



**ADVISORY REPORT
 FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS**

To: Kirkland Hearing Examiner

From: Jon Regala, Senior Planner
 Eric Shields, AICP, Planning Director

Date: May 8, 2012

File: ZON11-00026 – TOTEM STATION MIXED USE PROJECT
 PLANNED UNIT DEVELOPMENT (PUD)

Hearing Date and Place: May 17, 2012
 6:30 p.m. (or as soon thereafter as possible)
 City Hall Council Chamber
 123 Fifth Avenue, Kirkland

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I. **INTRODUCTION**

A. **APPLICATION**

1. Applicant: CamWest Development LLC represented by Aaron Hollingbery
2. Site Location: 11515 124th Avenue NE (see Enclosure 1)
3. Request: The applicant is proposing to construct a new 4 to 5-story mixed use project. The majority of the project will be 4-stories. Lofts for three apartment units situated at building corners results in a 5-story building at those locations. The project also includes approximately 10,200 square feet of commercial/retail space, 108 one-unit/studio apartment units, and a total of 128 parking stalls (see Enclosure 2). An urban forest and dog park is proposed at the southwest corner of the site.

The applicant is requesting approval of a preliminary and final Planned Unit Development (PUD) in order to place residential parking spaces on the ground floor of the building and to modify floor-to-floor heights. The Kirkland Zoning Code (KZC) currently does not allow for stacked dwelling units and associated residential parking on the ground floor of a building in a development located in the NRH 1A zone. Residential parking is allowed outside of the building at the ground level. Eighty-four of the parking stalls are located on the ground floor of the building. Twenty-eight stalls are located on-site at ground level outside of the building.

The applicant is also proposing a shared parking approach between the different uses on the subject property and requesting a parking modification to allow 16 on-street parking stalls to count towards the parking requirement for the development.

4. Review Process: Process IIB, Hearing Examiner conducts public hearing and makes recommendation, City Council makes final decision.
5. Summary of Key Issues: The Department of Planning and Community Development recommends approval of the proposed PUD and parking modification request with conditions (see Section I.B). The key issues for this project include compliance with the PUD criteria (see Section II.F.2) and parking modification criteria (see Section II.G.2).

B. **RECOMMENDATIONS**

Based on Statements of Fact and Conclusions (Section II), and Enclosures in this report, we recommend approval of this application subject to the following conditions:

1. This application is subject to the applicable requirements contained in the Kirkland Municipal Code, Zoning Code, and Building and Fire Code. It is the responsibility of the applicant to ensure compliance with the various provisions contained in these ordinances. Enclosure 3, Development Standards, is provided in this report to familiarize the applicant with some of the additional development regulations. This Enclosure does not include all of the additional regulations. When a condition of approval conflicts with a development regulation in Enclosure 3, the condition of approval shall be followed (see Conclusion II.1.2).
2. As part of the application for a Building Permit and/or Grading Permit the applicant shall submit:

- a. Detailed plans for staff review that are consistent with Design Review Board approval file DRC11-00002 (see Conclusion II.B.2, II.C.2, and II.F.2.d.2).
 - b. A Tree Retention Plan that includes specific information on how to minimize construction impacts to the two trees to be retained (see Conclusion II.G.4.b).
 - c. Plans consistent with the public improvements in Enclosure 2 (see Conclusion II.F.2.d.2).
 - d. Permit drawings consistent with the parking layout in Enclosure 2 and parking information which includes the following (see Conclusion II.G.2.b):
 - A parking management plan, to be reviewed and approved by the City that would allow for successful shared parking. The parking management plan should address the following:
 - Signing on-site parking spaces as reserved for commercial use during specified hours Monday through Friday.
 - Installing signs visible from the driveway directing customers to commercial parking available in the parking garage.
 - A signed parking agreement which would prohibit medical office, sport-type uses such as spinning classes, yoga, and pilates studios unless a parking study is provided for City review and approval pursuant to the regulations in KZC Chapter 105. Any other change in use shall comply with the NRH 1A zone parking requirements.
 - A draft Transportation/Shared Parking Management Program as proposed by the applicant to be reviewed and approved by staff.
3. Prior to final inspection, the applicant shall:
- a. Replace any existing public improvements damaged during construction consistent with Public Works Preapproved Road Construction Plans (see Conclusion II.C.2).
 - b. Install the shared parking requirements in subsection 2.d above (see Conclusion II.G.2.b).
 - c. Submit a public access easement to allow for future construction and connection of the urban forest pedestrian pathway to the west (see Conclusion II.G.3.b).

II. FINDINGS OF FACT AND CONCLUSIONS

A. SITE DESCRIPTION

1. Site Development and Zoning:
 - a. Facts:
 - 1) Size: 86,331 square feet or 1.98 acres
 - 2) Land Use: The subject property is currently vacant and bounded by public right-of-way on three sides: 124th Ave NE on the east; NE 116th Street on the north; and NE 115th Place/Slater Avenue NE on the south.
 - 3) Zoning: NRH 1A

4) Terrain and Vegetation: The subject property is currently undeveloped except for remnants of the old Slater Road, which has been vacated. The site contains a large number of trees which include the following species:

- Big Leaf Maple
- Western Red Cedar
- Douglas Fir
- Black Cottonwood
- Red Alder
- Bitter Cherry
- Cascara

The subject property slopes down from the southeast to northwest. From the intersection of NE 115th Place and 124th Avenue NE, the ground elevation drops approximately 11 feet over a distance of approximately 255 feet to the northwest property line. From the intersection of Slater Avenue NE and NE 115th Place, the ground elevation drops approximately 19 feet over a distance of approximately 186 feet to the north property line. The eastern portion of the site has a more gradual slope while the western portion of the site has steeper topography. The intersection of NE 116th Street and 124th Avenue NE is approximately 8 feet lower than the intersection of NE 115th Place and 124th Avenue NE.

b. Conclusion: Tree retention and protection during construction are factors in the review of the proposed development (see Section II.G.6).

2. Neighboring Development and Zoning:

a. Facts: The following are the existing uses, allowed heights, and zoning of the properties adjacent to the subject property:

- *North*: The site is bounded on the north by NE 116th Street. Across NE 116th Street is the TL 5 Zone. Maximum building height in the TL 5 Zone is 35 feet above average building elevation and may be increased to 55 feet or more above average building elevation in certain circumstances. Fronting on 124th Avenue NE is a retail complex containing a 7-11 store at the corner. Fronting on NE 116th Street is an auto body shop.
- *East*: The site is bounded on the east by 124th Ave NE. Across 124th Ave NE are NRH 1B and NRH 3 zones. In the NRH 1B zone, the potential maximum height is 58 feet. Properties to the east contain a retail complex with a Jack-in-the-Box fast food restaurant and the NE 116th Street retail plaza. In the NRH 3 zone, the potential maximum height is 30 feet above average building elevation. The property to the east, located in the NRH 3 zone, contains a single family residence.
- *South*: NRH 3 Zone. Potential maximum height is 30 feet above average building elevation. Properties to the south contain the Totem Square Office Park.

NRH 1A Zone. Also to the south, the subject property adjoins the Luna Sol mixed-use project which was

completed in 2010. Luna Sol is a 5-story mixed use building with a 3-story below grade parking structure.

- *West:* The site is bounded on the west by a private access tract and the NRH 1A Zone. Potential maximum height is 58 feet measured above the abutting right-of-way. Properties to the west contain a 76 gas station as well as the Brown Bag Café, Shari's restaurant, and the Best Western Hotel.
- b. Conclusion: Since the subject property will contain a mix of residential and office, retail, and restaurant uses, compliance with their respective development standards are required. In the instance where a PUD is being requested in order to deviate from a development standard, the applicable PUD criteria must be met. See Sections II.F (analysis of PUD approval criteria) and II.G (analysis of *Development Regulations*) below for further discussion on these requirements.

B. HISTORY

1. Facts: The following is a brief summary of prior approvals for the subject property.
 - File BLD01-00059. Building permit for development of a two-story office building. Permit expired September 2003.
 - *Mastro Development* – Mixed-use building with 54 condominium units.
 - File VAC06-00002. Street vacation of portion of Slater Avenue that extends into the subject property. Street vacation completed in April 2007.
 - File DRC06-00003. Design Response Conference. Approved April 2007.
 - File BLD07-01017. Building Permit. Permit expired April 2010.
 - *Totem Station Development (current proposal)* - Mixed-use building with 108 apartment units.
 - DRC11-00002. Design Response Conference. Approved August 2011.
 - ZON11-00026. PUD application currently in review. The site layout and building design submitted with the PUD application is based on the Design Review Board (DRB) approval for file DRC11-00002.
2. Conclusion: Building permits and the design review approval associated with previous projects no longer apply to the subject property. However, the building and grading permit applications for this project (Totem Station) must comply with the DRB's approval in file DRC11-00002. If changes are proposed which are inconsistent with the DRB's decision, such changes must be reviewed again by the DRB and decided upon pursuant to KZC Section 142.50 – *[Design Review] Modifications*.

C. PUBLIC COMMENT

1. Facts: The City provided notice for public comment on the applicant's PUD proposal. The public comment period for this application was from June 30, 2011 through July 18, 2011. A total of seven emails and/or letters were submitted to the City during this period (see Enclosure 4).

Most of the concerns raised by the public were related to the increase in traffic and lack of traffic calming and transportation improvements. Traffic issues were addressed during the SEPA review of the project and SEPA has not been appealed. The City's Traffic Impact Analysis, which includes responses to these traffic concerns, can be found in Enclosure 5. Although transportation mitigation was not required with SEPA, the applicant is proposing a traffic island and associated striping south of the NE 112th Place and Slater Avenue intersection to narrow the travel lane and promote slower vehicle speeds (see Enclosure 13). The applicant is proposing these improvements as a PUD public benefit (see Section II.F.2). The Slater Avenue Task Force supports the proposed traffic calming improvements (see Enclosure 14).

Below are other concerns that were brought up in the public comment emails/letters received and are appropriate to be addressed as part of the zoning permit review. Each comment is followed by staff's response.

a. Parking

- 1) *Comment:* The proposal does not have enough parking spaces and may impact street parking.
- 2) *Staff Response:* The applicant has proposed a shared parking approach as described in KZC Section 105.45. Shared parking between uses is allowed if the number of parking spaces provided is equal to the greatest number of required spaces for the uses operating at the same time.

The applicant is also proposing 16 parking stalls to be located within the City right-of-way along NE 115th Place and 124th Avenue NE. Because this is not normally required, the applicant must receive approval of a parking modification pursuant to KZC Section 105.103.3.d.

See Section II.G.2 for staff's analysis on shared parking and the parking modification to allow for street parking.

b. Rose Hill Neighborhood signage

- 1) *Comment:* The applicant agreed to post a North Rose Hill neighborhood sign on the property at the NE 116th Street and 124th Avenue NE intersection.
- 2) *Staff Response:* Comprehensive Plan policy NRH37.1 states: *Use public and private efforts to establish gateway features at the locations identified in Figure NRH-10.* Comprehensive Plan *Figure NRH-10: North Rose Hill Urban Design* identifies a gateway along NE 116th Street near the 124th Avenue NE intersection (see Enclosure 6). During the design review process, the DRB decided against requiring the standard neighborhood gateway signage and approved a gateway design which incorporates a small plaza and rose garden along NE 116th Street into the frontage improvements. A second rose garden was added between the building and sidewalk along 124th Avenue NE near the intersection to continue the rose garden theme around the corner. Enclosure 2 contains the landscape/gateway plan as approved by the DRB.

c. Damaged Improvements

- 1) *Comment:* Concern that the developer may damage improvements associated with the NE 116th Street improvements associated with the I-405 WSDOT NE 116th Street interchange project.

- 2) *Staff Response:* Public Works preapproved plans require that any damaged public improvements be repaired prior to final inspection for the project.
2. Conclusions: As determined during SEPA review, additional traffic improvements or traffic calming mitigation are not required due to the project falling below Level of Service thresholds and since significant traffic safety impacts on Slater Avenue NE are not anticipated. See Section II.F.2 for additional discussion on this topic.

The gateway design must be consistent with the DRB's approval in file DRC11-00002.

Any damaged WSDOT frontage improvements caused by the developer along NE 116th Street should be repaired by the applicant.

D. STATE ENVIRONMENTAL POLICY ACT (SEPA)

1. Facts: A Mitigated Determination of Nonsignificance (MDNS) was issued for the proposal on March 21, 2012. The City required that the applicant submit a performance bond to cover the cost of installing a c-curb within the 124th Avenue NE right-of-way. The purpose of the c-curb is to prevent left turns from 115th Place NE and the need for the c-curb installation will be determined by the City based on traffic safety at this intersection for a period of 3 years after occupancy of the project. The SEPA Determination is included as Enclosure 7. The MDNS was not appealed. However, a comment letter was submitted during the comment and appeal period. The City's response can be found in Enclosure 8.
2. Conclusion: The applicant and City have satisfied SEPA requirements.

E. CONCURRENCY

1. Fact: The Public Works Department has reviewed the application for traffic concurrency. A concurrency test was passed for water, sewer and traffic on April 13, 2011. A Notice of Concurrency was distributed, published, and posted on the subject property on March 22, 2012.
2. Conclusion: The applicant and City have satisfied concurrency requirements.

F. APPROVAL CRITERIA

1. Process IIB
 - a. Facts: Zoning Code section 152.70.3 states that a Process IIB application may be approved if:
 - 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and
 - 2) It is consistent with the public health, safety, and welfare.
 - b. Conclusion:

The proposal complies with the criteria in KZC Section 152.70.3. It is consistent with all applicable development regulations (see Section II.G) and the Comprehensive Plan (see Section II.H). In addition, the proposal is consistent with the public health, safety, and welfare because the project will provide the community with housing and retail and/or office opportunities consistent with the goals of the Comprehensive Plan for this neighborhood.
2. Planned Unit Development (PUD)

- a. KZC Chapter 125 Requirements
 - 1) Fact: A PUD is intended to allow developments which benefit the City more than would a development which complies with the specific requirements of the Kirkland Zoning Code. KZC Section 125.35 establishes three decisional criteria with which a PUD request must comply in order to be granted. The applicant's response to these criteria can be found in Enclosure 9.

Sections II.F.2.b through II.F.2.d contains the staff's findings of fact and conclusions based on these three criteria.
 - 2) Conclusions: Based on the analysis in the following sections, the application meets the established criteria for a PUD.
- b. **PUD Criterion 1: The proposed PUD meets the requirements of Zoning Code Chapter 125.**
 - 1) Facts:
 - a. KZC Chapter 125 sets forth procedures by which a PUD is to be reviewed, the criteria for PUD approval, the Zoning Code provisions that may be modified through a PUD, and the PUD bonus density provisions.
 - b. The proposal is being reviewed through the process established by KZC Chapter 125.
 - c. The requested code modifications requested by the applicant are allowed through the PUD process.
 - 2) Conclusion: The proposed PUD is consistent with the requirements of KZC Chapter 125.
- c. **PUD Criterion 2: Any adverse impacts or undesirable effects of the proposed PUD are clearly outweighed by specifically identified benefits to the residents of the City.**
 - 1) Facts:
 - a) The subject property is zoned NRH 1A which allows a variety of uses including stacked dwelling units (see Enclosure 10).
 - b) NRH 1A Zoning
 - i. Special Regulation 1 for a 'stacked dwelling unit' use prohibits residential uses from being located on the ground floor of a structure (see Enclosure 10). Parking associated with the residential units is considered a part of the 'stacked dwelling unit' use. Therefore, the prohibition in Special Regulation 1 applies to parking stalls located within the structure that is associated with the residential use.
 - ii. General Regulation 2 outlines how building height is determined (see Enclosure 10). The maximum building height of a structure is determined by taking the sum of the floor heights allowed per story (based on use) which is then limited by the maximum number of stories allowed. The maximum number of stories allowed for a mixed-use residential development is 5 stories.
 - c) The applicant is proposing to build a mixed-use project that contains approximately 10,200 square feet of ground floor retail, office, and/or

restaurant space and 3 to 4 stories of stacked dwelling units located above the ground floor. The applicant has requested approval, through the PUD process to (see Enclosure 9):

- Place parking for the residential use in a parking garage located on the ground floor of the building; and
 - Modify floor-to-floor heights described in NRH 1A – General Regulation 2.
- d) Staff has reviewed the preliminary plans and determined that the proposed project complies with the height regulations for the NRH 1A zone. Therefore, the applicant's PUD request to modify the floor-to-floor heights is not needed. See Section II.G.1 for staff's analysis of the NRH 1A's height regulation as it applies to the applicant's proposal.
- e) The potential adverse impact or undesirable effect identified by staff as a result of allowing residential ground floor parking would be that ground floor retail/commercial and office building area is reduced. However, the negative effects that may result from allowing parking on the ground floor of the structure are not easily apparent (as compared to reductions to setback yards or increases in height, which are more visible).
- f) The applicant has provided an alternative project design example that eliminates residential parking from the parking garage in order to comply with ground floor residential use restriction (see Enclosure 9, Exhibit A). The illustration shows parking for the residential uses relocated to a surface lot behind the building. As a result, 42 residential units would be lost due to the elimination of the parking structure supporting the upper story units. The amount of retail/commercial space remains the same. The applicant states that below grade structured parking is not economically viable.
- g) The applicant has proposed a number of benefits to outweigh any adverse or undesirable effects as a result of locating residential parking on the ground floor of the building (see Enclosure 9). Staff has identified the following benefits proposed by the applicant as being applicable to this PUD criterion:
- A new south facing pedestrian oriented plaza along NE 115th Place
 - Superior urban streetscape along NE 115th Place and 124th Avenue NE to include wider sidewalks and 16 on-street parking stalls
 - Traffic calming island and associated striping south of NE 112th Street within Slater Avenue.
 - Superior building design.
- h) The Comprehensive Plan supports a mix of commercial and residential uses in the NRH 1A zone. See Section II.H for additional discussion regarding consistency with the Comprehensive Plan.
- i) The subject property is situated just south of the Totem Lake Neighborhood boundary at NE 116th Street. In November 2011, the Urban Land Institute (ULI) Seattle, released the following document: *ULI Technical Assistance Panel City of Kirkland - Totem Lake* (see

Enclosure 11). At the request of the City of Kirkland, the ULI studied current policies for Totem Lake and provided suggestions to aid in economic development in Totem Lake. One of the study areas includes zoning district TL 5 which contains the Totem Square Development and is located north of the subject property. The following are key points found in the ULI analysis that relate to the applicant's PUD proposal.

- *Retail demand is market-driven, and the City should not insist on ground-floor retail. As an interim measure, the City may be well advised to require that ground floor space be built with higher ceilings and other infrastructure to accommodate future conversion to retail.*
 - *The typical rents for these sectors [medium box retailers], which currently hover at a net effective rent of around \$12 per square foot, are simply not high enough to support new construction. Rents are unlikely to support new development in the foreseeable future, especially with structured parking.*
 - *The residential market is very cost-sensitive in the foreseeable future. The Totem Lake area competes primarily on price, as it lacks the amenities of town centers such as Bellevue and Redmond.*
- j) The City is currently in the process of reviewing existing commercial zoning standards and may relax requirements which prohibit residential uses (including residential parking) on the ground floor in the NRH 1A zone as part of a future project phase.
- k) The applicant's proposal does not entirely eliminate ground floor commercial area. The applicant is proposing approximately 10,200 square feet of ground floor liner retail, office, and restaurant spaces along 124th Avenue NE and NE 115th Place. The majority of the parking garage will be hidden behind the liner commercial space and will not be visible when viewed from the adjoining streets.

2) Conclusions:

- a) Since the proposal complies with the NRH 1A height regulations, a PUD is not needed regarding this topic (see Section II.G.1).
- b) Staff does not anticipate any adverse impacts with the PUD request for the proposed ground floor use since the ULI study recommends relaxing requiring ground floor retail in the Totem Lake area and the City is currently in the process of potentially reducing or removing related zoning requirements.

The proposal includes liner commercial space and a high-density residential component (54 units/acre) consistent with the land use goals for this area. The project would not present a significant impact to the long term economic development goals for the City given the mixed-use nature of the site. By placing parking for the residential uses behind the liner commercial spaces fronting NE 115th Place and 124th Avenue NE, the proposal screens the parking from the adjoining streets and properties.

- c) Since any adverse impacts or undesirable effects of the proposed PUD are minimal to none, the following public benefits proposed

by the applicant clearly outweigh any impacts created by the proposal: a pedestrian plaza, superior urban streetscape, superior building design, and traffic calming along Slater Avenue. See the following section (Section II.F.2.d) below for additional discussion on the proposed public benefits.

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

- The applicant is *providing public facilities* that could not be required by the City for development of the subject property without a PUD.
- The proposed PUD will *preserve, enhance or rehabilitate natural features of the subject property* such as significant woodlands, wildlife habitats or streams that the City could not require the applicant to preserve, enhance or rehabilitate through development of the subject property without a PUD.
- The design of the *PUD incorporates active or passive solar energy systems*.
- The *design of the proposed PUD is superior* in one or more of the following ways to the design that would result from development of the subject property without a PUD:
 - Increased provision of open space or recreational facilities.
 - Superior circulation patterns or location or screening of parking facilities.
 - Superior landscaping, buffering, or screening in or around the proposed PUD.
 - Superior architectural design, placement, relationship orientation of structure.
 - Minimum use of impervious surfacing materials.

1) Facts: The applicant has proposed a number of public benefits that could not have been required unless considered as part of a PUD (see Enclosure 9). Staff has identified the following benefits as being applicable to this PUD criterion.

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

1. Slater Traffic Calming. In 2006, neighbors along Slater Avenue established a Slater Avenue Traffic Calming Task Force consisting of nine residents that worked with the City's Neighborhood Traffic Control Program (NTCP) Coordinator to develop the Slater Avenue Traffic Calming Plan. The construction of traffic calming improvements within that Plan was to be completed as funding became available. In 2008, the Slater Avenue Traffic Calming Plan was approved by the neighborhood (see Enclosure 12). At that time funding was available to the neighborhood for the NTCP traffic improvements. In 2009 the City constructed curb bulbs and crosswalks at the intersection of NE 100th Street and Slater Avenue NE through the NTCP budget.

Currently, funding for the NTCP program is no longer available due to City budget cuts. To help implement the traffic calming

plan, the applicant is proposing to install the traffic island south of NE 112th Place (see Enclosure 13). The Slater Avenue Task Force supports the proposed traffic calming improvements (see Enclosure 14). In lieu of curb bulbs, the applicant will use striping to achieve the effect of narrowing the driving lanes. The curb bulbs would be installed when City budget allows.

2. Frontage Improvements. The City has an unfunded project to improve 124th Avenue by installing a second northbound left-turn lane (Public Works CIP Project No. TR-0092). With the Totem Station project, the City is requiring that the existing sidewalk be moved 6' west from its current location in order to accommodate the planned improvements. The applicant is proposing, as a public benefit, to also move the existing curb and storm water utilities. Therefore, this portion of the project would not have to be completed by the City with the future 124th Avenue NE intersection project.

Along NE 115th Place, the applicant is proposing, as a public benefit, a wider sidewalk. The City requires a 5' wide sidewalk. The applicant is proposing an 8' wide sidewalk along NE 115th Place to connect to the required 8' wide sidewalk along 124th Avenue NE.

b. *Superior architectural design, placement, relationship or orientation of structure*

1. Scale and massing. Although the project required design review and therefore consistency with design guidelines, the project provides a design superior than what would be required and in this case what was previously approved. To help illustrate this, the applicant has provided a comparison of the Totem Station project and the previously approved Mastro project (see Enclosure 9).

The Totem Station would be considered superior in several ways:

- *Architectural Scale* – The building is primarily a four story building with a 5th story located at key corners of the site. A combination of peaked and flat roof forms also help moderate the scale of the building. The building massing is further mitigated by creating two distinct building areas separated by a 2nd story terrace area approximately 7,200 square feet in size.
- *Gateway* – The retaining walls and ramps which were proposed with the previous project impacted the gateway area proposal. These features were removed with the Totem Station project. The ground floor retail level was brought down to the sidewalk grade to create a more inviting pedestrian plaza and greater retail presence. A rose garden was incorporated into the gateway design to subtly identify the North Rose Hill neighborhood.

In addition, the building corner was designed as a tower element to create visual interest to the pedestrian and provide a sense of human proportion and scale. The use of colors,

materials, and different roof treatment reinforced the building corner as an important design element of the project.

- *Context* – The project size results in an effective transition from the commercial area north of the subject property to the office and residential neighborhood to the south.
- *Modulation* – Horizontal modulation is achieved by the varying the colors, materials, and architecture at the top, middle, and bottom of the building. Vertical modulation was achieved by creating multi-story building areas that vary in height, roof forms, color, and materials.

2. Pedestrian Plaza. An approximately 2,200 square foot plaza is proposed along NE 115th Place where it has a southern exposure. The plaza is surrounded on the north, east, and west sides by the project which help define the plaza and provide a sense of protection and comfort. The surrounding tenant spaces also provide an opportunity for activating the plaza with outdoor dining and seating areas to further create pedestrian interest. The relatively lower traffic volumes on NE 115th Place also make the plaza location more enjoyable with low traffic and noise impacts.

2) Conclusions: The proposed PUD provides four public benefits instead of the code minimum requirement of one: traffic calming improvements on Slater Avenue NE, a wider sidewalk along NE 115th Place, relocation of the curb and stormwater facilities along 124th Avenue NE, and superior building design.

The proposed PUD meets the criteria of KZC Section 125.35if the following are incorporated into the project:

- a. The DRB's approval in file DRC11-00002. If changes are proposed that conflict with the DRB's decision, such changes should be reviewed and decided upon pursuant to KZC Section 142.50 – *[Design Review] Modifications*.
- b. The Slater traffic calming improvement in Enclosure 13.
- c. The public improvements shown in Enclosure 2.

G. DEVELOPMENT REGULATIONS

1. Building Height

a. Facts:

- 1) The applicant has proposed a ground floor height of 14' as measured above NE 115th Place to accommodate both retail and office uses. Because the subject property slopes down towards NE 116th Street, the ground floor height along NE 116th Street is taller (approximately 22' above the sidewalk).
- 2) Based on the applicant's interpretation of the NRH 1A height regulations, the applicant has requested that the floor heights be modified through the PUD process (see Enclosure 9).
- 3) KZC Section 54.04, General Regulation 2 describes how the maximum building height is calculated (see Enclosure 10). The maximum building height of a structure is determined by taking the sum of the floor heights allowed per story (based on use) which is then limited by the maximum

number of stories allowed. The maximum number of stories allowed for a mixed-use residential development is 5 stories.

- 4) Based on the uses proposed by the applicant, the maximum height allowed is 55'.
- 5) Since the subject property abuts more than one right-of-way (NE 115th Place and 124th Avenue NE), the applicant may choose which right-of-way from which to measure building height. The applicant has chosen the NE 115th Place right-of-way.
- 6) The elevation at the midpoint of the property frontage on the abutting NE 115th Place right-of-way is 205.5'. The following chart shows the proposed structure height relative to the code allowed height based on elevation 205.5'.

	Maximum Height (+55')	Maximum Parapet Elevation (+4' allowed if average height around perimeter does not exceed 2')	Proposed Parapet Elevation	Maximum Peaked Roof Elevation (+8' allowed)	Proposed Peaked Roof Elevation
Elevation	260.5'	264.5'	262.5'	268.5'	267.5'

- b. Conclusions: The individual floor height allowances described above are part of the equation used to determine maximum height and do not limit the height of each floor. The NRH 1A maximum height limit is determined by the sum of the floor heights which are dictated by use and the number of stories allowed. The applicant's proposal does not exceed the total maximum structure height allowed by code which includes the exceptions to the height limit for parapets and peaked roof forms. This is consistent with the administrative practice utilized for multiple projects in the City. Therefore, a PUD is not needed as it relates to the application of the NRH 1A height regulations and floor height provisions.

2. Parking

a. Facts:

- 1) Location of Parking Areas. KZC Section 105.58.2 requires that parking areas in the NRH 1A zone cannot be located between the street and the building unless no feasible alternative exists on the subject property. This regulation would apply to the 11 parking stalls at the west end of the project proposed to be located between NE 115th Place and the building. As part of the design review process, the DRB discussed this regulation as it applies to the project and determined that the proposed parking layout was acceptable given the unusual lot configuration, topography, and desire to keep the 'urban forest' in the location as proposed. The applicant has provided rationale for the proposed parking lot location (see Enclosure 15).

In addition, KZC Section 54.04.3 prohibits parking areas within the required 10-foot front yard setback. The applicant has proposed a surface parking lot that is located outside of the required 10-foot front yard setback (see Enclosure 2).

- 2) Shared Parking. Shared parking between uses is allowed if the number of parking spaces provided is equal to the greatest number of required spaces for the uses operating at the same time. The applicant has proposed a shared parking approach as described in KZC Section 105.45. In addition, to allow for successful shared parking, the applicant has proposed incentives such as installing a transportation kiosk, transit passes, and flex-bicycles (see Enclosure 16). Staff is referring to this as a Transportation/Shared Parking Management Program. The City Transportation Engineer reviewed the applicant's parking study as part of his Traffic Impact Analysis and recommended approval of the shared parking approach with the following conditions (see Enclosure 5).

Parking information should be submitted with the permit for the project which includes the following:

- A parking management plan, to be reviewed and approved by the City that would allow for successful shared parking. The parking management plan should address the following:
 - Signing on-site parking spaces as reserved for commercial use during specified hours Monday through Friday.
 - Installing signs visible from the driveway directing customers to commercial parking available in the parking garage.
 - A signed parking agreement which would prohibit medical office, sport-type uses such as spinning classes, yoga, and pilates studios unless a parking study is provided for City review and approval pursuant to the regulations in KZC Chapter 105. Any other change in use shall comply with the NRH 1A zone parking requirements.
 - A draft Transportation/Shared Parking Management Program as proposed by the applicant to be reviewed and approved by staff.
- 3) Parking Modification for Off-site Parking. Code required parking must be provided on the subject property. The applicant is proposing a total of 16 parking stalls along the subject property frontage within the NE 115th Place and 124th Avenue NE right-of-way. Construction of these stalls is not required by Code. The applicant will widen both streets over what is required by Code and construct additional frontage improvements in order to accommodate these parking stalls. Since these parking stalls are being constructed off-site, the applicant must receive approval of a parking modification pursuant to the approval criteria in KZC Section 105.103.3.d in order for these stalls to be counted towards the number of required parking stalls for the project. The criteria are listed below followed by staff response:

- *The proposed parking area will have no adverse impacts on adjacent properties*

Staff Response: The applicant's request for shared parking and an accompanying parking study was reviewed by the City Transportation Engineer. With the recommended conditions, the proposal contains enough parking to meet the project's peak parking demand. The 16 new street parking stalls will be in addition to the existing street parking located near the project. In addition, street parking will better serve the commercial spaces which face the adjacent sidewalks than parking located on-site.

The City Transportation Engineer also found that the location of the street parking would not impact traffic. No adverse impacts are anticipated with the proposed street parking.

- *It is reasonable to expect that the proposed parking will be used by the subject use*

Staff Response: The proposed street parking is immediately adjacent to the subject property and is anticipated to be used primarily by the customers of the ground floor commercial spaces lining the sidewalk.

- *A safe pedestrian and/or shuttle connection exists, or will be created, between the subject use and the proposed parking area.*

Staff Response: A safe pedestrian connection will be created with the project in the form of a new sidewalk between the proposed street parking and building.

b. Conclusions:

- 1) Locating the 11 parking stalls between the building and street should be allowed since it was determined through the design review process that no better alternative exists based on KZC Section 105.58.2.
- 2) In order to approve the shared parking approach requested by the applicant, the conditions in Section II.G.2.a.2 above should be required with the building permit application and finalized prior to building occupancy.
- 3) The parking modification request to place required parking stalls within the NE 115th Place and 124th Avenue NE right-of-way should be approved since the proposal complies with the criteria in KZC Section 105.103.3.d.

3. Pedestrian Connections

- a. Facts: KZC Section 54.04.4 requires that a pedestrian connection be developed to link Slater Avenue NE with NE 116th Street. As part of the design review process, the DRB approved the improved sidewalk design along NE 115th Place and 124th Avenue NE as the primary link to connect Slater Avenue NE with NE 116th Street.

A secondary pedestrian connection, which begins at the intersection of NE 115th Place and Slater Avenue NE, was approved to continue through the proposed urban forest and eventually connect to the property to the west (see Enclosure 2). The improved portion of the pedestrian connection stops short of the west property line due to the topography and location of an existing off-site rockery. The applicant will be providing a public access easement for the entire pathway to the west property line. The easement will allow for future construction and connection of the pathway when the property to the west develops.

- b. Conclusion: The proposal meets the pedestrian connection requirement in KZC Section 54.04.4 by providing two options for a pedestrian link to NE 116th Street from Slater Avenue NE.

4. Tree Retention

- a. Facts: The applicant has submitted a Tree Retention Plan prepared by a certified arborist dated May 5, 2011 and incorporates comments from the City's Urban Forester (see Enclosure 17). In the report, the arborist

identified a total of 119 trees of which 115 are considered significant trees by the KZC. Of the significant trees, the arborist identified 64 trees that are viable. The applicant is proposing to retain two large Douglas Fir trees (approximately 40-inches DBH) located at the southwest corner of the property (see Enclosure 2). These trees will remain and be incorporated into the proposed 'urban forest' at this location.

The City's Urban Forester has reviewed and approved the tree retention plan with the condition that subsequent permit drawings contain specific information on how to minimize impacts to the two trees to be retained given that a pedestrian path or sidewalk is located within the limits of disturbance for the trees (see Enclosure 18).

No specimen trees were identified on the subject property. The applicant is proposing to plant a variety of evergreen and deciduous trees with the project including specimen trees in the proposed southern courtyard (see Enclosure 2).

- b. Conclusions: The applicant should retain all trees identified for retention and comply with the specific recommendations of the City's arborist.

H. COMPREHENSIVE PLAN

1. Fact: The subject property is located within the North Rose Hill neighborhood. Comprehensive Plan map Figure NRH-4 on page XV.F-11 shows the subject property as being located within the North Rose Hill Business District subarea 1A (NRH 1A) with a commercial land use designation (see Enclosure 19). The following policies for NRH 1A support and encourage a high-density residential mixed use development:

- Policy NRH 8.2: Locate new commercial development in the business districts at the north and south boundaries of the North Rose Hill neighborhood in order to prevent commercial encroachment.
- Policy NRH 19.1: Designate the following subareas to address site specific development standards. Use the NRH (North Rose Hill) Business District prefix to identify the subareas.

NRH 1A

- West of 124th Avenue NE is a mixed-use retail commercial/residential designation.
- Increased building heights should be allowed in order to provide sufficient incentive to develop a range of housing choices in conjunction with commercial development.
- Policy LU-5.2: Maintain and strengthen existing commercial areas by focusing economic development within them and establishing development guidelines.
- Policy LU-5.6: Encourage increased residential capacity in the North Rose Hill Business District (NRHBD) to help meet housing needs.
 - Encourage mixed-use commercial/residential development.
 - Promote a broad range of uses as an extension of the Totem Lake Urban Center.
 - Provide a transition to the residential core in the North Rose Hill neighborhood.

2. Conclusion: The proposal is consistent with the Comprehensive Plan NRH 1A designation for a mixed-use development.

I. DEVELOPMENT STANDARDS

1. Fact: Additional comments and requirements placed on the project are found on the Development Standards, Enclosure 3.
2. Conclusion: The applicant should follow the requirements set forth in Enclosure 3.

III. SUBSEQUENT MODIFICATIONS

Modifications to the approval may be requested and reviewed pursuant to the applicable modification procedures and criteria in effect at the time of the requested modification.

IV. CHALLENGES AND JUDICIAL REVIEW

The following is a summary of the deadlines and procedures for challenges and appeals. Any person wishing to file or respond to a challenge or appeal should contact the Planning Department for further procedural information.

A. CHALLENGE

Section 152.85 of the Zoning Code allows the Hearing Examiner's recommendation to be challenged by the applicant or any person who submitted written or oral comments or testimony to the Hearing Examiner. A party who signed a petition may not challenge unless such party also submitted independent written comments or information. The challenge must be in writing and must be delivered, along with any fees set by ordinance, to the Planning Department by 5:00 p.m., _____, seven (7) calendar days following distribution of the Hearing Examiner's written recommendation on the application. Within this same time period, the person making the challenge must also mail or personally deliver to the applicant and all other people who submitted comments or testimony to the Hearing Examiner, a copy of the challenge together with notice of the deadline and procedures for responding to the challenge.

Any response to the challenge must be delivered to the Planning Department within seven (7) calendar days after the challenge letter was filed with the Planning Department. Within the same time period, the person making the response must deliver a copy of the response to the applicant and all other people who submitted comments or testimony to the Hearing Examiner.

Proof of such mail or personal delivery must be made by affidavit, available from the Planning Department. The affidavit must be attached to the challenge and response letters, and delivered to the Planning Department. The challenge will be considered by the City Council at the time it acts upon the recommendation of the Hearing Examiner.

B. JUDICIAL REVIEW

Section 152.110 of the Zoning Code allows the action of the City in granting or denying this zoning permit to be reviewed in King County Superior Court. The petition for review must be filed within twenty-one (21) calendar days of the issuance of the final land use decision by the City.

V. LAPSE OF APPROVAL

The applicant must submit to the City a complete building permit application approved under KZC Chapter 125 within four (4) years after approval of the Final PUD, or the lapse provisions of Section 152.115 will apply. Furthermore, the applicant must

substantially complete construction approved under Chapter 125 and complete the applicable conditions listed on the Notice of Approval within six (6) years after approval of the Final PUD, or the decision becomes void.

