BH HILLEARY ANNE E	4149300035 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	1	2	7080	0.16	12.5	944 1ST AVE S	12.5 MISSING MULTIFAMILY	
CB 10th and State	8578700000 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	7	3	7	31085	0.71	9.86	314 10TH AVE S	9.86 MISSING MULTIFAMILY	
CN BOETTCHER JERI D+WILLIAM G	9354900410 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	1	2	8750	0.2	10	323 10TH AVE S	10 MISSING MULTIFAMILY	
A Key, Vashli	825059204 <a href="http://www5.kingcounty.gov/par">http://www5.kingcounty.gov/par</a>	1	1	1	14587	0.33	3	1011 Lake St	3	
B GODFREY HELEN DIONE	825059174 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	1	18276	0.42	2.3	1015 LAKE ST S	2.3	
C STYLE ROBERT L+AUDREY E	825059298 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	1	1	22528	0.52	1.92	6735 LAKE WASHINGTC	1.92	
I STEPHENS LANA	1720800485 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	1	6360	0.15	6.66	711 1ST ST S	6.66	
K CAUNT VIRGINIA R	1720800315 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	1	7002	0.16	6.25	704 1ST ST S	6.25	
L SMITH MICHAEL -TTEE	1720800320 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	1	1001	0.11	9	706 1ST ST S	9	
M PRITT LAURA LEE	1720800390 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	1	1	6000	0.14	7.14	709 2ND ST S	7.14	
N PRITT LAURA L	1720800365 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	1	6000	0.14	7.14	715 2ND ST S	7.14	

O PRITT LAURA	1720800350 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	1	9000	0.21	4.76	None Assigned	RS 8.5
P PRITT LAURA	3892100130 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	1	23954	0.55	1.8	733 2ND ST S	1.8
Q KESSLER DAVID R+JANA A	1720800214 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	1	6000	0.14	7.14	702 2ND ST S	7.14
R DELVECCHIO JOAN A	1720800215 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	1	6000	0.14	7.14	708 2ND ST S	7.14
S Storie Martha	1720800235 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	1	12000	0.28	3.57	714 2ND ST S	3.57
T JACOBS JON	1720800255 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	1	1	6000	0.14	7.14	722 2ND ST S	7.14
U DELVECCHIO JOHN CARL	3892100060 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	1	1	7666	0.18	5.55	728 2ND ST S	5.55
V DIELO ERIC M+ANNE E OAKDAL	3892100055 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	1	1	8000	0.18	5.55	742 2ND ST S	5.55
W UNG SRUN C+NARY	1720800305 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	1	2100	0.05	20	211 7TH AVE S	20
X O'NEILL JERRY E+SUSAN L	1720800306 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	1	3900	0.09	11.11	221 7TH AVE S	11.11
Y YOUNG DUKE	1720800295 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	1	1	6000	0.14	7.14	709 3RD ST S	7.14
Z YOUNG DUKE+SVETLANA	1720800285 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	1	1	6000	0.14	7.14	711 3RD ST S	7.14
AA CLAY BRYAN+JILL	1720800275 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	1	7500	0.17	5.88	713 3RD ST S	5.88
AB KAehler WOLFGANG+MICHELLE	1720800265 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	1	7500	0.17	5.88	723 3RD ST S	5.88
AC YONKE WAYNE	3892100065 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	1	4665	0.11	9.09	729 3RD ST S	9.09
AD LUNA GORDON	3892100071 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	1	1	8065	0.19	5.26	731 3RD ST S	5.26
AE BOB STERNOFF	1720800105 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	1	7500	0.17	5.88	255 7TH AVE S	5.88
AF MARRA THOMAS M+MICHELLE T	1720800115 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	1	7500	0.17	5.88	710 3RD ST S	5.88
AG BOSCH BRYON R+NATASHA W	1720800130 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	1	1	6000	0.14	7.14	712 3RD ST S	7.14
AH BOSCH BRYON R+NATASHA W	1720800140 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	1	3000	0.07	14.28	714 3RD ST S	14.28
AI ROSNOW HARLEY M+YURIKO S	1720800145 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	1	6000	0.14	7.14	720 3RD ST S	7.14
AJ HECK STEVEN J+SHERRIE L	3892100020 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	1	7279	0.17	5.88	728 3RD ST S	5.88
AK BRATOR DANIEL J+DIANA E	3892100015 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	1	1	7279	0.17	5.88	730 3RD ST S	5.88
AL FALK ROBERTA+CARY	1720800190 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	1	4680	0.11	9.09	703 STATE ST	9.09
AM SMYTH SAMUEL J+SHIRLEY C	1720800195 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	1	3872	0.09	11.11	705 STATE ST	11.11
AN MILEWSKI HELEN	1720800180 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	1	1	5700	0.13	7.69	709 STATE ST	7.69
AO RUITER ALLAN VAN+JUDITH I	1720800170 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	1	5700	0.13	7.69	713 STATE ST	7.69
AP PUJOL NICOLAS O+LAYLA M	1720800154 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	1	4271	0.1	10	717 STATE ST	10
AQ ZHOU SHARON+WRIGHT TIM	1720800155 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	1	4271	0.1	10	721 STATE ST	10
AR JOUBERT PHILIPPE A+CECILE S	3892100022 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	1	4002	0.09	11.11	727 STATE ST	11.11
AS BRENT MICHAEL+PATTI ANNE	3892100023 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	1	4007	0.09	11.11	731 STATE ST	11.11
AT SATRE RICHARD W	1924000050 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	1	8098	0.19	5.26	905 1ST ST S	5.26
AU EVF INC	1924000030 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	1	1	9763	0.22	4.55	915 1ST ST S	4.55
AV LOW SUNG EN CHANG BY-PASS T	1924000070 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	1	1	10,764	0.25	4	906 1ST ST S	4
AW VOLDAL WARTELLE & CO	1924000060 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	1	1	8444	0.19	5.26	None Assigned	5.26
AX JEWELL JAMES L	1924000090 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	1	1	8444	0.19	5.26	745 2ND ST S	5.26
AY VELDAL WARTELLE & CO	1924000080 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	1	1	8582	0.2	5	None Assigned	5
AZ MATHEWSON R KIRK+CAROL ANN	3892100050 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	1	1	10793	0.25	4	744 2ND ST S	4
BA MATHEWSON R KIRK+CAROL ANN	3892100045 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	1	10773	0.25	4	746 2ND ST S	4
BB SCHUMACHER HELEN	3892100080 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	1	1	15729	0.36	2.77	739 3RD ST S	2.77
BE TUBBESING THOMAS J+SHARI	1924000020	1	2	1	10479	0.24	4.17	925 1ST ST S	4.17
BF HYATT DARLENE	825059184 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	1	4799	0.11	12	None Assigned	12
BG BRASHEN BENJAMIN D+HEFFRON	1924000040 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	1	1	9405	0.22	4.55	930 1ST ST S	4.55
BI PAGE GALEN C+KARI	4149300040 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	1	7080	0.16	6.25	950 1ST AVE S	6.25
BJ LOOMIS CHARLES M+LAURA L	4149300005 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	1	1	6357	0.15	6.66	100 10TH AVE S	6.66
BK GLASER CYNTHIA	4149300010 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	1	6357	0.15	6.66	110 10TH AVE S	6.66
BL COOK PATRICIA DIANE	4149300015 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	1	1	6357	0.15	6.66	130 NE 10TH ST	6.66
BM MEADOWS JEREMY+LEAH	4149300020 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	1	6357	0.15	6.66	931 2ND ST	6.66
BN CORE TYLER C+CHARLES R	4149300025 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	1	1	7080	0.16	6.25	925 2ND ST S	6.25
BO MATHEWSON S CAMPBELL+MELISS	4149300030 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	1	1	7080	0.16	6.25	917 2ND ST S	6.25
BP VOLDAL WARTELLE & CO	825059020	1	1	1	12672	0.29	5	None Assigned	5
BQ MATTHEWSON R KIRK+CAROL A	825059070 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	1	49140	1.13	0.88	905 3RD ST S	0.88
BR MATHEWSON R KIRK+CAROL A	9354900135 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	1	6800	0.16	6.25	910 2ND ST S	6.25

BS BINFORD B WADE	9354900150 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	1	6500	0.15	6.66 916 2ND ST S	6.66
BT IVES THORA BLANCH	9354900165 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	1	1	7500	0.17	11.76 922 2ND ST S	11.76
BU BROOLING NATHAN+JANELLE MIL	9354900180 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	1	8800	0.2	5 921 3RD ST S	5
BV MATHEWSON R KIRK+CAROL A	9354900195 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	1	4900	0.11	12 913 3RD ST S	12
BY MATHEWSON R KIRK+CAROL A	9354900210 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	1	1	6550	0.15	6.66 909 3RD ST S	6.66
BZ DOW TAMARA L+ANDERSON NEIL	9354900065 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	1	7201	0.17	11.76 300 10TH AVE S	11.76
CA REISMAN MARK	9354900085 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	1	6000	0.14	7.14 310 10TH AVE S	7.14
CC MAKI PAUL E+LOCHABY DIANE B	9354900025 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	1	1	13260	0.3	3.33 330 10TH AVE S	3.33
CD GREENE CHARLES+SHAWN	9354900260 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	1	1	10000	0.23	4.35 29 10TH AVE S	4.35
CE SABEGH ANTHONY	9354900280 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	1	4000	0.09	11.11 111 10TH AVE S	11.11
CF SABEGH MARIAM & HAJESMAEIL	9354900279 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	1	4000	0.09	11.11 113 10TH AV S	11.11
CG LARSEN GILES M+NANCY J BOEH	9354900300 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	1	4529	0.1	10 135 10TH AVE S	10
CH MOSA DIRK+ANDREA	9354900295 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	1	5472	0.13	7.69 137 10TH AVE S	7.69
CI SINGH GURPREET+SABINA	9354900320 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	1	1	6000	0.14	7.14 205 10TH AVE S	7.14
CJ CLARK KEITH D	9354900330 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	1	1	4543	0.1	10 215 10TH AVE S	10
CK WOLVERTON ROBERT J	9354900335 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	1	1	3708	0.09	11.11 209 10TH AVE S	11.11
CL PETRAIT RICHARD & KATHLEEN	9354900340 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	1	4543	0.1	10 223 10TH AVE S	10
CM GUPTA MITIKA+ FULAY AMIT	9354900345 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	2	1	3708	0.09	11.11 217 10TH AVE S	11.11
CO MEYERS RICHARD STEPHEN+PEGG	825059187 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	1	1	7200	0.17	11.76 1007 STATE ST	11.76
CP QUILL JEANNE W	4151800005 <a href="http://info.kingcounty.gov/Asses">http://info.kingcounty.gov/Asses</a>	1	1	1	14387	0.33	3.03 6713 LAKEVIEW DR NE	3.03

Average density is 11.56



# ENVIRONMENTAL ANALYSIS

This chapter analyzes the impacts of the Proposal and the No Action Alternative on the following elements of the environment:

- Land Use
- Plans and Policies
- Aesthetics
- Transportation
- Construction Impacts

This analysis reviews the affected environment, potential significant impacts, and mitigation measures for each element of the environment. The affected environment discussion describes the current character and environment on the project site and surrounding area. The impact analysis describes potential significant impacts associated with implementation of the alternatives. Mitigation measures identify regulatory requirements and other potential measures to reduce the significant environmental impacts of the alternatives.

## 3.1 LAND USE

---

### 3.1.1 Affected Environment

The analysis area for land use patterns consists of the proposal site and surrounding area. For purposes of reviewing neighborhood land use patterns, we have examined land use patterns in an area generally bounded by Lake Washington to the west, State Street to the east, 7<sup>th</sup> Avenue South to the north and NE 64<sup>th</sup> Street to the south (see Figure 3.1-1).

**Land Use Patterns**      **The study area is described.**

#### Project Site

Based on data from the King County Department of Assessments, the project site consists of 52,600 sf, or approximately 1.21 acres. Topographically, the site consists of two relatively flat

areas separated by a steep grade change that runs north south through the approximate center of the site (See Figure 2.9). The eastern portion of the site sits about ten feet higher than the western portion of the site.

The northeastern portion of the site is developed with a private single family residence and shed. This area is landscaped with lawn and ornamental landscaping(See Figure 3.1-2). Access to this portion of the site is from 10<sup>th</sup> Avenue South. Pedestrian access is provided via a sidewalk on 10<sup>th</sup> Avenue South. The southeastern portion of the site is undeveloped and covered in brush and shrubs.

Adjacent to the corner of 10<sup>th</sup> Avenue South/Lake Street South, the northwest portion of the site is developed with a 2,114 sf commercial building containing a dry cleaner and restaurant and paved parking area. In the remainder of the western portion of the site, there is some remnant asphalt pavement and concrete slabs from a prior use. The western portion of the site contains shrubs, deciduous trees (alder, cottonwood and maple), and brush primarily along the southern edge and in the steep slope area (See Figure 3.1-3). Access to the western portion the site is from Lake Street South. Pedestrian access is via a sidewalk on Lake Street South. A crosswalk is located at Lake Street South and 10<sup>th</sup> Avenue South.



