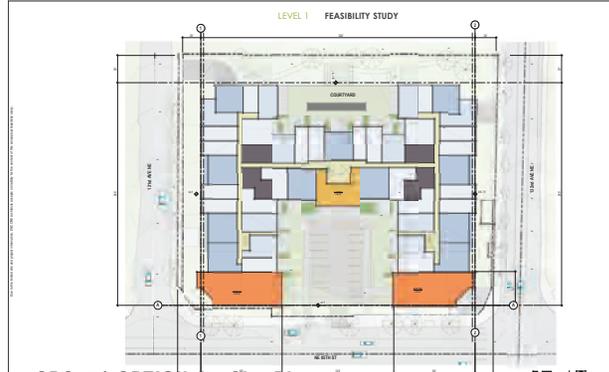




^ CDC #1 OPTION A - Bird's Eye View



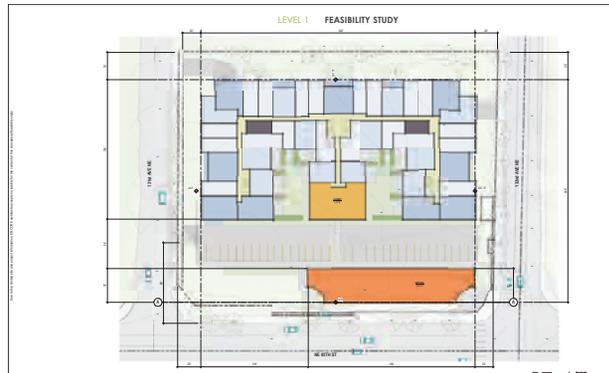
^ CDC #1 OPTION A - Site Plan

**CDC #1 Option A: "H" Scheme:**

- Main courtyard opens to the south, with smaller court to the north
- Main courtyard is primarily parking, instead of amenity space
- Parking lot requires entry from NE 85th St. (not permitted by traffic engineer).
- More undesirable inside-corner units.
- Commercial spaces disconnected, poor pedestrian pathway across site.



^ CDC #1 OPTION B - Bird's Eye View



^ CDC #1 OPTION B - Site Plan

**CDC #1 Option B: "E" Scheme:**

- Two small courtyards opening to the south.
- Courtyards are too small for large gathering space, create many inside corner units
- Parking lot extends across almost entire site, with very little screening.
- Single, separate commercial building appears small and disconnected in front of larger residential building.
- Suburban, rather than urban pedestrian experience along NE 85th St.
- Small commercial building makes poor gateway element @ corner of NE 85th St, & 132nd Ave. NE



^ CDC #1 OPTION C - Bird's Eye View



^ CDC #1 OPTION C - Site Plan

**CDC #1 Option C: "Courtyard" (Preferred):**

- Main courtyard opens to the south, with more efficient parking area and large amenity space.
- Pedestrian-oriented plaza and sidewalk along NE 85th St.
- Separate commercial spaces, opening to central plaza.
- Building anchors corner of NE 85th St. & 132nd Ave NE to create gateway to the community.
- Parking area is well-screened from all directions.

**Board Preferred Option C "Courtyard" Scheme and requested a second meeting with improvements to one Scheme only**



MERIT HOMES | 04.24.2017 | Encore Architects

CONTINENTAL DIVIDE CDC #2 - Site Plan

CDC #2 - Bird's Eye

**CDC #2 (Updates and Revisions to Option C):**

- Increased modulation of east, west and north facades.
- Improved relationship between commercial and residential units above at southeast corner.
- Developed rhythm of commercial storefronts for pedestrian-oriented experience.
- Revised courtyard for improved connection to NE 85th St. and entry sequence to lobby.
- Parking area is well-screened from all directions.



CDC #2 - Facade Modulation



CDC #2 - Courtyard



^ DRC #1 - View of NE 85th St. & 312nd Ave. NE



^ DRC #1 - View of Courtyard



^ DRC #1 - East Elevation



^ DRC #1 - North Elevation



^ DRC #1 - View of Pedestrian Streetscape along NE 85th St.



^ DRC #1 - View Looking Southeast along 131st Ave. NE

**DRC #1 Meeting Comments:  
(received via email on 7/16/18)**

- Include two design options for the gateway feature area. Also, the building at the corner of 132nd & 85th needs additional treatment. See Guidelines 1, 3a, 3c and 3d.
- Look at ways to decrease the impacts on neighboring properties specifically the neighbors to the north. This could include minimizing the amount of windows and balconies on this facade. See Guideline 5d.
- Include additional information regarding the treatment of the 132nd blank wall including full landscape renderings. See Guidelines 8 and 15.
- Provide seating areas and other amenities near the bus stop and sidewalks. See Guideline 10.
- Provide a pedestrian connection between the north building exit and 131st Avenue NE. See Guideline 11.
- Windows need to be more residential in nature. Create variety and decrease size to match neighboring residential uses. See Guideline 16.
- Increase the amount of vertical and horizontal modulation, specifically along the longer east and north facades. Varying roof heights and forms would help to create the look of smaller buildings. Increase depth and width of horizontal modulations. See Guidelines 17 and 18.
- The masonry material on the commercial façade needs more texture and interest. See Guideline 19.
- Provide a detailed landscaping plan. See Guideline 22.

## DRC REVIEW | FROM 8/6/18

DRV18-00312  
ATTACHMENT 4



^ DRC #2 - Bird's Eye View from Southeast



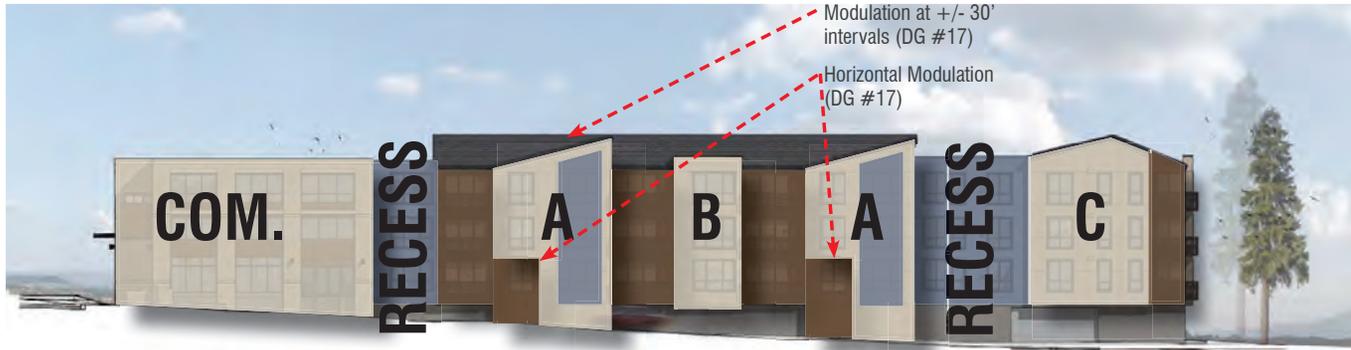
^ DRC #2 - Bird's Eye View from Southwest

### DRC #2 Meeting Comments: (received via email on 8/27/18)

- Update plans and elevations to match the renderings. Include dimensional information on plans to help show the depth of modulations and other related items
- Refine the renderings and models more. Bringing the model to the meeting would be beneficial.
- The Board preferred the curved planters for the 85TH/132ND Corner, but would like to see how the curb cuts and utilities impact the design
- Comparison of the fenestration changes along the north façade from the July 2nd plans to the August 6 plans.
- Updated materials boards and sheets
- More information on the southeast corner building design including upper deck design and material treatment.
- Parapets on the backside of commercial building need additional material treatment.
- Ensure that the project complies with the modulation requirements contact in the Architectural Scale design guidelines (Section 17).

## DRC REVIEW | FROM 8/6/18

DRV18-00312  
ATTACHMENT 4



^ Current Design - East Elevation Modulation



^ DRC #2 - East Elevation Modulation



^ DRC #1 - East Elevation Modulation

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### East Facade Modulation:

- Larger, more clarified mass @ commercial space on NE 85th St.
- Eliminated unrelated roof form above commercial space.
- Unequal slopes at peaked roof ("C") section, instead of equal slopes.
- Switch orientation of "A" forms at base, for more grounded shape.
- Added accent color panel to "A" forms to reduce scale
- Peak of roof at "A" meets peak of sloped roof.

### DRC #2 Modulation:

- Smaller mass @ NE 85th St. corner, with less complicated roof form above.
- Separation at commercial/residential attempts to connect above.
- Reduced total number of distinct forms from DRC #1.
- Widened "A" forms for variety.
- Reduced color/material variation from DRC #1, with darker color at recesses.
- Widened recess near northeast corner to reduce bulk.

### DRC #1 Modulation:

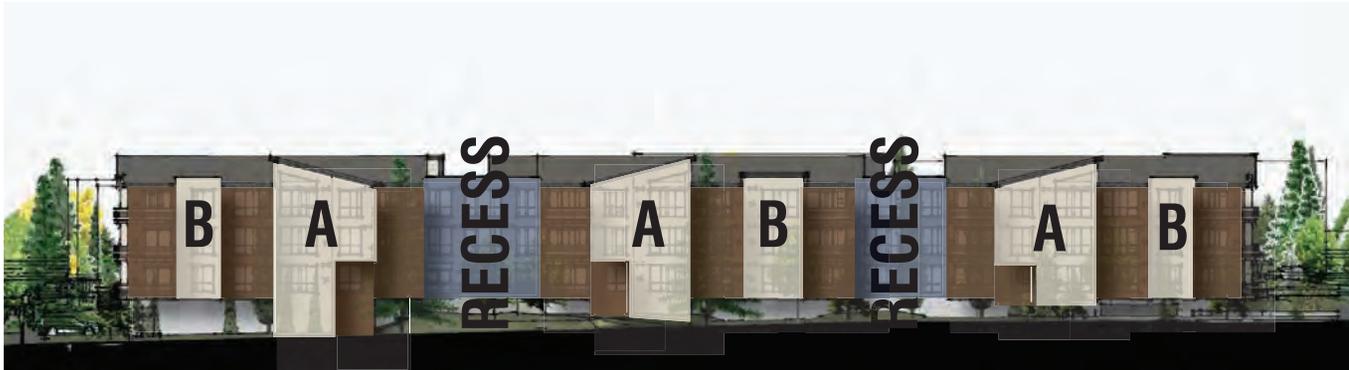
- Complicated shed/peaked roof forms at building corners and above commercial space.
- Highly repetitive modulation, of almost all equal width forms.
- Two different shed roof accent forms, with different orientations.
- Four main material colors, alternating frequently.
- Narrow recess towards north facade.



^ Current Design - North Elevation Modulation

**North Facade Modulation:**

- Extended base of "B" masses below floor line to create more variety.
- Added accent color panel to "A" forms to reduce scale
- Peak of roof at "A" meets peak of sloped roof.



^ DRC #2 - North Elevation Modulation

**DRC #2 Modulation:**

- Reduced color/material variation from DRC #1, with darker color at recesses.
- Added second deeper recess to create three main forms.
- Widened "A" forms and added plane/material change for variety, while keeping material palette simplified.
- Reduced total number of distinct forms from DRC #1.



^ DRC #1 - North Elevation Modulation

**DRC #1 Modulation:**

- One single deep recess, splitting bulk of facade into two unequal parts.
- Highly repetitive modulation, of almost all equal width forms.
- Two different shed roof accent forms, with different orientations.
- Four main material colors, alternating frequently.

## DRC REVIEW | FROM 8/6/18



^ Current Design - North Elevation Fenestration



^ DRC #2 - North Elevation Fenestration



^ DRC #1 - North Elevation Fenestration

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DRV18-00312  
ATTACHMENT 4

### North Facade Fenestration:

- Number of Balconies: 18
- Number of Openings: 69
- Glazing: 4090.92 GSF

### DRC #2 North Facade Fenestration:

- Number of Balconies: 18
- Number of Openings: 69
- Glazing: 4,090.92 GSF

Reduced Balconies by 42%  
Reduced Glazing by 12.7%

### DRC#1 North Facade Fenestration:

- Number of Balconies: 31
- Number of Openings: 81
- Glazing: 4,681.51 GSF

# DRC REVIEW | FROM 8/6/18



^ DRC #2 Gateway - OPTION A



^ DRC #2 Gateway - OPTION B



^ Current Design - Gateway with Sculpture

## DG #1a, 1b, 1d, 1e Gateway Features:

- Entry canopy/roof deck at upper level adds setback and modulation for scale.
- Mass of building marks prominent corner from distance.
- Recessed entry creates pedestrian space.
- Masonry sculpture base with accent lighting, surrounded by landscaped area.

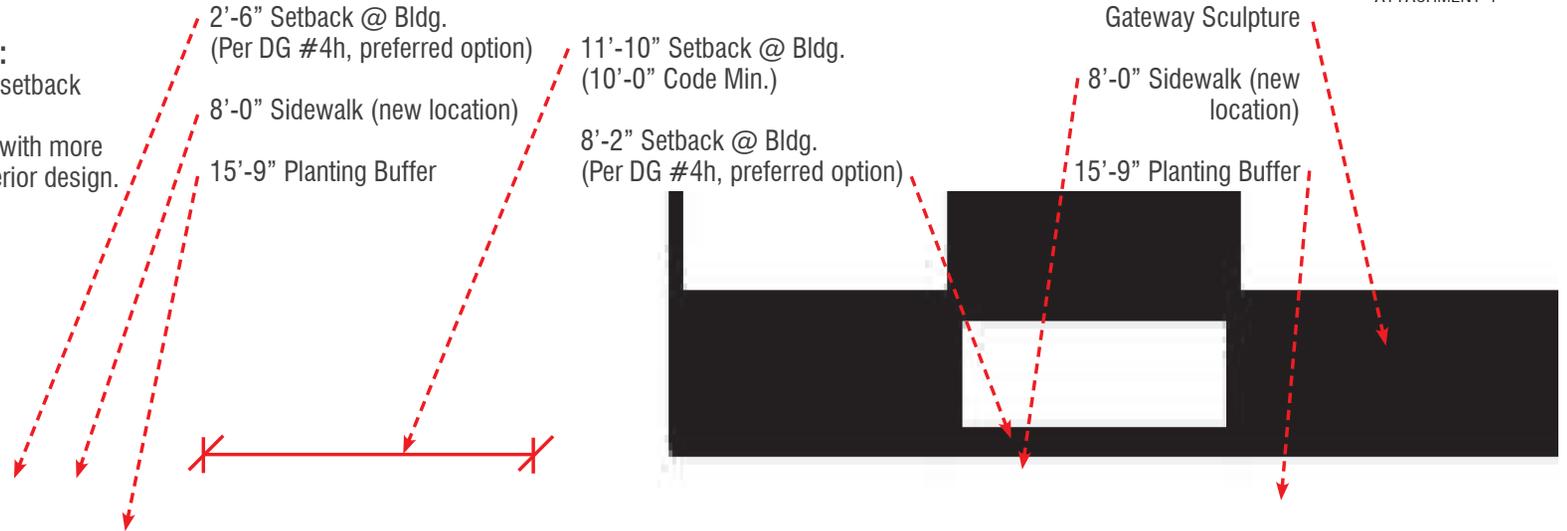
# DRC REVIEW | FROM 8/6/18

## DG #5a, 5b, 5h

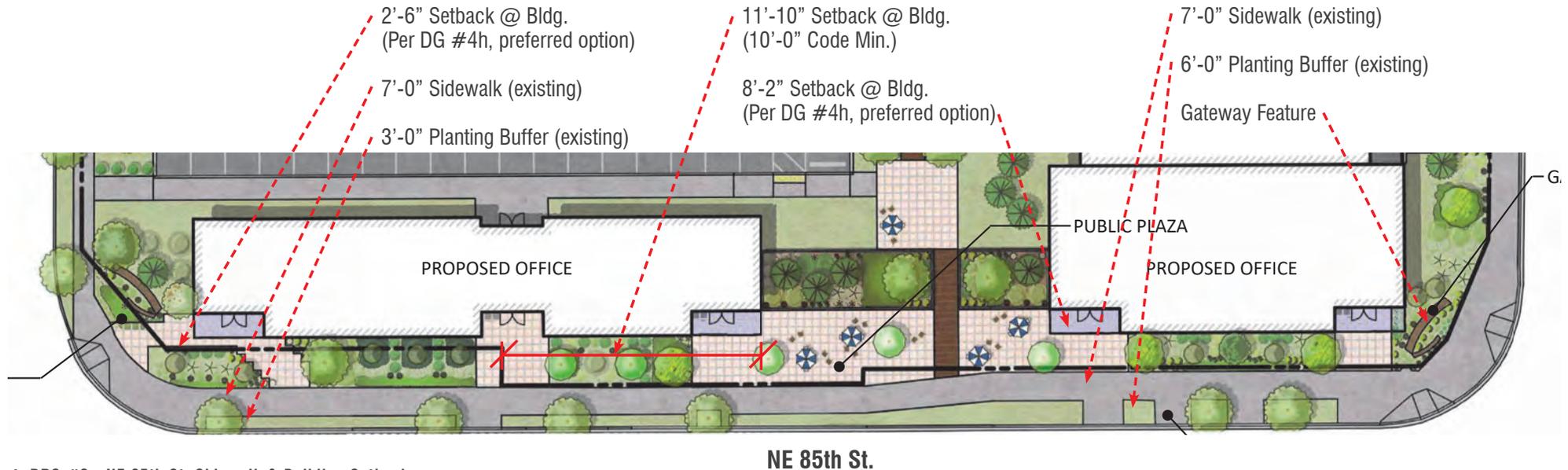
### NE 85th St. Pedestrian Experience:

- Meets all requirements for requested setback departure.
- Creates more welcoming streetfront, with more separation from vehicle traffic & superior design.

DRV18-00312  
ATTACHMENT 4



### ^ Current Design - NE 85th St. Sidewalk & Building



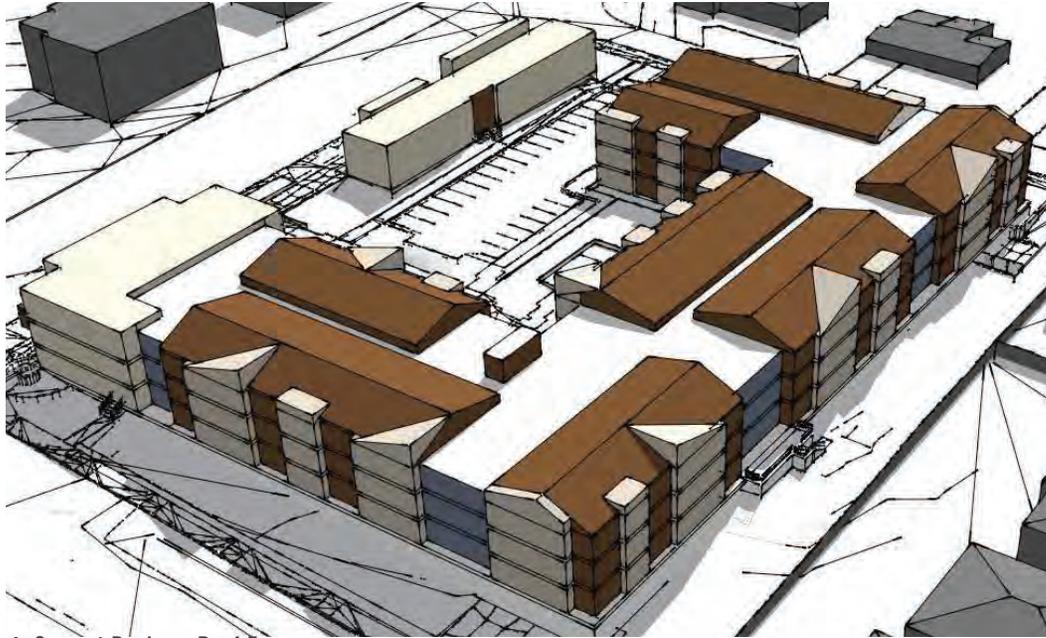
### ^ DRC #2 - NE 85th St. Sidewalk & Building Setback

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| MERIT HOMES | CONTINENTAL DIVIDE | DRC PRESENTATION | 11.18.2019 39

## DRC REVIEW | FROM 8/6/18

DRV18-00312  
ATTACHMENT 4



^ Current Design - Roof Forms

### Current Design: Roof Forms

- Main flat roof with parapets; where height of parapet changes for distinct forms.
- Unequal gable roof masses to create smaller scale and residential character.
- Gable roof peeled away to create accent roof dormers.
- Small parapet roof at narrow accent bays.