VI. ENCLOSURES

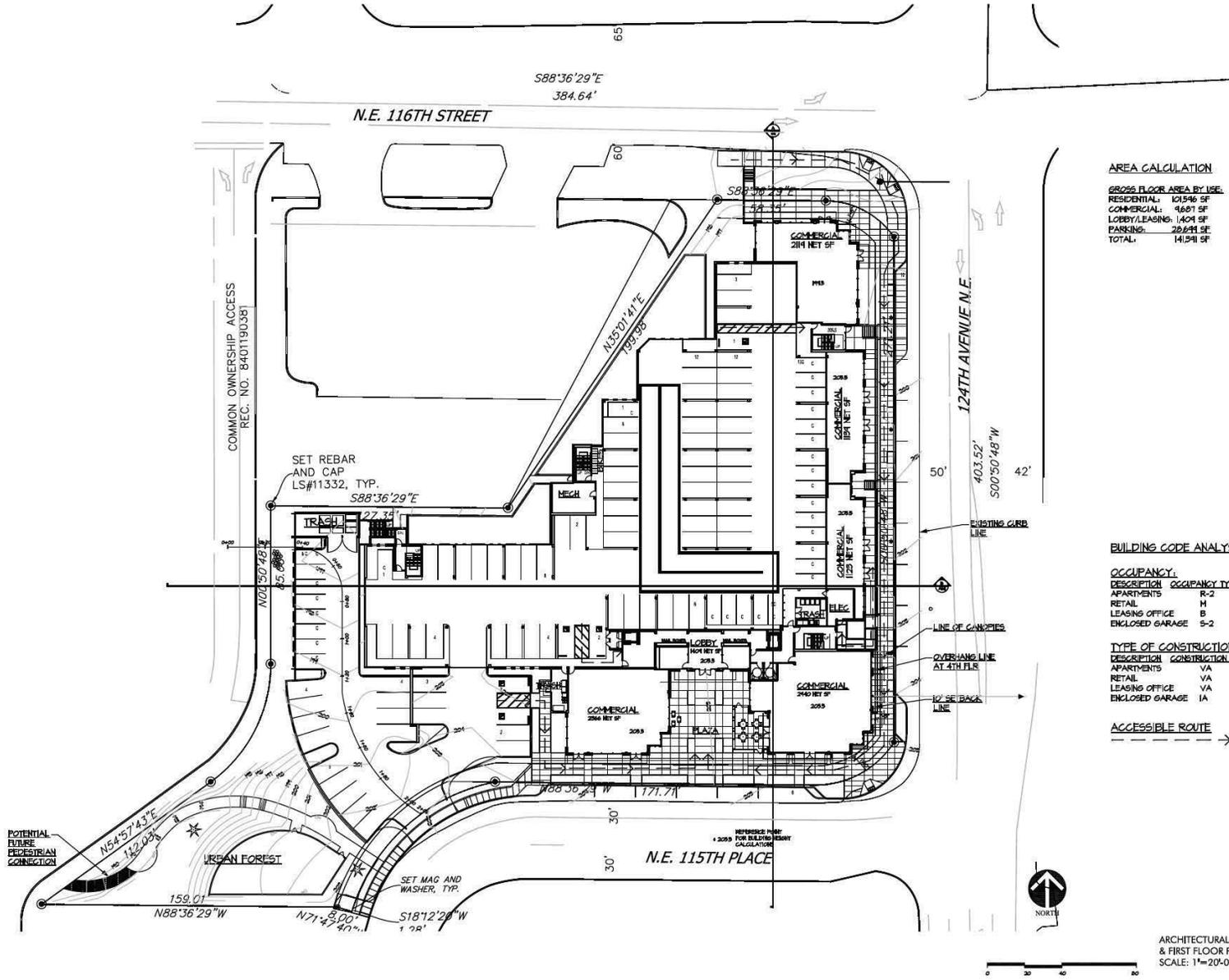
Enclosures 1 through 19 are attached.

1. Vicinity Map
2. Applicant Proposal
3. Development Standards
4. Public Comment Email/Letters
5. SEPA Traffic Impact Analysis Memo
6. Comprehensive Plan Figure NRH-10
7. SEPA Determination
8. SEPA Comment Response
9. Applicant Response to Criteria
10. NRH 1A Zoning Chart
11. ULI Technical Assistance Panel City of Kirkland – Totem Lake
12. Slater Avenue Traffic Calming Plan Map
13. Totem Station Traffic Calming Proposal
14. Slater Task Force Letter
15. Applicant Response to Staff Comments
16. Applicant Proposed Transportation/Shared Parking Management Program
17. Tree Retention Plan
18. Urban Forester Memo
19. Comprehensive Plan Map Figure NRH-4

VII. PARTIES OF RECORD

Applicant: Aaron Hollingbery with Camwest Development
Citizens on Parties of Record List
Department of Planning and Community Development
Department of Public Works
Department of Building and Fire Services

A written recommendation will be issued by the Hearing Examiner within eight calendar days of the date of the open record hearing.



AREA CALCULATION

GROSS FLOOR AREA BY USE:
RESIDENTIAL: 10,546 SF
COMMERCIAL: 4,681 SF
LOBBY/LEASING: 1,401 SF
PARKING: 28,641 SF
TOTAL: 44,949 SF

BUILDING CODE ANALYSIS

OCCUPANCY:

DESCRIPTION	OCCUPANCY TYPE
APARTMENTS	R-2
RETAIL	M
LEASING OFFICE	B
ENCLOSED GARAGE	S-2

TYPE OF CONSTRUCTION:

DESCRIPTION	CONSTRUCTION TYPE
APARTMENTS	VA
RETAIL	VA
LEASING OFFICE	VA
ENCLOSED GARAGE	IA

ACCESSIBLE ROUTE →

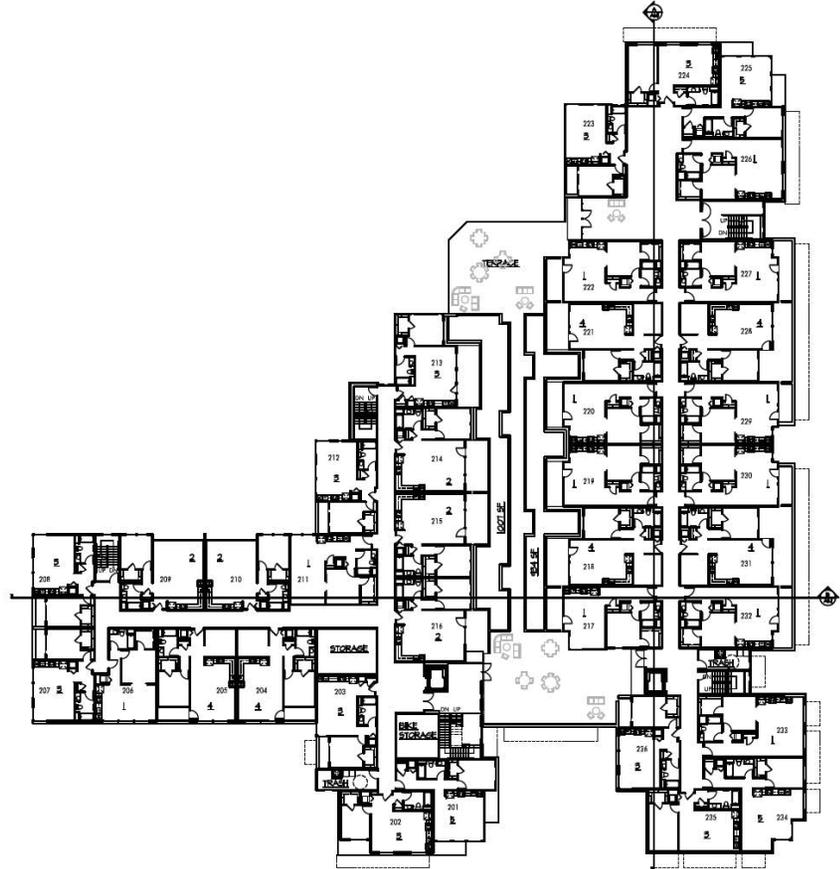
TOTEM STATION
KIRKLAND, WASHINGTON

ARCHITECTURAL SITE
& FIRST FLOOR PLAN
SCALE: 1"=20'-0"
JANUARY 11, 2012 PROJECT NO: 113-195



5865 Owens Drive
Pleasanton, CA 94588
925.251.7200
925.251.7201 Fax

A1.1



SECOND FLOOR PLAN
SCALE: 1/16"=1'-0"

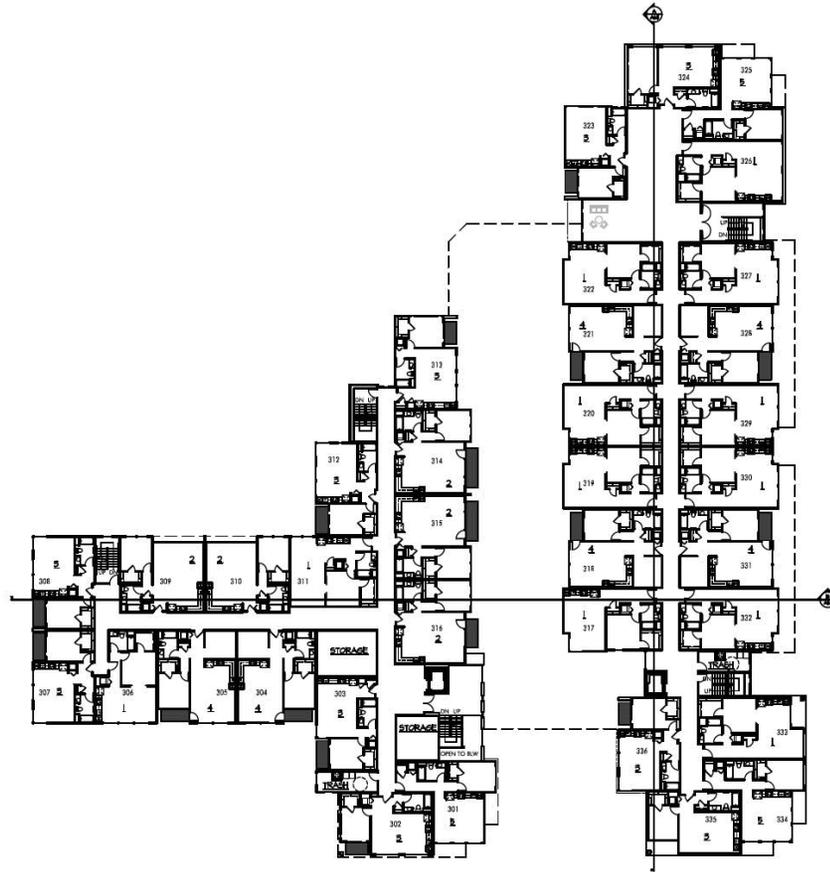
JULY 27, 2011 PROJECT NO: 113-195



TOTEM STATION
KIRKLAND, WASHINGTON

5865 Owens Drive
Pleasanton, CA 94588
925.251.7200
925.251.7201 Fax

A2.1



THIRD FLOOR PLAN
SCALE: 1/16" = 1'-0"

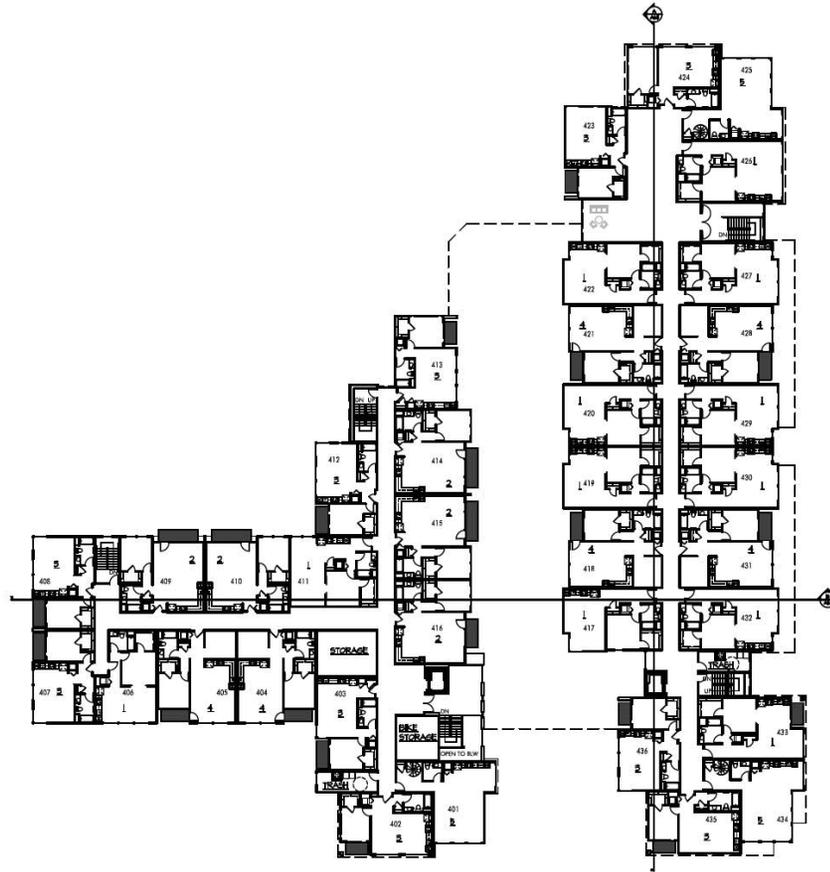
JULY 27, 2011 PROJECT NO: 113-195



TOTEM STATION
KIRKLAND, WASHINGTON

5865 Owens Drive
Pleasanton, CA 94588
925.251.7200
925.251.7201 Fax

A2.2



NORTH

FOURTH FLOOR PLAN
SCALE: 1/16" = 1'-0"



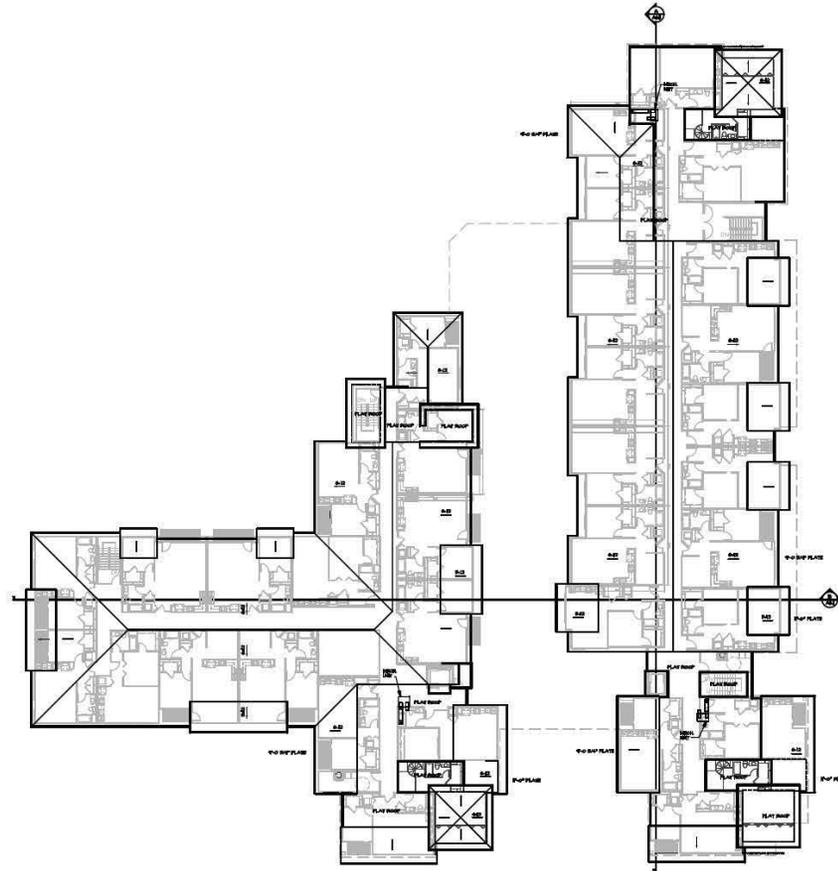
JULY 27, 2011 PROJECT NO: 113-195



TOTEM STATION
KIRKLAND, WASHINGTON

5865 Owens Drive
Pleasanton, CA 94588
925.251.7200
925.251.7201 Fax

A2.3



NORTH



ROOF PLAN
SCALE: 1/16" = 1'-0"

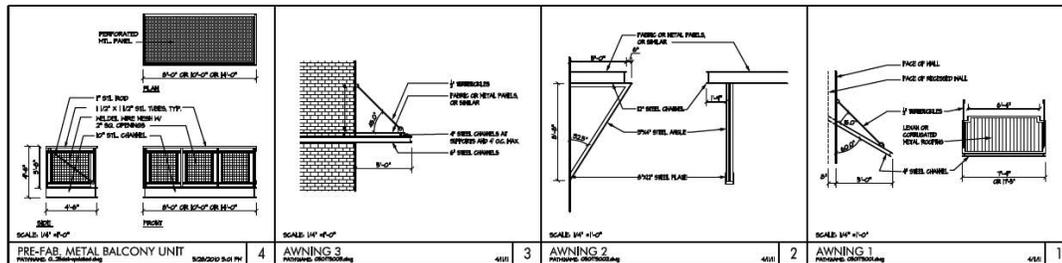
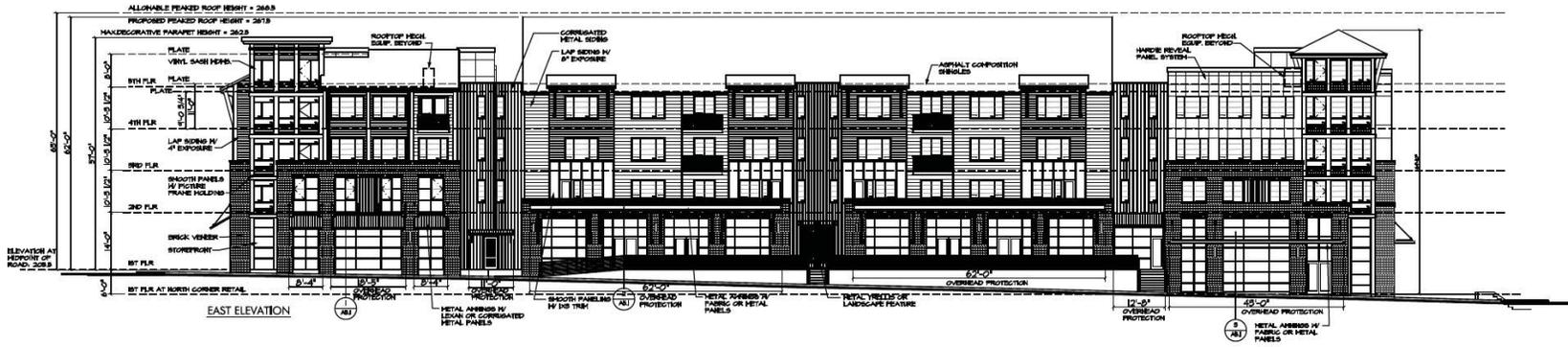
OCTOBER 25, 2011 PROJECT NO: 113-195



TOTEM STATION
KIRKLAND, WASHINGTON

5865 Owens Drive
Fresno, CA 94388
953.251.7200
953.251.7201 Fax

A2.4



NOTE: BUILDING HEIGHT TO BE MEASURED AT FINISH FACE OF 5TH FLOOR - 368.8

EAST & SOUTH ELEVATIONS
SCALE: 3/32" = 1'-0"



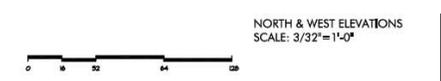
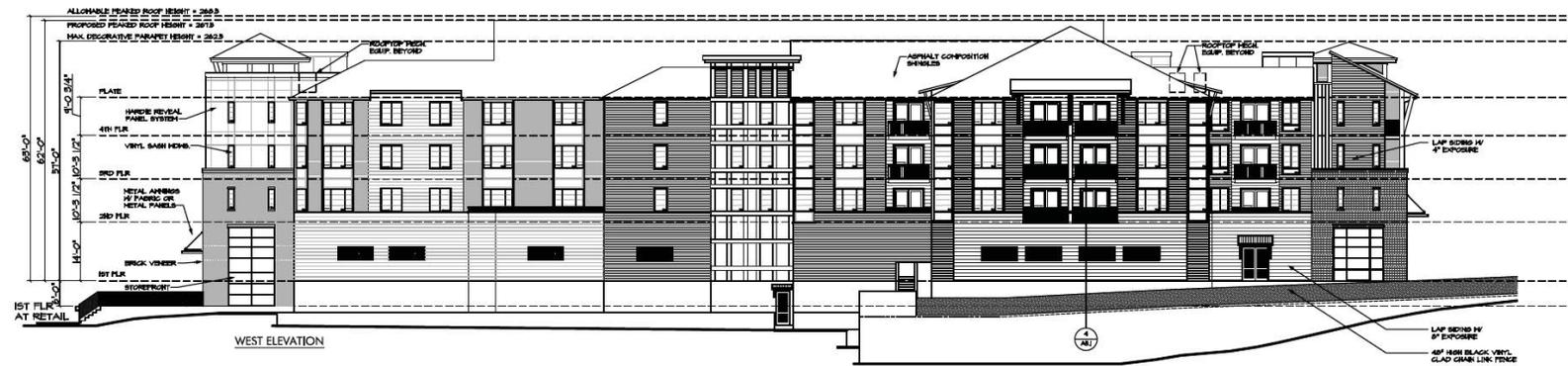
JANUARY 11, 2012 PROJECT NO: 113-195



TOTEM STATION
KIRKLAND, WASHINGTON

5865 Owens Drive
Fresno, CA 94188
925.251.7260
925.251.7261 Fax

A5.1



TOTEM STATION
KIRKLAND, WASHINGTON



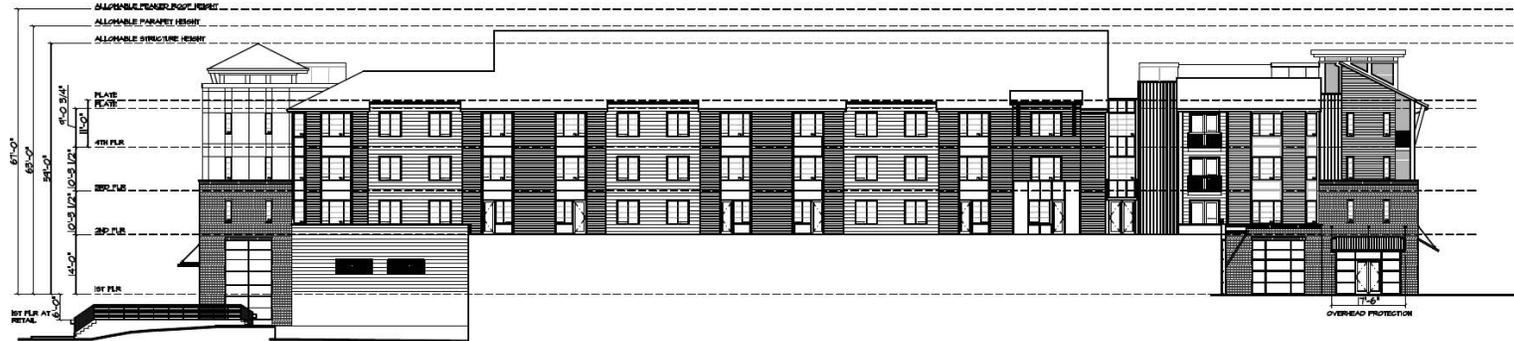
JANUARY 11, 2012 PROJECT NO: 113-195

5865 Owens Drive
Pleasanton, CA 94588
925.251.7200
925.251.7201 Fax

A5.2



COURTYARD WEST ELEVATION



COURTYARD EAST ELEVATION



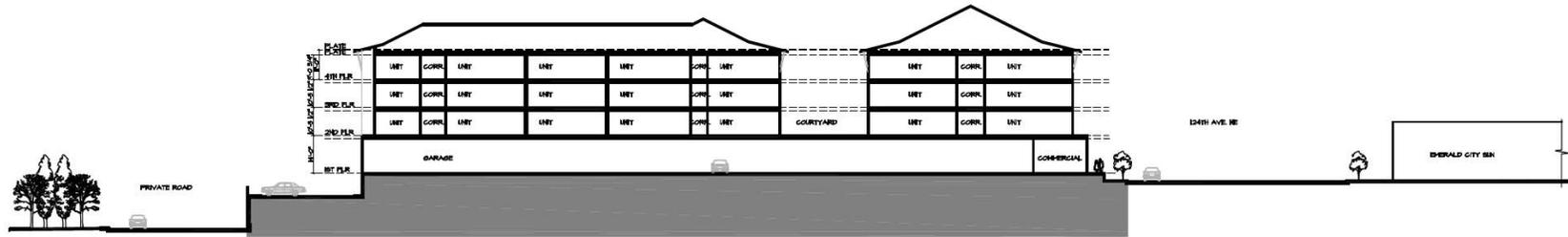
NOVEMBER 7, 2011 PROJECT NO: 113-195



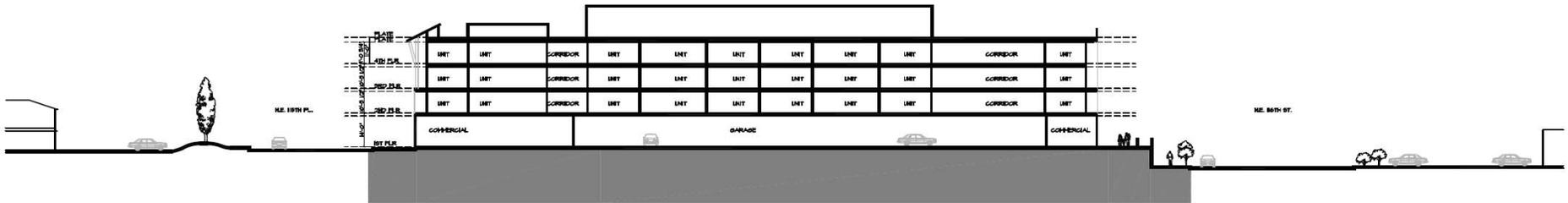
TOTEM STATION
KIRKLAND, WASHINGTON

5865 Owens Drive
Fresno, CA 94188
925.251.7200
925.251.7201 Fax

A5.3



SECTION 'B'



SECTION 'A'



SITE SECTIONS
SCALE: 1/16"=1'-0"

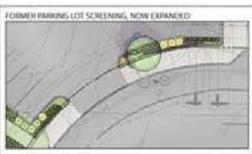
JULY 27, 2011 PROJECT NO: 113-195



TOTEM STATION
KIRKLAND, WASHINGTON

5865 Owens Drive
Redmond, CA 94588
925.251.7200
925.251.7201 Fax

A6.1

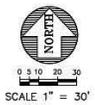
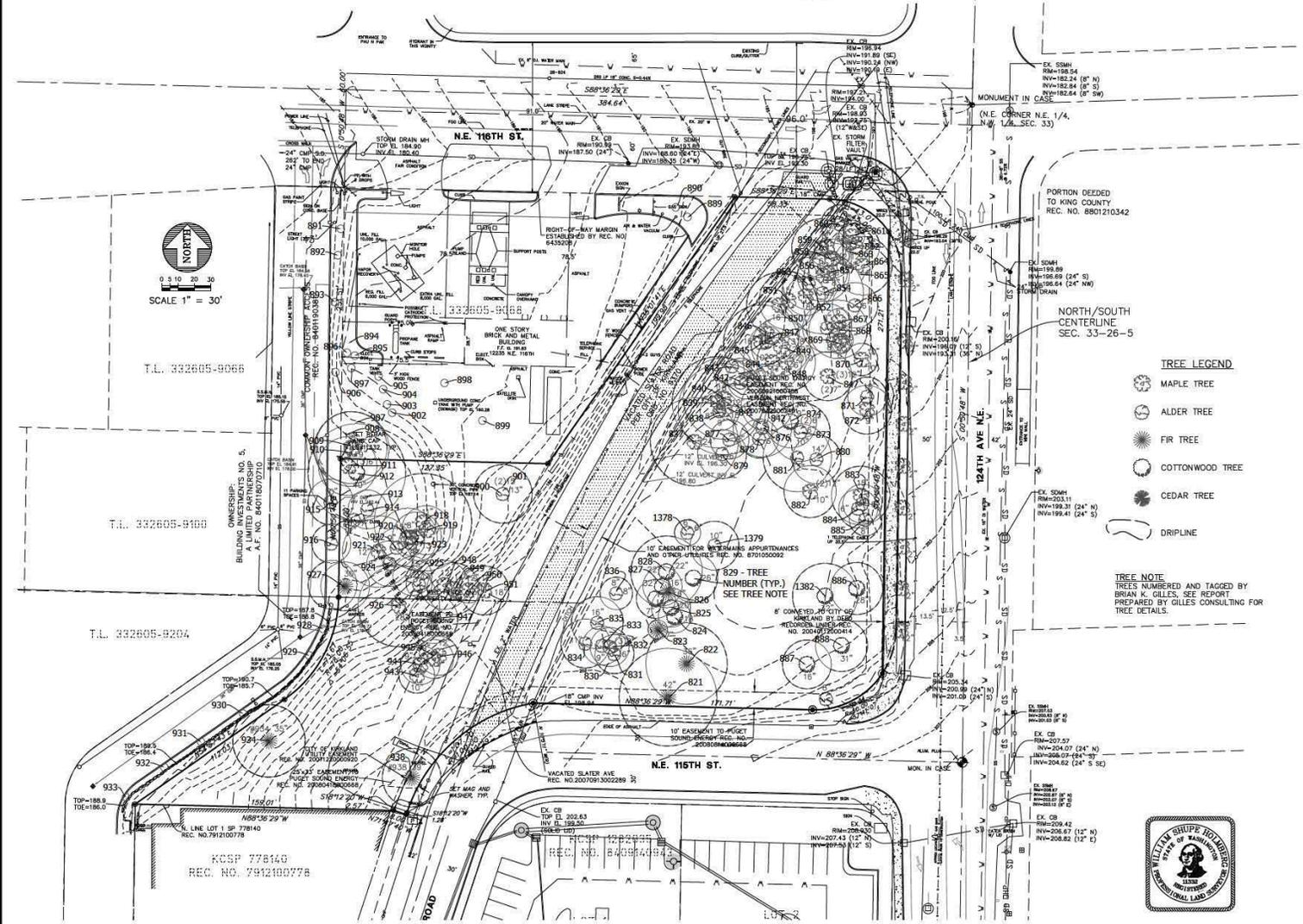


PRELIMINARY LANDSCAPE SCHEDULE			PRELIMINARY LANDSCAPE SCHEDULE		
SYMBOL	BOTANICAL / COMMON NAME	SIZE AND CONDITION	SYMBOL	BOTANICAL / COMMON NAME	SIZE AND CONDITION
(Green circle)	EXISTING TREES TO REMAIN	SPECIMEN QUALITY: 3" CAL. 12'-14' HT., WELL-BRANCHED, BBB, SPACING AS SHOWN ON PLAN.	(Green circle)	BIORETENTION EVERGREEN TREES	8'-10' HT., FULL AND BUSHY, BBB, SPACING AS SHOWN ON PLAN.
(Green circle)	SPECIMEN ACCENT TREES		(Green circle)	BIORETENTION DECAPOUS TREES	MIN. 2" CAL., 12'-14' HT., FULL, WELL-BRANCHED ABOVE 6' HT., BBB, SPACING AS SHOWN ON PLAN.
(Green circle)	DECAPOUS TREES	MIN. 2" CAL., 12'-14' HT. MATCHED, FULL, WELL-BRANCHED ABOVE 6' HT., BBB, SPACING AS SHOWN ON PLAN.	(Green circle)	BIORETENTION LOW SHRUBS	MIN. 24-30" HT. & SPL. FULL & BUSHY, SPACING AS SHOWN ON PLAN.
(Green circle)	EVERGREEN TREES	10'-12' HT., FULL AND BUSHY, BBB, SPACING AS SHOWN ON PLAN.	(Green circle)	BIORETENTION PERENNIALS, FERNS AND GRASSES	1 GAL. FULL & BUSHY, @ 18" O.C., TRIANGULAR SPACING
(Green circle)	SCREENING PLANTS	MIN. 36-48 HT., FULL AND BUSHY, BBB OR CONT., SPACING AS SHOWN ON PLAN.	(Green circle)	ACCENT SHRUBS	MIN. 18" HT. SPREAD, FULL AND BUSHY, SPACING AS SHOWN ON PLAN.
(Green circle)	ROSES	MIN. 30-36 HT., FULL AND BUSHY, BBB OR CONT., SPACING AS SHOWN ON PLAN.	(Green circle)	GRASSES	MIN. 1 GAL. FULL & BUSHY, SPACING AS SHOWN ON PLAN.
(Green circle)	LARGE ACCENT SHRUBS	MIN. 30-36 HT., FULL AND BUSHY, BBB OR CONT., SPACING AS SHOWN ON PLAN.	(Green circle)	ACCENT SHRUBS	MIN. 18" HT. SPREAD, FULL AND BUSHY, SPACING AS SHOWN ON PLAN.
(Green circle)	EVERGREEN SHRUBS	MIN. 18"-24" HT., FULL AND BUSHY, BBB OR CONT., SPACING AS SHOWN ON PLAN.	(Green circle)	VINES	LONG-LEAF CLEMATIS ORANGE HONEYSUCCLE
(Green circle)	SCREENING EVERGREEN TREES	MIN. 30-36 HT., FULL AND BUSHY, BBB OR CONT., SPACING AS SHOWN ON PLAN.	(Green circle)	GROUNDCOVERS / PERENNIALS	MIN. 1 GAL. CONTAINERS, FULL AND BUSHY, 15" O.C. TRIANGULAR SPACING.
(Green circle)	ROSE GARDEN		(Green circle)	GROUNDCOVERS / PERENNIALS	MIN. 1 GAL. CONTAINERS, FULL AND BUSHY, 15" O.C. TRIANGULAR SPACING.
(Green circle)	TREE GATES ALONG 124TH AVE, TYP		(Green circle)	GROUNDCOVERS / PERENNIALS	MIN. 1 GAL. CONTAINERS, FULL AND BUSHY, 15" O.C. TRIANGULAR SPACING.
(Green circle)	RESIDENT COMMUNITY SPACE		(Green circle)	GROUNDCOVERS / PERENNIALS	MIN. 1 GAL. CONTAINERS, FULL AND BUSHY, 15" O.C. TRIANGULAR SPACING.
(Green circle)	UPPER RETAIL SPACE		(Green circle)	GROUNDCOVERS / PERENNIALS	MIN. 1 GAL. CONTAINERS, FULL AND BUSHY, 15" O.C. TRIANGULAR SPACING.
(Green circle)	PRIVATE PATIO SPACE, TYP		(Green circle)	GROUNDCOVERS / PERENNIALS	MIN. 1 GAL. CONTAINERS, FULL AND BUSHY, 15" O.C. TRIANGULAR SPACING.
(Green circle)	PLANTING STRIP AT RETAINING WALL WITH CLIMBING VINES		(Green circle)	GROUNDCOVERS / PERENNIALS	MIN. 1 GAL. CONTAINERS, FULL AND BUSHY, 15" O.C. TRIANGULAR SPACING.
(Green circle)	8'-6" SIDEWALK, TYP		(Green circle)	GROUNDCOVERS / PERENNIALS	MIN. 1 GAL. CONTAINERS, FULL AND BUSHY, 15" O.C. TRIANGULAR SPACING.
(Green circle)	ADA RAMP ACCESS		(Green circle)	GROUNDCOVERS / PERENNIALS	MIN. 1 GAL. CONTAINERS, FULL AND BUSHY, 15" O.C. TRIANGULAR SPACING.
(Green circle)	ADA RAMP ACCESS		(Green circle)	GROUNDCOVERS / PERENNIALS	MIN. 1 GAL. CONTAINERS, FULL AND BUSHY, 15" O.C. TRIANGULAR SPACING.
(Green circle)	MOVEABLE PLANTERS AND SEATING AND SEATING MULTIFUNCTIONAL TENANT SPACE		(Green circle)	GROUNDCOVERS / PERENNIALS	MIN. 1 GAL. CONTAINERS, FULL AND BUSHY, 15" O.C. TRIANGULAR SPACING.
(Green circle)	EXPANDED PARKING LOT SCREENING AREAS		(Green circle)	GROUNDCOVERS / PERENNIALS	MIN. 1 GAL. CONTAINERS, FULL AND BUSHY, 15" O.C. TRIANGULAR SPACING.
(Green circle)	SMALL SEATING NOOD WITH BENCH		(Green circle)	GROUNDCOVERS / PERENNIALS	MIN. 1 GAL. CONTAINERS, FULL AND BUSHY, 15" O.C. TRIANGULAR SPACING.
(Green circle)	DOG PARK OFF-LEASH AREA		(Green circle)	GROUNDCOVERS / PERENNIALS	MIN. 1 GAL. CONTAINERS, FULL AND BUSHY, 15" O.C. TRIANGULAR SPACING.
(Green circle)	FUTURE PEDESTRIAN CONNECTION		(Green circle)	GROUNDCOVERS / PERENNIALS	MIN. 1 GAL. CONTAINERS, FULL AND BUSHY, 15" O.C. TRIANGULAR SPACING.
(Green circle)	PLANTED SCREENING		(Green circle)	GROUNDCOVERS / PERENNIALS	MIN. 1 GAL. CONTAINERS, FULL AND BUSHY, 15" O.C. TRIANGULAR SPACING.
(Green circle)	EXISTING DOUGLAS FIR TO REMAIN		(Green circle)	GROUNDCOVERS / PERENNIALS	MIN. 1 GAL. CONTAINERS, FULL AND BUSHY, 15" O.C. TRIANGULAR SPACING.
(Green circle)	EXISTING DOUGLAS FIR TO REMAIN		(Green circle)	GROUNDCOVERS / PERENNIALS	MIN. 1 GAL. CONTAINERS, FULL AND BUSHY, 15" O.C. TRIANGULAR SPACING.
(Green circle)	PARKING LOT SCREENING - PLANTING CHARACTER		(Green circle)	GROUNDCOVERS / PERENNIALS	MIN. 1 GAL. CONTAINERS, FULL AND BUSHY, 15" O.C. TRIANGULAR SPACING.
(Green circle)	EXISTING DOUGLAS FIR TO REMAIN		(Green circle)	GROUNDCOVERS / PERENNIALS	MIN. 1 GAL. CONTAINERS, FULL AND BUSHY, 15" O.C. TRIANGULAR SPACING.
(Green circle)	FORMER PARKING LOT SCREENING, NOW EXPANDED		(Green circle)	GROUNDCOVERS / PERENNIALS	MIN. 1 GAL. CONTAINERS, FULL AND BUSHY, 15" O.C. TRIANGULAR SPACING.

