CITY OF KIRKLAND
Planning and Building Department
123 5th Avenue, Kirkland, WA 98033
425.587.3600 - www.kirklandwa.gov

ADVISORY REPORT
FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS

To: Kirkland Hearing Examiner

From: Janice Coogan, Project Planner
Eric R. Shields, AICP, Planning Director

Date: March 30, 2017

File: 1029 MARKET OFFICE VARIANCE, VAR16-02086

Hearing Date and Place: **April 6, 2017, 9:00 AM**
City Hall Council Chamber
123 Fifth Avenue, Kirkland

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INTRODUCTION

A. APPLICATION

1. Applicant: Freiheit & Ho Architects for Robb Dibble, property owner.

2. Site Location: 1029 Market ST, See Attachment 1.

3. Request: Variance request to KZC Section 115.59 to calculate average building elevation using the historic topography of the subject property rather than existing predevelopment grade for construction of a two story 11,931 sq. ft. office building.

   The original application included a parking modification request to reduce the number of parking stalls on site. The parking modification request is no longer proposed. The building size has been reduced and the number of required parking stalls will be provided on site.

   See Attachments 2 for proposed plans, Attachment 3 for applicant's response to variance criteria and Section II.F for evaluation of variance request.

4. Review Process: Process IIA, Hearing Examiner conducts public hearing and makes final decision.

5. Summary of Key Issues and Conclusions: The applicant contends historically, the elevation of the subject property was higher, generally level with Market Street. Over the years site disturbance occurred to demolish a gas station, residential cabins, decommission fuel tanks and remove a large amount of petroleum contaminated soils that lowered the site topography. The site was never brought back to original grade prior to construction of the existing office building.

   Using the historic grade to measure average building elevation would allow construction of a two story office building with 10 ft. floor to ceiling height (office floor to ceiling height is typically 10-13') and underground parking. The difference would be a building 1.68 ft. taller than if existing grades were used.

   Section II.F describes the history of the subject property and analysis of variance request. Enclosed attachments include historic photos, environmental documents, and past site surveys provided by the applicant as evidence and justification for the request.

B. RECOMMENDATIONS

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

2. This application is subject to the applicable requirements contained in the Kirkland Municipal Code, Zoning Code, and Building and Fire Code. It is the responsibility of the applicant to ensure compliance with the various provisions contained in these ordinances. Attachment 13, Development Standards, is provided in this report to familiarize the applicant with some of the additional development regulations. This attachment does not include all of the additional regulations. When a condition of approval conflicts with a development regulation in Attachment 13, the condition of approval shall be followed (see Conclusion II.H).

3. As part of a building permit application:

   a. Submit plans showing the average building elevation calculation for the maximum building height using the historic grade as shown on

Attachment 2 (see Conclusion II.F.3).

b. Submit signed and notarized agreements from the three adjoining property owners agreeing to the landscape buffer for recording with the King County Records and Elections Division (see Conclusion II.E.2).

II. FINDINGS OF FACT AND CONCLUSIONS

A. SITE DESCRIPTION

1. Site Development and Zoning:

a. Facts:

(1) Size: The subject property contains 15,001 sq. ft. with frontage along Market ST, 3rd Ave West, 11th Ave W and an alley. See Attachment 1.

(2) Land Use: The site contains an existing one story 3,932 sq. ft. office building with a surface parking lot for 12 cars.

(3) Zoning: MSC 1 zone allows for office and multifamily uses. Maximum building height is twenty five feet above average building elevation. See Section II.E for more details about Zoning Code building height requirements.

(4) Terrain and Vegetation: A row of trees exists along Market ST and north property lines. The site gently slopes from north to south along Market ST. The existing surface parking lot is below the elevation of the Market ST sidewalk between 4′-6″ to 2′-6″. Along the 3rd ST West street frontage, the parking lot and sidewalk are roughly level. See Attachment 2.

b. Conclusions: An office is an allowed use in the MSC 1 zone. The existing and past topography of the site in relationship to the adjacent sidewalk on Market Street and existing development of the surrounding properties is relevant to the variance request. See Section II.F. discussion about past site disturbance.

2. Neighboring Development and Zoning:

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

North: Across 11th Ave West is a two story office building (with underground parking) zoned MSC 1, with a 25 ft. building height limit (same zone as subject property). The property to the north is higher in elevation than the subject property and ground floor is level with the Market ST sidewalk.

East: Across Market Street on the north side of 11th Avenue is an office in a converted single family home with a tall evergreen hedge. On the south side of 11th Avenue is a two story single family home. Both structures are in the MSC 1 zone and have a 25 ft. height limit. The topography along the east side of Market is higher in elevation than the west side of the street. A landscaped median planted with trees and vegetation is located in the center of Market ST.

South: Across 3rd St West is a vacant triangular lot zoned MSC 1 with a 25 ft. building height limit.

West: Across the 16 foot alley is a two story single family home zoned RS 7.2 with a 25 ft. building height.

b. Conclusion: Zoning is the same as the subject property on three sides. The proposed office building is surrounded by two story single family homes or office structures. Maximum building height for all properties surrounding the subject property is twenty five feet above average building elevation. The landscaping and trees in the center of Market ST provide some visual screening of the subject property from some properties to the east.

B. HISTORY

1. History of site disturbance

a. Facts: See Section II.F and enclosed Attachments regarding variance request related to the difference between the historical and existing grade of the property due to past site disturbance from removal of a fuel tank and contaminated soil.

2. Design Review Decision

a. Facts: In March 2017, under a separate review process, the applicant received Design Review Board approval for the proposed two story office building, including reduced front yard setbacks on three sides. Attachment 2 shows the approved architectural building plans and elevations.

Conclusion: The past grading of the site is relevant to the variance request. The Design Review Board approved the design of the proposed building except for the maximum building height, which is the subject of this variance request.

C. PUBLIC COMMENT

Facts:

1. Public comments were received with comments both in support of and with concerns about various aspects of the project. Attachment 3 contains public comment letters and emails received. The applicant reached out to many of the surrounding property owners to address their concerns and revised the plans in response. Below is a summary of the key topics.

Comments in Support

- Increased height as a result of using historic grade will not be noticeable
- New project will activate and engage the street frontages, with new sidewalks, street trees
- Expansion of a local business is a benefit to community and will increase tax revenue to the City
- Design of main entrance on Market Street brings the building forward away from single family homes and at grade with the Market street and designed for the pedestrian with benches and new sidewalk
- Increased parking on site will be beneficial to neighborhood reducing employee parking on street
- Replacement of the one story 1970's office building will be a plus
- Building size will not be too massive for the site

Comments of Concern

- A petition was submitted opposing the height variance and parking modification signed by 20 people during the notice of application stage. A majority of the people live on the east side of Market Street along 1st ST
- Increased vehicular traffic circulation will occur on neighborhood streets
- Use of alley for driveway access to underground parking and potential for drivers to travel north on alley through residential block.
- Traffic safety on neighborhood streets and potential safety conflicts between office traffic and children playing in alley
- Height of landscaping and street trees within sight distance triangles around driveways
- Speed of vehicles making a right turn from Market ST onto 3rd ST West
- Parking modification to reduce number of stalls on site- *No longer proposed*
- Size of building is too large for site; out of character for parcel and neighborhood
- Project does not conform to zoning setback requirements. (*Reduced front yard setbacks were approved by the Design Review Board as part of the Design Response Decision)*

2. A traffic impact report (TIA) (available in the project file) was submitted by the applicant's traffic consultant to evaluate potential traffic impacts of the proposal on neighborhood including: circulation issues raised by the public comments, location of driveways, potential turning conflicts on 11th Ave West, 3rd ST West and sight distance compliance.

   The City's traffic engineer in the Public Works Department reviewed the TIA report for compliance to the City's policies. The applicant responded to public and City issues and made revisions to the project including: angled the driveway entrance along the alley to discourage vehicles from traveling north along the alley and widened the sidewalk on 3rd Ave West to slow traffic traveling from Market ST onto 3rd Ave West.

   Conclusions from the City's transportation engineer are included as Public Works conditions in Attachment 13, Development Standards. Conditions include:

   - Angling the parking garage entrance along the alley with a 2 foot curb on the west side of the entrance to discourage northbound travel along the alley.
   - Securing a bond for potential construction of two C-Curbs one on 11th Ave West and one on 3rd ST West near driveway entrances if the City determines they are necessary in the future.
   - Conducting a final sight distance evaluation to ensure landscaping will not obstruct sight distance from alley.

3. <u>Conclusions</u>: Transportation issues related to the project have been addressed and conditions have been placed on the project in the Public Works Development Standards in Attachment 13. The applicant has shown how the impacts of the height variance will be negligible from surrounding properties. The scale of the building in terms of setbacks and modulation was addressed by the Design Review Board as part of their approval.

D. STATE ENVIRONMENTAL POLICY ACT (SEPA)

1. Facts: The amount of gross floor area of the office building and number of parking stalls was reduced in size from the original application materials and therefore, is now below the threshold level to require SEPA review.

2. Conclusion: A SEPA determination is not required for this request.

E. ZONING REQUIREMENTS

1. Maximum Building Height

a. Facts:

(1) The maximum building height for an office use in the MSC 1 is 25 ft. above Average Building Elevation (ABE).

(2) The applicant proposes to measure the 25 ft. from the ABE 171.42′ using the historic grades rather than ABE predevelopment existing grade of 169.74′. The building proposes a rooftop appurtenance for the HVAC system and elevator tower to extend above the roofline by a maximum of 4 ft. See II.F for more discussion about variance request.

(3) The following Zoning Code Sections are important in determining the maximum building height of the office building:

(a) The definition of Average Building Elevation is defined in KZC 5.10.045 as *"the weighted average elevation of the topography, prior to any development activity"* and offers two choices on how ABE is calculated.

(b) The definition of Average Ground Elevation is defined in KZC 5.10.50 as *"the average elevation of the topography, prior to any development activity, at the center of all sides of the structure or improvement".*

(c) How to calculate Average Building Elevation using predevelopment grade is described in KZC 115.59 – *"existing predevelopment grades shall be used, unless fill has been placed on the site, whether legally or illegally, within a 10-year period prior to the development application, in which case the grades prior to the placement of the fill shall be used"*.

Staff comment: The past grading of the site was conducted more than 10 years ago.

(d) The applicant may install solar panels on the roof at a later time. In KZC 115.60 improvements such as solar panels on flat roofs that may exceed the height limit by a maximum of six inches.

(e) Rooftop appurtenances and their screens in KZC 115.120.4 may extend above the building height a maximum of 4 feet above the height limit if they do not exceed 10% of the building footprint.

Staff comment: The proposed rooftop HVAC unit, screening and elevator tower show compliance with the maximum 4 ft. height limit above the higher ABE (see Attachment 2).

b. Conclusions: The applicant is proposing to calculate the ABE using the historic grade of the property to measure the 25 ft. height limit. This requires approval of a variance from the requirement that the ABE be measured from the existing predevelopment grades. If the variance request is approved the applicant will need to show compliance with the conditions of approval and all other provisions of the maximum building height requirements in the Zoning Code with the building permit application.

2. Landscape buffers

a. Facts:

(1) An office use in an MSC 1 zone adjoining a low density use requires a 15 foot wide landscape buffer along the property line planted with trees, ground cover and fence according to standards in KZC 95.40

(2) The applicant proposes to meet the landscape buffer planting requirement on the northwest property line but reduce the width to 10 feet on the west property line along the alley. Per KZC 95.46 a modification to the landscape buffer may be granted by the Planning Official if property owners agree to the change in writing and other criteria are met. Signed agreements from 3 property owners along the alley have been received. The applicant's landscape plan shows planting of additional landscaping on one of the adjoining properties most affected by the new development.

b. Conclusions: The three property owners have submitted approval of the buffer reduction and the alley separates the neighboring properties from the new proposal. The applicant meets the criteria for a landscape buffer modification along the alley and therefore should be approved. Prior to issuance of a building permit the agreements will need to be recorded with King County Records.

F. VARIANCE APPROVAL CRITERIA

1. Variance Request

a. Facts:

(1) Zoning Code Chapter 120 sets forth the mechanism whereby a provision of the Code may be varied on a case-by-case basis if the application of the provision would result in an unusual and unreasonable hardship.

(2) Request- The applicant requests a variance to KZC 115.59 to use the historical grade of the subject property during the 1930's when it was a gas station rather than existing topography for calculating Average Building Elevation and maximum building height.

(3) Attachment 4 is a narrative from the applicant describing the request and response to the Variance Criteria.

The applicant contends that without the variance, the floor to ceiling height for each story of the new building would be 8 ft., below what a typical ceiling height is for an office at 10-13 ft. The applicant requests the variance to provide a ceiling height of 10 ft. that is more in line with comparable office space. See

below for historical information describing the difference between the historical and existing grade of the property and variance request.

(4) Zoning Code section 120.20 establishes three decisional criteria with which a variance request must comply in order to be granted. Sections 2 through 5 contain the staff's findings of fact and conclusions based on these three criteria.

b. Conclusions: Based on the following analysis, the application meets the established criteria for a variance.

2. Historical Background - Topography

Below is a summary of the key points in the site's history and supporting documents between 1926 when the gas station was constructed, subsequently demolished, existing building constructed, and soil remediation work completed in the 1990's. See enclosed Attachments for more details.

a. Facts:

(1) Historical maps show the subject property included two additional lots to the north. Together, the four parcels contained a gas station building, fuel island and residential cabins. The gas station was constructed in 1926 and operated until around 1973 (See Attachment 6 and 7).

(2) Historic photos from 1939-1948 show the old structures and gas station on site, driveway at grade with the sidewalk on Market Street, and site topography sloping to the west and south. A photo from the 1980's shows the current building with the parking lot closer at grade with Market Street sidewalk than it is today (prior to 1995 disturbance). See Attachment 5.

(3) Attachment 6 is a letter from Jeffrey Kaspar with Farallon Consulting summarizing the history of the site disturbance over the years and environmental documents related to the contaminated soil clean-up of the site at various points from 1977 and 1995. He worked with AGRA Earth and Environmental Inc., who conducted the environmental soil remediation reports for site cleanup under the surface parking lot in 1994-1995.

(4) In 1977, demolition of the gas station buildings on site and apparently removal of some fuel tanks was commissioned by the City of Kirkland under a contract with Time Oil Co. The Farallon letter contends the site was lowered at that time, concluding that prior to the 1997 -1978 demolition of the service station and construction of the existing building, the site grade was equivalent with Market St. (See Attachment 7).

(5) The current office building was constructed in 1977-1978. See Attachment 7 and 9. The Farallon letter states that it is not known why the site was not returned to the original elevation after site work associated with the demolition of the gas station (perhaps the additional cost of bringing in fill)

(6) The 1994-1995 site cleanup included clean out and left in-place closure of an existing 4,000 gallon UST tank (portions were under the existing building), and removing a large amount of

petroleum contaminated soil around the tank and under the parking lot (920 tons of soil; 16,000 cubic feet of soil; equates to 1.1 foot average grade elevation), soil and water samplings and backfilled excavations. Enclosed environmental reports describe extensive soil and water testing to determine the amount of soil contamination and impact, if any, on surrounding properties. Underneath the building, petroleum impacted soil could not be accessed without removing the structure and because of location of existing utilities. See Attachment 7 including AGRA Report, Geotechnical Report, Riley Group Report, past survey.

(7) Attachment 8 shows recreated contours of what the site topography must have looked like in 1936 prepared by Dibble Engineering (DEI) using existing contours extrapolated out to surrounding properties, enclosed historical photos and attached environmental documents.

(8) Attachment 9 is a site survey from 2011 prepared by Mead Gilman depicting existing conditions. Today the existing parking lot is lower than the Market Street sidewalk by a range of 2-4 feet.

(9) Attachment 2 shows the proposed site plan, architectural plans, and maximum building height using ABE calculations with historic vs existing contours.

(a) ABE using historic grades (as proposed by variance application) would be 171.42′. Maximum building height above ABE would be elevation 196.42′.

(b) ABE using existing predevelopment grade (as required by code) would be 169.74′. Maximum building height above ABE would be elevation 194.74′.

The difference in height between using the existing pre-development and historic grades is 20.16″ or 1.68′.

b. Conclusions: Due to past grading to remove both the old gas station fuel tank and contaminated soil, a large amount of soil was removed from the site. Prior to and at the time the existing building was constructed the site was never raised back to the original existing grade. Staff concludes that the applicant has provided sufficient historical documentation showing that the subject property was historically higher in elevation consistent with surrounding properties and level with Market Street. In reviewing the photos and environmental documents, the historic topography of the subject property as shown on Attachment 7 is a realistic recreation of the historic topography of the site in relation to Market St and with the existing topography of the adjacent properties.

Based on the findings of facts and conclusions below, staff finds that the applicant meets the variance criteria below and should be allowed to use historical grades to calculate average building elevation.

3. Variance Criterion 1: The variance will not be materially detrimental to the property or improvements in the area of the subject property or to the City, in part or as a whole.

a. Facts:

(1) The difference between the ABE calculation using existing topography and that of the historic grades is approximately 1.68′ (See Attachment 2).

(2) Attachment 10 shows the east building elevation on Market ST comparing height of the building using historic and existing ABE.

(3) Attachment 11 is a building massing diagram view from the east side of Market Street on 11th Avenue West looking west toward the subject property showing the difference of maximum building height using historic and existing average grades.

(4) Attachment 12 shows the height of the proposed building as viewed from surrounding neighborhood properties.

(5) As required by zoning, the proposal will provide landscape buffers along two property lines next to single family homes. Landscaping and street trees will be added along Market ST and 3rd Ave West will soften the view of office building from surrounding properties.

b. Conclusion: The proposed variance will not be detrimental to the surrounding neighborhood or to the City.

Properties along the east side of Market Street are higher in elevation than properties on the west side of Market Street. These properties have the greatest potential for view obstruction from the proposed development however, the view corridor exhibits provided by the applicant in Attachments 11 and 12 indicate there will be little to no impact to views based on the increase in building height using the historic grades. These properties are far enough away that the 1.68′ difference will be negligible. The existing landscaped boulevard on Market ST and new trees planted along the subject property street frontage will also soften the view of the building from the east side of Market Street.

The property north of the site, across 11th Ave West is higher in elevation, entrance is generally at grade with Market Street sidewalk and is also two stories. The impact of the requested increase in building height will be negligible from that property.

To the person walking along Market Street, they will not notice the 1.68 ft. difference in building height, only how the building façade and landscaping at the sidewalk space. Attachment 10 demonstrates that there are no detrimental impacts from the additional height to the public on Market Street.

4. Variance Criterion 2: The variance is necessary because of special circumstances regarding the size, shape, topography, or location of the subject property, or the location of preexisting improvements on the subject property that conformed to the Zoning Code in effect when the improvement was constructed.

a. Facts:

(1) The site has a history of soil contamination based on the prior gas station use. The requirement to remove the fuel tanks and remediate the contamination in two separate clean-up actions has resulted in the property being excavated and the resultant grade being left lower in elevation than the Market Street

sidewalk and properties to the north and south (See Attachment 7).

(2) The historic records provided by the applicant do not indicate why the site was not restored to pre-excavation grades after the two remediation actions were completed. The lowered grades were not necessary to accommodate the current one-story development or associated surface parking lot.

(3) Calculating average building elevation using existing development grade would lower the allowed height. The consequences of using the lower average building elevation are that it would be difficult to develop at the planned two story height limit while accommodating required parking. The lower grade would also likely compromise the pedestrian orientation to the Market Street corridor by pushing the finished floor below the sidewalk grade.

(4) The applicant has minimized the extent of the variance needed by taking such steps as using steep parking garage entry ramps to set the parking garage as low as possible and yet meet the maximum required grade, minimizing floor to floor heights for the office use to a height more typical of residential rather than office construction, and minimizing parapet height.

b. Conclusions:

(1) The site does have a special circumstance related to current site topography as a result from the past land use and associated soil remediation that is unique to this site.

(2) The variance is necessary to allow the proposed building to utilize below grade for required parking stalls, provide a level main entrance along Market ST and reasonable floor to ceiling heights for an office use.