### Surrounding Area

Immediately adjacent to the site, properties are developed for residential uses. Directly west of the site, properties are developed with single family and multifamily waterfront residential buildings. Public waterfront access is provided by Settler’s Landing, a small public park with 60 linear feet of waterfront. To the north and south, adjoining properties are developed with multifamily residential buildings. To the east, adjoining properties are developed with a single family residential building and multi-family development (See Figure 3.1-4).

In the larger surrounding area, the majority of the area is developed with multifamily residential uses, especially to the north and south along Lake Street South/Lake Washington Boulevard (See Figure 3.1-5).

In this area, the only exceptions to the multifamily residential development pattern are a few scattered single family residences, public waterfront parks and a small commercial use on the corner of NE 64<sup>th</sup> Street/Lake Washington Boulevard. In addition to Settler’s Landing, larger

**In the study area the majority are SINGLE FAMILY NOT MULTI FAMILY**

waterfront parks include David E. Brink Park to the north and Marsh Park to the south (See Figure 3.1-6). To the east, property is developed with a mix of single and multifamily residential development (See Figure 3.1-7).



**FIGURE 3.1-2 EXISTING DEVELOPMENT EASTERN PORTION OF SITE**



**FIGURE 3.1-3 EXISTING DEVELOPMENT WESTERN PORTION OF SITE**



East of site



East of site



South of site



North of site



West of site



West of site



West of site

FIGURE 3.1-4 ADJOINING DEVELOPMENT



**FIGURE 3.1-5: EXISTING DEVELOPMENT EXAMPLES: LAKE STREET S/LAKE WASHINGTON BOULEVARD**



**FIGURE 3.1-6 WATERFRONT PARKS**



**FIGURE 3.1-7 EXISTING DEVELOPMENT EXAMPLES: 10<sup>TH</sup> AVENUE SOUTH**

- 1 NOTE: Kirkland's 2004 EIS states that in Kirkland we measure intensity of use as residential density in units per acre and commercial use areas are measured by Floor Area ratios. While some jurisdictions may measure residential density by things like lot coverage, etc, that is not the method chosen with the EIS for the Comp Plan in Kirkland

## Density

### Overview

Density is generally defined as the amount of residential development permitted on a given parcel of land. It is typically measured in dwelling units per acre - the larger the number of units permitted per acre, the higher the density; the fewer units permitted, the lower the density. Minimum lot area per dwelling unit requirements are a common direct way to regulate density.

There are 43,560 square feet in one acre. Four units per acre equals a minimum lot size of 10,890 sf; 8 units per acre, 5,445 sf; 24 units per acre, 1,815 sf, etc.

- 1 Alternatively, jurisdictions may elect not to address density directly, but rather use development standards, such as lot coverage, maximum height and parking standards, to control the overall size, intensity and density of development.

Many jurisdictions, including Kirkland, use both approaches as a way to regulate density. In residential zones (single family and multifamily), the Kirkland's Zoning Code establishes minimum lot area per dwelling unit for each residential zone (see Table 3.1-1). Residential uses are also allowed in many of the City's commercial zones, including the Community Business (CB), Neighborhood Business (BN), Central Business District (CBD), Totem Lake (TL), Juanita Business District (JBD), and Rose Hill Business District (RHBD) zones. In these commercial zones, residential densities are not regulated by lot size, but rather by development standards, such as building height, lot coverage, parking standards, setback requirements and other similar standards.

**Table 3.1-1** City of Kirkland Residential Zones

Zoning Designations	Minimum Lot Area per Dwelling unit (SF)	Units per Acre
RS 35	35,000	1.24
RS 12.5	12,500	3.48
RS 8.5	8,500	5.12
RS 7.2	7,200	6.05
RS 6.3	6,300	6.91
RS 5.0	5,000	8.7
RM 3.6	3,600	12.1
RM 2.4	2,400	18.2
RM 1.8	1,800	24.2

### Existing Densities

As shown in Figure 3.1-8, multifamily residential densities surrounding the project site vary significantly. In general, the majority of the surrounding area is developed with multifamily residential densities ranging roughly between 10 to 30 units per acre. Immediately north, south and west of the project site, developed multifamily residential densities range from 10 to 40 units per acre. Property immediately east of the subject site is developed with a mix of single and multifamily development, although located in a medium density (RM 3.6) zone.

Source: City of Kirkland Zoning Code  
The study area ranges from 1-40 per acre with only 4 of 126 properties being greater than 24/ac. These 4 were built in 1968  
Why ignore single family homes?

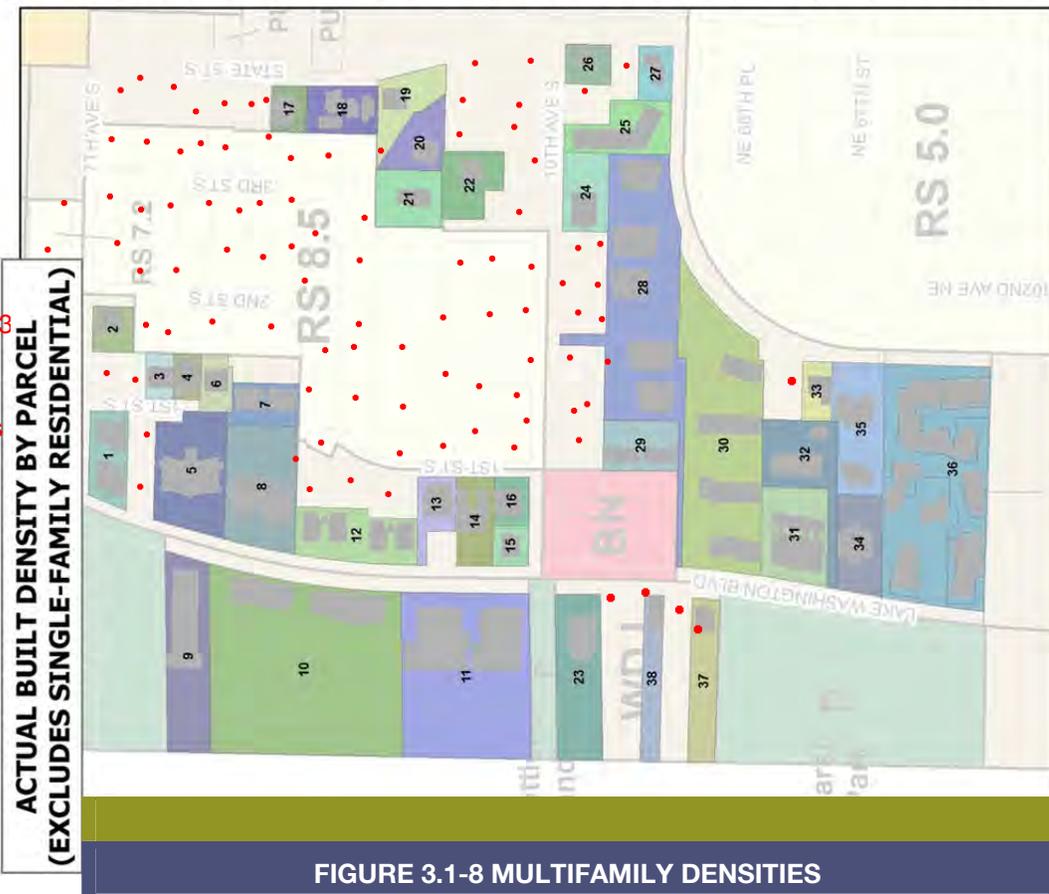
In the larger surrounding area, developed residential densities range from a low of 5 units per acre to a high of 177 units per acre, with most of the developments at 10 to 40 units per acre. Because many of these properties are less than one acre in size, actual development is proportional to the ratio of the site size to one acre. The highest density development in the area, at 177 units per acre, contains 38 units on a lot size of 9,343 sf. This development was constructed when the lakebed area was allowed to be included in the density calculation. This is no longer permitted, only upland area is used to calculate density and overwater structures are no longer permitted.

5 Whole paragraph is garbage 15 miscalculations in the identified 38 properties 177/acre is actually 40/ac

- 2 Actually the historical documents show that residential use was totally removed for BN zones that were made "Residential Market - Commercial."

3 Majority is not Multifamily! 2/3 of the bldgs are Single Family

No.	PIN	No. of Units	Lot Size	Units Per Acre	SqFt per Unit
1	5555000000	4	16,695	10.4	4,174
2	1720800400	4	9,000	19.4	2,250
3	1720800335	3	6,000	21.8	2,000
4	2560880000	2	6,002	14.5	3,001
5	4098500000	11	38,938	12.3	3,540
6	8937000000	4	8,400	20.7	2,100
7	2560900000	4	13,868	12.6	3,467
8	3810950000	11	42,233	11.3	3,839
9	7698200000	38	9,343	177.2	246
10	8127900000	23	42,833	23.4	1,862
11	9197570000	13	58,469	9.7	4,498
12	1924100000	8	27,900	12.5	3,488
13	2286600000	4	11,100	15.7	2,775
14	3298580000	4	16,078	10.8	4,020
15	0825059209	4	7,365	23.7	1,841
16	0825059272	7	8,772	34.8	1,253
17	7698320000	2	7,492	11.6	3,746
18	7981500000	4	15,874	11.0	3,969
19	0825059276	4	16,624	10.5	4,156
20	3888350000	4	14,754	11.8	3,689
21	0825059238	2	17,939	4.9	8,970
22	9354900055	4	17,998	9.7	4,500
23	9195250000	6	20,299	12.9	3,383
24	9354900370	9	17,500	22.4	1,944
25	1419780000	12	22,330	23.4	1,861
26	9354900430	2	9,000	9.7	4,500
27	0825059244	3	8,880	14.7	2,960
28	0825059024	60	101,750	25.7	1,696
29	6641300000	8	18,150	19.2	2,269
30	6818000000	56	102,700	23.8	1,834
31	7804260000	12	29,486	17.7	2,457
32	8662700000	7	28,687	10.6	4,098
33	0825059219	2	8,450	10.3	4,225
34	6640800000	16	21,621	32.2	1,351
35	9320450000	9	30,928	12.7	3,436
36	Murph #1	21	80,593	11.4	3,838
37	1310400000	5	5,493	39.7	1,099
38	0825059114	2	3,780	23.0	1,890



Why exclude all the single family residential???

There are nearly 3 times as many singlefamily developments as multifamily buildings!!!

NOTE: Dots indicate single family

FIGURE 3.1-8 MULTIFAMILY DENSITIES

Source: City of Kirkland

IMPORTANT: There are a total of 15 errors in these 38 density calculations. For example: #34 is my condo bldg and it has 9 units not 16. The density therefore is 18/acre not 32. The property size for #37 was incorrect. It is actually a density of 10/acre not 40. This leaves only 3 developments larger than 24/acre. #28 and #16 both built in 1968, and #9 was miscalculated with an incorrect site size. It was built at a density of 40/acre (NOT 177) over the water in 1969. This overwater is no longer allowed and, in general, the east side of LWB has different restrictions than the west side due to western properties being along the shoreline.

Comment letters submitted during the appropriate comment period stated that density was not a proxy but an independent issue involving things like loss of privacy to next door neighbors, ingress/egress, light, sound, feeling of crowdedness. Ingress and egress are also much different than traffic congestion.

### Characteristics of Density

In public policy discussions, density is sometimes used as a proxy for other community characteristics, including design quality, traffic congestion, property values and others. In preparation of this EIS, a short review of available information on the impacts of density was conducted. In general, much of the available information is based on a macro, neighborhood or community-wide impacts and does not address single site impacts. It is recognized that conditions at a single site can vary significantly from the macro-level conclusions described below.

The following is a brief summary of information from the Environmental Protection Agency (EPA), Urban Land Institute (ULI), American Institute of Architects (AIA) and other sources with respect to density and community character, traffic congestion, and property values.

