C. Two geologic cross sections of the site are presented in Figures 15 and 16. See Figure 7 for locations of cross sections with respect to the site plan.

D. Historical groundwater sample concentrations (two sampling events) are presented on Figure 14.

E. Groundwater sample concentrations for the two sampling events are also presented in Table 2.

2.1.3 Groundwater Treatment

(No groundwater treatment is proposed for the site based upon the rationale presented in Section 1.4.).

2.2 Regulatory Records/Permits

(Not applicable; no permits were required for the remedial work conducted at the site.)

2.3 Hazardous Substance Management and Handling Practices

(Not applicable; no hazardous substances currently are managed nor handled. It is unknown if or what types of hazardous substances may have been managed or handled in the past.)

2.4 Corrective Action at Dangerous Waste Management Facilities

(Not applicable; dangerous wastes are not managed, stored, treated, or disposed at the site.)

3.0 CLOSURE

The following report has been prepared in accordance with Ecology's *Guidance on Preparing Independent Remedial Action Reports Under the Model Toxics Control Act, Chapter 70.105D RCW*, dated 9 March 1994. The data presented herein has been based upon all site investigations and assessments conducted up to the preparation of this report (presented as attachments). Should you have any additional questions or comments regarding the contents of this report, please feel free to contact our office at your earliest convenience.

Respectfully submitted,
AGRA Earth & Environmental, Inc.