^ DRC #1 - Roof Forms



^ DRC #2 - Roof Forms



Primary Access to the Site

**Tertiary Access to the Site:**

- Tertiary egress from parking garage, one way traffic.
- Access only to minor, unclassified street.

**Secondary Access to the Site:**

- Small visitor/commercial parking area (25 spaces).
- Access only to minor, unclassified street.



**Primary Access to the Site:**

- Most used entry/most vehicle trips.
- 2-way traffic.
- Access from Secondary Arterial Street (NE 132nd Ave.)

**Pedestrian Only Access to the Site:**

- No vehicle access to arterial street.
- No curb cuts allowed.

**KZC 5.345:**

**Ground Floor:**

The floor of a structure that is closest in elevation to the finished grade along the facade of the structure that is principally oriented to the street which provides primary access to the subject property

**KZC 5.345:**

**Primary Vehicular Access:**

The major street from which the majority of vehicles enter the subject property.



View of Corner of NE 85th St. and 132nd Ave. NE

**APPENDIX**  
**FLOOR PLANS**  
**BUILDING SECTIONS**  
**ELEVATIONS**  
**LANDSCAPE PLAN**  
**TREE PLAN**  
**SURVEY**  
**SITE CONTEXT**

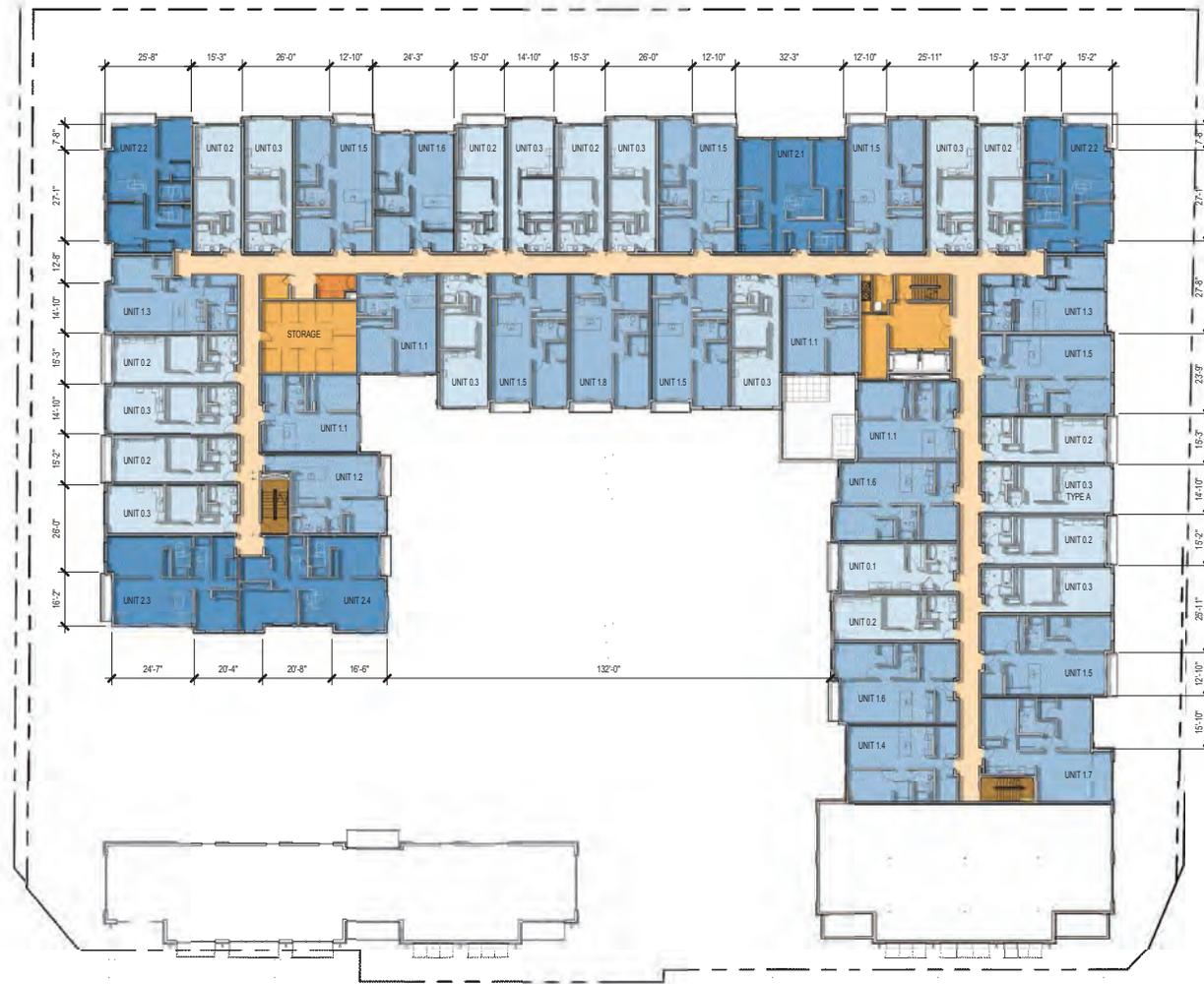
# APPENDIX | SITE PLAN / LEVEL 1 FLOOR PLAN

DRV18-00312  
ATTACHMENT 4



# APPENDIX | LEVEL 2 FLOOR PLAN

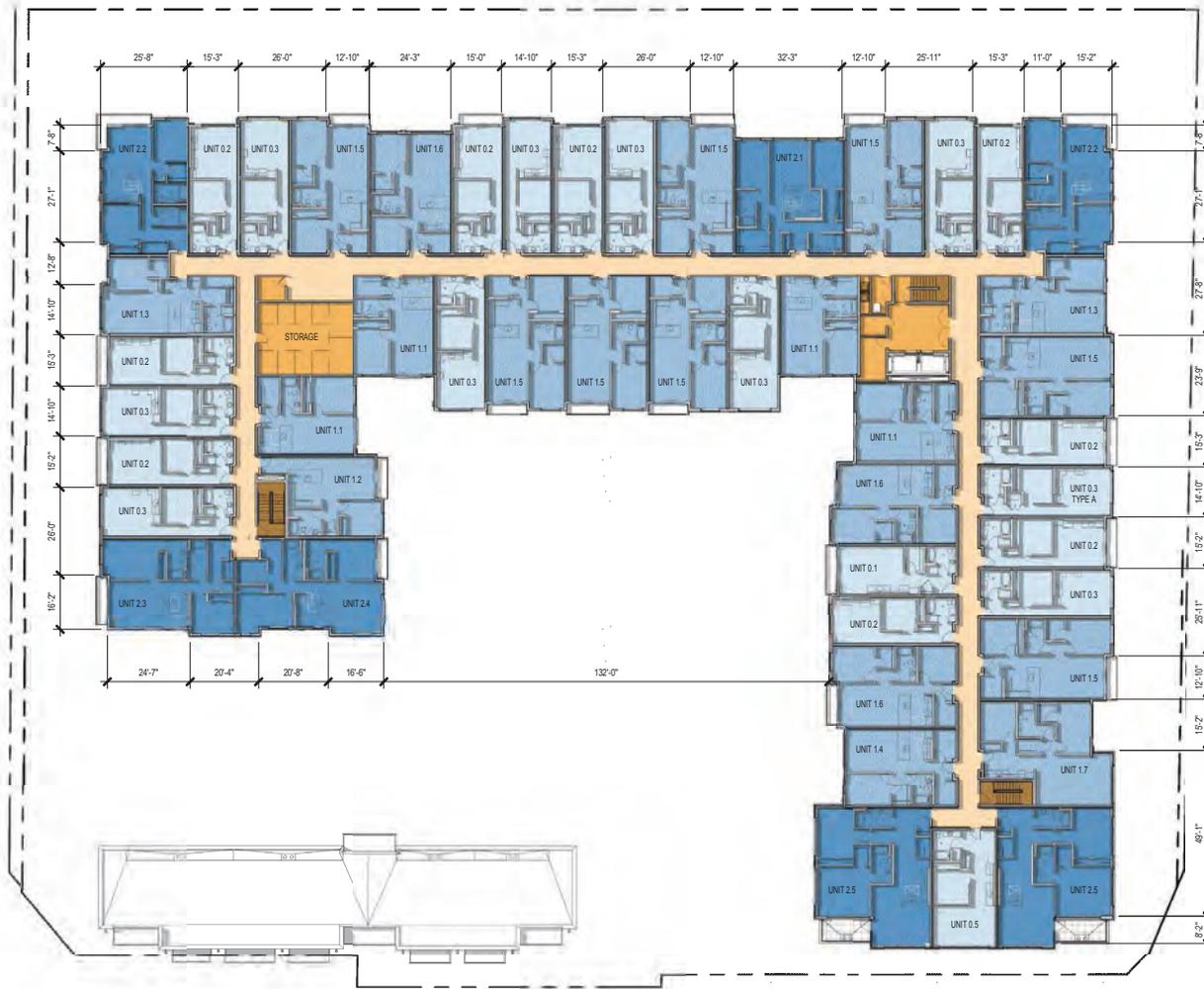
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ATTACHMENT 4



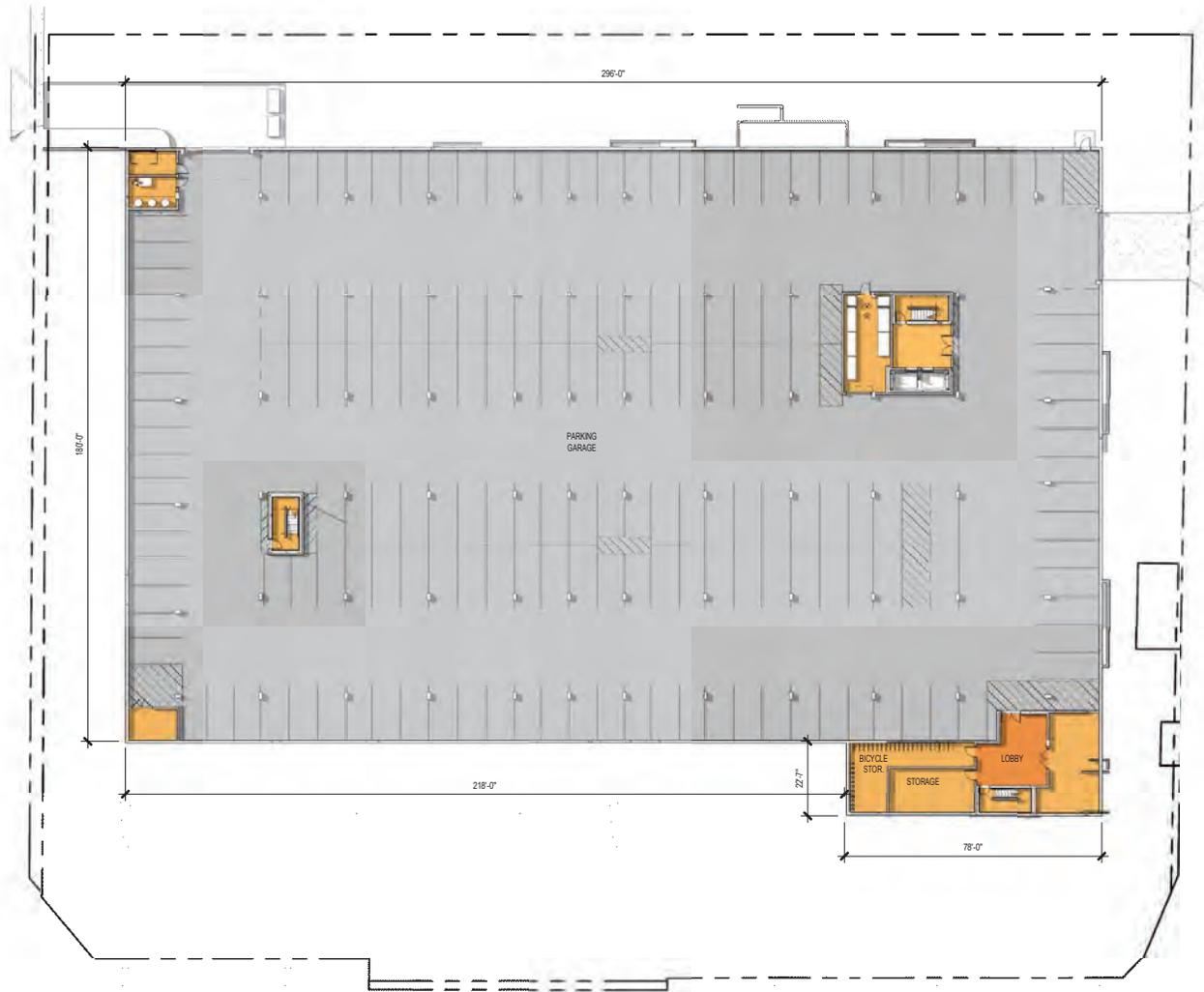
- OPEN 1 BEDROOM
- 1 BEDROOM
- 2 BEDROOM
- BOH
- RESIDENTIAL AMENITY SPACE

# APPENDIX | LEVEL 3 FLOOR PLAN

DRV18-00312  
ATTACHMENT 4



- OPEN 1 BEDROOM
- 1 BEDROOM
- 2 BEDROOM
- BOH
- RESIDENTIAL AMENITY SPACE



- BOH
- RESIDENTIAL AMENITY SPACE
- PARKING



# APPENDIX | BUILDING SECTIONS

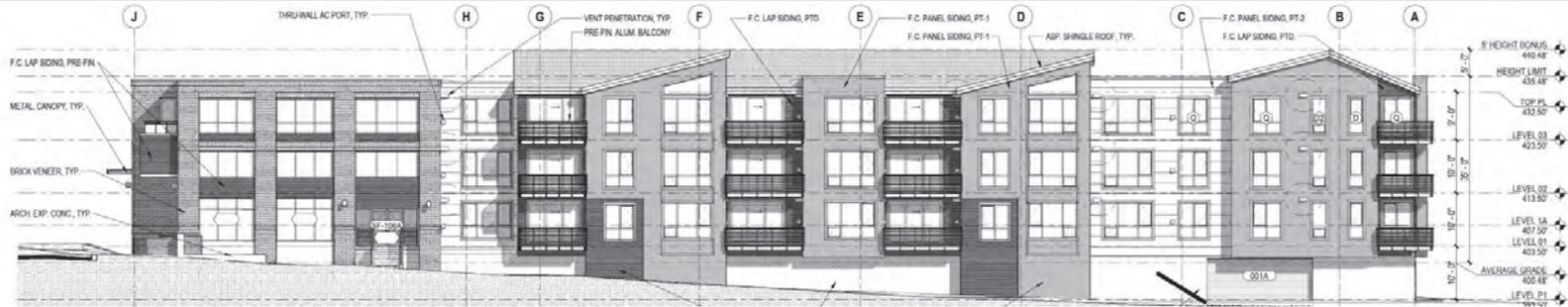
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ATTACHMENT 4