TOTEM STATION
KIRKLAND, WASHINGTON



PORTION OF THE N.E. 1/4 OF THE N.W. 1/4, OF SEC. 33 TWN. 26 N., RNG 5 E., WM
CITY OF KIRKLAND, WASHINGTON



LEGAL DESCRIPTION
 LOTS 2 AND 3, CITY OF KIRKLAND ALTERATION OF LOT LINE NO. LL-98-83, RECORDED UNDER RECORDING NUMBER 9811249010; BEING A PORTION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON;
 EXCEPT THE EAST 8 FEET CONVEYED TO THE CITY OF KIRKLAND BY DEED RECORDED UNDER RECORDING NUMBER 20040115000414;
 TOGETHER WITH THAT PORTION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:
 BEGINNING AT THE NORTH QUARTER CORNER OF SAID SECTION 33; THENCE NORTH 88°36'29" WEST ALONG THE NORTH LINE THEREOF, 384.64 FEET;
 THENCE SOUTH 00°51'09" WEST PARALLEL WITH THE NORTH-SOUTH CENTERLINE OF SAID SECTION 33, 311.5 FEET, MORE OR LESS, TO THE SOUTH LINE OF THE NORTH 311.5 FEET OF SAID SUBDIVISION AND THE BEGINNING OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 78.00 FEET AND THE TRUE POINT OF BEGINNING;
 THENCE SOUTHWESTERLY ALONG SAID CURVE AN ARC DISTANCE OF 73.67 FEET THROUGH A CENTRAL ANGLE OF 54°06'55" TO A POINT OF TANGENCY;
 THENCE SOUTH 54°59'04" WEST 112.00 FEET, MORE OR LESS, TO THE NORTH LINE OF LOT 1 IN SHORT PLAT NUMBER 778140, ACCORDING TO SHORT PLAT RECORDED UNDER KING COUNTY RECORDING NUMBER 7912100778;
 THENCE SOUTH 88°36'29" EAST ALONG SAID NORTH LINE, 159.92 FEET TO THE WESTERLY LINE OF SLATER AVENUE NORTHEAST;
 THENCE NORTHEASTERLY ALONG SAID WESTERLY MARGIN, 138.48 FEET, MORE OR LESS, TO THE SOUTH LINE OF THE NORTH 311.5 FEET OF SAID SUBDIVISION;
 THENCE NORTH 88°36'29" WEST ALONG SAID SOUTH LINE, 84.70 FEET TO THE TRUE POINT OF BEGINNING;

- TREE LEGEND**
- MAPLE TREE
 - ALDER TREE
 - FIR TREE
 - COTTONWOOD TREE
 - CEDAR TREE
 - DRIPLINE

TREE NOTE
 TREES NUMBERED AND TAGGED BY BRIAN K. GILLES, SEE REPORT PREPARED BY GILLES CONSULTING FOR TREE DETAILS.

(ALSO KNOWN AS LOT 2 OF UNRECORDED KING COUNTY LOT LINE ADJUSTMENT NUMBER 982059);
 TOGETHER WITH THAT PORTION OF VACATED SLATER AVENUE, BY CITY OF KIRKLAND ORDINANCE NUMBER 4094, RECORDED UNDER RECORDING NUMBER 20020913002289;
 (ALSO KNOWN AS "NEW LOT 1", CITY OF KIRKLAND ALTERATION OF LOT LINE, NO. LL-00-68, AS RECORDED UNDER RECORDING NUMBER 20020314002030);
 AND TOGETHER WITH EASEMENTS AS PROVIDED FOR IN DOCUMENT RECORDED JANUARY 19, 1984 UNDER RECORDING NUMBER 8401190381;
 SITUATE IN THE CITY OF KIRKLAND, COUNTY OF KING, STATE OF WASHINGTON.

REFERENCES
 R1 - ALTERATION OF LOT LINE NO. LL-00-68 REC. NO. 20020314002030.

DATUM
 NAVD 88

BENCH-MARK
 CITY OF KIRKLAND POINT ID# 43 (COK-1)
 3" BRASS CAP WITH "4" SET IN 4" SQUARE CONCRETE IN CASE, 1.05' BELOW SURFACE. ELEVATION=228.805
 (N.E. CORNER SEC. 32-26-05)



REV.	DATE	DESCRIPTION

BOUNDARY/TOPOGRAPHY/
TREE SURVEY

CAM WEST
11411 SLATER AVENUE N.E.
KIRKLAND, WA 98033



JOB NO.	10650
DATE	12/27/10
SCALE	1" = 30'
DESIGNED	WSH
DRAWN	JCF
CHECKED	WSH
APPROVED	WSH

ELK
CAPSTONE
FOSSIL GREY



- 
 SHERWIN-WILLIAMS
RESTRAINED GOLD
SW6129
- 
 SHERWIN-WILLIAMS
MAISON BLANCHE
SW7526
- 
 SHERWIN-WILLIAMS
SPORTY BLUE
SW6522
- 
 MUTUAL MATERIALS
SHEFFIELD
FACE BRICK
- 
 CORRUGATED
METAL
- 
 MUTUAL MATERIALS
WINDSOR
FACE BRICK
- 
 SHERWIN-WILLIAMS
TREE BRANCH
SW7525
- 
 SHERWIN-WILLIAMS
MAISON BLANCHE
SW7526
- 
 SHERWIN-WILLIAMS
HOPSACK
SW6109
- 
 SHERWIN-WILLIAMS
FORESTWOOD
SW7730
- 
 MUTUAL MATERIALS
ALPINE MIST
FACE BRICK
- 
 SHERWIN-WILLIAMS
DRIED THYME
SW6186
- 
 SHERWIN-WILLIAMS
FIRED BRICK
SW6335
- 
 SHERWIN-WILLIAMS
KAFFEE
SW6104

TOTEM STATION
KIRKLAND, WASHINGTON



EAST ELEVATION
SCALE: 3/32" = 1'-0"

APRIL 20, 2011 PROJECT NO: 113-195



5865 Chemo Drive
Pleasanton, CA 94588
925.251.7200
925.251.7201 Fax















City of Kirkland
Department of Planning and
Community Development
123 5th Avenue
Kirkland, WA 98033
425-587-3225

Development Standards

ZON11-00026



Planning and Community Development Conditions:

Planning Dept.

PCD 1. REVISED SITE PLAN - Any proposed changes to the approved site plan must be submitted as a revision to the building permit for review and approval prior to implementation.

PCD 2. TREE INSTALLATION - All supplemental trees required to be planted shall conform to the Kirkland Plant List. All installation and maintenance standards shall conform to Kirkland Zoning Code Sections 95.45 and 95.50.

PCD 3. LOT COVERAGE - Any proposed increase in the total impervious surfaces on the site must be submitted for review as a revision to this building permit prior to the addition of impervious area.

PCD 4. ALL - HOURS OF CONSTRUCTION - All development activity and heavy equipment operation is restricted to 7:00 a.m. to 8:00 p.m. Monday through Friday, and 9:00 a.m. to 6:00 p.m. Saturday. Other restrictions on Saturday include: no working in the right-of-way, no work requiring inspection, and no trucking into or out of the site; however, light grading work on-site on Saturday is allowed. NO development activity or heavy equipment operation may occur on Sundays or the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.

PCD 5. MAXIMUM NOISE LEVELS - All mechanical units shall comply with the maximum environmental noise levels established pursuant to the Noise Control Act of 1974, Revised Code of Washington (RCW) 70.107. See Chapter 173-60 Washington Administrative Code (WAC). A link to the WAC and RCW is available at www.kirklandpermits.net.

PCD 6. ALL - PROHIBITED VEGETATION - Plants listed as prohibited in the Kirkland Plant List (available from the Planning Department) shall not be planted in the City. These plants include Blackberry, Fragrant water lily, Ivy, Herb Robert, Knotweed, Old man's beard, Poison hemlock, Reed canary grass, Scotch broom, Spurge laurel, Yellow archangel, and Yellow flag iris. Other plants, while not prohibited, are discouraged, including Butterfly bush, English holly, and English laurel.

PCD 7. ROCKERIES & RETAINING WALLS - Rockeries and retaining walls may be a maximum of 4 feet high in a required yard, unless certain criteria in Zoning Code Section 115.115.3.g are met. Please contact the Planning Department at 425-587-3235 for more information on the modification criteria.

PCD 8. FENCES & ROCKERIES - The combined height of fences and retaining walls within 5' of each other in a required yard is limited to 6 feet, unless certain criteria in Zoning Code Section 115.115.3.g are met. Please contact the Planning Department at 425-587-3235 for more information on the modification criteria.

PCD 9. UTILITY STRUCTURES IN SETBACKS - Utility structures which extend more than 4-inches above finished grade may be constructed within a required setback yard provided no other location within the public right-of-way is feasible and prior approval of the City (Planning and Public Works Departments) is obtained. Any franchise agreement between the City and a utility company may supersede this requirement.

PCD 10. COMM/MF-HEIGHT VERIFICATION - Prior to installation of roofing material, the applicant shall provide verification that building height is in compliance with permit conditions to the Building Official.

PCD 11. COMM - TREE PROTECTION - The applicant shall install temporary but immovable construction fencing around the drip line of all significant trees to be retained after the pre-construction meeting but prior to any grading or site construction. The Planning Department MUST inspect and approve all tree fencing prior to the start of any other site work. Please call 425-587-3225 to request inspection. ADVANCE NOTICE OF ONE WORKING DAY REQUIRED FOR INSPECTION.

PCD 12. COMM/MF-TREE PROTECTION - The applicant shall install temporary but immovable construction fencing around the drip line of all significant trees to be retained after the pre-construction meeting but prior to any

grading or site construction. The Public Works Department MUST inspect and approve all tree fencing prior to the start of any other site work. Please call 425-587-3805 to request inspection. ADVANCE NOTICE OF ONE WORKING DAY REQUIRED FOR INSPECTION.

PCD 13. COMM/MF-SIGNS - A sign permit must be obtained from the Building Department prior to installation of any new or additional signs. Call the Planning Department at 425-587-3225 for information on sign allowances

PCD 14. COMM/MF-ASPHALT PARKING AREA - All parking areas and driving lanes must be of asphalt or superior material.

PCD 15. COMM/MF-STRIPED PARKING AREA - All parking areas and driving lanes must be striped and surrounded by 6-inch vertical concrete curb.

PCD 16. COMM/MF-ROOFTOP APPURTENANCES - All rooftop appurtenances must be screened in accordance with Zoning Code Section 115.120.

PCD 17. COMM/MF-ROOFTOP SCREENING REQ - Prior Final Inspection, all rooftop screening must be installed.

PCD 18. COMM/MF-LANDSCAPE PRIOR TO CO - Prior to final inspection by the Planning Department all landscaping and other required improvements must be installed.

PCD 19. COMM/MF-DRIVEWAYS AND PAVING - Prior to final inspection by the Planning Department, all driveways, parking areas, and curbing must be installed.

PCD 20. COMM/MF-LANDSCAPE SECURITY - Prior to final inspection by the Planning Department, an as-bu landscape plan and landscape maintenance agreement must be submitted to the Planning Department.

PCD 21. PAVED PARKING - All parking areas and driving lanes must be of asphalt or superior materials and be striped and surrounded by 6" vertical concrete curb.

PCD 22. COMM/MF-ROOFTOP SCREENING REQ - Prior Final Inspection, all rooftop screening must be installed.

PCD 23. COMM/MF-ROOFTOP APPURTENANCES - All rooftop appurtenances must be screened in accordance with Zoning Code Section 115.120.

PCD 24. UTILITY STRUCTURES IN SETBACKS - Utility structures which extend more than 4-inches above finished grade may be constructed within a required setback yard provided no other location within the public right-of-way is feasible and prior approval of the City (Planning and Public Works Departments) is obtained. Any franchise agreement between the City and a utility company may supersede this requirement.

PCD 25. MECHANICAL IN SETBACKS - HVAC and similar types of mechanical equipment may be placed no closer than five feet to a side or rear property line, and shall not be located within a required front yard; provided, that such equipment may be located in a storage shed approved pursuant to KZC 115.115(3)(m) or a garage approved pursuant to KZC 115.115(3)(o)(2).

All HVAC and similar types of mechanical equipment shall be baffled, shielded, enclosed, or placed on the property in a manner that will ensure compliance with the noise provisions of KZC 115.95.

PCD 26. PROHIBITED DEVICES - Applicant is advised to review Zoning Code Section 100.85 which specifies prohibited types of signs and other advertising devices, including banners, flashing lights, and balloons. These devices are not approved as part of this permit application. Copies of Section 100.85 are available from the Kirkland Planning Department.

PCD 27. CHANGING MESSAGE CENTERS - Changing message centers may display only public service time and temperature information.

PCD 28. WIRING - No overhead wiring to freestanding signs allowed. Wiring must be placed underground.

PCD 29. LANDSCAPING REQUIRED - Prior to final inspection, an area around the base of each pedestal and monument sign equal to the sign area must be landscaped.

1. ***FIRE DEPARTMENT CONDITIONS***

2. Fire sprinkler system is required.

3. A vertical standpipe is required

4. A fire alarm system is required.

5. Fire extinguishers required.
6. A key box is required for fire department access.
7. Fire flow requirement will be determined at time of building permit application. It appears that the flow to the south would need to be improved for a project of this size.
8. Hydrants and fire flow shall meet the requirements of Kirkland Operating Policy 4.

Additional hydrants will be required. Although fire flow to the east and north is adequate, fire flow will need to be improved on the south side of the property to meet requirements for a project of this size.

9. You can review your permit status and conditions at www.kirklandpermits.net

PUBLIC WORKS CONDITIONS

Permit #: ZON11-00026
Project Name: Totem Station - Camwest PUD
Project Address: 11515 124th Ave. NE
Date: June 20, 2011

Public Works Staff Contacts
Land Use and Pre-Submittal Process:
Rob Jammerman, Development Engineering Manager
Phone: 425-587-3845 Fax: 425-587-3807
E-mail: rjammer@ci.kirkland.wa.us

Building and Land Surface Modification (Grading) Permit Process:
John Burkhalter, Development Engineer Supervisor
Phone: 425-587-3846 Fax: 425-587-3807
E-mail: jb Burkhalter@ci.kirkland.wa.us

General Conditions:

1. All public improvements associated with this project including street and utility improvements, must meet the City of Kirkland Public Works Pre-Approved Plans and Policies Manual. A Public Works Pre-Approved Plans and Policies manual can be purchased from the Public Works Department, or it may be retrieved from the Public Works Department's page at the City of Kirkland's web site at www.ci.kirkland.wa.us.
2. This project will be subject to Public Works Permit and Connection Fees. It is the applicant's responsibility to contact the Public Works Department by phone or in person to determine the fees. The fees can also be review the City of Kirkland web site at www.ci.kirkland.wa.us. The applicant should anticipate the following fees:
 - o Water and Sewer connection Fees (paid with the issuance of a Building Permit)
 - o Side Sewer Inspection Fee (paid with the issuance of a Building Permit)
 - o Water Meter Fees (paid with the issuance of a Building Permit)
 - o Right-of-way Fees (for each ROW)
 - o Review and Inspection Fee (for utilities and street improvements).
 - o Traffic, Park and School Impact Fee (paid with the issuance of Building Permit). For additional information, see notes below.
3. This project has applied for and received a Concurrency Test Notice.

4. Building Permits associated with this proposed project will be subject to the traffic, park, and school impact fees per Chapter 27 of the Kirkland Municipal Code. The impact fees shall be paid prior to issuance of the Building Permit(s).
5. All civil engineering plans which are submitted in conjunction with a building, grading, or right-of-way permit must conform to the Public Works Policy titled ENGINEERING PLAN REQUIREMENTS. This policy is contained in the Public Works Pre-Approved Plans and Policies manual.
6. All street improvements and underground utility improvements (storm, sewer, and water) must be designed by a Washington State Licensed Engineer; all drawings shall bear the engineers stamp.
7. All plans submitted in conjunction with a building, grading or right-of-way permit must have elevations which are based on the King County datum only (NAVD 88).
8. A completeness check meeting is required prior to submittal of any Building Permit applications.
9. The required tree plan shall include any significant tree in the public right-of-way along the property frontage.
10. Prior to issuance of any commercial or multifamily Building Permit, the applicant shall provide a plan for garbage storage and pickup. The plan shall be approved by Waste Management and the City.

Sanitary Sewer Conditions:

1. The existing sanitary sewer main within NE 116th St and 124th Ave NE are both adequate. Both mains are on the opposite sides of the street (north and east respectively). Use a 6-inch side sewer connected to a public sewer manhole to serve the project unless the plumbing code dictates and 8-inch waste line, in which case, the side sewer shall be 8-inch minimum. There is also a public 8-inch sewer main that runs along the west side of the site. The project may be able to connect to this sewer main, but easements from the adjacent property owner may be necessary.

Water System Conditions:

1. The existing water mains in the public rights-of-way along the front of the subject property are adequate to serve this proposed development.
2. All water services shall be sized per the Uniform Plumbing Code. Provide 1" minimum water service from the water main to each meter.
3. In mixed-use projects each use shall have a separate water meter, i.e., the retail use shall have a separate water meter from residential use.
4. A separate irrigation meter shall be installed.
5. A water latecomer's agreement has been assessed against the property. Fee shall be paid at permit issuance.
6. Provide fire hydrants per the Fire Department's requirements.

Surface Water Conditions:

2009 KCSWDM

1. Provide temporary and permanent storm water control per the 2009 King County Surface Water Design Manual.

and the Kirkland Addendum. See Policies D-2 and D-3 in the PW Pre-Approved Plans for drainage review information, or contact city of Kirkland Surface Water staff at (425) 587-3800 for help in determining drainage review requirements. Summarized below are the levels of drainage review based on site and project characteristics:

" Full Drainage Review

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

" Add or replaces 5,000ft² or more of new impervious surface area,

" Propose 7,000ft² or more of land disturbing activity, or,

" Be a redevelopment project on a single or multiple parcel site in which the total of new plus replaced impervious surface area is 5,000ft² or more and whose valuation of proposed improvements (including interior improvements but excluding required mitigation and frontage improvements) exceeds 50% of the assessed value the existing site improvements.

2. Provide verification that this site can discharge drainage into the private storm drainage system to west.

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

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

" Amended soil requirements (per Ecology BMP T5.13) must be used in all landscaped areas.

" If the project meets minimum criteria for water quality treatment (5,000ft² pollution generating impervious surface area), the enhanced level of treatment is required if the project is multi-family residential, commercial, or industrial. Enhanced treatment targets the removal of metals such as copper and zinc.

" The applicant is responsible to apply for a Construction Stormwater General Permit from Washington State Department of Ecology. Provide the City with a copy of the Notice of Intent for the permit. Permit information can be found at the following website: <http://www.ecy.wa.gov/programs/wq/stormwater/construction/>

o Among other requirements, this permit requires the applicant to prepare a Storm Water Pollution Prevention Plan (SWPPP) and identify a Certified Erosion and Sediment Control Lead (CESCL) prior to the start of construction. The CESCL shall attend the City of Kirkland PW Dept. pre-construction meeting with a completed SWPPP.

" Turbidity monitoring by the developer/contractor is required if a project contains a lake, stream, or wetland.

" A Stormwater Pollution Prevention and Spill (SWPPS) Plan must be kept on site during all phases of construction and shall address construction-related pollution generating activities. Follow the guidelines in the 2009 King County Surface Water Design Manual for plan preparation.

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

6. Storm detention calculations for the entire site are required.

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

Applicants should obtain the applicable COE permit; information about COE permits can be found at: U.S. Army Corps of Engineers, Seattle District Regulatory Branch http://www.nws.usace.army.mil/PublicMenu/Menu.cfm?sitename=REG&pagename=mainpage_NWPs

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

8. Provide an erosion control report and plan with Building or Land Surface Modification Permit application. The plan shall be in accordance with the 2009 King County Surface Water Design Manual.
9. Construction drainage control shall be maintained by the developer and will be subject to periodic inspections. During the period from May 1 and September 30, all denuded soils must be covered within 7 days; between October 1 and April 30, all denuded soils must be covered within 12 hours. Additional erosion control measures may be required based on site and weather conditions. Exposed soils shall be stabilized at the end of the workday prior to a weekend, holiday, or predicted rain event.
10. Provide collection and conveyance of right-of-way storm drainage

Street and Pedestrian Improvement Conditions:

1. The subject property abuts NE 116th Street, an arterial type street, 124th Ave. NE, an arterial type street, and NE 115th Place, a collector type street. Zoning Code sections 110.10 and 110.25 require the applicant to make half-street improvements in rights-of-way abutting the subject property. Section 110.30-110.50 establishes that the street must be improved with the following:

NE 116th Street

- A. Widen the street to 66 feet from the face of curb on the north side of the street to the new face of curb along the subject property street frontage (note - plans depict 33.5 ft from centerline of ROW to face of new curb but do not show total width of street; the said 66 ft width shall be verified). The street section for NE 116th St will consist of 4 eleven foot lanes, 1 twelve foot center turn lane, and 2 five foot bike lanes.
- B. Install storm drainage, curb and gutter, an 8 foot wide sidewalk with street trees and tree grates 30 foot on-center along the property frontage. Design shall include the City standard pedestrian lights 60 foot on-center per the North Rosehill Design Standard (one or two lights likely on NE 116th St frontage).
- C. City code designates this corner as a gateway to the North Rosehill Neighborhood and shall be required to incorporate design features as such. Since the City will be rebuilding this corner in the near future to accommodate the double turn lanes on 124th Ave NE all the required design features should be located outside of the future curb alignment and sidewalk at that corner. In general, any structures located in the right-of-way shall be maintained by the property owner and a Maintenance Agreement will need to be developed.
- D. Install No-parking anytime signs if deemed necessary by the reviewing Development Engineer.

124th Ave. NE

- E. Widen the street to 43 ft from center line to face of curb in areas where no parking is provided and 49 ft from centerline to face of curb where on-street parking is provided (as depicted on the plans)
- F. Install an 8 ft wide sidewalk with street trees in tree grates 30 ft. on-center and pedestrian lighting 60 ft on-center.
- G. Dedicate a public sidewalk easement as necessary to encompass the said improvements.

NE 115th Place

- H. Widen the street to 22.5 ft from center line to face of curb in areas where no parking is provided (44 ft minimum from existing curb on the south) and 28.5 ft from centerline to face of curb where on-street parking is provided (as depicted on the plans)
- I. Install an 8 ft wide sidewalk with street trees in tree grates 30 ft. on-center
- J. The proposed sidewalk and landscape strip along the front of the plaza as depicted on the plans is approved by Public Works; street trees shall be installed in planters at least 30 ft on-center or equal number of trees.
- K. Dedicate a public sidewalk easement as necessary to encompass the said improvements.

2. A 2-inch asphalt street overlay will be required where three or more utility trench crossings occur within 150 lineal ft. of street length or where utility trenches parallel the street centerline. Grinding of the existing asphalt to blend in the overlay will be required along all match lines.

3. All street and driveway intersections shall not have any visual obstructions within the sight distance triangle. See Public Works Pre-approved Policy R.13 for the sight distance criteria and specifications.
4. It shall be the responsibility of the applicant to relocate any above-ground or below-ground utilities which conflict with the project associated street or utility improvements.
5. Underground all new and existing on-site and frontage overhead transmission lines and/or existing utility poles. This undergrounding work will require lines to be undergrounded to the north side of NE 116th St and possibly to the east side on 124th Ave. NE depending on the Franchise Utility design.
6. Zoning Code Section 110.60.9 establishes the requirement that existing utility and transmission (power, telephone, etc.) lines on-site and in rights-of-way adjacent to the site must be underground. The Public Works Director may determine if undergrounding transmission lines in the adjacent right-of-way is not feasible and defer the undergrounding by signing an agreement to participate in an undergrounding project, if one is ever proposed. In this case, the Public Works Director has determined that undergrounding of existing overhead utility on the north side of NE 116th Street and the east side of 124th Ave. NE is not feasible at this time and the undergrounding of off-site/frontage transmission lines should be deferred with a Local Improvement District (LID) No Protest Agreement.
7. New street lights may be required per Puget Power design and Public Works approval. Contact the INTO Light Division at PSE for a lighting analysis. If lighting is necessary, design must be submitted prior to issuance of a grading or building permit.
8. Provide a DRB and Planning approved pedestrian path from NE 115th St to NE 116th St. The path shall be encompassed in a Public Pedestrian Easement.
10. ***BUILDING DEPARTMENT CONDITIONS***
11. Bldg. has concerns about the separation between the retail/parking and the Rs. Expect to see a podium but the retail is listed as 5A. The accessible route is not completely shown. The sidewalk needs to be accessible, i.e. 44".

July 12, 2011

Dear City Planner Regala,

I am writing after consideration of the proposed permits for the Totem Station development located in North Rose Hill near the corners of NE 116th/124th Ave NE and Slater Ave NE. I am a resident and homeowner on Slater Ave.

The proposed development is a large development consisting of over 100 apartment units and some commercial space. Its access is going to be on "the backside" which is NE 115th/Slater Ave off of 124th Ave NE. Parking is proposed to be surface level and street parking. I have made myself aware of the traffic study for this complex.

I am writing with concern for the safety of the many residents of North Rose Hill, North Kirkland, and Totem Lake who regularly travel on Slater Ave as pedestrians and bicyclists. Slater is a much safer alternative for bicyclists and pedestrians than 124th Ave NE as neither street has continuous sidewalk, but Slater is less busy.

Although Slater Ave is a 35mph street officially by the city (which is technically the same as 124th Ave), this speed reflects the historical speed of Slater more than the safe speed for Slater. Several years ago, the neighborhood formed the Slater Ave Traffic Calming Task Force which worked with the city to develop a plan that would be implemented over a few years (and as money was available through the city and/or development) due to serious accidents between bicyclists and speeding motorists. In 2008, after extensively working with the city and the fire chief and department, the residents around Slater Ave voted on and approved a Traffic Calming plan for Slater Ave. One improvement that was part of phase I which was completed by the city was the installation of a traffic island just south of 100th Ave on Slater and the extension of the sidewalk and curbing at 100th Ave to shorten the distance of the crosswalk across Slater. These two improvements have greatly improved the safety of pedestrians and bicyclists coming across the pedestrian and emergency access bridge on 100th Ave.

Another part of the neighborhood approved plan was the addition of a similar island just south of the intersection of Slater with 112th PL NE including a pair of curb bulbs. With the impending development of the north end of Slater (in 2008), that improvement was promised by the city along with crosswalk improvements on 112th PI and near the Boys and Girls club on Slater. Some development did not proceed, although the Luna Sol mixed use complex did proceed. While the painted lines for island and curb bulb placement still can be seen on Slater Ave, the devices were not installed.

I believe, for the safety of the residents of Slater Ave, as well as the residents of Kirkland who frequently use Slater as an alternative N-S street for exercise and alternative commuting (bicyclists), that center traffic island with curb bulb needs to be installed and probably should be done as a condition of the zoning changes for the Totem Station development.

As more cars are introduced to the alternative of Slater Ave to 124th (many people don't realize it is back here), and especially with development being at the north end of Slater with very difficult access to 124th, it has been my observation that more and more cars are using Slater Ave as a quicker alternative route south. And, just as it was meant to do, the island at 100th is encouraging them to cut over to 124th finally at 100th Ave, even though they could do so at 112th Pl, 109th Pl, or 105th St. Once traveling in a southern direction from the north, the cars just continue south--Slater is a wide road with long center sight lines (and obscured twists and driveways). Sometimes they come very, very fast--endangering the children in the neighborhood, those on bicycles, dogs and owners out for a stroll, etc.

Adding the center traffic island south of 112th on Slater would encourage those south-traveling cars from the northern developments to go out to 124th at 112th, preserving the residential street that Slater is meant to be, and ensuring greater safety for pedestrians and bicyclists on it.

In addition, the Slater Traffic Calming Plan included, as already mentioned, crosswalk enhancements on 112th to protect the connection of the north and south communities of the Aspen Creek Apartment Complex, as well as on Slater Ave on the backside of the Boys and Girls club (where the school bus drops several kids daily on their way to the Boys and Girls club). I believe these should also be pursued as enhancements to the safety of the northern Slater residential area of Rose Hill with the request for a zoning change.

I was also very disappointed when I read the traffic study in that the traffic volume traveling on Slater south of 112th was not studied at all. I think this was a HUGE oversight on the part of the city, as we have data from 2008 and before from the Slater Calming Task force work which could have been compared to substantiate traffic volumes in the neighborhood versus those going out to 124th via 112th as assumed by the traffic engineer. To ignore this outlet to the northern Slater developments, the city was, frankly, a little negligent in my mind. This should be done. Period.

Ideally, the city should also consider how they will get cars off of 112th and onto northbound 124th. The original plan in 2008 included traffic signal installation at 112th/124th. I understand that is costly, and the traffic study does not support it (see my previous paragraph). But, I would like to point out that this will be a requirement in a few short years as the North Rose Hill area continues to grow and I-405 becomes more congested. Additionally, neglecting to do this will continue to force cars who wish to travel northbound to drive down to 100th where there IS a traffic signal, furthering the increase in traffic on Slater Ave through the neighborhood. The city must have a plan. When Luna Sol was developed, there was a requirement for a "late-comers" fee for the proposed signal and roadway improvements. I would like to suggest that both developments, as well as any future development in the area be required to pay some sort of fee into escrow for the future installation of a traffic signal at 112th/124th Ave because, although not a single one of these developments is supposed to impact traffic more than the required %, collectively they certainly do, and with a SIGNIFICANT % in comparison to the current and future single-family residences of Slater Ave.

Thank you for thoroughly reading my lengthy letter regarding this development. I look forward to what CamWest and the Totem Station development have to offer--just not the traffic that an unmitigated intersection at 112th would bring to the entire neighborhood of Slater Ave in North Rose Hill.

Sincerely,
Dayna Hall
homeowner and resident

Jon Regala

From: Dayna Hall [dayna@shanehall.net]
Sent: Monday, July 18, 2011 10:06 AM
To: Jon Regala
Subject: Re: totemstation comment (zon11-00026) (JRegala@kirklandwa.gov)

Follow Up Flag: Follow up
Flag Status: Flagged

Thank you Jon.

I think my one comment that is perhaps for the Design Review (but maybe not?) is my long-standing concern that there are not enough parking spaces and that I am concerned with the idea of having parking along 124th. Street parking along 124th at that location, even with road widening, is concerning to me for the safety of the many bicyclists that commute on 124th/Slater. Adding another "thing" along the road there (parking lane/ pull in parking, or other, with the confusion of the wider road narrowing to a one lane road, and cars turning, or u-turning (which happens at 115th--cars u-turn around the solid curb barrier that extends down the center of 124th until 115th), etc.) just seems like adding another thing for bicyclists to pay attention to for their safety and is asking for trouble. Especially when you consider those parking spots are likely to be used since there doesn't seem to be enough parking at the north end of Slater as is (and with the proposed plan parking will be at a premium).

Thanks for including this comment for the design/parking review.

Dayna Hall

On Mon, Jul 18, 2011 at 9:48 AM, Jon Regala <JRegala@kirklandwa.gov> wrote:

Thanks Dayna for your comments. I'll include your comments as part of file ZON11-00026 since they address traffic and traffic calming items. The design review portion of the project deals with the site and building design.

-Jon

From: dayna@shanehall.net [mailto:dayna@shanehall.net]
Sent: Thursday, July 14, 2011 10:32 PM
To: Jon Regala
Subject: totemstation comment (zon11-00026) (JRegala@kirklandwa.gov)



Attached: totemstation

Message from dayna@shanehall.net:

Dear City Planner Regala,

Please see the attached pdf letter and consider it public comment for the Totem Station and Totem Apartments to be built at 124th Ave NE/SlaterAve(115th). I understand the zoning permit to be ZON11-00026, but please consider this letter as comment for all permits pertaining to this property and development, as I am not certain which aspects of public comment apply to the individual permits.

Thank you very much for your consideration of all my comments.
Dayna Hall

Google Docs makes it easy to create, store and share online documents, spreadsheets and presentations.



Note: My new email address is JRegala@kirklandwa.gov and you can now find the City of Kirkland online at www.kirklandwa.gov.

Jon Regala

From: Hannah W [mzweber@live.com]
Sent: Friday, July 15, 2011 4:38 PM
To: Angela Mason; Jon Regala
Subject: New building on 124th Avenue near 116th St.

Follow Up Flag: Follow up
Flag Status: Flagged

Angela Mason, John Rigala and any other person in charge of the new building/road changes in Kirkland,

I live at Aspen Creek Apartments and am writing on behalf of myself and quite a few residents who live here.

As I understand, you are planning to allow a new complex to be built down the road from us. This would disrupt traffic, our walking areas and cause a very huge inconvenience to many of my friends who do not have cars. One of my neighbors is wheel chair bound and her only way of getting to the drug store down the street is to use the sidewalk. She doesn't have anyone to take her to the store during the week and that is her only way of travel. She doesn't have an alternative as there isn't a sidewalk across the street and not even a crosswalk that would allow her to do so. We were discussing this and she broke down in tears. Her way of life will be changed dramatically. Another resident who has to walk to get around will not be able to walk anymore. She is livid and I am writing on behalf of her.

I don't know if you happen to drive around the area at night time, but the parking on Slater is atrocious. You have no parking solution other than to add parking on 124th. That is insane. You are asking for accidents to happen. Where on 124th is there parking on the road... no where! You have zero solutions to multiple problems that are arising.

If you don't add a light, cross walks, parking solutions and a safe environment for all ages, you should stop this madness immediately.

Respectfully,

Hannah Weber, Jary Ward, Kerry Lowther, Susan Hill, Holly Vaughn, Karen Joyce and quite a few more.

Jon Regala

From: Karen Whittle [whittlekaren@hotmail.com]
Sent: Friday, July 15, 2011 6:37 PM
To: Jon Regala; Angela Mason
Cc: jonerik@live.com; Dayna Hall
Subject: Regarding Application #ZON11-00026?
Attachments: To Whom It May Concern.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Jon Regala and Angela Mason,

I wrote the attached letter as a resident of Aspen Creek Apartments and as a member of the North Rose Hill Neighborhood Association Traffic Advisory Committee. However since writing the letter, some additional information has come to my attention that I would like to share with you.

There is a resident of Aspen Creek who depends on a motorized wheel chair to get around, and travels via wheel chair between Aspen Creek and Rite Aid to pick up her prescriptions, as well as Fred Meyer to get food for herself. The planned changes to the area between 115th Place and 116th along 124th Ave, will most definitely be detrimental to her quality of life and personal safety, as I presume the sidewalk will be closed for an indefinite period of time. Since there is no side walk on the opposite side of the street, she will have to literally risk her life riding across the street with the flow of traffic. This is not to mention that the lack of a traffic signal at 112th Pl and 124th Ave will absolutely add to the amount of traffic frequenting the area of 112th Pl between Slater Ave and 124th Ave., making it that much more difficult for her to successfully and safely utilize the cross walk that runs between the two sides of Aspen Creek.

Therefore, I would like to reiterate that it is imperative that a traffic study be conducted that includes the intersection of 112th Pl. and Slater Ave. As I believe a study was conducted at this intersection prior to the construction of Luna Sol, this will show how there is already an increase in the amount of traffic that utilizes this intersection, and will allow the Planning Commission to get a better idea of the absolute need for a new traffic signal at 112th Pl and 124th Ave.

In addition, as we already experienced construction traffic parking on sidewalks and at time blocking Slater Ave. during the construction of Luna Sol, I urge you to make sure that the neighborhood is respected and the sidewalks be allowed to remain open for the use of North Rose Hill neighbors, as well as making sure that construction traffic is not allowed to block 115th Pl, or the corner of 115th Pl and Slater Ave, or to block both sides of 115th Pl.

Thank you for your time, and if you have any questions, please feel free to contact me at 425-739-4552

Karen Whittle 

Jon Regala

From: Margaret Carnegie [carnegiema@frontier.com]
Sent: Thursday, June 30, 2011 5:50 PM
To: Jon Regala
Subject: Totem Station

Follow Up Flag: Follow up
Flag Status: Flagged

Margaret Carnegie
11259 126th Ave. N.E.
Kirkland, WA 98033

June 30, 2011

Jon Regala, Project Manager, Planning Department, City Council Members

Mr. Regala, this letter contains comments/opinions regarding the Totem Station Apartments proposal. I'm assuming you will get copies to the Planning Department and City Council members.

Jeff Bates, Development Consultant for Cam West, originally contacted me with an invitation for me and other North Rose Hill Neighborhood Association Board members to meet with him to discuss the planned Totem Station development. Because the notification came only the day before the meeting date and was scheduled for day (work) time for most people, I was the only one able to attend. During our meeting Mr. Bates requested a meeting with our Board, but never showed up for the scheduled meeting. Mr. Bates seemed open to the suggestions/requests I provided and expressed the desire for more input, including the type of businesses that we thought would be useful and whether more sidewalks could create more customers for businesses in the complex. Following are issues I raised with Mr. Bates, plus an additional one that seems important with more time for thought, and which I hope you will seriously consider.

I was glad to hear the building was only going to be 4 stories and that "low income housing" would be included.

Mr. Bates said underground parking would not be needed as residents were expected to be mostly using public transportation, but if that doesn't prove to be the case, street parking could pose a serious problem.

I expressed the opinion that the formerly planned (Mastro Development) traffic light at N.E. 112th Pl. & 124th Ave. N.E. will still be needed to move traffic in this already congested area.

Mr. Bates said the formerly planned pedestrian trail from Slater to N.E. 116th would still be included.

One of the planned Slater traffic calming improvements that will be very important with this development is the traffic circle at the intersection of Slater & N.E. 112th.

Mr. Bates agreed to post a North Rose Hill neighborhood sign on the property at the N.E. 116th St. & 124th Ave. N.E. intersection.

Another issue I didn't raise, but think needs to be considered is the extra danger to children entering/exiting the Boys & Girls Club facility, off Slater Ave., due to even more traffic with the Totem Station development. (Traffic bulbs were to be constructed there under the Slater Traffic Calming plan, but never got put in place.)

Thank you, in advance, for your work to make this project fit in as well as possible, with safety for all a prime concern.