(3) The applicant has designed a building that minimizes the extent of the variance requested.

(4) Had the previous grade been restored following the past grading on site, it is unlikely a variance would need to be requested.

5. Variance Criterion 3: The variance would not constitute a grant of special privilege to the subject property which is inconsistent with the general rights that this Code allows for other properties in the same area and zone as the subject property.

a. Facts:

(1) Historic photos of the property and past environmental documents show the site was higher in elevation and similar to the existing topography of adjacent properties.

(2) Single family homes and commercial uses to the north, east and west in the MSC 1, and RS 7.2 zones are allowed to be twenty five feet in height, which results in a two – three story structures depending on the slope of the property.

(3) Past excavation of the site was not related to the development of the site in its current use. Rather, the excavation was for soil remediation and pre-remediation grades were simply not

restored.

b. Conclusions: The proposed new building will essentially restore the historic grade and allow the ground floor to be developed closer to the prior grade along Market Street. The proposed office building will be two story in height consistent with the surrounding development and in keeping with the MSC 1 zone. The 1.68′ difference in building height will be not be noticeable from surrounding properties or rights-of-way. The variance is not a grant of special privilege because the applicant has demonstrated that site has a unique history and the requested variance addresses that history with a minimal request for relief from code requirements.

It should be noted that the City does not typically support variances to allowed building height due to the specificity of the regulations and a sensitivity to issues of view blockage and community character. Over many decades, grades have been modified by cut and fill throughout the City to accommodate previous and current development. The Code establishes a clear methodology for measuring building height to account for those changes. In this case, the grades were not modified to accommodate development but to address issues of ongoing site contamination and approval of a variance is an equitable means of allowing development that is consistent with the general rights allowed for other properties in the same area and zone as the subject property.

6. GENERAL ZONING CODE CRITERIA

a. Fact: Zoning Code section 150.65.3, Process IIA application may be approved if:

(1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and

(2) It is consistent with the public health, safety, and welfare.

b. Conclusion: The proposal complies with the criteria in section 150.65.3. It is consistent with all applicable development regulations (see Section II.E) and the Comprehensive Plan (see Section II.G). In addition, it is consistent with the public health, safety, and welfare.

The difference in building height of 1.68 ft. will be negligible from surrounding properties along Market Street because of the natural sloping higher topography to the north and east. The difference in height will not be noticeable to the person walking down Market Street because they will focus on the superior design of the building's entrance with a wider sidewalk, plaza and landscaping. The required landscaping will help mitigate for the visual effect of the office building.

A two story office building is consistent for the MSC 1 zoning and existing two story commercial buildings on Market ST and surrounding single family homes. Although unrelated to the variance request, the applicant has responded to public comments related to vehicular circulation issues with the development and together with the Public Works required conditions made adjustments to the design of the project related to vehicular access and wider sidewalk on 3rd ST West.

G. COMPREHENSIVE PLAN

1. Fact: The subject property is located within the Market Street Corridor neighborhood and designated as office-multifamily zone and allowed density of 10-14 dwelling units per acre. The following two goals from the Market Street Corridor chapter in the Comprehensive Plan are relevant to this case:

Goal MS-2 supports a mix of higher intensity uses along the Market Street Corridor while minimizing impacts on adjacent residential neighborhoods.

Goal MS-6 states to provide transitions between low-density residential uses within the neighborhood and the commercial and multifamily residential uses along Market ST.

Policy MS-6.3 Orient commercial uses toward Market ST.

2. Conclusion: These goals and policies emphasize the importance of minimizing higher density development adjacent to single family development. The office building is oriented toward Market Street. Required landscape buffers and vehicular access conditions will help mitigate the office use from the adjacent single family homes.

H. DEVELOPMENT STANDARDS

1. Fact: Additional comments and requirements placed on the project are found on the Development Standards, Attachment 13.

2. Conclusion: The applicant should follow the requirements set forth in Attachment 13.

III. SUBSEQUENT MODIFICATIONS

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

IV. APPEALS AND JUDICIAL REVIEW

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

A. APPEALS

1. Appeal to City Council:

Section 150.80 of the Zoning Code allows the Hearing Examiner's decision to be appealed by the applicant and any person who submitted written or oral testimony or comments to the Hearing Examiner. A party who signed a petition may not appeal unless such party also submitted independent written comments or information. The appeal must be in writing and must be delivered, along with any fees set by ordinance, to the Planning Department by 5:00 p.m., _____, fourteen (14) calendar days following the postmarked date of distribution of the Hearing Examiner's decision on the application.

B. JUDICIAL REVIEW

Section 150.130 of the Zoning Code allows the action of the City in granting or denying this zoning permit to be reviewed in King County Superior Court. The petition for review must be filed within 21 calendar days of the issuance of the final land use decision by the City.

V. LAPSE OF APPROVAL

For final approval under this chapter issued on or after January 1, 2015, the applicant must begin construction or submit to the City a complete building permit application for the development activity, use of land or other actions approved under this chapter within five (5) years after the final approval of the City of Kirkland on the matter, or the decision becomes void; provided, however, that in the event judicial review is initiated per KZC 150.130, the running of the five (5) years is tolled for any period of time during which a court order in said judicial review proceeding prohibits the required development activity, use of land, or other actions.

For final approvals under this chapter issued on or after January 1, 2015, the applicant must substantially complete construction for the development activity, use of land, or other actions approved under this chapter and complete the applicable conditions listed on the notice of decision within seven (7) years after the final approval on the matter, or the decision becomes void.

VI. APPENDICES

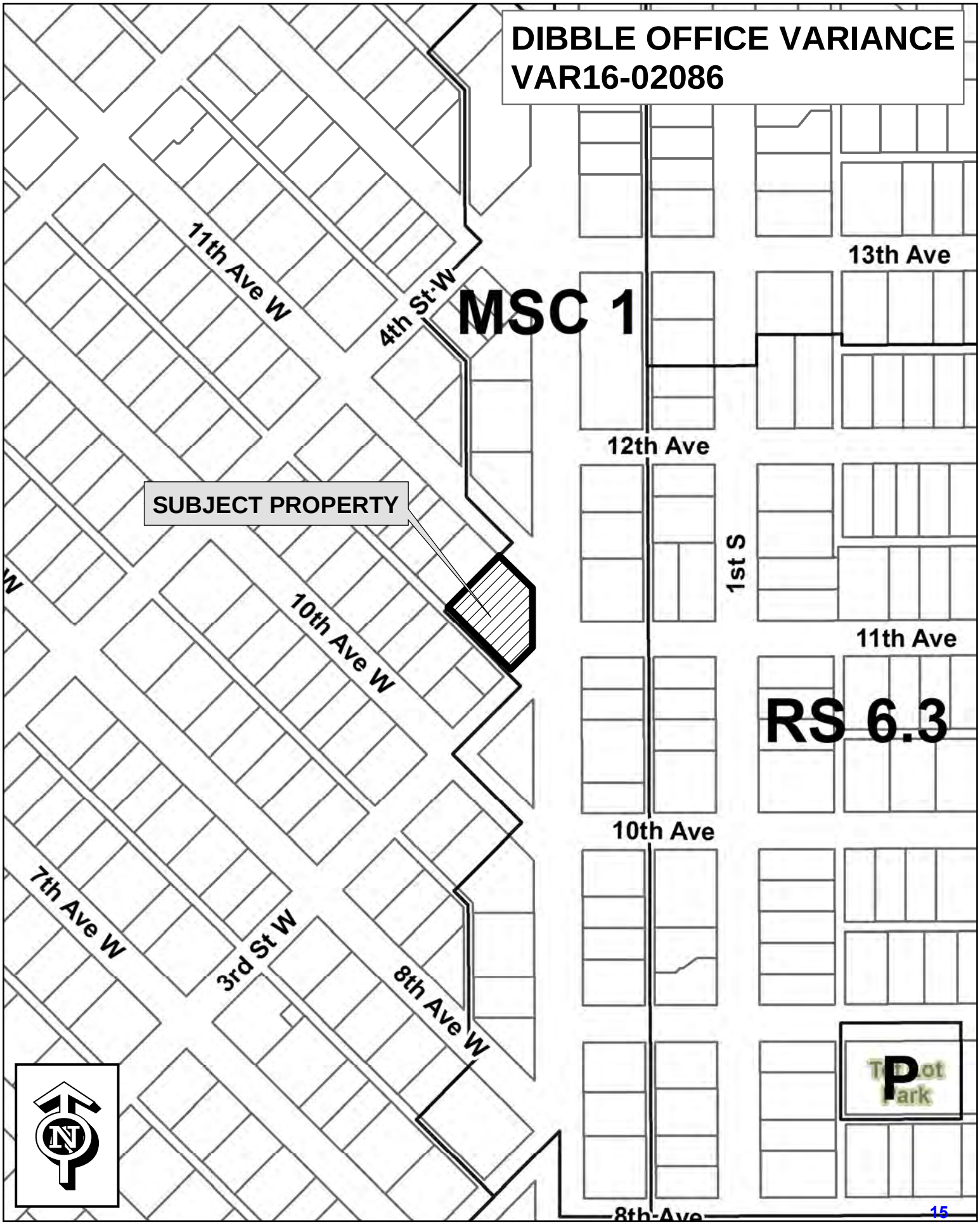
Attachments 1 through 13 are attached.

1. Vicinity map
2. Building plans and elevations
3. Public comment letters/emails
4. Variance description & response to criteria
5. Historical photos 1930-1980
6. Farallon site history summary
7. Historic site disturbance, AGRA-Riley Environmental reports (316 pages)
8. DEI estimated site survey 1936
9. Mead Milman site survey 2011
10. Market ST building facade
11. Building massing exhibit
12. Neighborhood view sections
13. Development standards

VII. PARTIES OF RECORD

- Applicant –Freiheit & Ho Architects, c/o Darin Russell or Chris Amonson, 5209 Lake Washington Blvd NE, Suite 200, Kirkland WA 98033
- Property Owner- Robb Dibble, 1029 Market ST, Kirkland WA 98033
- See complete parties of record list in case VAR16-02086
- Planning and Building Department
- Department of Public Works, Philip Vartanian

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


DIBBLE OFFICE VARIANCE
VAR16-02086
MSC 1
RS 6.3
SUBJECT PROPERTY
11th Ave W
4th St W
13th Ave
12th Ave
1st S
11th Ave
10th Ave W
10th Ave
7th Ave W
3rd St W
8th Ave W
8th Ave
P
N

ATTACHMENT 2

PROJECT INFORMATION

GROSS BUILDING AREA

LEVEL 01: 3,688 SF
LEVEL 02: 8,243 SF
TOTAL: 11,931 SF

AVERAGE BUILDING ELEVATION

CALCULATED USING OPTION 1 (PLATE 17A) PER KZC 115.59.1

ABE CALCULATION BASED UPON HISTORIC GRADE (PROPOSED)

$$\frac{A(173.3 \times 114) + B(171 \times 95.17) + C(169.5 \times 114) + D(171.9 \times 95.17)}{A(114) + B(95.17) + C(114) + D(95.17)} =$$

$$\frac{71{,}712.99}{418.34} = \mathbf{171.42'\ ABE}$$

ABE CALCULATION BASED UPON EXISTING GRADE

$$\frac{A(168.8 \times 114) + B(171 \times 95.17) + C(169 \times 114) + D(170.5 \times 95.17)}{A(114) + B(95.17) + C(114) + D(95.17)} =$$

$$\frac{71{,}009.75}{418.34} = \mathbf{169.74'\ ABE}$$

HEIGHT LIMIT

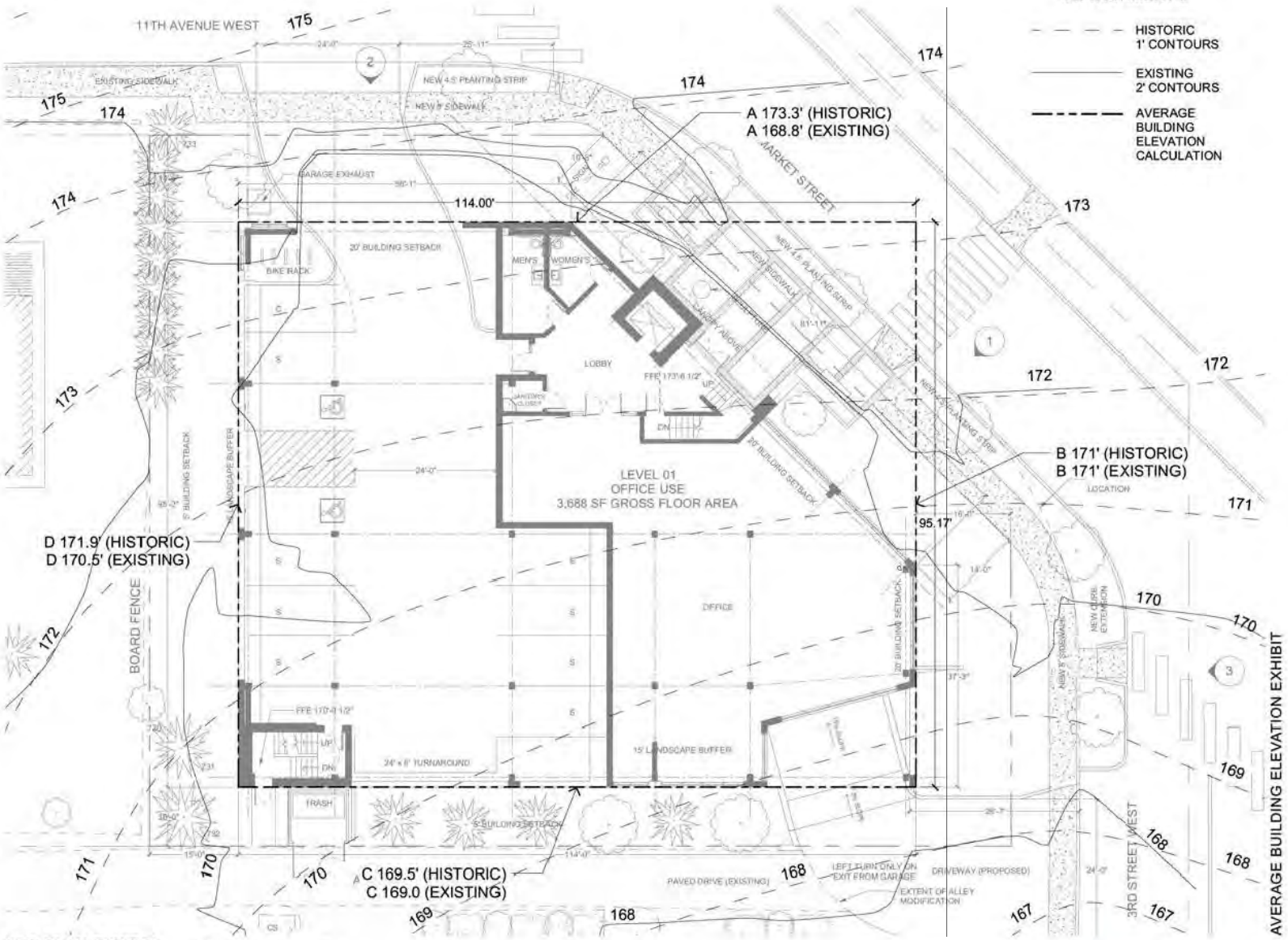
25'-0"

HISTORIC (PROPOSED) ABE: **171.42'**
HISTORIC (PROPOSED) HEIGHT LIMIT: **196.42'**

EXISTING ABE: **169.74'**
EXISTING HEIGHT LIMIT: **194.74'**

KZC 115.120.4.a Rooftop appurtenances may exceed the applicable height limitation by a maximum of four (4) feet if the area of all appurtenances and screening does not exceed 10 percent of the total area of the building footprint.

KZC 115.60.2.b.4 Solar panels on flat roof forms may exceed the height limits by a maximum of 20 inches.



SITE PLAN EXHIBIT
1/8" = 1'-0"

1029 MARKET STREET REDEVELOPMENT

HEIGHT VARIANCE | KIRKLAND, WA 02.16.2017

DEI DIBBLE ENGINEERS INC.

Freiheit & Ho architects

ELEVATION 1 - MARKET STREET
1/8" = 1'-0"

ELEVATION 2 - 11TH AVE WEST
1/8" = 1'-0"

ELEVATION 3 - 3RD STREET WEST
1/8" = 1'-0"

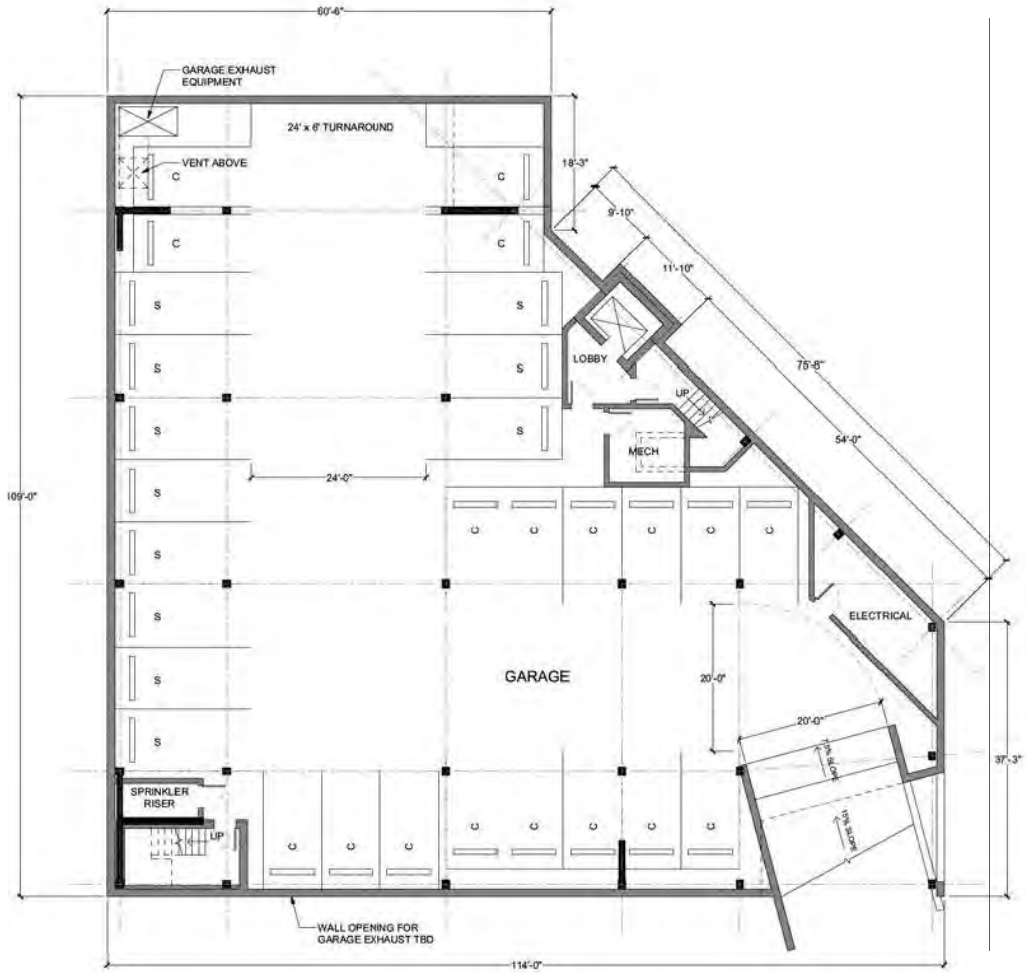
ELEVATION EXHIBIT

1029 MARKET STREET REDEVELOPMENT

HEIGHT VARIANCE | KIRKLAND, WA 02.16.2017

DEI DIBBLE ENGINEERS INC.