- **Community Character.** In general, publications note that design, rather than density, drive community character. The following is an excerpt from *Livability 101*, from the AIA:

They just found citations to support the project. There are equal citations on the other side of the issues. Furthermore note the comments of emphasizing continuity and respect of existing neighborhood. Also to positively impact property values density must be "well placed" with attractive design and landscaping

*In terms of building community, the most critical test of design quality is whether the new development enriches and enlivens the public realm. In existing neighborhoods, new buildings should emphasize continuity with existing neighborhood fabric, including similar materials, continuity along the street, and massing that establishes a sense of respect for nearby buildings. For any new construction, the street level should be designed to engage pedestrians, with lively retail use wherever possible and facades that feature multiple doorways and avoid blank walls. Buildings should use handsome, durable materials, particularly at and near street level, that convey a sense of commitment to being a good neighbor for years to come.<sup>1</sup>*

- **Traffic congestion.** A study by the University of California Energy Institute considered 2001 National Household Transportation Survey data to document the relationship between fuel usage and land use density. This study found that, for area-wide densities greater than 50 units/square mile, total annual mileage on all household vehicles and total fuel usage generally decline with increasing housing density. Similarly, the ULI reports that doubling density decreases the vehicle miles travelled by 38%.<sup>2</sup> At the site-specific level, however, it is acknowledged that the additional of residential units can impact local traffic congestion. Please see Section 3.4 of this Draft EIS for discussion of potential transportation impacts associated with the proposal.

**Property Values.** In *Higher-Density Development Myth and Fact*, the ULI notes that the value of real estate is determined by many factors and isolating the impact of one factor can be difficult. The publication cites several studies and concludes that multifamily housing has either no impact or potentially a slightly positive impact on appreciation rates. In particular, researchers at Virginia Tech University have concluded that over the long run, well-placed market rate apartments with attractive design and landscaping actually increase the overall value of detached houses nearby. The report further states that citizens should use the entitlement process to demand

1 American Institute of Architects. *Livability 101*. 2005.

2 Urban Land Institute. *Higher-Density Development Myth and Fact*. 2005.

high-quality development in their communities while understanding that density and adjacent property values are not inversely related.

These publications point to the benefits of well-designed higher density housing at a community-wide basis. Because site-specific characteristics can vary widely, they do not address impacts, either positive or negative, at the site level. However, they do suggest that, even at the site-specific level, good design may be a key factor in maintaining and strengthening community character and preserving property values. Please see the aesthetics discussion in Section 3.3 of this Draft EIS for a review of aesthetics impacts and mitigating measures for the proposal.

This totally ignores that BN zones had changes made to them over the years. One BN zone was made BN(1) to add farther restrictions upon the BN zone. The BN zone at 10th and Lake St S was given restrictions that it must meet the definition of Residential Market. This is not addressed at all in the review by the EIS. At the community meeting the EIS Consultants stated they would fully review the Residential Market description and restrictions, then they completely left it out.

## Regulatory Overview

### City of Kirkland Zoning Code

#### *Project Site*

The subject property is zoned Neighborhood Business (BN). Kirkland Zoning Code Section 40.10 establishes the use and development standards for the BN zone.

When BN property had Residential Mkt - Commercial restrictions added, residential use was completely intentionally removed as a permitted use and no longer allowed

Permitted uses include a range of retail uses, private club or lodge, office, stacked dwelling units, church, school/daycare center, assisted living facility and convalescent center/nursing home. For residential and office uses such as the proposed action, the BN zone requires minimum setbacks of 20 feet from front property lines, 10 feet from rear property lines, and five feet from side property lines with both side yards equaling a total of 15 feet; maximum lot coverage of 80%; and maximum building height of 30 feet above average building elevation<sup>3</sup>. There is no minimum lot size established for office or minimum lot area per unit for stacked dwelling units. Required on-site parking is one space for each 300 sf of gross general office floor area, one space for each 200 sf of gross medical office floor area and 1.7 spaces for each dwelling unit (See Table 2-1).

In addition, the BN zone lists two special regulations that apply to stacked dwelling units:

1. This use, with the exception of a lobby, may not be located on the ground floor of a structure.
2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.

Chapter 95 KZC establishes the requirements for landscape buffers. For stacked dwelling units in the BN zone, the ground floor use determines the applicable landscape buffer.

Based on a proposed ground floor office use, the proposal must meet the requirements for Landscape Category C. For Landscape Category C, Section 95.42 establishes that if the adjoining property is a low density use, then landscaping that complies with Buffering Standard 1 is required. When property adjoins a medium or high density residential use, landscaping must comply with Buffering Standard 2.

<sup>3</sup> KZC 5.10.045 defines average building elevation as the weighted average elevation of the topography, prior to any development activity, either (1) under the footprint of a building as measured by delineating the smallest rectangle which can enclose the building footprint and then averaging the elevations taken at the midpoint of each side of the rectangle, or (2) at the center of all exterior walls of a building or structure.

Buffering Standard 1 requires a 15-foot wide landscaped strip with a 6-foot high solid screening fence or wall. The buffer must be planted with a mix of trees, shrubs and living ground cover as established in Section 95.42 KZC.

Buffering Standard 2 requires a 5-foot wide landscaped strip with a 6-foot high solid screening fence or wall. The buffer must be planted with a mix of trees and living ground cover as established in Section 95.42 KZC.

KZC 95.42.5 establishes that, where there are multiple buffering requirements along the same property line, a gradual transition between the different land use buffers must be provided and must occur totally within the area with the less stringent buffering requirement. The specific design of the transition must be approved by the City.

Based on a proposed ground floor retail use, the proposal must meet the requirements for Landscape Category B. Landscape Category B requires compliance with Buffering Standard 1 if the adjoining property is low, medium or high density use or zoning. As noted above, Buffering Standard 1 requires a 15-foot wide landscaped strip with a 6-foot high solid screening fence or wall. The buffer must be planted with a mix of trees, shrubs and living ground cover as established in Section 95.42 KZC.

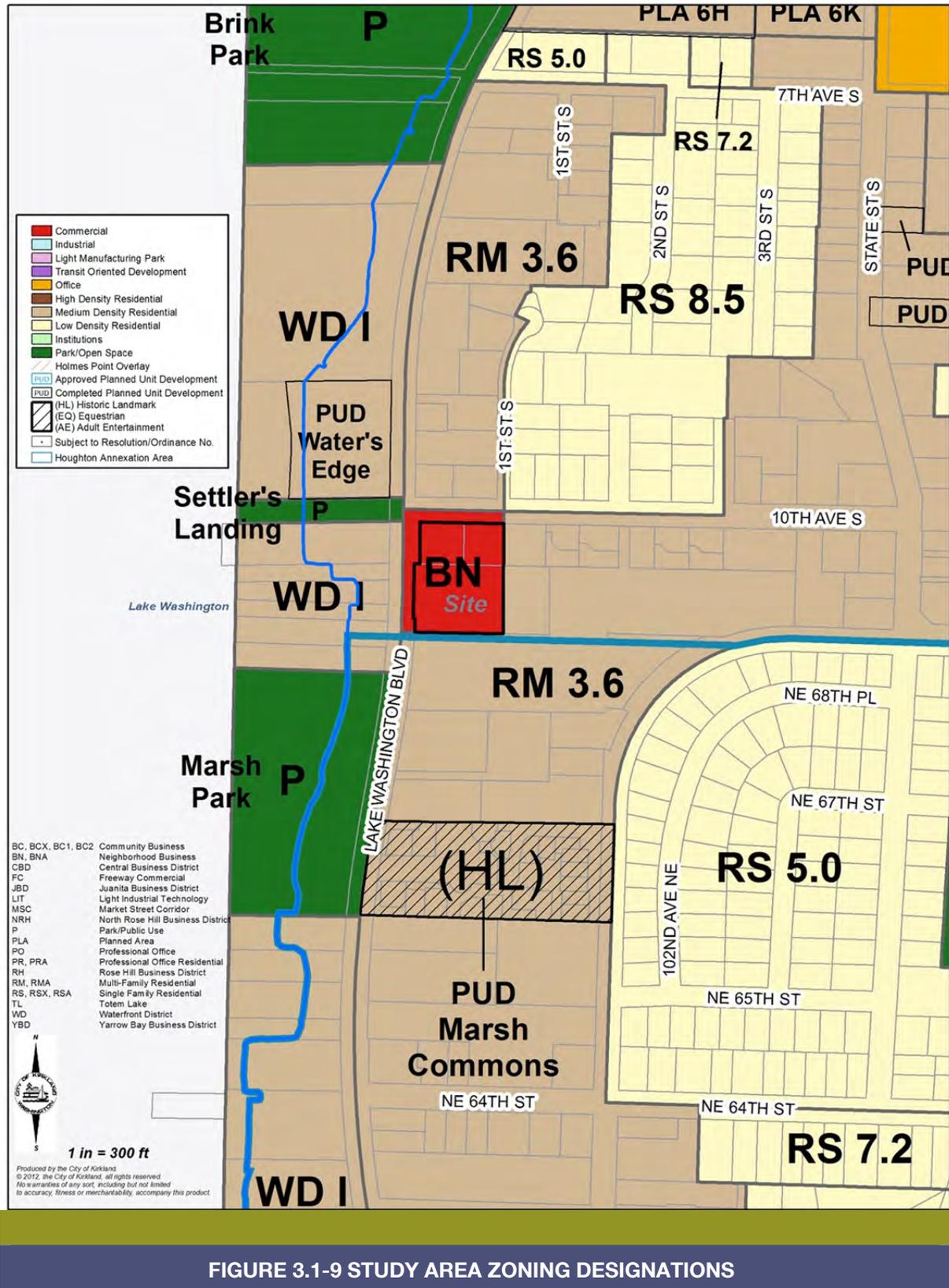
Chapter 5 KZC defines a land use buffer as any structural, earth or vegetative form that is located along a boundary for the purpose of minimizing visual and noise impacts. Land use buffers may include, but are not limited to, berms, high shrub, dense stands of trees, trellises and fences.

### *Surrounding Area*

As shown in Figure 3.1-9, zoning designations in the surrounding area include RM 3.6 to the north, east and south and WDI to the west. Also, a corner of an RS 8.5 zone is adjacent to the northeast corner of the site. Chapter 5 KZC defines the RM 3.6 and WDI zones as medium density zones and RS 8.5 as a low density zone. Primary uses and development standards for these zones are summarized in Table 3.1-2.

**RM 3.6 and WD 1 zones allow up to 12 units per acre and RS 8.5 allows 5 units per acre. All allow only 60% lot coverage and require significant property line set backs.**

**So how does 118/acre fit? How is 80% lot coverage similar or compatible... especially since it will be built across 3 lots unlike any other building in the area**



**FIGURE 3.1-9 STUDY AREA ZONING DESIGNATIONS**

Source: City of Kirkland

**Table 3.1-2 Zoning Standards**

	<b>RM 3.6</b>	<b>WD I</b>	<b>RS 8.5</b>
Permitted Uses	Detached dwelling units Attached, stacked dwelling units Church Piers, docks, boat lifts serving dwelling units School/daycare center Limited retail uses Assisted living facility Nursing home Public utility Government/Community Facility Public park	Detached dwelling units Attached, stacked dwelling units Public access facility Piers, docks, boat lifts serving dwelling units Marina Restaurant/tavern Public park Public utility Government/Community Facility Assisted living facility Boat launch Water taxi	Detached dwelling units Church School/day care Golf course Public utility Government/Community facility Public park
Minimum Lot Area per Unit	3,600 sf for residential uses <b>12/acre</b>	3,600 sf for residential uses <b>12/acre</b>	8,500 sf for residential units <b>5 per acre</b>
Maximum Structure Height	25' to 30' <sup>1</sup>	30'	25'
Maximum Lot Coverage	60% to 70% <sup>2</sup> <b>lot coverage is only allowed greater than 60% if nursing home</b>	80%	50% to 70% <sup>2</sup> <b>lot coverage is only allowed greater than 50% if nursing home</b>

1. Height standards are based on adjoining zoning designations. For example, if adjacent to a low density zone (other than RSX), height is limited to 25' above average building elevation. Otherwise, a 30 ft height is permitted.
2. Lot coverage varies based on the use. For example, in the RM 3.6 zone, residential development is limited to 60% lot coverage, a convalescent center or nursing home to 70%, etc.

Source: City of Kirkland

This is a major bone of contention with the neighbors. The parcels were changed from shoreline residential designation to Urban Mixed without notice and not discussed with city council or highlighted in their packet. Plain black and white text covertly made this change. Residential would have maintained 12 units per acre maximum and 60% lot coverage.

### Shoreline Master Program

Kirkland's Shoreline Master Program (SMP) contains policy direction for how Kirkland's water bodies governed by the Shoreline Management Act (SMA) should be treated, including land use designations, development, conservation and restoration goals and policies. Lake Washington is classified as a shoreline of statewide significance and therefore all lands within 200 feet of the lake's ordinary high water mark are subject to the jurisdiction of the SMA and the provisions of Kirkland's SMP.

On the project site, approximately 10,386 square feet is within the 200 foot shoreline area (see Figure 3.1-10) and is designated "Urban Mixed" which is defined as "high intensity land uses, including residential, commercial, recreational, transportation and mixed-use development." The Department of Ecology found the "Urban Mixed Use" environment designation for a portion of the site consistent with the SMA and WAC 173-26 (State Master Program Guidelines), when it approved the City's Shoreline Environments Designation Map in 2010. Only the portion of the site in the designated shoreline area is subject to the SMP requirements.