# APPENDIX | ELEVATIONS

DRV18-00312  
ATTACHMENT 4

^ EAST ELEVATION



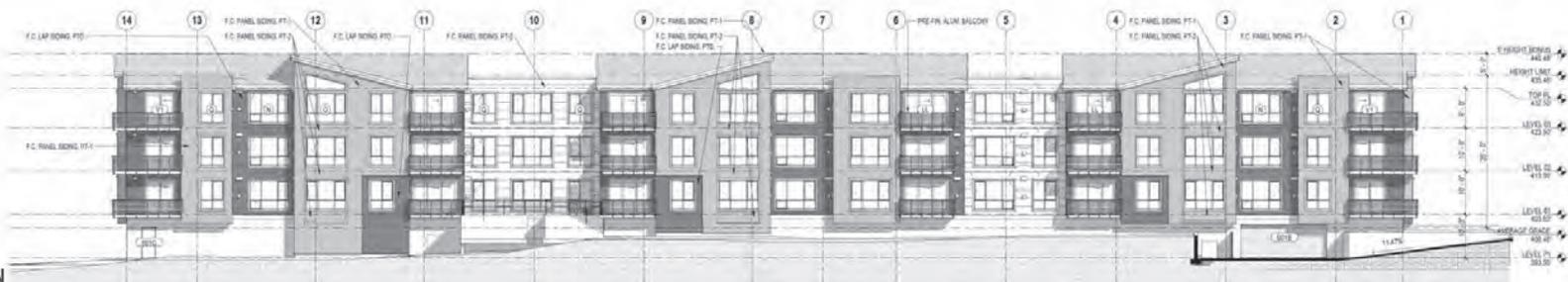
^ SOUTH ELEVATION



^ WEST ELEVATION



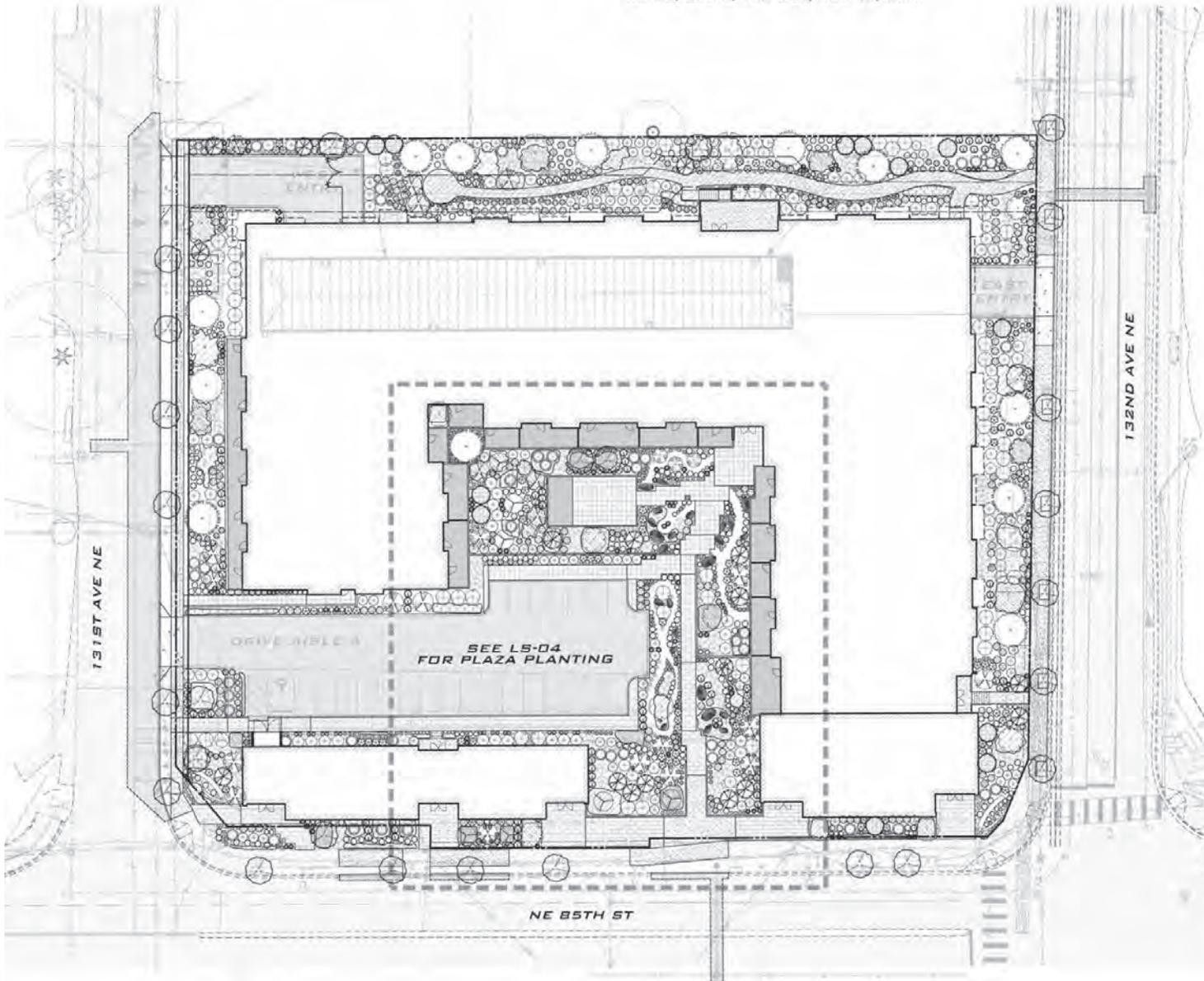
^ NORTH ELEVATION



# APPENDIX | PLANTING PLAN (PREVIOUS SUBMITTAL)

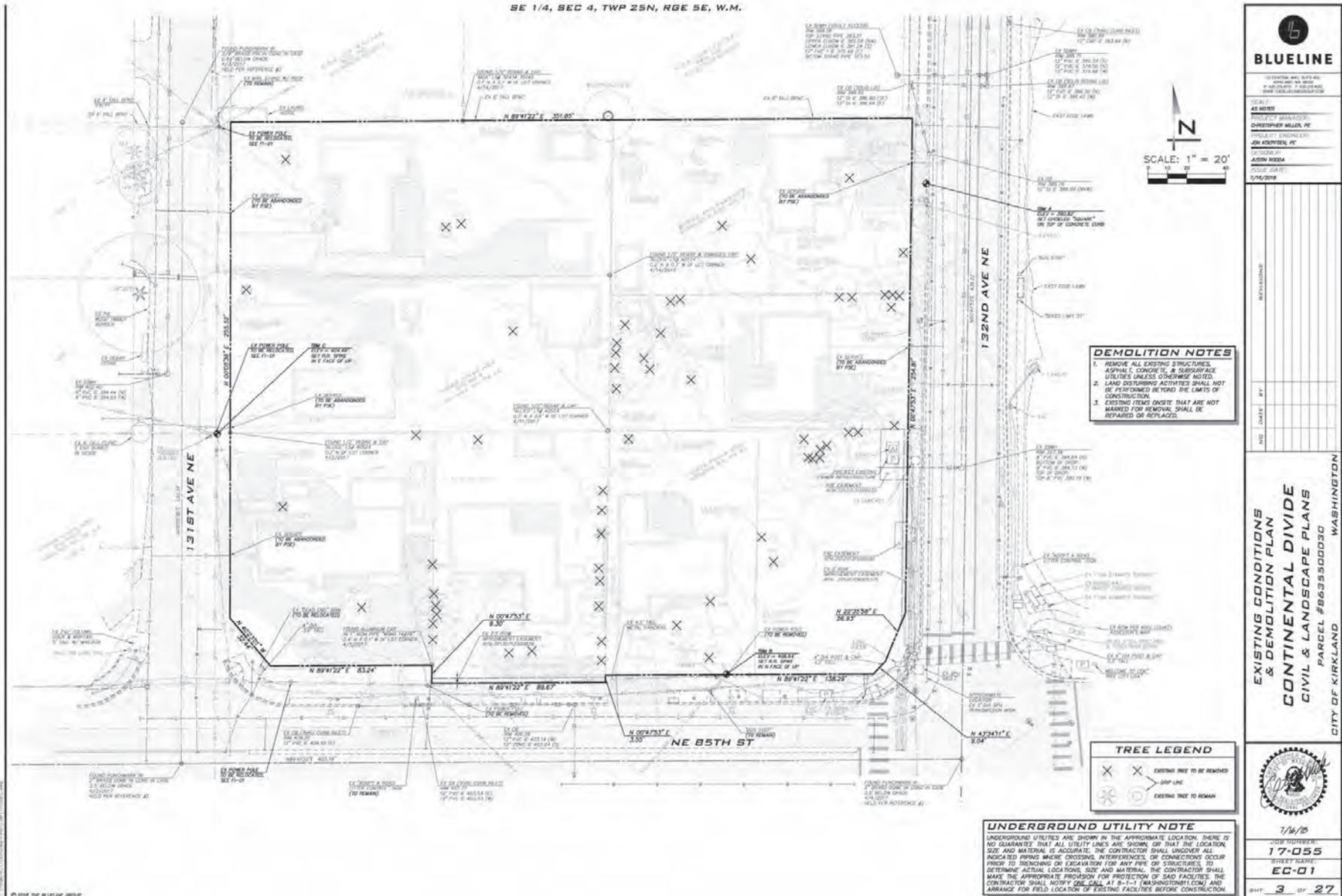
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ATTACHMENT 4

SE 1/4, SEC 4, TWP 25N, RGE 5E, W.M.



### PLANT SCHEDULE

TREE	BOTANICAL NAME / COMMON NAME
	<i>Acer buergerianum</i> 'Streetwise' TM / Inland Maple
	<i>Acer chinensis</i> / Old Maple
	<i>Acer macrophyllum</i> / Big Leaf Maple
	<i>Acer palmatum</i> 'Sango Kaku' / Coral Bark Maple
	<i>Carpinus betulus</i> 'Columaris' / Common European Hornbeam
	<i>Dioscorea oppositifolia</i> 'Green Arrow' / Green Arrow Hardier Cypripedium
	<i>Ficus alba</i> 'Orchidol' / Orchidlike Honey Spice
	<i>Ficus amara</i> 'Yendaii' / Weeping Serbian Spice
	<i>Thuja occidentalis</i> / Western Red Cedar
	<i>Taxus heterophylla</i> / Western Hemlock
SHRUB	BOTANICAL NAME / COMMON NAME
	<i>Calluna vulgaris</i> / Heather
	<i>Cornus sericea</i> / Red Twig Dogwood
	<i>Eucalyptus nitens</i> 'Compactus' / Compact Bumpy Bush
	<i>Eucalyptus tereticornis</i> 'Emerald 'n' Gold' TM / Waterreaper
	<i>Festuca glauca</i> 'Elijah Blue' / Blue Fescue
	<i>Hedera helix</i> / Common Ivy
	<i>Kalmia latifolia</i> / Mountain Laurel
	<i>Lavandula angustifolia</i> / English Lavender
	<i>Muhlenbergia ripens</i> / Deer Grass
	<i>Nandina domestica</i> 'The Power' / Firepower Nandina
	<i>Panicum virgatum</i> 'North Wind' / Northwind Switch Grass
	<i>Pennisetum alopecuroides</i> 'Haban' / Haban Dwarf Fountain Grass
	<i>Pennisetum setosum</i> 'Fireworks' / Fireworks Fountain Grass
	<i>Physocarpus opulifolius</i> 'Sonic' TM / Dink Purple Hostler
	<i>Rosa Jambora</i> / Lily of the Valley Bush
	<i>Yucca filamentosa</i> / Western Sword Fern
	<i>Rhododendron</i> 'Scarlet Wonder' / Scarlet Wonder Dwarf Rhododendron
	<i>Ribes sanguineum</i> / Red Flowering Currant
	<i>Viburnum</i> 'Burkwood' / Burkwood Viburnum
GROUND COVER	BOTANICAL NAME / COMMON NAME
	<i>Anisocoma alba</i> / Blair's Footpath
	<i>Anisocoma reflexa</i> / Goldbeard
	<i>Dioclea formosa</i> / Western Bleeding-heart
	<i>Lirape massonii</i> / Lily Turf



**BLUELINE**

10000 10th Ave NE, Suite 1000  
Redmond, WA 98073  
Phone: (509) 881-1111  
www.bluelinegroup.com

SCALE: AS SHOWN

PROJECT MANAGER:  
CHRISTOPHER HULLER, PE

PROJECT ENGINEER:  
JON KOPPEL, PE

DRAWN BY:  
JUSTIN ARDIA

CHECKED BY:  
JON KOPPEL

DATE: 02/08/2019

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EXISTING CONDITIONS  
& DEMOLITION PLAN  
CONTINENTAL DIVIDE  
CIVIL & LANDSCAPE PLANS  
PARCEL #8635300030  
CITY OF KIRKLAND

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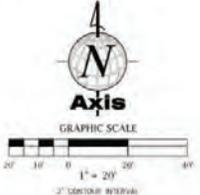
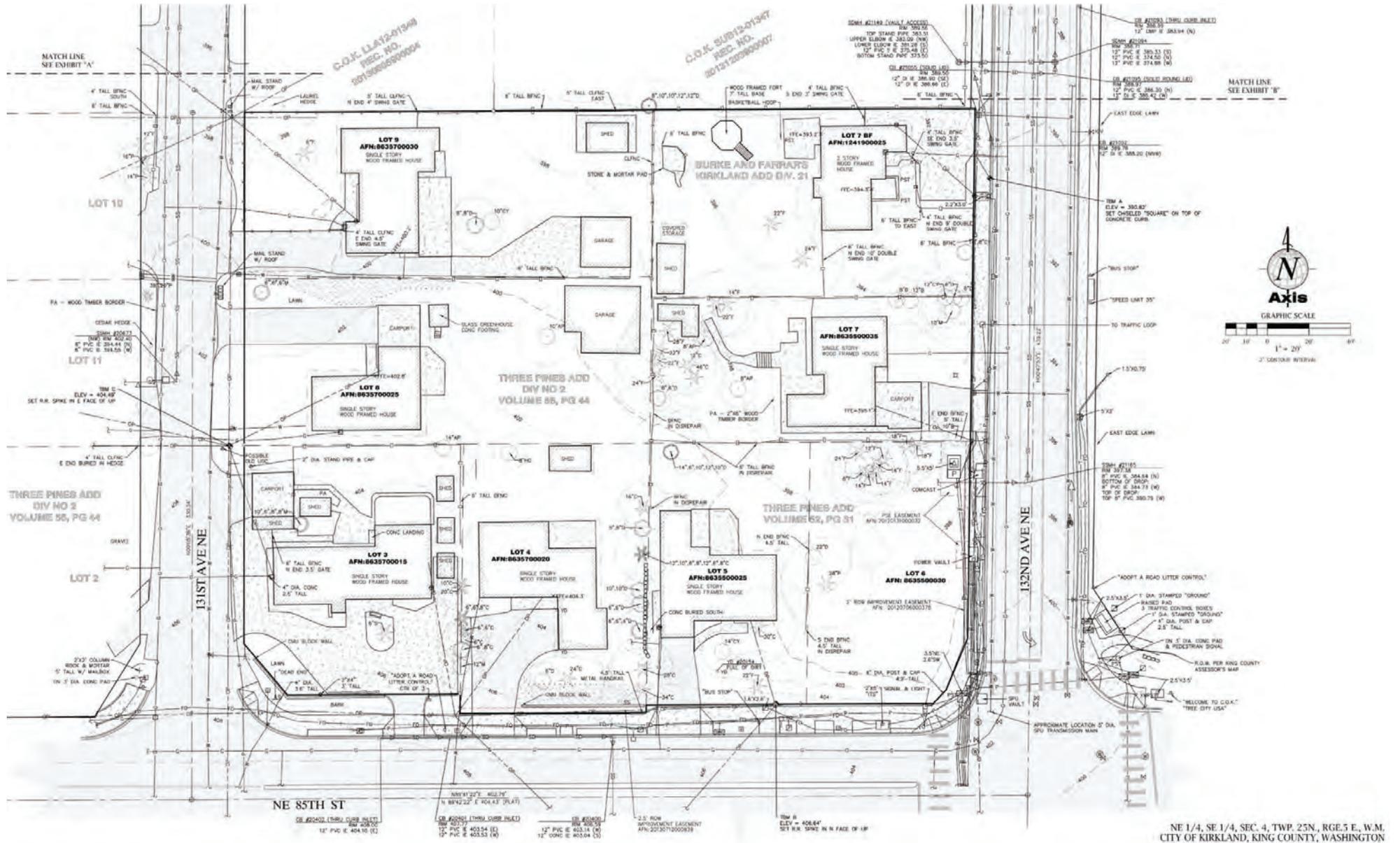


1/16/18

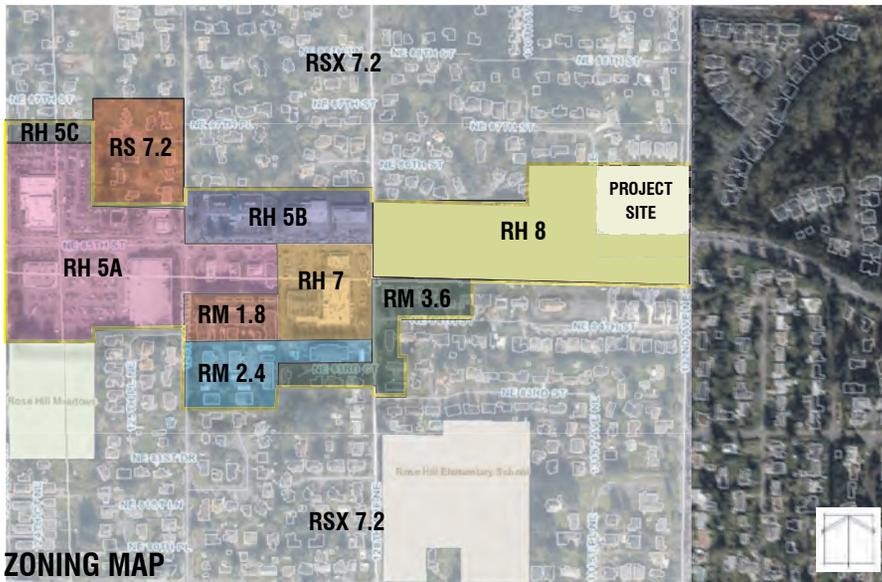
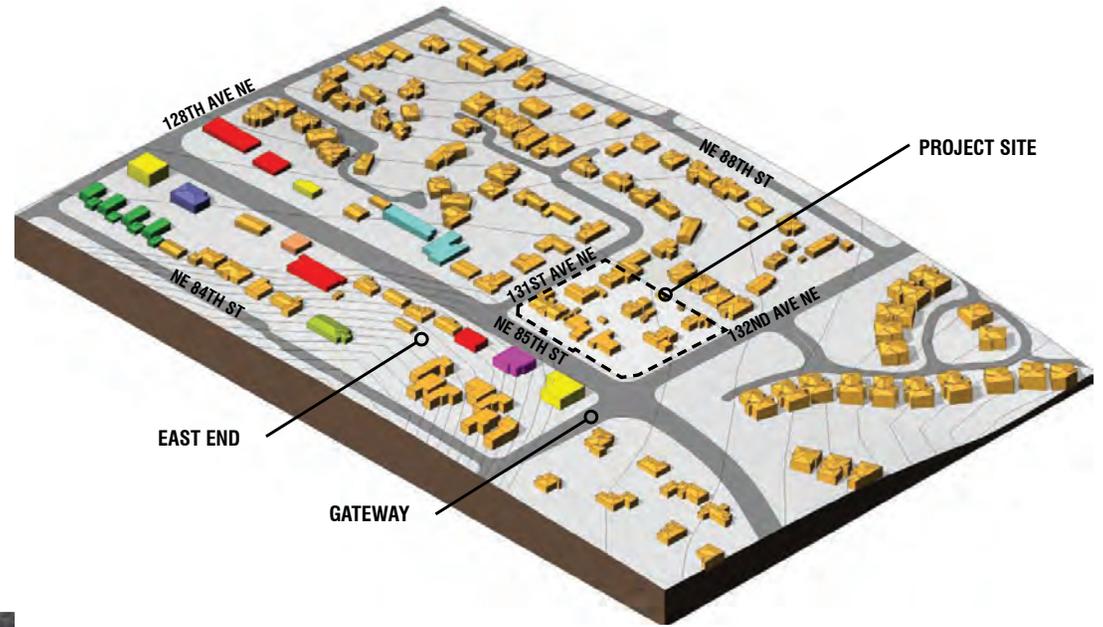
JOB NUMBER:  
**17-055**

STREET NAME:  
**EC-01**

SHEET: **3 OF 27**



NE 1/4, SE 1/4, SEC. 4, TWP. 25N, RGE. 5 E., W.M.  
CITY OF KIRKLAND, KING COUNTY, WASHINGTON



ZONING MAP

ENCORE architects

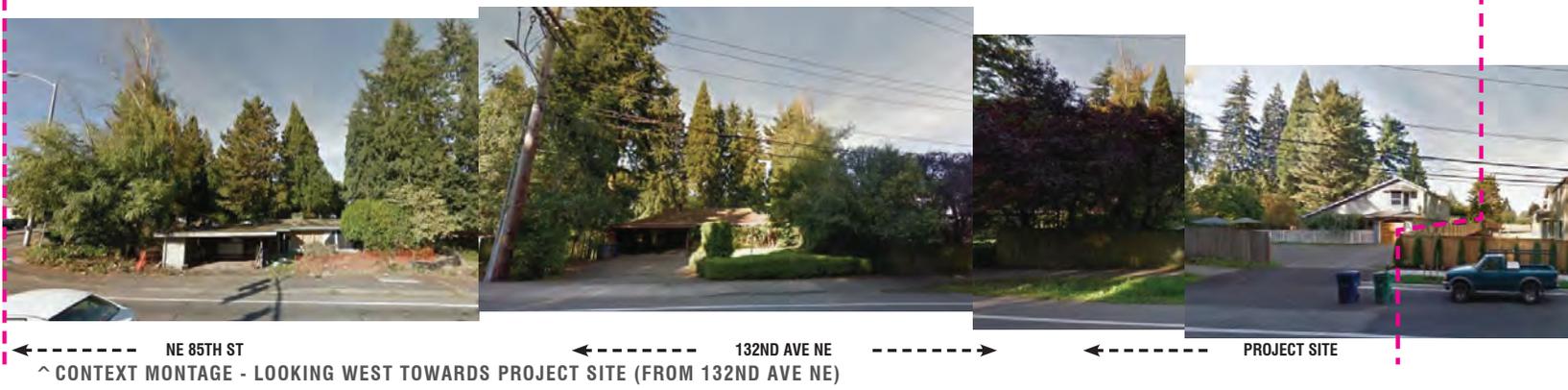
- |                 |                  |              |
|-----------------|------------------|--------------|
| OFFICE          | RESTAURANT       | CONDOMINIUM  |
| DAYCARE CENTER  | CONV. WITH GAS   | APARTMENTS   |
| RETAIL STORE    | SERVICE BUILDING | SCHOOL       |
| RESI-SINGLE FAM | CHURCH/ RELIG.   | PROJECT SITE |
| MEDICAL/DENTAL  |                  |              |

**ROSE HILL BUSINESS DISTRICT - EAST END**

- LOWER BUILDING HEIGHTS & INTENSITY
- CONSOLIDATED SITES & ACCESS
- MORE RESIDENTIAL IN DESIGN
- FLEXIBLE SITE DESIGN
- SMALL FAMILY BUSINESSES
- SERVICE BUSINESSES
- SMALL-SCALE MIXED USE
- GENEROUS LANDSCAPING

**ROSE HILL DESIGN DISTRICT**

# APPENDIX | SITE PHOTOS





**CITY OF KIRKLAND**  
**Planning and Building Department**  
**123 5th Avenue, Kirkland, WA 98033**  
**425.587.3600 ~ [www.kirklandwa.gov](http://www.kirklandwa.gov)**

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## **DEVELOPMENT STANDARDS LIST**

### **FILE: COMTINENTAL DIVID MIXED USE, DRV17-00312**

#### **ZONING CODE STANDARDS**

**95.51.2.a Required Landscaping.** All required landscaping shall be maintained throughout the life of the development. The applicant shall submit an agreement to the city to be recorded with King County which will perpetually maintain required landscaping. Prior to issuance of a certificate of occupancy, the proponent shall provide a final as-built landscape plan and an agreement to maintain and replace all landscaping that is required by the City.