Freiheit & Ho architects



GARAGE PLAN
1/8" = 1'-0"

0' 4' 8' 16'

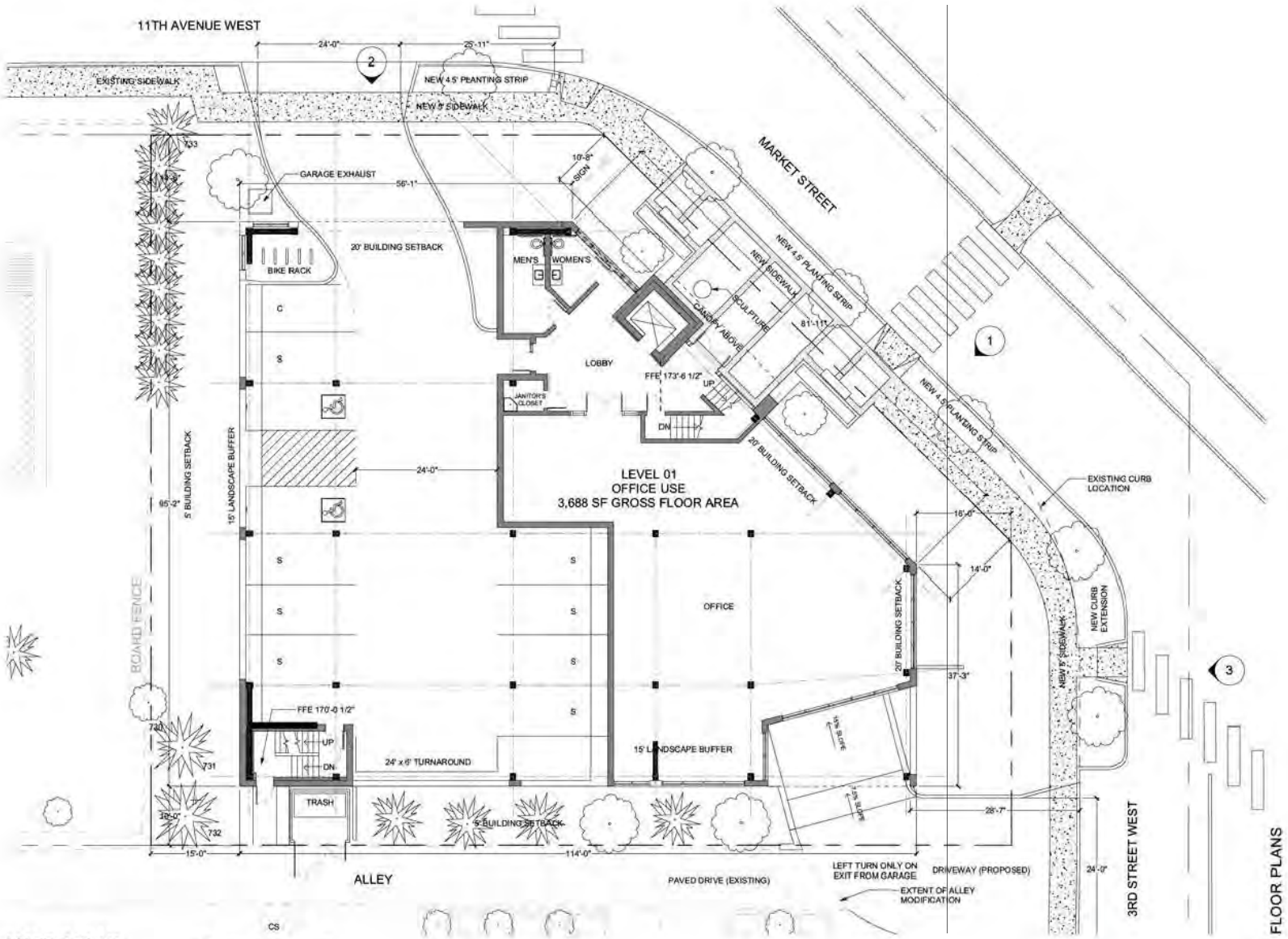
FLOOR PLANS

1029 MARKET STREET REDEVELOPMENT

HEIGHT VARIANCE | KIRKLAND, WA 02.16.2017

DEI DIBBLE ENGINEERS INC

Freiheit & Ho architects



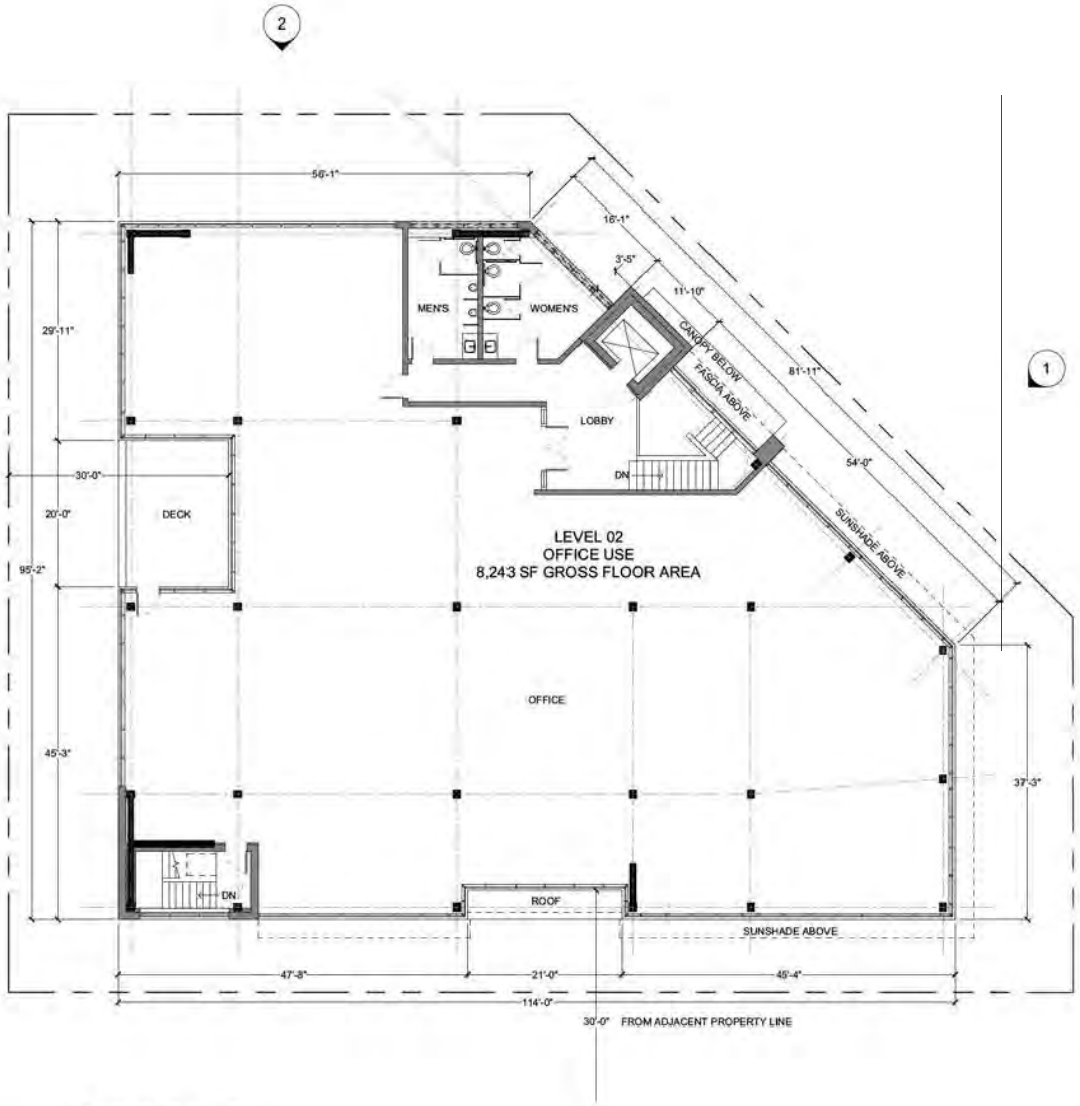
LEVEL 1 PLAN
1/8" = 1'-0"

1029 MARKET STREET REDEVELOPMENT

HEIGHT VARIANCE | KIRKLAND, WA 02.16.2017

DEI DIBBLE ENGINEERS INC.

Freiheit & Ho architects



LEVEL 2 PLAN
1/8" = 1'-0"

0' 4' 8' 16'

FLOOR PLANS

1029 MARKET STREET REDEVELOPMENT

HEIGHT VARIANCE | KIRKLAND, WA 02.16.2017

DEI DIBBLE ENGINEERS INC.

Freiheit & Ho architects

HEIGHT LIMIT AND ROOFTOP APPURTENANCES

HISTORIC (PROPOSED) HEIGHT LIMIT: **196.42'**
APPURTENANCE HEIGHT LIMIT: **200.42'**

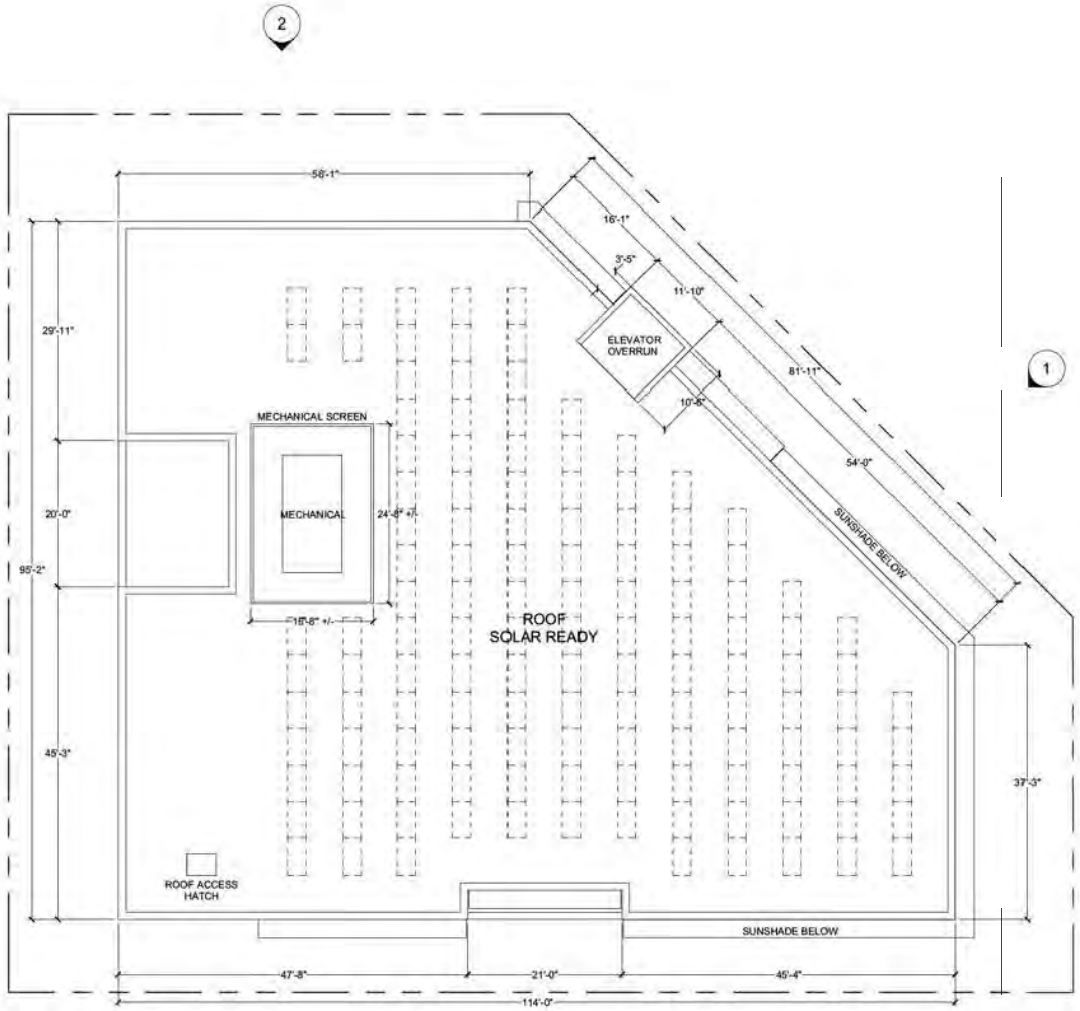
KZC 115.120.4.a Rooftop appurtenances may exceed the applicable height limitation by a maximum of four (4) feet if the area of all appurtenances and screening does not exceed 10 percent of the total area of the building footprint.

Building footprint: 9,217 SF
10% of footprint: 922 SF

Mechanical unit and screening: 411 SF
Elevator overrun: 124 SF
Total area of appurtanaces: 535 SF (< 922 SF)

Roof to be solar-ready. Solar panels, if installed in future, shall conform to KZC 115.60.2.b.4

KZC 115.60.2.b.4 Solar panels on flat roof forms may exceed the height limits by a maximum of 20 inches.



ROOF PLAN
1/8" = 1'-0"

0' 4' 8' 16'

FLOOR PLANS

1029 MARKET STREET REDEVELOPMENT

HEIGHT VARIANCE | KIRKLAND, WA 02.16.2017

DEI DIBBLE ENGINEERS INC

Freiheit & Ho architects

Janice Coogan

From: Mark Fosdal <mark.fosdal@gmail.com>
Sent: Tuesday, January 03, 2017 6:22 PM
To: Janice Coogan
Subject: Re: Dibble Project (West Market) - DRV16-02204/VAR16-02086

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Ms. Coogan,

We had a recent discussion with you about the Dibble project on Market and 3rd Street West and am now aware of the dental building going up across the street from me in a vacant triangle lot (Kirkland Family Dentistry has plans of moving there). They also will have parking access to their building coming off of 3rd street west. I know both are interested in their own projects but since I will be living to both, I need to inquire if someone is considering the traffic pattern changes of both buildings going up. Based on the blue prints I have seen of both projects, this would be another 40-60 cars coming onto 3rd street west from Market each day. Is someone taking both projects into consideration when approving the traffic pattern into this residential area? Traffic patterns is not my specialty but I think this is a valid point that needs to be considered moving forward. I have met with both groups and I appreciate their feedback and ability to work with the neighbors but want to point out this point when considering both designs.

Regards,

Mark Fosdal

206-849-5438

On Wed, Dec 21, 2016 at 10:26 AM, Mark Fosdal <mark.fosdal@gmail.com> wrote:

> Ms. Coogan,
>
> I had a nice discussion today with Mr. Dibble and we had a great discussion showing the designs of the property and the potential changes that would slow traffic into the alley parking coming off of Market. I understand the city will be looking at those plans in the near future and leave it to them to provide the appropriate feedback for safety concerns as I have no specific expertise in this area.
>
> Regards,
>
> Mark

On Wed, Dec 14, 2016 at 11:22 AM, Mark Fosdal <mark.fosdal@gmail.com> wrote:

Ms Coogan,

I recently moved to the address of 1010 3rd St West in Kirkland that is adjacent to the Dibble Engineering facility at West 3rd St and Market. It was recently brought to my attention the extent of the renovation regarding the proposed two story building and would like to voice my strong objections to the present proposal.

It is my understanding that the proposal has an additional thirty stalls for parking. It is not common for any business along Market (which is mostly residential) to have that size of business. My concern is the number of added employees during the day will alter the atmosphere of the residential area along market as this is beyond the norm of any other business on Market street.

I also understand that the entrance to the parking facility of this proposed sight will be in my alley which is how I get to my garage. Again, I have not found any business along Market that has parking access from a residential ally. With children that visit my home and play in the front yard, this present proposal raises significant concern to the added danger as 30-40 cars enter "a blind corner" into an alley parking each day. It is hard for me to imagine that this was considered when these plans were drawn up.

I encourage you and the city to work with the present proposal that allows him financial incentive with a project that is safe and conducive to the neighboring homes in the West Market area. Please do not hesitate to reach out to me for any clarification in my perspectives of this proposal.

Regards,

Mark Fosdal

206-849-5438

Janice Coogan

From: Bryan DuPaul <bryandupaul@gmail.com>
Sent: Monday, November 14, 2016 4:05 PM
To: Janice Coogan
Subject: Dibble Variance Case No. VAR16-02086
Attachments: Dibble alley apts.JPG

Follow Up Flag: Follow up
Flag Status: Flagged

I am attaching a picture of the alley that is directly behind the Dibble building that shows the ever increasing number of Mother-in Law units. It was good to speak with you about out parking concerns with this project.

Bryan DuPaul
344 10th Ave West
Kirkland, WA. 98033
Ph 425 822 0823

November 7, 2016

Ms. Janice Coogan, Senior Planner
jcoogan@kirklandwa.gov
City of Kirkland – Planning and Building Dept.
123 5th Avenue
Kirkland, WA 98033

Re: Permit Number CAR16-02086
Dibble Engineers, Inc.
1029 Market Street
Kirkland, WA 98033

Dear Ms. Coogan:

Thank you for the opportunity to comment on the variance / proposal to redevelop the property at 1029 Market Street. We have lived in the "Old Kirkland" area since 1991. We have been fortunate to raise our children here and be a part of the school district and community. We have certainly seen the City of Kirkland change over those past 25 years. The City of Kirkland has done a great job in approving developments that keep the charm of our lakeside community! Some residents don't like change in general. However without development, our city would become stagnant and not maintain the vitality is shares with the residents.

Based on the Notice of Variance and Optional SEPA Notice dated 10/27/16 and the Concept Designs provided by Freiheit & Ho Architects, we would like to respond to the two Process IIA Zoning Permit departure requests:

1. Height Variance. The 15" height variance will not be perceptible from the street while driving, walking, or biking by it. In my opinion it will not affect a shadow on adjacent structures or sidewalks as the building is and will still be surrounded by streets or an alley. Additionally the prominent sun exposure will be from the south and the west and again, will not cast any additional shade or shadows on the neighboring structures. Furthermore, the project is based on historic grades from the 1930's via photo documentation of an original Texaco fuel station at this site. We take no exception to this variance.
2. Parking Modification. In my opinion 4 additional parking stalls in insignificant to Market Street. It is likely employees carpool, take transit, or bike to work, therefore these spaces may not be used. Understandably the habits of the employees is not quantifiable other than the fact that most environmentally conscious residents in the Puget Sound region strive to use public transportation.

Additional comments about the proposed redevelopment are as follows:

a) We understand there will be a nice pedestrian friendly street view. Brick will likely be incorporated into the façade in keeping with the Kirkland charm.

b) A wider sidewalk along Market Street will maintain the pedestrian friendly feel the city requires.

c) New landscaping with street trees will provide the same atmosphere that we see now along the street.

d) We applaud Dibble Engineers for embracing "Solarize Kirkland" program.

e) We are used to driving down Market Street and seeing Dibble Engineer's iconic symbol. I understand the firm has been in Kirkland for the entire 15 years of their firm's existence. It would be a shame to lose a firm to a neighboring town if the city of Kirkland does not accept these minor departures.

f) The new building will add to the Kirkland Vision 2035 by providing an urban corridor of office along Market Street while improving a buffer to the neighboring homes. Further in line with the Vision, the development promotes Class A office space for high paying, white collar jobs, which are the intended and preferred work force to this area.

Thank you for you for allowing me to express my support this project and I encourage the City of Kirkland to move forward with this project.

Sincerely,

Beth Jensen
1204 5th Street
Kirkland, WA 98033
425-466-4693

Janice Coogan

From: Mark Fosdal <mark.fosdal@gmail.com>
Sent: Wednesday, December 14, 2016 11:23 AM
To: Janice Coogan
Subject: Dibble Project (West Market) - DRV16-02204/VAR16-02086

Ms Coogan,

I recently moved to the address of 1010 3rd St West in Kirkland that is adjacent to the Dibble Engineering facility at West 3rd St and Market. It was recently brought to my attention the extent of the renovation regarding the proposed two story building and would like to voice my strong objections to the present proposal.

It is my understanding that the proposal has an additional thirty stalls for parking. It is not common for any business along Market (which is mostly residential) to have that size of business. My concern is the number of added employees during the day will alter the atmosphere of the residential area along market as this is beyond the norm of any other business on Market street.

I also understand that the entrance to the parking facility of this proposed sight will be in my alley which is how I get to my garage. Again, I have not found any business along Market that has parking access from a residential ally. With children that visit my home and play in the front yard, this present proposal raises significant concern to the added danger as 30-40 cars enter "a blind corner" into an alley parking each day. It is hard for me to imagine that this was considered when these plans were drawn up.