The required SMP development permit for the proposed action is a Shoreline Substantial Development Permit (SDP). Kirkland Zoning Code Chapter 83 establishes permitted uses and development standards for the Urban Mixed Use designation as follows:

- Maximize site development potential within the context of regulatory requirements and environmental and market conditions. Allowed uses: Stacked dwelling units, office and retail uses are permitted with approval of an SDP.
- Minimum lot area per unit: 1,800 square feet for multifamily residential; no minimum for commercial uses. Minimum lot size requirements apply only to the area within the shoreline jurisdiction. On June 7, 2011, the City approved an amendment to Chapter 83 that removed the minimum lot size requirement for multifamily residential, in order to match the BN zoning standard. However, the Proposal was submitted before the amendment was approved and is subject to the 1,800 sf minimum lot area per unit standard for the area within the shoreline jurisdiction.
- Structure height: 41 feet maximum for all uses.
- Maximum lot coverage: 80% for all uses.



### 3.1.2 Significant Impacts

#### Alternative 1 (No Action)

All of these comparisons are crazy. Neighbors asked for a lower intensity alternative and a consultant to the city suggested it would be a good idea but the developer asked for the EIS be scaled back to fit into his budget.

#### Land Use Patterns

Under the No Action alternative, there would be no change to the site. The existing single family residence in the northeastern portion of the site and commercial buildings on the lower portion of the site would remain as the currently existing. No additional development would occur on the site.

Since the site would experience no change from existing conditions, it is not anticipated that new significant land use compatibility impacts would result from the No Action Alternative. Because much of the surrounding area is well landscaped and maintained, existing site features in the vacant portion of the lower site, including outdoor storage, discarded items, broken pavement and overgrown vegetation, may be considered incompatible with the surrounding area.

#### Alternative 2

Of course the citizens want something built here and discarded items, etc should be cleaned up no matter what.

#### Land Use Patterns

Under the Proposed Action, use of the site would be intensified with redevelopment for 143 residential dwelling units, approximately 6,200 sf of office space and supporting parking. Existing retail, restaurant and single family residential uses would be replaced by multifamily residential and office uses. Existing site structures would be demolished and vegetation removed and replaced with the proposed development. The existing site elevation would be significantly altered, particularly in the eastern portion of the site.

As described previously, the site is surrounded by properties that are zoned for and primarily developed in a multifamily land use pattern. The proposal is for a mixed use development in which multifamily housing would predominate. From this perspective, the Proposed Action would be consistent with the surrounding land use pattern. As required under the BN zoning, a portion of the ground floor of the Proposal would be for office use. While no office use was observed in the study area, the proposed office area is limited to 6,200 sf and is not expected to significantly impact existing land use patterns in the area.

Incorrect: 2/3 of bldgs are actually Single Family

Along the northeast boundary of the site, adjoining development consists of single family residences in a medium density residential zone. Along this edge, potential height and bulk impacts could be mitigated through appropriate use of landscape buffers. The proposed landscape buffers would be located in trenches along the east property line and much of the north and south property lines, resulting in buffers that would be significantly below the elevation of adjoining properties. At finished grade, the buffer would be 12 feet or more below the top of the retaining wall. Along the north and south property lines, landscape buffers would also be below retaining walls, gradually rising to meet adjoining grades toward the western part of the site. **As assessed by the City's Urban Forester, much of the proposed landscape buffer area would not receive adequate sunlight, likely resulting in die-off of lower branches and hindered long-term tree growth. Adequate drainage and root growth area are also concerns.<sup>4</sup> Because buffer plantings would not be visible from adjoining properties and are unlikely to thrive, the proposed landscape buffer would not meet its intended purpose.**

<sup>4</sup> Personal communication. Deborah Powers, City of Kirkland Planning and Community Development. June 2012.

Not True: There were 15 miscalculations in their 38 property selection. The highest density, once corrected was 40/acre and there were only 3 other properties > 24. Two are 26 units per acre and one is 35 units per acre. All were built under non-restrictive zoning in 1968 & 1969

## Density

With 143 units on a 1.21 acre site, the proposal would result in a density of approximately 118.4 dwelling units per acre. As shown in Figure 3.1-9, this is at the high end, but within the range of densities found in the study area. As noted in the discussion of density above, the primary impacts of density are likely to be associated with site aesthetics and traffic congestion. These topics are discussed in Sections 3.3 and 3.4, respectively, in this Draft EIS.

## Regulatory Requirements

The proposal meets the fundamental use standards for the BN zone and for the Urban Mixed designation in the designated shoreline area. It should be noted that the shoreline Urban Mixed designation at the time the Proposal was submitted required a minimum lot area per unit of 1800 sf. Within the 10,370 sf designated shoreline area, a total of 5.77 units would be allowed. Rounding up is permitted if the density calculation result in a fraction greater than .50, resulting in a total of six permitted units in this area. The applicant is proposing five dwelling units in this area, consisting of two units on the third floor, two units on the fourth floor and one unit on the fifth floor (see Appendix 1). Again this ignores the fact that these properties had their BN zone farther restricted in 1995 and every year since. Urban Mixed was done on the sly.

Based on Chapter 95 KZC and the proposed ground floor office use, landscape buffers of at least 15 feet in width are required adjacent to the single family use to the east and at least five feet in width adjacent to the medium density use to the south and along the southern part of the eastern boundary. As shown in the landscape plan (Figure 2.3), the Proposal meets or exceeds the width requirements, but does not meet the requirement for a gradual transition between the differing land use buffers along the east property line.

It should be noted that the proposed buffer widths would not permit ground floor retail uses, which require a 15-foot wide buffer adjacent to all residential uses adjoining the site.

In addition, depending on the location, the proposed site elevation of the buffer area would be below the elevation of the adjacent properties and 10<sup>th</sup> Avenue South (See Figure 2-3 and Appendix 1). Vegetation planted in these buffers would be visible from the new units within the site, but would not be visible from the adjoining properties or 10<sup>th</sup> Avenue South for many years, if ever. As proposed, the buffers would not meet the intent of minimizing the visual impact of the development.

### 3.1.3 Mitigating Measures

#### Applicable Regulations and Commitments

The proposed development would be required to comply with applicable provisions of the Kirkland Zoning Code and Shoreline Master Program. Adherence to these regulations will help ensure that the proposal is consistent with the surrounding land use pattern.

As required by Section 95.42 KZC, required landscape buffers shall provide effective screening for adjacent properties. The proposed site plan needs to be revised to meet the intent of the required landscape buffers. Modifications to the proposed site plan to meet this requirement could include shifting the retaining walls along the east, north and south property lines from the outer edge of the buffer to the inner edge and installing the landscape buffer between the

All mitigations are worthless in actually mitigating the issues. They are like purchasing a candy bar and small water bottle when you are told to get food and water in case of an earthquake.

Yes you purchased food and water but it will be worthless having you prepared for many days of survival

retaining walls and property lines, widening the buffers to provide an adequate area along the retaining walls for a raised platform so that planted vegetation provides screening above the fence line at time of planting, or other measures as approved by the City.

In addition, to meet the requirement of 95.42.5 KZC, the proposed site plan needs to be revised to provide for a gradual transition in buffer widths along the east property line.

### **Other Mitigation Measures**

In order to allow for future retail use of the site, landscape buffers would need to be modified to meet the standard for Buffering Standard 1 which requires a 15-foot width.

### **3.1.4 Significant Unavoidable Adverse Impacts**

The proposal would result in a greater density of land use on the project site. This change to the land use pattern to include multifamily use is consistent with the surrounding land use pattern and the Kirkland Zoning Code. With recommended mitigation, no significant unavoidable adverse impacts are anticipated.

As shown throughout the markups, land use intensity is already cited in Kirkland as being measured in units per acre and not any other method of calculation.

Then throughout the document there are misstatements claiming the majority of the area is multifamily buildings wherein that is categorically untrue. The vast majority are actually Single Family Homes of (about 50% one story bldgs). Only 44 of 125 buildings are multifamily in the area.

Even the multifamily structures tend to be small. 6 are single story, 24 are two stories tall and only 14 are 3 stories. There are no structures greater than 3 stories.

The change to use pattern is very inconsistent and is not consistent with Kirkland zoning code. Our code states that where there is a conflict between zoning and later passed ordinances and plans the most restrictive provisions apply. Even taken liberally this would mean that 12 units per acre is the most residential that is

From: [Laura Loomis](#)  
 To: [Potala EIS](#); [Teresa Swan](#); [Joan McBride](#); [Doreen Marchione](#); [Penny Sweet](#); [Amy Walen](#); [Bob Sternoff](#); [Toby Nixon](#); [Dave Asher](#); [Mike Miller](#); [Jon Pascal](#); [Jay Arnold](#); [Andrew Held](#); [Byron Katsuyama](#); [Glenn Peterson](#); [C Ray Allshouse](#); [Kurt Triplett](#); [Robin Jenkinson](#); [Eric Shields](#); [Jeremy McMahan](#)  
 Subject: FW: Laura: Please Clarify... Potala EIS - Chap 3.1 Density Miscalculation and mischaracterization  
 Date: Tuesday, August 14, 2012 1:38:26 PM  
 Attachments: [2012 EIS DENSITY.xls](#)  
[2012 Potala Chapter 3 1 with neighbor notations.pdf](#)

---

Dear City Officials:

I am attaching my prior correspondence below and wanted to add a note of clarity since I mentioned neighborhood views. My intention was to draw your attention to the views experienced by the public while in the neighborhood throughout 10th Ave S, 1st St, 2nd St, etc. This would be both the people that live here and also those who walk on our streets, bike or drive by. The public has long enjoyed the views when in our neighborhood. These will be lost with the current proposal. 1

Laura Loomis

LAURA L. LOOMIS  
 CHARLES LOOMIS, INC.  
 11828 N.E. 112th  
 Kirkland, WA 98033  
 P: 800.755.0471/425.823.4560  
 Email: [lauraloomis@charlesloomis.com](mailto:lauraloomis@charlesloomis.com)  
[www.charlesloomis.com](http://www.charlesloomis.com)

Dear City Officials:

I am attaching my prior correspondence below and wanted to add a note of clarity since I mentioned neighborhood views. In fact, my intention was to draw your attention to the views experienced by the public while in the neighborhood throughout 10th Ave S, 1st St, 2nd St, etc. This would be both the people that live here and also those who walk on our streets, bike or drive by. The public has long enjoyed the views when in our neighborhood. These will be lost with the current proposal.

Laura Loomis

-----Original Message-----

From: Laura Loomis <[lauraloomis@charlesloomis.com](mailto:lauraloomis@charlesloomis.com)>  
 To: [PotalaEIS@Kirklandwa.gov](mailto:PotalaEIS@Kirklandwa.gov); [Tswan@kirklandwa.gov](mailto:Tswan@kirklandwa.gov); [jmcbride@kirklandwa.gov](mailto:jmcbride@kirklandwa.gov); [dmarchione@kirklandwa.gov](mailto:dmarchione@kirklandwa.gov); [psweet@kirklandwa.gov](mailto:psweet@kirklandwa.gov); [awalen@kirklandwa.gov](mailto:awalen@kirklandwa.gov); [bsternoff@kirklandwa.gov](mailto:bsternoff@kirklandwa.gov); [tnixon@kirklandwa.gov](mailto:tnixon@kirklandwa.gov); [dasher@kirklandwa.gov](mailto:dasher@kirklandwa.gov); [mmiller@kirklandwa.gov](mailto:mmiller@kirklandwa.gov); [jpascal@kirklandwa.gov](mailto:jpascal@kirklandwa.gov); [jarnold@kirklandwa.gov](mailto:jarnold@kirklandwa.gov); [aheld@kirklandwa.gov](mailto:aheld@kirklandwa.gov); [bkatsuyama@kirklandwa.gov](mailto:bkatsuyama@kirklandwa.gov); [gpeterson@kirklandwa.gov](mailto:gpeterson@kirklandwa.gov); [callshouse@kirklandwa.gov](mailto:callshouse@kirklandwa.gov); [ktriplett@kirklandwa.gov](mailto:ktriplett@kirklandwa.gov); [rjenkinson@kirklandwa.gov](mailto:rjenkinson@kirklandwa.gov); [eshields@kirklandwa.gov](mailto:eshields@kirklandwa.gov); [jmcmahan@kirklandwa.gov](mailto:jmcmahan@kirklandwa.gov)  
 Sent: Sat, Aug 11, 2012 1:25 pm  
 Subject: Potala EIS - Chap 3.1 Density Miscalculation and mischaracterization

Please see Letter No. 48  
 for responses to these  
 comments.

Good Morning everyone:

My name is Laura Loomis and my husband and I live in a one story single family home at 100 10th Ave South across the street from the proposed Potala Development. Our home is part of the study area included in the land use chapter of the Environmental Impact Study.