Jeffrey Kaspar
Project Environmental Geologist

Bruce D. Williams
Senior Project Scientist

Jon N. Sondergaard, P.G., R.E.A.
Associate

JK/BDW/clt/aml

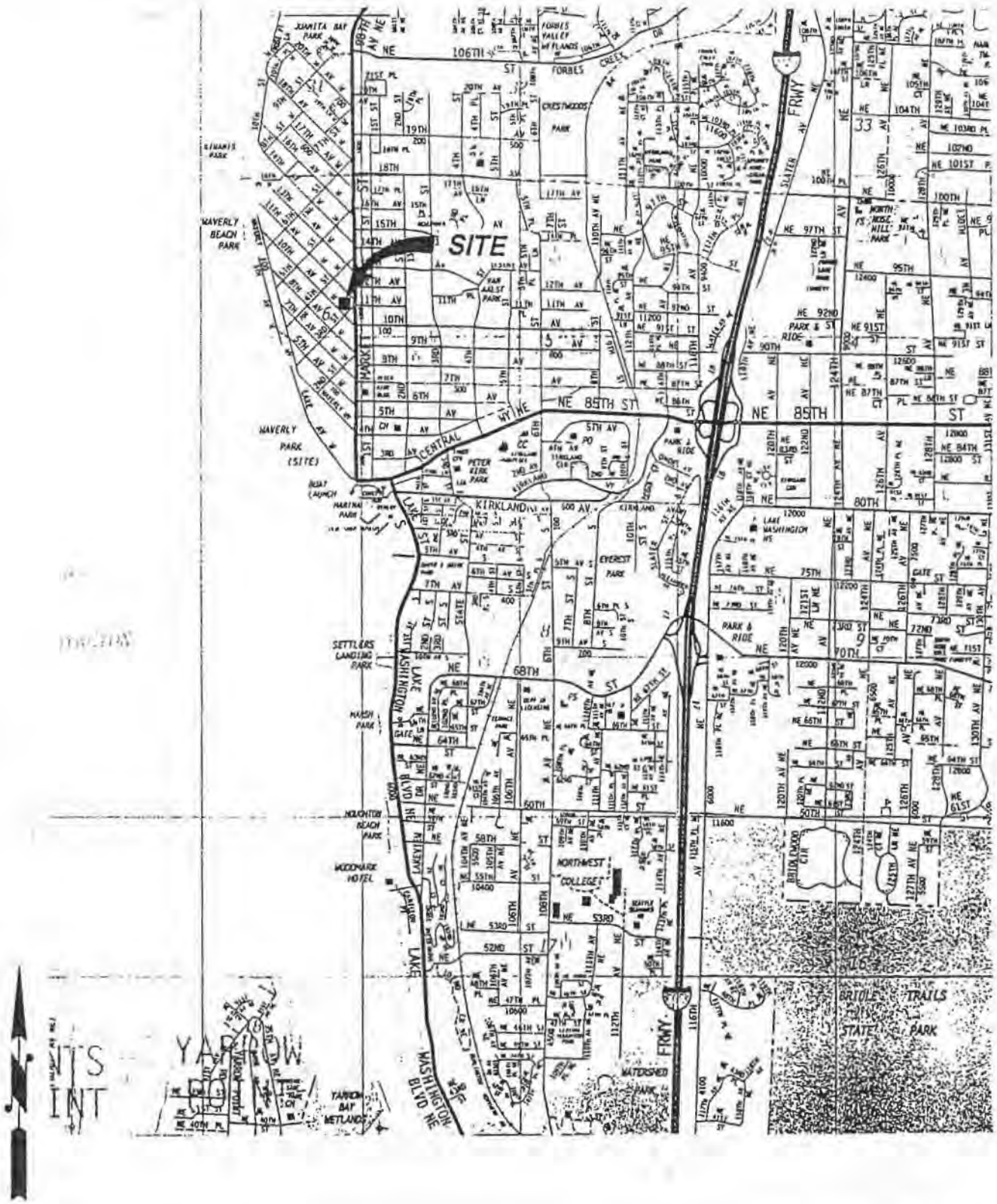

FIGURE 1

AGRA
Earth & Environmental
E. 520 North Foothills Drive
Suite 600
Spokane, WA, U.S.A. 99207

W.O.	12-01232-01
DESIGN	JK
DRAWN	JMR
DATE	SEP 1995
SCALE	N.T.S.

1029 MARKET STREET
KRIKLAND, WASHINGTON

LOCATION MAP

AGRA EARTH & ENVIRONMENTAL, INC. DRAWING NO. \12\01232\TASK05\LOCATION.DW

Table 1: **Summary of Soil Analytical Results: Subsurface Petroleum Hydrocarbon Assessment, 18 January 1995**
1029 Market Street
Kirkland, Washington
AGRA Earth & Environmental, Inc. Project No. 12-01232-00

Sample I.D.	Date Collected	Depth Collected (feet)	OVM Reading (ppm)	WTPH-HCID Oil (ppm)	WTPH-HCID Diesel (ppm)	WTPH-HCID Gas (ppm)	WTPH-G (ppm)	Benzene (ppm)	Toluene (ppm)	Ethyl-benzene (ppm)	Total Xylenes (ppm)	Total Lead (ppm)
MW1-5.0	28-Nov-94	5.5-6.5	0	NT	NT	NT	<1.0	<0.05	<0.05	<0.05	<0.1	NT
MW1-10.0	28-Nov-94	10.5-11.5	0	NT	NT	NT	<1.0	<0.05	<0.05	<0.05	<0.1	NT
MW1-15.0	28-Nov-94	15.0-16.5	0	NT	NT	NT	<1.0	<0.05	<0.05	<0.05	<0.1	NT
MW2-5.0	28-Nov-94	5.5-6.5	116	NT	NT	NT	2.5	<0.05	<0.05	<0.05	<0.1	NT
MW2-10.0	28-Nov-94	10.0-11.5	0	<100	<50	<20	11	<0.05	<0.05	<0.05	1.5	<10
MW2-15.0	28-Nov-94	15.0-16.0	0	NT	NT	NT	<1.0	<0.05	<0.05	<0.05	<0.1	NT
MW3-5.0	29-Nov-94	5.5-6.5	0	NT	NT	NT	<1.0	<0.05	<0.05	<0.05	<0.1	NT
MW3-10.0	29-Nov-94	10.5-11.5	0	NT	NT	NT	<1.0	<0.05	<0.05	<0.05	<0.1	NT
MW3-15.0	29-Nov-94	15.5-16.5	0	NT	NT	NT	<1.0	<0.05	<0.05	<0.05	<0.1	NT
MW4-5.0	29-Nov-94	5.5-6.5	347	<100	<50	Present	68	<0.05	0.13	<0.05	<0.1	NT
MW4-10.0	29-Nov-94	10.0-11.0	217	NT	NT	NT	13	0.06	<0.05	0.27	0.65	NT
MW4-15.0	29-Nov-94	15.0-15.6	6	NT	NT	NT	28	0.07	<0.05	<0.05	<0.1	<10
B1-5.0	28-Nov-94	5.0-6.5	679	<100	Present	Present	**6,200**	13	27	15	**48**	<10
B1-10.0	28-Nov-94	10.0-11.0	164	NT	NT	NT	3.9	<0.05	<0.05	<0.05	<0.1	NT
B1-15.0	28-Nov-94	15.0-16.0	30	NT	NT	NT	<1.0	<0.05	<0.05	<0.05	<0.1	NT
B2-5.0	28-Nov-94	5.0-6.5	2	NT	NT	NT	<1.0	<0.05	<0.05	<0.05	<0.1	NT
B2-10.0	28-Nov-94	10.0-15.5	0	NT	NT	NT	<1.0	<0.05	<0.05	<0.05	<0.1	NT
B2-15.0	28-Nov-94	15.0-16.0	0	NT	NT	NT	<1.0	<0.05	<0.05	<0.05	<0.1	NT
MTCA Method "A" Cleanup Levels				200	200	100	100	0.5	40	20	20	250