I encourage you and the city to work with the present proposal that allows him financial incentive with a project that is safe and conducive to the neighboring homes in the West Market area. Please do not hesitate to reach out to me for any clarification in my perspectives of this proposal.

Regards,

Mark Fosdal

206-849-5438

HEFFERNAN
LAW GROUP PLLC

1201 Market Street
Kirkland, Washington 98033-5440
Phone: 425.284.1150
Fax: 425.284.1147
www.heffernanlawgroup.com

T. Daniel Heffernan
Admitted in WA, OR, NY
Direct: 425.284.1140
dan@heffernanlawgroup.com

November 7, 2016

VIA U.S. MAIL
Ms. Janice Coogan, Senior Planner
City of Kirkland – Planning and Building Dept.
123 5th Avenue
Kirkland, WA 98033
JCoogan@Kirklandwa.gov

Re: ***Proposed Office Building Development Dibble Engineers, Inc***
City Project Number DRV16-02204, 1029 Market St

Dear Ms. Coogan:

We are neighbors of Dibble Engineers Inc. business and office site and would like to voice our opinion and feedback of their proposed new office building to be built at 1029 Market Street in Kirkland. We have received the packet of information from Dibble Engineers showing the floor plans and preliminary site plan and DRB package for project massing dated 11/07/16. We would provide the following support and feedback for the project:

1. The new building will improve the neighborhood street, alley sidewalk, curb and gutter frontages with additional street trees and an increased setback buffers toward the neighbor to the rear and adjacent neighbor northwest then that which currently exists.
2. The new building will allow for increased street presence to the Kirkland Vision 2035 for providing an urban corridor of office along the arterial of Market Street while improving a buffer to the neighboring homes. Further in line with the Vision, the development promotes high paying, white collar jobs, which are the intended and preferred work force to this area, while providing more class A office space to Kirkland.
3. The new building will activate and engage the street frontage, while the occupied office space will add security and oversight to the public pedestrian areas.
4. The parking will be improved by changing the existing 12 onsite parking stalls to 39 onsite parking stalls which will reduce the overflow onto the public street areas. We support the allowance request is for an additional 4 offsite parking stalls to be allowed based on the challenging site's configuration and limitation, while optimizing the parking that exists on the site frontages .

5. The larger building will provide improved sound blocking of Market Street road noise to the neighborhood.
6. The new building will allow a valuable professional office and business to stay in Kirkland. The Dibble Engineers firm is a good neighbor and supports local businesses and development. The office activity is primarily from 8 am to 5 pm, providing a great quiet neighbor, while keeping their site well maintained.
7. From an office standpoint, the new building will be a Class "A" 12,900 sf new office space which would replace the current 1970's Class "B" office space, allowing for a higher efficiency use of the land and creating an investment into the community. There is both short term increased tax revenue from construction, and long term re-occurring increased property tax revenue to improve the city's budget.

We would like to support this project and encourage the City of Kirkland to move forward with this project with our support. Please feel free to contact me if would like to discuss further.

Very truly yours,

HEFFERNAN LAW GROUP PLLC

T. Daniel Heffernan

TDH/cbm

Janice Coogan

From: Lisa James <lisarenejames@hotmail.com>
Sent: Thursday, November 17, 2016 3:37 PM
To: Robb Dibble; Paul Quincoses
Cc: Janice Coogan
Subject: Re: Regarding the Request for a parking variance/reduction by 4 stalls

Hi Robb,

Thanks so much for getting back in touch. I think to have a real discussion about the impact of this project it would be better to invite all property owners that live off of the alley and will be impacted by this project to a meeting either the week after Thanksgiving or the second week in December. Many of the neighbors are shocked that this project is placing commercial traffic onto the alley and many of the other neighbors use this alley each day. There is nothing stopping the commercial traffic, visitors, and employees from making right turns down the alley impacting everyone and the privately paid for pavement. This is not what the alley was designed for. There are so many issues with having an entrance/exit off of the alley not to mention the increased traffic using a hidden right turn into the alley off of 3rd.

Do you have the emails for all the neighbors on the alley? Have you told them that you are asking for commercial traffic access to the alley? This was not mentioned at all in the blue variance letter that was sent to all of us regarding the project.

I don't have availability until after Thanksgiving. I do plan on writing a follow up letter to Janice post my discussion with both her and Thang. I have some ideas to try to mitigate the traffic safety of the current design and focus on all traffic entering and leaving the property off of 11th where the current entrance is located. It would require a different building design.

The general rule of thumb in Kirkland has been to not have building designs that have commercial traffic going onto alleys. Thang admitted in our conversation that this is a very unique situation in the current proposal.

I do not support the design or proposal as current presented to the city. I do support a taller building with all access off of 11th.

Best regards,

Lisa James
425-864-3529

From: Robb Dibble <Robb@DibbleEngineers.com>
Sent: Thursday, November 17, 2016 12:12 PM
To: 'lisarenejames@hotmail.com'; Paul Quincoses
Cc: 'Janice Coogan'
Subject: RE: Regarding the Request for a parking variance/reduction by 4 stalls

Thank you Lisa for the follow up email.

I appreciate the dialogue and in recommendation by our planner, its suggested we find a time to get together to discuss the concerns further and how to make a successful project for both us and the neighborhood.

We had a meeting at the city to discuss the parking concern, and we are going to revisit the parking to eliminate the offsite parking variance request, and revise our parking garage.

We have strived to have good outreach to the neighbors around us, and will continue to do so.

I understand busy schedules and would offer to come by end of the day today, tomorrow, or even Saturday morning if that works best for you.

I'm willing to listen and see what we can do to accommodate a successful partnership with you as a neighbor and for the best fit of the proposed project for our community.

Please let me know what would work for you.

Thanks,

Robb Dibble, PE | Principal
robb@dibbleengineers.com
t 425.828.4200 x222
1029 Market Street, Kirkland, WA 98033
DEI www.dibbleengineers.com

New Year! New Look! Celebrating our 15th Anniversary!

From: Lisa James [mailto:lisarenejames@hotmail.com]
Sent: Tuesday, November 15, 2016 10:31 AM
To: Janice Coogan <JCoogan@kirklandwa.gov>
Cc: Paul Quincoses <quincoses@hotmail.com>; Billy Noland <talktalk65@hotmail.com>; rlehr@evergreenid.com; trish.lehr@uwsc.org; lindystewart@gmail.com;

realtor.wolf.puls@gmail.com; roshanparikh@hotmail.com; lmilinkovic@icloud.com; lebo22@comcast.net
Subject: Re: Regarding the Request for a parking variance/reduction by 4 stalls

Hi Janice,

Thank you so much for your follow up. Just to reiterate we are not opposed to the height variance at all.

I had an informative call with Rob Dibble last night. I now have even more significant **traffic and safety** concerns post our conversation. Rob mentioned that even if the variance is not allowed, that the intent is to essentially take the end of the alley and turn it into a high traffic city street particularly during active times like rush hour and lunch. The current design is for 39 parking stalls from what was mentioned in our conversation.

The alley was NEVER intended to handle 39 cars plus business trips and visitors on a daily basis turning right or left into the alley. If you look at the length of the Dibble property, it is about the length of two homes. That would mean 4 cars going into the alley each day, not 39 cars. 39 net new cars belong on a city street access point to the property, NOT an alley. The alley is not designed to accommodate two lanes for traffic safety on it's full length and furthermore children play off of this alley. No parent moved to these homes thinking that there would be high traffic use both in front of and behind their homes.

I would like to better understand why the entrance to the parking area can not be placed off of Market Street or 11th, both city streets with two lanes that are designed to handle high amounts of traffic and address safety, clearance, and capacity issues. The alley paving was paid for by the houses on the lane because it is NOT considered a city street. 39 more cars each day will degrade the surface quickly leading to further burden on the residents of the alley as this has never been designed to handle high amounts of traffic.

With regards to traffic safety, we regularly see near misses as traffic makes a speeding right onto 3rd off of Market and residents are turning right into or out of the alley. Having employee cars hidden on 3rd turning right into the alley will lead to a high accident rate in this area for both employees and residents as they are rear ended making hidden right turns.

A traffic study would need to be done due to the significant dangers of this proposal. I would support an entrance off of Market Street or 11th, but NOT the alley.

Thank you for considering all the complexities of this project. There are so many issues with the current proposal, yet we do support having a two story building there if traffic and resident safety and off street parking are addressed. Rob has been an excellent neighbor over the years, and we wish him the best in the growth of his business.

Best regards,

Lisa James and Paul Quincoses

425-864-3529, 425-269-5002

From: Janice Coogan <JCoogan@kirklandwa.gov>
Sent: Monday, November 14, 2016 7:16 AM
To: 'Lisa James'
Cc: Paul Quincoses; Billy Noland; rlehr@evergreenid.com; trish.lehr@uwsc.org; lindystewart@gmail.com; realtor.wolf.puls@gmail.com; roshanparikh@hotmail.com
Subject: RE: Regarding the Request for a parking variance/reduction by 4 stalls

I've received your email comments and will forward it to our staff and decision makers.

Janice Coogan
Senior Planner
City of Kirkland Planning and Building Department
123 Fifth Avenue Kirkland WA 98033
425.587.3257
"Kirkland Maps" makes property information searches fast and easy.
GIS mapping system now available to public at http://maps.kirklandwa.gov.

From: Lisa James [mailto:lisarenejames@hotmail.com]
Sent: Sunday, November 13, 2016 9:17 PM
To: Janice Coogan <JCoogan@kirklandwa.gov>
Cc: Paul Quincoses <quincoses@hotmail.com>; Billy Noland <talktalk65@hotmail.com>; rlehr@evergreenid.com; trish.lehr@uwsc.org; lindystewart@gmail.com; realtor.wolf.puls@gmail.com; roshanparikh@hotmail.com
Subject: Regarding the Request for a parking variance/reduction by 4 stalls

Name: Lisa James and Paul Quincoses
Address: 322 10th Avenue W, Kirkland, WA 98033
email address: lisarenejames@hotmail.com and Quincoses@hotmail.com
Case number: VAR16-02086
Public comment due by: **5 pm - Nov. 14th**

Hi Janice,

Thank you for allowing public comment on the proposed zoning permit request for a height variance and parking modification to the 1029 Market St. property where Dibble Engineering currently resides.

We are fine with the 2 story height variance, but we are NOT ok with the reduction of 4 parking stalls for the site. The current business has invaded the residential street parking in the area on a daily basis. I regularly see 6-10 cars parked out on the street that are employee cars. This is unacceptable to put 4 additional cars out on the neighborhood residential streets in front of our homes and next to the alley where we exit each day. That turn is a dangerous turn as right turns off of Market St. regularly come speeding into the neighborhood and additional parked cars on 3rd street make exiting the alley even more dangerous.

It would be possible to have two solutions to this problem:

- Either make provisions for underground parking, or
- Have the current plan include purchase of the triangle lot to turn into a parking area if that much extra parking is needed to already address an overcrowded business parking lot.

In line with other expectations placed upon residential properties in Kirkland, any ADU is required to provide off street parking. Because this property is adjacent to a residential alley and homes, there should be a similar expectation that parking for all of the occupants is off street. It is clear with the expansion of office space that there will be even more employees coming to work onsite, creating an even greater need for parking spaces. The variance request and this fact are at odds.

Thank you for not approving the parking reduction variance!

Best regards,

Lisa James and Paul Quincoses
425-864-3529

This email has been scanned for spam and viruses by Proofpoint Essentials. Click here to report this email as spam.

Janice Coogan

From: John Fiala <johnfiala@windermere.com>
Sent: Saturday, November 12, 2016 2:12 PM
To: Janice Coogan
Subject: City Project Number DRV16-02204 Support Letter, 1029 Market Street Kirkland, WA 98033
Attachments: John Fiala Neighbor Letter.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Ms. Coogan,

I am a local Realtor in Kirkland and I would like to submit a letter of support for project DRV16-02204 at 1029 Market Street Kirkland, WA 98033. Attached is a letter of support and the benefits this project would add to the city of Kirkland in my opinion. Thank you for your time.

John Fiala

Windermere Real Estate Central/Inc.
Cell 425-785-2026
Office 425-823-4600
Email johnfiala@windermere.com
www.johnfiala.com
737 Market Street
Kirkland, WA 98033
About John

November 11, 2016

City of Kirkland – Planning and Building Dept.
Attn: Ms. Janice Coogan, Senior Planner
Email: JCoogan@kirklandwa.gov
425-587-3257
123 5th Avenue
Kirkland, WA 98033

Re: Proposed Office Building Development
Dibble Engineers, Inc – current Site
City Project Number DRV16-02204
1029 Market Street, Kirkland, WA 98033

Dear Ms. Coogan:

I have had the privilege of being a local Realtor with Windermere for the past nine years in Kirkland. My office is located at 737 Market Street. It is just south of the proposed new office building to be built at 1029 Market Street in Kirkland. I have had the opportunity to review the information from Dibble Engineers concerning the preliminary site plans and the DRB package. After reviewing the information, I would like to express my support for this project and share some benefits I see for our community.

1. Working in a building built in the late 1800's, I see the value for Kirkland to have a new Class A building on Market Street. I enjoy the charm of the historic buildings, but the conditions, layouts and infrastructure of current older buildings are not conducive for many businesses who rely on technology.
2. Visually, I enjoy both the historic, and the new construction on Market Street. There are several older, outdated buildings, which are showing their age. A new building would help with a positive impression along the Market Street. It would help give a vision of an urban corridor on the arterial of Market Street.
3. The growth of downtown of Kirkland has had an impact on congestion and parking. I love working on Market Street, since I have different ways to access my office; from the freeway, from either NE 124th St., NE 116th St., or Central Way. The location has perfect to access to the freeway, and also downtown. This location also helps reduce downtown Kirkland traffic, since there are easy alternatives to the freeway which do not add to the local business congestion.
4. The new building will improve the neighborhood streets, alley sidewalks, and curb and gutter frontages with addition of street trees.
5. The new larger building would improve a buffer to the neighboring homes, which would provide improved sound blocking of Market Street road noise to the neighborhood.
6. A Class A building would bring in new jobs to Kirkland. As a Realtor, I know many buyers are tired of commuting. This new addition to Kirkland would bring potential buyers to our area which would directly relate to an increased opportunity for employment.
7. This new building plan has the onsite parking stalls which will reduce the overflow onto the public streets. In my opinion, this is a key element.
8. From an office standpoint, the new building would be a Class "A" 12,900 sf new office space, which would replace the current 1970's Class "B" office space. This would allow a higher efficiency use of the land, creating an investment for the community. There are both short term increased tax revenue from construction, and long term reoccurring increased property tax revenue to improve the city's budget.

As a local business man, and an alumni of Lake Washington High School, I deeply care about the future of Kirkland. I support this project. It would be a positive addition for Kirkland and also to the surrounding community. If you have any questions, please let me know.

Sincerely,

John Fiala
Windermere Real Estate Central/Inc
425-785-2026
737 Market Street
Kirkland, WA 98033

November 7, 2016

Ms. Janice Coogan
City of Kirkland Planning and Building Dept.
123 5th Avenue
Kirkland, WA 98033

Re: Notice of Application
1029 Market Street, Kirkland, WA 98033
VAR16-02086

Dear Ms. Coogan:

As Kirkland residents, we would like to support Dibble Engineers proposed new office building at 1029 Market Street in Kirkland. We have reviewed the DRB meeting packet dated 11/07/16 and offer the following comments regarding the project:

1. Market Street is undergoing a transformation and there are a variety of commercial buildings along it, some of them quite dated and in need of updating or replacement. Adding a new Class A office building would be a welcome improvement and be more in line with newer commercial buildings in the area.

2. The current building has a very small parking lot. There appears to be a number of cars parked along the side streets, so expanding the onsite parking to 39 stalls would help reduce that. Allowing 4 offsite stalls would not impact the neighborhood since the adjacent vacant parcel can accommodate the overflow and keep the cars away from the residential streets.

3. Dibble Engineers is an established Kirkland company and has brand recognition on Market Street, which they can maintain if are able to stay in their location.

4. The setback variances that have been requested on Scheme 2 do not significantly change the way the massing looks versus Scheme 1, which is code complaint, but Scheme 2 offers almost 2,000sf more usable area, which meets the tenant space requirements. The proposed Plaza and additional landscaping will more than make up for the encroachments.

We think this project will add value to the neighborhood and encourage the City of Kirkland to allow this project to move forward with the variances requested.

Sincerely,

Matthew and Vivian Lederman
12459 NE 104th Street
Kirkland, WA 98033
matthewrlederman@gmail.com

Janice Coogan

From: Robert Lehr <rlehr@evergreenid.com>
Sent: Monday, November 14, 2016 9:34 AM
To: Janice Coogan
Cc: 'Trish Lehr'
Subject: RE: 1029 Market Street

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

Janice:

I sent the email below back on Oct 26 and never heard back. Did you receive? I have received no email updates on this project.

Going forward... I am Robb Dibble's closest neighbor to the west. I have been crazy busy at work so may not have kept tabs on this project as I should have, but in our last conversation you told me that there were three variances for which this property is applying:

1. Closer to Market Street
2. Height variance (a discussion of where the 25' height should be measured), and...
3. 4 less parking stalls on property.

I reviewed the sign posted on property this morning and it appears that only the 4 parking stalls are mentioned. And the emails from yesterday and this morning reflect only the parking issue. Did I miss something? I had discussions with Robb about the Market Street variance and I am very much in favor of allowing that as I believe it places the structure in a more favorable orientation on the property and creates a better buffer between a commercial building on Market Street with residential next to them. I feel this is an issue that should be addressed all along Market Street. I realize that the line between commercial and residential has to be drawn somewhere and it happens to fall between me and Robb. I am not arguing that it be moved, only that consideration be taken for us home owners who have to live next to it. Living on the residential/commercial border is a detriment to our home, our living experience, and our home values. Assistance from the city to help create a better buffer should be required.

On the subject of parking, I too would prefer that the building provide adequate parking for their tenants. I see the street parking issue with a commercial building to the east and north of me. Tenants and visitors to these buildings park on 11th all the time. And it appears to be getting worse. **Is there a way to let this building move closer to Market Street and provide additional parking which would solve both issues?**

Lastly, I will echo an earlier comment that Robb Dibble has been an exceptional neighbor and has always been willing to work with his neighbors on any issues that arise.

Regards,
Bob Lehr

Robert Lehr
Evergreen ID Systems
800-990-0777 / 425-889-7400
Card Systems and Supplies: www.evergreenid.com
Security Solutions: www.evergreenidsystems.com

From: Robert Lehr [mailto:rlehr@evergreenid.com]
Sent: Wednesday, October 26, 2016 12:03 PM
To: 'jcoogan@kirklandwa.gov'
Subject: 1029 Market Street

Ms. Coogan:

Thanks for the phone conversation today on the 1029 Market Street project. I am the direct neighbor just to the west of this property. I would like to stay involved as this progresses. Please add me as a Party of Record on this project.

Regards,
Bob Lehr

Robert Lehr
Evergreen ID Systems
800-990-0777 / 425-889-7400
Card Systems and Supplies: www.evergreenid.com
Security Solutions: www.evergreenidsystems.com

236 7th Ave W
Kirkland, WA 98033

November 4, 2016

City of Kirkland
Kirkland Planning Department
Design Review Board
123 5th Avenue
Kirkland WA 98033

Ref: 1029 Market Street Office Building
DRB Meeting Packet 11072016 - DRV16-02204

Dear Madam and Sirs,

Thank you for the opportunity to comment on the proposal to redevelop the property at 1029 Market St in advance of the meeting scheduled for November 7, 2016.

Please accept this letter conveying comments and concerns with the project which I hope will be accepted and result in an improved project that benefits the neighborhood, Dibble Engineering, and the City of Kirkland.

Below you will find several categories of comments:

- Setback
- Siting
- Design Features
- Parking
- Traffic Flow

Upon consideration of the overall proposal and taking all aspects of the proposed improvements together, it is clear that the project anticipates a building and use

that is too large for the parcel, especially given its location on a busy street with tightly constricted and inconveniently located intersections, side streets, and the alley.