Kirkland has chosen to regulate the intensity of use (density) of residential properties by measuring units per acre. This is documented in the current citywide EIS. This is the chosen benchmark for density, and is the focus of my comments.

I strongly disagree with the lack of attention given to single family homes in the land use chapter. It

states that the majority of the study area is multifamily homes. This is a gross mischaracterization. Our neighborhood group has accounted for every building within the study area and the opposite is true. There are 81 single family homes and only 44 multi-family homes in the study area. There is a 2/3 majority of Single Family residences! Our home is built to a density of only 6.66 units/acre. As one of the single family homeowners in the study area, which consists of 50% one story structures, I believe we contribute greatly to the ambiance of the area. We are the predominant land use. I am shocked by the misrepresentation of the facts in this study. I want to believe it was accidental and that the person doing the calculations did not personally visit the study area. I do not want to believe that a supposedly unbiased study was biased. I encourage you to correct this very egregious error in the EIS as soon as possible. Beyond the incorrect representation of the single family land use, there are numerous errors in calculations for the multifamily buildings which will also require correction. Neighbors have noted that there are more than 15 errors and 82 omissions, in chapter 3.1 of the EIS. These calculations are misleading by an astronomical amount. This greatly overstates the intensity of development that is seen as land use in the subject area.

I also protest that photos were taken from the vantage of 2nd & 10th Ave. South instead of 1st and 10th Avenue South to demonstrate the affect of the Potala project on blocking neighborhood views. This made it seem like there would be no impact on views of the residences on this street. This is another misrepresentation of the facts and I question why photos were not taken from both vantages to give people a clearer representation of the impacts.

On behalf of myself and my spouse, as well as all the neighbors in the study area and members of STOP and of "One Neighborhood Block."

I expect to see an accurate characterization and description of land use in the final EIS. Please ensure this is corrected. Otherwise, the old saying of "Garbage in, garbage out" will apply to this EIS document.

I am attaching two documents that will point out areas of miscalculations and misstatements in Chapter 3.1.

Sincerely,  
Laura Loomis  
100 10th Ave S  
Kirkland WA 98033

From: [Laura Loomis](#)  
 To: [Potala EIS](#); [Teresa Swan](#); [Joan McBride](#); [Doreen Marchione](#); [Penny Sweet](#); [Amy Walen](#); [Bob Sternoff](#); [Toby Nixon](#); [Dave Asher](#); [Mike Miller](#); [Jon Pascal](#); [Jay Arnold](#); [Andrew Held](#); [Byron Katsuyama](#); [Glenn Peterson](#); [C Ray Allshouse](#); [Kurt Triplett](#); [Robin Jenkinson](#); [Eric Shields](#); [Jeremy McMahan](#)  
 Subject: POTALA VILLAGE EIS STUDY COMMENTS  
 Date: Thursday, August 23, 2012 3:05:52 PM

---

Dear Everyone,

After reading the entire EIS, I am perplexed at some of the conclusions made within the report. Some of them were based on incomplete, incorrect, and misleading information – as mentioned in my previous letter. Others were based on information that has no relevance as it pertains to the proposed Potala Village location – the traffic studies and impacts. 1

### TRAFFIC PARKING & SAFETY

As proposed, Potala's driveway will be located right across the street from several residences. In close proximity, to the left of the driveway, is a multifamily residence. In close proximity to the right of the driveway is 10<sup>th</sup> Avenue South – a residential street. With the proposed number of residents exiting from the Potala Village driveway in such close quarters there will be safety issues and the possibly of fatal accidents. Because there are obstacles to their view from cars & trucks parked along the street, they will need to poke out into bicycle lanes – potentially hitting cyclists, pedestrians or other cars. Cars turning left or right during rush hour will delay traffic on Lake Washington Blvd. as well as other tenants exiting from the garage. This will ensure that residents will try to park on the street to avoid being late to work. There is not enough parking on Lake Washington Blvd., so they will park on 10<sup>th</sup>. This is the access street for emergency vehicles. When cars are parked on both sides of the street, it is difficult for cars or emergency vehicles to pass each other in opposite directions. School children, toddlers and teens live and play along this street. With cars speeding up or down it to avoid traffic on Lake Washington Blvd., and parked cars blocking their view – they will be vulnerable to accidents. It is the street people park on to access nearby parks and events. In conclusion, a development of this density is a safety threat that should be taken seriously. 2

### ILLEGAL EIS STUDY

The biggest issue was the scope of the EIS study. It was based on two scenarios, do nothing or build Potala Village. Our group challenged this as not relevant when it was proposed - but we were ignored. You all received a letter from our attorney citing case law arguing that this was not a relevant EIS study and should be redone. 3

We all want the property developed. Instead of studying whether a development should be built on this property, why didn't the EIS consider WHAT should be built on it that would comply with the Comprehensive Plan and the surrounding neighborhood? Instead, the study focused on how they could justify the project's scale and density. The EIS study also did not address the description of the property in the Comprehensive Plan - which calls for a very small business to match the density and scale of the surrounding neighborhood.

Because of the mistakes, omissions, and faulty premises on which the EIS was 4

conducted, I question its validity. It is definitely biased in the developer's favor. I also question the fact that the person in charge of the study once worked for Kirkland's Planning Department. If I were a member of the Planning Department, I would have selected someone that had no prior connections or dealings with them to ensure an un-biased, more thorough, and accurate report.

4  
cont.

The EIS study is flawed and should be redone!

Best regards,

Charles and Laura Loomis  
100 10<sup>th</sup> Avenue South  
Kirkland, WA. 98033

Direct: (206) 621-8869  
mann@gendlermann.com

August 14, 2012

Teresa Swan, Project Planner  
City of Kirkland  
Department of Planning and Community Development  
123 5<sup>th</sup> Avenue  
Kirkland, WA 98033

Re: Potala Village Mixed Use Development Draft EIS

Dear Ms. Swan:

The following comments are submitted on behalf of Support The Ordinances and Plan (“STOP”). These comments are intended to supplement comments you receive from individual members. The purpose of these comments is to focus on the single most flagrant deficiency in the DEIS – the failure of the DEIS to analyze even one reasonable alternative that could feasibly attain the proposals objectives but at a lower environmental cost or decreased level of environmental degradation. Because the DEIS is fatally flawed it is void and must be re-issued.

1

A. SEPA Requires Consideration of Reasonable Alternatives

The primary purpose of an EIS is to ensure that SEPA’s policies are an integral part of the ongoing programs and actions of local government, and not simply an afterthought. In order to fulfill this purpose, it is SEPA mandates that EIS “shall inform decision makers and the public of reasonable alternatives, including mitigation measures, that would avoid or minimize adverse impacts or enhance environmental quality.” WAC 197-11-400(2).

SEPA mandates adequate consideration of a sufficient range of alternatives, including alternatives within the proposed site. "Openminded, imaginative design and consideration of alternative courses of agency action is crucial to SEPA's ultimate quest -- environmentally optimum government decisionmaking." *Settle*, § 14.01[2][b]. The required contents of an EIS are set forth at RCW 43.21C.030(2)(c), which provides in relevant part:

The legislature authorizes and directs that, to the fullest extent possible . . . (2) all branches of government of this state . . . shall:

(c) Include in every recommendation or report on proposals for legislation and other major actions significantly affecting the quality of the environment, a detailed statement by the responsible official on:

...  
(iii) alternatives to the proposed action;

(Emphasis supplied).

The SEPA regulations underscore the need to discuss alternatives in order to facilitate reasoned decision making: "[p]roposals should be described in ways that encourage considering and comparing alternatives," WAC 197-11-060(3)(a)(iii), so as to "permit a comparative evaluation of alternatives." WAC 197-11-440(5)(c)(v). The Washington Supreme Court has found that the consideration of alternatives cannot simply be cast aside. "The required discussion of alternatives to a proposed project is of major importance, because it provides a basis for a reasoned decision among alternatives having differing environmental impacts." *Weyerhaeuser v. Pierce County*, 124 Wn.2d 26, 42, 873 P. 2d 498 (1994).

The range of reasonable alternatives that must be discussed in the EIS "shall include actions that could feasibly attain or approximate a proposal's objectives, but at a lower environmental cost or decreased level of environmental degradation." WAC 197-11-440(5)(b). Courts have enforced the requirement for consideration of a sufficient range of alternatives sites, as well as a range of alternatives on the proposed site. *See, e.g., Weyerhaeuser*, 124 Wn.2d at 42 (EIS held inadequate for failure to consider alternative sites to a proposed solid waste landfill); *SWAP*, 66 Wn. App. at 444 ("[t]he range of alternatives considered in an EIS must be sufficient to permit a reasoned choice"); and *Barrie v. Kitsap County (Barrie)*, 93 Wn.2d 843, 857, 613 P.2d 1148 (1980) (EIS held inadequate for failing to consider alternative sites for a proposed regional shopping center). *See also, Methow Valley Citizens Council v. Regional Forester*, 833 F.2d 810, 815 (9th Cir. 1987) ("[t]o be adequate, an environmental impact statement must consider every reasonable alternative"), *rev'd. on other grounds*, 490 U.S. 332 (1989).

The discussion of alternatives must be sufficiently detailed to permit a comparative evaluation of different courses of action. As held by *Weyerhaeuser* at 41:

Under WAC 197-11-440(5)(c), the alternatives section of the EIS must describe the objectives, proponents and principal features of reasonable alternatives, including the proposed action with any mitigation measures; describe the location of alternatives, including a map, street address and legal description; identify phases of the proposal; tailor the level of description to the significance of environmental impacts; devote sufficiently detailed analysis to each alternative so as to permit a comparison of the alternatives; present a comparison of the environmental impacts of the alternatives; and discuss benefits and disadvantages of reserving implementation of the proposal to a future time.

A superficial presentation of alternatives that contains only brief, conclusory descriptions and prevents "any meaningful comparison" is legally inadequate. *Id.*

B. The Potala DEIS Fails to Examine Reasonable Alternatives

The alternatives discussion in the Potala Village EIS violates the SEPA alternatives requirements in two fundamental ways. First, the only alternative considered, the applicant's proposed mixed use project, does not itself meet the stated "Objectives of the Proposal." Second, even if it did, the EIS fundamentally fails to include any additional alternatives that that could feasibly attain or approximate the proposal's objectives, but at a lower environmental cost or decreased level of environmental degradation

2

1. The Applicant's proposed project does not meet the stated Objectives

The starting point for determining if the EIS has considered reasonable alternatives is the stated "Objectives of the Proposal." The "objectives" are set out at page 1-1 of the DEIS:

- Maximize site development potential within the context of regulatory requirements and environmental and market conditions.
- Redevelop the site to create an attractive residential mixed use development.
- Ensure that site development is financially feasible and sustainable.
- Create a development that is an asset to Kirkland's citizens and is compatible with the surrounding area.

There are at least two reasons why the decision to consider only the applicant's proposed mixed use development of 143 residential units and 6200 sf of commercial use exceeds the "Objectives of the Proposal" as defined in the DEIS and is therefore an invalid alternative. First, in order to develop the site "within the context of regulatory requirements" the project must be consistent with the City's Comprehensive Plan. The Comprehensive Plan defines the "residential market" designation as "an individual store or very small, mixed use building/center focused on local pedestrian traffic." See DEIS, pp. 3.2-4. Obviously the applicant's proposal is inconsistent with the plain language of the Comprehensive Plan.

3

Second, the project must be "an asset to Kirkland's citizens" and be "compatible with the surrounding area." The applicant's proposal fails on both fronts. The DEIS defines the neighborhood for the proposal as the area generally bounded by Lake Washington to the west, State Street to the east, 7<sup>th</sup> Avenue South to the north, and 64<sup>th</sup> Street to the south (see Figure 3.1-1). The vast majority of the properties within this surrounding study area are single family residences. In all, there are 81 – 1 to 2 story single family buildings and 44 – 1-3 story multi-family buildings. The proposal is nowhere near compatible with the surrounding area.

2. The DEIS fails to consider other reasonable alternatives.

4

In addition to the fact that the single alternative considered does not meet the stated Objectives, the DEIS utterly fails to consider other alternatives that “could feasibly attain or approximate the proposal's objectives, but at a lower environmental cost or decreased level of environmental degradation.” Even *if* the applicant’s proposal did meet the stated Objectives, the EIS should still look at other options that also meet the Objectives. This includes, but is not limited to an alternative consistent with the plain language of the Comprehensive Plan designation for the residential market designation. Included also should be an alternative that more closely matches the zoning currently under consideration by the Planning Commission and City Council. The failure to consider additional alternatives is yet another fatal flaw in the DEIS

We look forward to your direct response to these comments.

Please do not hesitate to contact me if you have any questions.

