

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

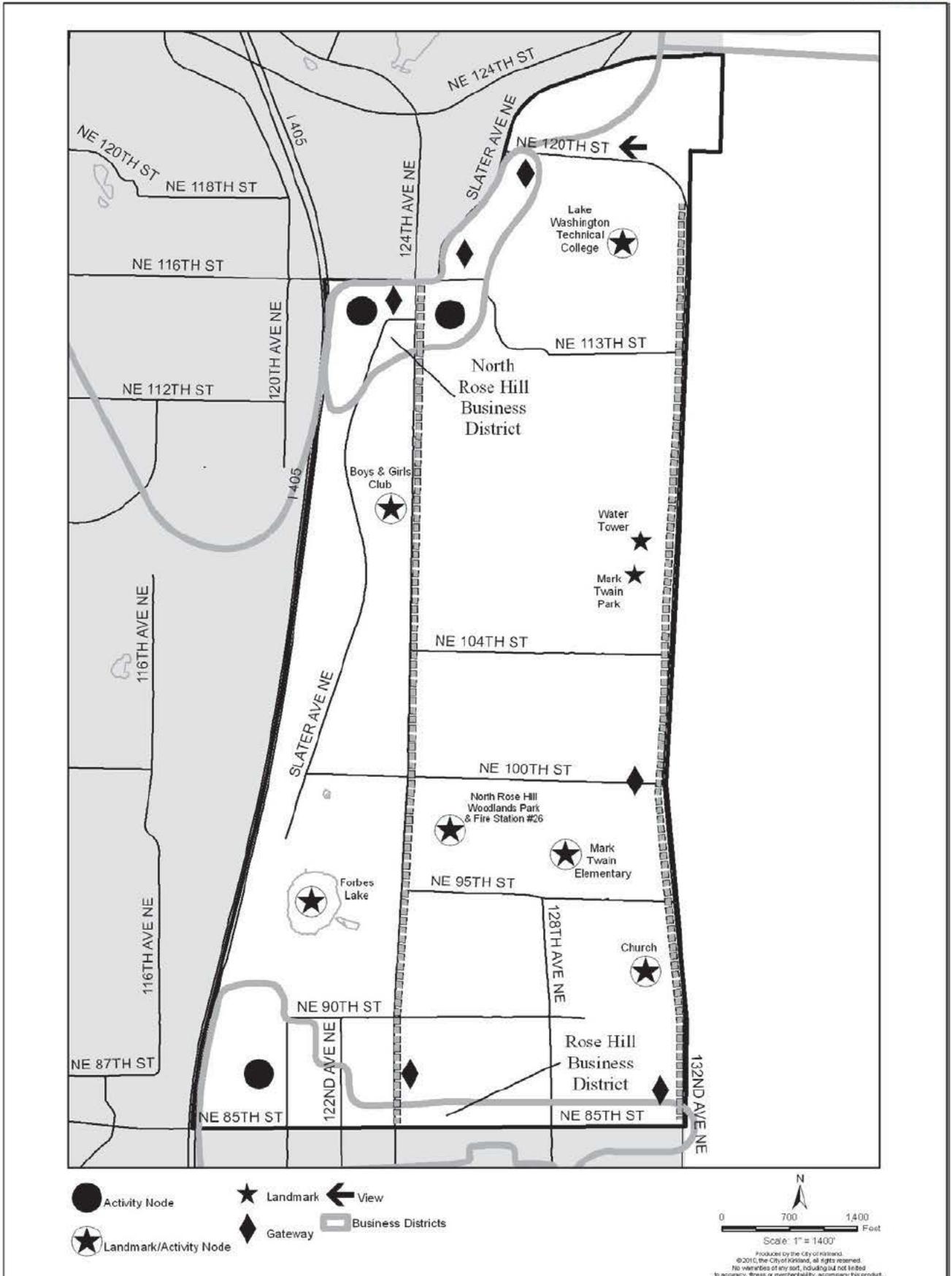


Figure NRH-10: North Rose Hill Urban Design



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

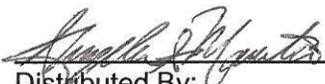
Applicant / Agent: AARON HOLLINGBERY, CAMWEST
9720 NE 120TH PL, SUITE 110
KIRKLAND WA 98034

---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 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."

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 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 replace 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