It is also clear that Dibble Engineering is a growing and successful firm. Its location in Kirkland is beneficial to the City, the firm, and its customers. Thus it would seem wise for the firm to instead consider relocating to a larger space, for example, the now-available property at 505 Market St which seems to offer growth opportunities, including a large parcel, a large office building, and appropriate parking.

Setback

While this parcel is indeed located in a narrow "Office Mixed Use" zone, more importantly, it is:

- In a residential neighborhood
- Adjacent to and across the alley from single family residential homes
- On Market Street that is almost park-like in setting with buildings that are comfortably set back from the street and trees both alongside and in the median.

Indeed, 2-3 blocks to the south of the property on Market St there is a small business district zoned "Commercial Mixed Use" where the buildings have no setback. However, the separation is both critical and useful. This separation provides a clear transition in "feel" of the area so that by the time one travels from the very small commercial district to the subject property (whether by car, bike, or foot), there is a very real difference to the traveler and the resident. The design and siting of any building at 1029 Market needs to accommodate, conform to, and respect the established immediate residential neighborhood rather than disrupt it by imposing a commercial environment.

Thus, all existing setback requirements should be respected and the proposed "Scheme 1" should be discarded.

Siting

This parcel has a downslope from the front on Market St toward the alley behind. This downslope should be advantaged to reduce the building height to conform to zoning. Note the design of the nearby office building at 312 11th Ave W that essentially fronts on Market next door to the North of the subject property. In this case, the first floor along Market St is slightly below the level of Market St which reduces both the height and mass of the building. Making good use of the lot downslope will reduce the impact of the proposed building on the surrounding area. Instead, both proposed schemes show the Market St side of the building at the same elevation as Market St and thus have inappropriate height.

Further, the mass and impact of the building should be reduced by recessing the second floor along all streets and the alley so that it blends in better with the adjacent residential buildings.

Design Features

There is no available parking on Market St and nearby bus stops are located up and down Market St from the building. Employees and visitors will be accessing the building from the parking areas, garage, or side streets. Thus, the illustrated street-level entryway (front door) and lobby which is enhanced and emphasized in "Scheme 2" seems to have no practical value.

Market St. at this location is a thoroughfare for pedestrians, bicyclists, and vehicular traffic. There is significant pedestrian traffic on Market St – people who are walking to/from Downtown Kirkland, to/from Heritage Park, or getting into the residential streets for a dog walk. This project will never be a destination for the public. Note that there is a small park nearby at the corner of 13th Ave W and Market St. which is simply never used. The public plaza included in "Scheme 2" seems initially and conceptually like an interesting idea, but has no apparent practical value to the neighborhood environment.

Parking

In both schemes, the ground-level parking layout for the lot off of 11th Ave W seems impractical. There are two stalls at the South end of the lot with insufficient "turn around" space within the lot itself. It appears that drivers using either of these stalls will have to exit by backing their vehicle the full length of the lot and out onto 11th Ave W across the sidewalk and into the cross traffic flow. This flow will include traffic from close-by exit of the garage under 312 11th Ave W across 11th Ave W as well as normal residential traffic to and from Market St. The proposed parking lot flow does not appear to usefully or practically support the number of stalls that are drawn.

Also in both schemes, there appear to be 3 parallel stalls adjacent to the alley that serves residences on 10th Ave W and 11th Ave W. The subject parcel is the only office parcel served by this alley. Use of these stalls will dramatically increase the traffic on this alley where children will be playing and site lines are poor due to garages located close to or adjacent to the alley right-of-way. For safety's sake, any approved design needs to exclude parking stalls adjacent to the alley.

While there currently seems to be at most 1 parking stall on Market St adjacent to the parcel, it's clear that Market St is currently a major thoroughfare and traffic arterial. A future-looking plan anticipates that community and traffic growth will eventually require changes to Market St. that will eliminate all parking. Thus, this single space should not be considered as available during consideration of improvements to the parcel.

It's important for the planning effort to recognize and accommodate the existing and future commuter parking in the neighborhood. The Metro 255 line is a major commute resource for people within several miles of Market St. Streets adjacent to Market that are close to bus stops on either side of Market St., such as 3rd St W, 11th Ave W, and 11th Ave, are used for vehicle parking by commuters who live beyond walking distance from bus stops on Market St. Since commuters occupy this space well before business hours, street parking stalls will not be available for office workers or office staff. Thus, an effective site plan needs to provide adequate onsite

parking for visitors and staff. Neither proposed design scheme meets this requirement.

Traffic Flow

In both schemes, the alleyway is proposed as the entrance and exit for the parking garage. At first glance, the safety concerns seem reduced because the new entrance/exit is close to the street. However, experienced drivers who want to go North on Market St during congested commute hours will discover that turning left onto Market from 10th Ave W is quite difficult and will instead use the alley to either access Market via 4th St W to 13 Ave W, or, when traffic is really tough, use the alley to track through the neighborhood to the Northbound access lane at 16th Ave W. Again, for safety's sake in recognition that this is a residential alley, not a commercial alley, the alley should not be used for garage or parking lot access. Both design schemes encourage unsafe parking garage access.

The angular orientation of the streets that intersect Market St. currently cause traffic flow problems and also create severe challenges to improvement projects in the area. The alley between 10th Ave W and this parcel where it intersects 3rd St W is sometimes the scene of "close calls" as vehicles exiting the alley struggle to avoid vehicles and bicyclists that turn from Southbound Market St right onto 3rd St. W. The sight line is poor and any vehicle turning left onto 3rd St W from the alley has to cross the approaching traffic from the right. This traffic is extremely difficult to see and tends to be traveling at close to the speed limit since the corner is wider/gentler than the usual 90 degrees. A reconfiguration of the parking design that moves the garage or parking lot access closer to Market St would be even more unsafe with a much higher chance of accidents, injuries, and death. The only appropriate parking access for this parcel is from 11th Ave W. Neither proposed scheme provides safe parking access.

Summary

This project clearly proposes a building and parking design that is not appropriate for the size of the parcel, is out of character with the neighborhood, and creates unsafe conditions for residents as well as vehicular traffic, bicycle traffic, and

pedestrians. There isn't enough onsite parking and the proposed parking design is both unsafe and impractical.

While this project has the specific objective to provide space for a known company, effective planning requires that everyone recognize that business situations change over time and the building is highly likely to be used differently in the future. Thus, for example, a tight parking design that seems to depend on close cooperation between the office workers is not a sustainable solution in the long term.

A parking plan that depends on on-street parking will be invalid as other nearby properties are developed and improved. Put another way, it is likely that a new building will be in use and part of the neighborhood and its traffic pattern long after Dibble Engineering has moved on into its own future.

The long term success of redevelopment of this parcel requires that the project be self-contained, self-sufficient, safe for the neighborhood, safe for the office workers, safe for the visitors, and adaptable to the future. Neither of the proposed schemes meets these requirements.

Analysis indicates that the project is simply too large for the parcel. The proof is the request for permission to "push the envelope" and request exceptions and variances of City zoning rules, and regulations.

Dibble Engineering is a successful and growing firm which is honored and valuable to the Community. Another location seems more appropriate to accommodate its growth needs unless the size of the proposed building and parking can be reduced, the design improved, and the resulting project fits within all applicable City zoning rules, and regulations.

Thank you.

Sincerely,

Kenneth E. MacKenzie

PHILIP S. MAXEINER C.P.A. P.S.

CERTIFIED PUBLIC ACCOUNTANT

1410 Market Street
Kirkland, Washington 98033-5409
Email pmaxeiner@maxeinercpa.com

Office (425) 827-6100
Fax (425) 828-6444
Cell Phone (425) 260-0140

November 7, 2016

City of Kirkland
Planning and Building Department
123 5th Avenue
Kirkland WA 98033

Attention: Janice Coogan

Dear Ms. Coogan:

RE: Proposed Office Building Development
Dibble Engineers, Inc - current site
City Project Number DRV16-02204
1029 Market Street
Kirkland WA 98033

I am the owner and occupant of 1410 Market Street, a neighbor of Dibble Engineers, Inc. I do voice my approval of the Dibble Engineers, Inc proposed new office building to be built at 1029 Market Street. I received a proposal from Robb Dibble P.E. detailing the floor plans and computer generated renderings of the completed structure.

1410 Market Street is now thirty-four years old. I have practiced here since March 1982. The continual improvements of Market Street during these thirty-four years have been met with my approval. The Dibble Engineers, Inc office building will continue the progress of matching office buildings, residences, trees and pedestrians along all of Market Street. We property owners and all the Kirkland City Planners can be proud of our Market Street.

The proposed Dibble Engineers, Inc plans offer these benefits:

1. The design and construction will improve all streets, alley, sidewalks and buffers for the adjoining neighbors.
2. The Class A building will continue the matching of building with the large numbers of pedestrians that use Market Street that I see daily from my west facing office view. Providing pedestrian benches to harmonize construction and sidewalk use is an idea of careful blending of street usage.

3. Increasing onsite parking will be a substantial benefit to Market Street. This will prevent vehicles from driving around block after block looking for a parking spot. Please do allow the permitting process to accommodate as much parking as possible.
4. I do not feel that a two story building will be a disadvantage to the surrounding neighbors. There is a pronounced grade from Market Street down to the building site that will be used as an advantage. The building will not appear massive looking west from Market Street.
5. The Dibble Engineers, Inc building will offer a noise buffer to the neighbors. The professional office usage is during normal business hours during the weekday. There will be no noise generated by Dibble Engineers, Inc, encouraging the blend of buildings and residences.
6. Perhaps most importantly will be the increase of tax revenue to the City of Kirkland.

Please approve the construction and site variances. Market Street is far more soothing and pleasant a street to travel allowing vehicles, bicycles and pedestrians to mix together. The new 1029 Market Street construction will further develop this attribute.

Sincerely yours,

Philip S. Maxeiner CPA

Janice Coogan

From: Mark Nickerson <markni@Outlook.com>
Sent: Monday, November 28, 2016 3:32 PM
To: Mark Nickerson; Janice Coogan
Subject: RE: Bldg variance, case no. VAR16-02086
Attachments: WP_20161128_12_50_34_Pro.jpg; WP_20161128_12_51_06_Pro.jpg

Attached are photos of Dibble employees parking on 3rd Street West and 10th Avenue West.

From: Mark Nickerson
Sent: 11/28/2016 2:21 PM
To: jcoogan@kirklandwa.gov
Subject: Bldg variance, case no. VAR16-02086

Dear Ms. Coogan:

I left you a voice mail, but I would like to know more about the proposed variance. I am vehemently opposed the variance for parking and would like to review the proposal and any "Parking Modification Data."

The principal occupant of the existing office space is Dibble Engineering. They are a consulting engineering firm with very high occupancy per square footage of office space. Please check out their website. They are not providing adequate on-site parking for their existing employees and have asked their employees to park on 3nd Street West and 10th Avenue West.

These employees of Dibble Engineering are basically parking on the streets near 1009 Market Street. This parcel is currently undeveloped. What is the parking situation when that parcel is developed?

First, please register my opposition to the proposed variance. And please call me at (425) 889-1905. I would like to point out the existing parking situation to you.

Thank you,
Mark Nickerson
307 10th Avenue West, Kirkland
(425) 889-1905

November 7, 2016

City of Kirkland – Planning and Building Dept.
Attn: Ms. Janice Coogan, Senior Planner
Email: JCoogan@kirklandwa.gov
425-587-3257
123 5th Avenue
Kirkland, WA 98033

Re: Proposed Office Building Development
Dibble Engineers, Inc – current Site
City Project Number DRV16-02204
1029 Market Street, Kirkland, WA 98033

Dear Ms. Coogan:
As a resident and business owner in Kirkland, I would like to express my support of the proposed new office building to be built at 1029 Market Street in Kirkland. Having worked on many projects in Kirkland, I feel that this redevelopment is critical to maintain positive growth in the City and opening up more opportunity for its residents. I have received the packet of information from Dibble Engineers showing the floor plans and preliminary site plan and DRB package for project massing dated 11/07/16 and would like to provide the following support and feedback for the project:

1. The new building will improve the neighborhood street, alley, sidewalk, curb and gutter frontages with additional street trees and an increased setback buffers toward the neighbor to the rear and adjacent neighbor northwest then that which currently exists.
2. The new building will bring the business up to street grade with Market Street and help with the feeling of being more connected to this vital corridor. This will allow for increased street presence to the Kirkland Vision 2035 for providing an urban corridor of office along the arterial of Market Street while improving a buffer to the neighboring homes. Further in line with the Vision, the development promotes high paying, white collar jobs, which are the intended and preferred work force to this area, while providing more class A office space to Kirkland.
3. The new building will activate and engage the street frontage, while the occupied office space will add security and oversight to the public pedestrian areas.
4. The new building will allow a valuable professional office and business to stay in Kirkland. The Dibble Engineers firm is a good neighbor and supports local businesses and development. The office activity is primarily from 8 am to 5 pm, providing a great quiet neighbor, while keeping their site well maintained.
5. From an office standpoint, the new building will be a Class "A" 12,900 sf new office space which would replace the current 1970's Class "B" office space, allowing for a higher efficiency use of the land and creating an investment into the community. There is both short term increased tax revenue from construction, and long term re-occurring increased property tax revenue to improve the city's budget.

I would like to support this project and encourage the City of Kirkland to move forward with this project with our support. Please feel free to contact me at (425) 250-7224 if would like to discuss further.

Sincerely,

Todd Oberg, PE
Principal
The Blueline Group, LLC
25 Central Way, Suite 400
Kirkland, WA 98033

Janice Coogan

From: Roshan Parikh <roshanparikh@hotmail.com>
Sent: Monday, November 14, 2016 11:13 AM
To: Lisa James; Janice Coogan
Cc: Paul Quincoses; Billy Noland; rlehr@evergreenid.com; trish.lehr@uwsc.org; lindystewart@gmail.com; realtor.wolf.puls@gmail.com; Robb Dibble
Subject: Re: Regarding the Request for a parking variance/reduction by 4 stalls

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Janice,

To amend my earlier letter on this matter, I too hope that maximum on site parking will be allowed for the Dibble Engineers redevelopment project across from my house at 310 10th Ave West.

Thank you.

Roshan Parikh

From: Lisa James <lisarenejames@hotmail.com>
Sent: Sunday, November 13, 2016 9:16 PM
To: jcoogan@kirklandwa.gov
Cc: Paul Quincoses; Billy Noland; rlehr@evergreenid.com; trish.lehr@uwsc.org; lindystewart@gmail.com; realtor.wolf.puls@gmail.com; roshanparikh@hotmail.com
Subject: Regarding the Request for a parking variance/reduction by 4 stalls

Name: Lisa James and Paul Quincoses
Address: 322 10th Avenue W, Kirkland, WA 98033
email address: lisarenejames@hotmail.com and Quincoses@hotmail.com
Case number: VAR16-02086
Public comment due by: **5 pm - Nov. 14th**

Hi Janice,

Thank you for allowing public comment on the proposed zoning permit request for a height variance and parking modification to the 1029 Market St. property where Dibble Engineering currently resides.

We are fine with the 2 story height variance, but we are NOT ok with the reduction of 4 parking stalls for the site. The current business has invaded the residential street parking in the area on a daily basis. I regularly see 6-10 cars parked out on the street that are employee cars. This is unacceptable to put 4 additional cars out on the neighborhood residential streets in front of our homes and next to the alley where we exit each day. That turn is a dangerous turn as right turns off of Market St. regularly come speeding into the neighborhood and additional parked cars on 3rd street make exiting the alley even more dangerous.

It would be possible to have two solutions to this problem:

- Either make provisions for underground parking, or
- Have the current plan include purchase of the triangle lot to turn into a parking area if that much extra parking is needed to already address an overcrowded business parking lot.

In line with other expectations placed upon residential properties in Kirkland, any ADU is required to provide off street parking. Because this property is adjacent to a residential alley and homes, there should be a similar expectation that parking for all of the occupants is off street. It is clear with the expansion of office space that there will be <u>even more</u> employees coming to work onsite, creating an even greater need for parking spaces. The variance request and this fact are at odds.

Thank you for not approving the parking reduction variance!

Best regards,

Lisa James and Paul Quincoses
425-864-3529

November 7, 2016

City of Kirkland – Planning and Building Dept.
Attn: Ms. Janice Coogan, Senior Planner
Email: JCoogan@kirklandwa.gov
425-587-3257
123 5th Avenue
Kirkland, WA 98033

Re: Proposed Office Building Development
Dibble Engineers, Inc – current Site
City Project Number DRV16-02204
1029 Market Street, Kirkland, WA 98033

Dear Ms. Coogan:

I am the neighbor across the alley of Dibble Engineers Inc. My address is 310 10th Ave West, and I have lived in this house since July of 1993, and I have been a Kirkland resident since 1967. I received the packet of information from Dibble Engineers showing the floor plans and preliminary site plan and DRB package for project massing dated 11/07/16. While I like the low rise building there today, I realize that development will occur to the zoning limits, and I think the Dibble project has much to recommend it compared to other uses. My main concern is privacy to my house and yard, and that the glass used in the building minimize the reflective glare to my house. I do think the following points describe the benefits the project has to Kirkland and our local economy:

1. The new building will improve the neighborhood street, alley sidewalk, curb and gutter frontages with additional street trees and an increased setback buffers toward the neighbor to the rear and adjacent neighbor northwest then that which currently exists.
2. The new building will allow for increased street presence to the Kirkland Vision 2035 for providing an urban corridor of office along the arterial of Market Street while improving a buffer to the neighboring homes. Further in line with the Vision, the development promotes high paying, white collar jobs, which are the intended and preferred work force to this area, while providing more class A office space to Kirkland.
3. The new building will activate and engage the street frontage, while the occupied office space will add security and oversight to the public pedestrian areas.
4. The parking will be improved by changing the existing 12 onsite parking stalls to 39 onsite parking stalls which will reduce the overflow onto the public street areas. We support the allowance request is for an additional 4 offsite parking stalls to be allowed based on the challenging site's configuration and limitation, while optimizing the parking that exists on the site frontages
5. The project is proposal is based on using historic grades that date back to the 1930's that show from the photo documentation of an original Texaco fuel station at this site. We understand and support the proposal for the proposed height increase effects based on historic grades increase the average building height by fifteen inches (15") inches over that which the current depressed site reflects.
6. The larger building will provide improved sound blocking of Market Street road noise to the neighborhood.
7. The new building will allow a valuable professional office and business to stay in Kirkland. The Dibble Engineers firm is a good neighbor and supports local businesses and development. The office activity is primarily from 8 am to 5 pm, providing a great quiet neighbor, while keeping their site well maintained.
8. From an office standpoint, the new building will be a Class "A" 12,900 sf new office space which would replace the current 1970's Class "B" office space, allowing for a higher efficiency use of the land and creating an investment into the community. There is both short term increased tax revenue from construction, and long term re-occurring increased property tax revenue to improve the city's budget.

I support this project and encourage the City of Kirkland to move forward with this project with our support. Please feel free to contact me if would like to discuss further.

Sincerely,

Roshan P. Parikh
310 10th Ave. West
Kirkland, WA 98033
425 417 0239-cell number
roshanparikh@hotmail.com

Janice Coogan

From: Wolf Puls <realtor.wolf.puls@gmail.com>
Sent: Monday, November 14, 2016 4:04 PM
To: Janice Coogan
Cc: Wolf Puls
Subject: 1029 Market Street Project (Parking variance request)

Follow Up Flag: Follow up
Flag Status: Flagged

Janice,

Having just returned to Kirkland from a week in Chelan, I finally had a chance to review the plan and variance request in more detail and am now able to fully support the parking variance as proposed by the applicant.

If we were talking 10 to 14 spaces, then we might object but a 4 space variance should not negatively impact the neighborhood parking situation in our opinion.

We highly encourage the city to allow the variance and let this project commence.

If you have any questions please feel free to call me direct at 425 444-2787

Sincerely,

Wolf Puls and Lindy Stewart
314 10th Ave West.