Very truly yours,

GENDLER & MANN, LLP

*David S. Mann*  
(Sent electronically)

David S. Mann

cc: Clients  
Eric Shields  
Robin Jenkinson  
City Council

From: [shirley-at-home@comcast.net](mailto:shirley-at-home@comcast.net)  
To: [Teresa Swan](#); [Potola EIS](#); [Eric Shields](#); [Kurt Triplett](#); [Robin Jenkinson](#); [Jeremy McMahan](#); [Joan McBride](#); [Doreen Marchione](#); [Penny Sweet](#); [asher@kirklandwa.gov](mailto:asher@kirklandwa.gov); [Toby Nixon](#); [Bob Sternoff](#); [Mike Miller](#); [Jon Pascal](#); [Jay Arnold](#); [C Ray Allshouse](#); [Byron Katsuyama](#); [Andrew Held](#); [Glenn Peterson](#)  
Cc: [uwkkg@aol.com](mailto:uwkkg@aol.com)  
Subject: Potola EIS  
Date: Wednesday, August 22, 2012 9:42:08 AM

---

City of Kirkland,

The EIS for Potola does not adequately address some major concerns and does not fit the city's comprehensive plan. Given the location, the impact on traffic is a major concern. In addition, the definition and extent of commercial activity is not defined.

1

My understanding is that the EIS only considered the 143 unit proposal and did not address the possibility of a lower density project, a concept that needs to be addressed if there is to be reasonable development of the area.

2

I urge the council to reject the EIS as it currently stands.

Shirley Miller  
221 5th Ave S. E-204  
Kirkland WA 98033



From: [Ruth Norwood](#)  
 To: [Potala EIS](#); [Teresa Swan](#); [Joan McBride](#); [Doreen Marchione](#); [Penny Sweet](#); [Amy Walen](#); [Bob Sternoff](#); [Toby Nixon](#); [Dave Asher](#); [Mike Miller](#); [Jon Pascal](#); [Jay Arnold](#); [Andrew Held](#); [Byron Katsuyama](#); [Glenn Peterson](#); [C Ray Allshouse](#); [Kurt Triplett](#); [Robin Jenkinson](#); [Eric Shields](#); [Jeremy McMahan](#)  
 Subject: Potala EIS: Aesthetics Building Size and Setbacks  
 Date: Monday, August 13, 2012 8:34:18 PM

---

SUBJECT: Potala EIS: Aesthetics Building Size, Setbacks and landscaping

Dear City Officials:

My name is Ruth Norwood and live in an the newly annexed area of Kirkland. I am writing to encourage you to require the Potala Village project to fit aesthetically within it's neighborhood so as to be a compliment and add to our beautiful waterfront boulevard. My requests are for buildings of a compatible size and scale to those that currently exist in the neighborhood as well as maintenance of front yard setbacks, lush landscaping fountains that is a result of codes that require this extra front yard along LWB/Lake Street (KZC 40.10 & KZC 40.08)

1

Indeed, we have a jewel where our city borders Lake Washington. For years I have walked and run along Lake Washington Boulevard. What I've enjoyed is more than just the water views. I've also enjoyed the lush landscaping of all the properties along both sides of the street. I've often stopped to enjoy the fountains at Water's Edge or Shumway and I've marveled at the beautiful gardens provided by all the HOAs and single family homes in the area. How fortunate we are as a city that the residents in this area invest heavily in creating this incredible experience. We all benefit by having this landscaping and art to enjoy. I'd imagine many people visit Kirkland from other cities and part of that is likely the overall setting that I've described.

2

It was only during the recent discussion of Potala that I learned that we have policies that require building front yard setbacks of 20 feet in the area and in the BN zone. I also learned that buildings over 25 feet are required an additional 2 feet of yard for every foot of building height along Lake Washington Blvd and Lake Street. This, of course, allows for these great yards and community benefit.

3

In closing, please make sure the EIS addresses building setbacks, front yard, landscaping and community benefit that are characteristic of this neighborhood. Please do not allow uncharacteristically big buildings or their placement next to the sidewalk.

Thank you,

Ruth Norwood  
 14201 93rd Ave NE  
 Kirkland, WA 98034



From: [Chuck Pilcher](#)  
To: [Potala EIS](#)  
Subject: DEIS Comments  
Date: Thursday, August 16, 2012 1:57:55 PM  
Attachments: [DEIS Comments.pdf](#)  
[Density Graph from EIS.tiff](#)

---

Teresa, I did not see that there is a specific email address to which these comments should be sent, so I sent them to Eric earlier today. Here's one to the specific address.

Attached are my comments, most of which I addressed at the DEIS hearing. I have tried to keep the main points up front, with the detail on pages 2, 3 and 4.

I'm also attaching one of the two graphs I showed.

The 177 density over-water building needs recalculation, but all of that issue is addressed in my comments.

Chuck Pilcher  
chuck@bourlandweb.com  
206-915-8593

## Areas of DEIS needing further remediation:

### Executive Summary (details attached on pages 2-4):

2

#### Design, Density, Intensity, Mass, Scaling, Setbacks, Land Use, etc.:

1. Since 2/3 of the properties in the study area are single family, density calculations must include the entire 126 properties in the subject area, not just those that are multi-family, in order to define the character of the existing neighborhood.
2. All 44 multifamily properties must be included (6 of 44 were inadvertently excluded from the DEIS calculation.)
3. As built densities of non-conforming properties must include land area at the time of construction for all properties, not just the "re-buildable" land area. Current residential density limits must be applied equally to all non-conforming properties.
4. If existing properties have been downzoned, the re-buildable density for all properties should be specified.
5. There is mention of 4 and 5 story buildings in the neighborhood, e.g. Monterey, Pleasant Bay and one other. Please be specific on these and show photos to verify their existence, as I am unaware of any.
6. Density, scale, intensity, setbacks, and buffers need to be scaled to the neighborhood, as is suggested throughout the DEIS.
7. Keeping the ground level at street level is critical.
8. Separation of buildings to reduce scale, perception of height, massing and density is a reasonable approach (e.g.: Scenario 2).
9. Since minimum lot size of 1800 sf is specified in KZC 83 for Shoreline areas including a portion of the subject property, this provides a guideline of twice the zoned density of the surrounding neighborhood as a reasonable density.
10. Be more specific regarding page 3.3-13 where the very pro-developer statement is made "... a mix of newer and older buildings, the majority of which are located relatively close to the street." What does "relatively" mean? Show examples that compare with the proposed project.
11. Amplify the verbiage on office v. retail in the proposed project, since the Comp Plan specifies that this be for "neighborhood business," or "residential market," NOT for office use. Yes, "office" decreases traffic and parking, but "office" is not the intended use of the property.

3

4

5

6

7

#### Construction Impacts:

12. Address the remediation needed to our roadways after 3000 20 ton dump trucks have degraded the road surfaces.
13. Greater emphasis should be placed on traffic mitigation during construction, since up to 10 weeks of one-way traffic may be needed, rather than resorting to the phrase "The prime contractor would be required to prepare a traffic management plan prior to the start of construction."

8

#### Traffic and Parking:

14. Address the traffic issues WITHIN the proposed garage (Ga-RAGE), where backups during peak AM commute will cause drivers to take risks to turn south from the driveway. Also address the role played by a security gate on exiting or entering the ga-RAGE.
15. Address impacts on traffic safety for existing neighbors who cannot even now safely exit their driveways onto Lake Street.
16. The property is not "adjacent to transit," the nearest bus stop being 1/4 mile away.
17. The property is clearly in a "pedestrian oriented district" contrary to the DEIS. Over 2000 pedestrians use the Boulevard daily at this location during the summer.
18. Address the role of 24 moving vans per month, clustered around the first of each month, as people move in and out (assuming 1 year leases on 143 units). Access to the garage and elevators for move-in and move-out appears to be unavailable for moving vans due to height restrictions.

9

#### Contamination:

19. You must address the need for removal of garage runoff from the lowest drainage point in the garage, and the need for a long-term plan to pump vehicle runoff to somewhere other than storm drains.
20. There should be additional comment on the role played by digging a hole for the garage 15 feet below the surface level of Lake Washington. What impact will a known underground (and one old above ground) stream traversing the property have on the project and environment? What mitigation is possible? What direction will water flow after completion of the project, and carrying what contaminants?

10

**Details** supporting the above statements, with references to the pages of the DEIS where the issue is addressed, are below:

**Density, Scale, Intensity, Setbacks, etc:**

- Calculations used only multi-family parcels (and only 38 of those 44 multi-family properties; 5 properties left off are 2 units each, and one is 7 units). 11
- Skipped the 2/3 that are single family
- Actual average built density is 11 units per acre
- Misrepresent density of several properties, esp. the 177 unit one over water, which is really only 40 upa. Saying it can't be rebuilt as is is disingenuous, because NO non-conforming multi-family property in the area can be rebuilt at over 12 units per acre.
- See Assessor's Records and graphs.
- Height Limits: (see photo 3.3-5). Height limits are critical to the impression of mass, scale and density. 12
- 3.3-7 & 3.3-10: Refer to a "five-story structure." I am unaware of any 5 story structure in the affected area. Please clarify.
- 3.3-13: There is a reference regarding Monterey Bay and Pleasant Bay implying that 4 story buildings exist. I believe this is an error. If they do exist, it is the exception, and a tiny fraction of the units.
- 3.3-13: Disagree with the statement: "... a mix of newer and older buildings, the majority of which are located relatively close to the street." Be more specific about what the specific setbacks of which buildings are "close to the street, as this wording is clearly pro-developer. And the buildings closest to the street still have a 15 foot setback in almost every case." 13
- 2.5.14: Minimum lot size is specified in KZC 83 for shoreline areas as 1800 sf for multifamily residential. This should be an example for the rest of the project to follow. 14

**BN Zoning**

- 3.2-7 & 3.2-17: (From the Economic Activities Element of the MB Plan:) "Limited commercial use of this location, therefore, should be allowed to remain." This is an **anachronism**, based simply on the prior existence of a Richfield gas station as recently as the early 1970's on this location, on the then outskirts of Kirkland. Reference is made to "historic commercial use on the site." 15
- Project specifies "**Office**" as the Commercial use, when **BN zoning is intended for retail uses.**

**Construction Impacts:**

- 3.5: Excavation of 50,000 cy of material will take between 7 & 10 40 hour weeks. Lake St./LWB is one of only 3 north-south arterials west of I-405 and is heavily used by commuters. Greater emphasis should be placed on how this impact will be mitigated, rather than resorting to the phrase "The prime contractor would be required to prepare a traffic management plan prior to the start of construction." 16
- 3.5: Damage to Lake Street, and possibly to other feeder streets, will most likely be caused by some 3000 20 ton dump trucks and trailers hauling dirt from the site. A plan for mitigation of this damage should be in place before construction begins.

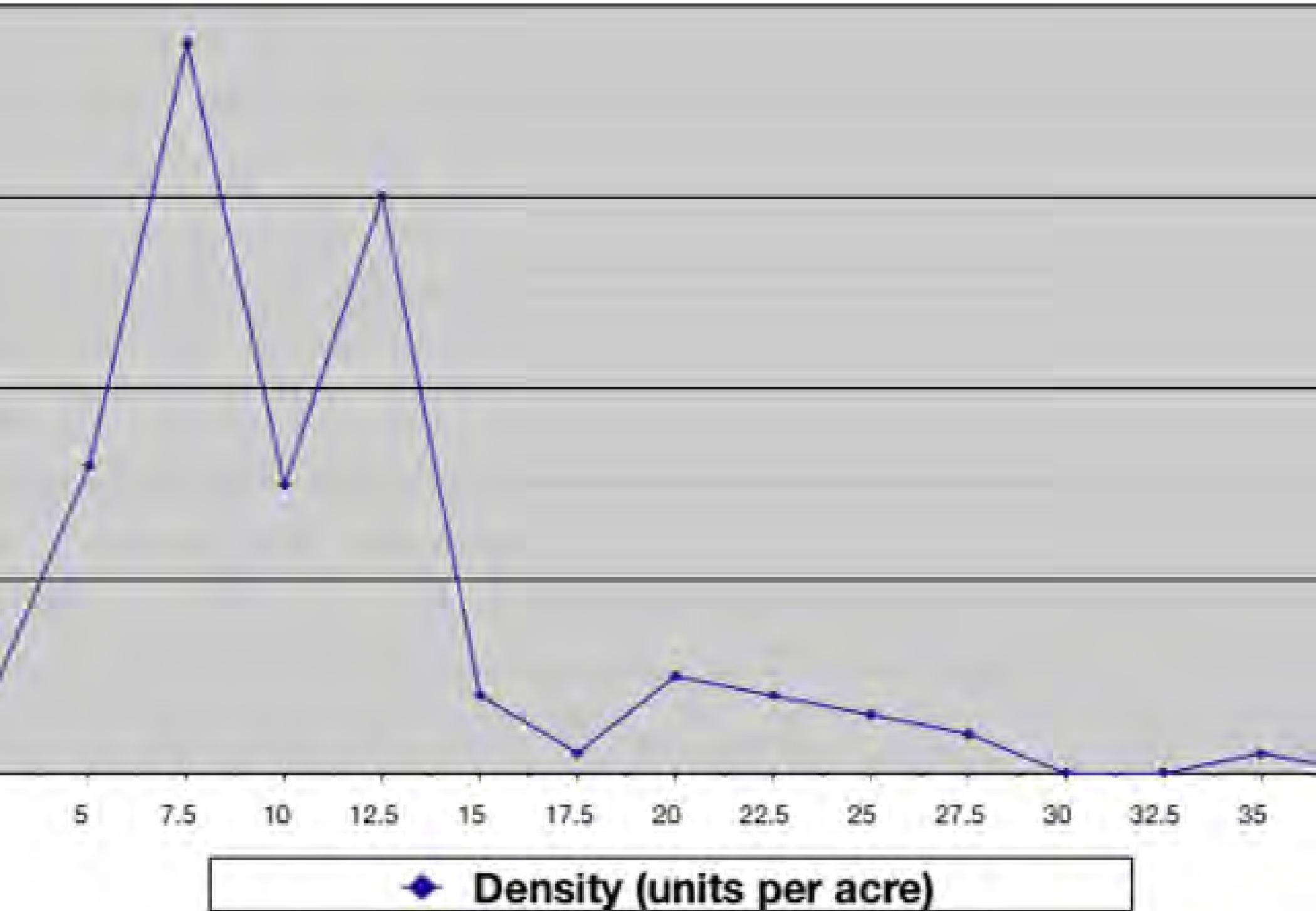
**Transportation & Parking:**

- 3.4: This section contains a huge amount of calculations and theoretical information, most of which is far too general to be applicable to this project on this street. I anticipate that reality will trump science in this case, and make traffic engineers rethink 17