Notes:

WTPH-HCID = Total petroleum hydrocarbons, (oil range (greater than (>)C24), diesel range (C13-C24) and gasoline range (C7-C12)) by Ecology Method WTPH-HCID.
WTPH-G = Total petroleum hydrocarbons, gasoline range, by Ecology Method WTPH-G.
OVM = Organic Vapor Meter.
Benzene, Toluene, Ethylbenzene and Total Xylenes (BTEX), by EPA Method 8020.
Total Lead by EPA Method 7420.
MTCA = Model Toxics Control Act, Method "A" Cleanup Guidelines.
BOLDED = Indicates concentration is above the MTCA cleanup level.
NT = sample was not tested for that compound.
All concentrations are expressed in parts per million (ppm).

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Table 2: Summary of Analytical Results: Groundwater
1029 Market Street
Kirkland, Washington
AGRA Earth & Environmental, Inc. Project No. 12-01232-01

Sample I.D.	Date Collected	WTPH-G (ppb)	WTPH-D (ppb)	Benzene (ppb)	Toluene (ppb)	Ethyl-benzene (ppb)	Total Xylenes (ppb)	Total Lead (ppb)	Dissolved Lead (ppb)	Turbidity (NTU)
MW-1	07-Dec-94	88	NT	0.66	0.93	5.2	3	<2	<2	7.4
	08-Sep-95	<50	<250	<0.5	<0.5	<0.5	<1	<2	<2	76
MW-2	07-Dec-94	<50	NT	<0.5	<0.5	<0.5	<1	<2	<2	63
	08-Sep-95	60	<250	<0.5	<0.5	1.1	1.4	<2	<2	54
MW-3	07-Dec-94	72	NT	<0.5	<0.5	<0.5	<1	<2	<2	190
	08-Sep-95	85	540	<0.5	<0.5	<0.5	<1	**6.2**	<2	170
MW-4	07-Dec-94	100	NT	**13**	0.61	0.61	4.8	<2	<2	67
	08-Sep-95	270	790	**64**	14	17	2.6	<2	<2	150
MW-5	08-Sep-95	<50	<250	<0.5	1.2	<0.5	<1	2.9	<2	23
MW-6	08-Sep-95	<50	<250	<0.5	<0.5	<0.5	<1	3.4	<2	170
MW-7	08-Sep-95	<50	<250	<0.5	<0.5	<0.5	<1	<2	<2	46
MTCA Method "A" Cleanup Levels		1,000	1,000	5	40	30	20	5	5	N/A

Notes:

WTPH-G = Total petroleum hydrocarbons, gasoline range, by Ecology Method WTPH-G.

WTPH-D = Total petroleum hydrocarbons, diesel range, by Ecology Method WTPH-D.
Benzene, Toluene, Ethylbenzene and Total Xylenes (BTEX), by EPA Method 602.
Total and Dissolved Lead by EPA Method 7420.
Turbidity by EPA Method 180.1 expressed in NTU's (Nephelometer Turbidity Units).
MTCA = Model Toxics Control Act, Method "A" Cleanup Guidelines.
BOLDED = Indicates concentration is above the MTCA cleanup level.
N/A = No MTCA cleanup level applicable.
All concentrations are expressed in parts per billion (ppb).