--

Windermere Real Estate East Inc./ Yarrow Bay Office-MLS # 6393

Past President (2012) at SEATTLE- King County Board of REALTORS (SKCR*)
**** " A 6,000 member trade association dedicated to protecting private property rights and promoting strong ethics in the real estate profession"***

9 years voted by clients and industry pros as a "Best in Client Satisfaction" REALTOR
as featured in SEATTLE Magazine.

Over 1,000 sales completed in 47 cities and towns in Washington State

My hours are:
M-F 8-5
Sat-Sun - By appointment

--

Janice Coogan

From: thomas.uren <thomas.uren@frontier.com>
Sent: Thursday, November 17, 2016 5:42 PM
To: Robb Dibble; Janice Coogan
Cc: Chris Amonson (camonson@fhoarch.com); Lawrence Sharon; Janice Coogan
Subject: RE: VAR16-02086 - proposed building at 1029 Market St

Robb,

Thanks for reaching out, very much appreciated. I'm mainly interested in the proposed height relative to the building just north of you on west side of Market (it was built about 8 years ago). That will give me a frame of reference for the proposed finished height of your building.

I'm not necessarily opposed to the variance, but I am concerned about building heights along Market Street. I hope you understand.

Sent from my Verizon, Samsung Galaxy smartphone

-------- Original message --------
From: Robb Dibble <Robb@DibbleEngineers.com>
Date: 11/17/16 9:45 AM (GMT-08:00)
To: 'Janice Coogan' <JCoogan@kirklandwa.gov>, '"thomas.uren"' <thomas.uren@frontier.com>
Cc: "Chris Amonson (camonson@fhoarch.com)" <camonson@fhoarch.com>
Subject: RE: VAR16-02086 - proposed building at 1029 Market St

Thank you Janice,

Good Morning Mr. Uren,

Concur, our request is really quite minimal, however the city treats any request with the formal process of signage and comment.

As outlined, the building can go the 25' Average building elevation and that is what we're working with. The concept of having a roof top deck requires a stair tower extension above that 25 feet limit. The location will be set back near the tree buffer.

The overall average building increase, from where you live is effectively looking down on our building ridge line and comparing a 10' height versus an 9' allowed build height when we rebuild our office.

We did receive the signed petition by the 1st Street Owners about the height, but text of the cover letter is vastly misleading as our height will be about the same as the new home just built behind us and to the side of us. In essence the tree screening from where you live has a much bigger effect then our small building getting larger.

I'm happy to meet with you here onsite and discuss the project. Our approach is for open communication with the neighbors have we have been doing outreach on the west side of Market. To be fair, I really don't think you'll notice a bit of difference from our current building to what is being proposed.

Again, I'll make myself available if requested.

Thanks,

Robb Dibble, PE | Principal

robb@dibbleengineers.com

DEI t 425.828.4200 x222

1029 Market Street, Kirkland, WA 98033

www.dibbleengineers.com

New Year! New Look! Celebrating our 15th Anniversary!

From: Janice Coogan [mailto:JCoogan@kirklandwa.gov]
Sent: Thursday, November 17, 2016 8:49 AM
To: 'thomas.uren' <thomas.uren@frontier.com>
Cc: Robb Dibble <Robb@DibbleEngineers.com>; Chris Amonson (camonson@fhoarch.com) <camonson@fhoarch.com>
Subject: RE: VAR16-02086 - proposed building at 1029 Market St

Mr. Uren, I have responded to your questions below in red. The noticing requirements are a 300 ft radius from the site. You are welcome to come down to City Hall (8am-5pm)to review the files for the office proposal. We will add you as a party of record to receive notices.

There are several zoning review processes to the proposal to redevelop the site.

-VAR16-02086 for the height variance. In summary, because of past soil remediation and fuel tank removal soil was removed lowering the site, they propose use historic grades of the property to measure height a difference of 1.22'.

-DRV16-02204 for design review required in this zone (Design Review Board). This is a twostep process. They have had a conceptual design conference before the Board (no noticing required). The next step is another meeting with the Board for the Design Response Conference; no date has been scheduled. This meeting will require public notice. They are asking the Board to reduce the 20' front yard setbacks along three streets.

I've got to run to a meeting. If you have more questions give me a call. Since this is of public record. I'm copying the applicant and architect on the email so they are aware of the public comments.

Janice Coogan

Senior Planner

City of Kirkland Planning and Building Department

123 Fifth Avenue Kirkland WA 98033

425.587.3257

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GIS mapping system now available to public at http://maps.kirklandwa.gov.

From: thomas.uren [mailto:thomas.uren@frontier.com]
Sent: Thursday, November 17, 2016 7:32 AM
To: Janice Coogan <JCoogan@kirklandwa.gov>
Cc: Lawrence Sharon <sharon.r.lawrence@frontier.com>
Subject: VAR16-02086 - proposed building at 1029 Market St

Janice,

I live at 1207 1st St, Kirkland 98033. My wife and I have resided here since 1999 and have been Kirkland residents since 1987. I am interested in more information on the subject application and I would like to be made a party of record, and be notified of the hearing date. It appears (from the map) that I live within 1 block ± but did not get notice of application.

Specifically, I am interested in the following:

1. What is the current height limit for this site, average site grade to max structure height? Does this include rooftop mechanical structures? The maximum height is 25 ft above average building elevation (average existing grade). Zoning Code requirements for rooftop appurtenances are shown on this link. Summary: Rooftop mechanical units are allowed to be 4 ft above the max. height; must not exceed 10% of building footprint. They are asking for a modification for the elevator penthouse to extend above the height limit. Requirements are lesser of height of story below (9') or 15 ft above the height limit.

2. If the variance is granted, what will the new height limit be, average site grade to max structure height? The difference in height they are proposing would be 1.22'.

3. What is the proposed use? The use is general office.

4. Can you forward the site plan, or provide me with a link? Will the site plan be approved at the variance hearing, or is that a separate process after the status of the variance is determined? The site plan may be revised as part of the design review process before the variance public hearing. The variance is focused on the height of the building. No date has been set yet for the public hearing.

Thank you for your help on this.

Thomas Uren

1207 1st St

Kirkland, WA

206-947-2566

Sent from my Verizon, Samsung Galaxy smartphone

This email has been scanned for spam and viruses by Proofpoint Essentials. Click here to report this email as spam.

Janice Coogan

From: thomas.uren <thomas.uren@frontier.com>
Sent: Thursday, November 17, 2016 7:32 AM
To: Janice Coogan
Cc: Lawrence Sharon
Subject: VAR16-02086 - proposed building at 1029 Market St

Follow Up Flag: Follow up
Flag Status: Flagged

Janice,

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Specifically, I am interested in the following:

1. What is the current height limit for this site, average site grade to max structure height? Does this include rooftop mechanical structures?

2. If the variance is granted, what will the new height limit be, average site grade to max structure height?

3. What is the proposed use?

4. Can you forward the site plan, or provide me with a link? Will the site plan be approved at the variance hearing, or is that a separate process after the status of the variance is determined?

Thank you for your help on this.

Thomas Uren
1207 1st St
Kirkland, WA
206-947-2566

Sent from my Verizon, Samsung Galaxy smartphone

Janice Coogan

From: Todd Wentworth <toddwentworth@msn.com>
Sent: Thursday, December 01, 2016 7:44 AM
To: Janice Coogan
Subject: 1029 Market Street Development

Janice,

Since I live a few blocks down Market Street to the south from Dibble Engineers' office, I'm interested in their plans to redevelop their property at 1029 Market Street. I like the concepts they presented to the Kirkland Design Board a few weeks ago; a new office building will fit into the neighborhood by blending in with the office building to the north. I encourage the City to create more office space and character along Market Street.

Thank you,

Todd Wentworth
Leland Place
631 Market Street

November 7, 2016

City of Kirkland – Planning and Building Dept.
Attn: Ms. Janice Coogan, Senior Planner
Email: JCoogan@kirklandwa.gov
425-587-3257
123 5th Avenue
Kirkland, WA 98033

Re: Proposed Office Building Development
Dibble Engineers, Inc – current Site
City Project Number DRV16-02204
1029 Market Street, Kirkland, WA 98033

Dear Ms. Coogan:

I am a neighbor of Dibble Engineers Inc. business and office site and would like to voice my opinion and feedback of their proposed new office building to be built at 1029 Market Street in Kirkland. I have received the packet of information from Dibble Engineers showing the floor plans and preliminary site plan and DRB package for project massing dated 11/07/16. I would provide the following support and feedback for the project:

1. The new building will improve the neighborhood street, alley sidewalk, curb and gutter frontages with additional street trees and an increased setback buffers toward the neighbor to the rear and adjacent neighbor northwest then that which currently exists.
2. The new building will allow for increased street presence to the Kirkland Vision 2035 for providing an urban corridor of office along the arterial of Market Street while improving a buffer to the neighboring homes. Further in line with the Vision, the development promotes high paying, white collar jobs, which are the intended and preferred work force to this area, while providing more class A office space to Kirkland.
3. The new building will activate and engage the street frontage, while the occupied office space will add security and oversight to the public pedestrian areas.
4. The parking will be improved by changing the existing 12 onsite parking stalls to 39 onsite parking stalls which will reduce the overflow onto the public street areas. We support the allowance request is for an additional 4 offsite parking stalls to be allowed based on the challenging site's configuration and limitation, while optimizing the parking that exists on the site frontages
5. The larger building will provide improved sound blocking of Market Street road noise to the neighborhood.
6. The new building will allow a valuable professional office and business to stay in Kirkland. The Dibble Engineers firm is a good neighbor and supports local businesses and development. The office activity is primarily from 8 am to 5 pm, providing a great quiet neighbor, while keeping their site well maintained.
7. From an office standpoint, the new building will be a Class "A" 12,900 sf new office space which would replace the current 1970's Class "B" office space, allowing for a higher efficiency use of the land and creating an investment into the community. There is both short term increased tax revenue from construction, and long term re-occurring increased property tax revenue to improve the city's budget.

I would like to support this project and encourage the City of Kirkland to move forward with this project with our support. Please feel free to contact me if would like to discuss further.

Sincerely,
Laura
Laura Westlund Realty Inc.
1320 Market St – Kirkland 98033

November 7, 2016

Ms. Janice Coogan, Senior Planner
City of Kirkland – Planning and Building Dept.
425-587-3257
123 5th Avenue
Kirkland, WA 98033

Re: Proposed Office Building Development
Dibble Engineers, Inc – current Site
1029 Market Street, Kirkland, WA 98033

Dear Ms. Coogan:

I am a Kirkland resident and would like to voice my opinion and feedback of their proposed new office building to be built at 1029 Market Street in Kirkland. I would like to provide the following support and feedback for the project. I believe the redevelopment of this site detailed in the materials for preliminary site plan, DRB package, and project massing dated 11/7/16, specifically proposed Scheme 2, conforms to Kirkland's Market Street Corridor Plan, as part of the Kirkland 2035 vision:

- The new office building will improve Market Street, through upgraded landscaping/greenspace, public walkways and a modernized frontage, that will help enhance the Market Street corridor
- Creates an increased buffer between Market street and the residential areas west of Market
- Maintains and improves mixed use along the Market Street Corridor by increasing office space, and allowing a Kirkland based company to grow, adding additional jobs, and furthering local business development
- Improved parking impact to the surrounding neighborhood due to the creation of additional onsite parking stalls

The variances that are requested as part of Scheme 2, are minimal in impact to the surrounding neighborhood, and will not detract from the overall character of the Market Street corridor.

I fully support this project and encourage the City of Kirkland to proceed with moving forward with this project. Please feel free to contact me if you would like to discuss further.

Sincerely,

Kathryn Wheeler
360-421-1058
mckat27@gmail.com
8449 NE 139th St
Kirkland, WA 98034

January 12, 2017

City of Kirkland – Planning and Building Dept.
Attn: Ms. Janice Coogan, Senior Planner – Assigned to Project.
Email: JCoogan@kirklandwa.gov
Phone: 425-587-3257
123 5th Avenue Kirkland, WA 98033

Re: Proposed Office Building Development
1029 Market Street, Kirkland, WA
King County Parcel # 388 580-1885
City of Kirkland Land Use Permit: VAR16-02086, DRV16-0220

Dear Ms. Coogan:

I am resident of the West of Market neighborhood and I would like voice my support for their proposed new office building to be built at 1029 Market Street in Kirkland. I have reviewed the updated plans, elevations and landscape proposal.

I support and commend the benefits of the design intent for the following reasons:

1. The proposed landscape plan and greenspace buffer to the north will greatly enhance the neighborhood street appeal, alley sidewalk and curb frontages. The additional trees along Market Street will provide added safety for pedestrians and enhance the tree line of Market Street.
2. The new building will activate and engage the street frontage, while the occupied storefront space will add security and oversight to the public pedestrian areas. A wider sidewalk along Market Street and entry plaza and canopy will preserve and enhance the pedestrian friendly experience.
3. The parking will be a value-added improvement by changing the existing 12 onsite parking stalls to parking stalls which will be enclosed within the building.
4. The project will incorporate sustainable development practices using materials supplied locally, with proposed solar panels to reduce the impact on the communities' energy needs.
5. The new building will enhance and strengthen the existing neighborhood and allow a reputable business to remain in Kirkland. The Dibble Engineers firm is a compatible neighbor and supports local business and community development. The proposal complements the existing housing mix and respects adjacent residences by keeping primary office activity from 8 am to 5 pm providing a quiet neighbor, while keeping the site well maintained.
6. The new office building will be a major investment to the neighborhood by providing a 12,000 sf Class "A" office which would replace the current 1970's Class "B" office space. This allows for a higher efficiency use of the land, increased tax revenue base and creates additional high quality employment opportunities within the community. Thereby, preserving and promoting job creation for the City of Kirkland.

As a resident of the City of Kirkland, I strongly support this project and encourage the City of Kirkland to move forward and approve the proposal.

Sincerely,

Eric Campbell
1330 8th Street West
Kirkland, WA

236 7th Ave W
Kirkland, WA 98033

February 6, 2017

City of Kirkland
Janice Coogan, Senior Planner
Thang Nguyen, Transportation Engineer
123 5th Avenue
Kirkland WA 98033

Ref: 1029 Market Street Office Building
File: Dibble DRC Meeting Packet WEB 01232017 - DRV16-03090.pdf

Dear Janice and Thang,

Thank you for meeting with me to discuss traffic safety issues related to the proposed redevelopment of 1029 Market St.

This letter documents my understanding of the several of the major items that we discussed and provides some additional comments on some.

- Configuration of the lower level garage ramp and driveway where it intersects the alley

  My understanding is that we agreed that the proposed acute angle intersection of the driveway with the alley should be improved by adding a short retaining wall at the inside corner of the intersection of perhaps 2 feet in height. This will prevent drivers exiting the garage from turning right to proceed north along the alley and thus satisfy neighborhood concerns about the safety of children in the alley and other domestic (rather than commercial) use of the alley. Depending on other issues, the ground could either (a) be gently sloped down from that point along the alley until it reached the elevation of the alley pavement; or (b) continue and support a raised berm along the alley north of the driveway.

- Proposed "C-curb" installation in the 3rd St W and 11 Ave W road ways.

  Your decision to defer the actual installation of the proposed "C-curbs" and instead perform an evaluation once the new building is in use and the new traffic patterns are established seemed quite wise. This "only if needed approach" appears to be the best approach.

- Landscaping blocking the sightline from the intersection of the alley with 3rd St W looking NE along 3rd St W and north uphill along Market St. Southbound traffic on Market St. needs to be easily and completely visible since the driver exiting the alley onto 3rd St needs to clearly see traffic on Market St. Visbility is imperative to allow them to time their entry onto 3rd and determine whether each car heading downhill on Market is likely to turn right onto 3rd St W.

  My understanding is that we agreed that the proposed landscaping appears to interfere with the sightline in several ways:
  - Trees along 3rd St W and Market St. whose trunks and foliage will block the sight line.
  - The size and height of bushes "streetside" on 3rd St W, the side yard along 3rd St W, and in front of the building along Market St.

- The applicant's TIA refers to a Kirkland standard sightline requirement of 150 feet and our discussion indicated that this is consistent with a 25 MPH traffic speed on the intersecting roadway.

  I continue to be concerned that the applicant's proposal for a driveway exiting onto the alley that immediately intersects with 3rd St W raises safety concerns. While 3rd St W has a 25 MPH speed limit, the posted speed limit on Market St at the intersection with 3rd St W is 35MPH. Market St carries the actual traffic approaching from the right that drivers at the alley intersection with 3rd must avoid. Thus, my concern is that the sightline should instead be determined using the standards for an alley/driveway intersection with a 35MPH roadway. The proposal should be judged using the 35 MPH cross-traffic speed and the building proposal updated to conform to that standard.

For example, I advocate that the TIA sections dealing with sight distance analysis should be updated to the standard for the posted speed: (a) The section "Sight Distance Analysis" starting on page 21 of the TIA dated Jan 21, 2017; and (b) Appendix "E" in the same document. Other documents and sections may also require update.

Moving to provide a safe and adequate sightline seems to at least require honoring the 20 foot building setback required by the zoning code rather than granting the applicant's request for a variance.

- The applicant's TIA and site plans submitted in the development packet should be updated to show the actual location of the vehicle traffic lane, bike lane, and parking/"dead" area in Market St.

  Many drawings incorrectly show the vehicle traffic lane adjacent to the curb and omit the bike lane and parking/dead space that is along the curb. Others simply omit the traffic diagram which creates a confusing presentation. For example, page 19 of the TIA dated Jan 25, 2017 and Appendix "E" ("Dibble Office Sight Distance Exhibit)

- Once all drawings and plans are updated to show the correct location of the traffic lane on Market St, the impact and value of the proposed curb-side "bubble"/"bump out" at the NW corner of Market St and 3rd St W will be more clearly apparent.

  It seems to me that this design feature will not accomplish its intended main purpose of slowing automobiles entering 3rd St W from Market St headed downhill. The problem is that the geometry of the corner is not changed for vehicles in the traffic lane – the stated purpose of making the corner sharper is simply not accomplished.

  It does allow vehicles exiting the nearby alley to move further into 3rd St, but likely not enough to extend the sightline sufficiently. In addition, this area will

become a landscaper's delight which will block the sightline to and up Market St, if not in the initial plan, then over the many years after the building is constructed and we've all moved on to other projects.

At the same time, it is clear that this feature will shorten the length of the pedestrian crosswalk across 3rd St W. Thus, it seems like a useful improvement of the intersection, as long as landscaping in this area does not interfere with the sightlines up Market St and along 3rd St W for any of these categories of users:

- Pedestrians crossing 3rd St West in either direction as they need to both be:
  - Clearly see traffic on Market St as well as 3rd St W
  - Clearly seen by bicyclists and vehicle drivers on Market St as well as 3rd St W
- Vehicles attempting to turn right downhill on Market St. from 3rd St W
- Bicyclists and vehicles turning right onto 3rd St W from Market St and need to be able to clearly see traffic exiting the alley onto 3rd St W.
- Bicyclists and vehicles attempting to turn left to 3rd St W from the alley

The proposal is that this "bubble" be either hardscape to prevent future landscaping errors or be somehow permanently designated as "ground cover only" with no trees or bushes. We've all seen how landscaping in "bump outs" can escape control and visibility suffers, e.g., 1st St and 10th Ave just east of Market St.

Thank you again for your time, both at the meeting and reading this note which is intended to document the major items we discussed and reviewed.

Thank you.

Sincerely,

Kenneth E. MacKenzie

Janice Coogan

From: Lisa James <lisarenejames@hotmail.com>
Sent: Monday, January 23, 2017 5:12 PM
To: Janice Coogan
Cc: Paul Quincoses
Subject: Re: Request for Variances for Site 1029 Market Street, Case No. DRV16-03090 and VAR16-02086

Hi Janice,

I appreciate you forwarding this to the right individuals and the DRB. The project as proposed is too big and results in too much additional traffic entering the neighborhood and large delivery vehicles more frequently blocking the alley entrance.