<p>their approach to such problems. It is a known fact that reducing volume by 10-20% on a gridlocked roadway is all that is needed to move traffic at posted speed limits. The tolling of the 520 bridge is an example, as are federal (only) holidays.</p>	17 cont.
<ul style="list-style-type: none"> <li>• The bulk of the congestion will occur outbound from the garage, as 70-95 vehicles exit the project during peak AM commute. "Ga-RAGE" will become a fact here, as people attempt the difficult left turn to southbound Lake Street. The "gap" will need to be great, and people will begin taking risks during small gaps. With limited sight lines due to on-street parking, and cars blocking the sidewalk and bike lane awaiting a gap, pedestrians and bicyclists will be put at frequent and serious risk.</li> <li>• The impact of delays caused by the "security gate" for project residents on their access to and egress from the project - and resulting backups in the garage and on Lake Street - deserves further comment.</li> </ul>	18
<ul style="list-style-type: none"> <li>• 3.4: There needs to be more information on the impact on existing neighbors, particularly with regard to: <ul style="list-style-type: none"> <li>• peak hour traffic impact on egress from existing driveways</li> <li>• impact on traffic volumes and parking on 10th Avenue South</li> </ul> </li> </ul>	19
<ul style="list-style-type: none"> <li>• 3.2-16: Is 1/4 mile truly considered "<b>adjacent to transit</b>"?</li> </ul>	20
<ul style="list-style-type: none"> <li>• 3.3-19: "... the subject site is <b>not located within a pedestrian-oriented district</b>..." This is absolute <b>hogwash</b>, as pedestrian counts approach 2000 per day (summer) and 500+ per day (winter) past the site.</li> </ul>	21
<ul style="list-style-type: none"> <li>• Obstructions caused by moving vans should be addressed. With 143 units and 1 year leases, and \$1900 per month projected average rents (per developer's prospectus), approximately 12 units per month will turn over. That is 12 move-outs and 12 move-ins, or a potential 24 moving vans per month, mostly clustered around the 1st of each month. The garage entry is too short to accommodate even a small truck, so street parking will be needed. This impact needs to be addressed, and a reduction in density is an obvious mitigation.</li> </ul>	22
<p><b>Contamination:</b></p>	23
<ul style="list-style-type: none"> <li>• The implications of excavating the project some 15-20 feet below the level of Lake Washington are not addressed.</li> <li>• There is a known underground stream that has affected the Water's Edge condominium to the west. How will inflows into the excavation site be managed, since they cannot be pumped directly into storm drains.</li> </ul>	24
<ul style="list-style-type: none"> <li>• There is nothing included about long term <b>management of toxic runoff from the garage</b>. Provision for a sump system and pump out of runoff over the lifetime of the project must be included.</li> </ul>	24
<ul style="list-style-type: none"> <li>• 3.2-17: "... a <b>voluntary cleanup</b> process could be completed without Ecology oversight." Really? We appreciate your recommendation that governmental oversight be a part of this project.</li> </ul>	25
<p><b>We appreciate the following recommendations, findings, suggestions, implications, and comments in the DEIS:</b></p>	26
<ul style="list-style-type: none"> <li>• 3.3-29-31, 37, and 48: Ground floor should be at street level. A sunken ground floor is "not a generally preferred building/street relationship on pedestrian streets." These emphasize mitigations that reduce the perception of height, mass and scale. "Building size and massing appear to be out of scale with the surrounding neighborhood." This is the point that the citizens have argued for 1 1/2 years, and will continue to argue until an appropriately scaled solution is reached.</li> </ul>	26

- 15 foot (minimum) landscape buffers on all sides. (15 feet is the bare minimum to accomplish a reasonable reduction in massing, scale, intensity and density.)
- 3.2-6: "Designations surrounding the subject site to the W, E and N include MDR 12, LDR 5 and Parks/Open Space." And "most of the lands along LWB north of the subject property... are ... MDR-12.
- 3.2.9: The inclusion of references to the immediately adjacent Lakeview Neighborhood and the "Plan" therefore. Particular attention should be paid to the Commercial zone at NE 64th (**Super 24**) where Residential is limited to RM 3.6 (12 upa) and the PR zone on the **Kidd Valley** block, also limited to RM 3.6.
- 3.2-16: "Policy LU-1.4 calls for a buffer between different land uses."
- 3.2-16: "1/2 mile...may exceed the distance that is commonly walked... " The project is not "near shops, services and transportation hubs" in the common sense of the words.
- 3.2-17: "... the intent of the residential market is to focus on pedestrian traffic, which is more likely to occur with retail use than with the proposed office use."
- 3.2-17: "... building design should be compatible with the neighborhood in size, scale and character."
- 3.2-17 "The map does not identify a specific maximum residential density for the subject site." Therein lies the rub, and the overall error.
- 3.2-18: "**15 foot wide landscape buffer** standard for retail uses adjoining residential uses would need to be provided." This is the bare minimum. (See photos on p. 3.3-3, 3.3-4, 3.3-25 & 3.3-24 showing setbacks for existing properties at 15 or more feet.)
- 3.3-2: "... project site is in a somewhat more visually prominent location than some other sites along LWB/Lake St. S. due to its location on a corner at street grade."
- 3.3-7: "the area is clearly identifiable as residential in character."
- 3.3-10: "The bank and setbacks [of property north of 10th Ave. S], combined with building modulation and landscaping, minimize the perception of scale compared to buildings developed at grade with small front yards."
- 3.3-11, 13, 19-21, and 30-31: This is a series of comments on colors, landscaping, buffers, walled "access trenches" for natural light, general visual themes, that support the need for **Design Review**.
- 3.3-23: "In part, the difference between the Proposal and surrounding development is a reflection of the **different lot coverage standards** in the BN zone and surrounding zoning designations." This is the crux of the issue, and the City needs to fix it.
- 3.3-23: "In general, the **proposed landscaping is less extensive** than other landscaping on private properties in the area." Oh so true!
- 3.3-37 to 3.3-42: **Scenario 2**, with the project split into 3 buildings of 3 stories each, with the back building being higher than the front two, is the most appealing of all the (miserable) options presented. The possibility of garage access from 10th Ave. S. is raised, and might reduce the need for excessive excavation below lake level.
- 3.3-49: "Development on the project site will change its existing character and the long-term relationship of the site to the surrounding area over the long term." We agree and look forward to development, but only within the scale, intensity and density of the surrounding neighborhood, as specified in the Comp Plan.
- 3.3-30: "The parking area is generally out of character with development in the study area."

**Submitted by Charles A. Pilcher, 10127 NE 62nd Street, Kirkland**



From: [jrogers407@comcast.net](mailto:jrogers407@comcast.net)  
 To: [Potala EIS](#); [Teresa Swan](#); [Eric Shields](#); [Kurt Triplett](#); [Robin Jenkinson](#); [Jeremy McMahan](#); [Joan McBride](#); [Doreen Marchione](#); [Penny Sweet](#); [Dave Asher](#); [Toby Nixon](#); [Bob Sternoff](#); [Mike Miller](#); [Jon Pascal](#); [Jay Arnold](#); [C Ray Allshouse](#); [Byron Katsuyama](#); [Andrew Held](#); [Glenn Peterson](#); [Levinson, Karen](#); [Kelly, Maureen](#)  
 Subject: Potala...again  
 Date: Thursday, August 23, 2012 6:07:55 PM

---

Gentlemen and mesdames,

I continue to have grave concerns with the way this group of city planners conducts itself. First, looking back at the early origins of this proposal, the city gave Mr. Dargey an initial approval to build over 180 units on 1.2 acres with no EIS. After hearing critics, the city reversed itself and required an EIS. ( The first city planner who told Mr. Dargey that 12 units per acre was the requirement was removed and replaced by Theresa Swan)

Secondly, this EIS is underway to the consternation of many people. Mr. Pilcher spoke last week to several issues that indicated poor information and faulty conclusions; specifically to the numbers, criteria, omissions and densities that were presented. These favored Mr. Dargey. Thirdly, the EIS is to be an objective and comprehensive study to determine the feasibility of a project. An agency was to be evaluated and named to do the EIS. That agency is Inova. Inova is an agency headed by Joseph Tovar, former director of planning for the city of Kirkland, and perhaps some former employees of the city.

No matter how one looks at this, it reflects badly, since presumably other agencies without this baggage were available.

And finally the city has seen fit to limit the outcome of this study to either the whole 143 units or reject the whole project.

Really? So...modifications or compromise are not possible?

Who has given the city the authority to behave with such abandon? 800 citizens signed up as disagreeing with this project and there are more. These people live here, vote here and pay taxes here. Dargey doesn't The city council needs to step up and put an end to the duplicity and arrogance of the city planners

1

2

3

4

5



From: [Larry Saltz](#)  
To: [Potala EIS](#); [Teresa Swan](#); [Eric Shields](#); [Jeremy McMahan](#); [Kurt Triplett](#); [Robin Jenkinson](#); [Joan McBride](#); [Doreen Marchione](#); [Penny Sweet](#); [Amy Walen](#); [Bob Sternoff](#); [Toby Nixon](#); [Dave Asher](#); [Mike Miller](#); [Jon Pascal](#); [Jay Arnold](#); [Andrew Held](#); [Byron Katsuyama](#); [C. Ray Allshouse](#); [Glenn Peterson](#)  
Subject: EIS Portala  
Date: Tuesday, August 21, 2012 9:52:37 AM

---

Larry Saltz  
9229 NE 128th Lane  
Kirkland, Wa

Dear City of Kirkland;

Re: Proposed development "Potala"

The Draft EIS is flawed and must be redone because no alternatives were studied other than the developer proposal of 143 and a no-build alternative. This provided no alternative that is in line with a "small building" or "integrate into the neighborhood." This lack of a lower intensity alternative (12-24 units per acre) also failed in that it did not respond to citizen comments raised during the scoping period.

1

Sincerely,

Larry Saltz



From: [rlstyle@aol.com](mailto:rlstyle@aol.com)  
To: [Potala EIS](#); [Teresa Swan](#); [Joan McBride](#); [Doreen Marchione](#); [Penny Sweet](#); [Amy Walen](#); [Bob Sternoff](#); [Toby Nixon](#); [Dave Asher](#); [Mike Miller](#); [Jon Pascal](#); [Jay Arnold](#); [Andrew Held](#); [Byron Katsuyama](#); [Glenn Peterson](#); [C Ray Allshouse](#); [Kurt Triplett](#); [Robin Jenkinson](#); [Eric Shields](#); [Jeremy McMahan](#)  
Subject: URGENT POTALA  
Date: Monday, August 13, 2012 7:59:27 AM

---

SUBJECT: Potala EIS: Garbage In, Garbage Out  
Hello:

My name is Bob Style and live in a 1 story single family home at 6735 Lake Washington Blvd, Kirkland directly across the street from the proposed Potala Development. I live within the identified study area for Potala Village EIS.

I want to know why single family homes were grossly under represented in the EIS description of land use. Single family homes, like mine, make up the vast majority of the subject area land use and many are one story homes.