TABLE 3: SUMMARY OF SOIL VAPOR SCREENING
1029 MARKET STREET
KIRKLAND, WASHINGTON
AGRA EARTH & ENVIRONMENTAL JOB NO. 12-1232-01

Sample ID	Date	Time	Depth (feet)	OVM (ppm)
SV1-3	07/11/95	10:20 A.M.	3	0
SV1-7	07/11/95	10:30	7	2
SV2-3	07/11/95	10:45	3	3
SV2-6	07/11/95	10:55	6	112
SV3-3	07/11/95	11:15	3	7
SV3-8	07/11/95	11:20	8	5
SV4-3	07/11/95	1:10 P.M.	3	26
SV4-7	07/11/95	1:30	7	7
SV5-3	07/11/95	2:05	3	5
SV5-7	07/11/95	2:40	7	119
SV6-3	07/11/95	3:05	3	23
SV6-5	07/11/95	3:20	5	188
SV7-3	07/11/95	3:50	3	23
SV7-7	07/11/95	4:15	7	19

Notes: OVM = Organic Vapor Meter, a type of photoionization detector (PID)
ppm = parts per million concentration units

TABLE 4: SUMMARY OF ANALYTICAL RESULTS: SOIL VAPOR
1029 MARKET STREET
KIRKLAND, WASHINGTON

SAMPLE NUMBER	UNITS	SV2-6	SV4-3	SV5-7	SV6-5	SV7-3
DATE COLLECTED		11 July 95	11 July 95	11 July 95	11 July 95	11 July 95
TIME COLLECTED		1055	1310	1440	1520	1550
GRPH	ppmV	99	28	130	660	23
	mg/M3	420	120	540	2800	96
BENZENE	ppmV	1.85	<0.016	1.47	15.67	0.03
	mg/M3	5.90	<0.05	4.70	50.00	0.11
TOLUENE	ppmV	<0.133	0.02	<0.133	2.92	<0.027
	mg/M3	<0.50	0.06	<0.50	11.00	<0.10
ETHYLBENZENE	ppmV	0.30	0.02	0.32	0.92	0.06
	mg/M3	1.30	0.07	1.40	4.00	0.24
TOTAL XYLENES	ppmV	0.37	0.07	0.41	1.18	0.11
	mg/M3	1.60	0.30	1.80	5.10	0.48

ppmV Parts per million by volume
mg/m3 Milligrams per cubic meter

Table 5: **Summary of Soil Analytical Results: UST Excavation**
1029 Market Street
Kirkland, Washington
AGRA Earth & Environmental, Inc. Project No. 12-01232-01

Sample Number	Date Collected	OVM Reading (ppm)	WTPH-D (ppm)	WTPH-G (ppm)	Benzene (ppm)	Toluene (ppm)	Ethyl-benzene (ppm)	Total Xylenes (ppm)	Total Lead (ppm)
UST4K-NSW-5.5	19-Jul-95	407	NT	**4,700**	**5.0**	18	9.8	**46**	NT
UST4K-WSW-9(1)	19-Jul-95	389	NT	**1,700**	**4.0**	<0.2	7.1	11	NT
UST4K-BTS-10	19-Jul-95	68	NT	4.8	<0.05	<0.05	0.15	0.23	NT
UST4K-SESW-9	09-Aug-95	29	NT	9.5	<0.05	<0.05	0.34	0.46	NT
UST4K-ESW-9.5	09-Aug-95	252	NT	3.0	<0.05	<0.05	0.068	<0.10	NT
UST4K-BSTA-11	10-Aug-95	59	NT	2.4	0.16	<0.052	0.23	0.38	NT
UST4K-BTW-11	10-Aug-95	28	NT	4.6	<0.05	<0.05	0.11	0.20	NT
UST4K-SSWA-9	11-Aug-95	5	NT	2.4	<0.05	<0.05	0.051	<0.10	NT
UST4K-SSWB-9	11-Aug-95	38	NT	4.9	<0.05	<0.05	0.096	0.23	NT
UST4K-WSWA-9	11-Aug-95	94	NT	22	<0.05	<0.05	0.21	0.52	NT
UST4K-WSWB-8	11-Aug-95	234	13	**850**	**0.62**	<0.08	3.4	5.8	12
UST4K-NSWA-9	11-Aug-95	37	NT	3.7	<0.05	<0.05	0.11	<0.10	NT
UST4K-NSWB-9	11-Aug-95	164	NT	9.0	<0.05	<0.05	0.10	<0.10	NT
UST4K-ESWA-9	11-Aug-95	388	NT	36	<0.08	<0.05	0.39	0.56	NT
UST4K-BTE-11	11-Aug-95	82	NT	7.9	0.086	<0.05	0.068	<0.10	NT
MTCA Method "A" Cleanup Levels			200	100	0.5	40	20	20	250