I do think that a redesign could be supported by the neighborhood with the high capacity entrance/exit(s) off of a city street like 3rd St., Market St., or 11th Ave. W. The parking area would need to be redesigned and the building would need to be scaled back to fit the site and match the reduced number of parking spots per sq. foot of office space requirement. No other projects on Market Street have high capacity entrances on an alley. You will see they all enter off of a city street.

They are asking for so many variances (setbacks, height), that it is disingenuous and irresponsible to not consider a variance for the high capacity entrance on 11th (due to the proximity to Market and/or a driveway). This would create a much safer right turn off of a major city street into the property (no visual blockage on 11th) and would result in a scaling back of the design to a size more appropriate for the site. He would lose parking spots, and then lose square feet of office space as a result.

We thank you for keeping us in the loop and really appreciated your bright orange paper notice that was placed on the sign and also mailed to us. Please let us know if there is another review scheduled for the height variance or other aspects of this project.

Best regards,

Lisa James

From: Janice Coogan <JCoogan@kirklandwa.gov>
Sent: Monday, January 23, 2017 3:06 PM
To: 'Lisa James'
Subject: RE: Request for Variances for Site 1029 Market Street, Case No. DRV16-03090 and VAR16-02086

Lisa, Your email has been forwarded to the City Council and Design Review Board.

Janice Coogan
Senior Planner
City of Kirkland Planning and Building Department
123 Fifth Avenue Kirkland WA 98033
425.587.3257

From: Lisa James [mailto:lisarenejames@hotmail.com]
Sent: Friday, January 20, 2017 2:48 PM
To: Amy Walen <AWalen@kirklandwa.gov>; Jay Arnold <JArnold@kirklandwa.gov>; Jon Pascal <JPascal@kirklandwa.gov>; Penny Sweet <PSweet@kirklandwa.gov>; Toby Nixon <TNixon@kirklandwa.gov>; Dave Asher <DAsher@kirklandwa.gov>; Doreen Marchione <DMarchione@kirklandwa.gov>; Kurt Triplett <KTriplett@kirklandwa.gov>
Cc: Janice Coogan <JCoogan@kirklandwa.gov>; Paul Quincoses <quincoses@hotmail.com>
Subject: Request for Variances for Site 1029 Market Street, Case No. DRV16-03090 and VAR16-02086

Dear City Manager Triplett, Mayor Walen, and Council Members Arnold, Pascal, Sweet, Nixon, Asher, and Marchione,

Please find a letter attached that was sent to the Design Review board today regarding a proposed two-story building at 1029 Market Street (Request for Variances for Site 1029 Market Street, Case No. DRV16-03090 and VAR16-02086).

I hope you are able to assist our neighborhood with preventing any variances on this project and ensuring that the high capacity exit and entrances are on main city streets like Market Street and 3rd Street to ensure pedestrian and traffic safety.

We thank you for your assistance and service to the city.

Best regards,

Lisa James and Paul Quincoses
425-864-3529

Janice Coogan

From: Leslie Milinkovic <lmilinkovic@me.com>
Sent: Monday, January 23, 2017 8:04 AM
To: Janice Coogan
Cc: Lisa James
Subject: Re: 1029 Market St., Case No. DRV16-03090

Hi Janice,
As awareness, my husband Robert (Bob) Milinkovic will also attend the briefing session tonight at 7pm. We support the position and statements submitted by Lisa James.

Our home address is 328 10th Ave W Kirkland.

Thank you,
LeslieMilinkovic

Janice Coogan

From: Mark Fosdal <mark.fosdal@gmail.com>
Sent: Wednesday, January 11, 2017 5:18 PM
To: Janice Coogan
Subject: Re: Dibble Project (West Market) - DRV16-02204/VAR16-02086

Thank you. I have no problem with the Dibble plans. My only concern is if the triangle lot also has a parking entrance on 3rd street. That could be an additional 40-70 cars/day entering that block of 3rd st off market. I'm sure the traffic engineer will look at the plans of the triangle proposal and assess that portion of location of parking entrance. Preferably on market or adjacent street of triangle.

Mark

Sent from my iPhone

On Jan 11, 2017, at 5:24 PM, Janice Coogan <JCoogan@kirklandwa.gov> wrote:

> Yes, we have a transportation engineer who reviews all development proposals and related traffic impact analysis (TIA) reports submitted from traffic engineers. We are in the process of conducting environmental review for the office building. The Dibble office building now plans on meeting the Zoning Code number of parking stalls on site. No reduction in parking stalls is proposed. We have no specific development proposal submitted for the triangular property to the south; only pre-submittal meetings have been held.
>
> As far as the Dibble office building goes the following transportation requirements will be required to be installed. These are intended to address public comment concerns, recommendations from the TIA report and City transportation policies:
>
> - A c-curb will be placed on 11th Ave West to restrict left turns out of the site and also restrict traffic from entering the upper surface parking lot directly from Market Street. Traffic from the office building to the north will continue to have full turning movements.
> - A curb "bulb" will extend the curb and provide a wider sidewalk along the property frontage at the corner of 3rd ST West and Market ST to narrow the entrance to 3rd Street to slow traffic. This measure will shorten the pedestrian crossing and allow vehicles from the alley to pull out further onto 3rd Street West to gain additional sight line of traffic from Market Street and 11th Avenue West.
> - The alley will be widen from the 3rd Street West to the western edge of the parking garage entrance to 24 feet to provide for two-way traffic.
> - The parking garage entrance will be designed at an angle to guide vehicles exiting the garage to access 3rd Street West rather than turn right and travel westbound through the alley. The angle of the garage entrance will also make it more difficult for drivers to enter the garage from the west; thus, limiting impacts to the alley.
> - The alley west of the garage entrance will remain at 16 feet to minimize project traffic impacts to the alley.
> - A c-curb will be placed on 3rd St West and an eastbound right-turn arrow will be marked at the alley to help restrict left-turns out of the alley. This will eliminate blocking of 3rd Street West by vehicles exiting the alley that want to access Market Street directly.
> - Two "no parking" signs and red curb will be place on 3rd St West near the alley entrance and across the street at approximately 25 feet from Market Street to restrict on-street parking and maintain adequate width for two-way traffic on 3rd Street West near the alley.

I will forward your comments to the Design Review Board. The DRB meeting materials will be available on January 20th on their webpage here.

Janice Coogan
Senior Planner
City of Kirkland Planning and Building Department
123 Fifth Avenue Kirkland WA 98033
425.587.3257

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From: Mark Fosdal [mailto:mark.fosdal@gmail.com]
Sent: Tuesday, January 03, 2017 6:22 PM
To: Janice Coogan <JCoogan@kirklandwa.gov>
Subject: Re: Dibble Project (West Market) - DRV16-02204/VAR16-02086

Hello Ms. Coogan,

We had a recent discussion with you about the Dibble project on Market and 3rd Street West and am now aware of the dental building going up across the street from me in a vacant triangle lot (Kirkland Family Dentistry has plans of moving there). They also will have parking access to their building coming off of 3rd street west. I know both are interested in their own projects but since I will be living to both, I need to inquire if someone is considering the traffic pattern changes of both buildings going up. Based on the blue prints I have seen of both projects, this would be another 40-60 cars coming onto 3rd street west from Market each day. Is someone taking both projects into consideration when approving the traffic pattern into this residential area? Traffic patterns is not my specialty but I think this is a valid point that needs to be considered moving forward. I have met with both groups and I appreciate their feedback and ability to work with the neighbors but want to point out this point when considering both designs.

Regards,

Mark Fosdal

206-849-5438

On Wed, Dec 21, 2016 at 10:26 AM, Mark Fosdal <mark.fosdal@gmail.com> wrote:

> Ms. Coogan,
>
> I had a nice discussion today with Mr. Dibble and we had a great discussion showing the designs of the property and the potential changes that would slow traffic into the alley parking coming off of Market. I understand the city will be looking at those plans in the near future and leave it to them to provide the appropriate feedback for safety concerns as I have no specific expertise in this area.

Regards,

Mark

On Wed, Dec 14, 2016 at 11:22 AM, Mark Fosdal <mark.fosdal@gmail.com> wrote:

Ms Coogan,

I recently moved to the address of 1010 3rd St West in Kirkland that is adjacent to the Dibble Engineering facility at West 3rd St and Market. It was recently brought to my attention the extent of the renovation regarding the proposed two story building and would like to voice my strong objections to the present proposal.

It is my understanding that the proposal has an additional thirty stalls for parking. It is not common for any business along Market (which is mostly residential) to have that size of business. My concern is the number of added employees during the day will alter the atmosphere of the residential area along market as this is beyond the norm of any other business on Market street.

I also understand that the entrance to the parking facility of this proposed sight will be in my alley which is how I get to my garage. Again, I have not found any business along Market that has parking access from a residential ally. With children that visit my home and play in the front yard, this present proposal raises significant concern to the added danger as 30-40 cars enter "a blind corner" into an alley parking each day. It is hard for me to imagine that this was considered when these plans were drawn up.

I encourage you and the city to work with the present proposal that allows him financial incentive with a project that is safe and conducive to the neighboring homes in the West Market area. Please do not hesitate to reach out to me for any clarification in my perspectives of this proposal.

Regards,

Mark Fosdal

206-849-5438

Janice Coogan

From: Mark Nickerson <markni@outlook.com>
Sent: Wednesday, December 07, 2016 5:23 PM
To: Janice Coogan
Subject: RE: Building variance, Case No. VAR16-02086

Thank you for the reply. The diagrams were very helpful.

Is the gross office space 12,618 sqf as indicated in your attached PDF (requiring 43 parking spaces) or 10,844 sqf as represented in the preliminary plans (requiring 37 parking spaces).

Dibble Engineers Inc. is currently telling their employees to go park in the surrounding residential streets. Can you please include as a contractual provision of the development that the office occupants be required to use their on-site parking?

Thank you,
Mark Nickerson

From: Janice Coogan
Sent: Wednesday, December 7, 2016 4:51 PM
To: 'Mark Nickerson
Subject: RE: Building variance, Case No. VAR16-02086

I would be happy to answer questions you may have with a phone call. There are several different elements to the development proposal.

1. Currently the proposed office building is going before the Design Review Board process. Two Conceptual Design Conferences have been held. Here is a link to the DRB webpage and preliminary plans. No public notice was required to notify surrounding property owners. The plans are currently being revised to address the Boards comments and to fit all parking stalls on site as a result of staff's concerns and surrounding property owners opposition to reducing the amount of on-site parking stalls. The Zoning Code requires parking be on site based on the gross floor area at a rate of 1 stall per 300 sq. ft. We've asked the applicant to revise the plans to show all parking on site.

2. The next step will be the second step of the design review process- the Design Response Conference. The applicant plans on submitting the plans soon. Public notice is required for this stage. No meeting has been set but they hope to go to the Board in January. In addition to the overall design of the building the Board will evaluate the applicant's request to reduce the front yard setbacks.

3. Following the DRB decision, a public hearing will be scheduled before the Hearing Examiner for the height variance. The applicant is requesting to measure the height at the historic grade elevation about level with the current sidewalk rather than the lower existing redevelopment point (from past grading to remove a fuel tank/soil) the difference is about 1.2 feet. I've attached the variance plans that show the difference in height but they are likely to change after Design Review. You are welcome to view the file VAR16-02806 here at City Hall Planning and Building Department. The file provides all there application materials.

All for now got to go. Call if you have more questions.

Janice Coogan
Senior Planner
City of Kirkland Planning and Building Department
123 Fifth Avenue Kirkland WA 98033
425.587.3257

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From: Mark Nickerson [mailto:markni@outlook.com]
Sent: Wednesday, December 07, 2016 10:53 AM
To: Janice Coogan <JCoogan@kirklandwa.gov>
Subject: Building variance, Case No. VAR16-02086

Dear Ms. Cogan:

I visited www.mybuildingpermit.com and I couldn't find any plans or diagrams for this proposed development. I do have a few questions where I need your assistance, please.

Height variance: What is the square footage of the proposed office development? Does the height variance result in an increase in the square footage on the proposed office?

Parking space requirements: The existing office building at 1029 Market Street is approximately 4,000 square feet and there are 12 on-site parking spaces. Dibble Engineers have asked their employees to park off-site on the adjacent residential streets and on any given weekday, there are 10+ cars parking off-site. You mentioned that the code requires one parking space for every 350 square feet of office space. How many parking spaces are being proposed for the new development? And shouldn't the City require on-site for all of Dibble's employees. This would mean one parking space for every 182 square feet of office space. The issue of parking will be exacerbated when the triangle parcel of 1009 Market Street is developed.

Please let me know if it is easier for me to call you to discuss the development. Thank you for the assistance.

Sincerely,
Mark Nickerson

Janice Coogan

From: Melissa Thirloway <Thirloway@msn.com>
Sent: Monday, January 23, 2017 2:16 PM
To: Janice Coogan
Cc: jlthirloway@msn.com
Subject: Permit # DRV16-03090, 1029 Market St. setback reductions

Dear Janice,

Jeff and I have resided in the same residence in Kirkland for 36 years. We are in receipt of the notice of Public Meeting for tonight, 1/23/17, to discuss setback reductions for the property located at 1029 Market St. These set back setback reductions affect 3rd St. W., 11th Ave. W and Market St. We are submitting these comments for the Design Review Board meeting tonight. Please confirm when they have been submitted.

Jeff and I are strongly opposed to any setback reduction, but particularly on the residential streets, 3rd St. W and 11th Ave W. Any reduction of the setbacks on these two streets would allow new construction to "over-hang" into the setbacks for the adjacent residences, allowing the commercial building n to butt up against existing residential property setbacks on both 3rd St W. and 11th Ave W. This would impact their front yard setbacks, and impose on their sightlines and on the character of their residences in such a way as to impact their quality of life. The size of the resulting building would potentially be much larger in scale and proportion than the existing commercial building and the adjoining residences, and would overwhelm them, not just by overhanging into the set-backs, but also in terms of destroying the character of the neighborhood in general.

It would also set a dangerous precedent for future development. We need more, not less, protection from an increasingly overwhelming commercial development of Market St. The dynamic between the residential and commercial life of Market St. is a tricky balance, and we ask that you remember to preserve the neighborhoods. If someone has purchased a property and wishes to develop it, we see no reason why the codes and regulations that existed at the time they chose to develop shouldn't be followed.

Thank you,
Melissa and Jeff Thirloway
235 10th Ave. W.
Kirkland, WA 98033

November 10, 2016

Dear Hearing Examiner,

We were notified by the City of Kirkland that Chris Amonson of Freiheit and Ho Architects is requesting a Process IIA Zoning permit for a height variance and parking modification at 1029 Market Street.

First and foremost, as neighbors being affected by this request, we would like you to understand our strong opposition. We oppose this not only for the personal harm it will cause our own property values, but the values of all properties in the surrounding area.

As long-time residents of Kirkland, and neighbors to this plot of land, please take the following into consideration when making your decision for this request:

- The requested height variance will block/or limit water views for several properties and will have a detrimental affect on our property value, privacy and enjoyment. Immediately, by blocking views, each of our property's value will decrease, at minimum, by a few hundred thousand dollars. This is a significant damage and loss to our investment.
- Property values increase based off of other sales values in the neighborhood. By decreasing the values of a select few homes affected by this height change, the values of over 50 homes around the block will decrease.
- "Cramming" in Kirkland is turning into a huge problem, including major traffic congestion on Market Street. These height restrictions were put in place to harbor the charm that attracts so many to our city. As we slowly approve these requests one-by-one, we are ruining the very things that make this city so special.

When we invested in Kirkland, we invested in the community. We encourage positive growth and support for local businesses, but we do not support harming others at the expense of one company.

Please take this letter as our sincere request to deny the proposed height variance of Chris Amonson.

Sincerely,

The Neighbors around subject property.

Name	Address	Signature
Mike@AvenueProperties.com	425-830-1316	
1. Mike Moghaddas	1117-1st street, Kirkland	Moghaddas
2. Mehran Azimhashemi	802 1st St., Kirkland	
3. Paria Noorkami	802 1st St Kirkland	
4. Misty Pruner Jerald Pruner	1121-1ST street, Kirkland	
5. Omid Nikhjavani	1217, 1st street Kirkland	
6. Susan Waltar	1122 1ST ST Kirkland	Susan Waltar
7. Jeff Peterson	1112 1st ST Kirkland	
8. Sandra Weinmeister	1022 1st St.	SDWeinmeister
9. Dean Weinmeister	1022 1st ST Kirkland	
10. Matthew Orr	1021 1st ST Kirkland	

11. Steven L. McKenzie 1013 1st Kirkland Steve L. McKenzie

12. Catharina Wheeler 1001 1st Street, Kirkland

13. M. R. M. Dodgen 1014 Market st, Kirkland, WA

14. Jeanne Anne Craig 1118 1st St Kirkland, WA

15. Thomas [illegible] 1207 1ST KIRKLAND WA.

16. Amy Black 1223 1st St Kirkland WA.

17. [illegible] 912 1st St Kirkland WA

18. [illegible] 101 10th ave Kirkland, Wa
KIRKLAND, WA

19. Norman Hoffman 1100 1st St

20.

Janice Coogan

From: Jeremy McMahan
Sent: Monday, January 23, 2017 3:05 PM
To: 'Robert Lehr'; Janice Coogan
Subject: RE: DRV16-03090

Received.

Jeremy McMahan
Planning Manager – Development Services
City of Kirkland
jmcmahan@kirklandwa.gov
425.587.3229

From: Robert Lehr [mailto:rlehr@evergreenid.com]
Sent: Monday, January 23, 2017 2:25 PM
To: Jeremy McMahan <JMcMahan@kirklandwa.gov>; Janice Coogan <JCoogan@kirklandwa.gov>
Subject: DRV16-03090

Jeremy and Janice:

My name is Robert Lehr. My address is 309 11th Ave West Kirkland, WA and I am the direct neighbor of this site, just to the northwest.

I am in full support of the variances that are being requested on the above referenced case.

Please respond with your receipt of this email.

Regards,
Bob Lehr

_____

Robert Lehr
Evergreen ID Systems
800-990-0777 / 425-889-7400
Card Systems and Supplies: www.evergreenid.com
Security Solutions: www.evergreenidsystems.com

Janice Coogan

From: Tom Uren <thomas.uren@frontier.com>
Sent: Wednesday, November 23, 2016 9:21 AM
To: Janice Coogan
Cc: 'Robb Dibble'; 'Chris Amonson'
Subject: RE: VAR16-02086 - proposed building at 1029 Market St

Ms. Coogan,

My interest in the subject height variance is that from my house and deck I have full view of both western corners of 11th and Market. This intersection, and the future Dibble building, is directly in my view corridor. You may be aware that a petition was circulated in Norkirk neighborhood regarding objection to the subject height variance. I signed the petition on a Sunday, two days before the end of the comment period. At the time I signed I was not aware of the proposal, and having no facts I wanted to preserve my rights, not knowing how long it would take to get the information needed from the City to make an informed decision. In the event, the City (and the applicant) responded immediately and provided information and answered my questions over a period of several days. Based on my review of the information I am satisfied that this variance is minimal in nature and won't impact the view corridor in any significant way. I would like to withdraw my name from the petition and I no longer oppose the variance.

I understand that the final building design will need to go through design review. I would like to take this opportunity to register my belief in the importance of maintaining the look, feel, texture and materials of the existing buildings in the Market Street corridor in this new structure design. I have no reason to believe this won't happen, just want to let you know how important I feel it is.

If you have any questions, or would like to talk further just email or call. Have a wonderful Thanksgiving!

Tom Uren
1207 1st Street
Kirkland, WA 98033
206-947-2566

From: Janice Coogan [mailto:JCoogan@kirklandwa.gov]
Sent: Thursday, November 17, 2016 8:49 AM
To: 'thomas.uren' <thomas.uren@frontier.com>
Cc: 'Robb Dibble' <Robb@DibbleEngineers.com>; Chris Amonson (camonson@fhoarch.com) <camonson@fhoarch.com>
Subject: RE: VAR16-02086 - proposed building at 1029 Market St

Mr. Uren, I have responded to your questions below in red. The noticing requirements are a 300 ft radius from the site. You are welcome to come down to City Hall (8am-5pm)to review the files for the office proposal. We will add you as a party of record to receive notices.
There are several zoning review processes to the proposal to redevelop the site.