Sincerely,

Margaret Carnegie

Jon Regala

From: Coleman, Mike [ColemaM@wsdot.wa.gov]
Sent: Thursday, July 07, 2011 11:02 AM
To: Don Anderson
Cc: Trinh, Hien; Standahl, Dave; Storer, Michelle; Jon Regala
Subject: COK Totem Station Apartments Permit No. ZON11-00026

Follow Up Flag: Follow up
Flag Status: Flagged

Don: Yesterday on our I-405 116th I/C project I read a Notice of Application sign board that there is a building permit in the application process for the parcel next to the Union 76 station on NE 116th and 124th ave NE. I am concerned that the developer will tear up our landscaping while installing utilities or other work during the plant establishment period. This area is inside the COK Turnback agreement. Can the City write a condition into ZON11-00026 requiring restoration of any landscaping or other improvements made during the 116th I/C project that is damaged during their construction process?

Thanks
Mike Coleman

Jon Regala

From: Sharon Plotkin [sharonp@frontier.com]
Sent: Wednesday, June 29, 2011 2:35 PM
To: Jon Regala
Subject: Totem Station Apartments, File No. ZON11-00026

Follow Up Flag: Follow up
Flag Status: Flagged

The proposed site for these apartments is kind of a tricky spot for traffic – especially during rush hour. Does this development accommodate possible future plans to widen 116th? Also, please make sure that the development does not obscure visibility for drivers turning onto 124th from 116th.

Thanks,

Sharon Plotkin

CITY OF KIRKLAND

123 FIFTH AVENUE ● KIRKLAND, WASHINGTON 98033-6189 ● (425) 587-3000

**DEPARTMENT OF PUBLIC WORKS
MEMORANDUM**

To: Jon Regala, Senior Planner
From: Thang Nguyen, Transportation Engineer
Date: March 5, 2012
Subject: Totem Station Mixed-Use Development Traffic Impact Analysis Review

This memo is a Public Works summary review of the traffic impact analysis for the proposed Totem Station Mixed-Use development.

Project Description

The applicant is proposing to develop a vacant parcel to include 108 apartment units, 5,083 square feet (sf) commercial retail, 3,050 square feet of general office, and a 2,033 sf high-turnover restaurant with 128 parking spaces (112 on site and 16 on-street adjacent to the site). One driveway is proposed off NE 115th Place.

Trip Generation

The proposed project is calculated to generate approximately 1,290 daily trips, 89 AM peak hour trips and 124 PM peak hour trips (74 entering, 50 exiting).

Traffic Concurrency

All developments subject to SEPA review are required to pass traffic concurrency. The proposed project passed traffic concurrency. A traffic concurrency test notice was issued December 20, 2011 and will expire December 20, 2012 unless a building permit is issued or a traffic concurrency test extension is requested prior to December 20, 2012 and it is approved by the City.

Traffic Impacts

Project traffic distribution and assignment was estimated using the City's BKR Traffic Model.

The City 's Traffic Impact Analysis Guidelines (TIAG) requires a Level of Service (LOS) Analysis using the Highway Capacity Manual Operational Method for intersections that have proportionate share greater than 1%. Five intersections and the project driveway were analyzed for level of service in the PM peak hour.

The City requires developers to mitigate traffic impacts when one of the following two conditions is met:

1. An intersection level of service is at E and the project traffic is more than 15% of the intersection traffic volumes.
2. An intersection level of service is at F and the project traffic is more than 5% of the intersection traffic volumes.

Five off-site intersections were required to be review for level of service and safety. Those intersections are:

- NE 124th Street/124th Avenue NE
- NE 116th Street/120th Avenue NE
- NE 116th Street/I-405 Northbound off-ramp/I-405 Southbound on-ramp
- NE 116th Street/124th Avenue NE
- NE 115th Place/124th Avenue NE

All off-site intersections required to be analyzed for level of service in the PM peak hour are forecasted to operate at LOS-D or better with the proposed project traffic. Thus, no off-site traffic mitigation for those intersections is warranted.

Traffic patterns were observed at the driveways between NE 112th Place and NE 115th Place to confirm the project trip assignment. Approximately 85% of the traffic observed accesses 124th Avenue NE via NE 115th Place rather than from the south. This pattern may change in the future as more traffic may use NE 115th Place due to delay increases and traffic growth at the NE 115th Place/124th Avenue NE intersection. However, any shift of the project traffic to NE 112th Place will not trigger significant impacts to warrant SEPA mitigation.

The traffic impact analysis report shows that the intersection of NE 115th Place/124th Avenue NE operates independently from NE 116th Street/124th Avenue NE with a LOS-D with the proposed project traffic. The traffic report also indicates that on average (50%-tile traffic queue) queuing on 124th Avenue NE would not block NE 115th Place. Staff believes this is an underestimated condition for the peak commute periods because the signalized intersection of NE 116th Street/124th Avenue NE is close to NE 115th Place and its northbound queue does block the NE 115th Place during peak commute periods.

Currently during the peak commute period the northbound left-turn queue at the intersection of NE 116th Street/124th Avenue NE often extend far south of NE 115th Place. The queue blocks movement into and out of NE 115th Place. The City has plans to improve the intersection of NE 116th Street/124th Avenue NE and provide an additional northbound left-turn lane to accommodate the demand. The improvement is expected to shorten the northbound left-turn queue and reduce the blocking of NE 115th Place. However, the improvement project is currently unfunded in the current 2011-2016 Capital Improvement Program.

There was one left-turn accident at the intersection of NE 115th Place/124th Avenue NE in 2008. There may be more potential traffic conflict with more traffic from the proposed development making a left-turn in and out of NE 115th Place in the future. If the left-turn accident increases at NE 115th Place/124th Avenue NE with the proposed project then it may necessary to prohibit left-turns out of NE 115th Place by installing a median c-curb. Staff recommends monitoring traffic accidents at the intersection of NE 115th Place/124th Avenue NE for three years after the final certificate of occupancy. If left-turn accident occurs then the developer shall install a median c-curb to restrict left-turn out of NE 115th Place. The c-curb will be required to be in place within three-months from the time that the City provides notice to the applicant that a median c-curb is required.

Driveway Operation

The driveway is calculated to operate at an acceptable LOS-A and the project driveway meets the City of Kirkland minimum requirements for safe sight distance.

Parking

The applicant is proposing to provide parking 112 on-site parking spaces and 16 on-street parking spaces along the project frontage for a total of 128 parking spaces. The applicant is requesting for approval for shared parking between the residential and commercial uses since their peak parking demands do not occur at the same time and a parking modification in order to provide on-street parking for the project use utilizing City right-of-way. The City allows applicants to request for a shared parking arrangement if the parking provided is equal to the greatest number of required spaces for two or more uses operating at the same time (KZC 105.45).

The residential parking demand is 108 parking spaces or one space per bedroom. The demand for the residential visitor is 11 spaces. The demand for the 5,083 square feet of retail is one space per 300 square feet. The demand for 3,050 square feet of general office is 1 per 300 square feet. The demand for restaurant is one space per 100 square feet. Table 1 summarizes the parking demand.

Table 1. Parking Summary

Land Use	Parking rate	Size	Parking Peak Demand	Time of Peak Demand
Residents	1 per bedroom	108 bedroom	108	9 P.M.
Resident visitors	0.1 per bedroom	108 bedroom	11	9 P.M.
Retail	1 per 300 sq. ft	5,083 sq. ft	17	1 P.M. to 3 P.M.
General Office	1 per 300 sq. ft	3,050 sq. ft.	11	11 A.M.
Fast-food Restaurant	1 per 100 sq. ft	2,033 sq. ft.	21	12 P.M. - 1 P.M.
Total			168	
Parking Supply			128	

Based on Table 1, if we add the peak demand for each use the site would require 168 parking spaces assuming that all uses have the same peak. However, the residential use peak is at a time when the commercial parking demand is lowest and the peak for the commercial occurs when the parking demand for the residential use is lowest. Thus, it is important to look at the hourly demands of all uses cumulatively to determine the hourly high peaks in a mixed-use development that have complimentary uses that are able to provide and manage shared parking.

Based on the cumulative hourly distribution of parking demand for all uses, peak demand for the weekday is estimated to occur at 11 P.M. when the residents are at home. During the weekend, the highest peak also occurs at 11 P.M. and the highest peak during the day occurs at 8 A.M. Table 2 summarizes the cumulative peak parking demand. As shown in Table 2, the shared parking supply will accommodate the peak demand of the development. It is most likely that commercial patron will use on street curb-side parking because the commercial units will have their entrance to the sidewalk.

Table 2. Cumulative Peak Parking Demand

	AM Peak during Business Hours	PM Peak	On-site Parking Supply	On-street New Parking Supply	Total Parking Supply
Weekday	109	121	112	16	128
Weekend	121	124	112	16	128

Although the development will construct frontage improvement to allow for on-street parking, the on-street parking is public use and could potentially be used by the general public. Secondly, the on-site parking supply is less than the demand for the residential demand. In order for the shared parking management to work at this site and to minimize any parking impacts to neighboring properties, on-site parking shall be encourage. Thus, on-site parking shall not be gated nor assigned.

In addition, the applicant must meet the following criteria for a parking modification if parking is proposed on property other than the subject property:

- 1) The proposed parking area will have no adverse impacts on adjacent properties;
- 2) It is reasonable to expect that the proposed parking area will be used by the subject use; and
- 3) A safe pedestrian and/or shuttle connection exists, or will be created, between the subject use and the proposed parking area.

Medical office uses and sport uses such as Spin class, Yoga or Pilate studios has a high parking demand compared to general office use. Such uses should not be allowed unless the applicant can demonstrate that parking for those uses can be accommodated on site.

The City support sustainable mixed-use development and car/trip reduction through parking management and the use of alternative transportation modes. The success of trip reduction and thus reduced parking depends on the continual management of parking and promotion of multi-modal transportation.

To ensure the sustainability of the parking demand and minimizing parking and vehicle impacts, the site would be manage through a Transportation Management Plan (TMP). A TMP will be required for the project site. The applicant shall work with the City and its agent, King County METRO, to draft a TMP

At the minimum, the TMP shall include the following:

- Transit pass preloaded with \$50 credit for new tenants.
- Transportation Kiosk within the common area highly visible to tenants and employees providing information, brochure on alternative commute options.
- Sheltered bike racks for 11 bikes for employees and customers accessible at all times
- Five lockers for bicyclist.
- Provide a minimum of seven preferred parking close to the building entrance for carpools, vanpools and alternative fuel vehicles.

- A parking management plan that would allow for successful shared parking to be approved by the City.
- The property owner may restrict and signed up to 34 parking spaces on-site for commercial use between the hours of 8 a.m. and 6 p.m.
- The TMP shall be recorded with the property.
- Provide sign(s) visible from the driveway to direct commercial customers to the garage parking lot
- Submit a security bond for constructing c-curb at the intersection of 124th Avenue NE/NE 115th Place, if left-turn accidents occurs within three years of the project occupancy and there is a pattern of left-turn accidents/conflicts then a c-curb will be constructed to preclude left-turns to NE 115th Place at the discretion of the City.

Road Impact Fees

Per City’s Ordinance 3685, Road Impact Fees per Impact Fee Schedule in effect September 1, 2010 are required for all developments. Road impact fees are used to construct transportation improvements throughout the City. The development will be assessed road impact fees as summarized in Table 1. Final traffic fee will be determined at time of building permit issuance.

Table 1. Road Impact Fee Estimate

Uses	Fee Rate	Units	Impact Fees
Apartments	\$2,242 per unit	108	\$242,136.00
General Office	\$7.40 per sq. ft.	3,050 sq. ft.	\$22,570.00
Shopping Center	\$4.48 per sq. ft.	5,083 sq. ft.	\$22,771.84
Restaurant	\$22.04 per sq. ft.	2.033 sq. ft.	\$44,807.32
Net Fee			\$332,285.16

Public Comments

Responding to Sharon Plotkin comments on widening of NE 116th Street and visibility at the intersection of NE 116th Street/124th Avenue NE.

The proposed development will be constructed with the consideration of the NE 116th Street improvements and improvements to the intersection of NE 116th Street/124th Avenue NE. The development will be setback from the street to maintain safe sight distance.

Responding to Mike Coleman comments on restoration of landscaping on adjacent properties.

Any utility work for this development that impacts adjacent properties shall be mitigated by the developer. The developer will be required to restore any existing landscaping that it impacts.

Responding to Margaret Carnegie comments regarding a traffic signal at NE 112th Place/124th Avenue NE, traffic circle at the intersection of NE 112th Place/124th Avenue NE and traffic calming along Slater Avenue NE.

The former Mastro Development planned for the site was larger and generated more traffic than the current proposal. The Mastro Development traffic impact to the intersection of NE 112th Place/124th Avenue NE was large enough that traffic mitigation was warranted based on the City’s Level of Service criteria. A traffic signal was proposed by the development to off-set its traffic impact to the intersection. The current Totem Station development traffic impact does not have the same impact even with most of their trips distributed to the intersection of NE 112th Place/124th Avenue NE. The development impact does not warrant off-site traffic mitigation as required by the City’s Level of Service criteria. Under SEPA regulation, the City cannot require developer to provide mitigation when its impact is not warranted under

the City's established guideline for traffic mitigation. However, the developer has the option to voluntarily construct transportation improvements as a public benefit.

Traffic speeds and safety have been raised by residents along Slater Avenue NE. In 2002 a traffic plan for two traffic circles on Slater Avenue NE missed the 70% neighborhood approval requirement. In 2006 the need for a traffic calming plan was given priority as a result of a collision between a 12-year old cyclists and a motor vehicle at the intersection of NE 100th Street/Slater Avenue NE approximately one mile south of the project site. Neighbors along Slater Avenue established a Slater Avenue Traffic Calming Task Force (STCTF) consisting of nine residents that worked with the City's Neighborhood Traffic Control Program (NTCP) Coordinator to develop the Slater Avenue Traffic Calming Plan (STCP). The construction of traffic calming improvements within that Plan was to be completed as funding became available. At that time funding was available to neighborhood for NTCP type of traffic improvements. In 2009 the City constructed curb bulbs and crosswalks at the intersection of NE 100th Street and Slater Avenue NE through the NTCP budget. Funding for the NTCP program is no longer available due to budget cuts.

The Slater Avenue Traffic Calming Plan also identified a traffic island and bulb-out at the intersection of NE 112th Place/Slater Avenue NE. This project as well as other traffic calming projects is to be done as prioritized and when budget is available. The former Mastro Development was not required by the City to construct the traffic island and bulb-out at the intersection of NE 112th Place/Slater Avenue NE as part of their SEPA approval. However, the Mastro developer voluntarily agreed, as part of their SEPA approval, to construct the traffic calming device at the intersection of NE 112th Place/Slater Avenue NE as a public benefit. Based on the Mastro development commitment to construct the project, the NE 112th Place/Slater Avenue NE improvement was identified in the Slater Avenue Traffic Calming Plan as a developer funded project. Since there is no longer a Mastro development, the project is unfunded. Similar to the Mastro development, the Totem Station development with less traffic impact is not required to provide traffic calming at the same intersection. However, the Totem Station developer could volunteer to provide the same improvement or similar improvement as outlined in the Slater Avenue Traffic Calming Plan as a public benefit.

According the traffic accident data, there has not been any traffic accidents along Slater Avenue NE between NE 112th Place and NE 100th Avenue since 2008.

Responding to Karen Whittle comments regarding sidewalk along 124th Avenue NE between NE 115th Place.

The sidewalk along 124th Avenue NE along the frontage of the site will be closed for construction as necessary. An accessible pedestrian access route should be maintained throughout the duration of the project.

The intersection of NE 112th Place/Slater Avenue NE is operating at a good level of service, LOS-A, with very low volume. There is no sight distance problem at this intersection. Accident record indicates there is no traffic accident at this intersection in the past nine years. There is no indication that this intersection is unsafe.

There is no sight distance problem at the intersection of NE 112th Place/124th Avenue NE. Accident record indicates there is no traffic accident at this intersection in the past nine years. There is no indication that this intersection is unsafe for pedestrians.

The Public Works development engineer will work with the construction manager to minimize construction impacts. Only when closing a traffic lane is absolutely necessary, a traffic plan will be required during the construction of the project if it impacts the street circulation. The traffic plan will be in place to clearly divert traffic and to ensure safe traffic circulation around the construction area. Parking on the sidewalk will not be allowed. The developer will be required to provide construction parking on site or at another lot.

Responding to Hannah W. comments regarding parking on Slater Avenue NE and pedestrian.

Regarding pedestrian access, please see response to Karen Whittle above.

Regarding parking on Slater Avenue NE, staff has observed parking on Slater Avenue NE at night many times during the weekday as well as the weekend. There is abundance of parking along Slater Avenue NE.

Responding to Dayna Hall comments regarding project traffic using Slater Avenue NE as a by-pass, traffic signal at NE 112th Place/124th Avenue NE, Slater Avenue NE traffic calming, and on-street parking on 124th Avenue NE.

Regarding project traffic using Slater Avenue as a by-pass. Staff conducted traffic count in the vicinity of the proposed development to determine traffic pattern in the area. From the observation, at least 80% of the trips from Luna Sol, Kindercare and the existing office building across from Luna Sol (Totem Square Office Park) access 124th Avenue NE via NE 115th Place instead of NE 112th Place. The majority of traffic that heads south on Slater Avenue NE south of NE 112th Place are traffic from residents or businesses that reside along Slater Avenue NE to the south. There is no indication that traffic from any of the businesses north of NE 112th Place is using Slater Avenue NE as a by-pass. The Slater Avenue Traffic Calming Task Force study in 2007 did not substantiate a pass-through traffic problem. Traffic from these developments that head south could easily make a right turn onto 124th Avenue NE via NE 115th Place or NE 112th Place.

The Slater Avenue Traffic Calming Task Force study in 2007 did show that traffic speed on Slater Avenue NE between NE 112th Place and NE 100th Street is higher than 35 mph. Speeding is a police issue and citizens are encouraged to contact the Police Department.

On the topic of a traffic signal at NE 112th Place/124th Avenue NE and Slater Avenue NE traffic calming, please see staff response to Margaret Carnegie comments on page 5 and 6 above.

Regarding on-street parking on 124th Avenue NE and bicyclist safety, a dedicated 5-foot bike lane will be constructed along the project frontage to provide a safe bike route. Bicycle law requires cyclists to follow the same safety rule as a motor vehicle.

Traffic Calming on Slater Avenue NE

Due to speeding and a pedestrian accident on Slater Avenue NE, a Slater Avenue Traffic Calming Task Force was created to develop a traffic calming plan for Slater Avenue NE. The Rose Hill neighborhood expressed concern about additional project traffic impacting Slater Avenue NE south of NE 112th Place. In response to the neighborhood concerns, the applicant has voluntarily, as a public benefit, proposed to install a traffic circle at Slater Avenue NE and NE 105th Street to help slow traffic on Slater Avenue NE. The proposed improvement was ranked as Priority 2 of Phase I of Slater Avenue Traffic Calming Plan. This proposed traffic improvement is not warranted under SEPA review of the traffic impact from the proposed development.

Staff Recommendations

Public Works Staff concludes that the proposed project will not create significant traffic impacts that would require specific off-site traffic mitigation. Staff supports the applicant proposal to install a traffic circle at Slater Avenue NE/NE 105th Street as described in the Slater Avenue Traffic Calming Plan as a volunteered public benefit.

Staff recommends approval of the proposed project with the following conditions:

- Pay Road Impact Fee.
- Provide 112 parking stalls on-site and 16 stalls on-street along the property frontage to 124th Avenue NE and NE 115th Place.
- Draft and record a Transportation Management Program (TMP) for staff approval
 - Property owner shall provide to all new commercial and residential tenants a \$50 transit pass or one \$50 vanpool subsidy.
 - Transportation Kiosk within the common area highly visible to tenants and employees providing information, brochure on alternative commute options.
 - Sheltered bike racks for eleven bikes for employees and customers accessible at all times
 - Five lockers for bicyclist
 - Provide a minimum of five preferred parking close to the building entrance for carpools, vanpools and alternative fuel vehicles
- A parking management plan that would allow for successful shared parking to be approved by the City.
- The property owner may restrict and signed up to 34 parking spaces on-site for commercial use between the hours of 8 a.m. and 6 p.m. during the weekdays.
- The TMP shall be recorded with the property.
- Provide sign(s) visible from the driveway to direct commercial customers to the garage parking lot
- Medical office use and sport uses such as Spin class, Yoga or Pilate studio should not be allowed unless a parking study is provided for City review and approval.
- The City will monitor traffic accidents at the intersection of NE 115th Place/124th Avenue NE for three years after the final certificate of occupancy. If left-turn accident occurs then the developer shall install a median c-curb or other effective measures to restrict left-turn out of NE 115th Place. The c-curb will be required to be in place within three-months from the time the City provide notice to the applicant that a median c-curb is required. A bond to cover the cost for installing the c-curb shall be submitted to the City prior to building occupancy.

Any uses other than what is reviewed in this memo proposed to occupy the proposed building may require an updated traffic concurrency test, traffic impact analysis, parking analysis and additional road impact fee. If you have any questions, call me at (425) 587-3869.

cc: Advantage
File

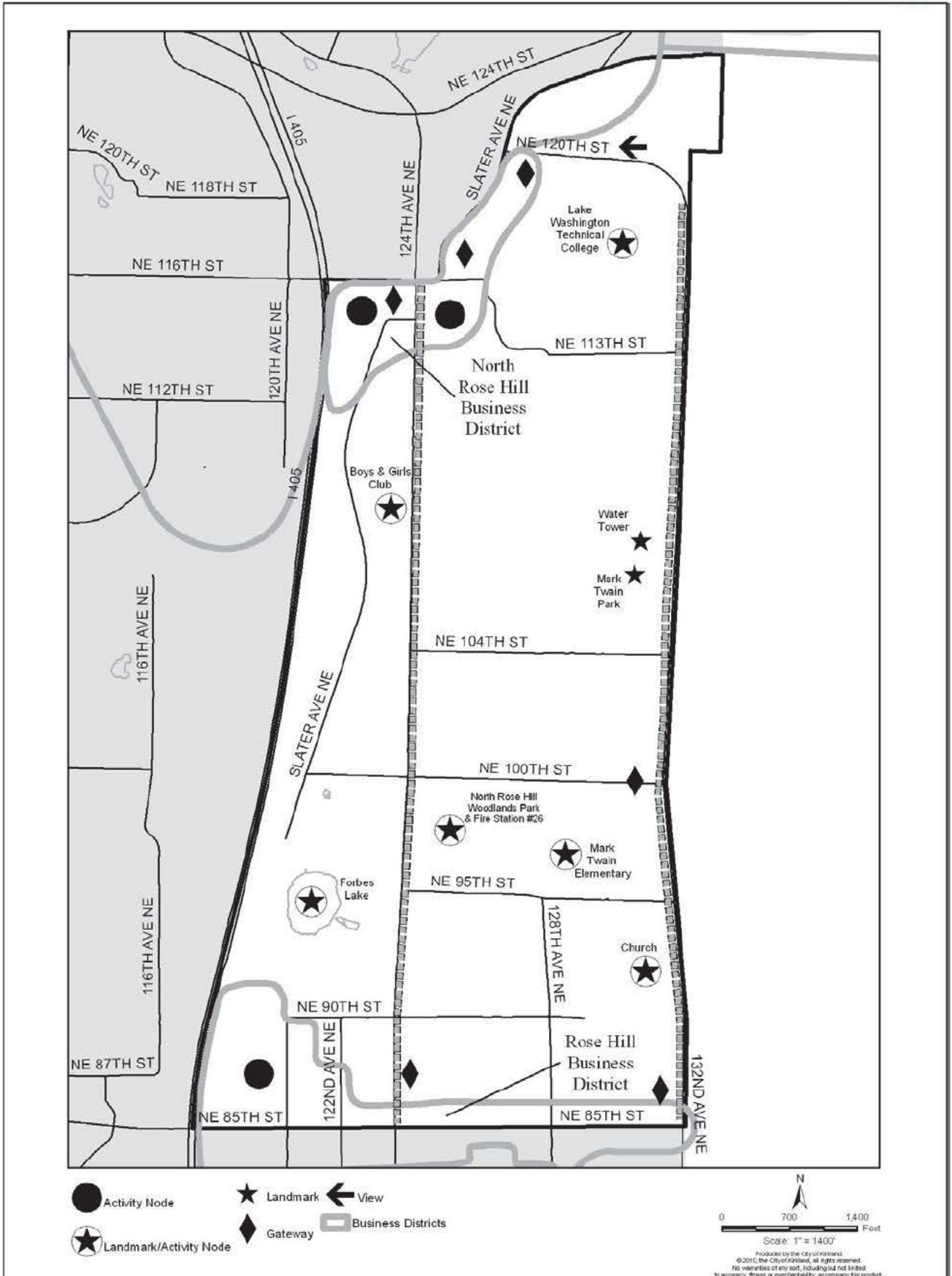


Figure NRH-10: North Rose Hill Urban Design



CITY OF KIRKLAND
123 FIFTH AVENUE, KIRKLAND, WASHINGTON 98033-6189
(425) 587-3225

DETERMINATION OF NONSIGNIFICANCE (DNS) .

CASE #: SEP11-00010

DATE ISSUED: 3/21/2012

DESCRIPTION OF PROPOSAL

Planned Unit Development for a new 4 to 5 story mixed use building containing approx. 10,200 sf ground floor commercial space, 128 surface parking stalls, and 108 residential units.

PROPONENT: **CAMWEST DEVELOPMENT INC**

LOCATION OF PROPOSAL: VACANT PARCEL AT SW CORNER OF NE 116TH STREET AND 124TH AVENUE NE

LEAD AGENCY IS THE CITY OF KIRKLAND

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

This DNS is issued under 197-11-340 (2); the lead agency will not act on this proposal for 14 days from the date above. Comments must be submitted by 5:00 p.m. 4/4/2012

Responsible official:

Eric Shields, Director
Department of Planning and Community Development
425-587-3225

3/16/12
Date

Address: City of Kirkland
123 Fifth Avenue
Kirkland, WA 98033-6189

You may appeal this determination to the Planning Department at Kirkland City Hall, 123 Fifth Avenue, Kirkland, WA 98033 no later than 5:00 p.m., April 04, 2012 by WRITTEN NOTICE OF APPEAL.

You should be prepared to make specific factual objections. Contact the Planning Department at 425-587-3225 to read or ask about the procedures for SEPA appeals.

Please reference case # SEP11-00010.

Publish in the Seattle Times (date): March 26, 2012

Distribute this form with a copy of the checklist to the following:

- Environmental Review Section, Department of Ecology,
P.O. Box 47703, Olympia, WA 98504-7703

- Department of Fish and Wildlife (for streams and wetlands - with drawings)
North Lake Washington Tributaries Area Habitat Biologist
16018 Mill Creek Boulevard, Mill Creek, WA 98012

- Department of Fish and Wildlife (for shorelines and Lake Wa. - with drawings)
Lake Washington Tributaries Area Habitat Biologist
C/O DOE
3190 160th Avenue SE, Bellevue, WA 98008

- Seattle District, U.S. Army Corps of Engineers,
P.O. Box C-3755
Seattle, WA 98124

- Attn: Lynn Best, Acting Director, Environmental Division, Seattle City Light
700 5th Avenue, Suite 3316
P.O. Box 34023
Seattle, WA 98125-4023

- Attn: Environmental Reviewer **AND** Attn: Preservation Program
Muckleshoot Indian Tribe Fisheries Division Muckleshoot Indian Tribe
39015 172nd Avenue SE 39015 172nd Avenue SE
Auburn, WA 98092 Auburn, WA 98092

- Northshore Utility District
P.O. Box 82489, Kenmore, WA 98028-0489

- Ken Howe, PE, General Manager
Woodinville Water District
17238 NE Woodinville-Duvall Rd.
PO Box 1390, Woodinville, WA 98072-1390

- Shirley Marroquin
Environmental Planning Supervisor
King County Wastewater Treatment Division
201 South Jackson Street, MS KSC-TR-0431, Seattle, WA 98104-3856

- Gary Kriedt
King County Metro Transit Environmental Planning
201 South Jackson Street, MS KSC TR-0431
Seattle, WA 98104-3856

- Director of Facilities
Lake Washington School District No. 414
P.O. Box 97039
Redmond, WA 98073-9739

- Budget Manager
Lake Washington School District No. 414
P.O. Box 97039
Redmond, WA 98073-9739

- John Sutherland, Developer Services
Washington State Department of Transportation
15700 Dayton Ave. N. MS 240
P.O. Box 330310, Seattle, WA 98133-9710

- Jan McGruder, Executive Director
East Lake Washington Audubon Society
PO Box 3115, Kirkland, WA 98083

- Director of Planning
Cascade Water Alliance
11400 SE 8th Street, Suite 440
Bellevue, WA 98004

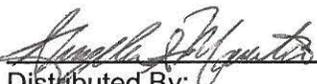
Applicant / Agent: AARON HOLLINGBERY, CAMWEST
9720 NE 120TH PL, SUITE 110
KIRKLAND WA 98034

---MITIGATING MEASURES INCORPORATED INTO THE PROPOSAL: -----

The City will monitor traffic accidents at the intersection of NE 115th Place and 124th Avenue NE for three years after occupancy of the building. If left-turn accidents occur, then the developer shall install a median c-curb or other effective measure to restrict left-turns from NE 115th Place onto 124th Avenue NE. The c-curb is required to be in place within three months of the City providing notice to the applicant that a c-curb is required. A three year performance security to cover the cost of installing the c-curb shall be submitted to the City prior to building occupancy.

cc: Case # ZON11-00026

Distributed to agencies along with a copy of the checklist. (see attached).


Distributed By: _____

3/21/12
Date: _____

SEPA_C_A, rev: 3/15/2012



CITY OF KIRKLAND
Planning and Community Development Department
123 Fifth Avenue, Kirkland, WA 98033 425.587.3255
www.kirklandwa.gov

MEMORANDUM

To: Eric R. Shields, AICP, SEPA Responsible Official
From: Jon Regala, Senior Planner
Date: April 30, 2012
File: SEP11-00010
Subject: **RESPONSE TO SEPA COMMENTS
TOTEM STATION MIXED USE PROJECT
11515 124TH AVENUE NE**

BACKGROUND

The proposed Totem Station mixed use project is located at 11515 124th Avenue NE and is currently undeveloped except for remnants of the old Slater Road. The applicant has applied for a Planned Unit Development (PUD) to construct a new 4 to 5-story mixed use project on the subject property.

On March 21, 2012, the City of Kirkland issued a Mitigated Determination of Nonsignificance (MDNS) for the Totem Station project. The appeal and comment period for the MDNS ended on April 4, 2012. The SEPA determination was not appealed. However, during the comment and appeal period, one comment email was submitted to the City (see Attachment 1). The comment email raised two comments/concerns:

1. Slater Avenue NE is being used as a southbound by-pass route in lieu of 124th Avenue NE.
2. Traffic safety is a problem on Slater Avenue NE and that non-neighborhood traffic should be located on 124th Avenue NE. Supplemental traffic accident information was also provided.

ANALYSIS AND RECOMENDATION

The SEPA "threshold determination" is the formal decision by the City as to whether the proposal is likely to cause a significant adverse environmental impact for which mitigation cannot be easily identified. The SEPA Rules state that *significant* "means a reasonable likelihood of more than a moderate adverse impact on environmental quality [WAC 197-11-794(1)]". In addition, *significant* involves an analysis of the context, intensity, and severity of the impact.

Thang Nguyen, the City Transportation Engineer reviewed Ms. Hall's comments and has provided a response to her comments (see Attachment 2). In general, the City Transportation Engineer did not identify any significant adverse impacts relating to high traffic volumes and accidents on Slater Avenue NE as a result of the proposed project. The issues being raised by Ms. Hall deal primarily with existing traffic conditions. In speaking with Mr. Nguyen, he

mentioned that even if all peak traffic from the project were routed south along Slater Avenue NE, the additional traffic still would not trigger intersection and traffic calming improvements along Slater Avenue NE.

Traffic speeds and safety have been raised over the years by residents along Slater Avenue NE. Several neighbors along Slater Avenue established a Slater Avenue Traffic Calming Task Force to develop the Slater Avenue Traffic Calming Plan. The construction of traffic calming improvements within that Plan was to be completed based on priority and as funding became available. Funding for the NTCP program is no longer available from the City due to budget cuts. Although traffic calming improvements are not being required by the City, the applicant is proposing to install a traffic island south of NE 112th Place consistent with the Slater Avenue Traffic Calming Plan as a PUD public benefit. The staff report on the PUD application will contain additional details of the proposed traffic calming improvements.

In regards to the SEPA determination, the comments that were submitted has not led to the identification of any significant adverse impacts as a result of the proposed project. Therefore, I am recommending no changes to the previous SEPA determination for the project.

SEPA ATTACHMENTS

1. Dayna Hall Letter dated March 30, 2012
2. Thang Nguyen Memo dated April 3, 2012

Review by Responsible Official:

I concur I do not concur

Comments: _____


4/30/12
 Eric R. Shields, Planning Director Date

cc: Dayna Hall
 12131 NE 107th Street
 Kirkland, WA 98033

Aaron Hollingbery
 Camwest
 9720 NE 120th Place, Suite 100
 Kirkland, WA 98034

Dayna Hall
Comment Letter
Dated March 30, 2012

Mar 5th Memo to Jon Regala from Thang Nguyen, attachment 9:

I need to comment on the response to my initial comments (page 7 of 8):

Thang wrote:

"Regarding project traffic using Slater Avenue as a by-pass. Staff conducted traffic count in the vicinity of the proposed development to determined traffic pattern in the area. From the observation, at least 80% of the trips from Luna Sol, Kindercare and the existing office building across from Luna Sol (Totem Square Office Park) access 124th Avenue NE via NE 115th Place instead of NE 112th Place. The majority of traffic that heads south on Slater Avenue NE south of NE 112th Place are traffic from residents or businesses that resides along Slater Avenue NE to the south. There is no indication that traffic from any of the businesses north of NE 112th Place is using Slater Avenue NE as a by-pass. The Slater Avenue Traffic Calming Task Force study in 2007 did not substantiate a pass-through traffic problem. Traffic from these developments that head south could easily make a right turn onto 124th Avenue NE via NE 115th Place or NE 112th Place."

On Thang's last sentence: In 2007, there wasn't a concern of people using Slater as a pass-through. 2007 predated any significant construction or mixed use building at that end of Slater. Luna Sol was not occupied until mid-2010. We have noticed a greater number of cars traveling on Slater Ave south, since that occupation. It is unwise to dismiss the neighborhood's observations in this regard.

By Thang's own data, which he refers to above, and is recorded in Attachment 4, they did do a survey of directional travel on Slater from the north end. What is not eluded to is that of cars that

originate at a North end business and choose to travel south, rather than exit at 115th onto 124th, EVERY car (100%) travels south on Slater instead of turning out to 124th at 112th. By his own numbers and empirical data (though not by his admission in the above paragraph), that results in a 16% increase in car traffic on Slater Ave. The other way to look at this is: fully 75% of cars originating in North end businesses with south-bound motivation travel by Slater Ave and

NOT 112th to 124th as is supposed to be "easy". And, in fact, this is not "easy", as the turning angle from Slater Ave south-bound onto 112th Pl is a tighter than 90° angle. It is, in fact, much easier to travel South via Slater and meet 124th at the light at 100th. To make matters worse, this traffic survey was taken on July 6th, and due to the 4th of July holiday, saw one of the lowest traffic volumes on 124th and Slater all year (it was actually noted by both JonErik and myself).

It was also incorrect for him to assume every car traveling south on Slater is of the neighborhood. He cannot know that, as we weren't interviewed.

Should the city restrict left hand turns (northbound) from 115th onto 124th as may be required after monitoring the intersection for 3 years for accidents, it is conceivable that a greater percentage of business trip cars will travel southbound on Slater than this data shows.

All I have repeatedly asked is for a baseline traffic count (hose-count) be done on Slater south of 112th so that in 3 to 5 years, another count can be done and compared to see if we should have additional protection from business traffic.

Finally, in response to

"According to the traffic accident data, there has not been any traffic accidents along Slater Avenue NE between NE 112th Place and NE 100th Avenue since 2008." (page 6 of 8, and included in Jon Regala's summary report)--

The neighborhood is aware of at least 2 accidents for which we have actual police records for this location in late 2011 alone, and we believe there are more but cannot prove it due to an unsearchable police accident system and an incomplete Kirkland Traffic records database (I personally called and talked to Peg of the Kirkland Police records department, and Iris Cabrera with the city. Iris was able to tell me that "recent data" hasn't been put into her system and that included at least all of 2011, but she would not tell me if other years were also insufficiently recorded. When she did call me back having found some accidents, the ones she gave me were for the intersection with 116th Ave--still she did not find the ones we knew about (see below). Peg was only able to find records of accidents at intersections, but because the one accident I knew the date of occurred at "an address" and not "an intersection," she couldn't find it in a geographical search. Apparently, this functionality of the Police accident database does not exist anymore). Perhaps the city should figure out a more reliable means of citing "empirical" data so that it is true.

The members of the Slater Traffic Calming Task Force are aware of (because they were noted after we knew there would be construction at north end of Slater):

Case # 11-41304, officer Thomas, Sept 1, 2011; The case involved speeding car on Slater during daylight hours. The car stopped only after hitting a tree on the opposite side of the road.

Case #11-48562, officer J.B. Kissinger, Kirk. PD badge #248, October 24, 2011; The case involved a speeding car that hit a parked car during daylight hours.

[Another case, in 2008 which may or may not have been noted in reference to 2008 accidents, involved 2 cars at a driveway to Aspen Creek. This accident took out the light post and had to do with sight distances and parked cars. The light post was replaced Aug 2008, the accident was July 8th, 2008.]

Given the relatively low volume of traffic and the relatively high number of pedestrians and bicyclists on Slater, there is clearly a valid neighborhood concern. A 16% increase in car traffic on Slater, combined with higher than posted (already-high residential) speeds is a catastrophe in waiting. (I know, speeding is a police issue; but traffic planning is a traffic planning dept issue.) We can do better than this. Get the cars out to 124th where police travel.

CITY OF KIRKLAND
123 FIFTH AVENUE • KIRKLAND, WASHINGTON 98033-6189 • (425) 587-3000

**DEPARTMENT OF PUBLIC WORKS
MEMORANDUM**

To: Jon Regala, Senior Planner

From: Thang Nguyen, Transportation Engineer

Date: April 3, 2012

Subject: Totem Station Mixed-Use Development Traffic Impact Analysis Review

This memo is a Public Works response to Miss Dayna Hall comments on Public Works traffic review memo.