Notes:

OVM = Organic Vapor Meter, using a 1.0eV lamp.
WTPH-D = Total petroleum hydrocarbons, diesel range (C13-C24), by Washington State Method WTPH-D.
WTPH-G = Total petroleum hydrocarbons, gasoline range (C7-C12), by Washington State Method WTPH-G.
Benzene, Toluene, Ethylbenzene and Total Xylenes (BTEX), by EPA Method 8020.
Total Lead by EPA Method 7421.
NT = Indicates sample was not tested for this specific compound.
MTCA = Washington State, Model Toxics Control Act, Method "A" Cleanup Guidelines.
BOLDED = Indicates concentration is above MTCA Method "A" cleanup level.
All concentrations are expressed in parts per million (ppm)(mg/kg).
(1) Sample not used for closure purposes

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Table 6: **Summary of Soil Analytical Results: Parking Area Excavation**
1029 Market Street
Kirkland, Washington
AGRA Earth & Environmental, Inc. Project No. 12-01232-01

Sample Number	Date Collected	OVM Reading (ppm)	WTPH-D (ppm)	WTPH-G (ppm)	Benzene (ppm)	Toluene (ppm)	Ethyl-benzene (ppm)	Total Xylenes (ppm)	Total Lead (ppm)
PKS-SWSW-4(1)	21-Jul-95	364	NT	**610**	<0.08	<0.08	1.5	2.2	NT
PKS-NWSW-5(1)	21-Jul-95	489	NT	**720**	0.34	<0.08	3.0	4.8	NT
PKS-SSW-6(1)	21-Jul-95	268	NT	**1,300**	**0.73**	<0.08	4.6	6.0	NT
PKS-ESW-8(1)	21-Jul-95	312	NT	**470**	0.42	0.94	2.1	3.4	NT
PKS-SSW-8W	16-Aug-95	482	NT	**370**	<0.20	0.58	1.0	<0.10	NT
PKS-WSW-7S	16-Aug-95	255	43	**560**	**0.67**	0.98	1.4	1.3	<10
PKS-SSW-8E	16-Aug-95	17	NT	2.1	<0.05	<0.05	<0.05	<0.10	NT
PKS-ESW-9.5S	16-Aug-95	13	NT	1.2	0.05	<0.05	<0.05	<0.10	NT
PKS-BTSE-10	16-Aug-95	9	NT	2.4	0.066	<0.05	<0.05	<0.10	NT
PKS-NWS-8W	17-Aug-95	11	NT	1.7	<0.05	<0.05	<0.05	<0.10	NT
PKS-BTNW-10	17-Aug-95	3	NT	2.4	<0.05	<0.05	<0.05	<0.10	NT
PKS-BTNE-10	17-Aug-95	9	NT	<1.0	<0.05	<0.05	<0.05	<0.10	NT
PKS-NSW-7E	17-Aug-95	36	NT	**350**	<0.05	0.15	0.49	<0.10	NT
PKS-ESW-8C	17-Aug-95	414	NT	<1.0	<0.05	<0.05	<0.05	<0.10	NT
PKS-NSW-7WCR	17-Aug-95	8	NT	**410**	0.20	0.27	0.91	2.2	NT
PKS-WSW-8C	18-Aug-95	224	NT	**130**	0.059	0.17	0.31	0.50	NT
PKS-WSW-7N	18-Aug-95	222	NT	**520**	0.14	0.45	1.6	2.2	NT
MTCA Method "A" Cleanup Levels			200	100	0.5	40	20	20	250