**95.52 Prohibited Vegetation.** Plants listed as prohibited in the Kirkland Plant List shall not be planted in the City.

**100.25 Sign Permits.** Separate sign permit(s) are required. In JBD and CBD cabinet signs are prohibited.

**105.32 Bicycle Parking.** All uses, except single family dwelling units and duplex structures with 6 or more vehicle parking spaces must provide covered bicycle parking within 50 feet of an entrance to the building at a ratio of one bicycle space for each twelve motor vehicle parking spaces. Check with Planner to determine the number of bike racks required and location.

**105.18 Entrance Walkways.** All uses, except single family dwellings and duplex structures, must provide pedestrian walkways between the principal entrances to all businesses, uses, and/or buildings on the subject property.

**105.18 Overhead Weather Protection.** All uses, except single family dwellings, multifamily, and industrial uses, must provide overhead weather protection along any portion of the building, which is adjacent to a pedestrian walkway.

**105.18.2 Walkway Standards.** Pedestrian walkways must be at least 5' wide; must be distinguishable from traffic lanes by pavement texture or elevation; must have adequate lighting for security and safety. Lights must be non-glare and mounted no more than 20' above the ground.

**105.18.2 Overhead Weather Protection Standards.** Overhead weather protection must be provided along any portion of the building adjacent to a pedestrian walkway or sidewalk; over the primary exterior entrance to all buildings. May be composed of awnings, marquees, canopies or building overhangs; must cover at least 5' of the width of the adjacent walkway; and must be at least 8 feet above the ground immediately below it. In design districts, translucent awnings may not be backlit; see section for the percent of property frontage or building facade.

**105.19 Public Pedestrian Walkways.** The height of solid (blocking visibility) fences along pedestrian pathways that are not directly adjacent a public or private street right-of-way shall be limited to 42 inches unless otherwise approved by the Planning or Public Works Directors. All new building structures shall be setback a minimum of five feet from any pedestrian access right-of-way, tract, or easement that is not directly adjacent a public or private street right-of-way. If in a design district, see section and Plate 34 for through block pathways standards.

**105.58 Parking Lot Locations in Design Districts.** See section for standards unique to each district.

**105.65 Compact Parking Stalls.** Up to 50% of the number of parking spaces may be

designated for compact cars.

**105.60.2 Parking Area Driveways.** Driveways which are not driving aisles within a parking area shall be a minimum width of 20 feet.

**105.60.3 Wheelstops.** Parking areas must be constructed so that car wheels are kept at least 2' from pedestrian and landscape areas.

**105.60.4 Parking Lot Walkways.** All parking lots which contain more than 25 stalls must include pedestrian walkways through the parking lot to the main building entrance or a central location. Lots with more than 25,000 sq. ft. of paved area must provide pedestrian routes for every 3 aisles to the main entrance.

**105.77 Parking Area Curbing.** All parking areas and driveways, for uses other than detached dwelling units must be surrounded by a 6" high vertical concrete curb.

**105.96 Drive Through Facilities.** See section for design criteria for approving drive through facilities.

**110.52 Sidewalks and Public Improvements in Design Districts.** See section, Plate 34 and public works approved plans manual for sidewalk standards and decorative lighting design applicable to design districts.

**110.60.5 Street Trees.** All trees planted in the right-of-way must be approved as to species by the City. All trees must be two inches in diameter at the time of planting as measured using the standards of the American Association of Nurserymen with a canopy that starts at least six feet above finished grade and does not obstruct any adjoining sidewalks or driving lanes.

**115.25 Work Hours.** It is a violation of this Code to engage in any development activity or to operate any heavy equipment before 7:00 am. or after 8:00 pm Monday through Friday, or before 9:00 am or after 6:00 pm Saturday. No development activity or use of heavy equipment may occur on Sundays or on the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, and Christmas Day. The applicant will be required to comply with these regulations and any violation of this section will result in enforcement action, unless written permission is obtained from the Planning official.

**115.45 Garbage and Recycling Placement and Screening.** For uses other than detached dwelling units, duplexes, moorage facilities, parks, and construction sites, all garbage receptacles and dumpsters must be setback from property lines, located outside landscape buffers, and screened from view from the street, adjacent properties and pedestrian walkways or parks by a solid sight-obscuring enclosure.

**115.47 Service Bay Locations.** All uses, except single family dwellings and multifamily structures, must locate service bays away from pedestrian areas. If not feasible must screen from view.

**115.75.2 Fill Material.** All materials used as fill must be non-dissolving and non-decomposing. Fill material must not contain organic or inorganic material that would be detrimental to the water quality, or existing habitat, or create any other significant adverse impacts to the environment.

**115.95 Noise Standards.** The City of Kirkland adopts by reference the Maximum Environmental Noise Levels established pursuant to the Noise Control Act of 1974, RCW 70.107. See Chapter 173-60 WAC. Any noise, which injures, endangers the comfort, repose, health or safety of persons, or in any way renders persons insecure in life, or in the use of property is a violation of this Code.

**115.115 Required Setback Yards.** This section establishes what structures, improvements and activities may be within required setback yards as established for each use in each zone.

**115.115.3.g Rockeries and Retaining Walls.** Rockeries and retaining walls are limited to a maximum height of four feet in a required yard unless certain modification criteria in this section are met. The combined height of fences and retaining walls within five feet of each other in a required yard is limited to a maximum height of 6 feet, unless certain modification criteria in this section are met.

**115.120 Rooftop Appurtenance Screening.** New or replacement appurtenances on existing

buildings shall be surrounded by a solid screening enclosure equal in height to the appurtenance. New construction shall screen rooftop appurtenances by incorporating them in to the roof form.

***Prior to issuance of a grading or building permit:***

**27.06.030 Park Impact Fees.** New residential units are required to pay park impact fees prior to issuance of a building permit. Please see KMC 27.06 for the current rate. Exemptions and/or credits may apply pursuant to KMC 27.06.050 and KMC 27.06.060. If a property contains an existing unit to be removed, a "credit" for that unit shall apply to the first building permit of the subdivision.

***Prior to occupancy:***

**95.51.2.a Required Landscaping.** All required landscaping shall be maintained throughout the life of the development. The applicant shall submit an agreement to the city to be recorded with King County which will perpetually maintain required landscaping. Prior to issuance of a certificate of occupancy, the proponent shall provide a final as-built landscape plan and an agreement to maintain and replace all landscaping that is required by the City

**110.60.5 Landscape Maintenance Agreement.** The owner of the subject property shall sign a landscape maintenance agreement, in a form acceptable to the City Attorney, to run with the subject property to maintain landscaping within the landscape strip and landscape island portions of the right-of-way. It is a violation to pave or cover the landscape strip with impervious material or to park motor vehicles on this strip.



# DEVELOPMENT STANDARDS

## DRV18-00312

### FIRE DEPARTMENT

#### FIRE DEPARTMENT COMMENTS

Contact: Grace Steuart at 425-587-3660; or [gsteuart@kirklandwa.gov](mailto:gsteuart@kirklandwa.gov)

#### ACCESS

The project fronts on 3 rights of way. The distance between 132nd and 131st is approximately 350 feet. The fire department has no additional requirements for vehicular access; access as proposed with a pedestrian pathway across the north side, is adequate. (i.e. a fire lane across the north part of the project is not required).

#### HYDRANTS

2 new hydrants are required to be installed; one on 131st near the northern property line; and one on 132nd, near the northern property line. Both new hydrants as well as the existing hydrant on 132nd shall be equipped with a 5" Storz fitting.

#### FIRE FLOW

Fire flow requirement is based on size of building and type of construction. For a 135,000 square foot building and based on worst case scenario for type of construction (V-1hr); from Table B105.1 of the IFC, the fire flow requirement will be 1,800 gpm.

Fire flow on NE 85th and 132nd Ave NE is 6500 gpm, which is adequate.

However, fire flow on 131st is less than 1,500 gpm due to 4" lines. The fire flow on NE 131st must be improved to at least 1,800 gpm.

#### FIRE SPRINKLERS

A sprinkler system is required to be installed throughout the large building and garage.

A separate permit is required from the Fire Department prior to installation. Submit three sets of plans, specifications and calculations for approval; or submit electronically. All plans shall be designed and stamped by a person holding a State of Washington Certificate of Competency Level III certification. The system shall be installed by a state licensed sprinkler contractor. REF RCW 18.60 State of Washington.

A dedicated sprinkler riser room is required and it shall be placed on an exterior wall. The underground line shall run from the outside directly up into the riser room (meaning, it shall not run under the slab for any distance nor through unheated space which would require the use of heat tape or insulation). If the riser room has direct access from the outside, a PIV is not required. The sprinkler riser room may be used for other mechanical equipment, but not for the main electrical room nor shall it be used for storage; it may be used to house the fire alarm panel.

NOTE: TWO PERMITS are required from the Fire Department for installation of the fire sprinkler system, one for the underground and one for the sprinkler system itself. No work shall be performed on the sprinkler system without a Fire Department permit.

The civil drawings may be used as reference but do not constitute permission to install the fire sprinkler underground. The underground permit is NOT over-the-counter, so should be applied for well in advance of the anticipated date of start of construction.

(If the small office building on the corner of NE 85th and 131st Ave NE is under 5,000 square feet, has no residential component, and it not connected to the underground parking, fire sprinklers are not required in this specific building.)

#### FIRE ALARM

A fire alarm system is required to be installed throughout the large building/garage. A separate permit is required from the Fire Department prior to installation. Submit three sets of plans and specifications for approval; or the permit may be applied for electronically at MyBuildingPermit.com. The system shall comply with Washington State Barrier Free requirements regarding installation of visual devices and pull stations. The specific requirements for the system can be found in Kirkland Operating Policy 10.

(If the small office building does not require a fire sprinkler system ((see above)), then a fire alarm system is also not required.)

#### FIRE EXTINGUISHERS

Portable fire extinguishers are required per Section 906 of the IFC. Travel distance to a fire extinguisher shall not exceed 75 feet as measured along the route of travel.

#### KEY BOX

A Key box is required (Knox Box). It shall be installed in an approved accessible location no higher than six feet above grade. In most cases it will be located at the front entrance to the building. The box may be purchased on-line at [www.knoxbox.com](http://www.knoxbox.com); or by filling out an order form which is available from the Fire Department office. Contact the Fire Prevention Bureau at 425-587-3650 for more information.

#### BUILDING RADIO COVERAGE

This is not a requirement for a radio system per se, only giving information that the building "may" need a radio system because it is not exempted outright from the requirement (via any of the below thresholds). During the construction process, the building shall be evaluated for radio coverage. If it is determined that a radio system is required, a fire department construction permit is required for installation.

IFC 510.1 (KMC amended) Emergency Responder Radio Coverage. All new buildings shall have approved radio coverage for emergency responders within any building meeting any of the following conditions.

1. There are more than five stories above grade plane (as defined by the International Building Code, Section 202);
2. The total building area is 50,000 square feet or more;
3. The total basement area is 10,000 square feet or more;

Exception:

1. Buildings and area of buildings that have minimum radio coverage signal strength levels of the King County Regional 800 MHz Radio System within the building in accordance with Section 510.4.1.

### **PUBLIC WORKS DEPARTMENT**

#### PUBLIC WORKS CONDITIONS

##### Public Works Staff Contacts

Land Use and Pre-Submittal Process:

Building and Land Surface Modification (Grading) Permit Process:

John Burkhalter, Development Engineer Supervisor

Phone: 425-587-3846 Fax: 425-587-3807

E-mail: [jburkhalter@kirklandwa.gov](mailto:jburkhalter@kirklandwa.gov)

##### 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.

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 applicant should anticipate the following fees:

- o Water, Sewer, and Surface Water Connection Fees (paid with the issuance of a Building Permit)
- o Side Sewer Inspection Fee (paid with the issuance of a Building Permit)
- o Septic Tank Abandonment Inspection Fee
- o Water Meter Fee (paid with the issuance of a Building Permit)
- o Right-of-way Fee
- o Review and Inspection Fee (for utilities and street improvements).
- o 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). Any existing buildings within this project which are demolished will receive a Traffic Impact Fee credit, Park Impact Fee Credit and School Impact Fee Credit. This credit will be applied to the first Building Permits that are applied for within the project. The credit amount for each demolished building will be equal to the most currently adopted Fee schedule. In addition, the Project has a \$35,775 impact fee credit for the land they gave as right-of-way for the NE 85th Street Corridor Improvements Project.

3. Performance and Maintenance Securities:

- There is a standard right of way Performance Security ranging from \$10,000.00 to 30,000.00 (value determined based on amount of right-of-way disruption). This security will be held until the project has been completed.
- Once the Project has been completed there will be a condition of the permit to establish a two year Maintenance Security. Value to be determined.

4. Prior to submittal of a Building or Zoning Permit, the applicant must apply for a Concurrency Test Notice. Contact Thang Nguyen, Transportation Engineer, at 425-587-3869 for more information. A separate Concurrency Permit will be created.

5. After Concurrency has passed a certificate will be issued that will read as follows: CERTIFICATE OF CONCURRENCY: This project has been reviewed and approved for water, sewer, and traffic concurrency. Any water and sewer mitigating conditions are listed within the conditions below. Any traffic mitigating conditions will be found in an attached memorandum from the Public Works Traffic Engineering Analyst to the Planning Department Project Planner. Upon issuance of this permit, this project shall have a valid Certificate of Concurrency and concurrency vesting until the permit expires. This condition shall constitute issuance of a Certificate of Concurrency pursuant to chapter 25.12 of the Kirkland Municipal Code.

6. 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 G-7, Engineering Plan Requirements. This policy is contained in the Public Works Pre-Approved Plans and Policies manual.

7. 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.

8. 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).

9. A completeness check meeting is required prior to submittal of any Building Permit applications.

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 conform to Policy G-9 in the Public Works Pre-approved Plans and be approved by Waste Management and the City.

11. The required tree plan shall include any significant tree in the public right-of-way along the property frontage.

Sanitary Sewer Conditions:

1. The existing sanitary sewer main within the public right-of-way along the front of the property is adequate to serve all the lots within the proposed project.
2. The following is the status of the Emergency Sewer Program Liens according to our records for each property associated with this development. These Liens will need to be paid off prior to issuance of any permit. Some of these may have been paid off since 2013, but I didn't recheck their status for this meeting.
  - 8525 132nd Ave NE Released
  - 8519 132nd Ave NE Released
  - 8505 132nd Ave NE Lien - \$19,387.06
  
  - 8526 131st Ave NE Lien - \$14,735.44
  - 8520 131st Ave NE Released
  
  - 13104 NE 85th St Released
  - 13112 NE 85th St Released
  - 13112 NE 85th St Lien - \$19,387.06
3. Provide a side sewer stub sized to accommodate the Project.
4. All side sewer stubs serving the property shall be PVC type pipe per Public Works Pre-approved Plans Sanitary Sewer Design Criteria. Any side sewer not meeting this standard shall be removed and replaced.
5. Any businesses serving food or drink are required to have grease interceptor on the waste line prior to discharge to the City sewer system. The interceptor shall be sized per the Uniform Plumbing Code (minimum).

Water System Conditions:

1. The existing water main in the public right-of-way along the front of the subject property is adequate to serve domestic needs, but needs some upgrades to meet fire flow requirements. We will have RH2 model the system to provide a minimum of 2500 gpm in our system adjacent to the Project per Fire Department requirements. The specific area of concern is 131st Ave NE which only has a flow of approximately 1,500 gpm. The results will need to be incorporated into your Civil Design and constructed prior to Building Permit final.
2. Provide water service(s) from the water main to serve the Project; City of Kirkland will set the water meter(s). The water meter size is determined when the Building Permit is submitted and shall be sized per the Uniform Plumbing Code. Residential units typically require ¾" meters, but may be served by one large meter.
3. The existing water service shall be abandoned unless otherwise approved by the Development Engineer or Construction Inspector.
4. In mixed-use projects each use shall have a separate water meter, e.g., the retail use shall have a separate water meter from residential use.

Surface Water Conditions:

1. Provide temporary and permanent storm water control in accordance with the 2016 King County Surface Water Design Manual (the Manual) and the City of Kirkland Addendum (Policy D-10).
2. To determine the drainage review level required, the target impervious surface area is the maximum allowable lot coverage area for the project, plus any offsite improved impervious areas. See Policies D-2 and D-3 in the Public Works Pre-Approved Plans for drainage review information, or contact Kirkland Surface Water staff at (425) 587-3800 for assistance. The Kirkland Drainage Review Flow Chart is a helpful tool to determine a project's

drainage review level. Drainage review levels are summarized below:

- Full Drainage Review
  - o Any non-residential project that creates more than 2,000 sf of new and/or replaced impervious surface, or greater than 7,000 sf of land disturbing activity will trigger a Full Drainage Review.
  - o For single family residential projects that do not fall under Simplified Drainage Review, they will be a Full Drainage Review.
  
- 3. If a stormwater detention system is required, it shall be designed to Level 2 standards. Historic (forested) conditions shall be used as the pre-developed modeling condition.
  
- 4. Evaluate the feasibility and applicability of dispersion, infiltration, and other stormwater Low Impact Development (LID) facilities per the 2016 King County Surface Water Design Manual. If feasible, stormwater LID facilities are required. If LID is determined to be infeasible, a Surface Water Adjustment is required for the project. Also, if LID is infeasible, pervious pavement cannot be used to reduce overall impervious lot coverage.
  
- 5. Special inspections may be required for LID facilities on this project. Provide documentation of inspections by a licensed geotechnical professional that the facility will function as designed.
  
- 6. If the project will create or replace more than 5,000 square feet of new impervious area that will be used by vehicles (PGIS - pollution generating impervious surface). Provide stormwater quality treatment per the 2016 King County Surface Water Design Manual. The enhanced treatment level is required for multi-family residential, commercial, and industrial projects.
  
- 7. Because this project site is one acre or greater, the following conditions apply:
  - Amended soil requirements (Pre-Approved Plan CK-E.12) must be used in all landscaped areas.
  - If the project meets minimum criteria for water quality treatment (5,000 sf 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 2016 King County Surface Water Design Manual for plan preparation.
  
- 8. Provide a level one off-site analysis (based on the King County Surface Water Design Manual, core requirement #2).
  
- 9. 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.
  
- 10. 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.
  
- 11. Provide collection and conveyance of right-of-way storm drainage.
  
- 12. Provide a plan and profile design for the storm sewer system.

13. Provide a 15' wide access easement to the storm detention control manhole; easement must be improved with 10' of asphalt and drainage control to protect against erosion.

Street and Pedestrian Improvement Conditions:

1. The subject property abuts 132nd Ave NE, NE 85th St and 131st Ave NE. These streets are Arterial, Arterial and Neighborhood Access type streets, respectively. 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 this street must be improved with the following:

A. 132nd Ave NE Improvements:

- Remove curb, gutter and sidewalk, and install an 8 foot wide buffered bike lane, Type A curb, 4.5' wide planter with street trees 30' on center, and a 5' wide sidewalk. (condition revised after discussions with RJ and JP; 5 foot bike lane to remain with current curb alignment and provide/enhance 8 foot sidewalk with street trees 30 foot on-center in 4x6 tree wells).
- The curb radius at the intersection with 85th may remain as is to maintain the existing 5' wide bike lane.

B. NE 85th Street Improvements:

- Replace and cracked or broken curb, gutter and sidewalk.
- Remove curb cuts and replace curb, gutter and sidewalk accordingly.
- The City of Kirkland is open to exploring the possibility of parallel parking along the NE 85th St frontage and would want to review a comprehensive traffic study before granting any approval. Please contact Thang Nguyen for details of the study requirements. In addition, the following improvements would be required.
  - o Move the face of curb back 8 feet to allow for the parking lane.
  - o Provide a 7 foot wide sidewalk, 6.5 foot wide planter with street trees 30 foot on-center, and pedestrian lighting every 60 feet on-center.
  - o Dedicate sufficient right-of-way to encompass the improvements.