The traffic survey that was completed as part of the Slater Avenue Traffic Calming Task Force study was only directional volume counts. Directional volume counts do not provide information about pass-through traffic (where driver are coming from and going to). Only observation count and license plate count can determine pass-by traffic. Staff made an observation count to determine where traffic came from and going to as it relates to traffic traveling south on Slater and the result is documented in the March 5, 2012 Public Works Staff report memo.

As it relates to accidents on Slater Avenue between NE 112th Place and NE 100th Street, existing vehicle accidents cannot be attributed to the proposed project and it is not accurate to assume that the proposed project will cause more accident. If speeding was the cause of the accidents mentioned then police enforcement can as a warning to drivers or providing other traffic calming strategy that the Slater Avenue Traffic Calming Task Force has already identified.

If you have any questions, call me at (425) 587-3869.

cc: Advantage
File

RECEIVED

JAN 17 2012

AM PM
PLANNING DEPARTMENT

January 16, 2012

Mr. Jon Regala
Senior Planner
City of Kirkland
123 5th Avenue
Kirkland, WA 98033-6819

RE: Totem Station Apartments
PUD Application Compliance

Dear Mr. Regala:

We hereby submit a revised application for Planned Unit Development (PUD) approval for the Totem Station Apartments proposal. This revised application makes minor revisions to the prior PUD submittal to the City. Totem Station is located in the NRH1A zoning district. The building will be a four-story¹ mixed use building with approximately 10,166 sf of commercial space and an apartment leasing office on the ground floor, and 108 apartments on the floors above. Two modifications have been requested for approval under the PUD. The first modification is to allow residential parking on the ground floor of the building in the parking garage. Due to an ambiguity in the zoning code related to the calculation of maximum floor height, a second modification is requested to allow an increase in the floor to floor height for the residential levels, and for the ground floor, which will contain a mix of office and retail uses.

Project Description

The Totem Station Apartments project will create a significant new development on a currently vacant lot fronted by NE 115th Place, 124th Avenue NE and NE 116th Street in the North Rose Hill neighborhood. It will provide housing closer to where people work, help minimize auto-dependence and provide affordable workforce housing to complement the more intensely developed commercial uses of the Totem Lake Urban Center where 36% of the Kirkland's jobs are located.²

The residential element of the development is a mix of 108 studio, 1 bedroom and 1 bedroom loft apartments. The ground floor will consist of approximately 11,000 sf of space that will provide a variety of small to medium sized space for commercial tenants and an apartment leasing office. The location of the site along the 124th Avenue NE arterial provides desirable visibility for commercial tenants and the proposed on-street parking along NE 115th Place and 124th Avenue NE ensures the easy access required for successful retail businesses.

Eighty-four ground floor parking stalls are located within the garage of the building behind the commercial space. An additional 28 stalls are provided in a surface parking lot to the

¹ The building will be four stories with the exception of 3 loft apartments on the fourth level that will extend to a fifth story.

² 36% of City of Kirkland Jobs are located in the Totem Lake Urban Center as noted in the City's December 2010 Totem Lake bulletin, "On Track."

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south and west of the building and 16 stalls are provided on street at NE 115th Place and 124th Avenue NE for a total of 128 parking stalls. The parking provided by the project will be shared among both residential and commercial uses.

Modifications Requested

Modification # 1 - Allow Residential Parking on Ground Floor of the Structure,

KZC 54.06.090 (special regulation 1) does not allow stacked dwelling unit uses to be located on the ground floor of a structure in the NRH1A zoning district. The residential apartments proposed are considered a stacked dwelling unit use. The residential units are located above the ground floor of the structure in accordance with the code. The code only allows ground floor residential parking if it is located outside of the structure on a surface parking lot. The project includes a small area of outdoor surface parking. However, most of the parking is located within the garage of the structure and it is designed to be shared by the residential and commercial uses. The code does not allow the residential tenants to use the garage parking. Therefore, we are requesting a modification so that the proposed ground floor parking located within the garage of the structure may serve the residential portion of the building.

The project has multiple objectives, one of which is to provide affordable work-force housing. As stated previously, Totem Station is located immediately adjacent to Totem Lake which is designated as an Urban Center where over a third of the City's jobs are located. As discussed more fully below one of the goals of the comprehensive plan (Policies LU-5.6 and NRH19.1) is to encourage increased residential development in North Rose Hill Business District 1A to help meet housing needs in the area. Locating the majority of the parking spaces within the structure as opposed to consuming a large part of the site with surface parking allows the site to accommodate a significantly larger number of housing units. Expansion of the surface parking to accommodate the residential use would greatly reduce the number of residential units that could be constructed. (See Exhibit A attached hereto.) The reduced number of units would likely increase rental rates. Parking would need to be located below grade to retain the 108 residential unit count proposed for Totem Station. However, that is not an economically viable alternative because rents would not support the increased cost to the project.³ By co-locating residential and commercial parking within the interior of the structure, construction costs will be minimized, housing will be maximized and residential rents will be more affordable.

Another goal of the project is to promote sustainability and to construct only the amount of parking that is needed to support the residential and commercial uses. Surface parking is land consumptive as illustrated by Exhibit A. The use of shared parking by the residential and commercial uses within the garage of the structure minimizes the use of the site for surface parking while providing sufficient parking to accommodate all uses.

Finally, the building design locates ground floor commercial retail and office uses along the project frontages on NE 115th Place and 124th Avenue NE. The project design is intended to activate the adjacent sidewalks to support those uses, while screening most of the ground level parking within the building. The proposed design is far more aesthetically

³ The 2011 ULI Technical Assistance Panel Recommendations for the Totem Lake area concluded that "today's rents do not support structured parking" (see page 9).

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Mr. Jon Regala
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pleasing and inviting than a design that paves a large portion of the site with surface parking. The design provides convenient, accessible parking for the commercial uses by providing multiple parking options including on-street parking, parking within the building or on the small surface lot.

Modification #2 - Increase in Floor to Floor Building Height for Residential and Ground Floor Office Uses.

The proposed project is located in the NRH1A zoning district. The proposed peaked roof building will be comprised of ground floor commercial (both office and retail) and three stories of residential units with the exception of three loft apartments located on the fourth floor which have lofts that extend to a fifth story. The zoning code allows the building to have a total height of 63' as measured from the midpoint of the frontage of the property on NE 115th Place to the top of roof peak.⁴ The highest roof peak of the proposed building will be approximately 62' high.

However, the section of the code addressing building height also appears to set maximum floor heights based upon the type of use. KZC 54.04.2.b.ii and iii state in pertinent part:

2. *In cases where the height of a structure is specified in number of stories, the following applies:*
 - b. *The following heights per story are allowed:*
 - i. *Ground floor retail . . . shall be a minimum of 13 feet in height and a maximum of 15 feet.*
 - ii. *Office . . . shall be a maximum of 13 feet.*
 - iii. *Residential . . . above the ground floor shall be a maximum of 10 feet.*

It could be interpreted that the building's proposed ground floor height of approximately 14' feet for the retail and office uses and the proposed 11' floor height for the residential floors are inconsistent with the code's maximum floor height limits of 13' for ground floor office and 10' for residential uses.

The City's response to the September 8, 2011 updated PUD application states that "[t]hat the Totem Station proposal, in terms of height regulation, is consistent with how the regulation has been applied for previous projects which established maximum height in terms of number of stories" and therefore this modification would be addressed by staff in a memo instead of as part of the PUD. The applicant still believes that the KMZ is ambiguous with respect to maximum office and ground floor retail floor heights. Therefore, due to the ambiguity in the code language we hereby request a modification to allow the ground floor office to have the same floor height as ground floor retail (minimum of 13' and maximum of 15') and to allow the residential portion of the development to have a floor height of 11' per residential story.

The modification for the residential use is requested in order to provide the construction flexibility necessary to achieve 9' apartment ceiling heights. A 9' ceiling height makes the units feel larger and provides a more attractive living space. The residential levels of the

⁴ KZC 54.04.2.a provides that "height is measured at the midpoint of the frontage of the subject property on the abutting right-of-way. If the site abuts more than one right-of-way, the applicant may select the right-of-way from which to measure".

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building will be constructed of wood using either modular construction or site framed construction. The building components of a modular system require a 2' depth from the ceiling of one level to the finished floor of the level above. If the building is site framed, the floor system requires a 14" joist system resulting in a depth of approximately 16" from the ceiling of one level to the finished floor of the level above. Without a modification to the code limitation of 10' floor to floor height, the ceiling height would need to be less than 9' to accommodate these floor system depths.

The modification for maximum ground floor office height is requested in order to provide the flexibility to accommodate both retail and office uses on the ground floor with the same floor height. The code appears to set a minimum height of 13' and a maximum of 15' for ground floor retail while limiting maximum ground floor office height to 13'. In order to attract retail uses which prefer a higher floor height, the first floor would be constructed at a height of approximately 14'.⁵ The modification is requested in order to ensure that both retail and office uses can be located on the ground floor.

While the proposal does increase floor to floor height, the total building height to roof peak will be less than the maximum height allowed under the code.

Compliance with PUD Criteria

The proposed project complies with the criteria for approval of a Planned Unit Development. Pursuant to KZC 125.35 the following criteria must be met:

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

Compliance: The application is consistent with all of the requirements of KZC Chapter 125 – Planned Unit Development.

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

Compliance: The requested modification does not create any adverse or undesirable impacts and has significant benefits to the residents of the City.

Adverse Impacts:

"Adverse or undesirable impacts" is not defined in the code and therefore requires a somewhat subjective analysis. One can presume an impact is adverse if it contravenes the intent of the code. Code provisions are adopted based upon perceived benefits. KZC 54.06.090 special regulation 1 precludes stacked dwelling unit uses within the ground floor of a structure in the NRH1A zone.⁶

⁵ The retail space on the northeast corner of the building will have a ceiling height of approximately 22'. However, the property slopes down from NE 115th Place. As measured from the midpoint of that frontage per KZC 54.04.2.a, the story height complies with the maximum 15 foot height limit.

⁶ The regulation states: "1. This use [stacked dwelling units] may not be located on the ground floor of a structure."

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One interpretation of this code provision is that the intent was to prohibit locating the dwelling unit itself on the ground floor, but not the associated parking. The City does not interpret the code in this manner. If that were the intent, the requested modification would not be necessary. We understand, however, that staff is reviewing this provision as part of a zoning code review and evaluating whether it should be amended.

Another reasonable interpretation of this code provision is that the purpose is to maximize the commercial uses by precluding any residential use on the ground floor of the structure (i.e. the dwelling units and the associated parking).⁷ If that is the purpose of this code provision, a reduction in commercial space would be a negative or adverse impact.

In order to ascertain how the removal of the residential parking from the garage would affect the development, a conceptual alternative was developed and is set out in Exhibit A hereto. Exhibit A illustrates one scenario of development that could occur on the site if the code is strictly applied and the ground floor of the structure is limited to commercial uses, including parking for those uses. As reflected in Exhibit A the amount of commercial space proposed by the applicant remains unchanged if all residential parking is eliminated from the parking garage within the structure and the garage parking is allocated solely to the commercial use. The residential use is parked outside of the structure on a surface parking lot as allowed by the code. Although the amount of commercial development space remains unchanged, the number of residential units is reduced to 66 from the 108 units currently proposed. As discussed previously, below grade parking could, in theory, be used to accommodate the residential use in order to retain the same number of residential dwelling units proposed for Totem Station. However, below grade parking is not economically viable. Furthermore, below grade parking would not increase the amount of commercial space. It would simply add more parking. Adding more below grade parking would obviate the need to share parking among uses, but it is wasteful and unnecessary. While it might eliminate the need to include the on-street parking to accommodate the peak parking period for the project (which occurs on Saturday night at 11 pm), the fact is that a large number of users prefer to park on the street and the applicant believes that the on-street parking is critical for the success of the commercial portion of the development.

Based upon all these factors, the applicant believes that the proposed modifications requested in the PUD do not create any adverse or undesirable impacts.

Project Benefits:

The proposed project will provide many benefits to the residents of the City, including the following:

- *Affordable Work Force Housing:* By providing smaller, more affordable units and keeping construction costs down, Totem Station will help to address the

⁷ Maximizing commercial space at the expense of a loss in residential units arguably conflicts with Comprehensive Plan Policy LU-5.6 and NRH 19.1. LU-5.6 states: *Encourage increased residential capacity in the North Rose Hill Business District to help meet housing needs.* NRH 19.1 states in pertinent part: *This area should have a regional commercial character that promotes the residential development that is being encouraged to locate there. Uses should be compatible with residential development.*"

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housing needs of the adjacent employment center of Totem Lake. In addition to the overall goal of providing work force housing, the project will also participate in the City of Kirkland's Affordable Housing program under KMC Chapter 5.88. Totem Station will provide 11 units (10%) as affordable apartments at the 80% of medium income level. This provides affordable housing at a level defined as low income by the 2011 HUD Income Guidelines (See Exhibit B). This will be a long term benefit to the City because those apartment units will remain in the affordable program for the life of the project.

- *Pedestrian Oriented Plaza:* The project provides a south facing open plaza area with a sunny southern exposure which will compliment the pedestrian street orientation of the project. The plaza is intended to be a flexible space to accommodate multiple uses. Permanent planters and accent trees will anchor the space while movable planter boxes and seating will be utilized to adjust the space to changing uses over time. It will be a user friendly space and a desirable gathering place. The plaza is a unique amenity in the North Rose Hill community and is expected to attract many types of users. The plaza could have limited reserved areas for businesses (e.g. seasonal outdoor seating for restaurants or special events). It will provide a significant benefit to members of the public, including the patrons and employees of the future businesses and tenants of the building.
- *Urban Forest:* The proposal will include creation of an urban forest in the southwestern portion of the site. This "urban forest" concept and its location were established by the prior developers of the adjacent Luna Sol building and the City during permit review for the Luna Sol project. We are voluntarily proposing to include this amenity. It will provide a visual amenity to the public at large by including a green space in an urban environment. This area will consist of new and existing trees, shrubs, ground cover, off-leash dog area and retention of existing trees. A code required public pedestrian path will be integrated into the urban forest design.
- *Off-Leash Dog Area:* The off-leash dog area element of the Urban Forest provides a significant benefit to the residents of the community. Urban renters increasingly want to live in a building where pets are allowed. Pet owners need an area to walk their pets. Without this amenity residents have few options within the immediate vicinity. This space will reduce impacts on the publically owned park system. This is in addition to the \$271,620 in park impact fees that will be required of the project.
- *Superior Urban Streetscape:* The project proposes a superior urban streetscape which is a benefit to the residents of the City. In addition to the frontage improvements that are required by the City, the Totem Station development is voluntarily constructing 16 parallel parking stalls along the NE 115th Place and 124th Avenue NE frontages. The proposed on-street parking results in a design that better protects pedestrians by separating them from the moving lanes of traffic. Locating highly visible parking in front of the building's commercial uses will promote the success of those businesses. Additionally, the sidewalk proposed along NE 115th Place will be widened to over 10' in width, exceeding

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code requirements. These elements of the design approach contribute toward the creation of a community focused retail experience with a pedestrian orientation. Successful retail along these streets will contribute to the vibrancy of the neighborhood as it redevelops.

- 3) *The applicant is required to provide one or more of the benefits set out in KZC 125.35.3 to the City as part of the proposed PUD:*

Compliance: The applicant is providing the following benefits:

- *KZC 125.35.3(a): Public facilities that could not be required by the City for development of the subject property without a PUD.*

The Totem Station project will voluntarily provide the construction of on-street frontage improvements and parallel parking stalls that would not otherwise be required.

124th Avenue NE Frontage Improvements:

The City is requiring removal and reconstruction of the existing sidewalk along the project frontage on 124th Avenue NE at a location 6' further west than currently located. No right-of way dedication, road widening or other road improvements are required.

The City plans to widen 124th Avenue NE and install a second northbound left turn at some point in the future. The City would relocate the existing curb and associated storm water utilities 6' further to the west as part of that widening.

The Totem Station project will widen 124th Avenue NE and add 9 parallel parking stalls. The project will also relocate the curb and storm water utilities which would otherwise not happen until the City did that work as part of the addition of the second northbound lane. The road widening, parking stalls, relocated curb and a portion of the sidewalk will be located within the existing public right-of-way. A public right-of-way easement will be granted by the property owner to encompass the portion of the sidewalk lying outside of the existing right-of-way.

NE 115th Place Frontage Improvements:

The City is requiring construction of curb, 4.5' planter and 5' sidewalk along NE 115th Place. The road is required to be widened to 44' from the new curb to the existing curb on the opposite side of the road. Right-of way dedication has been requested to encompass the width of the improvements. The resulting dedication would add approximately 2.5' to the right-of-way width.

The Totem Station project as proposed will widen the paved portion of the road to accommodate the 44' width as required by the City and will, in addition, further widen the road to provide for 7 parallel parking stalls. Consistent with the pedestrian emphasis of the project, the proposal will also voluntarily widen the sidewalk along the added parking from 5' to more than 10' in width. The road widening, parking stalls, curb and a portion of the planter strip will be located within the public right-of-way. A right-of-way easement will be granted by the property

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owner to encompass the planter strip and that portion of the first 8' of sidewalk lying outside of the right-of-way.

- *KZC 125.35.3(d): The design of the proposed PUD is superior in one or more of the following ways to the design that would result from development of the subject property without a PUD:*

1) Increased provision of open space or recreational facilities

The project will provide the urban forest as mentioned above. The urban forest will provide a large area of contiguous usable open space. Within the urban forest will be an off-leash dog area that will provide a recreational space for pet owners. The urban forest will provide visual relief to residents, employees and the public at large in a denser urban environment.

Additionally, the proposal will include a 2nd floor garden terrace for the use of the building tenants for passive recreation. Located between the east and west residential "buildings", the terrace will be landscaped with roof top planters and furnished with benches, deck furniture, and barbecues.

2) Superior circulation patterns or location or screening of parking facilities.

The project promotes superior pedestrian circulation by providing a superior urban streetscape along its frontages on NE 115th Place and 124th Avenue NE as discussed above. The increased sidewalk width and the addition of on-street parking result in greater protection of pedestrians, traffic calming and potential for successful pedestrian oriented businesses on the ground floor of the building.

3) Superior architectural design, placement, relationship or orientation of structure.

The proposed Totem Station design is superior to that which would otherwise be required by code.

Under the requirements of the Kirkland Zoning Code, the project is subject to review by the City's Design Review Board ("DRB") for consistency with the City design guidelines. On August 1, 2011 the Design Review Board issued approval for the Totem Station proposal. The proposal not only meets the requirements of the City design guidelines and regulations, it also provides a design superior to that which would otherwise be required.

Though it did not turn out to be a viable project, the Mastro Properties development application for the Totem Station property was approved by the DRB on April 7, 2007. The Mastro proposal provides a good comparison of what could otherwise be constructed on this site. We believe the Totem Station design is superior to the Mastro proposal in a number of ways. The following are three examples.

(i) **Scale and Massing:** The Totem Station proposal provides an effective transition from the commercial uses of Totem Lake Urban Center to the lower density residential uses located to the south of the site. The majority of the Totem Station

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building is proposed as four stories with only the three towers extending to a fifth story. Totem Station utilizes a well-modulated roof line with a mixture of dormers and gables which help break the massing into perceived smaller scale proportions. The pitched roofs of Totem Station provide the feel of a four story building from the street level. The Mastro project proposed a five story building which only utilized a single roof form. The result of the Totem Station approach is well mitigated massing, better scale and a more appropriate relationship to the context of the site.



Totem Station - Perspective Looking NE



Mastro Properties – Perspective Looking NE

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(ii) Pedestrian Plaza: The Totem Station pedestrian plaza is located at the NE 115th Place site frontage. It is oriented such that it has a welcoming sunny southern exposure surrounded on three sides by the adjacent retail uses of the building. This relationship to the building and the lower traffic volumes on NE 115th Place will create an inviting space. The Mastro application included court yards as well. However, these court yards were located on the busy arterials of 124th Avenue NE and NE 116th Ave. The courtyards would have been exposed to significant noise from these high traffic streets. The lack of sunlight for those courtyards with a northerly exposure and the noise from the traffic would not have provided a welcoming environment. The proposed Totem Station courtyard is far more likely to be used and to become a gathering space for tenants and the public at large.

(iii) Superior Urban Streetscape: The Mastro project proposed the standard required frontage improvements along NE 115th Place and 124th Avenue NE which did not include on-street parking. As discussed further above, Totem Station proposes a superior urban streetscape by further widening these streets and adding parking to create a more vibrant retail environment and pedestrian oriented streetscape.

Consistency with Comprehensive Plan Policies

The proposal is consistent with the City's Comprehensive Plan, including the following policies:

- Comp Plan Policy LU-5.6: *Encourage increased residential capacity in the North Rose Hill Business District to help meet housing needs:*

By effectively introducing higher residential uses into the NRHBD Totem Station provides an effective alternative to the lower densities of the surrounding neighborhood while also providing a logical transition to the higher commercial densities of Totem Lake to the north.

- Comp Plan Policy H-2: *Promote the creation of affordable housing and provide for a range of housing types and opportunities to meet the needs of all segments of the population:*

By having smaller more affordable units and keeping construction costs down Totem Station will address the employment needs of adjacent Totem Lake businesses, surrounding employers accessible by transit as well as tenants on a fixed income. The project will also provide 10 units of affordable housing under the City of Kirkland's affordable housing program.

- Comp Plan Policy H-2.7: *Create flexible site and development standards which balance the goals of reduced housing development costs with other community goals:*

Unlike many higher density multifamily buildings, parking for all residents will be located at ground level rather than in a more expensive below grade garage in order

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to reduce costs and provide more affordable housing. The majority of the parking will be screened by the commercial portion of the building and the building cladding and landscaping. This approach enables the project to provide badly needed work force housing at a more affordable cost in an attractive setting that will be an asset to the neighborhood. The ground floor parking will also provide more convenient accessible parking for and help stimulate the commercial ground floor uses.

- Comp Plan Policy ED-3.5: *Encourage mixed-use development within commercial areas:*

With the proposed modifications, Totem Station will be able to attract a diverse mix of retail tenants that will be attractive to the residents of the building as well as residential and commercial neighbors.

Consistency with Design Guidelines for North Rose Hill Business District

The proposal is also consistent with the *Purpose of the Design Guidelines for North Rose Hill Business District* as established in the *Design Guidelines: Pedestrian-Oriented Business District*.

Design Guideline excerpts:

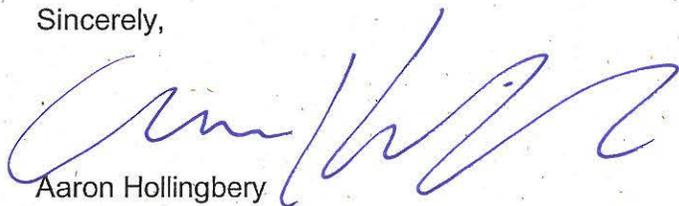
- *Development in the North Rose Hill Business District (NRHBD) is to complement the Totem Lake neighborhood and encourage increased residential capacity to help meet housing needs.*
- *Commercial uses are to be limited to those that are compatible with the residential focus of the NRHBD.*
- *Provide transitions between commercial and residential uses in the neighborhood.*
- *Provide streetscape improvements that contribute to a sense of neighborhood identity and enhanced visual quality.*
- *Provide transitions between commercial and residential uses in the neighborhood.*
- *.....the focus of the NRHBD is on increasing residential capacity while accommodating supportive commercial uses, rather than developing into a destination retail business district....*

Totem Station will be a positive addition to the North Rose Hill Neighborhood. It will help address the need for affordable workforce housing to serve the Totem Lake Urban Center while creating an attractive building that will be an asset to the neighborhood. The size and location of the commercial spaces proposed will attract retail tenants that will be compatible with and support the residents of Totem Station and the surrounding community. The proposed mix of commercial and residential uses will serve to transition from the higher intensity commercial uses of the Totem Lake neighborhood to the north to the lower intensity residential uses of the North Rose Hill neighborhood.

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Thank you for your consideration of our Planned Unit Development proposal. Please feel free to contact me with any questions regarding our submittal.

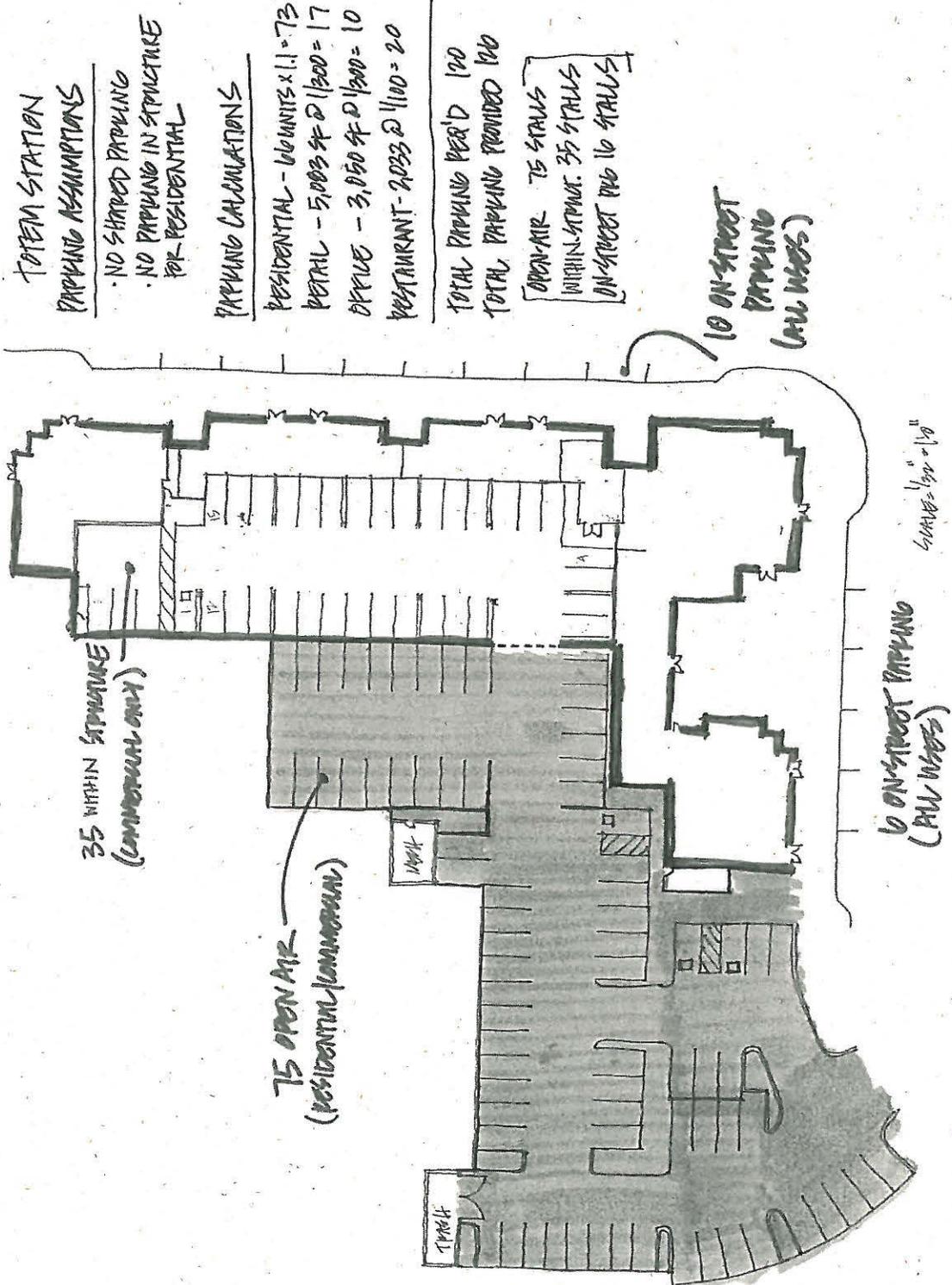
Sincerely,



Aaron Hollingbery

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Exhibit A
Alternative Parking Design



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Exhibit B

2011 HUD INCOME GUIDELINES King County, Washington Median Family Income = \$86,800 Effective June 1, 2011			
FAMILY SIZE	30% MEDIAN EXTREMELY LOW-INCOME	50% MEDIAN VERY LOW-INCOME	80% MEDIAN LOW-INCOME
1	\$18,250	\$30,400	\$44,950
2	\$20,850	\$34,750	\$51,400
3	\$23,450	\$39,100	\$57,800
4	\$26,050	\$43,400	\$64,200
5	\$28,150	\$46,900	\$69,350
6	\$30,250	\$50,350	\$74,500
7	\$32,350	\$53,850	\$79,650
8	\$34,400	\$57,300	\$84,750

<http://www.huduser.org/portal/datasets/il/il2011/2011summary.odn>

<http://www.huduser.org/portal/datasets/il.html>

CHAPTER 54 – NRH BUSINESS DISTRICT (NRHBD) ZONES

54.02 User Guide.

The charts in KZC [54.06](#) contain the basic zoning regulations that apply in the NRHBD 1A zone of the City. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

Section 54.04

**Section 54.04 – GENERAL REGULATIONS**

The following regulations apply to all uses in this zone unless otherwise noted:

1. Refer to Chapter [1](#) KZC to determine what other provisions of this code may apply to the subject property.
2. In cases where the height of a structure is specified in number of stories, the following applies:
 - a. Height measured at the midpoint of the frontage of the subject property on the abutting right-of-way. If the site abuts more than one right-of-way, the applicant may select the right-of-way from which to measure.
 - b. The following heights per story are allowed:
 - i. Ground floor retail; ground floor restaurant and tavern; ground floor entertainment/cultural and/or recreational facility shall be a minimum of 13 feet in height and a maximum of 15 feet.
 - ii. Office; private club or lodge; church; school; day-care center; public utility, government facility, or community facility; public park, ground floor hotel or motel; retail above the ground floor shall be a maximum of 13 feet.
 - iii. Residential; hotel or motel above the ground floor shall be a maximum of 10 feet.
 - c. To determine the allowed height of a structure, determine the number of stories allowed in the use zone charts and apply the allowed height per story specified in subsection (2)(b) of this section. For example, if three stories are allowed and the proposed use is ground floor retail with two stories of residential above, the allowed height would be 35 feet.
 - d. Height shall be measured above the point of measurement (e.g., above average building elevation, or above right-of-way) as specified in the particular use zone charts. For purposes of measuring building height above the abutting right (s)-of-way, alleys shall be excluded.
 - e. In addition to the height exceptions established by KZC [115.60](#), the following exceptions to height regulations in NRHBD zones are established:
 - i. Decorative parapets may exceed the height limit by a maximum of four feet; provided, that the average height of the parapet around the perimeter of the structure shall not exceed two feet.
 - ii. For structures with a peaked roof, the peak may extend eight feet above the height limit if the slope of the roof is equal or greater than four feet vertical to 12 feet horizontal.
3. The minimum required front yard is 10 feet, unless otherwise prescribed in the use zone chart. Ground floor canopies and similar entry features may encroach into the front yard; provided, the total horizontal dimension of such elements may not exceed 25 percent of the length of the structure. No parking may encroach into the required 10-foot front yard.
4. A pedestrian connection should be developed to link Slater Avenue NE with NE 116th Street.

[link to Section 54.06 table](#)

This page of the Kirkland Zoning Code is current through Ordinance 4345, passed January 17, 2012.

Disclaimer: The City Clerk's Office has the official version of the Kirkland Zoning Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

City Website: <http://www.kirklandwa.gov/> (<http://www.ci.kirkland.wa.us/>)
City Telephone: (425) 587-3190
Code Publishing Company (<http://www.codepublishing.com/>)



USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 54.06	USE ↓ REGULATIONS →	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.010	Office Use See Spec. Regs. 1 and 2.	D.R., Chapter 142 KZC.	None	10'	0'	0'	80%	2 stories above abutting right-of-way.	B	D	If a medical, dental, or veterinary office, then 1 per each 200 square feet of gross floor area. Otherwise, 1 per 300 square feet of gross floor area.	<ol style="list-style-type: none"> Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: <ol style="list-style-type: none"> The assembled or manufactured goods are subordinate to and are dependent upon this use. The outward appearance and impacts of this use with ancillary assembly or manufacturing must be no different from other office uses. The following regulations apply to veterinary offices only: <ol style="list-style-type: none"> May only treat small animals on the subject property. Outside runs and other outside facilities for the animals are not permitted. Site must be designed so that noise from this use will not be audible off the subject property. A certification to this effect, signed by an Acoustical Engineer, must be submitted with the development permit application. A veterinary office is not permitted if the subject property contains dwelling units.
.020	Vehicle Service Station See Spec. Regs. 1 and 2.		22,500 sq. ft.	40'	15' on each side	15'			A	E	See KZC 105.25.	<ol style="list-style-type: none"> This use is permitted only if the subject property abuts NE 116th Street. May not be more than two vehicle service stations at an intersection. Gas pump islands must be setback at least 20 feet from all property lines. Canopies and covers over gas pump islands may not be closer than 10 feet to any property line. See KZC 115.105, Outdoor Use, Activity and Storage, for further regulations.
.030	Restaurant or Tavern		None	10'	0'	0'			B	D	1 for each 100 sq. ft. of gross floor area.	<ol style="list-style-type: none"> Drive-in or drive-through facilities are prohibited.
.050	Hotel or Motel						4 stories above abutting right-of-way.				1 per each room. See Spec. Reg. 2.	<ol style="list-style-type: none"> May include ancillary meeting and convention facilities. Excludes parking requirements for ancillary meeting and convention facilities. Additional parking requirement for these ancillary uses shall be determined on a case-by-case basis.

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 54.06	USE ↓ REGULATIONS →	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.060	Any Retail Establishment, other than those specifically listed in this zone and prohibited by Spec. Reg. 1, selling goods and providing services including banking and other financial services. See Spec. Reg. 2.	D.R., Chapter 142 KZC.	None	10'	0'	0'	80%	2 stories above abutting right-of-way.	B	D	1 per each 300 square feet of gross floor area.	1. The following uses and activities are prohibited: <ol style="list-style-type: none"> The sale, service, and/or rental of motor vehicles, sailboats, motor boats, and recreational trailers; provided, that motorcycle sales, service, or rental is permitted if conducted indoors. Retail establishments providing storage services unless accessory to another permitted use; Storage and operation of heavy equipment except normal delivery vehicles associated with retail uses. Outdoor storage of bulk commodities, except in the following circumstances: <ol style="list-style-type: none"> If the square footage of the storage area is less than 20 percent of the retail structure; or If the commodities represent growing stock in connection with horticultural nurseries, whether the stock is in open ground, pots, or containers. 2. This use may not exceed 60,000 sq. ft. of gross floor area.
.070	Automotive Service Center See Spec. Regs. 1, 2, 3, 5 and 6.								A		1 per each 250 sq. ft. of gross floor area. See Spec. Reg. 4.	1. This use specifically excludes new or used vehicle or boat sales or rentals, and any vehicle or boat body work. 2. This use may not exceed 60,000 sq. ft. of gross floor area. 3. No openings (i.e., doors, windows which open, etc.) shall be permitted in any facade of the building adjoining a residential use. Windows are permitted if they are triple-paned and unable to be opened. 4. Ten percent of the required parking spaces on-site must have a minimum dimension of 10 feet wide by 30 feet long for motor home/travel trailer use. 5. Storage of used parts and tires must be conducted entirely within an enclosed structure. Outdoor vehicle parking or storage areas must be buffered as required for a parking area in KZC 95.45. See KZC 115.105, Outdoor Use, Activity and Storage, for additional regulations. 6. Site must be designed so noise from this use adjoining to any residential use complies with the standards set forth in WAC 173-60-040(1) for a Class B source property and a Class A receiving property. A certification to this effect, stamped by an Acoustical Engineer, must be submitted with the development permit application.



USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 54.06	USE ↓ REGULATIONS →	Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.080	Private Lodge or Club	D.R., Chapter 142 KZC.	None	10'	0'	0'	80%	2 stories above abutting right-of-way.	C	D	1 per each 300 square feet of gross floor area.	
.090	Stacked Dwelling Unit See Spec. Regs. 1 and 2.		Same as regulations for the ground floor use.					5 stories above abutting right-of-way.	Same as regulations for the ground floor use.	A	See KZC 105.25.	1. This use 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.
.100	Church See Spec. Reg. 1		10'	0'	0'	80%	30' above average building elevation.	C	B	1 for every four people based on maximum occupancy load of any area of worship. See Spec. Reg. 2.	1. May include accessory living facilities for staff persons. 2. No parking is required for day-care or school ancillary to this use.	
.110	School or Day-Care Center See Spec. Regs. 2, 5, and 7.		10' See Spec. Reg. 3.	0' See Spec. Reg. 3.	0' See Spec. Reg. 3.		2 stories above abutting right-of-way. See Spec. Reg. 1.	D		See KZC 105.25. See Spec. Regs. 4 and 6.	1. A six-foot-high fence is required only along the property lines adjacent to the outside play areas. 2. Hours of operation may be limited to reduce impacts on nearby residential uses. 3. Structured play areas must be setback from all property lines as follows: a. Twenty feet if this use can accommodate 50 or more students or children; b. 10 feet if this use can accommodate 13 to 49 students or children; c. Otherwise, five feet. 4. An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading areas on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on nearby residential uses. 5. May include accessory living facilities for staff persons. 6. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses. 7. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).	

(Revised 4/11)

ENCLOSURE 10
ZEN 1.00026

Section 54.06

Zone
NRH1A

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 54.06	USE ↓ REGULATIONS →	Required Review Process	Lot Size	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
				REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure					
				Front	Side	Rear							
.120	Mini-School or Mini-Day-Care See Spec. Regs. 2, 6, and 7.	D.R., Chapter 142 KZC.	None	10' See Spec. Reg. 3.	0' See Spec. Reg. 3.	0' See Spec. Reg. 3.	80%	2 stories above abutting right-of-way. See Spec. Reg. 1.	D	B	See KZC 105.25. See Spec. Regs. 4 and 5.	<ol style="list-style-type: none"> 1. A six-foot-high fence is required only along the property lines adjacent to the outside play area. 2. Hours of operation may be limited to reduce impacts on nearby residential uses. 3. Structured play areas must be setback from all property lines by at least five feet. 4. An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting right-of-way improvements. 5. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses. 6. May include accessory living facilities for staff persons. 7. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388). 	
.130	Assisted Living Facility See Spec. Regs. 1 and 2.	D.R., Chapter 142 KZC.	None	Same as regulations for the ground floor use.			80%	5 stories above abutting right-of-way.	B	A	1 per assisted living unit.	<ol style="list-style-type: none"> 1. This use may be located on the street level floor of a building only if there is a commercial space extending a minimum of 30 feet of the building depth between this use and the abutting right-of-way. The Planning Director may approve a reduction to the depth requirement for the commercial space if the applicant demonstrates that the proposed configuration of the commercial use provides an adequate dimension for a viable retail tenant and provides equivalent or superior visual interest and potential foot traffic as would compliance with the required dimension. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. 	
.140	Convalescent Center or Nursing Home			10'	0'	0'		2 stories above abutting right-of-way.	C	B	1 for each bed.	See KZC 105.25.	<ol style="list-style-type: none"> 1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with this use.
.150	Public Utility			A	C See Spec. Reg. 1.								
.160	Government Facility or Community Facility												
.170	Public Park	Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.											