Notes:

OVM = Organic Vapor Meter, using a 1.0eV lamp.
WTPH-D = Total petroleum hydrocarbons, diesel range (C13-C24), by Washington State Method WTPH-D.
WTPH-G = Total petroleum hydrocarbons, gasoline range (C7-C12), by Washington State Method WTPH-G.
Benzene, Toluene, Ethylbenzene and Total Xylenes (BTEX), by EPA Method 8020.
Total Lead by EPA Method 7421.
NT = indicates sample was not tested for this specific compound.
MTCA = Washington State, Model Toxics Control Act, Method "A" Cleanup Guidelines.
BOLDED = indicates concentration is above MTCA Method "A" cleanup level.
All concentrations are expressed in parts per million (ppm)(mg/kg).
(1) Sample not used for closure purposes

Table 7: Summary of Soil Analytical Test Results
Supplemental Subsurface Petroleum Hydrocarbon Assessment
29 September 1995
1029 Market Street
Kirkland, Washington
AGRA Earth & Environmental, Inc. Project No. 12-01232-01

Sample I.D.	Date Collected	Depth Collected (feet)	OVM Reading (ppm)	WTPH-G (ppm)	Benzene (ppm)	Toluene (ppm)	Ethyl-benzene (ppm)	Total Xylenes (ppm)
MW5-7.5	06-Sep-95	7.5	0	<1.0	<0.05	<0.05	<0.05	<0.10
MW5-10	06-Sep-95	10	0	<1.0	<0.05	<0.05	<0.05	<0.10
MW6-7.5	06-Sep-95	7.5	0	<1.0	<0.05	<0.05	<0.05	<0.10
MW6-10	06-Sep-95	10	0	<1.0	<0.05	<0.05	<0.05	<0.10
MW-7.5	06-Sep-95	7.5	0	<1.0	<0.05	<0.05	<0.05	<0.10
MW7-10	06-Sep-95	10	0	<1.0	<0.05	<0.05	<0.05	<0.10
B3-5	06-Sep-95	5	541	**1,600**	**3.5**	2.6	1.9	13
B3-7.5	06-Sep-95	7.5	596	**1,800**	**7.4**	3.2	7.6	12
B3-12.5	06-Sep-95	12.5	131	49	0.24	<0.05	0.23	0.39
MTCA Method "A" Cleanup Levels				100	0.5	40	20	20

Notes:

OVM = Organic Vapor Meter - Photoionization Meter.
WTPH-G = Total petroleum hydrocarbons, gasoline range (C7-C12), by Washington State Method WTPH-G.
Benzene, Toluene, Ethylbenzene and Total Xylenes (BTEX), by EPA Method 8020.
MTCA = Washington State, Model Toxics Control Act, Method "A" Cleanup Guidelines.
BOLDED = indicates concentration is above MTCA cleanup level.
All concentrations are expressed in parts per million (ppm).

Table 8: **Summary of Fluid Level Measurements**
1029 Market Street
Kirkland, Washington
AGRA Earth & Environmental, Inc. Project No. 12-01232-01

Well Number/ Top of Casing Elevation (ft)	Date Collected	Depth to Water (ft)	Groundwater Elevation (ft)
MW-1/ 168.30	07-Dec-94	5.29	163.01
	11-Jan-95	5.14	163.16
	24-May-95	6.30	162.00
	23-Jun-95	5.44	162.86
	24-Aug-95	7.54	160.76
	08-Sep-95	6.54	161.76
MW-2/ 169.30	07-Dec-94	6.43	162.87
	11-Jan-95	6.04	163.26
	24-May-95	6.54	162.76
	23-Jun-95	6.69	162.61
	24-Aug-95	7.65	161.65
	08-Sep-95	7.12	162.18
MW-3/ 168.10	07-Dec-94	4.19	163.91
	11-Jan-95	3.93	164.17
	24-May-95	4.03	164.07
	23-Jun-95	4.19	163.91
	24-Aug-95	4.43	163.67
	08-Sep-95	4.60	163.50
MW-4/ 166.70	07-Dec-94	3.64	163.06
	11-Jan-95	2.91	163.79
	24-May-95	6.85	159.85
	23-Jun-95	7.29	159.41
	24-Aug-95	7.33	159.37
	08-Sep-95	7.34	159.36
MW-5/ 168.12	08-Sep-95	13.12	155.00
MW-6/ 164.53	08-Sep-95	6.70	157.83
MW-7/ 167.32	08-Sep-95	7.64	159.68