C. 131st Ave NE Improvements:

- Install curb and gutter 18 feet from centerline of right-of-way to face of curb.
- Provide a 4.5 foot planter strip with street trees 30 foot on-center and a 5 foot sidewalk.
- Dedicate 5 foot of right-of-way along the frontage.

2. When three or more utility trench crossings occur within 150 lineal ft. of street length or where utility trenches parallel the street centerline, the street shall be overlaid with new asphalt or the existing asphalt shall be removed and replaced per the City of Kirkland Street Asphalt Overlay Policy R-7.

- Existing streets with 4-inches or more of existing asphalt shall receive a 2-inch (minimum thickness) asphalt overlay. Grinding of the existing asphalt to blend in the overlay will be required along all match lines.
- Existing streets with 3-inches or less of existing asphalt shall have the existing asphalt removed and replaced with an asphalt thickness equal or greater than the existing asphalt provided however that no asphalt shall be less than 2-inches thick and the subgrade shall be compacted to 95% density.

3. Meet the requirements of the City of Kirkland Driveway Pre-Approved Policy R-4.

- Driveways along 132nd Ave NE and 131st Ave NE shall be located a minimum of 150 feet north of the intersections with 85th measured from the face of curb. The presubmittal documents are not dimensioned so this could not be verified. All driveways will be reviewed during SEPA as part of the traffic and parking analysis.
- No driveways from 85th are allowed.

4. For Multi-family projects, the garage access serving more than 1 unit shall be at least 20 ft. wide. This comment is in reference to any parking garage not individual garages for townhomes that may be requested.

5. 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.

6. 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.

7. Underground all new and existing on-site utility lines and overhead transmission lines.

8. Underground any new off-site transmission lines.
9. 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 NE 85th Street, 132nd Avenue NE and 131st Avenue NE is feasible at this time and the undergrounding of off-site/frontage transmission lines should not be deferred with a Local Improvement District (LID) No Protest Agreement.
10. New LED street lights may be required along the 131st Avenue NE and 132nd Avenue NE Project frontages 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.
11. A striping plan for the street must be submitted with the building or grading permit.

**53.80 User Guide – RH 8 zone.**

The charts in KZC [53.84](#) contain the basic zoning regulations that apply in the RH 8 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 53.82**

**Section 53.82 – 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. Development creating four or more new dwelling units that includes lots or portions of lots adjoining 131st Avenue NE or 132nd Avenue NE that are located more than 120 feet north of NE 85th Street shall provide at least 10 percent of the units as affordable housing units as defined in Chapter [5](#) KZC. See Chapter [112](#) KZC for additional affordable housing incentives and requirements.
  3. For structures located within 30 feet of a parcel in a low density zone (or a low density use in PLA 17), KZC [115.136](#) establishes additional limitations on structure size.
  4. On lots that are not abutting NE 85th Street or are not consolidated with at least one lot abutting NE 85th Street, development shall be subject to the permitted uses and regulations in the RSX zone, except that isolated parcels may be developed independently with office use.
  5. If the lot area of the subject property is equal to or greater than 18,000 square feet, maximum building height is 35 feet above average building elevation, except maximum building height is 30 feet within 30 feet of an RSX zone, on lots located more than 120 feet north of NE 85th Street, between 132nd Avenue NE and parcels abutting 131st Avenue NE.
  6. The street level floor of all structures on the subject property shall be a minimum of 15 feet in height. This requirement does not apply to:
    - a. The following uses: vehicle service stations, automotive service centers, private lodges or clubs, stacked dwelling units, churches, schools, day-care centers, mini-schools or mini-day-care centers, assisted living facilities, convalescent centers or nursing homes, public utilities, government facilities or community facilities.
    - b. Parking garages.
    - c. Additions to existing nonconforming development where the Planning Official determines it is not feasible.
  7. Within required front yards, canopies and similar entry features may encroach; provided, that the total horizontal dimension of such elements may not exceed 25 percent of the length of the structure.
  8. Some development standards or design regulations may be modified as part of the design review process. See Chapters [92](#) and [142](#) KZC for requirements.
  9. The Public Works Official shall approve the number, location and characteristics of driveways on NE 85th Street in accordance with the driveway and sight distance policies contained in the Public Works Pre-Approved Plans manual. Taking into consideration the characteristics of this corridor, the Public Works Official may:
    - a. Require access from side streets; and/or
    - b. Encourage properties to share driveways, circulation and parking areas; and/or
    - c. Restrict access to right turn in and out; or
    - d. Prohibit access altogether along NE 85th Street.
- (GENERAL REGULATIONS CONTINUED ON NEXT PAGE)
- (GENERAL REGULATIONS CONTINUED FROM PREVIOUS PAGE)
10. Drive-through and drive-in facilities are not permitted in this zone.
  11. See Chapters [100](#) and [162](#) KZC for information about nonconforming signs. KZC [162.35](#) describes when nonconforming signs must be brought into conformance or removed.
  12. For lighting requirements associated with development see KZC [115.85\(2\)](#).
  13. Prior to any of the following uses occupying a structure on a property adjoining a residential zone, the applicant shall submit a noise study prepared by a qualified acoustical consultant for approval by the Planning Official:
    - Establishments expected to operate past 9:00 p.m.
    - Retail establishment providing entertainment, recreational or cultural activities.
    - Veterinary offices.
    - Any establishment where animals are kept on site.
    - Establishments involving a large truck loading dock for deliveries.

The study shall verify that the noise expected to emanate from the site adjoining any residential-zoned property complies with the standards specified in KZC [115.95\(1\)](#) and (2) and WAC [173-60-040\(1\)](#) for a Class B source property and a Class A receiving property.
  14. A City entryway feature shall be provided on the parcel located at the northwest corner of the intersection of NE 85th Street and 132nd Avenue, or adjacent parcel under common ownership with such parcel. Entryway features shall include such elements as: a sign, art, landscaping and lighting. See Chapter [92](#) KZC, Design Regulations.

[link to Section 53.84 table](#)



Section 53.84



USE ZONE CHART

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

Section 53.84	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	D.R., Chapter 142 KZC	None	10' adjacent to NE 85th St., otherwise 20'.	0'	15'	70%	30' above average building elevation.  See Gen. Regs. 3 and 5.	A	D	If a medical, dental or veterinary office, then 1 per each 200 sq. ft. of gross floor area. Otherwise, 1 per each 300 sq. ft. of gross floor area.	<ol style="list-style-type: none"> <li>The following regulations apply to veterinary offices only:                             <ol style="list-style-type: none"> <li>May only treat small animals on the subject property.</li> <li>Outside runs and other outside facilities for the animals are not permitted.</li> </ol> </li> <li>Ancillary assembly and manufacture of goods on the premises of this use are permitted only if:                             <ol style="list-style-type: none"> <li>The ancillary assembled or manufactured goods are subordinate to and dependent on this use.</li> <li>The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.</li> </ol> </li> </ol>
.020	Restaurant								E	1 per each 100 sq. ft. of gross floor area.	<ol style="list-style-type: none"> <li>May not be located above the street level floor of a structure.</li> <li>Must be oriented toward NE 85th Street.</li> <li>Gross floor area for each individual use may not exceed 4,000 sq. ft.</li> </ol>	
.030	Entertainment, Cultural and/or Recreational Facility									See KZC 105.25.	<ol style="list-style-type: none"> <li>Gross floor area for each individual use may not exceed 4,000 sq. ft.</li> </ol>	
.040	Any Retail Establishment other than those specifically listed, limited or prohibited in this zone, selling goods or providing services, including banking and related financial services.								D	1 per each 300 sq. ft. of gross floor area.	<ol style="list-style-type: none"> <li>The following uses are not permitted in this zone:                             <ol style="list-style-type: none"> <li>Vehicle service stations.</li> <li>Automotive service centers.</li> <li>Uses with drive-in facilities or drive-through facilities.</li> <li>Retail establishments providing storage services unless accessory to another permitted use.</li> <li>A retail establishment involving the sale, service or rental of motor vehicles, sailboats, motor boats, recreation trailers, heavy equipment and similar vehicles; provided, that motorcycle sales, service or rental is permitted if conducted indoors.</li> <li>Storage and operation of heavy equipment, except delivery vehicles associated with retail uses.</li> <li>Storage of parts unless conducted entirely within an enclosed structure.</li> </ol> </li> </ol>	

REGULATIONS CONTINUED ON NEXT PAGE

Section 53.84

Zone  
RH 8

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 53.84	 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						
.040	Any Retail Establishment other than those specifically listed, limited or prohibited in this zone, selling goods or providing services, including banking and related financial services. (continued)									REGULATIONS CONTINUED FROM PREVIOUS PAGE		
										2. This use must be oriented toward NE 85th Street and may not be located above the street level floor of a structure except for personal service establishments that provide services involving the care of a person, or of a person's apparel, such as laundry and dry cleaning services, beauty shops, barber shops, shoe repair shops and tailors may be located above the street level floor; provided, that the use of exterior areas adjoining residential uses is prohibited. 3. Gross floor area for each individual use may not exceed 4,000 sq. ft. 4. A delicatessen, bakery, or other similar use may include, as part of the use, accessory seating if: a. The seating and associated circulation area does not exceed more than 10 percent of the gross floor area of the use; and b. It can be demonstrated to the City that the floor plan is designed to preclude the seating area from being expanded. 5. Retail establishments selling marijuana or products containing marijuana are not permitted on properties abutting the school walk routes shown on Plate 46.		

Section 53.84

Zone  
RH 8

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 53.84	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						
.050	Stacked Dwelling Units See Spec. Reg. 1.	D.R., Chapter 142 KZC	None	10' adjacent to NE 85th St., otherwise 20'.	0'	15'	70%	30' above average building elevation.  See Gen. Regs. 3 and 5.	A	A	1.2 per studio unit. 1.3 per 1 bedroom unit. 1.6 per 2 bedroom unit. 1.8 per 3 or more bedroom unit. See KZC 105.20 for visitor parking requirements.	1. At least 60% of the linear frontage of the property along NE 85th Street shall only include commercial use. The commercial use shall be at the street level floor and oriented toward NE 85th Street. Commercial uses shall have a minimum depth of 20 feet and an average depth of at least 30 feet (as measured from the face of the building along the street). Stacked Dwelling Units are not permitted on the street level floor within 30 feet of the property line along NE 85th Street. The Planning Director or Design Review Board may approve a minor reduction in the depth requirements if the applicant demonstrates that the requirement is not feasible given the configuration of existing or proposed improvements and the design of the retail frontage will maximize visual interest. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.060	Assisted Living Facility, Convalescent Center or Nursing Home See Spec. Reg. 1.										Independent unit: 1.7 per unit. Assisted living facility: 1 per unit. Convalescent Center or Nursing Home: 1 per each bed.	1. At least 60% of the linear frontage of the property along NE 85th Street shall only include commercial use. The commercial use shall be at the street level floor and oriented toward NE 85th Street. Commercial uses shall have a minimum depth of 20 feet and an average depth of at least 30 feet (as measured from the face of the building along the street). Assisted Living, Convalescent Center or Nursing Home is not permitted on the street level floor within 30 feet of the property line along NE 85th Street. The Planning Director or Design Review Board may approve a minor reduction in the depth requirements if the applicant demonstrates that the requirement is not feasible given the configuration of existing or proposed improvements and the design of the retail frontage will maximize visual interest. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.070	Church										1 per every 4 people based on maximum occupancy load of any area of worship. See Spec. Reg. 1.	1. No parking is required for day-care or school ancillary to the use.

Section 53.84



USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 53.84	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						
.080	School, Day-Care Center, Mini-School or Mini-Day-Care Center	D.R., Chapter 142 KZC.	None	10' adjacent to NE 85th St., otherwise 20'.	0'	15'	70%	30' above average building elevation.  See Gen. Regs. 3 and 5.	A	B	See KZC 105.25.	<ol style="list-style-type: none"> <li>1. A six-foot-high fence is required only along the property lines adjacent to the outside play areas.</li> <li>2. 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.</li> <li>3. May include accessory living facilities for staff persons.</li> <li>4. To reduce impacts on nearby residential uses, hours of operation of the use may be limited and parking and passenger loading areas relocated.</li> <li>5. For school use, structure height may be increased, up to 35 feet, if:               <ol style="list-style-type: none"> <li>a. The school can accommodate 200 or more students; and</li> <li>b. The required side and rear yards for the portions of the structure exceeding the basic maximum structure height are increased by one foot for each additional one foot of structure height; and</li> <li>c. The increased height is not specifically inconsistent with the applicable neighborhood plan provisions of the Comprehensive Plan.</li> <li>d. The increased height will not result in a structure that is incompatible with surrounding uses or improvements.</li> </ol> </li> </ol>
.090	Public Utility											1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.100	Government Facility Community Facility								C See Spec. Reg. 1.			
.110	Public Park	Development standards will be determined on a case-by-case basis. See KZC 45.50 for required review process.										

## Tony Leavitt

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**From:** Roger Wright <wright.roger15@gmail.com>  
**Sent:** Tuesday, October 29, 2019 10:41 AM  
**To:** Design Review Board; Tony Leavitt  
**Subject:** Public Comment - Continental Divide - DRV18-00312  
**Attachments:** Kirkland Pre-approved Plans - CK-G.pdf

Hello,

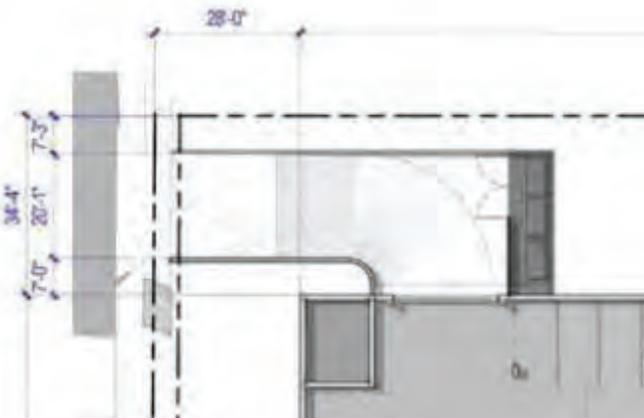
I have two concerns related to the Continental Divide Mixed use project where it does not follow the current City of Kirkland zoning/rules:

1. According to the Use Zone Chart for Zone RH 8 in Section 53.84, stacked dwelling units are supposed to have a Required Yard in the Rear of 15 feet. However, on the most recent design plans, the driveway and garbage enclosure are within 15 feet of the neighboring parcel to the rear. Please ensure the developer moves the building further south to accommodate an adequate distance between this property and the neighbor.

2. According to the Public Works Department's general conditions, the development shall conform to Policy G-9 in the Public Works Pre-approved Plans. I have included a snippet below of the proposed plans for the driveway/garbage enclosure. As you can see, the driveway is only 20 feet wide, and the developer has proposed one door to the container of approximately 10 feet wide. Policy G-9 states that each container needs to have its own access door of approximately 10'6". (I have attached a drawing depicting this). The Developer has depicted the need for 3 garbage containers. I would expect 3 doors of approximately 10'6" each and the necessary driveway for the garbage/recycling trucks to be able to access the containers and pick them up.

Finally, it has come to my attention that some emails from concerned citizens have been forwarded directly to the developer without the consent of those citizens. This appears to be, at a minimum, dishonest and unfair, if not worse than that. For the avoidance of doubt, I do not wish for this information to be shared with the developer before it becomes public comment at the meeting on November 18th, 2019.

Thank you for your time,  
Roger Wright  
12924 NE 87th St, Kirkland, WA 98033



## Tony Leavitt

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**From:** Junyan Lin <junyan\_lin@hotmail.com>  
**Sent:** Tuesday, June 19, 2018 5:51 PM  
**To:** Tony Leavitt  
**Subject:** DRV18-00312

Hello Mr Leavitt,

My name is Junyan Lin. I'm the home owner of 8535 132nd Ave NE Kirkland WA 98033, which is directly to the north of project DRV18-00312. I'd like to get more information about this project, as detailed as possible.

I'm very concerned about the proposal.

1. We have mostly single family houses around this area. Adding 133 residential units is a very significant increase to the residential population. What is the plan to update infrastructure including traffic, school, etc to support the new families? The traffic is already very bad at the 85th St/132nd Ave intersection in the morning, especially Sundays.
2. There are quite a few beautiful old trees on the lot of DRV18-00312, which is a huge bonus for the overall environment of this area. I noticed that a couple of trees have already been removed around the corner of 85th St and 132nd Ave last year. How many more trees are going to be removed? It took so much time for trees to grow to this big. And we have all sorts of birds and squirrels living on those trees. Please be considerate, save the trees and protect our environment.
3. A much taller building right behind my house could potentially a big threat to my privacy. I have skylights in the bathroom! This was never a concern when all surrounded houses are about the same height.

Looking forward to more information for this project. And if possible, would you please keep me updated on the subject? Thank you so much for your time.

Best regards,  
Junyan Lin

**Tony Leavitt**

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**From:** S. Davis <spicker76@yahoo.com>  
**Sent:** Thursday, June 21, 2018 10:14 AM  
**To:** Tony Leavitt  
**Subject:** Permit No. DRV18-00312

Hi, I am not in support. In 2014 this developed had 6 parcels changed from residential to RH 8 via a CAR. So of these 8 parcels, 6 were originally zoned RSx 7.2. Now they are want to change a office zoning max 30 ft in height to high density mixed use 4 story building!

I believe the city needs to understand the impact to the community and the area for traffic purposes.

Susan Davis  
12923 NE 101st Place  
4257390605

spicker76@yahoo.com Have a GREAT day! : )

## Tony Leavitt

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**From:** cr8tive <cr8tive@frontier.com>  
**Sent:** Thursday, June 21, 2018 11:04 AM  
**To:** Tony Leavitt  
**Subject:** Permit # DRV18-00312 - 85th & 132nd Project Public Comment

Hello Tony,

I appreciate your time to answer my questions today. As a 22-year resident on this street, I have extreme concerns about this project and am unable to attend the July 2 meeting.

To recap, my questions and concerns include:

- When were the residential properties, specifically 8526 and 8520, rezoned from residential to commercial? I was aware of the plan for commercial on 85th, but was not aware that it advanced into our neighborhood.
  - What density were they rezoned to?
  - Have any other properties on our street been rezoned?
- Myself and my neighbors did not receive any prior notice of this Design Review meeting or development plans for this property.
- The density of a project with this excessive size is out of place in the North Rose Hill neighborhood.
- As a teacher at Mark Twain Elementary, I am very aware of the current overcrowding issue and a project of this size will have a tremendous impact on this school.
- As a participant in the Solarize Kirkland project, my investment in green energy will be significantly impacted with a 4-story building 30ft from my property.
- I am concerned about the intense odor and noise that will come from the pet relief area located next to my property.
- Upkeep of the property is an additional concerns since the City of Kirkland currently does not respond to property maintenance concerns of vehicles parked on front yards, vehicle storage on the street and trash cans out 24/7 of many of the rental properties in the area.
- Since the 85th street upgrade and the addition of the double yellow line, it is difficult to turn north on to our street off of 85th. Morning and afternoon rush hour traffic makes it tremendously difficult to leave or enter 131st. I can't imagine how we will access 85th or our neighborhood with the increase of 200+ cars for this multi-use project. On days that City Church/Church Home are in session, it is also difficult to get in or out of our street, 85th and 132nd.
- With Northwest Animal Eye Specialists on the corner at 13020, our street has become increasingly congested with employee and customers parking down 131st and NE 87th St. Frequently, we can't not park in front of our own home while mail and trash services are also blocked. I am concerned with the additional overflow parking that the 134 units will create.

Thank you for your time to address these concerns.

Lynn Armstrong  
8534 131 AVE NE  
Kirkland WA 98033  
425-301-4142  
Cr8tive@frontier.com

**Tony Leavitt**

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**From:** Hartnell Nancy <legs1st@gmail.com>  
**Sent:** Sunday, June 24, 2018 1:47 AM  
**To:** Tony Leavitt  
**Subject:** Permit # DRV18-00312

Mr. Leavitt,

I am opposed to the approval of the project with the permit number listed in the subject line. Adding more congestion to 85th, adding more children to the schools in the area and the fact that Rose Hill is talking about the storm runoff all all things that will be impacted by another mega build.