-VAR16-02086 for the height variance. In summary, because of past soil remediation and fuel tank removal soil was removed lowering the site, they propose use historic grades of the property to measure height a difference of 1.22'.
-DRV16-02204 for design review required in this zone (Design Review Board). This is a twostep process. They have had a conceptual design conference before the Board (no noticing required). The next step is another meeting with the Board for the Design Response Conference; no date has been scheduled. This meeting will require public notice. They are asking the Board to reduce the 20' front yard setbacks along three streets.

I've got to run to a meeting. If you have more questions give me a call. Since this is of public record. I'm copying the applicant and architect on the email so they are aware of the public comments.

Janice Coogan
Senior Planner
City of Kirkland Planning and Building Department
123 Fifth Avenue Kirkland WA 98033
425.587.3257

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From: thomas.uren [mailto:thomas.uren@frontier.com]
Sent: Thursday, November 17, 2016 7:32 AM
To: Janice Coogan <JCoogan@kirklandwa.gov>
Cc: Lawrence Sharon <sharon.r.lawrence@frontier.com>
Subject: VAR16-02086 - proposed building at 1029 Market St

Janice,

I live at 1207 1st St, Kirkland 98033. My wife and I have resided here since 1999 and have been Kirkland residents since 1987. I am interested in more information on the subject application and I would like to be made a party of record, and be notified of the hearing date. It appears (from the map) that I live within 1 block ± but did not get notice of application.

Specifically, I am interested in the following:

1. What is the current height limit for this site, average site grade to max structure height? Does this include rooftop mechanical structures? The maximum height is 25 ft above average building elevation (average existing grade). Zoning Code requirements for rooftop appurtenances are shown on this link. Summary: Rooftop mechanical units are allowed to be 4 ft above the max. height; must not exceed 10% of building footprint. They are asking for a modification for the elevator penthouse to extend above the height limit. Requirements are lesser of height of story below (9') or 15 ft above the height limit.

2. If the variance is granted, what will the new height limit be, average site grade to max structure height? The difference in height they are proposing would be 1.22'.

3. What is the proposed use? The use is general office.

4. Can you forward the site plan, or provide me with a link? Will the site plan be approved at the variance hearing, or is that a separate process after the status of the variance is determined? The site plan may be revised as part of the design review process before the variance public hearing. The variance is focused on the height of the building. No date has been set yet for the public hearing.

Thank you for your help on this.

Thomas Uren
1207 1st St

Kirkland, WA
206-947-2566

Sent from my Verizon, Samsung Galaxy smartphone

Janice Coogan

From:	Wolf Puls <realtor.wolf.puls@gmail.com>
Sent:	Sunday, January 22, 2017 8:51 PM
To:	Lisa James
Cc:	Paul Quincoses; Billy Noland; rlehr@evergreenid.com; trish.lehr@uwsc.org; lindystewart@gmail.com; roshanparikh@hotmail.com; lmilinkovic@icloud.com; lebo22 @comcast.net; sdwyer29@gmail.com; hormozf@gmail.com; pattkp
Subject:	Re: Dibble Engineering Project - 1029 Market St., Case No. DRV16-03090
Attachments:	2017-01-12 Letter in support of Dibble project (Wolf and Lindy).pdf
Follow Up Flag:	Follow up
Flag Status:	Flagged

Neighbors,

We are attaching the letter we submitted to the city IN FAVOR of the project as proposed by Dibble Architects.

As neighbors whose property corner abuts the Dibble Property, we (and Roshan Parihk and our newest neighbor at the end of the alley) are most directly impacted by the proposed office building.

We have lived in our home at 314 10th Ave W., perhaps the longest of any of the neighbors and have witnessed many changes around here since 1988.

A thoughtfully and well developed proposal such as the Dibble project should be assessed by virtue of what it offers the neighborhood. In our opinion the project improves greatly on what is currently on the land and is "the highest and best use".

I would bet that most of you don't know that there was a filling (gas) station located there on the site many years ago. Complete with underground fuel storage ! Now that would be cause for concern in my book.

As far as safety concerns, the proposal as we have seen it provides a "traffic calming " design from vehicles travelling south from Market Street to 3rd St West.

No one should ever have their children playing in the alley, not with regular use by Waste Management trucks and the few residents who tend to "race" to the end of the alley from their garages.

Yes folks, it is busier around our neighborhood in 2017 than it was in 1997 or 2007. We are in a vibrant desirable area and have all greatly benefited from growth in the value of all our properties. Growth in this area though demands higher density, smart and eco- friendly design and cooperation by all.

If my recall is right, when the neighbors on the alley chipped in and paid to have one half of the alley paved, Robb Dibble spearheaded that effort and paid his fair share of the project.

We feel blessed to have a great neighbor like Robb Dibble who has sought our input, revised and re- revised his design to

lessen any impacts on the neighboring properties and is genuinely concerned about the neighborhood.

We ask the city to grant this project the green light to build.

Regards,

Wolf Puls and Lindy Stewart
(425) 444-2787 - (425) 444-6343

On Sun, Jan 22, 2017 at 6:38 PM, Lisa James <lisarenejames@hotmail.com> wrote:

Hi Neighbors,

Tomorrow (Monday) night at 7 pm, there is a Design Review Board meeting at the City Hall Council Chamber at 123 5th Avenue regarding the Dibble Engineering proposal. Only people who speak at the meeting or submit written comments are entitled to appeal the decision. During the meeting anyone can speak or submit written comments. You can also drop your comments off at the City Hall tomorrow care of Janice Coogan of the Planning and Building Department. You have to refer to Permit No. DRV16-03090 and include your name, address, and email address.

I have attached the letter I submitted to the Design Review Board (DRB), Mayor, City Council Members, and City Manager (all emails on the city website) if you would like to email your letter or comments to them. **The Design Review Board is the critical one to submit to tomorrow at the meeting at 7 PM (written or spoken) or by 5 PM at City Hall (written).**

There is a separate case VAR16-02086 for the height variance request. I've also opposed this in my letter.

If you want to have input, please submit comments to the DRB on Monday.

I apologize for sending this at the last minute to all of you, but it was a busy week!

Best regards,

Lisa James and Paul Quincoses

425-864-3529

--

Wolf Puls - REALTOR

Seattle- Eastside-Lake Chelan
(and all points in between)

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I have sold properties in 49 cities and towns in Washington State

Windermere Real Estate East Inc./ Yarrow Bay Office

HOURS: M-F 8-5:30
Sat-Sun - By appointment

January 12, 2017

City of Kirkland – Planning and Building Dept.
Attn: Ms. Janice Coogan, Senior Planner – Assigned to Project.
Email: JCoogan@kirklandwa.gov
Phone: 425-587-3257
123 5th Avenue
Kirkland, WA 98033

Re: Proposed Office Building Development
1029 Market Street, Kirkland, WA
King County Parcel # 388 580-1885
City of Kirkland Land Use Permit: VAR16-02086, DRV16-02204

Dear Ms. Coogan:

We are residents and adjacent neighbors (by way of the alley) of Dibble Engineers Inc. business and office site and would like to update our voice of support and feedback of their proposed new office building to be built at 1029 Market Street in Kirkland. We have received the notice of public meeting on January 23rd, and are providing a letter response for that DRB meeting. We have looked at the updated plans, elevations and landscape plan.

We support and commend the design intent for the following:

1. The proposed landscape plan will greatly improve the neighborhood street, alley sidewalk and curb frontages with additional street trees and a greenspace buffer to the north. This new landscaping will provide safety to pedestrians on Market Street with the street trees next to the road.
2. The new building will activate and engage the street frontage, while the occupied storefront space will add security and oversight to the public pedestrian areas. A wider sidewalk along Market Street and entry plaza and canopy will maintain the pedestrian friendly feel the city intends. The weathered steel and wood accents provide character and compliment the architectural style of the building and be visually pleasing to those who travel on Market St.
3. The parking will be improved by changing the existing 12 onsite parking stalls to 40 onsite stalls which will be enclosed within the building. No offsite parking will be required.
4. The project will incorporate sustainable development using materials supplied locally, with proposed solar panels to reduce the impact on the communities' energy needs.
5. The new building will allow a great resident business to stay in Kirkland. The Dibble Engineers firm is a good neighbor and supports local businesses and development. The office activity is primarily from 8 am to 5 pm, providing a quiet neighbor, while keeping the site well maintained. As neighbors to this parcel since 1989, we have had the opportunity to witness several occupants and can say that the present engineering firm has had no adverse impact on our property.
6. The new office building will be a major investment to the neighborhood by providing a 12,000 sf Class "A" office which would replace the current 1970's Class "B" office space, allowing for a higher efficiency use of the land, increased tax revenue base, and bringing high quality jobs into the community.

We would like to support this project and encourage the City of Kirkland to move forward with this project with our support. Please feel free to contact us if you would like to discuss further.

Sincerely, Wolf Puls Lindey Stewart

Wolf Puls (425) 444-2787 and Lindy Stewart (425)444-6343
314 10th Ave West, Kirkland, WA 98033

DEI
DIBBLE ENGINEERS INC

August 16, 2016 (Revised February 16, 2017)

City of Kirkland Hearing Examiner
123 5th Ave
Kirkland, WA 98033

Re: 1029 Market Street Building – Height Clarification Request
1029 Market Street, Kirkland, WA 98033
King County Parcel # 388 580-1885

Dear Plans Examiner:

We would like to request the City of Kirkland Hearing Examiner consider our proposal to use the historic topography plan for the basis of our average building elevation (ABE) calculation in lieu of existing topography.

The site history reflects a number of past building improvements that altered the native grades; single family residential cabins existed on the northern two lots of the site and a fuel island with service station on the southern two lots of the combined four lot parcel. As a result of the improvements, the current parking area, landscaping and existing Dibble Engineers' Office building sit below that of the adjacent surrounding the properties. As Dibble Engineers' outgrow their current office space, it is necessary to build a new two story office building to accommodate their growth. Using the current grades for the ABE calculation will reduce the floor to floor height on both levels of the office below that of comparable office buildings along the Market Street Corridor. This reduction is detrimental to the marketable office space in the proposed building. The proposed ABE calculation adjustment using historic grades greatly improves the usability and comfort of the office space while remaining in line with the Market Street Corridor character. Basing the ABE calculation of the new office building on historic grades will not negatively impact the surrounding neighborhood. The historic topography plan is based on the review and extrapolation of photos, reports, and historic records of the site. The attached historic and current photographs, reports, documentation and exhibits show the procession of improvements over the years as well as the current conditions of the site.

Historic Topography Summary:

The historic fuel station photos, dated 1939 (see historic photo exhibits B,C and D), are the primary source and documented proof of historic elevation and contours. The site photos indicate a drive onto the site at grade with some slight sloping to the west and south. Historic photographs of the fuel island and the AGRA Environmental soil contamination assessment documentation show the primary contaminated area was along Market Street. The known decommissioning and site cleanup process included the removal of a large volume of adjacent soils along with the tank and explains why the current building is sunk into a depressed site relative to Market Street. Using this data in conjunction with the present day contours, the historic grades are extrapolated and tied into existing grades surrounding the properties perimeter. Contours are shown to reflect the previously level fuel station island with some gentle sloping to align with the natural gradient of the hillside surrounding the site.

Included in our research is a firsthand account by the Project Geologist, Mr. Jeffrey Kaspar, whom during the 1994-1995 site remediation work was employed by AGRA – Earth and Environmental and was present onsite during the soil remediation and removal process. Mr. Jeffrey Kaspar, now of Farallon Consulting is the author of a number of

the reports mentioned below. Listed in the report dated 6 September, 1995 and authored by Mr. Kaspar, the process of removing the underground storage tanks and contaminated soils included a large volume of soil removed from the site. The volume of soil, listed by weight, includes 921 Tons of soil, or approximately (16,000 CF), which equates to about a 1.1 foot average of grade elevation over the 15,000 SF lot, however this was done while our current building is in place, hence the grades in the front parking lot are where the majority of the contaminated soils were removed. This documented 1994 soil removal is in addition to the soil that was removed during the 1978 decommissioning of the prior fuel station island and tank removal done before the construction of the current 4,000 SF office building was constructed. The combined effects of the removal of the 1930's fuel station construction shown on the photos, and the follow up 1994 soil excavation provide a strong support and logic that the site's contours were brought down several feet across the site during de-commissioning of the service station, and with documented soil removal completed in front of the building and under the current parking lot facing Market Street.

Variance Request Questions:

1. *How would the Variance not be materially detrimental to the property or improvements in the area of the subject property or to the City in part or as whole?*

Our calculations find the difference between the ABE calculation using existing topography and that of the historic grades to be a new ABE adjustment of approximately twenty inches (20.16" or 1.68'). This difference is not materially detrimental to the surrounding neighborhood. As shown in the attached "Building Massing" and "Neighborhood Sections" exhibits, the additional height request makes very little impact to the presence of the building and does not hinder the views from neighboring buildings including single family homes, office buildings, apartment buildings, and uphill residents to the north and east. With a significant amount of foliage and large trees surrounding the property and throughout the neighborhood, the proposed office building design blends into the streetscape of the Market Street corridor and the adjacent neighborhood. The proposed building does not intrude into the existing view of the lake from uphill residences and aligns with the scale of the neighboring two story buildings along Market Street (see photo, building massing and neighborhood sections exhibits).

To further reduce the potential negative impacts, the proposed building is pulled back from all sides adjacent with residential neighbors. The north-western edge of the site is intended to remain as a green buffer. This buffer extends 30 feet from the neighboring property line (Lehr Property) and will be landscaped to give the resident privacy and reduce the visual impact of the new building. The landscaping will blend into the existing grades of the neighboring property. This adjustment increases and improves the existing distance and foliage between the office building and the home to the northwest. A buffer is also created between the neighbor to the southwest. The proposed building sits back an additional 10' from the property line, doubling the natural buffer from the alley. Both of these buffers decrease the impact of the proposed building on the adjacent residential neighbors.

2. *How is the Variance necessary because of special circumstances regarding the size, shape, topography or location of the subject property; or the location of a pre-existing improvement on the subject property that conformed to the Zoning Code in effect when the improvement was constructed?*

Due to the irregular shape and significant historic grading alterations to the site this project poses several challenges. The proposed building is placed on the site in such a way to engage the surrounding Market Street Corridor and allow for maximum parking below grade. Placing the first floor at this level also allows direct access to barrier free parking on the ground level from Market Street and 11th Avenue. The existing topography and building sits below the adjacent grades of the street and neighboring properties. This depressed site pulls the average building elevation below that of the adjacent buildings along Market Street. Without the additional proposed 20" height increase, the clear floor to ceiling space for each level is approximately 8' and below the conventional standard ceiling height of new office buildings in the rental market today. Raising the average building elevation to align with historic grades allows the building to have market comparable office space while maintaining the character and scale of the surrounding buildings in the neighborhood.

3. *How would the Variance not constitute a grant of special privilege to the subject property which is consistent with the general rights that this Code allows to other property in the same area and zone as the subject property?*

As outlined above, the historic improvements to this site have lowered the topography below that of adjacent properties and roadways. The fuel station use and subsequent removal of the station, tanks, and contaminated soils substantially altered the existing grades. The proposed project intends to bring grades closer to historic conditions and re-align it with the adjacent improvements along Market Street. Through observation of the surrounding neighborhood it appears the majority of adjacent buildings were constructed on grades in line with historic conditions. By requiring this site to use existing topography to calculate the ABE it lowers the maximum building elevation below that of the adjacent building of the same use. We believe allowing the ABE to be based on the proposed historic topography is not a special privilege and falls in line with the design intent of the Market Street Corridor zoning and conditions of existing structures.

We believe increasing the allowable height limit based on the ABE of historic topography is not an unreasonable request. This height increase is not detrimental to the surrounding neighbors by its' presence and does not impede on existing views from the uphill and surrounding neighbors. While this 20" increase greatly improves the usable and marketable space within the office, it is not requesting special treatment and aligns with the design intent of the Market Street Corridor and the character of the surround neighborhood. We ask that the city of Kirkland Hearing Examiner consider all of documentation, history, photos, and references attached to recognize that the site topography represents a historic elevation tie-in with the Market Street and the adjacent properties.

Dibble Engineers appreciates your time to review our proposal and consideration. We invite you to please contact us with any questions or for clarifications to our work, and we will be happy to assist.

RESOURCES:
Phase 2 Study, completed by Riley Group, 2007

Multiple historical exhibits by AGRA Earth and Environmental –listed below

Washington State Archives – Attn: Ms. Midori Okazaki, Archivist
Puget Sound Regional Archives
3000 Landerholm Circle SE, MS N-100
Bellevue, WA 98007
425-564-3940
King County Archives- Attn: Rebecca Pixler, Assistant Archivist
1215 E. Fir Street
Seattle, WA 98122-5424
(206) 263-2480
archives@kingcounty.gov

Kirkland Heritage Society
http://kirklandheritage.org/past-fronpage-pix.html
203 Market Street, Lower Level
Kirkland, WA 98033

Historic Photo Exhibits:

- Exhibit Photo A - Market Street Kirkland, approximately 1029 Market Street, King County Archives
- Exhibit Photo B - Time Oil –Texaco Gas Station - c1939 , provided by Washington State Archives
- Exhibit Photo C - Time Oil – Texaco Garage / Residence - c1939 , provided by Washington State Archives
- Exhibit Photo D - Time Oil – Texaco Garage / Residence - c1941 , provided by Washington State Archives
- Exhibit Photo E - Cabins on 1029 Property - c1939, provided by Washington State Archives
- Exhibit Photo F- Cabins on 1029 Property - c1939, provided by Washington State Archives
- Exhibit Photo G - Cabins on 1029 Property – c1948, provided by Washington State Archives
- Exhibit Photo H - Original Office Building – c1980's, provided by Washington State Archives
- Exhibit Photo I - Original Office Building – c1980's, provided by Washington State Archives

Current Day Photo Exhibits:

- Surrounding Property Views – Existing views of site from adjacent properties.

Reports, letters, and documentation:

- Proposed Building Plans and Elevations
- Proposed Building Perspective
- Building Massing Exhibit
- Neighborhood Sections Exhibit
- DEI Proposed Topography Plan 1936
- DEI Site Survey 2011
- Farallon Consulting – Mr. Jeffrey Kaspar, Project Geologist with historic project knowledge of the site conditions. Project Site summary outline relating to the tank and soils removed, dated July 2016.

Riley Group, 2007, Phase 2 Study packet of documents

- Phase 1 Environmental Site Assessment and Limited Phase II Environmental Site Assessment, prepared by 3rd Party Site Assessments, Mercer Island, Project 94-CS103, dated June 1994, Document of 49 Pages

- AGRA – Earth & Environmental, Kirkland, WA Supplemental Phase 1 Assessment dated July 7, 1995, 14 Pages, with conclusion that a Service station existed on the site since 1926 (if not earlier).
- AGRA – Earth & Environmental, Kirkland, Supplemental Subsurface Exploration and Boring Logs and Groundwater contour Map, dated Sep 1995, including 11 pages
- AGRA – Earth & Environmental, Kirkland. Underground Storage Tank Closure Assessment and Remediation report, dated September 6, 1995, Authored by Mr. Jeffery Kaspar, Project Environmental Geologist
- AGRA – Earth & Environmental, Kirkland Supplemental Subsurface Petroleum Hydrocarbon Assessment Report (AEE Job 12-01232-01), September 1995 outlining Site history, hydrology, subsurface soil conditions, ground water, and derived wastes, with conclusion, authored by Mr. Jeffrey Kaspar, including 45 pages
- AGRA – Earth & Environmental, Kirkland, Independent Remedial Action Program Report, Submitted to the Washington State Department of Ecology, Northwest Regional Office, date September 1995, of 41 pages.
- Department of Ecology letter dated May 20, 1996 Request and response to No Further Action Letter. The DOE is issuing this determination of NFA classification.
- The Riley Group Summary Report dated September 6, 2007 summarizing the current water testing conditions.

Sincerely,
DIBBLE ENGINEERS, INC.
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