ULI Technical Assistance Panel Recommendations

City of Kirkland - Totem Lake

2011



Kirkland, Washington



ULI Seattle Technical Assistance Panel Recommendations
City of Kirkland - Totem Lake

ULI Seattle

The Urban Land Institute provides leadership in the responsible use of land and in creating and sustaining thriving communities worldwide. ULI Seattle, a district council of the Urban Land Institute, carries forth that mission as the preeminent real estate forum in the Puget Sound region, facilitating the open exchange of ideas, information and experiences among local, national and international industry leaders and policy makers.

Our mission is to:

- Build a regional vision of the Puget Sound area that embraces and acts upon quality growth principles.
- Encourage the collaboration among all domains – public and private – of the real estate industry.
- Build consensus among industry and public leaders who influence land use, transportation, environmental, and economic development policies.

City of Kirkland

The City of Kirkland is located on the eastern shore of Lake Washington approximately ten miles northeast of downtown Seattle. Kirkland was the first town site in the fast growing area now known as the Eastside, incorporating in 1905 with a population of approximately 530. Today, Kirkland is the twelfth largest city in the State of Washington with a population of over 80,000 and several prosperous business districts with more than 35,000 employees.

Located in the geographic center of Kirkland, the Totem Lake business district is the largest district in the City and home to Evergreen Hospital, the City's largest employer, and the Lake Washington Institute of Technology. Totem Lake also is the principal producer of sales tax in the city, with its extensive retail offerings and auto dealerships. Overall, this commercial area is currently characterized by a relatively low density and automobile orientation.

However, City and regional plans identify Totem Lake as an Urban Center with expectations for significant population and employment growth, transforming into a high density pedestrian oriented district served by high capacity transit. To understand how best to catalyze redevelopment in Totem Lake, the City of Kirkland asked the Urban Land Institute (ULI) to study its current policies and determine whether they supported the vision for Totem Lake, and also to make suggestions on what the City might do to incent development.

Contact us:

ULI Seattle
700 Fifth Avenue, Suite 6100
Seattle, WA 98104

tel: 206.224.4500
fax: 206.224.4501
email: seattle@uli.org
www.seattle.uli.org



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ULI Technical Assistance Panel Recommendations

City of Kirkland - Totem Lake

EXECUTIVE SUMMARY

The City of Kirkland has embarked upon a commitment to transform the business district and neighborhood of Totem Lake into a vital urban center, attracting a substantial number of new residents and jobs. A strong and viable vision, coupled with strategic investments in infrastructure and amenities, will position the business district for investment and growth in the post-recession future. The recommendations of the ULI Technical Assistance Panel can be summarized in four points:

Keep a long-term perspective

The City of Kirkland's current vision for long-term development in Totem Lake is very appropriate, if coupled with strategic investment in improved transit capacity and access. Connectivity to major employment bases through transit is critical, as well as local pedestrian and bicycle networks, trails and open space. The office market has minimal development opportunities in the short run, while downtown Bellevue continues to have excess capacity. Current economic conditions mean that new residential development depends on competitive pricing and capitalizing on Totem Lake's access to a large employment center.

Leverage open space assets and trail potential

Current plans to purchase and redevelop the railroad corridor, which runs through the business district, deserve top priority. The corridor could become a key asset for attracting development to Totem Lake. The program for redevelopment, which will likely accommodate future light rail in addition to pedestrians and bicyclists, might well extend to small electric vehicles. As an amenity, it can connect office employees and other workers to retailers and recreational areas. Coupled with the redeveloped corridor, an enhanced green space around the natural area of Totem Lake could attain placemaking status for the developing neighborhood and become a stopping point and oasis along the railroad corridor.

Think big picture, small steps

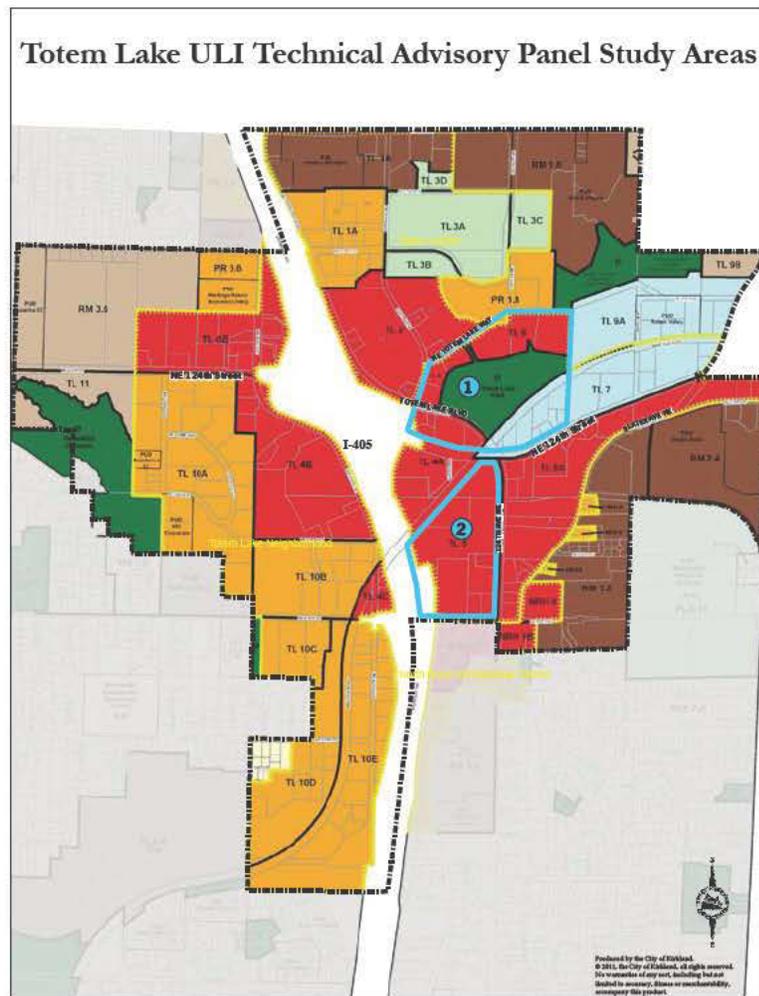
In the southeast quadrant of Totem Lake, extending 123rd Avenue Northeast north into a renewing neighborhood to the west of 124th Avenue Northeast promises to be transformative. Bounded by the railroad corridor along the northwest side and Northeast 124th Street on the north, this subarea will accommodate a large percentage of new housing units over the long term. In the meantime, the City would do well to focus planning and resources on an even smaller scale, a "quadrant within a

ULI Seattle Technical Assistance Panel Recommendations
City of Kirkland - Totem Lake

quadrant” in the subarea, and build on connections with the northeast quadrant of Totem Lake.

Work with existing retail strength, and institutions, too

The mall is the most likely transformative center of private development in the district. Although its redevelopment is stalled, the Totem Lake Mall retains the best potential for new retail development and jobs in the neighborhood. Success may depend upon targeting “medium box” stores and second-tier anchors that do not compete with fashion retailers in major urban centers. Significant new retail outside of the mall is unlikely in the short and mid-term, because it typically does not work in mixed-use areas without strong pedestrian traffic. The City also should continue to support Evergreen Hospital and educational institutions, along with associated uses.



**STUDY AREA
AND
BACKGROUND**

The Totem Lake neighborhood, annexed to the City of Kirkland in 1974, has a significant concentration of commercial activity within its boundaries, and is preparing for a sustainable future with a mix of housing and job opportunities. However, it is sharply divided, east from west, by I-405, and the decline of its namesake retail mall, which has long relied on connections with I-405 and the regional network of highways, was followed by setbacks and delays in mall redevelopment.

“The freeway is like a raging river. People tend not to go across the freeway to get groceries.”

Now the City of Kirkland has made the neighborhood of Totem Lake a focus of intense and thoughtful planning for future growth. The neighborhood was identified as an urban center by the King County Growth Management Planning Council in 2003, and the City of Kirkland has planned for Totem Lake to accommodate more than 4,000 new residents and 17,000 new jobs by 2031.

Study Areas

The ULI Totem Lake Case Study area includes two selected sections of Totem Lake where planning and investment can make a great deal of difference in the future of the urban center.

The first is the Totem Lake natural area and the commercial areas directly to the north and west of it along Northeast Totem Lake Way and to the south along Northeast 124th Street. The natural area is dominated by wetland habitat, which has been made partially accessible with a system of boardwalks and platforms crossing it. Public access to the park and wetlands is very restricted and hard to find, with shared parking behind a pawnshop. Privately owned parcels around the natural area present potential for redevelopment.

The second is a commercial area in the southeast quadrant of Totem Lake, to the west of 124th Avenue Northeast and east of I-405, known as Totem Square or TL5 and filled with primarily one-story uses from warehouses to offices and flex-space. It is bounded on the northwest by the railroad corridor, and meets Northeast 124th Street at the north. The western portion of the site is situated at an elevation somewhat lower than the freeway. There has been some conceptual planning here, and the current vision would break up the superblock with new streets and pathways that encourage



redevelopment as a mixed-use, pedestrian neighborhood connected with the railroad corridor. Extending 123rd Avenue Northeast northward from Northeast 116th Street would serve as an internal circulation spine for the neighborhood, and a crossing over the railroad corridor would connect this district to the northeast quadrant of the business district. The planned changes involve more dense development next to the railroad corridor and I-405, along with the following improvements: a network of sidewalks; plantings; a small park and gateway elements; strategically located parking and parking structures; and a more intensive pedestrian environment along 124th Avenue Northeast.

Economic Assets

Several major assets will play an important role in the future of the City.

Railroad corridor: The City is now exploring acquisition of the abandoned railroad corridor itself, which runs northeast to southwest through the Totem Lake Urban Center, and between the two sectors of the study area.



“With a trail going right through Totem Lake—people will get it right away.”

Totem Lake Mall: The 26-acre Totem Lake Mall, originally built in 1973, has been seen as a key redevelopment opportunity. A master plan for redevelopment, approved through design review in 2005, has not yet been implemented due to a protracted lawsuit between the mall’s two private owners. The approved development made use of new zoning regulations adopted in 2002 that would increase the height limits for the site to 75 feet and 135 feet in order to accommodate ground floor retail in addition to upper story office and residential space. With a \$15 million commitment from the City of Kirkland, the approved plan would break the highway strip-style character of the mall by adding a new east-west boulevard through the center, together with other road improvements.

Evergreen Hospital: Evergreen Hospital is the City’s largest employer, with more than 3,000 workers. The City has adopted a master plan for the hospital, raising the height limit from 75 to 150 feet concurrent with the commitment to accommodate a transit center on site. A 9-story building, emergency center, medical office building and transit center have already been developed, and there are plans to nearly

double the current square footage for a total of 2.25 million square feet.

Transit Center: The transit center on Northeast 128th Street, which is important to Urban Center status as defined by the Puget Sound Regional Council, is collocated with two office buildings and below-grade parking, has six bus bays and attractive, sheltered passenger waiting areas, plus layover space. It is within walking distance of a park-and-ride lot, and close to the street overpass and freeway station with direct access to and from high-occupancy vehicle lanes on I-405. Street improvements along 128th Street provide a pedestrian connection between the hospital and transit center and the freeway station. The freeway station is served by Sound Transit Express and Metro buses. There are also pedestrian links to nearby Kingsgate Park-and-Ride.

Businesses and Institutions: Totem Lake is home to numerous businesses, including: medical practices associated with the hospital; advanced manufacturing and light assembly plants; and auto dealers, an important source of sales tax revenue for the City. Also near the plan area to the southeast is another major institution, Lake Washington Institute of Technology, now expanded with a newly opened allied health building.

**PLANNING AND
SCALE OF DEVELOPMENT**

Consistent with the urban center designation, current zoning allows high-intensity development, subject to stipulations that it is designed to an urban form and is supported by an urban level of infrastructure. However, urban density is a long-term vision. Redevelopment opportunities in the near term may fall short of desired densities but do not preclude the creation of an attractive, pedestrian environment—and more dense development when the local market matures.



an attractive, pedestrian environment—and more dense development when the local market matures.

“Anybody can build an empty building. Don’t do too much too early.”

Density and Timing

The current vision for long-term development is appropriate, but only when coupled with transit capacity improvements. Investments must be prioritized by corridor, and access improved along with the pedestrian environment.



Redmond Town Center

But the current economic environment has stalled the desired transformation of suburban hubs into higher-density forms of development. Current rents will not support heightened density in most suburban markets. In the study area, it is hard to envision mixed-use construction in heights of more than two to three stories. It was possible to envision taller buildings in recent history, but it would be risky and unrealistic to expect construction of this intensity in the foreseeable future

in Totem Lake. Residential development might be more likely to include low-rise “garden style” projects with courtyards, rather than mid-to-high-rise developments.

Timing for short and long-term development is important. In the near term, the mall and the hospital are critical for the success of the entire district. City resources should be devoted to making Totem Lake Mall work, because mall development is the most transformational center of private development in the district. The City should also continue to support the growth of the hospital and associated uses, including medical office and assisted living uses, because this is the best sector for living wage jobs and long-term stability.

TL5 Strategies

Outside the mall and the hospital area, smaller-scale development—especially in the

“Put first dollars into one of the nodes. Invest money in individual quadrants to lift them up. Create a ‘there’.”

TL5 area—will serve as a catalyst for future development. This area, west of 124th Avenue Northeast, is a special case, where the City has a vision for creating a pedestrian environment and attracting investment in mixed-use development from the private sector.

The City’s street grid concept is a desirable urban design approach for the district and appropriate for the long term, but economically difficult to achieve. Even in the mid-term, it is hard to envision mixed-use construction in heights of more than two or three stories. Today’s rents do not support structured parking.



The City would do well to focus planning and resources on an even smaller scale of development within TL5, a “quadrant within a quadrant.”

Retail demand is market-driven, and the City should not insist on ground-floor retail. As an interim measure, the City may be well advised to require that ground floor space be built with higher ceilings and other infrastructure to accommodate future conversion to retail.

*“Big projects are harder to finance.
Allow something smaller to happen.”*

Floor Area Ratio (FAR) limits are a serious inhibition to development, but not in today’s flat market. When the market improves, the City will need a higher FAR. However, zoning is not the best mechanism to reach the City’s goals in today’s market. In the near term, the City might choose to facilitate a negotiated development proposal that serves some of the goals for a pedestrian environment while providing flexibility on FAR, street grid or retail requirements for the private developer.

The City should work with property owners to identify near-term opportunities and focus resources there. At the same time, it will be in a position to leverage amenities in transformational projects such as the trail corridor, a Totem Lake natural area revitalization plan, and various types of connectivity with amenities and transit.

**MAJOR
INVESTMENTS**

The City is contemplating potential investments in three areas in particular: transportation, Totem Lake natural area and the railroad corridor.

*“First, do no harm. I sense a
little bit of desperation.
Take it easy.”*

Transportation

The study area is bisected by arterial streets carrying high traffic volumes and creating large blocks. Plans call for a limited number of traffic capacity improvements, however actual capacity appears sufficient. Wayfinding improvements may be a better use of resources.

Plans also call for improving street connections and breaking up blocks with internal street grids, possibly with private developer partners. The City should consider

acting on this decision unilaterally, removing a potential barrier to future development, or investing in concert with an adopted plan, as with the City’s agreement on the Totem Lake Mall. This approach should be coupled with patience for the slow return of the market.



Totem Square - Future Internal Road

Connectivity to employment bases is critical. A potential “flyer” stop (a pullover addition to I-405, similar to Montlake Station on SR-520), to connect with busses from the expressway on Northeast 116th Street, may be considered.

The barrier of the freeway bisects Totem Lake in ways that cannot be surmounted. There is a clear need to connect the north and south quadrants on the

east side of I-405, and the plan to extend 123rd Avenue Northeast with a bridge over the railroad corridor is a good start.

The purchase and redevelopment of the railroad corridor itself has the potential to connect three of the four quadrants. This is by far the most practical of the connecting strategies and deserving of top priority, as it also yields multiple benefits as an amenity for all new development.

The Lake

The lake itself can become the heart of a redeveloping neighborhood and a place with which Totem Lake residents, existing and new, can truly identify.



The water surface of the lake is insignificant compared with its presence as a wetland and green open space, and its iconic, namesake value. The lake and park are in a position to attain placemaking status for the neighborhood, and become a stopping point and oasis along the railroad corridor. A strong design vision and concept is essential.

There are few places in the community to overlook the park and lake area, and surrounding properties are subject to strict environmental regulations. But there are clearly re-developable parcels adjacent to the natural area. The City may explore acquisition of key parcels in the future.



Marina Park, offering upland park amenities

Totem Lake’s current lack of recreational amenities limits its appeal for residential uses. The lake’s presence can be realized and its value leveraged by creating active, upland park amenities that serve the City at large. It would be reasonable to invest

“Go big or go home.”

in study, design and master planning for the park area, with the strategic objective of garnering support among businesses and the public at large for construction of upland, active areas. A new entry area, walking corridors, playfields, and even off-leash areas might be part of the mix, given appropriate protections for wetlands. Studies might include investigation of the possibilities for expansion of the lake as a storm water detention area. An ambitious storm water retention and filtration plan might be leveraged to gain support for strategic land acquisition and upland landscape design and construction.



Water exiting the west side of the lake is currently piped to the west side of I-405, where it becomes a tributary of Juanita Creek. The potential of daylighting or openly exposing the stream, and making it an amenity as well as part of a flood control strategy, has become a question for planners and local leaders.

Because the course seems to run along I-405, daylighting is unlikely to have a major bearing on development, and could be a political and regulatory quagmire. There are lessons to be learned from Northgate’s Thornton Creek. If it helps the City to daylight it as part of a flood control strategy, it would be an independent consideration.

The expansion of the Totem Lake natural area into a more active, park-like open space may be financially overwhelming, and constraints must be recognized. How-

ever, the effort might be made part of a “Rails to Trails” project that offers access to Federal funds. Also, as an amenity to the City-at-large, fundraising efforts can be spread among many stakeholders, including local businesses. All of this could be synergistic with new residential development between Northeast 124th Street and the railroad corridor.

BNSF Corridor (railroad corridor)

The unused Burlington Northern Santa Fe railroad right-of-way (railroad corridor) is now owned by the Port of Seattle and runs through Totem Lake, extending southward through Kirkland and the Bellevue. The corridor could become a key asset for attracting development to Totem Lake, through purchase by the City of Kirkland or King County.

There is obvious value in developing the 100-foot-wide corridor as a bicycle and pedestrian trail, even as it retains its potential for future regional rail transit. To maximize its potential for contributing to the distinctive attraction of Totem Lake, the program might extend the uses of the trail to include modes of individual transportation like small electric vehicles: carts, scooters, and Segways.

The development of the trail has the potential to brand Kirkland as progressive on transportation and add substantially to individual mobility within the urban center. As an amenity, it can attract office employees and commuting workers to use the trail to access retailers and recreational areas. It has the distinct advantage, among transportation investments, of the ability to connect three of the four quadrants of Totem Lake, crossing under I-405.



Figure TL-9: Totem Lake Existing and Proposed Pedestrian System

Totem Lake Pedestrian System

MARKETS

Private investment in the Totem Lake neighborhood will follow shifting opportunities in three different market sectors—retail, residential and office. Each of these will provide support for the others, and contribute to a livable pedestrian environment.

“Totem Lake could become the backyard for all those Bellevue uses as [Bellevue] becomes more dense.”

Retail

Despite its decline and stalled redevelopment, the mall retains the best potential for retail development and jobs. But its success may depend upon the targeting of particular types of retail franchises.

“You are not going to get quality dining unless there is a theater.”

This is not a market for fashion tenants (H&M, J. Crew, American Eagle). Development capital in this sector is focused in competing urban areas. A more realistic niche would include “medium box” stores (e.g. Best Buy, Designer Shoe Warehouse), and value anchors (e.g. Target, Kohl’s, J.C. Penney). But timing is not good for these businesses at present. The typical rents for these sectors, which currently hover at a net effective rent of around \$12 per square foot, are simply not high enough to support new construction. Rents are unlikely to support new development in the foreseeable future, especially with structured parking.

On the restaurant side, there seems to be plenty of potential for lunch spots, but sit-down restaurants require a cinema or some other evening attraction to survive.

Residential

The residential market is very cost-sensitive in the foreseeable future. The Totem Lake area competes primarily on price, as it lacks the amenities of town centers such as Bellevue and Redmond. Higher-density residential development is now focused almost exclusively on “core” centers like these, and Totem Lake must capitalize on access to larger employment centers and transit to Bellevue.

Amenities such as trails and open space are critical, and the southeast quadrant offers particularly exciting potential for residential development due to trail access through the railroad corridor. A growing employment base and stronger retail amenities will also enhance Totem Lake’s competitive position in the future.

Office

Given the soft market conditions prevailing in Bellevue and throughout the East-side in general, there is little potential for office development in the near term, with the possible exception of medical office. Strong freeway access, proximity to executive housing along Lake Washington and a growing labor base to the north help to put Totem Lake in a good position for future office development, which may be warranted once the Bellevue market tightens. Stronger retail amenities would strengthen Totem Lake's competitive position.

The proximity of executive housing along Lake Washington helps to put Totem Lake in a good position for office development in the future.

When development does resume, it will probably demand surface parking. This would likely be pegged at 4.0/1,000-square-foot ratio, or "commodity office."

"Headquarters of small, regional firms love Totem Lake. The executives live down the lake and they don't want to drive to Bothell."

OVERVIEW AND CONCLUSION

Totem Lake will benefit from intense planning efforts now underway, which are laying the groundwork for appropriate private development and public investment. But its potential as a thriving urban center, an attractive place to live and a generator of future jobs is inhibited by two significant factors: I-405 and the present economic slump.

The most basic of these is the presence of the interstate, which physically divides Totem Lake east from west, presenting a formidable barrier to bicyclists and pedestrians, as well as local motorists. More subtle but perhaps just as important are the legacies of auto-dependent development and the regional association of the name "Totem Lake" with a mall along the freeway.

*“Go back ten years in Bellevue. Ten years ago,
Bellevue was nowhere.”*

Because of the recession, efforts to shape private development through zoning and recapture a share of the retail market are unlikely to bear fruit in the foreseeable



future. These challenges are balanced by the advantage of a large institution and major employer, Evergreen Hospital, within the planned urban center. Another thriving institution, Lake Washington Institute of Technology, will generate jobs and attract residents. Employers in the emerging high-tech centers of Kirkland can be expected to consider investing in Totem Lake.

To encourage this process, the City can claim the enormous advantage of Totem Lake Park and the potential for opening and redeveloping the railroad corridor. The significance of the Totem Lake namesake natural area, which includes the wetlands and small lake, far exceeds its physical size and current visibility. Tapping its potential, which would mean substantial commitment and investment, involves protecting and enhancing its natural function while making it more accessible and linking it

*“This is a good time for
patience.”*

with other open space resources, trails and developing pedestrian infrastructure.

With strategic design, investments and marketing, the lake represents a unique opportunity to actually rebrand the community without changing its name. Totem Lake will be associated with a natural feature and desirable place to live and work. This shift will ultimately benefit a new generation of retail in Totem Lake, both inside and outside the mall.

Transit connections to major job centers will help to consolidate demand for housing in the neighborhood. Realistic expectations for retail partners will encourage redevelopment of the mall, coupled with the adopted plan for tying it in with the surrounding street grid and the evolving pedestrian environment.

The City of Kirkland has embarked on a series of strategies that, with patience, will help to transform Totem Lake from a declining business district to a true urban center with new jobs and attractive, affordable neighborhood for living as well as

ULI Seattle Technical Assistance Panel Professional Biographies

- ***Al Levine, Seattle Housing Authority, Panel Chair*** As Deputy Executive Director of the Seattle Housing Authority (SHA), Al Levine oversees SHA's Development, Construction and Asset Management programs. Under his leadership, the agency has undertaken five HOPE VI redevelopment projects including High Point, which received the 2007 ULI Global Award for Excellence, and NewHolly, recipient of the HUD-CNU Award for Changing the Face of America's Public Housing. Al received his B.A. from Hunter College of the City University of New York, and his Masters in Urban Planning from the University of Washington. Al currently serves on the Advisory Board of ULI Seattle, serves as adjunct faculty for the College of Built Environments at the University of Washington, and is a member of the College's Department of Planning and Urban Design Professional's Council. He has also served on the Pike Place Market Historical Commission and the Boards of Directors for Common Ground and the Housing Development Consortium of Seattle-King County.
- ***Chris Bitter, University of Washington College of Built Environments, Panelist*** Christopher Bitter is an Assistant Professor with the University of Washington's Runstad Center for Real Estate Studies, where he teaches graduate courses in Urban Land Economics, Real Estate Market Analysis, and Real Estate Valuation. Chris earned his doctorate from the Department of Geography and Regional Development at the University of Arizona and served as a faculty member in the same department. Prior to pursuing an academic career, he worked for ten years in the private sector as a real estate and urban economist, most recently with RREEF, a leading institutional real estate investment advisor. Chris's research focuses on urban economics, real estate market analysis and strategy, and sustainable urban development. He is currently studying the implications of demographic change for cities and real estate markets and analyzing the market context for compact development.
- ***Chris Cole, Sher Partners, Panelist*** Chris Cole is the President of Sher Partners in Bellevue. Sher Partners' development arm, Metrovation, is a nationally recognized retail development company. Known regionally for its repositioning of Crossroads Shopping Center in Bellevue, the company is also redeveloping several key downtown blocks in Bremerton. Nationally, the company's current projects include the redevelopment of Five Points Plaza, a well-positioned lifestyle center in Huntington Beach, CA, and numerous projects in New Jersey including the development of a 50,000 sf office building, development and repositioning of a 140,000 of shopping center, and redevelopment of a 92-unit mixed-use multifamily project. Chris holds a B.A. in Business from Babson University and a Masters degree in Real Estate and Construction Management from the University of Denver.
- ***Grace Crunican, Crunican Consulting, Panelist*** Grace Crunican is a transportation consultant living in Seattle. For the past eight years she was the Director of the Department of Transportation for the City of Seattle. Her previous posts include serving as Director of the Oregon Department of Transportation, Deputy Administrator for the Federal Transportation Administration, director of the Surface Transportation Policy project, and Deputy Director of the City of Portland, Office of Transportation.
- ***Susie Detmer, Cushman & Wakefield, Panelist*** As Senior Director of retail brokerage for Cushman & Wakefield, Commerce Real Estate Solutions of Washington, Susie Detmer brings more than 30 years of retail experience to her clients. Having served in executive positions with national and regional retailers, Susie has first-hand knowledge of the way retail tenants approach the market. Her retailing background includes the management of real estate leasing and sales, site acquisition and disposition, operations, financial and strategic planning, merchandising, marketing and advertising departments. Susie is a member of Cushman & Wakefield's International Executive Retail Services Committee, and the governing and strategic planning arm of retail brokerage for Cushman & Wakefield, Inc. Prior to joining Cushman & Wakefield, Susie was a Vice President with CB Richard Ellis in Seattle.



ULI Seattle Technical Assistance Panel Professional Biographies

- **Kerry Nicholson, ULI Seattle Chair, Legacy Partners, Panelist** Since 1999, Kerry Nicholson has led Legacy Partners' emergence as a leading developer, builder and manager of award-winning residential mixed-use projects in the Pacific Northwest. Prior to that, he had two decades of senior executive experience leading real estate construction lending teams at Wells Fargo, Bank of America, and GE Capital, including four years managing Special Credits and Bank REO teams for Bank of America. In 2010, Legacy teamed with KBS Capital Advisors to form a non-traded REIT called KBS Legacy Partners Apartment REIT. The company is in the process of attracting funds to invest in the acquisition and development of apartment communities across the United States.
- **Pete Stone, Trinity Real Estate, Panelist** Pete Stone is a seasoned real estate professional with more than 20 years of investment, development, asset management and consulting experience in all commercial real estate sectors, including office, industrial, apartment, hotel and retail. Pete is currently a Principal at Trinity Real Estate, a Seattle based real estate investment and advisory firm where Pete is focused primarily on acquiring under-performing assets as well as establishing and maintaining relationships with institutional capital partners. Prior to joining Trinity, Pete spent more than 11 years working at ING Clarion Partners, an institutional real estate investment management firm, where he closed over \$2 billion worth of investments. Pete has negotiated complex and creative investment structures, including joint ventures, mezzanine debt and preferred equity. Prior to ING, Pete spent several years with the US real estate subsidiary of Sumitomo Life, where he was in charge of a number of complex workouts and redevelopments for both hotel and office assets. Pete is a graduate of Cornell University (B.A.) and New York University (M.B.A.).
- **Chris Fiori, Heartland, Panelist** For the past six years Chris Fiori has worked with clients on predevelopment financial analysis, property acquisition and disposition strategy, land use policy, and the structuring of public/private development agreements. Chris holds Masters degrees in Urban Planning and Public Administration from the University of Washington, with a concentration in Real Estate through the Runstad Center for Real Estate Studies. Prior to enrolling in graduate studies, Chris worked for the Corporate Executive Board in Washington, DC, where he was a senior associate within the firm's wealth management consulting practice. Chris recently served as a member of the Seattle Planning Commission. Chris holds a Bachelor of Arts, Honors degree in Political Science from Gonzaga University.
- **Scott Matthews, Vulcan, Inc., Panelist** With more than 26 years of development and asset management experience, Scott Matthews leads Vulcan's West Coast acquisition effort for Vulcan Real Estate. Scott's experience spans multiple product types and markets with a concentration in high-density urban mixed-used projects. Before joining Vulcan, Scott was the Vice President and Area Partner with JPI in Seattle, and he worked for 8 years with Trammell Crow Residential in Portland and Seattle. He has a B.S. from the University of Missouri at Columbia.



Contact us:

ULI Seattle
700 Fifth Avenue, Suite 6100
Seattle, WA 98104

tel: 206.224.4500
fax: 206.224.4501
email: seattle@uli.org
www.seattle.uli.org



April 3, 2012

Mr. Rob Jammerman
Development and Environmental Engineering Manager
City of Kirkland
123 5th Avenue
Kirkland, WA 98033

Rob:

As discussed subject to the conditions listed below Main Street Property Group, LLC has agreed to install a portion of the Slater Avenue traffic calming shown on Exhibit A to this letter. Main Street will install the traffic calming island and associated striping. The bump outs, wheel chair ramps, landscaping, street trees, irrigation, modification to storm or other utilities, and other related work will not be installed by Main Street. At the further request of the Slater Task Force, Main Street will also agree to install striping where the bump outs are shown in order to alert motorists that the street is narrowing. In lieu of the landscaping shown in the island, Main Street will install Dreamturf or comparable synthetic grass. Our commitment to perform the work above is subject to the following:

- 1) The Slater Task Force agrees that this is in lieu of a traffic circle and/or any other traffic mitigation measures.
- 2) No additional traffic mitigation measures are added to PUD or other approvals that are not already included as part of SEPA.

Please let me know if you have any questions or need any additional information.

Sincerely,

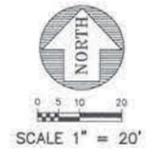
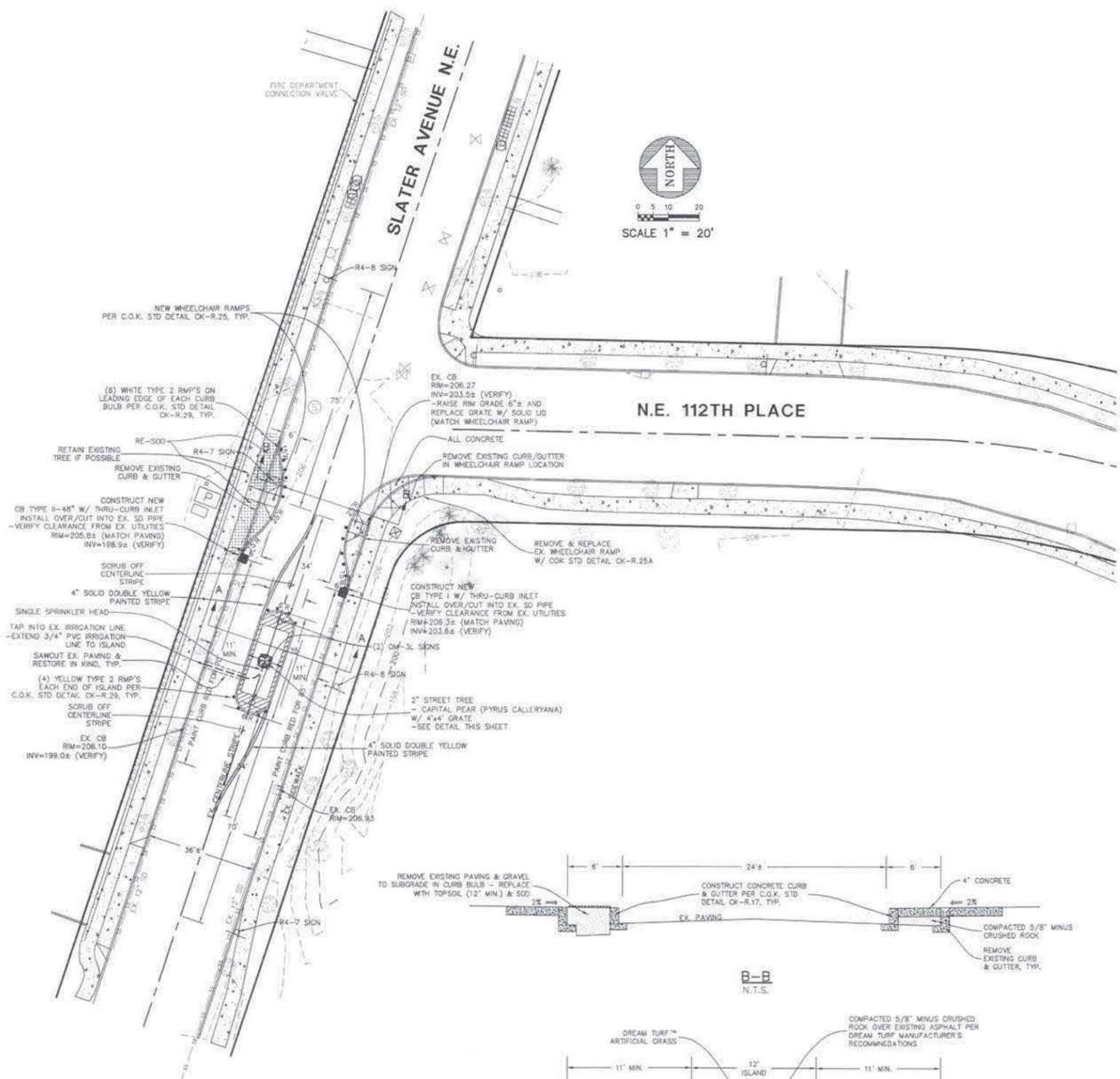
MAIN STREET PROPERTY GROUP, LLC

A handwritten signature in blue ink that reads "Kim Faust".

Kim Faust
Real Estate Development Manager

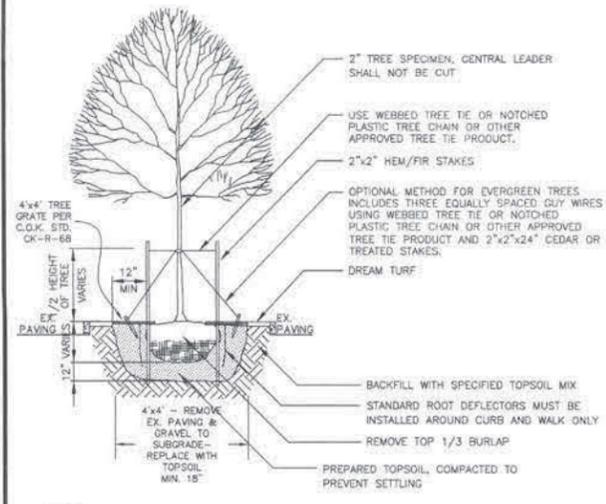
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PORTION OF THE N.W. 1/4 OF SEC. 33 TWN. 26 N., RNG 5 E., WM
CITY OF KIRKLAND, WASHINGTON



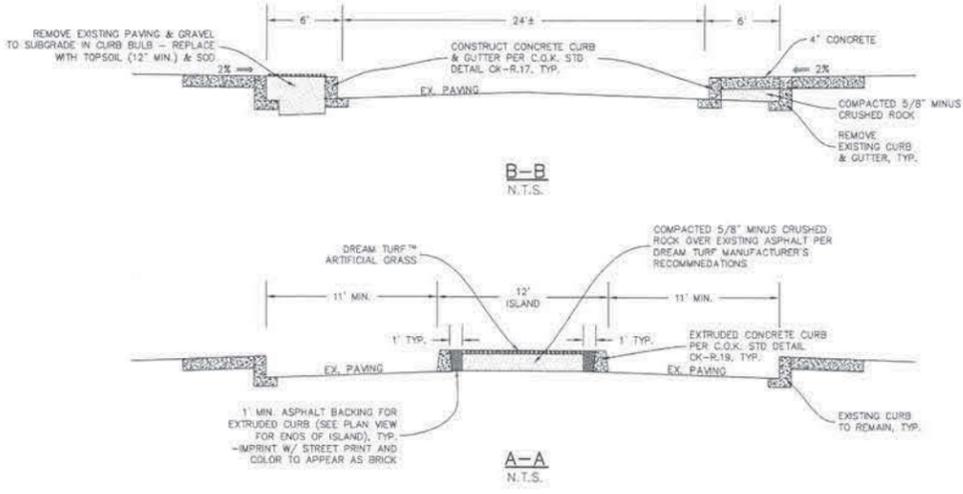
- LEGEND**
- ⊗ WATER METER
 - ⊕ WATER VALVE
 - ⊙ FIRE HYDRANT
 - ⊖ SEWER MANHOLE
 - ⊘ CATCH BASIN
 - ⊚ STORM MANHOLE
 - ⊞ POWER VAULT
 - ⊟ TELEPHONE RISER
 - ⊠ GAS VALVE
 - ⊡ TELEPHONE MANHOLE
 - ⊢ JUNCTION BOX
 - ⊣ IRRIGATION CONTROL VALVE
 - ⊤ ROOKERY
 - OHP OVERHEAD POWER LINE (APPROX. LOCATION)

- TREE LEGEND**
- ⊕ MAPLE TREE
 - ⊖ ALDER TREE
 - ⊙ FIR TREE
 - ⊘ COTTONWOOD TREE
 - ⊚ CEDAR TREE
 - ⊞ FINE TREE
 - ⊟ TREE (UNSPECIFIED)



- NOTE**
1. WIDTH OF PLANTING PIT SHALL BE 3 TIMES LARGER THAN ROOT BALL.
 2. PRE-STAIN ALL WOOD, STAIN ALL FIELD CUTS.
 3. 2" CALIPER AND BRANCHING STARTS 5' ABOVE FINISHED GRADE.
 4. TREES SHALL NOT BE PLANTED WITHIN 30' OF A STREET INTERSECTION; 50' IF IT HAS A STOP SIGN.