Please keep me informed as to this project.

Mrs. Nancy Hartnell

6/22/18

To: Kirkland Design Review Board

RE: Continental Divide Mixed Use DRV18-00312  
8505 132<sup>nd</sup> Ave NE

From: Ron and Yvonne Stoehr  
8805 130<sup>th</sup> Ave NE  
Kirkland WA 98033



As a North Rose Hill resident whose residential access to 132<sup>nd</sup> Ave NE is between the megachurch and 85<sup>th</sup>, we are acutely aware of the traffic patterns at the corner of 85<sup>th</sup> Ave NE and 132<sup>nd</sup> Ave NE. In hopes to mitigate further congestion at the intersection and improved walkability, we would like the board to consider the following:

- Construction of a right turn lane when traveling south on 132<sup>nd</sup> Ave NE turning west onto 85<sup>th</sup>
- Lengthening the current right lane traveling south on 132<sup>nd</sup> at the 85<sup>th</sup> approach
- A westbound exit from the new construction directly onto 85<sup>th</sup>
- Continuation of a sidewalk from 132<sup>nd</sup> onto NE 88<sup>th</sup> St so our neighborhood residents can safely walk to the new businesses to be put in with the housing
- Family friendly retail and dining that will improve the neighborhood walk score

Thank You,  
Ron & Yvonne Stoehr

Handwritten signatures of Yvonne Stoehr and Ron Stoehr in blue ink.

## Tony Leavitt

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**From:** cr8tive <cr8tive@frontier.com>  
**Sent:** Tuesday, June 26, 2018 10:59 PM  
**To:** Building Services; PlanningInfo; Amy Walen; Jay Arnold; Tom Neir; Penny Sweet; Toby Nixon; Dave Asher; Jon Pascal; City Council; Amy Bolen; Tony Leavitt  
**Subject:** Permit # DRV18-00312 - 85th & 132nd Project Public Comment - follow up comments

Hello Tony, Mayor and City Council Members,

Thank you for this opportunity to voice my concerns with the Continental Divide proposal. I have added additional questions and concerns to my original email for the Public Comment meeting and hope they will be carefully considered prior to making a decision that could significantly impact our Rose Hill neighborhood.

Sincerely,  
Lynn Armstrong

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Jun 21 at 11:03 AM

Hello Tony,

I appreciate your time to answer my questions today. As a 24-year resident on this street, I have extreme concerns about this project and am unable to attend the July 2 meeting.

To recap, my questions and concerns, and additional ones, are listed below:

- When were the residential properties, specifically 8526 and 8520, rezoned from residential to commercial? I was aware of the plan for commercial on 85th, but was not aware that it advanced into our neighborhood. (2014-2015)
- What density were they rezoned to? (*no limit*)
- Have any other properties on our street been rezoned?
- Are other properties in our neighborhood able to be rezoned and subdivided?
- I and my neighbors did not receive any prior notice of this Design Review meeting or development plans for this property. The first we heard of it was the signage on the property. (*notices were send 6/18 to neighbors within 300 ft.*)
- The density of a project with this excessive size is out of place in the North Rose Hill neighborhood.
- As a teacher at Mark Twain Elementary, I am very aware of the current overcrowding issue and a project of this size will have a tremendous impact on this school.
- **As a participant in the Solarize Kirkland project, my investment in green energy will be completely or significantly impacted with a 4-story building 30ft from my property, and I am asking for solar access protection.**
- I am concerned about the intense odor and noise that will come from the pet relief area located next to my property.
- The noise from open windows (babies crying, occupants shouting, loud music/TVs, dogs barking...) and from vehicles (car alarms, delivery trucks, squealing tires, loud stereos and bass, revving engines,...) from a mixed use property will impact our quiet street.
- Upkeep of the property is an additional concerns since the City of Kirkland currently does not respond to property maintenance concerns of vehicles parked on front yards, vehicle storage on the street and trash cans out 24/7 at many of the rental properties in the area.
- Trash and rodent control is a concern since construction of large lots displaces the annoying critters. When 8531 132<sup>nd</sup> was developed, the rodents became a problem on my property.
- Since the 85th street upgrade and the addition of the double yellow line, it is difficult to turn north on to our street off of 85th. Morning and afternoon rush hour traffic makes it tremendously difficult to leave or enter 131st. Many times I have had to

turned west and go around the block to travel east to work. I can't imagine how we will access 85th or our neighborhood with the increase of 200+ cars for this multi-use project. On days that City Church/ChurchHome are in session, it is also difficult to get in or out of our street 131<sup>st</sup>, 85<sup>th</sup> and 132<sup>nd</sup>.

- With Northwest Animal Eye Specialists on the corner at 13020, our street has become increasingly congested with employee and customers parking down 131st and NE 87th St. Frequently, we cannot park in front of our own home while mail, fire hydrants, trash services are also blocked. I am concerned with the additional overflow parking that the 134 units will create.

I ask that you deny the request of the developer to build the Continental Divide mixed-use plan of 134 units that is excessive and out of place in the North Rose Hill neighborhood. It will have a terrible impact on the livability of my property and neighborhood.

Thank you for your time to consider and addressing these concerns.

Lynn Armstrong  
8534 131 AVE NE  
Kirkland WA 98033  
425-301-4142  
[Cr8tive@frontier.com](mailto:Cr8tive@frontier.com)

cc [Building\\_Services@kirklandwa.gov](mailto:Building_Services@kirklandwa.gov), [PlanningInfo@kirklandwa.gov](mailto:PlanningInfo@kirklandwa.gov), [awalen@kirklandwa.gov](mailto:awalen@kirklandwa.gov), [jarnold@kirklandwa.gov](mailto:jarnold@kirklandwa.gov), [tneir@kirklandwa.gov](mailto:tneir@kirklandwa.gov), [psweet@kirklandwa.gov](mailto:psweet@kirklandwa.gov), [tnixon@kirklandwa.gov](mailto:tnixon@kirklandwa.gov), [dasher@kirklandwa.gov](mailto:dasher@kirklandwa.gov), [jpascal@kirklandwa.gov](mailto:jpascal@kirklandwa.gov), [citycouncil@kirklandwa.gov](mailto:citycouncil@kirklandwa.gov), [abolen@kirklandwa.gov](mailto:abolen@kirklandwa.gov)

## Tony Leavitt

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**From:** Mary Yax <maryyax@cbbain.com>  
**Sent:** Wednesday, June 27, 2018 10:04 AM  
**To:** Tony Leavitt  
**Subject:** Continental Divide Mixed Use DRV18-00312

I am a homeowner in The Pointe at 8624 133rd Avenue NE, Redmond, WA 98052. My mailing address is POB 268, Mercer Island, WA 98040. My email address is maryyax@cbbain.com and my phone is 206-612-8722. I received notice about the project. I have had concern for the amount of traffic being experienced on 132nd Avenue NE. It has become more and more difficult to exit my complex and head south on 132nd.

My questions and concerns are:

1. Additional traffic on NE 85th and also 132nd
2. Seeking mitigation for traffic at NE 87th and 132nd NE. My suggestion mark the roadway so that southbound traffic on 132nd does not block the exit from NE 87th. Most folks exiting my complex turn south on 132nd BUT then turn west on NE 85th, thus not impacting time waiting for southbound traffic on 132nd (of which most take turn lane and head east on NE 85th).
3. Size of commercial space? What type of business do you anticipate?
4. Size of residential units? Smallest size unit? Largest size unit? Will the units be rental or purchase? Expected rent? Expected asking price, if for sale? Any required qualifications or limits on residents in any of the units?
5. Parking lot for how many cars? Garage space for how many cars? How many parking spaces are allocated per unit?
6. Ingress and Egress for parking lot and garage from 131st Avenue NE ONLY?

Would appreciate answers to my questions. I found it very difficult to get on the computer site to review the permit and details. That is why the email. Also I want to be on any list that is being kept for additional information to be sent out to concerned neighbors. Thank you.

Mary Yax  
206-612-8722  
Coldwell Banker Bain

## Tony Leavitt

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**From:** Richard <richard@readytext.com>  
**Sent:** Friday, June 29, 2018 10:43 AM  
**To:** Tony Leavitt  
**Subject:** re: Permit No. DRV18-00312

Hello Tony – just a quick question regarding the proposal to build 134 residential units with parking via surface parking lot and a garage accessed from 131st Avenue NE and 132 Avenue NE.

Is there any plan to update the junction with 85<sup>th</sup> there to handle the additional traffic? Purely self-interest here as a resident in The Pointe just opposite, which is already almost impossible to leave in the mornings due to backed up traffic on 132<sup>nd</sup> and traffic turning into 1<sup>st</sup> 32<sup>nd</sup> from 85<sup>th</sup>.

Of course this is assuming traffic from the new development will be allowed to exit onto 132<sup>nd</sup>. If ony onto 85<sup>th</sup> it wouldn't be so much of an issue.

Lights, roundabout or something? If there are any plans I'd appreciate a pointer!

Thanks

■ Richard.

## Tony Leavitt

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**From:** Joel Corley <joelcorley@gmail.com>  
**Sent:** Friday, June 29, 2018 3:53 PM  
**To:** Tony Leavitt  
**Subject:** Permit # DRV18-00312 - 85th & 132nd Project Public Comment

Tony,

I am a homeowner in the area and my home is an easy walk to this proposed site. I just wanted to make a few comments about this project. Most of it pertains to traffic.

- I think a multi-use development in this location could make for an interesting and beneficial improvement to the neighborhood if done well.
- I am sad to see so many more trees lost along this intersection. When I moved in it was much more heavily wooded and now only the trees in the green space surrounding The Pointe will remain.
- I have an impression from the drawings that the commercial spaces are rather small, which might limit its usefulness.
  - The apparent size would seem to appeal mostly small, professional businesses.
  - I wonder if the commercial spaces would be adequate as I would not want to see such a prominent location sit vacant or house businesses that are only marginally useful to the local residents.
  - Hopefully your department will take care to ensure a balance is achieved in this regard.
- I am most concerned about the additional traffic this development will create on 132nd Ave NE north of NE 85th St.
  - Heading south during rush hour in the morning traffic often backs up past Mark Twain Park and sometimes to Lake Washington Institute of Technology. Most of this traffic is turning left. Adding an exit that residents will use to attempt to enter this congestion seems quite problematic.
  - Taking a small amount of space from the corner to add a dedicated right turn lane could be helpful; but does not totally address the problem.
  - This intersection (132 Ave NE southbound) needs two left turn lanes as it stands today to accommodate existing traffic patterns. (Similar to 148th Ave NE northbound at Redmond Way.) These patterns will only be worsened by adding in excess of 133 new commuters plus the business traffic to the traffic flow.
  - Northbound becomes congested in the evenings as people return home from work, but southbound is still fairly heavy traffic.
  - If vehicles attempt to turn left from the northbound lane into this development, it will cause much more serious traffic backups along 85th going westbound.
  - Something needs to be done to encourage residents and visitors to take the 131st Ave NE entrance whenever possible. For instance, the 132nd Ave NE garage ramp could be marked as exit-only with left and right turn lanes out of the garage and requiring entrance from 131st Ave NE only. (Obviously not ideal, since southbound traffic does not present a problem here.)

Sincerely,

Joel Corley,  
The Pointe Homeowner,  
Bicycle Commuter and  
Microsoft Engineer...

## Tony Leavitt

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**From:** Gloria Bernard <gloriabernard214@aol.com>  
**Sent:** Saturday, June 30, 2018 11:54 AM  
**To:** Tony Leavitt  
**Subject:** File No. DRV18-00312

City of Kirkland  
Tony Leavitt, Senior Planner

Re: Permit #FRV18-00312, 85th and 132nd

Hello Tony,

I live at The Pointe along with 80 additional homeowners. Our community is located at the Northeast Corner of 85th and 132nd.

The 81 homeowners have been concerned for some time about the increased traffic on 132nd. It has been increasingly difficult to exit left out of our community because of our close location to 85th. Traffic can be backed up all the way from 85th to 100th along 132nd Street.

We request the board consider the following:

1. Widen 132nd Street along the property line of the new development past the "exit" out of The Pointe
2. Add a turn "Right" lane from 132nd St. onto 85th and have the lane extend past the "exit" out of The Pointe
3. Lengthen the turn "Left" lane past the "exit" out of The Pointe
4. Add Cross Hatches in the roadway preventing drivers from blocking the "exit" out of The Pointe.

Thank you including The Pointe homeowners concerns to the Design Review Board.

Gloria

Gloria Bernard, Board President  
The Pointe HOA  
Cell 425-765-2233  
gloriabernard214@aol.com

## Tony Leavitt

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**From:** Reid Borsuk <reid.borsuk@gmail.com>  
**Sent:** Sunday, July 01, 2018 10:41 AM  
**To:** Tony Leavitt; Design Review Board  
**Subject:** In Re: Permit No. DRV18-00312 – “Continental Divide Mixed Use.”

Reid Borsuk & Sarah Yao

8543 132<sup>nd</sup> Ave NE

Kirkland, WA 98033

Email: [reid.borsuk@gmail.com](mailto:reid.borsuk@gmail.com)

We are the owners of 8543 132<sup>nd</sup> Ave NE, writing in regards to **Permit No. DRV18-00312** – “Continental Divide Mixed Use.” Our property shares a portion of the Subject Property’s northern boundary, the proposed structure would become our direct neighbor to our south.

While we understand the goals of the Rose Hill Business District and applaud the effort to bring more pedestrian oriented commercial business to East End 85<sup>th</sup> street frontage, we have substantial reservations about the height, proximity, and bulk of this proposed structure to our low density residential home. Additionally, the traffic impact to 132<sup>nd</sup> Ave NE should be highlighted.

### Height

RH-8 zoning caps buildings at 35 feet in height when located 30 ft or further from a low-density property, this proposed structure is located 32 feet 4 inches from my property line. Unfortunately, this height is calculated as average building elevation and the subject property has a substantial north-south slope (10 ft total) as well as a smaller east-west slope. Both conspire to cause the elevation distance between our current ground floor and the top of the proposed structure to be a whopping 50 feet! (Current property elevation is 390 ft above sea level, proposed structure has highest point at 440.40 ft for a ‘5” Roof HT Bonus’)(See meeting packet page 26). This point of maximum elevation is also nearest the 5 homes.

Presumably this 5 foot bonus is being requested under KCZ 115.60.2 (d), this section allows that “If a structure [...] has a peaked roof, **the peak may extend** [...] Five (5) feet, if the slope of the roof is equal to or greater than three (3) feet vertical to 12 feet horizontal.” (em added)

Crucially, the elevations show many roofs that do not meet the definition of a peaked or gabled roof over the 435.40 traditional height limit. This includes the long flat roofs on the East Elevation at points C and H, and the shed/mono-plane style roofs throughout (see for ex. North Elevation, at points 12, 8, 5, and 3).

Additionally, features other than a roof peak and associated structural walls are being placed above the 435.40 limit, including the triangular windows at the top of the east elevation.

Further, the Sun Study published by Merit Homes suggests that our property, as well as the property of 4 other neighbors, will be shaded for the entire day at least at one point in the year (See meeting packet page 47), also as Attachment 3. Note that this was produced using the earlier, lower elevation. The rendering for the winter solstice, “December 21<sup>st</sup>” shows that our home will have the back yard and most of our windows entirely in shade from 10am-2pm and presumably the entire day. This is of particular concern to us as we have a small garden at the southernmost

edge of our property, closest to the proposed structure. Although sunlight is less in demand for plants in December, it's also then that it's at its most valuable with our limited Seattle sun.

We also empathize with our neighbor, Lynn Armstrong, whose solar panels may be occluded by the proposed structure.

We believe it is inappropriate to have such a tall structure located a short 32 feet 4 inches from single family homes. This proposed structure must adhere to roof shape requirements for "bonus" height and stop placing privacy violating windows above their height restriction. Additionally, the proposed structure should either be shortened at the northernmost edge in order to more appropriately blend in with the surrounding neighborhood or be positioned far further south with additional buffer elements softening the transition to normal height structures.

### **Proximity**

KZC 92.10.4 provides that "Multi-story buildings on sites adjacent to a low-density zone in RHBD and TLBD shall be configured and designed to minimize privacy impacts on adjacent low density uses. For example, a development may meet this requirement by orienting upper floors towards the street and/or towards interior courtyards."

This proposed structure does the exact opposite, it features 3 stories of balconies facing the northern low-density residential neighborhood. It's inappropriate to have balconies located 34 ft above a neighboring property (our property at 390, level 3 balconies at 423.50) only 32 feet 4 inches away. That's over 45 degrees!

KZC 95.42 requires 15 foot wide landscape buffers for this proposed structure, and specifically states in KCZ 95.42.4 that "The applicant shall provide the required buffer along the entire common border between the subject property and the adjoining property."

Yet along the northern buffer zone the parking garage access driveway encroaches and eliminates this buffer by being only 7 feet 3 inches from the property line. Additionally, this driveway will channel and guide underground noise to neighboring properties due to the concrete parking garage walls. Lastly the developer has chosen to locate a trash staging area along this boundary, 7 feet 3 inches away (see meeting packet page 31), and this will have substantial noise and smell impact to neighboring low-density homes, including mine.

This structure must follow the Design Guidelines and not orient upper floors and balconies towards their low-density neighbors.

This structure must ensure that required landscaping buffer requirements are respected in their garage access placement.

We request that the garbage and recycling staging area be relocated to either the East or West property boundaries. We also request that a prohibition on locating air conditioners and other noise generating equipment along the proposed structure's northern façade and property line be imposed.

### **Bulk**

The Rose Hill Business District Design Guidelines clearly state that in order to moderate bulk and mass of structures, no façade shall exceed 120 feet on any street or public open space (KZC 92.30.3). We believe the walking path and pet relief area proposed on subject property meets the definition of a public open space. On this border the proposed structure is a full 300 feet long and virtually flat in profile except for a few feet of depth variation.

Even if that path is not considered open space, the proposed structure is 245 feet, 3 inches long along 132<sup>nd</sup> Ave NE. It is 153 feet, 5 inches long along 131<sup>st</sup> Ave NE.

This structure should come into conformance with the well written Design Guidelines and break up the bulk of their structure. We believe that the request for a variance to KZC 92.30.3 must be denied as it does not fulfill the policy basis for the design guidelines and has substantial detrimental effect to 5 nearby properties, including my own.

### **Traffic**

132<sup>nd</sup> Ave NE is currently a road at capacity during rush hours. For reference, our driveway is located immediately north of the structure's proposed 132<sup>nd</sup> garage entrance. It is already virtually impossible to turn left onto 132<sup>nd</sup> northbound during rush hour, and we can only even get into the left hand turn lane of 132<sup>nd</sup> by the grace of other drivers and generally are forced to travel straight on 132<sup>nd</sup> southbound and return to 85<sup>th</sup> via some other route.

We encourage the commission to consider easing access to the proposed structure via 131<sup>st</sup>. This would require giving the 131<sup>st</sup> and 85<sup>th</sup> intersection additional access, such as a coordinated light cycle with 132<sup>nd</sup> and 85<sup>th</sup> that permits people on 131<sup>st</sup> the time to make a protected turn. Restricting access to the 132<sup>nd</sup> Ave entrance during peak times is another option.

### **Re-zoning**

Like all 4 other houses in my development and my neighbor Lynn Armstrong, I never received notice of the public comment period about the Re-zoning discussions for these lots on July 14<sup>th</sup>, 2015. Although I know that is the Planning Committees responsibility and not the responsibility of the Design Review Board, the zoning of my neighboring properties was a critical factor in my purchase decision and I researched that data prior to purchase.

All of these factors will have a substantial impact on the property values of the 5 neighbors to this proposed structure. This will be greater the closer the structure is forced against the property lines.