1

It is unbelievable that anyone could look at this area and state that the majority of buildings are multifamily and that there are only a scattering of single family homes. Multifamily is the minority consisting of only 30% of the land use. What is going on? Why the mischaracterization?

It is disturbing that there were 15 errors found in table 3.1-8 which is supposed to farther discuss this subset of land use. A whole bunch of 2 unit multifamily dwellings were just not counted. Many other multifamily units were assigned incorrect acreage or an incorrect number of units. There is the claim that one building even has 177 units per acre when it actually has only 40 units per acre. That is a 450% overstatement of density!

2

Who is doing this sloppy work and who will pay to fix it? The EIS cannot stand with such inaccuracies. The entire narrative needs to be rewritten after the calculations are redone and after someone takes time to properly investigate the area.

My unit is only 1.9 units per acre. Many of the other single family are similarly low density in units per acre and I am directly across from the proposed Potala project. That project will be 62 times as much density as my home and those next door to me. Yet somehow someone calls themself a consultant and concludes that 62 times the local density is not different than the surrounding properties.

This same consultant states that there are 4 and 5 story buildings in the subject area and assessor records confirm that there is not one building at 4 or 5 stories. There are only 14 three story buidings, 69 two and 39 one story. Where in the world did such obvious, fictional claims come from?

3

Kirkland has chosen to measure intensity of residential uses through density as units per acre. We spelled that out in the City's comprehensive plan. The chosen density for the Potala project needs to fit based on similar units per acre to the surrounding properties.

4

Only 4 of 125 properties are greater than 24/acre. These 4 were built in 1968 and would not be allowed currently. Potala must live within the same standards and fit within the neighborhood as something that looks like it belongs and doesn't contribute more density than other surrounding properties.

5

I look forward to seeing a correction of the EIS which needs corrections in every chapter but particularly the Land use chapter.

6

I have attached the neighborhood calculations of units/acre based on county records and you will be able to confirm all these details including how big (# of stories) in each structure. I have also attached an annotated copy of Chapter 3.1 wherein the neighbors point out numerous errors and mischaracterizations.

7

I am writing you on behalf of myself, my spouse, the neighbors within the identified study area and other citizens who have been working with the city to make sure Potala Village will be an appropriate size and residential density for the neighborhood.

Sincerely,

Bob and Audrey Style  
6735 Lake Washington Blvd NE

Kirkland WA 98033

**From:** [RLSTYLE@aol.com](mailto:RLSTYLE@aol.com) [mailto:RLSTYLE@aol.com]

**Sent:** Tuesday, August 14, 2012 7:25 AM

**To:** Penny Sweet; Amy Walen; Bob Sternoff; Toby Nixon; Dave Asher; Mike Miller; Jon Pascal; Jay Arnold; Andrew Held; Byron Katsuyama; Glenn Peterson; C Ray Allshouse; Kurt Triplett; Robin Jenkinson; Eric Shields; Jeremy McMahan

**Cc:** [Uwkkkg@aol.com](mailto:Uwkkkg@aol.com)

**Subject:** EIS request on Potala

Regarding the Potala EIS:

I want to make sure that the water table and the underground fuel tank issues are properly evaluated. There has been evidence of ground water and possible underground streams on surrounding properties. Are they also on this property? Their source, quality, and quantity need to be assessed as to their impacts on Lake Washington.

1

The underground tanks were abandoned before the laws on decommissioning them were established in 1989. There are documented cases of improper procedures being used and not supervised. The proposed development opens the door to an evaluation. Since the tanks were not removed and are still on the property, this application needs to evaluate existing conditions: what's in the tanks, are they rusting and if so how fast, can they be removed without disturbing the surrounding soils?

2

Robert L. Style  
6735 Lake Washington Blvd, NE  
Kirkland, WA 98033  
425-827-0216  
[rlstyle@aol.com](mailto:rlstyle@aol.com)



From: [Mark Taylor](#)  
 To: [Potala EIS](#); [Teresa Swan](#); [Eric Shields](#); [Jeremy McMahan](#); [Kurt Triplett](#); [Robin Jenkinson](#); [Joan McBride](#); [Doreen Marchione](#); [Penny Sweet](#); [Amy Walen](#); [Bob Sternoff](#); [Toby Nixon](#); [Dave Asher](#); [Mike Miller](#); [Jon Pascal](#); [Jay Arnold](#); [Andrew Held](#); [Byron Katsuyama](#); [C. Ray Allshouse](#); [Glenn Peterson](#)  
 Cc: [Karen Levinson](#); [Chuck Pilcher](#)  
 Subject: Potala Village EIS traffic study  
 Date: Friday, August 24, 2012 4:11:16 PM

---

I am writing in response to the *Potala Village Mixed Use Development Draft EIS*, specifically Section 3.4 (“Transportation”) of the DEIS. As a long-time engineer at AT&T Bell Laboratories, Motorola and elsewhere with an advanced degree in mathematics, I understand both the strengths and weaknesses of the traffic study conducted for the EIS. It is from that perspective that I offer the following comments.

Section 3.4 of the DEIS gets an “A” for presentation: 49 pages in length with numerous figures and tables supporting the text. The section describes both the measurement methodology and the traffic model used in the study. 1

Average hourly traffic volumes were counted at key intersections in the vicinity of the Potala project over a seven-day period in May 2012 to determine peak traffic timeframes. These busy-hour traffic measurements were combined with those obtained by another firm in 2010 and annual 2% growth projections provided by City of Kirkland Public Works staff to project 2014 volumes. AM busy-hour numbers were based on 2012 measurements and PM busy-hour numbers were based on 2010 measurements.

The impact of projected 2014 “without project” traffic volumes was compared with that of projected 2014 “with project” traffic volumes. Traffic volume impact was evaluated in terms of delays at “signalized” and “unsignalized” intersections in the vicinity of the project. These modeled delays were assigned a qualitative “level of service (LOS)” grade ranging between A (“free flow”) and F (“forced flow (jammed)”). LOS grades of E and F require mitigation if a project’s proportional share exceeds 15 and 5 percent, respectively.

The summary table (Table 3.4-11) indicates that the Potala project will add one to three seconds of additional average delay at signalized intersections and one to twelve seconds at unsignalized intersections. The overall conclusion of the study is that the project’s proportional shares at LOS E and F intersections – ranging between one and four percent – were insufficient to require mitigation. In other words, the traffic volumes in the vicinity of the project are already so high relative to roadway capacity that the impact of additional traffic from the project would be inconsequential.

However, the Potala transportation study suffers from a fundamental flaw in that it is based on busy-hour averages of traffic and does not consider the variability of traffic flow that causes queues (“traffic jams”) to build. A fundamental tenet of queuing theory – the branch of mathematical statistics that describes phenomena such as traffic flows in communication networks and roadways – is that the variances of the probability distributions are the primary cause of extreme conditions, such as that depicted in the attached picture of northbound Lake Washington Blvd at 62<sup>nd</sup> Street on a typical weekday afternoon this past June. A model based on average traffic volumes would never project this everyday reality. 2

Concluding that the currently planned Potala project will have only minimal impact on an already congested traffic situation based on the traffic study of the EIS is equivalent to saying that it never gets hot in Seattle because the average high temperature is only 76 degrees Fahrenheit. Or that it is impossible to drown in a pond whose average depth is only six inches. Or that a man standing in a fire with his head in a block of ice feels just fine on average. A study such as that described in Section 3.4 of the DEIS is commonly referred to as “the flaw of averages” by statisticians.

But, to those with limited mathematical background this superficial study will appear to be conclusive, and it will provide ample posterior coverage for city officials. However, a more rigorous study is likely to conclude just the opposite, and should be conducted in the name of responsible governance.

Respectfully,

Mark S. Taylor  
6202 Lake Washington Blvd NE



NE 62 ND ST





**KIRKLAND PLANNING DIRECTOR MEETING**  
**August 14, 2012**

1. **CALL TO ORDER - 7:00 PM**

Planning Director Eric Shields opened the hearing. He provided an introduction and overview of the project.

2. **ANNOUNCEMENT OF AGENDA - 7:01 PM**

3. **HEARING - 7:06 PM**

A. [Potala Village EIS - FILE NO.: SEP11-00004 & SHR11-00002](#)

Deborah Munkberg, Inova LLC, project lead for the EIS began her presentation. She provided a high level overview including renderings of proposed plans.

Alternative development scenarios were also outlined including references to building mass, scale, neighborhood compatibility, and trip generation.

Jennifer Barnes, Inova LLC, presented on the transportation element. She reviewed the suggested transportation approach for the project including background traffic volumes and vehicle trip generation.

Transportation mitigation. Road impact fees, frontage improvements, parking management strategies, such as bundled parking with leases. Reserve spaces for commercial use and visitors in visible locations, provide a kiosk with alternative modes and allow commercial parking to be used for residents and visitors when businesses are closed.

Deborah Munkberg, Inova LLC, discussed construction impacts. Noise/vibration, air quality, light and glare, transportation, parking and site cleanup were among the items to be considered. She also outlined the projected EIS timeline for the project.

[Mr. Shields opened the hearing for comments from the audience.](#)

1. Jack Rogers, 1025 Lake Street South. Mr. Rogers addressed the traffic issue, not only referring to cars but also pedestrian and bicycles. He spoke on lack of parking along the street as well and the impact of over 300 cars will have for the area. He believes that the EIS is an inaccurate portrayal of the impact Potala will have. | 1

2. Chuck Pilcher, 10127 NE 62nd Street. Chose to speak later.

3. Atis Freimanis, 10108 NE 68th Street, #6. Mr. Fremanis spoke on the proposed multifamily use being inconsistent with the neighborhood, specifically density and lot coverage. He believes the setback should be farther back. He addressed the community character and how the proposed property would not match, specifically the density and bulk of the building. He was curious about an underground river not being mentioned in the EIS. Mr. Fremanis addressed traffic, specifically requesting | 2

- |  |            |
|--|------------|
| more information on peak traffic, as well as parking issues and the data being inaccurate. He believes underground parking will not be utilized. He doesn't believe that visitors were calculated in the trip calculations.  | 2<br>cont. |
| 4. Christie Strong, 5302 Lake Washington Blvd. NE, Unit I, Willows at Carillon. Ms. Strong believes the presented statistics were inaccurate due to the amount of vehicle, bicycle, and pedestrian traffic already present in the area. She believes the footprint for the proposed property is too small to support the Potala use.   | 3          |
| 5. Janice Levy, 5302 Lake Washington Blvd., Unit E. Ms. Levy addressed the issue of people using her driveway for U-turns because of the amount of consistent traffic. She addressed her disapproval of the density of the property and believes there will be fewer people shopping in Kirkland because of this traffic.  | 4          |
| 6. Vashti Key, 1011 Lake Street South. Ms. Key spoke on her difficulty exiting her driveway currently.   | 5          |
| 7. Dione Godfrey, 1015 Lake Street South. Ms. Godfrey spoke on how many people have talked to her regarding their disapproval of the Potala proposal and expressions of concern for potential safety hazards and traffic impact. She believes this is not the proper location for this size of a building. She believes the credibility of Kirkland will go down because of this property. She addressed the lack of parking along the street currently.   | 6          |
| 8. Randall Cohen, 905 Lake Street South, #202. Mr. Cohen addressed the aesthetics and said the presented photos do not address the entire proposed building, such as sidewalks. He was curious about where the number of units came from when the surrounding area averages 12 at most.  | 7          |
| 9. Chuck Pilcher, 10127 NE 62nd Street. Mr. Pilcher started by addressing what he agreed with in the EIS such as setbacks, design review suggestions, and landscaping. He continued with his disagreement with the density calculations and how the neighborhood consists primarily of single-family homes, he would like the entire neighborhood to be included in the calculation believing the average density is 11 units per acre. He proceeded to give specific examples of densities existing in the area in reference to neighborhood character and the calculations being incorrectly assessed. He requested more information on what the potential construction process and impact would be and believes the estimated completion time would be extended and how the road will be impacted when the project would be done. He elaborated on parking issues and being able to exit the proposed parking garage as well as Lake Washington Blvd being a pedestrian oriented area. He would like to see the toxicity levels that would be anticipated and how they would be dealt with long term. | 8          |
| 10. Virginia DeForest, 945 1st Street South, #101. Ms. DeForest wanted to second what had previously been said about density and transportation issues. She further expressed concern for access to 10th Ave South in the expected increase of traffic.  | 9          |
| 11. Diane Rogers, 1025 Lake Street South. Mrs. Rogers expressed her concern having Potala compared to condominiums in the area, she felt that they were not  | 10         |

comparable. Also, she expressed that a bus route that had been taken into account, no longer runs along the street that results in traffic.

4. **ADJOURNMENT - 8:42 PM**

---

Planning Staff  
Department of Planning and Community  
Development