STREET TREE PLANTING DETAIL
N.T.S.



NOTE
THE STREET TREE PROPOSED IS CONSIDERED DROUGHT TOLERANT AND WILL REQUIRE ESTABLISHMENT WATERING ONLY.



PREPARED BY
Baima & Holmberg Inc.
ENGINEERS & SURVEYORS
100 FRONT STREET SOUTH
ISSAQUAH, WASHINGTON 98027
(425) 362-0250 FAX (425) 361-3005

DESIGNED BY T.J.R.
DRAWN BY JEF
CHECKED BY TUR

OWNER	MASTRO PROPERTIES
PROJECT	124TH/116TH MIXED USE
SHEET CONTENT	SLATER AVE N.E. TRAFFIC CALMING PLAN
DATE	04/11/07
JOB NO.	75-156
DWG NO.	75-156
SHEET	1 OF 1

April 16th, 2012

To: Jon Regala

Re: Totem Station development, voluntary traffic improvements on Slater by CamWest

The Slater Traffic Calming Task Force Members have been consulted by the city of Kirkland. We are in agreement to accept a plan that includes the installation of a traffic island with pavement striping just south of the intersection of NE 112th PI with Slater Ave NE to narrow the travel lanes and promote slower speeds through the residential areas of Slater.

The island should be constructed in a manner and location so that in the future, if and when funding becomes available to the city or from further development, that curb bulbs can be installed per the original Slater Task Force design (from the Mastro Development project), and that the full project is not being constructed at this time due only to budget constraints.

We also hope that the city will install a small sign on the island with some reference to "entering residential area" to hopefully encourage people to keep their speed in check, or even turn out to 124th Ave NE via NE 112th PI.

Signed by Members of the Slater Traffic Calming Task Force,
Dayna Hall
JonErik Johnson
Karen Whittle
Margaret Carnegie, NRH neighborhood association

RECEIVED

JAN 17 2012

AM PM
PLANNING DEPARTMENT

January 13, 2012

Mr. Jon Regala
Senior Planner
City of Kirkland
123 5th Avenue
Kirkland, WA 98033-6819

RE: Totem Station Apartments
PUD Comment Response

Dear Mr. Regala:

This letter is sent in response to the City's Totem Station PUD Planning Department Preliminary Comments/Questions issued on September 27, 2011. Included below are the City's comments and questions with our responses inserted.

Additionally, please find attached the following documents submitted to support our response:

- 1) PUD Application Compliance letter from Aaron Hollingbery dated 1/13/2012. (One Copy)
- 2) Revised Plans (Four Sets)
 - a. Drawings C1-C3 prepared by Blueline
 - b. Drawings A1.1, A2.3, A5.1, A5.2, and A5.3 prepared by Dahlin Group

Thank you for your consideration of our application. Please contact me should you have any questions about our submittal.

Sincerely,



Aaron Hollingbery

TOTEM STATION PUD

PLANNING DEPT. PRELIMINARY COMMENTS/QUESTIONS

September 27, 2011 (Applicant Responses Inserted 1/13/12)

1. **ZONING ITEMS**

a. **Lot Coverage**

Please provide additional lot coverage and site plan information separated into the following categories:

- Landscape/pervious areas
- Landscape planters located over impervious areas that are proposed to be exempt from lot coverage calculations. These areas must be at least two (2) feet wide and 40 square feet in area. Please provide site-specific information prepared by a qualified expert that shows that the proposed soil and depth conditions in the landscaped area will provide cleansing and percolation similar to that provided by existing site conditions.
- Walkways
- Plaza
- Building footprint
- Surface parking lot/trash enclosure area

Response: Refer to Civil sheet C1 dated 11/17/11 for lot coverage calculations.

b. **Height**

- 1) After further consideration, the PUD request for height flexibility will be addressed by staff in the memo in terms of compliance with zoning but will not be included as part of the PUD. Preliminary review by staff shows that the proposal meets the height regulation and a PUD is not warranted for this item. The Totem Station proposal, in terms of the height regulation, is consistent with how the regulation has been applied for previous projects which established maximum height in terms of number of stories.

Response: Acknowledged. See PUD Application Compliance letter.

- 2) Parapet height at loft area should be reduced so that the average parapet height does not exceed 2' above 55' height limit.

Response: Drainws A5.1, A5.2 and A5.3 have been updated to more clearly show compliance with the parapet height limits.

c. **Parking**

- 1) Bicycle Parking

Confirm compliance with the following code section:

105.32 Bicycle Parking

Bicycle parking spaces shall be provided in all new development required to provide six (6) or more motor vehicle parking spaces to encourage the use of bicycles as a form of transportation by providing safe and convenient places to park bicycles. Exception: Single-family and duplex developments are exempt from this section.

Bicycle parking spaces shall be provided at a ratio of one (1) bicycle space for each 12 required motor vehicle parking spaces. The Planning Official may modify the number of bicycle racks according to size of development and anticipated pedestrian and bicycle activity.

Bicycle parking in the form of a bike rack or enclosed storage container shall be conveniently located for the users, generally within 50 feet of an exterior entrance of all uses, and within 50 feet of a retail use entrance. Bicycle racks shall be located in a visible, well lit, sheltered area such as under an eave, awning, or other similar enclosure and located to not impede vehicle parking or pedestrian movement. A bike rack(s) shall be installed with the capacity to accommodate the required number of bicycle spaces. For buildings with multiple uses such as a commercial or mixed use residential-commercial centers, bicycle spaces may be clustered between businesses to serve up to six (6) businesses.

Response: *The bike storage location is now depicted on Sheet A1.1. Bike rack space for a minimum of 11 bikes shall be provided based on a total count of 129 parking stalls.*

2) Parking Lot/Garage Design

On the site plan, please revise and/or verify drive aisle and parking stall dimensions as follows:

- Standard 8.5' x 18.5'
- Compact 8' x 16' (all compact stalls should be identified)
- Maximum 50% compact stalls allowed
- Drive aisle – 24' width for two-way standard stalls and 20' width for two-way compact stalls
- Parking areas must have adequate lighting. Lights in parking lots must be non-glare and must be mounted no more than 20' above the ground.
- See attached site plan with additional notes from Thang.

Response: *The site plan has been revised based on the comments above and follow-up meetings and correspondence with Staff. Please Refer to Civil sheet C1 for parking stall, and drive aisle dimensions and updated parking calculation.*

The exterior parking area lighting will comply with KZC 15.85 and WSEC. Lighting information will be provided at the building permit submission stage of project review.

3) Parking Lot Location

Provide information regarding location of the surface parking lot as it relates to KZC Section 105.58.2 2. Location of Parking Areas in the JBD 2 and the NRHBD Zones – *Parking areas shall not be located between the street and the building unless no*

other feasible alternative exists on the subject property. Okay to use info submitted during DRB process.

Response: *There are three locations on the site where a parking lot could potentially be located and not be between the building and the street: (i) behind the building along the west property line, (ii) behind the building along the northwest property line and (iii) south of the currently proposed parking lot location.*

Parking is feasible along the west property line behind the building and the design utilizes the area for a significant portion of the proposed parking lot.

Along the northwest property line the parking garage has been extended to within approximately 10' of the parcel boundary. Between the building and the northwest property line landscaped planters are proposed. The planters will be located here to provide landscape screening along this building façade. Adding additional parking at this location is not feasible.

The area to the south of the parking lot is proposed as a landscaped open space specifically designed and maintained for pedestrian use that provides a valuable amenity. This area will be highlighted with formal landscape, ornamental plantings, hardscape, and outdoor furnishings that work together to contrast this special area. The proposed open space is consistent with the "Urban Forest" concept developed for the Totem Station site during the City's review of the Luna Sol project to the south. This is not a feasible location for adding additional parking given the planned open space, significant existing topography, and existing trees proposed to be saved.

d. Trash Enclosure

Confirm compliance with KZC 115.45.4: *Screening – Garbage and recycling receptacles must be screened from view from the street and from adjacent properties by a solid screening enclosure. The screening shall meet or exceed the standards established in the Public Works Pre-approved Plans and Policies.*

Response: *Garbage and recycling will be screened from view from the street and adjacent properties with CMU block and a corrugated metal gate that matches the building material façade. All screening will comply with KZC 115.45.4.*

e. Mechanical Units

Provide information regarding location of exterior heating and cooling systems.

Response: *Refer to Architectural Sheet A2.4 for location of (3) roof top heat pumps and (2) exhaust fans on the flat portions of the roof. All Mechanical Unit Screening will comply with KZC 115.120.*

f. Pedestrian Connections

- 1) Proposed pedestrian connection near urban forest needs to extend to the west property line. Confirm compliance with KZC 105.18.d Pedestrian Connections Between Properties – *Provide pedestrian walkways connecting to adjacent properties pursuant to the applicable standards in subsection (2)(a) or (b) of this section. Exceptions: Pedestrian connections to industrial uses are not required. The location*

for the access points at property edges and to adjacent lots shall be coordinated with existing and planned development to provide convenient pedestrian links between developments. Where there are topographic changes in elevation between properties, stairs or ramps shall be provided to make the pedestrian connection.

A public pedestrian easement will be required over this pedestrian connection as well as the design standards – see KZC Section 105.19.

Response: *The design proposes a pedestrian pathway connection from Slater Avenue to NE 116th Street. The pathway is proposed to begin at the intersection of Slater Road and NE 115th Place and proceed west, through the proposed urban forest, to the neighboring property to the west. The trail would be extended to NE 116th Street along the existing access tract on the neighboring property. This alignment allows for a gradual change in elevation as the pedestrian pathway crosses the Totem Station property. The offsite portion of the pathway would be constructed by others when those properties redevelop.*

The portion of the pedestrian pathway crossing the Totem Station project would be built of concrete and include steps where necessary to accommodate the change in grade. The pathway would cross through the landscaped "Urban Forest", include small seating nodes with benches and serve as a connection for building tenants to an off-leash dog park. Further detail is provided on sheet L1.0 of the landscaping plans.

Due to the existing rockery located on the neighboring property to the west, the pathway is proposed to terminate on the Totem Station property near the west property line of the subject property. The end of the path improvements will be held back from the property line in order to avoid creating a fall hazard. A public access easement will be provided for the entire length of the pathway and extend to the west property line. The easement will allow for the future construction and connection of the path to the west when that property develops.

- 2) Confirm compliance with KZC 105.18.g Overhead Weather Protection – *The applicant shall provide pedestrian overhead weather protection pursuant to standards in subsection (2)(d) of this section:*
 - 1) *Along any portion of the building which is adjacent to a pedestrian walkway or sidewalk;*
 - 2) *Over the primary exterior entrance to all buildings including residential units.*

Response: *The proposal is compliant with KZC 105.18.g(2)(d). Overhead weather protection has been proposed along the pedestrian walkways and sidewalks adjacent to the building and the primary entrances. Further, pursuant to the requirements of KZC 105.18.g(2)(e), the overhead weather protection configuration is required to be reviewed as part of the Design Review process. The Design Review Board has reviewed the overhead weather protection and issued approval for the proposed design.*

2. **PUD ITEMS**

A PUD is a mechanism by which a proposed development that is innovative or otherwise beneficial can be approved although it does not strictly comply with the KZC. A PUD is intended to allow developments to provide public benefits to the City more than would a development which complies with the specific requirements of the code. The proposal includes requests to depart from the ground floor residential use requirement and to allow flexibility on how floor to floor height is measured. As mentioned above, the floor to floor height request does not need a PUD approval since it meets zoning requirements. Below is a preliminary analysis of the PUD criteria and the applicant’s proposal in regards to the residential ground floor use limitation.

Legend

- - Public benefit
- - Potential benefit...additional information needed
- - Not a benefit

Criterion 1: Any adverse impacts or undesirable effects of the proposed PUD are clearly outweighed by specifically identified benefits to the residents of the City

<u>Adverse Impacts</u>	<u>Applicant Proposed Benefits</u>	<u>Staff Comments/Questions</u>
<ul style="list-style-type: none"> • Reduced ground floor area for office or commercial uses • Displaces space for required on-site commercial parking 	<ul style="list-style-type: none"> • Affordable work force housing – including 10 units (10%) as affordable apartments at 80% of medium income level. 	<ul style="list-style-type: none"> • Affordable housing for rental units as defined by the KZC is 50% of King County median household income. Can the proposal be modified to meet this level of affordability? • Applicant is proposing 80% of King County median household income to qualify for tax exemption benefit in KMC. This is a benefit for the applicant. • 10% of 108 units rounds up to 11 units per code • ARCH 2011 Income Guidelines show that a studio and 1-bedroom rental rates range from \$1,215 to \$1,389 at 80% of median. How do these figures relate to current market rate rentals for the same product? • ARCH 2011 50% median = \$760 to \$868 • Additional information is needed from the applicant that shows the project will result in more affordable units relative to other studio and 1-bedroom rentals. • Proposal necessitates request for parking modification. Need to review Thang’s report and determine if there could be impacts with the parking modification request. • The proposal does include liner commercial space. Comprehensive plan includes policies that support a mixed use development on the

		<p>site. Therefore, the proposal lessens adverse impact of having no ground floor commercial space at all.</p>
	<ul style="list-style-type: none"> • Pedestrian-oriented plaza 	<ul style="list-style-type: none"> • What are the area limitations for commercial tenants within the plaza? • What area remains for public use? How would we ensure that it is usable and never gated off as private space? • Provide additional information as to how this area benefits the public. For example, what types of amenities will be provided to make it a 'desirable gathering place'? • Maybe use this item as a 'superior design' public benefit instead?
	<ul style="list-style-type: none"> • Urban forest 	<ul style="list-style-type: none"> • Confirm if urban forest area is available for public access • Confirm if off-leash dog area is available for public access • If available for public use an easement should be required. • If available for public use, additional parking may be required.
	<ul style="list-style-type: none"> • On-street parking 	<ul style="list-style-type: none"> • Not a public benefit if being used towards meeting code required parking • Design should meet Public Works standards
	<ul style="list-style-type: none"> • Superior design – reduced building massing 	<ul style="list-style-type: none"> • Code allows base maximum height of 55'. An additional 8' is allowed for pitch roofs for a total height limit of 63'. The proposed building height varies. The four story portions of the project contain two major roof forms built to 62'. Since the project is near the maximum vertical massing (allowed height) and the maximum horizontal massing (allowed lot coverage), this case may be hard to make. • Building massing was reviewed through the DRB process based on design guidelines that address bulk and mass.

Criterion 2: The applicant is providing one or more of the following benefits to the City as part of the proposed PUD:

<u>PUD Benefit</u>	<u>Applicant Proposed</u>	<u>Staff Comment/Question</u>
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Options	Benefit	
<p>1. Public facilities that could not be required by the City for development of the subject property without a PUD</p>	<ul style="list-style-type: none"> • Improve 124th Avenue NE to match future 124th Avenue CIP improvements along property frontage and add 10 on-street parking spaces • On NE 115th Place, add 6 on-street parking stalls and increase required sidewalk width from 5' to 8' 	<ul style="list-style-type: none"> • Benefit in regards to 124th Avenue NE improvements in that the City would not have to redo a portion of the CIP project if the applicant completes it with their project. Need to understand scope of work that would not have to be redone with the City project. • A wider sidewalk along NE 115th Place is a benefit however will need to confirm width and easement location. • On-street parking is not a benefit if being used to meet code requirements. • Public Works suggestions for other public benefits: <ul style="list-style-type: none"> • Complete the 124th Avenue NE to NE 116th Street dual left turn lane project • Build curb, gutter, and sidewalk along Slater to complete missing sidewalk sections (need to confirm locations with Public Works) • Provide additional traffic calming along Slater Avenue per plan developed for NRH Neighborhood
<p>2. The proposed PUD will preserve, enhance or rehabilitate natural features of the subject property such as significant woodlands, wildlife habitats or streams that the City could not require the applicant to preserve, enhance or rehabilitate through development of the subject property without a PUD.</p>	<ul style="list-style-type: none"> • Urban forest with new trees, native landscaping, pet resistant ground cover, fenced off-leash dog park area, garbage cans, and seating will be provided. 	<ul style="list-style-type: none"> • The proposed urban forest does not enhance a natural feature of the site. It is also not a significant woodland, wildlife habitat, or contains sensitive areas such as wetlands or streams which could be enhanced and preserved.
<p>3. The design of the PUD incorporates active or passive solar energy systems.</p>	<p>N/A</p>	<p>N/A</p>
<p>4. The design of the proposed PUD is superior in one or more of the following ways to the design that would result</p>		

from development of the subject property without a PUD:		
<ul style="list-style-type: none"> Increased provision of open space or recreational facilities. 	<ul style="list-style-type: none"> Urban Forest Pedestrian Plaza 2nd floor garden terrace 	<ul style="list-style-type: none"> Not sure this can be used as a public benefit: <ul style="list-style-type: none"> Lot coverage maximum is 80%. The amount of proposed open space is 23% with lot coverage at 77%. Not a significant increase in open space. Pedestrian plaza is not open space per code and does not contain recreational facilities. 2nd floor garden terrace is not accessible to the general public.
<ul style="list-style-type: none"> Superior circulation patterns or location or screening of parking facilities. 	<ul style="list-style-type: none"> Wider sidewalks along 124th Avenue NE and NE 115th Place. Pedestrian friendly facades along both streets Approximately 75% of parking will be screened by the proposed building 	<ul style="list-style-type: none"> Wider sidewalks should be looked at as a 'public facility' benefit instead of a circulation pattern benefit. If utilized as such, public sidewalk easements should match the wider sidewalk design. 'Screening of parking facilities' cannot be used as a public benefit: <ul style="list-style-type: none"> Code requires that <i>'parking areas shall not be located between the street and the building unless no other feasible alternative exists on the subject property.'</i> Code and guidelines require screening of parking areas
<ul style="list-style-type: none"> Superior landscaping, buffering, or screening in or around the proposed PUD. 	<ul style="list-style-type: none"> Flow through bio-retention planters with dual function of storm water detention/treatment and including trees to help screen building Various planter and landscape strips along building and/or sidewalk. 	<ul style="list-style-type: none"> This item cannot be used if the planters are being used to meet code including storm water requirements. Need to confirm this with Public Works. The DRB required proposed vegetation to meet guidelines regarding building massing and blank wall treatment.
<ul style="list-style-type: none"> Superior architectural design, placement, relationship or orientation of structure. 	<ul style="list-style-type: none"> Various building design techniques 	<ul style="list-style-type: none"> In general, this item cannot be used. The DRB reviewed and approved project based on design guidelines resulting in the proposed project. However, applicant should maybe focus on 2nd story terrace and plaza instead superior design.
<ul style="list-style-type: none"> Minimum use of impervious surfacing materials. 	<ul style="list-style-type: none"> Use of bio-retention planters for storm water flow control 	<ul style="list-style-type: none"> This item cannot be used as a public benefit. Lot coverage maximum is 80%. The amount of proposed impervious areas is 77%.

		<ul style="list-style-type: none">• May e consider use of pervious surfacing materials.
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Additional Staff Comment:

Further clarification on the proposed public benefits is needed in order to meet PUD Criterion 1 above. Additional information is needed in regards to affordable housing and the public nature of the urban forest and pedestrian plaza in order to be considered a public benefit.

Please note that not all of the PUD benefit options are required in order for the PUD to be approved. You may want to focus only on those that can be easily demonstrated. Based on preliminary analysis, applicant should focus on the public facility benefit. Adding an additional public benefit from the public facility options offered by Public Works will strengthen the PUD benefit argument. The applicant may want to explore the Slater Avenue traffic calming option since it is a relevant topic with the neighbors.

***Response:** After review with staff and consideration of the above comments, a revised PUD Application Compliance letter has been submitted here with.*

3. **PARKING MODIFICATION and SHARED PARKING**

Pending analysis by Thang.

***Response:** It is our understanding that this is in review by staff.*

inappropriate to extrapolate vehicle gaps and headways to forecast future 2013 effective vehicle capacity since there are a variety of factors that impact available gaps and headways, including traffic growth and timing at adjacent signalized intersections. Thus, the relationship between traffic growth and effective vehicle capacity is non-linear. However, in comparing the existing effective vehicle capacity to the projected 2013 left turns, the forecasted 2013 northbound and eastbound left turns would be accommodated by the existing effective vehicle capacity.

The forecasted left-turn traffic volumes may be overstated reflecting worse conditions than may occur, considering the conservative assumptions used in estimating the number of project trips, and the fact that all site traffic was assigned to the NE 115th Place/124th Avenue NE intersection. However, since the relationship between effective vehicle capacity and traffic growth is non-linear, it is recommended that the traffic safety and operations at this location be monitored when the project is built and occupied to determine whether it may be prudent for the City to implement time-specific eastbound left turn restrictions at this intersection.

After the Project Moves

This traffic operations analysis provides a conservative estimate of vehicular impacts as it does not consider any alternative transportation mode use such as walking, biking, or transit attributable to the project's location and proximity to public transit.

The site is centrally located near pedestrian, bicycle, and transit corridors including NE 116th Street, 124th Avenue NE, and Slater Avenue NE. In addition, there is a future plan to provide a bicycle and pedestrian trail along the Eastside Rail Corridor within the current BNSF right-of-way which crosses NE 116th Street fourteen hundred feet west of the project site.

Sidewalk improvements would be made along the NE 116th Street, 124th Avenue NE, and NE 115th Place project frontages. Sidewalk along the NE 116th Street frontage would connect with the new sidewalk on the south side of NE 116th Street constructed by WSDOT as part of the I-405 interchange improvement. WSDOT would also add bike lanes along NE 116th Street with the interchange project.

The proponent would voluntarily institute a transportation demand management (TDM) program for the site including the following incentives:

- **Transit Passes** King County Metro ORCA passes would be provided to initial new tenants. The passes will be preloaded with \$50 in credits for transit use. The intent will be to introduce people to the viable transit options that exist in the neighborhood.
- **Transportation Kiosk** A wall within the common area would be devoted to transportation related information.
- **Flex Bikes** Two flex bicycles will be provided for tenant use.
- **Bike Racks and Lockers** The facility would include bike racks and lockers.
- **Green Trip** The proponent would endorse and provide opportunities for tenants to take full advantage of the City's Totem Lake Green Trip program. This will include working with Green Trip to provide a customized incentive program for tenants and employees of the property. The proponent would display Green Trip collateral material in the Transportation Kiosk, provide enrollment information in each tenant's move-in package and work with Green Trip to educate on-site leasing staff on the program so they can be used as a resource. Tenants and employees would be able to take advantage of the following rewards as part of the program:
 - **Initiative** \$50 gift card for each tenant/employee that logs 40 alternative commutes including walk, bike, bus, vanpool and carpool.

- **Monthly Fee** \$25 each month for each tenant/employee that continues using alternative transportation modes, including walk, bike, bus, vanpool, and carpool.
- **Transit Pass** Tenants and employees that are new commuters can sign up to receive a free one-month commuter bus pass.

Par

As allowed by the City of Kirkland Municipal Code, parking would be shared between complimentary land uses since peak usage associated with each use occurs at different times. Shared parking supports the City's sustainability goals by assuring parking is efficiently supplied and managed, instead of supplied to excess. It is consistent with smart growth strategies and appropriate for the site given its location, probable mix of land uses, and surrounding street frontage.

Project Land Use Assumptions

The project would develop 108 studio and one-bedroom apartment units, 10,166 square feet of commercial space, and a 905 square foot apartment leasing office. The leasing office parking is accounted for in the estimate of apartment parking. Because the commercial tenants are unknown at this time a conservative land use estimate of 50 percent shopping center use, 30 percent general office use, and 20 percent café/restaurant use was assumed consistent with the analysis throughout this study. This results in 5,083 square-feet of retail, 3,050 square-feet of office, and 2,033 square-feet of café restaurant use.

Proposed Parking Supply

The project would provide 128 parking spaces, with 112 spaces on-site and 16 spaces on-street. The proposed on-site supply will accommodate one unreserved parking space for each residential unit.

KZC 105.45 states two or more uses may share parking if the number of parking spaces provided is equal to the greatest number of required spaces needed to accommodate uses operating at the same time. The use of shared parking implements the City's overall goals of supporting and encouraging sustainable developments because it enables parking to take a lesser footprint on a given project site, creating opportunity for more surface area allocated to uses that add value to the community and development. The proponent is requesting a modification under KZC 105.103.3.d to allow the proposed on-street parking to count towards the parking supply for the project. This, like the shared parking component of the project, is consistent with sustainable parking practices because it results in the construction of fewer on-site parking spaces. The on-street parking will not result in an adverse impact to the transportation system, or the neighborhood in which it is proposed.

Shared Parking Assumptions

Shared parking allows the use of one parking space to serve two or more individual land uses. It is based on the fact that parking demand for different land uses peaks at different times of the day (e.g., residential uses typically peak in the early morning or late evening while office uses peak in the late morning or afternoon). To determine the amount of shared parking spaces needed, the required number of spaces for the individual land uses must be determined and then adjusted based on the hourly variation in parking demand for those uses.

**ADDENDUM TO THE
ARBORICULTURAL REPORT
RE-EVALUATION OF TREES
AT**

**THE TOTEM LAKE APARTMENTS SITE
At NE 115th Street & 124th Avenue NE
KIRKLAND, WA 98033**

February 10, 2011 Original Report

April 7, 2011 Addendum

PREPARED FOR:

**MSPT IV LLC
Aaron Hollingbery
9720 NE 120th Place
Kirkland, WA 98034**

PREPARED BY:

GILLES CONSULTING
Brian K. Gilles, Consulting Arborist
ISA Certified Arborist # PN-0260
ASCA Registered Consulting Arborist # RCA-418A



fax: 425-822-6314

email: bkgilles@comcast.net

P.O. Box 2366 Kirkland, WA 98083

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ASSIGNMENT

Kim Faust of CamWest Development, LLC contacted Gilles Consulting to discuss comments received from the City of Kirkland Planning Department about the design of the new structure and the impacts on the trees. She asked me to review the design and respond to the two questions in the correspondence from the City.

DESIGN OBSERVATIONS

The property is located in the corner of inside NE 116th Avenue, 124th Avenue NE, and NE 115th at Slater Road in Kirkland, Washington. The property is bisected by the old Slater Road. The area between Slater Road and 124th Avenue NE is relatively flat. There is a sharp drop in elevation from the vacated Slater Road to the west where the 76 gas station/store are located on flat ground. There is a retaining wall along the west property line.

The proposed design has a structure, parking lots, sidewalks, landscape areas filling the majority of the property east of the old Slater Road and extending to the west property line in the south while leaving the northwest quarter of the property, (approximately) unaltered.

CITY'S REQUEST

Jon Regala, Senior Planner for the City of Kirkland asked the following questions:
öAlso, the report did not address the criteria in KZC 95.30.4.c in regards to:

1. Significant trees potentially impacted by proposed development activity as determined by the Planning Official (*basically trees that could be affected by building and construction activities-Jon*)
2. Proposed removal of trees with a high retention value in required landscape areas)ö

Responses

When my original report was complete, dated February 10, 2011, the design for the building and associated infrastructure improvements had not yet been completed. On Thursday, March 31, 2011 I met with Ms. Faust at the CamWest offices in Kirkland to review the plan. We discussed the layout of the design and how the trees will or will not be impacted. My responses are as follows:

Kirkland Zoning Code Chapter 95.30.4.c is quoted as follows:

- c. An arborist report containing the following:
 - 1) A complete description of each tree's health, condition, and viability;

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- This is included in Attachment 2, Tree Inventory / Condition Spreadsheet of the original report and is included below for the trees in question.
- 2) A description of the method(s) used to determine the limits of disturbance (i.e., critical root zone, root plate diameter, or a case-by-case basis description for individual trees);
- This was done on a tree by tree basis depending upon the location of the tree in relation to existing site improvements, the size and species of the tree, and the topography of the site.
- 3) Any special instructions specifically outlining any work proposed within the limits of the disturbance protection area (i.e., hand-digging, tunneling, root pruning, any grade changes, clearing, monitoring, and aftercare);
- These are included in the original report in Attachment 4, Tree Protection Measures, Section 5 of Page 27 of 30 of the February 10, 2011 report. Specific excavation instructions are repeated here:
 - When excavation occurs near trees that are scheduled for retention, the following procedure must be followed to protect the long term survivability of the tree:
 - An International Society of Arboriculture, (ISA) Certified Arborist must be working with all equipment operators.
 - The Certified Arborist should be outfitted with a shovel, hand pruners, a pair of loppers, a handsaw, and a power saw (a õsawsallö is recommended).
 - The hoe must be placed to õcombö the material directly away from the trunk as opposed to cutting across the roots.
 - Combing is the gradual excavation of the ground cover plants and soil in depths that only extend as deep as the tines of the hoe.
 - When any roots of one inch diameter or greater, of the tree to be retained, is struck by the equipment, the Certified Arborist should stop the equipment operator.
 - The Certified Arborist should then excavate around the tree root by hand/shovel and cleanly cut the tree root.
 - The Certified Arborist should then instruct the equipment operator to continue.

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- CamWest is proposing to retain the 2 remaining conifers in the southwest property corner. They are # 934, and 938.
 - # 934 is a 39.8-inch Douglas Fir in Very Good condition. It should be able to be retained with all of the *Tree Protection Measures* in the February 10, 2011 report.
 - # 938 is a 39.9-inch Douglas Fir right up along Slater Road. It is in Fair condition.
 - The base of the tree is very near the edge of the gravel shoulder. The construction of the parking lot will be within the dripline of the tree but only by a few feet.
 - If the Tree Protection Measures are followed the tree should tolerate the incursion fine and suffer no long-term problems.
 - Specific tree protection measures that must be followed include:
 1. Tree protection fencing place prior to any construction work commencing.
 2. Cover the area within the tree protection fence with 10 to 12 inches of wood chips.
 3. Follow the section 5 excavation techniques listed above and on Page 27 of 30 of the February 10, 2011 report and repeated above.
- 4) For trees not viable for retention, a description of the reason(s) for removal based on poor health, high risk of failure due to structure, defects, unavoidable isolation (wind firmness), or unsuitability of species, etc., and for which no reasonable alternative action is possible must be given (pruning, cabling, etc.);
 - This is included in Attachment 2, Tree Inventory / Condition Spreadsheet of the original report and copied below.
 - Note, all trees that are rated as either Dead, Dying, or Poor Condition are subsequently rated as *Non-Viable*. More detail is given also in the February 10, 2011 report *Attachment 3, Glossary*. The glossary explains the arboricultural terms used in *Attachment 2, Tree Inventory / Condition Spreadsheet* and explains why trees are rated as being *Non-Viable*. It is repeated below for convenience.

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- 5) Describe the impact of necessary tree removal to the remaining trees, including those in a grove or on adjacent properties;
- There are two landscape areas where CamWest is proposing to remove trees. They are the landscape zone along 124th Avenue NE between the back of the sidewalk and the side of the building; and the landscape area along the west property line between the west property line and the western edge of the parking lot.
 - Trees Along 124th Avenue NE:
 - The trees in this area include # 865, 870, 883, 885, and 886.
 - # 865, 870, 883, and 885 are Big Leaf Maples and Bitter Cherry trees that are in Poor Condition. They are *Non-Viable*.
 - *They should be removed for safety.*
 - # 866 is a 31.6-inch Black Cottonwood. It is in Good Condition but will not tolerate the loss of roots required for the construction- it would not be wind firm if retained. In addition, it is reaching an age where it will start dropping large limbs naturally.
 - The tree should be removed for safety.
 - Trees Along the West Property Line
 - Trees include # 910, 911, 912, and 927. All four are in Fair Condition.
 - However, the topography of the area will require the installation of some sort of retaining wall. These four trees will not survive long-term from the impacts of the construction of the retaining wall and parking lot.
 - Trees on Adjacent Properties:
 - There is a row of street trees west of the west property line.
 - They are located below a retaining wall and behind the curb of the drive lane used to access The Brown Bag Café, Sheri's Restaurant, and the motel.
 - Given the topography it is unlikely that this row of trees will be impacted. As noted in the February 10, 2011 report, the Tree Protection Fence and the Temporary

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Erosion/Sedimentation Control (TESC) fencing near the west property line will adequately protect this row of trees.

- 6) For development applications, a discussion of timing and installation of tree protection measures that must include fencing and be in accordance with the tree protection standards as outlined in KZC [95.34](#); and
 - Tree Protection Measures should be installed and inspected prior to the commencement of construction—prior to mobilization on site of any equipment, vehicles, or supplies.
- 7) The suggested location and species of supplemental trees to be used when required. The report shall include planting and maintenance specifications pursuant to KZC [95.50](#) and [95.51](#).
 - I believe this has been covered in the Landscape Plan sheets.

Photo # 1: Looking west from NE 115th



WAIVER OF LIABILITY

There are many conditions affecting a tree's health and stability, which may be present and cannot be ascertained, such as, root rot, previous or unexposed construction damage, internal cracks, stem rot and more which may be hidden. Changes in circumstances and

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conditions can also cause a rapid deterioration of a tree's health and stability. Adverse weather conditions can dramatically affect the health and safety of a tree in a very short amount of time. While I have used every reasonable means to examine these trees, this evaluation represents my opinion of the tree health at this point in time. These findings do not guarantee future safety nor are they predictions of future events.

The tree evaluation consists of an external visual inspection of an individual tree's root flare, trunk, and canopy from the ground only unless otherwise specified. The inspection may also consist of taking trunk or root soundings for sound comparisons to aid the evaluator in determining the possible extent of decay within a tree. Soundings are only an aid to the evaluation process and do not replace the use of other more sophisticated diagnostic tools for determining the extent of decay within a tree.

As conditions change, it is the responsibility of the property owners to schedule additional site visits by the necessary professionals to ensure that the long-term success of the project is ensured. It is the responsibility of the property owner to obtain all required permits from city, county, state, or federal agencies. It is the responsibility of the property owner to comply with all applicable laws, regulations, and permit conditions. If there is a homeowners association, it is the responsibility of the property owner to comply with all Codes, Covenants, and Restrictions (CC&R's) that apply to tree pruning and tree removal.

This tree evaluation is to be used to inform and guide the client in the management of their trees. This in no way implies that the evaluator is responsible for performing recommended actions or using other methods or tools to further determine the extent of internal tree problems without written authorization from the client. Furthermore, the evaluator in no way holds that the opinions and recommendations are the only actions required to insure that the tree will not fail. A second opinion is recommended. The client shall hold the evaluator harmless for any and all injuries or damages incurred if the evaluator's recommendations are not followed or for acts of nature beyond the evaluator's reasonable expectations, such as severe winds, excessive rains, heavy snow loads, etc.

This report and all attachments, enclosures, and references, are confidential and are for the use of the client concerned. They may not be reproduced, used in any way, or disseminated in any form without the prior consent of the client concerned and Gilles Consulting.

Thank you for calling Gilles Consulting for your arboricultural needs.