### **Summary of code issues**

- This proposed structure must adhere to roof shape requirements (IE: eliminate flat & shed/mono-plane style roofs) above standard heights and stop placing privacy violating windows in the "bonus" height area.
- This proposed structure must follow the Design Guidelines and not orient upper floors and balconies towards their low-density neighbors.
- This proposed structure must ensure that required landscaping buffer requirements are respected in their garage access placement.
- The request for a variance to KZC 92.30.3 should be denied as it does not fulfill the policy basis for the design guidelines and has substantial detrimental effect to 5 nearby properties, including my own.

### **Summary of homeowner issues**

- The proposed structure should either be shortened at the northernmost edge in order to more appropriately blend in with the surrounding neighborhood or be positioned far further south with additional buffer elements softening the transition to normal height structures.
- The garbage and recycling staging area should be relocated to either the East or West property boundaries.
- A prohibition on locating air conditioners and other noise generating equipment along the proposed structure's northern façade and property line should be imposed.
- We encourage the commission to consider easing access to the proposed structure via 131<sup>st</sup> or find alternative traffic mitigation strategies.

Reid Borsuk & Sarah Yao

## Tony Leavitt

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**From:** Diana Moore <Diana@TheBestAgent4U.com>  
**Sent:** Sunday, July 01, 2018 6:12 PM  
**To:** Tony Leavitt  
**Subject:** Permit No. DRV18-00312

Tony,

I am extremely concerned about this development on the corner of 131<sup>st</sup> & NE 85<sup>th</sup> st.

There is no way that this many people can enter & exit onto 131<sup>st</sup> st.

I live at 13022 NE 87<sup>th</sup> St, 4 houses down from this site and as it is....it is already extremely difficult most of the time, to get out of my neighborhood. There are already numerous cars from the commercial business just on the opposite corner (NW Animal Eye Clinic) that park on our "residential" street. They block the width of the street so that only one car can pass at a time.

Then, just trying to get across the intersection to turn left or right is already mind boggling with the amount of traffic. We only have 1 way to get out of our neighborhood. In an emergency the residents in our single family homes will be trapped!

Even when they redid the left turn area onto the street (from the re-paving)....I had sent an email to the city of Kirkland with suggestions on making it easier for us to turn left & quite the opposite was done. They added extra barriers to the left turn lane (132<sup>nd</sup>), making our left turn into the middle lane shorter. They did not paint a line on the opposite side of the middle lane making it impossible to tell how far out our cars are sticking out (especially with the glare when it is wet or at night). The only thing we can do now is make a sharp left into the middle lane & sit there & wait for traffic to clear, craning our necks (I have a bad neck as it is). I have almost been hit many times by a crazy road rage person wanting to turn left at the signal just speeding out of nowhere honking & looking like they will smash into me. Maybe you should have the Kirkland staff come & make left & right turns at all hours of the day? Then you will see that there is not any more space for more people especially the 500+ more people/autos this development will add.

We also need a left turn & right turn white line on the 131st side. Many people just drive up to the right side to turn left, leaving anyone wanting to turn right waiting for them to go.

And just try to turn left on a church day Sunday when cars are backed up in the middle lane way past our street, They do not leave a gap for us to turn out & just continually block the intersection signal after signal.

Now this development will not only leave us trapped in our neighborhood, it will also change our quality of life. More noise, more trash coming down our street, (which will end up directly in front of my house), more stray pets getting loose or dumped off, less sunshine, (the way the sun rises & sets here will be blocked by the 4 stories & we already have a moss problem), it will make our property values drop tremendously. As a single woman I need my property to be valuable because of my income. This could financially devastate me. I honestly do not see any positives for me or my neighborhood allowing this many people in a condensed development such as this, when there is only one way in & one way out!

I have also spoken to other neighbors here & I agree with everything that was sent to you by Lynn Armstrong. She is forced to be right next door to this awful, awful plan.

As well, this is the first I have heard of it, just this last week. It's like a dirty little secret the city has kept away from us so that the plan is already made without consideration to the neighborhood. Everybody on our streets should have been notified especially with the only one exit into or out of the neighborhood. It affects all of us, not just people 300 feet away.

I am against this development & it should be denied.

Warm Regards,

*Diana Moore*

**Real Estate Broker**

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Guangchang Xu & Dan Xu

8539 132<sup>nd</sup> Ave NE

Kirkland, WA 98033

Email: [xtxtong@gmail.com](mailto:xtxtong@gmail.com)

**Permit No. DRV18-00312**

Hello Tony,

We are the owners of 8539 132<sup>nd</sup> Ave NE. We purchased this property in June 2015. The reasons we choose to buy a house here are: 1) not too many people live here so that we have privacy; 2) there are a lot of tall trees, and environment is natural and quiet. However, the development of **Permit No. DRV18-00312** will severely impact our original intention. Please allow us to list some questions, concerns and suggestion below:

- We concern about education because we have a 3-year-old grandson. After the increase of more than 100 households, is it possible for schools around here to make sure all the kids can get into the schools and also make sure they get the same quality of education as before?
- 132<sup>nd</sup> Ave has already been a very busy road during rush hours. After adding more than 100 households, there must be a serious traffic problem near this area. So, we are wondering if there is any solution to deal with poor traffic.
- The north balconies and windows of this 4-story apartment are facing directly to our backyard and house. It will severely affect our privacy, which will make our life inconvenient. We strongly require that the side facing our property should not have any balconies, and the windows should be small and as less as possible. In addition, there should be tall big trees between the new building and our properties to make sure everyone's privacy.
- The 4-story building will affect our day lighting severely. Especially during the winter, our backyard cannot get sunlight. This will affect the growth of plant, and affect our grandson to play outside. Therefore, we recommend: 1) the new

apartment should be built as far as possible from our yard. 2) The side of new building near our house should be built 2 stories, and the side near 85<sup>th</sup> St can be built 4 stories.

- The planning of this apartment put the pet and garbage area near our house side. The noise and bad smell, and possible bugs and mice will impact our living environment a lot. Therefore, we require that to properly settle the pet and garbage area to other place.
- We love tall and big trees, so we recommend keeping the original trees as many as possible, and plan to build more green area.

We do not oppose government and developer to develop properly. We hope the developer could solve any possible problem that will bother our life. Please consider our suggestion, and keep our natural, beautiful and quiet living environment. Thanks!

Sincerely,

Guangchang Xu & Dan Xu

July 1<sup>st</sup>, 2018

## Tony Leavitt

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**From:** Qianru Deng <qrdeng@gmail.com>  
**Sent:** Sunday, July 01, 2018 7:35 PM  
**To:** Tony Leavitt  
**Cc:** ypy  
**Subject:** Permit No. DRV18-00312 - Appeal Continental Divide Mixed Use

Hi Tony,

This is Qianru Deng, a resident and property owner at North Rose Hill (13013 NE 87th St). My husband and I learned about the planned development of 8 lots near 85th St & 132nd Ave (Permit No. DRV18-00312). I am sending my comments to you as I won't be able to attend the public meeting on 7/2. Our representatives, Yuan Gao and James Liu, will be attending the meeting for us.

As residents near the subject 8 lots, we strongly appeal the City of Kirkland **not to proceed** with this development, for the following reasons:

1. Personally, this will affect our property value and traffic on 131st Ave.
2. The adjacent neighborhood (on 131st and 132nd Ave) is a highly residential neighborhood. Four of the eight lots proposed to be developed used to be RSX 7.2 (Residential); however, all four got rezoned to RH 8 (Office) in 2014/2015. As residents in this area, we were never aware of this rezoning, nor given a chance to provide any feedbacks. Now that we started digging up historic information, the application/approval for amending zoning surfaced ([link](#)). According to this document, the applicant, at the time of application, only requested re-zoning of two properties they owned at the time: 8520 131st Ave NE and 8519 132nd Ave NE. Kirkland Department of Planning & Community Development, however, appeared to have expanded the study area to include four more properties (8519, 8526, 8527 131st Ave NE & 8525 132nd Ave NE) and ended up amending the zoning of these four properties from RSX7.2 to RH8 as well. I don't believe the owners of these four properties were listed as applicants for this zoning amendment, and I am not even sure if they were made aware of the re-zoning or offered a chance to protest the re-zoning. Following the re-zoning, the City also amended the zoning code (Section 53.82) to target this development in 2015. **I question the legitimacy of the zoning amendment, and would like to better understand the procedures of how this zoning amendment got approved.**
3. **The construction and permanent traffic brought by this development will be a nightmare for us existing residents, especially the two child care facilities near the site of proposed development** (one at 8535 131st Ave NE, and the other at 13111 NE 85th St). The proposed development sounds like a large, multi-year construction project, the construction traffic of which will largely impact the safety & operation of these two child care facilities. Not to mention that, after the development, the proposed garage entrance will be right across street from the driveway of the facility on 131st Ave, and (with 134 residential units) the traffic volume via 131st Ave NE will be significantly higher, which will permanently impact the operation of this child care. Also, the mere increase in traffic volume will make it a nightmare for all the residents on 87th st and 131st Ave (both are dead-end streets) to get in and out. For other neighbors in the area, the crossroad section at 85th St & 132nd Ave is already congested and simply cannot handle any significant increase in traffic volume.
4. With an addition of 130+ residential units, does the City's infrastructure (water, sewer, telecommunication, power, etc) have sufficient capacity to support this development? What would the development do to the already established residents?

I understand that the City's wants to develop this gateway area, but due to the makeup and residential nature of the neighborhood, the subject area does not appear to be a good candidate for such a large commercial development project. The development will much negatively impact our lives as existing residents. Please consider rejecting the permit and not to proceed with the proposed development.

Thank you!

Qianru Deng  
13013 NE 87th St  
Kirkland, WA 98033

## Tony Leavitt

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**From:** Mary Yax <maryyax@cbbain.com>  
**Sent:** Sunday, July 01, 2018 9:27 PM  
**To:** Tony Leavitt  
**Subject:** DRV18-00312

Tony,

Regretfully I will be unable to attend the public meeting on July 2nd regarding Merit Homes project.

I would like to be on record that the Public Notice contained a significant omission as to the traffic configuration for this project. This in turn misled neighbors to believe this project would not effect the heavy traffic on 132nd Avenue NE. I brought this omission to your attention on the morning of June 28th. The City has taken no effort to correct this omission and the handouts that folks can get on site are still incorrect as of the evening of July 1, 2018.

Also in Section III SITE it is stated that the properties east of the subject project are zoned multifamily. This is not correct. The 80 residences directly east of this project are zoned R5 - single family urban.

Mary Yax  
206-612-8722  
8624 133rd Avenue NE Redmond, WA

## Tony Leavitt

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**From:** Stacy Piedmonte <stacypiedmonte@gmail.com>  
**Sent:** Sunday, July 01, 2018 10:38 PM  
**To:** Tony Leavitt  
**Subject:** Merit Homes Four Story Building in Rose Hill

Dear Tony,

I hope that you are considering all of the concerns from people in the area regarding the proposed Merit Homes project on 132nd and 85th. From what I have read, it seems like the project will only add further congestion to the area without considering the impact. I hope you are looking at the FULL impact of this project, as well as any others to this community.

Sincerely,  
Stacy Piedmonte

## Tony Leavitt

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**From:** Lori Constable <lconstable@hotmail.com>  
**Sent:** Sunday, July 01, 2018 10:48 PM  
**To:** Tony Leavitt  
**Subject:** Merit Homes Project Rose Hill

Hello Mr. Leavitt,

I just heard about Merit Homes Design Review for the proposed project on 132nd Ave NE/ NE 85 St. Is this review open to the public? I am very concerned about such a huge building going up in this location. Traffic is already a nightmare at high commute times at that intersection. Many mornings traffic is backed up to NE 100<sup>th</sup> St, or even farther north. So many new homes have already been built on 132<sup>nd</sup> Ave and traffic is increasingly worsening.

Thanks for your response.

Lori Constable  
13320 NE 117<sup>th</sup> Way  
98052  
425-739-0308

## Tony Leavitt

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**From:** 峰头浪尖 <1049541168@qq.com>  
**Sent:** Sunday, July 01, 2018 11:22 PM  
**To:** Tony Leavitt  
**Subject:** DRV18-00312

Gailian Qin

8531 132<sup>nd</sup> ave ne

Kirkland, WA 98033

1049541168@qq.com

Hello Tony,

I'm the owner of 8531 132nd ave ne. Since my English is not very good, I can only briefly explain the inconvenience caused to my family by DRV18-00312:

- 🗨️ **Traffic:** The current traffic on 132nd Ave is already quite busy. I drive my children to school every morning, and it takes us several minutes to just turn into 132nd and then 85th Street. With 130+ families moving in, and their garage exit right next to us, the morning traffic jam on 132nd Ave is going to be way worse and significantly impact our daily commute.
- 📄 🗨️ **Privacy:** The planned building is not only too close to my property, too tall, but also has many windows and balconies directly facing my house. My whole family feels that they will be under the supervision of hundreds of people 24/7 and have no privacy at all. This puts huge pressure on us, especially my teenage children.
- 📄 🗨️ **Sunlight:** With the construction of this building, we will have almost no sunlight in winter time in the backyard, which will not only be harmful to our plants, but also seriously impacts our physical and mental health. Sun exposure is extremely important in Seattle's long and gloomy winter. The south-facing sunny backyard was a huge reason I bought this property.
- 📄 🗨️ **Environmental impact:** The unreasonable density of this project can cause significant impact to the surrounding environment, including air, noise, electromagnetic radiation and other pollution, that affects our daily lives.
- 📄 🗨️ **School:** I have school age children. Adding 130+ more families to our already overcrowded schools is a huge concern.

  Property value: The air, sound, and electromagnetic radiation pollution and damage to natural environment caused by the construction of this building and the 130+ families will reduce value of our property. CERCLA, issued by the US Congress in 1980, requires real estate developers to compensate us.

Gailian Qin

## Tony Leavitt

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**From:** Laura Hmelo <laurahmelo@gmail.com>  
**Sent:** Monday, July 02, 2018 11:54 AM  
**To:** Tony Leavitt  
**Subject:** No to Merit Homes Structure at 132nd Ave NE/NE 85th

Dear Mr. Leavitt,

I am writing to express my concern about the Merit Homes multi-story building being proposed for the corner of NE 85th and 132nd Avenue NE. 132nd Ave NE can not handle the additional influx of cars from a multi-story office complex. I live on 132nd, and over the last several years my commute time has doubled- all due to existing traffic growth on 132nd. I am also concerned because I have small children and 132nd is becoming a real hazard for children and families with the increased traffic. Please consider existing residents before allowing a commercial multi-story space, or any multi-story space, on that corner.

Thank you,

Laura Hmelo

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Laura Hmelo, Ph.D.

<https://www.linkedin.com/in/laurahmelo/>

## Tony Leavitt

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**From:** Junyan Lin <junyan\_lin@hotmail.com>  
**Sent:** Monday, July 02, 2018 12:13 PM  
**To:** Tony Leavitt  
**Subject:** Re: DRV18-00312

Hello Tony,

My original email was meant to request more detailed information regarding to Permit DRV18-00312. However I didn't receive any response. I was surprised when a neighbor showed me that my email has been included as public comments in the latest document he found online. I want to clarify here, my original email didn't include all my comments regarding to this project, because at that time, I didn't have enough information of this project. And thanks to my great neighbors I now have more understanding of what is planned. So here I'm writing to provide more feedback regarding to Permit DRV18-00312.

While I appreciate City and Merit Homes' effort to clean up the corner of 85th St and 132nd Ave and adding a welcoming entry for Kirkland, the current design of this project is not appropriate for this neighborhood.

- Mass of this building is out of place and not aesthetically pleasing: Throughout the whole rose hill neighborhood are 1-2 story tall single family houses and similar size business buildings. The proposed building is over 400 feet above sea level, over 240 feet long along 132nd Ave and the north side is over 300 feet long, which is gigantic comparing everything else. Our neighborhood is quiet, low density residential area that is very welcoming for families. Dropping a monstrous building in the middle of this area is going to damage the charm of our neighborhood. I believe the design for the project should consider how well it fit into its surrounding environment.
- This neighborhood is not capable to handle the density of proposed population: Again, this area is full of single family houses today. Adding 130+ families is going to dramatically increase the population. Traffic on 85th, 131st and 132nd is already overloaded today. Every morning, 132nd Ave is so packed that I have to wait for someone being nice and letting me squeeze in. Sometimes I can't not get into the left turn lane on 132nd at all that I was forced to go south and try to get around. Also I've talked to one neighbor who is a teacher at our elementary school and confirmed that our school is not capable to accommodate the increase.
- The current design severely violates my privacy: according to my neighbor's estimation, the building is 50 feet tall from our point of view(consider the elevation differences). And there are tons of windows and balconies (!) placed on the north side of the building, directly looking at my house. This is absolutely outrageous. When I bought this house, it was in the middle of a quiet low density low height residential area. In merely 3 years, it's going to be put up for exhibition and 130+ families are going to be invited (by setting up the windows and balconies) to monitor my daily life. This is not acceptable. I understand that the current design puts a green belt between the building and the houses to its north, and I appreciate the effort, but given how tall the building is and how close it's to our houses, the green belt (especially for the first 5 years or so) can provide very limited protection to our privacy in reality.
- The current design takes away important sunlight access from my house: According to the sun study, my backyard and my house will have almost no sunlight in winter time. I can't emphasis enough on how important sunlight is to my garden and my health considering the long gloomy Seattle winter.

- The placement of pet relief and trash stage area is too close to nearby residential area: This will cause the odor, noise and pest issues to the nearby neighbors.
- Dozens of invaluable mature trees will be destroyed: I believe city and people of Kirkland will agree with me how invaluable those tall healthy mature trees currently standing on the site of this project are. They're here way before us, provide homes to small animals and protect/improve the surrounding environment for decades. We sure can plant more trees but they're not comparable to the existing ones, not for a few decades.

Therefore I urge City of Kirkland and Merit homes to reconsider the design of this mixed use project: Reduce the overall mass, height and density of this project; on the north side of the building, eliminate the balconies, reduce the amount of windows and angle them away from existing residents; relocate the pet relief and trash staging area, try best to preserve significant trees, plant more taller trees (especially along the north side) and protect the overall environment of our neighborhood.

Thank you,  
Junyan Lin  
8535 132nd Ave NE  
Kirkland WA 98033

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**From:** Junyan Lin <junyan\_lin@hotmail.com>  
**Sent:** Tuesday, June 19, 2018 5:51 PM  
**To:** tleavitt@kirklandwa.gov  
**Subject:** DRV18-00312

Hello Mr Leavitt,

My name is Junyan Lin. I'm the home owner of 8535 132nd Ave NE Kirkland WA 98033, which is directly to the north of project DRV18-00312. I'd like to get more information about this project, as detailed as possible.

I'm very concerned about the proposal.

1. We have mostly single family houses around this area. Adding 133 residential units is a very significant increase to the residential population. What is the plan to update infrastructure including traffic, school, etc to support the new families? The traffic is already very bad at the 85th St/132nd Ave intersection in the morning, especially Sundays.
2. There are quite a few beautiful old trees on the lot of DRV18-00312, which is a huge bonus for the overall environment of this area. I noticed that a couple of trees have already been removed around the corner of 85th St and 132nd Ave last year. How many more trees are going to be removed? It took so much time for trees to grow to this big. And we have all sorts of birds and squirrels living on those trees. Please be considerate, save the trees and protect our environment.
3. A much taller building right behind my house could potentially a big threat to my privacy. I have skylights in the bathroom! This was never a concern when all surrounded houses are about the same height.

Looking forward to more information for this project. And if possible, would you please keep me updated on the subject? Thank you so much for your time.

Best regards,

Junyan Lin

## Tony Leavitt

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**From:** Mike Monsos <flyman219@outlook.com>  
**Sent:** Monday, July 02, 2018 3:46 PM  
**To:** Tony Leavitt  
**Subject:** RE: Continental Divide Mixed Use DRV18-00312

**To:** Tony Leavitt  
**Subject:** Continental Divide Mixed Use DRV18-00312

I am a home owner here at The Pointe, my name is Michael Monsos, my address is 8602 134<sup>th</sup> Ct NE Redmond WA 98052. My Email address is [flyman219@outlook.com](mailto:flyman219@outlook.com) We have lived here at The Pointe since 2005. I am very concerned at the scope of this project and it's impacts on our neighborhood.

I have several concerns of the proposed building under review, some of which I will state here .

1. A four story building is out of scale to this area's architecture. The overall size of this building seems far beyond anything else in the area. Going from six single family detached homes to a 134 unit Apartment Complex is quite a stretch. This density is far more than anything in this area.
2. 134 units would most likely add 200 or more round trips to the already troublesome corner of NE85th and 132<sup>nd</sup> Ave NE (married couples, shared rentals, two car requirements). It is already a challenge to try to enter or leave The Pointe most any time of the day due to the excessive traffic on 132<sup>nd</sup> Ave NE we experience already.
3. Unless there is a light added to the intersection at 131<sup>st</sup> Ave NE and NE 85<sup>th</sup> residents who need to go to Redmond will need to exit the property via the eastside egress driveway, to 132<sup>nd</sup> AVE NE southbound to try to make it to the left turn lane. 132<sup>nd</sup> Ave NE at NE 85<sup>th</sup> is already backed up for blocks southbound in the mornings with commuters. Adding another 134 housing units with a garage egress about 100' north of this intersection will not only be a problem but dangerous as residents try to push into already heavy traffic stopped by the light.
4. If this is kept a pet friendly rental property, the closest place to "walk the dog" on grass and in a park like residential setting is "The Pointe". I do see they are planning a small area for pet walking but nothing near what 134 units would require. I'd rather not see our neighborhood become the preferred "nice" dog walking trails
5. In addition to the residential generated traffic there will be commercial traffic generated by the offices on the first level to add to the congestion of this area.

6. I do realize the property will be developed but I hope that it will be done to a more appropriate scale, having less impact on the already poor traffic conditions, neighboring views, property values and impacts of non-resident dog walkers on our neighborhood's common areas.

Michael Monsos  
8602 134<sup>th</sup> Ct NE  
Redmond, WA 98052  
"The Pointe"

## Tony Leavitt

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**From:** Cindy Hogan <cjhogan@live.com>  
**Sent:** Monday, July 02, 2018 3:46 PM  
**To:** Tony Leavitt  
**Subject:** Kirkland Developement

I would like to go on record against the Merit building proposal on 85th and 132nd. I use these roads for commuting to work and already face backups on 132nd at 4:15pm!! I did the survey for the City of Kirkland some time back and expressed disappointment in the over development of residential houses and the destruction of great starter homes in the area. We now have million dollar tract homes thanks to Merit. Affordable housing is gone for my children!

Regards,

Cindy Hogan  
36 year resident of Kirkland

10703 127th Ave NE

## Tony Leavitt

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**From:**  
**Sent:** Monday, July 02, 2018 4:11 PM  
**To:** Tony Leavitt  
**Subject:** Merit Homes Property Proposal on Rose Hill

My name is Jennifer Hayles and I am a Kirkland resident living off of 132nd. My daily commute takes me down 132nd, turning right onto NE 85th street and I am VERY concerned about the property being planned by Merit Homes on that corner. A massive, 4 story building with retail space and 134 residential units is going to impact an already overburdened and unsafe intersection in a massive way. The back up from all directions of that intersection already stretches for miles during rush hour. Cramming more people into a smaller area appears to be the way city planning thinks Kirkland should grow - allow massive construction companies come from far and wide to tear down one perfectly good small family home, to replace it with 2 or 3 enormous, unaffordable monoliths, to the benefit of no one but the construction companies, and the permit offices.

Kirkland is a small town. No one who lives in Kirkland wants it to be a massive, sprawling, population dense urban landscape. The only people who want Kirkland to become that are the people looking to profit from it. The growth is becoming out of control and unmanageable. The streets and stop lights aren't being upgraded to handle the impact of this population density. Where will the people living in this building park? I can't imagine you truly believe that 3 bedroom apartments necessitate less than 2 vehicles per residence? With the kind of public transportation (or lack thereof) in place here? The noise pollution is becoming excessive. Is there a plan in place to leave ANY single story, small family residences in tact in Kirkland? Is any attention being paid to the increasing vacancy rates of apartments in Seattle? What is the City of Kirkland going to say to its residents if you build too many million dollar houses and ridiculously priced apartments and condos vs number of people who want to live in an expensive, gridlocked, charmless city? After spending years inconveniencing them and making them put up with the noise and the traffic.

The construction companies (particularly Merit Homes, who you are already allowing to build dozens of homes along 132nd) do little to nothing to ease the burden on our community. Daily there are workers parking to capacity in residential neighborhoods, where they arrive early in the morning, smoke, leave garbage and food on the sidewalks, swear loudly, enter and leave the roadway unsafely, move heavy equipment without using flaggers or even warning other drivers that a backhoe is about to enter the roadway, sit there for a good long while, then back slowly in somewhere else. Their dump trucks and cranes destroy the streets. They park on the sidewalks. Why are we allowing companies that care so little about the community of Kirkland, and the future of our town, to profit off of it?

I do not approve of the project going up on the corner of 132nd and NE 85th, and would like to know what I can do to make sure my concerns are voiced to the appropriate people.

Kindly,  
Jennifer Hayles

## Tony Leavitt

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**From:** Casey Hedglin <chedglin28@gmail.com>  
**Sent:** Monday, July 02, 2018 6:05 PM  
**To:** Tony Leavitt  
**Subject:** Merit Homes File#DRV18-00312

Hi Tony,

I'm contacting you regarding file #DRV18-00312, which is currently being reviewed for development. I have lived in Rose Hill my entire 39 years of life and must tell you that I am absolutely against this project. The obscene amount of traffic and congestion it will undoubtedly add to 132nd, NE 85th and the surrounding streets is beyond what we tax-paying neighbors are able and willing to deal with. I was diagnosed with a brain tumor 2 years ago and now must uproot my children and the only home they know because we can no longer afford to live here. And that is in part due to the HUGE LACK of affordable housing in Kirkland. Mark and Merit Homes are consistently adding to that problem and if you allow this project to move forward as-is, you are acting in a severely negligent, greedy, selfish and irresponsible manner. You are helping to push out REAL people with REAL families who work REAL hard to pay REAL taxes and it's gotten us nowhere. You are helping destroy the very home that WE have built and loved and provided for all these years so that people like you and Mark could have a place to work and live. I don't know if or how long you've lived in Kirkland, but I have spent my entire life here and am beyond saddened to see what our city is allowing. I have known Mark from Merit for many years. In fact, I cheered him on as he grew his business. A decision I now regret. Unfortunately, he's let his greed lead him in life and I just hope you choose not to do the same. Please say NO to this development.

Best regards,

Casey Hedglin

## Tony Leavitt

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**From:** Patty Emerson <pearlsandcrystals@yahoo.com>  
**Sent:** Monday, July 02, 2018 6:47 PM  
**To:** Tony Leavitt  
**Cc:** David Emerson  
**Subject:** Merit Homes Project Rose Hill

Dear Tony Leavitt:

We are opposed to Merit Homes building the four-story commercial/residential building on the corner of NE 85<sup>th</sup> St and 132<sup>nd</sup> Ave NE for two reasons.

1) Inadequate infrastructure. NE 85<sup>th</sup> St is already congested throughout the day. It used to only be gridlocked during rush hour, now it is congested almost all day. Adding a 134 unit apartment complex to the corner of NE 85<sup>th</sup> St and 132<sup>nd</sup> Ave NE is only going to make matters worse.

2) Unqualified builder. Merit Homes is currently unable to safely manage all of their construction projects so it would be very dangerous for them to take on such a large project. We currently live next to one of their construction sites and have first-hand experience of their unsafe building practices. Here is a list of the things Merit Homes has done so far.

-Failure to keep a clean construction site from day one. There was garbage all over the job site that ended up on the surrounding neighbors' property because they did not have a dumpster on site for weeks. They got dumpsters after neighbors complained about the garbage. After they got the dumpsters, they said they would be emptied out every week. Sometimes it is weeks before they are emptied so garbage over flows and ends up everywhere.

-Failure to notify residents that electricity would be cut. None of the neighbors were notified that electricity would be cut while they installed a new transformer.

-Struck a gas line causing gas to pour into the air for about 30 minutes. The gas line they struck was about 10 feet from our home. We could hear the gas rushing into the air from inside our home. Everyone was afraid there would be an explosion.

Given these issues by Merit Homes, it would be a disaster for them to build a four story commercial/residential building. We felt the need to speak up because we do not want anyone harmed because of this proposed project. Merit Homes has clearly demonstrated that they do not care about the community.

Please keep this information confidential because we are concerned about retaliation.

Sincerely,  
Patty & David Emerson

## Tony Leavitt

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**From:** Lynn Peterson <petersoncraig@msn.com>  
**Sent:** Monday, July 02, 2018 7:14 PM  
**To:** Tony Leavitt  
**Subject:** 132nd & 85th Streets Kirkland

Please note my objection to a 4-story multi-use building on the corner of 85th and 132nd Streets.

The traffic currently is horrible, especially during certain hours. The accidents on this corner are numerous. Adding more to this corner will only add more congestion and more accidents.

This seems like horrible planning on Kirkland's part.

Lynn Peterson

## Tony Leavitt

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**From:** Lanelle Cababat-Martin <lanelle@apmortgage.com>  
**Sent:** Monday, July 02, 2018 7:28 PM  
**To:** Tony Leavitt  
**Subject:** New mixed use building on 132nd and 85th

**Importance:** High

We request that the City of Kirkland reconsider allowing a large 2-4-story, 180 unit+ building on the corner of 85<sup>th</sup> and 132<sup>nd</sup>. I live off of 132<sup>nd</sup> north of Churchome (was City Church) and have 2 young sons. We moved to Rose Hill in 2005 and fell in love with the community. That community seems to be vanishing before our eyes! We no longer live in "that community" due to the excessive building of homes stacked on one-another and the traffic has quadrupled x 10! Where will these people park? There is not enough traffic flow at that intersection to allow even 10 homes on that corner. Very unsafe and super congested intersection.

We are literally afraid every time our children walk to school across 132<sup>nd</sup> and they can no longer ride their bikes safely on that road due to so much traffic. We can't even get out of the street onto 132<sup>nd</sup> without waiting for a long while for a safe break in the traffic flow. The light on 85<sup>th</sup>/132<sup>nd</sup> is always backed up and especially during the week. As I attempted to drive to a meeting in Redmond that used to take me 11 minutes flat – now takes me a good 18-20 minutes due to sitting at several traffic lights on that specific corner!

The other day I imagined how convenient it would be for us if the City would lengthen the right turn lane off 132<sup>nd</sup> onto 85<sup>th</sup> street or add another turn lane on the corner there for the CURRENT BAD TRAFFIC SITUATION. Now to hear it could be even worse??!! I simply cannot imagine it worse! A business on that corner of any sort, much less an entire building would be a very low desirable home location. Merit homes sounds like a "big money" builder!! Do they really need to ruin our great community for the sake of the big dollar and what about City of Kirkland! Are they going to allow this? Aren't the new fees for the use of parks, the parking fees throughout the city ie by USbank – etc, and property tax dollars enough?

Please hear our voices, this is getting a bit out of control! We deserve to remain in a city more like Medina...where the very wealthy want to live. Nice homes, nice, safe community, small town feel, not congested, desirable living. This town is much to small for these tall buildings. It changes who you attract here to include those who can afford to live here and pay taxes. Also, those who can contribute to the revenue of the City and the businesses. Someone on a neighborhood post today said the City of Kirkland is turning this City into the slums, once the potential dwellers of that building cannot afford to live in that building, HUD will have those units converted into low income, which often tends to lack maintenance, etc. Hmmm...now I understand what they were referring to...about slums...and fast!

*Hopeful,*  
*Lanelle Martin*  
Cell: 206.498.4905

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## Tony Leavitt

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**From:** Marjorie Anton <marjorieanton@icloud.com>  
**Sent:** Monday, July 02, 2018 7:32 PM  
**To:** Tony Leavitt  
**Subject:** Merit Project

I live in The Pointe in Redmond (81 units) located on the corner of 132nd and 85thNE. It is almost impossible to make a left turn out of our street as it is now. Most of the time we have to turn right and circle back to 85th. Ridiculous. Who planned that? Do reps from Redmond AND Kirkland make these plans?

I read about this at 7:15pm so meeting is already underway.

Is it possible to have your team available to talk to our homeowners?

Sent from my iPhone  
Margie Anton

**Tony Leavitt**

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**From:** Lingjun Fu <hit881023@gmail.com>  
**Sent:** Monday, July 02, 2018 8:45 PM  
**To:** Tony Leavitt  
**Subject:** concerns about proposed project is on the corner of NE 85th and 132nd Avenue NE

To whom it may concern,

I'm writing to express my concern about the new proposed project as a current resident in this neighborhood. We have had so much new constructions in this area and the traffic has been quite heavy. Please avoid this kind of proposals to add huge amount of traffic and disturb the peace.

Thanks,  
Lingjun

## Tony Leavitt

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**From:** Greg <gregoryheino@gmail.com>  
**Sent:** Wednesday, July 18, 2018 1:18 PM  
**To:** Tony Leavitt  
**Subject:** Traffic and DRV18-00312 at 132nd and 85th

Hello Mr. Leavitt,

I read through the planning document regarding the apartment building on 85<sup>th</sup> and 132<sup>nd</sup> (<https://www.kirklandwa.gov/Assets/Planning/Planning+PDFs/Design+Review+Board/Continental+Divide+Mixed+Use+Project+DRB+Meeting+Packet+07022018+-+DRV18-00312.pdf>) and I did not find much of anything specific regarding traffic impact of the units on the neighborhood.

Is that in a separate document, did I miss the section, or is that not a part of this process?

Thanks,  
Greg Heino  
9421 130<sup>th</sup> AVE NE  
Kirkland, WA  
98033

July 6, 2018

City of Kirkland  
Planning and Building Department  
123 Fifth Avenue  
Kirkland, WA 98033

Re: Multi-Use Complex  
NW Corner of 85<sup>th</sup> Street & 132<sup>nd</sup> Avenue NE

To Whom It May Concern:

I am writing this letter on behalf of myself and my neighbors owning property at The Pointe and within the Rose Hill Community. This project should not be approved as presented in the Design & Review Board meeting on July 2, 2018. Below are bullet points of many issues that should be considered by all departments that have the decision-making segments.

**General Concerns:**

- Technically, The Pointe is within the City of Redmond. However, only those in the PUD received notice per the 300-foot rule for notification. Every property owner within The Pointe will be impacted and should be included in notification and have the ability to express opinions.
- Although most residents in the quadrant in question have desires to see this property developed in a way that benefits the community, the plan presented to the Design Board came as a shock in the scope and scale. It was expected to have commercial buildings on the frontage of 85<sup>th</sup>. However, the addition of the 134 residential units was not properly disclosed during the rezoning phase.

**Design and Materials:**

- It is distressing enough to see the "Merit" style small residential units pop up all throughout the Rose Hill area. They are not a pleasing design and completely out of the realm of a more classic Pacific Northwest style. There are other low lot line buildings that have been done that integrate better visually. A couple examples (addresses are linked to street map) are: [8818 – 132<sup>nd</sup> Avenue NE](#), [13116 NE 90<sup>th</sup> Street](#), [13110 – 85<sup>th</sup> Street commercial building](#).
- The "Merit" style does not have longevity. In 10 years, it is my opinion that it will be much less desirable and become more of an eye-sore.
- Materials used might be cost effective for the developer but look cheap and without thought as to color, texture, and appeal.
- Roof lines and wall designs are harsh and do not fit the neighborhood.
- This project will NOT enhance property values but will cause a decline to those owning properties closest to this massive project.
- The 132<sup>nd</sup> Avenue design looms large over street and appeal. Now at 4 stories, this is out of scope for the community. Note that there are NO buildings in this height range and levels from

I-405 East to downtown Redmond. Height on building and condos are due to land elevation/sloping/hillside. Parking level, which shows more concrete than material more pleasing is completely unacceptable. Not to mention that a grated garage door entrance was "snuck" into the design. See below in traffic and impact.

**Traffic and Density:**

- Homeowners in The Pointe and homeowners in the Rose Hill area are already experiencing serious traffic problems due to new development and increased residential land use via acquisition of larger parcels broken up into small-lot projects.
- Business and residential density in Redmond and Kirkland/I-405 have caused traffic jams and potential hazards on 85<sup>th</sup>. This surprise high density project at the NW corner will only intensify and create more problems.
- Homeowners are suspect that the density of this project has been a bait and switch plan to increase overall return on investment and income stream. Are the residents to pay the price in their property values to the benefit of the developer? 134 units plus commercial is far too dense and large. There are no buildings of this magnitude in the Rose Hill Area and is completely out of place.
- The parking spaces in the design does not support the project. This will force some residents, commercial use and visitors to park elsewhere. The impact to The Point is problematic with our visitor parking pads but the residents on the 131<sup>st</sup> Avenue NE will be blocked in as they have only one way in and out of the area.
- A conservative estimate of 1000+ addition car trips per day in and out of the project will create even more issues to the already problematic traffic issues to the intersection. Even on Sunday, when a neighborhood is expected to have less traffic and be quieter, the church on 132<sup>nd</sup> causes such heavy traffic that for the last few years, a traffic cop has been needed at the intersection. A thorough traffic study needs to take place.

In the personal response by the property developer in the July 2, 2018 meeting, it was stated that this project would be the "gateway" to the Rose Hill area and provide benefit via more residential with some of the units in the affordable housing category. As a homeowner, I want facts, not fiction. Is the developer bottom line more important than the aesthetics, traffic impact and visual appeal to the neighborhood?

Respectfully,



Michele Westmorland  
8612 – 133<sup>rd</sup> Avenue NE  
Redmond, WA 98052  
The Pointe  
Ph: 425-896-8113

## Tony Leavitt

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**From:** jholms@comcast.net  
**Sent:** Tuesday, July 10, 2018 10:11 AM  
**To:** Tony Leavitt  
**Subject:** Permit No., DRV18-00312

I am requesting at this time to become a party of record for this permit. I would like to receive any and all notifications of public hearings and any other pertinent information on this permit.

I reside at The Pointe which is directly across the street from this project. This project is huge and does not fit into the design of the neighborhood.

I am especially interest in the traffic issues for this project which would also be part of the design.

Thank you. Please contact me by email if you need further information.

Jennifer Holms  
8723 132<sup>nd</sup> PI NE  
Redmond WA 98052  
jholms@comcast.net

## Tony Leavitt

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**From:** sj\_chow@yahoo.com  
**Sent:** Friday, July 20, 2018 10:47 PM  
**To:** Tony Leavitt  
**Subject:** Fw: Permit No. DRV18-00312

Hello Tony,

This is regarding Permit No. DRV18-00312 for the proposal of redevelopment at 8505 132nd Ave NE. I am concerned about the impact that redeveloping this site to provide 134 units of homes and commercial/office space would have to the traffic along 132nd Ave NE and the impact to the neighborhood schools (Twain Elementary, Rose Hill Middle School and Lake Washington High School).

The traffic along 132nd Ave NE is already very congested in the peak morning commute and afternoon commute hours. Many people use 132nd Ave NE as an arterial road to get from Redmond/Bellevue to Juanita and it is very difficult to make a left turn from one of the east/west streets onto 132nd Ave NE as there is almost no break in traffic at all. I live along this corridor and if I am heading home from Costco, instead of taking the shortest route home (via NE 100th St) I must take a long way home (and add to traffic on NE 85th St) since the left turn from NE 100th St to 132nd Ave NE is so difficult. Traffic is also very busy on Sunday mornings due to the large amount of Churchhome church traffic.

As I understand it, Twain Elementary is already completely full and using 2 portable classrooms. There's already a large development planned at the Petco site which seems to fall in the current Twain boundary. Where will all of the kids go? There is a severe lack of services in the area for childcare (0-5), aftercare (elementary aged) and classroom spaces for children. I have read that LWSD does not have any plans for new elementary schools in the area.

Thank you for your consideration.

Stephanie Chow