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Sincerely,



Brian K. Gilles, Consulting Arborist
ISA Certified Arborist # PN-0260A
ASCA Registered Consulting Arborist # RCA-418
PNW-ISA Certified Tree Risk Assessor #148

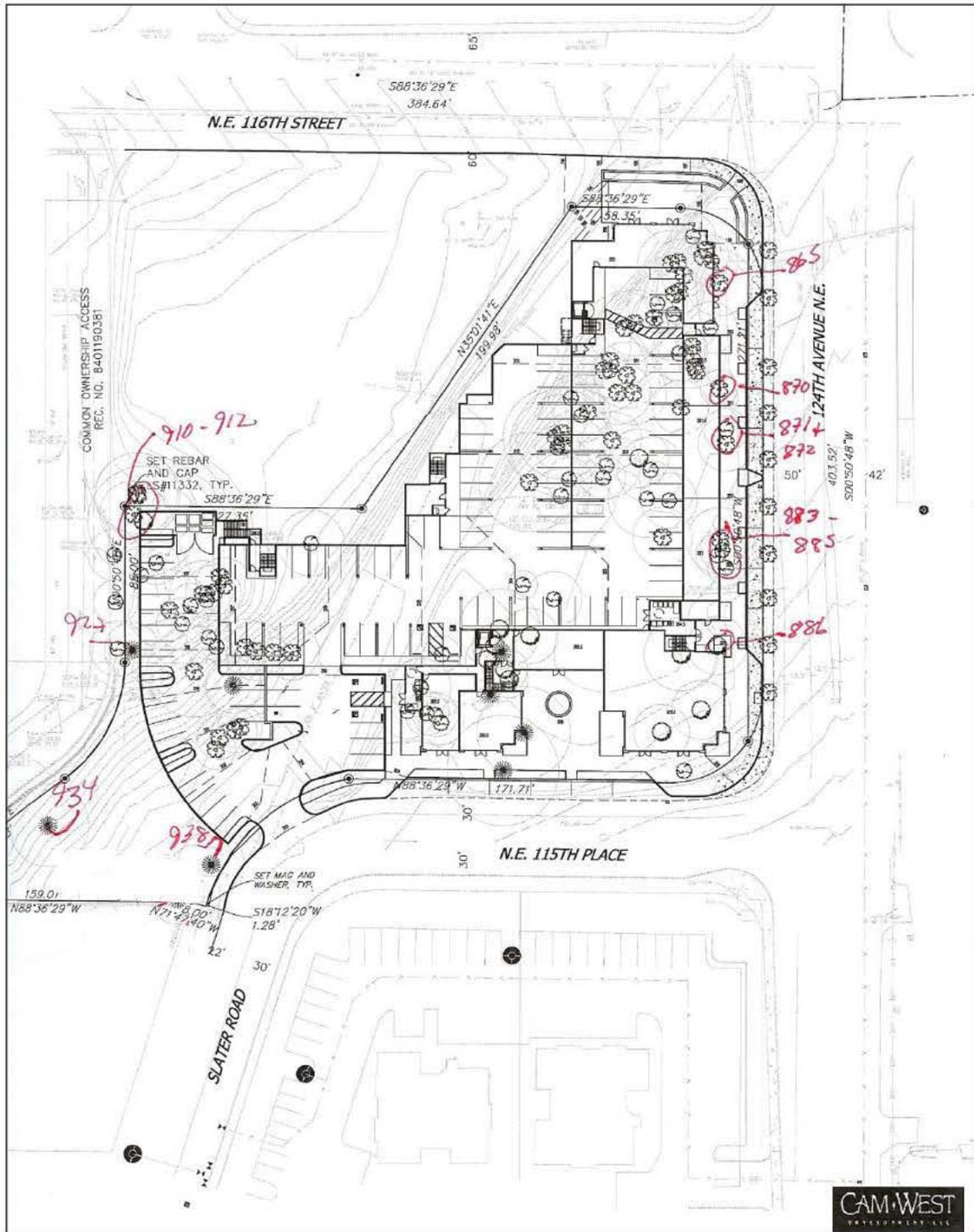
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ATTACHMENT 1 - SITE PLAN



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ATTACHMENT 2 - TREE INVENTORY/CONDITIONS SPREADSHEET

ABBREVIATED LEGEND—SEE GLOSSARY IN REPORT ATTACHMENTS FOR GREATER DETAIL																									
#1	Property: Whether the tree is on or off the Subject Property, or a Right-of-Way tree.										#6 Limits of Disturbance: The boundary between the area of minimum protection around a tree and the allowable site disturbance.														
#2	Tree #: The unique tag number of each tree.										#9 LCR: Live Crown Ratio - the amount of live canopy expressed as a % of the entire tree height.														
#3	Species:										#10 Symmetry: General shape of canopy and weight distribution of the tree around the trunk.														
	BCh/Pe	Bitter Cherry, <i>Prunus emarginata</i>									#11 Foliage: General description of foliage density that indicates tree health and vigor.														
	BcW/Pt	Black Cottonwood, <i>Populus trichocarpa</i>									#12 Crown Condition: The most important external indication of tree health and vigor.														
	BLM/Am	Big Leaf Maple, <i>Acer macrophyllum</i>									#13 Trunk: Description of trunk condition or abnormalities if any.														
	Ch/Psp.	Cherry, <i>Prunus sp.</i>									#14 Root Collar: The base of the tree where the trunk flares into the roots—deformities or problems are noted here.														
	DF/Pm	Douglas Fir, <i>Pseudotsuga menziesii</i>									#15 Roots: Root problems are noted here.														
	PDW/Cn	Pacific Dog Wood, <i>Comus nuttallii</i>									#16 Comments: Additional observations about the tree's condition.														
#4	2011 DBH: Trunk diameter at 4.5' above the average ground level.										#17 Significance: A significant tree is at least 6-in diameter measured at 4.5' above the average ground level.														
#5	2006 DBH: Trunk diameter @ 4.5' above average ground level.										#18 Current Health Rating: A description of general health ranging from dead, dying, hazard, poor, suppressed, fair, good, very good, to excellent.														
#6	Tree Credit: This is based upon Table 95.35.1, Page 12, Chapter 95 of the Kirkland Municipal Code.										#19 Viability: A significant tree that is in good health with a low risk of failure due to structural defects, is relatively wind firm if isolated or remains as part of a grove, and is a species that is suitable for its location.														
#7	Drip Line: The radius, the distance from the trunk to the furthest branch tips.										#20 Recommendation: This is an estimate of whether or not the tree is of sufficient health, vigor, and structure to consider retaining.														
1	2	3	4	5	6	7	8 -- LIMITS OF DISTURBANCE				9	10	11	12	13	14	15	16		17	18	19	20	18	
PROPERTY	TREE #	SPECIES	DBH 2011	DBH 2006	TREE CREDIT	DRIP LINE	North	South	East	West	LCR	SYMMETRY	FOLIAGE	CROWN CONDITION	TRUNK	ROOT COLLAR	ROOTS	COMMENTS	SIGNIFICANCE 2011	CURRENT HEALTH RATING 2011	VIABILITY 2011	RECOMMENDATION	SIGNIFICANCE 2006	CURRENT HEALTH RATING 2006	VIABILITY 2006
East Landscape Area	865	BLM/Am	10.4", 10.3", & 10.2"	10.4", 10.3", & 10.2"	0.0	N/A	N/A	N/A	N/A	N/A	60%	Min. Asym.	Average	Average	Center Rot	Base Rot	-	Stump sprouts	Significant	Poor	Non-viable	Remove	Significant	Poor	Non-Viable
East Landscape Area	870	BLM/Am	8.2"	8.2"	0.0	20	N/A	N/A	N/A	N/A	30%	Maj. Asym.	Average	Weak	Serpentine	Possible base rot	-	Forked @ 16', Dead branches in canopy, Kinked @ 1' & 5'	Significant	Poor	Non-viable	Remove	Significant	Poor	Non-Viable
East Landscape Area	871	BLM/Am	clump of 5	clump of 5	0.0	30	N/A	N/A	N/A	N/A	35%	Min. Asym.	Average	Average	Typical, Center rot	Base Rot	-	Stump sprouts, Dead branches in canopy, DBH 11.3", 11.2", 5.5", 11.2", 7.6"	Significant	Poor	Non-viable	Remove	Significant	Poor	Non-Viable
East Landscape Area	872	BCh/Pe	10.1" & 7.2"	10.1" & 7.2"	0.0	30	N/A	N/A	N/A	N/A	50%	Min. Asym.	Thin	Weak	Leans East, Center rot	Base Rot	-	Forked @ base. Survey tag # 1070.	Significant	Poor	Non-viable	Remove	Significant	Poor	Non-Viable
East Landscape Area	883	BCh/Pe	6.9"	6.9"	0.0	N/A	N/A	N/A	N/A	N/A	40%	Maj. Asym.	Average	Average	Leans SW, Serpentine	NAD	fill on 30% of CRZ	dead branches in canopy, not wind firm	Significant	Poor	Non-viable	Remove	Significant	Fair	Non-Viable
East Landscape Area	884	BCh/Pe	6.6"	6.6"	0.0	N/A	N/A	N/A	N/A	N/A	40%	Maj. Asym.	Average	Average	leans west	partial failure	Fill on 35% of root zone	dead branches on canopy, not wind firm	Significant	Poor	Non-viable	Remove	Significant	Poor	Non-Viable
East Landscape Area	885	BcW/Pt	30.1"	30.1"	0.0	50.0'	N/A	N/A	N/A	N/A	90%	Min. Asym.	Average	Average	Straight	exposed	Fill on 35% of root zone	dead branches in canopy, not wind firm	Significant	Poor	Non-viable	Remove	Significant	Good	Non-Viable
East Landscape Area	886	BcW/Pt	31.6"	30.5"	11.0	50.0'	20.0'	20.0'	20.0'	20.0'	85%	Gen. Sym.	Average	Average	Straight	exposed	Fill on 35% of root zone	sap sucker activity	Significant	Good	Viable	Potential to retain with tree protection measures	Significant	Fair	Viable
West Landscape Area	910	BLM/Am	12.0"	9.5", 4.6"	1.0	N/A	N/A	to property line	N/A	N/A	50%	Maj. Asym.	Average	Average	Forked @ 12', Leans East, Center rot	Base Rot	Restricted	2011 trunk diameters are 1.7 & 5.4 = single trunk of 12.0 inches.	Significant	Fair	Viable	Potential to retain with tree protection measures	Significant	Poor	Non-Viable
West Landscape Area	911	BLM/Am	13.9"	16.0"	2.0	N/A	N/A	N/A	N/A	N/A	45%	Maj. Asym.	Thin	Average	Forked @ 18", included bark down	Base Rot	Restricted	center rot, open wound east side from fork to base, 2006 trunk diameters are: 6.8", 4.6", 6.1", & 6.2" = a tree of 16", 2011 trunk diameters are 7.3, 5.6, 7.1, & 7.6 inches = single trunk of 13.9 inches.	Significant	Fair	Viable	Potential to retain with tree protection measures	Significant	Poor	Non-Viable
West Landscape Area	912	BcW/Pt	43.2"	40.0"	17.0	56.0'	24.0'	24.0'	24.0'	20.0'	45%	Gen. Sym.	Dense	Healthy	Typical	NAD	Restricted	20 feet east of parking lot curb growing 12 feet east of parking lot curb, early Bark Beetle infestation, Ivy up 85% of tree. Survey tag #	Significant	Fair	Viable	Potential to retain with tree protection measures	Significant	Excellent	Viable
West Landscape Area	927	DF/Pm	33.6"	38.0"	12.0	44.0'	20.0'	20.0'	20.0'	to curb	25%	Gen. Sym.	Dense	Healthy	Straight	Ivy	Restricted	to top of retaining wall	Significant	Fair	Viable	Potential to retain with tree protection measures	Significant	Fair	Viable
SW prop corner	934	DF/Pm	39.8"	35.3"	15.0	46.0'	20.0'	20.0'	20.0'	to top of retaining wall	90%	Gen. Sym.	Dense	Healthy	Kinked @ 34', Straight	NAD	Restricted	Ivy up 24 feet, growing 18 feet southeast of 4 foot rock retaining wall	Significant	Very Good	Viable	Potential to retain with tree protection measures	Significant	Good	Viable
SW prop corner	938	DF/Pm	39.9"	39.6"	15.0	40.0'	18.0'	to prop line	to edge of road	18.0'	80%	Min. Asym.	Dense	Regenerating, Average	Forked @ 60'	Restricted	open wound west side 2 feet to 5 feet with sap flow, ice storm damage, in gravel parking area near road, wire and metal embedded in base of trunk.	Significant	Fair	Viable	Potential to retain with tree protection measures	Significant	Fair	Viable	

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ATTACHMENT 3 - GLOSSARY

Terms Used in This Report, on the Tree Condition / Inventory Spreadsheet, and Their Significance

In an effort to clearly present the information for each tree in a manner that facilitates the reader's ability to understand the conclusions I have drawn for each tree, I have collected the information in a spreadsheet format. This spreadsheet was developed by Gilles Consulting based upon the *Tree Risk Assessment in Urban Areas and the Urban/Rural Interface* course manual and the *Tree Risk Assessment Form*, both sponsored by the Pacific Northwest Chapter of the International Society of Arboriculture, and the *Hazard Tree Evaluation Form* from the book, *The Evaluation of Hazard Trees in Urban Areas*, by Matheny and Clarke. The descriptions were left brief on the spreadsheet in an effort to include as much pertinent information as possible, to make the report manageable, and to avoid boring the reader with infinite levels of detail. However, a review of these terms and descriptions will allow the reader to rapidly move through the report and understand the information.

- 1) **PROPERTY** - Where the tree is on the Subject Property.
- 2) **TREE LOCATION** - Relative placement of the tree.
- 3) **TREE #** - the unique tag number of each tree.
- 4) **SPECIES** - this describes the species of each tree with both most readily accepted common name and the officially accepted scientific name.
- 5) **DBH** - Diameter Breast Height. This is the standard measurement of trees taken at 4.5 feet above the average ground level of the tree base.
 - i) Occasionally it is not practical to measure a tree at 4.5 feet above the ground. The most representative area of the trunk near 4.5 feet is then measured and noted on the spreadsheet. For instance, a tree that forks at 4.5 feet can have an unusually large swelling at that point. The measurement is taken below the swelling and noted as, 28.4" at 36"
 - ii) Trees with multiple stems are listed as a "clump of x," with x being the number of trunks in the clump. Measurements may be given as an average of all the trunks, or individual measurements for each trunk may be listed.
 - (1) Every effort is made to distinguish between a single tree with multiple stems and several trees growing close together at the bases.
- 6) **TREE CREDIT** - Tree Credit based on Trunk Diameter
- 7) **DRIP LINE** - the radius, the distance from the trunk to the furthest branch tips.
- 8) **LIMITS OF DISTURBANCE** - the boundary between the area of minimum protection around a tree and the allowable site disturbance as determined by a qualified professional.
- 9) **% LCR** - Percentage of Live Crown Ratio. The relative proportion of green crown to overall tree height. This is an important indication of a tree's health. If a tree has a

high percentage of Live Crown Ratio, it is likely producing enough photosynthetic activity to support the tree. If a tree has less than 30 to 40% LCR it can create a shortage of needed energy and can indicate poor health and vigor.

- 10) **SYMMETRY** is the description of the form of the canopy. That is, the balance or overall shape of the canopy and crown. This is the place I list any major defects in the tree shape does the tree have all its foliage on one side or in one unusual area. Symmetry can be important if there are additional defects in the tree such as rot pockets, cracks, loose roots, weak crown etc. Symmetry is generally categorized as Generally Symmetrical, Minor Asymmetry or Major Asymmetry:
- i) Gen. Sym. Generally Symmetrical. The canopy/foliage is generally even on all sides with spacing of scaffold branches typical for the species, both vertically and radially.
 - ii) Min. Asym. Minor Asymmetry. The canopy/foliage has a slightly irregular shape with more weight on one side but appears to be no problem for the tree.
 - iii) Maj. Asym. Major Asymmetry. The canopy/foliage has a highly irregular shape for the species with the majority of the weight on one side of the tree. This can have a significant impact on the tree's stability, health and hazard potential especially if other defects are noted such as cracks, rot, root defects.
- 11) **FOLIAGE/BRANCH** describes the foliage of the tree in relation to a perfect specimen of that particular species. First the branch growth and foliage density is described, and then any signs or symptoms of stress and/or disease are noted. The condition of the foliage, or the branches and buds for deciduous trees in the dormant season, are important indications of a tree's health and vigor.
- i) For Deciduous trees in the dormant season:
 - (1) The structure of the tree is visible,
 - (2) The quantity and quality of buds indicates health, and is described as good bud set, average bud set, or poor bud set. These are abbreviated in the spreadsheet as: gbs, abs, or pbs.
 - (3) The amount of annual shoot elongation is visible and is another major indication of tree health and vigor. This is described as:
 - a) Excellent, Good, Average, or Short Shoot Elongation. These are abbreviated in the spreadsheet as ESE, GSE, ASE, OR SSE.
 - ii) For evergreen trees year round and deciduous trees in leaf, the color and density of the foliage indicates if the tree is healthy or stressed, or if an insect infestation, a bacterial, fungal, or viral infection is present. Foliage is categorized on a scale from:
 - (1) Dense extremely thick foliage, an indication of healthy vigorous growth,
 - (2) Good thick foliage, thicker than average for the species,
 - (3) Normal/Average thick foliage, average for the species, an indication of healthy growth,

- (4) Thin or Thinning – needles and leaves becoming less dense so that sunlight readily passes through; an indication that the tree is under serious stress that could impact the long-term survivability and safety of the tree,
 - (5) Sparse – few leaves or needles on the twigs, an indication that the tree is under extreme stress and could indicate the future death of the tree
 - (6) Necrosis – the presence of dead twigs and branchlets. This is another significant indication of tree health. A few dead twigs and branches are reasonably typical in most trees of size. However, if there are dead twigs and branchlets all over a certain portion of the tree, or all over the tree, these are indications of stress or attack that can have an impact on the tree's long-term health.
 - (7) Hangers – a term to describe a large branch or limb that has broken off but is still hanging up in the tree. These can be particularly dangerous in adverse weather conditions.
- 12) **CROWN CONDITION** – the crown is uppermost portion of the tree, generally considered the top 10 to 20% of the canopy or that part of the canopy above the main trunk in deciduous trees and above the secondary bark in evergreen trees.
- i) The condition of the tree's crown is a reflection of the overall health and vigor of the entire tree. The crown is one of the first places a tree will demonstrate stress and pathogenic attack such as root rot.
 - ii) If the **Crown Condition** is healthy and strong, this is a good sign. If the crown condition is weak, broken out, or shows other signs of decline, it is an indication that the tree is under stress. It is such an important indication of health and vigor that this is the first place a trained forester or arborist looks to begin the evaluation of a tree. Current research reveals that, by the time trees with root rot show significant signs of decline in the crown, fully 50% or more of the roots have already rotted away. **Crown Condition** can be described as:
 - (1) Healthy Crown – exceptional growth for the species.
 - (2) Average Crown – typical for the species.
 - (3) Weak Crown – thin spindly growth with thin or sparse needles.
 - (4) Flagging Crown – describes a tree crown that is weak and unable to grow straight up.
 - (5) Dying Crown – describes obvious decline that is nearing death.
 - (6) Dead Crown – the crown has died due to pathological or physical injury. The tree is considered to have significant stress and/or weakness if the crown is dead.
 - (7) Broken out – a formerly weak crown condition that has been broken off by adverse weather conditions or other mechanical means.
 - (8) Regenerated or Regenerating – formerly broken out crowns that are now growing back, Regenerating crowns may appear healthy, average, or weak and indicate current health of the tree.

- (9) Suppressed a term used to describe poor condition of an entire tree or just the crown. Suppressed crowns are those that are entirely below the general level of the canopy of surrounding trees which receive no direct sunlight. They are generally in poor health and vigor. Suppressed trees are generally trees that are smaller and growing in the shade of larger trees around them. They generally have thin or sparse needles, weak or missing crowns, and are prone to insect attack as well as bacterial and fungal infections.
- 13) **TRUNK** this is the area to note any defects that can have an impact on the tree's stability or hazard potential. Typical things noted are:
- i) FORKED bifurcation of branches or trunks that often occur at a narrow angle.
 - ii) INCLUDED BARK a pattern of development at branch or trunk junctions where bark is turned inward rather than pushed out. This can be a serious structural defect in a tree that can and often does lead to failure of one or more of the branches or trunks especially during severe adverse weather conditions.
 - iii) EPICORMIC GROWTH this is generally seen as dense thick growth near the trunk of a tree. Although this looks like a healthy condition, it is in fact the opposite. Trees with Epicormic Growth have used their reserve stores of energy in a last ditch effort to produce enough additional photosynthetic surface area to produce more sugars, starches and carbohydrates to support the continued growth of the tree. Generally speaking, when conifers in the Pacific Northwest exhibit heavy amounts of Epicormic Growth, they are not producing enough food to support their current mass and are already in serious decline.
 - iv) INTERNAL STRUCTURAL WEAKNESS a physical characteristic of the tree trunk, such as a **kink, crack, rot pocket, or rot column** that predisposes the tree trunk to failure at the point of greatest weakness.
 - v) BOWED a gradual curve of the trunk. This can indicate an Internal Structural Weakness or an overall weak tree. It can also indicate slow movement of soils or historic damage of the tree that has been corrected by the curved growth.
 - vi) KINKED a sharp angle in the tree trunk that indicates that the normal growth pattern is disrupted. Generally this means that the internal fibers and annual rings are weaker than straight trunks and prone to failure, especially in adverse weather conditions.
 - vii) GROUND FLOWER an area of deformed bark near the base of a tree trunk that indicates long-term root rot.
- 14) **ROOT COLLAR** this is the area where the trunk enters the soil and the buttress roots flare out away from the trunk into the soil. It is here that signs of rot, decay, insect infestation, or fungal or bacterial infection are noted. **NAD** stands for **No Apparent Defects**.

- 15) **ROOTS**— any abnormalities such as girdling roots, roots that wrap around the tree itself that strangle the cambium layer and kill the tree, are noted here.
- 16) **COMMENTS**— this is the area to note any additional information that would not fit in the previous boxes or attributes about the tree that have bearing on the health and structure of the tree.
- 17) **SIGNIFICANCE**— a “significant” tree is at least 6” in diameter measured at 4.5’ above the average ground level.
- 18) **CURRENT HEALTH RATING**— a description of general health ranging from dead, dying, poor, senescent, suppressed, fair, good, very good, to excellent.
- 19) **VIABILITY**— a significant tree that is in good health with a low risk of failure due to structural defects, is relatively wind firm if isolated or remains as part of a grove, and is a species that is suitable for its location.
 - (1) Please note that many trees may be listed as “Non-Viable” due to poor health, poor structure, or the tree may be below the size threshold for a “Viable Tree.” However, it is worth examining the Non-Viable Trees to determine if any or all of them can be left on the property. They can add significant benefit to the landscape and contribute to wildlife habitat.
- 20) **RECOMMENDATION**— this is an estimate of whether or not the tree is of sufficient health, vigor, and structure that it is worth retaining. Specific recommendations for each tree are included in this column. They may include anything from pruning dead wood, mulching, aerating, injecting tree-based fertilizer into the root system, shortening into a habitat tree or wildlife snag, or to completely removing the tree.
 - i) **Monitor:** “Monitor” is a specific recommendation that the tree be re-evaluated on a routine basis to determine if there are any significant changes in health or structural stability. “Monitor annually” (or bi-annually, tri-annually, etc.) means the tree should be looked at once every year (or every 2 or 3 years, etc.) This yearly monitoring can be a quick look at the trees to see if there are any significant changes. Significant changes such as storm damage, loss of crown, partial failure of one or more roots, etc. require that a full evaluation be done of the tree at that time.
 - ii) **Potential to retain with tree protection measures:** means that the tree appears to have the internal resources, the health and vigor, structural stability, and the wind firmness to be able to withstand the stresses of construction if development requirements and construction requirements allow.
 - iii) **Habitat or Remove:** means that the tree has a high potential to fail and cause either personal injury or property damage— in other words the tree has been declared a hazard tree and should be dealt with prior to the next large storm. If it is at all possible the recommendation is to leave some of the trunk standing for wildlife habitat and some of the trunk on the ground as a nurse log. The height of the standing habitat tree depends upon the size of the tree,

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the condition of the tree, and the distance to a probable target. It should be short enough so that when it does fail years in the future it will not cause personal injury or property damage. Nurse logs can be laid horizontally across the slope to aid with erosion control and to provide microenvironments for new plantings. The nurse logs meaning to be steak to prevent their movement and potential harm to people. If for some reason this is not possible that should be removed for safety.

NOTE: TREES WITH THE SAME DESCRIPTION AND DIFFERENT RATINGS:

Two trees may have the same descriptions in the matrix boxes, one may be marked "Significant," while another may be marked "Non-Significant." The difference is in the degree of the description— early necrosis versus advanced necrosis for instance. Again, these descriptions were left brief in an effort to include as much pertinent information as possible, to make the report manageable, and, not to bore the reader with infinite levels of detail.

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ATTACHMENT 4 - TREE PROTECTION MEASURES

In order for trees to survive the stresses placed upon them in the construction process, tree protection must be planned in advance of equipment arrival on site. If tree protection is not planned integral with the design and layout of the project, the trees will suffer needlessly and will possibly die. With proper preparation, often costing little, or nothing extra to the project budget, trees can survive and thrive after construction. This is critical for tree survival because damage prevention is the single most effective treatment for trees on construction sites. Once trees are damaged, the treatment options available are limited.

The following minimum Tree Protection Measures are included on three separate sheets so that they can be copied and introduced into all relevant documents such as site plans, permit applications and conditions of approval, and bid documents so that everyone involved is aware of the requirements. These Tree Protection Measures are intended to be generic in nature. They will need to be adjusted to the specific circumstances of your site that takes into account the location of improvements and the locations of the trees.

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TREE PROTECTION MEASURES:

1. Tree Protection Fences will need to be placed around each tree or group of trees to be retained.
 - a. Tree Protection Fences are to be placed according to the attached drawing and as noted in the attached Tree Inventory/Conditions Spreadsheet, Column 6 - Limits of Disturbance.
 - b. Tree Protection Fences must be inspected prior to the beginning of any construction work/activities.
 - c. Nothing must be parked or stored within the Tree Protection Fences— no equipment, vehicles, soil, debris, or construction supplies of any sorts.
2. Cement trucks must not be allowed to deposit waste or wash out materials from their trucks within the Tree Protection Fences.
3. The Tree Protection Fences need to be clearly marked with the following or similar text in four inch or larger letters:

TREE PROTECTION AREA, ENTRANCE PROHIBITED

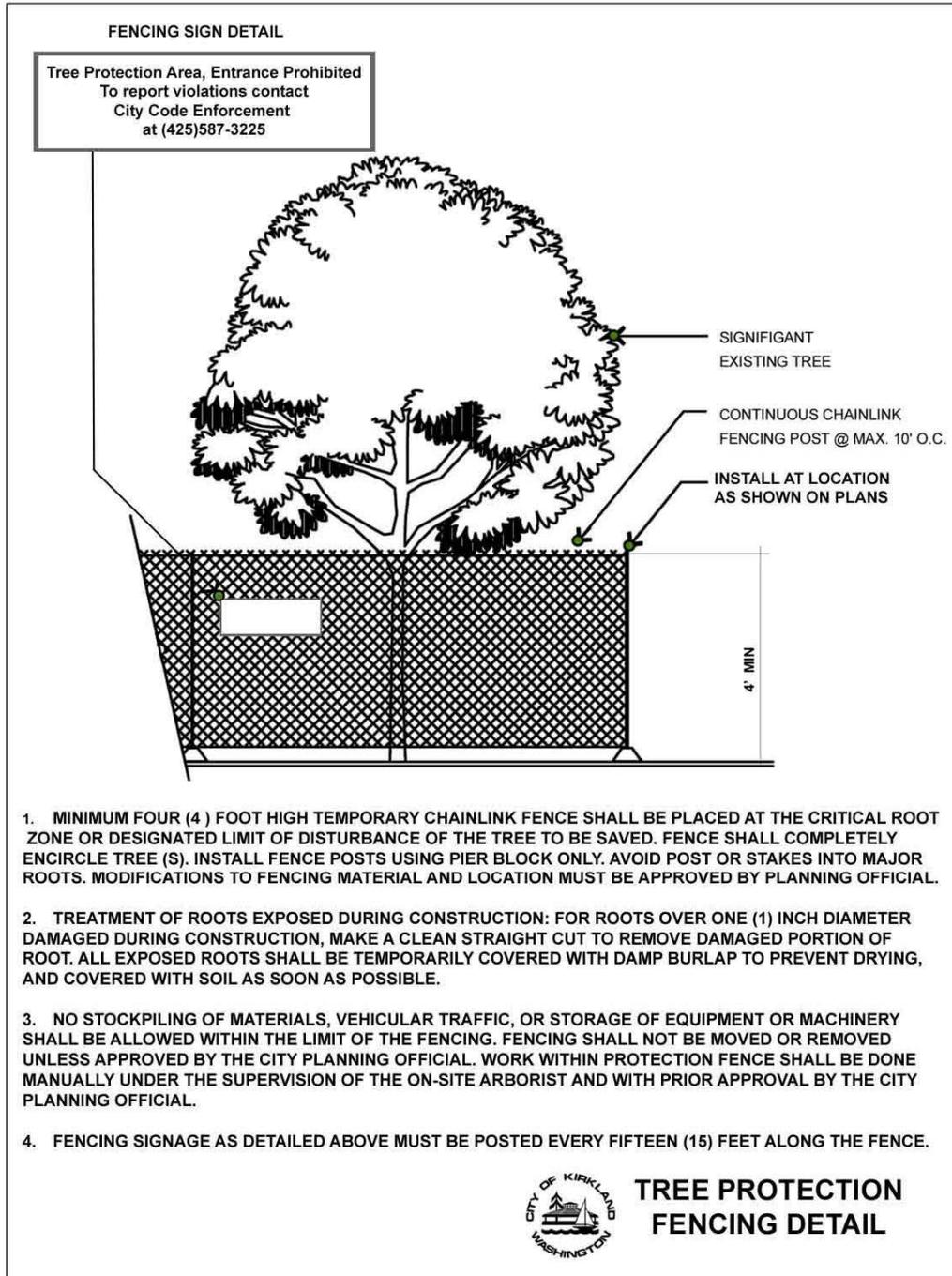
**To report violations contact
City Code Enforcement at
425-587-3225**

4. The area within the Tree Protection Fencing must be covered with wood chips, hog fuel, or similar materials to a depth of 8 to 10 inches. The materials should be placed prior to beginning construction and remain until the Tree Protection Fencing is taken down.
5. When excavation occurs near trees that are scheduled for retention, the following procedure must be followed to protect the long term survivability of the tree:
 - a. An International Society of Arboriculture, (ISA) Certified Arborist must be working with all equipment operators.
 - i. The Certified Arborist should be outfitted with a shovel, hand pruners, a pair of loppers, a handsaw, and a power saw (a chainsaw is recommended).
 - b. The hoe must be placed to remove the material directly away from the trunk as opposed to cutting across the roots.
 - i. Combing is the gradual excavation of the ground cover plants and soil in depths that only extend as deep as the tines of the hoe.
 - c. When any roots of one inch diameter or greater, of the tree to be retained, is struck by the equipment, the Certified Arborist should stop the equipment operator.

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- d. The Certified Arborist should then excavate around the tree root by hand/shovel and cleanly cut the tree root.
 - i. The Certified Arborist should then instruct the equipment operator to continue.
6. Putting Utilities Under the Root Zone:
- a. Boring under the root systems of trees (and other vegetation) shall be done under the supervision of an ISA Certified Arborist. This is to be accomplished by excavating a limited trench or pit on each side of the critical root zone of the tree and then hand digging or pushing the pipe through the soil under the tree. The closest pit walls shall be a minimum of 7 feet from the center of the tree and shall be sufficient depth to lay the pipe at the grade as shown on the plan and profile.
 - b. Tunneling under the roots of trees shall be done under the supervision of an ISA Certified Arborist in an open trench by carefully excavating and hand digging around areas where large roots are exposed. No roots 1 inch in diameter or larger shall be cut.
 - c. The contractor shall verify the vertical and horizontal location of existing utilities to avoid conflicts and maintain minimum clearances; adjustment shall be made to the grade of the new utility as required.
7. Watering:
- a. The trees will require significant watering throughout the summer and early fall in order to survive long-term. An easy and economical watering can be done using soaker hoses placed three feet from the trunk of the tree and spiraled around the tree. One 75-foot soaker hose per tree is adequate. It is best to place the soakers using landscape staples, (available from HD Fowler in Bellevue for pennies apiece) then cover the area with two to three inches composted materials. The composted material will act as a mulch to minimize evaporation and will also stimulate the microbial activity of the soil which is another benefit to the health of the tree.
 - b. Water the tree to a depth of 18 to 20 inches. I recommended leaving the water on the soaker hoses for six to eight hours and then digging down to determine how deep your water is penetrating. Then adjust accordingly. It may take a good two days of watering to reach the proper depth.
 - c. Once the water reaches the proper depth, turn off the hoses for four weeks and then water again. Water more often when temperatures increase every three weeks when temperatures exceed 80 degrees and every two weeks when temperatures exceed 90 degrees. This drying out of the soil in between watering is important to prevent soil pathogens from attacking the trees.

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ATTACHMENT 5 - REFERENCES

1. Arno, Stephen F. and Hammerly, Ramona P. *Northwest Trees*. Anniversary Ed. Seattle, Washington: The Mountaineer Books, 2007.
2. Brockman, C. Frank, *Trees of North America, A Guide to Field Identification*. New York: Golden Press, 1979.
3. Harris, Richard W. et al. *Arboriculture, Integrated Management of Landscape Trees, Shrubs, and Vines*. 4th ed. Upper Saddle River: Prentice Hall, 2004.
4. Matheny, Nelda P. and Clark, James R. *Trees & Development, A Technical Guide to Preservation of Trees During Land Development*. Savoy: The International Society of Arboriculture Press, 1998.
5. Mattheck, Claus and Breloer, Helge. *The Body Language of Trees, A Handbook for Failure Analysis*. London: HMSO, 1994.
6. Pacific Northwest Chapter-ISA. *Tree Risk Assessment in Urban Areas and the Urban/Rural Interface*. Course Manual. Release 1.4. PNW-ISA: Silverton, Oregon, 2010.
7. Watson, Gary W., and Neely, Dan, eds. *Trees & Building Sites*. Savoy: The International Society of Arboriculture Press, 1995.



CITY OF KIRKLAND
Planning and Community Development Department
123 Fifth Avenue, Kirkland, WA 98033 425.587-3225
www.ci.kirkland.wa.us

MEMORANDUM

To: Jon Regala, Senior Planner
From: Deb Powers, Urban Forester
Date: July 12, 2011
Subject: Urban Forester Review / ZON11-00026

The Tree Retention Plan for ZON11-00026 has been reviewed and approved. Per Kirkland Zoning Code (KZC) Chapter 95, Tree Retention Standards for commercial properties apply to significant trees potentially impacted by the proposed improvements. For commercial properties, High Retention Value trees are assessed as those trees located within required landscape areas, setbacks and buffers.

The majority of the site's significant trees are located outside required landscape areas or within the footprint of proposed improvements, which precludes them from the City's tree retention standards for commercial properties. In addition, although the trees on this site have been functioning as wildlife habitat, most of the predominantly alder, cottonwood or bitter cherry trees are dead or declining and are not good candidates for retention. Of the 68 viable significant trees related to the subject property, two trees have been identified for retention, Trees #934 and 938. Tree #934 is a High Retention value tree, being windfirm and in good condition. Tree #934, which is located in the right-of-way, is in fair condition, which is typically not a good candidate for retention considering the potential impacts of construction. It is assessed as a Moderate retention value tree, to be retained if feasible.

The applicant's arborist has outlined adequate tree retention measures in the arborist report and the applicant is showing sufficient tree protection fence on the submitted plan set. However, the proposed grading shown on Sheet C3 indicates a grade cut of twelve inches within the limits of disturbance for Tree #934. Both trees are shown with a pedestrian path or sidewalk within their limits of disturbance in the Landscape Plan; therefore subsequent development permit applications shall include special instructions *on the site plan* specifying how to minimize these impacts on retained Trees #934 and 938.

Public Works frontage improvements regarding street trees and landscaping requirements per KZC 95.40 will apply.

Let me know if you have any questions regarding this review.

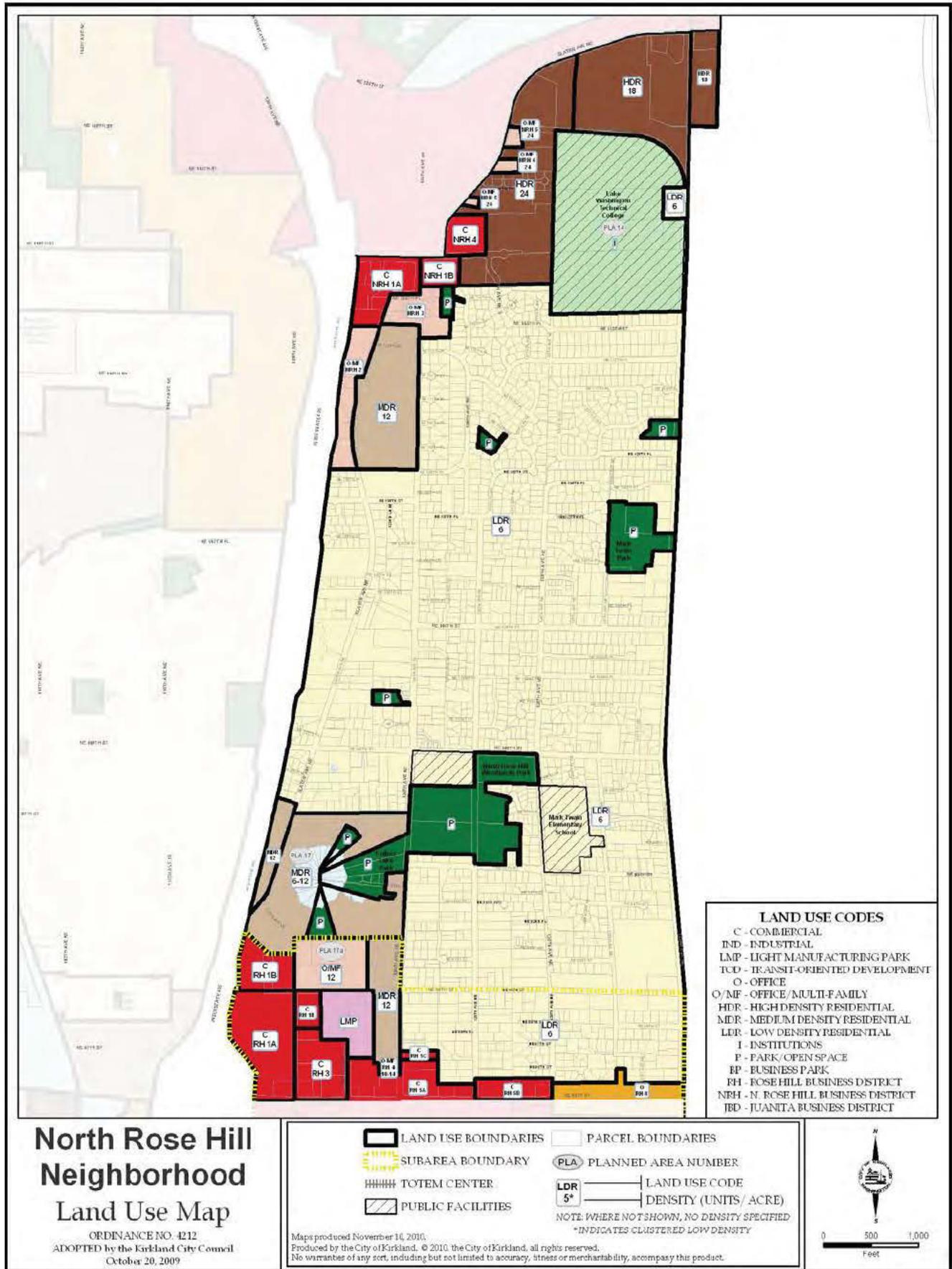


Figure NRH-4: North Rose Hill Land Use