Independent Remedial Action Report Summary

This report summary is an important part of the Independent Remedial Action Report. Please complete the summary and submit it with your Independent Remedial Action Report. If this document does not accompany your cleanup report, or if it is not fully completed, your report cannot enter the review process necessary for Ecology to provide you with a "no further action" determination, or to remove your site from the hazardous sites lists.

FOR ECOLOGY USE ONLY			
ERTS No.	TCP I.D. No.	Date Received	☐ NFA
			☐ SHA Referral
LUST No.	U.B. I. No.	Initial Investigation (Date)	☐ Interim Action
Reviewed by			☐ Emergency Action

PLEASE PRINT CLEARLY OR TYPE

GENERAL INFORMATION

Name of Site Owner: FORMER KELLY TRUST	Phone:
Address: 1029 MARKET STREET (Street) KIRKLAND, WA (State/Province) 98033 (Zip) KING (Country)	
Authorized Contact: MR. RUSSELL COFANO	Phone: (206) 562-0677
Name of Facility Operator: (SAME AS ABOVE)	Phone:
Address: (Street)	State: Zip:
Authorized Contact:	Phone:
Name of Consultant: BRUCE WILLIAMS	Phone: (509) 482-0104
Name of Firm: AGRA EARTH & ENVIRONMENTAL, INC.	
Address: 520 NORTH FOOTHILLS DRIVE, SUITE 600 (Street) SPOKANE (State) WA 99207 (Zip)	

Please indicate which of the above persons completed this report. If the report was completed by someone other than listed above, please provide their name, address, and a daytime phone.

BRUCE WILLIAMS

REPORT INFORMATION

Type of Report (*check one*)	Is this a Leaking Underground Storage Tank (LUST) report? Yes ☐ No ☒
☐ Combined release and independent remedial action report	Date release was reported to Ecology: OCTOBER 1994
☒ Independent remedial action report	
☐ Interim Action Report	Date cleanup was completed: SEPTEMBER 1995
☐ Final Cleanup Action Report	

RELEASE INFORMATION

Date of Release *(If known)*	Date of Discovery	Are there any drinking water systems affected?
UNKNOWN	OCTOBER 1994	Yes ☐ No ☒ Unknown ☐

If drinking water systems are affected, are the systems **public, private, or both**? *(circle one)*	If drinking water systems are affected, has alternate drinking water been provided? Yes ☐ No ☐ Unknown ☐

General Hazardous Substance Categories Using the contaminants listed below, complete the table.
(A more detailed description of the contaminants can be found in Appendix A of the guidance.)

Contaminants. For each of the applicable contaminants, enter the appropriate letter designating the status of the contaminants: **C = Confirmed or S = Suspected** *(Contaminant status definitions are defined in Appendix A of the guidance.)*		**Affected Media**				
		Ground Water	Surface Water	Drinking Water	Soil	Air
1.	Halogenated Organic Compounds					
2.	Metals - Priority Pollutants					
3.	Metals - Other					
4.	Polychlorinated Bi-Phenyls (PCBs)					
5.	Pesticides/Herbicides					
6. Petroleum Products	Unleaded Gas	C			C	
	Leaded Gas					
	Diesel	C				
	Waste Oil					
	Heat Fuel					
	Other (Specify)					
7.	Phenolic Compounds					
8.	Non-Halogenated Solvents					
9.	Dioxins					
10.	Polynuclear Aromatic Hydrocarbons (PAHs)					
11.	Reactive Wastes					
12.	Corrosive Wastes					
13.	Radioactive Wastes					
14.	Conventional Contaminants Organics					
15	Conventional Contaminants Inorganics					
16.	Base/Neutral Organic Compounds					
17.	Asbestos					

CLEANUP INFORMATION

Indicate cleanup level methods used by completing Table 5-A below. *(Check all that apply)*

TABLE 5-A

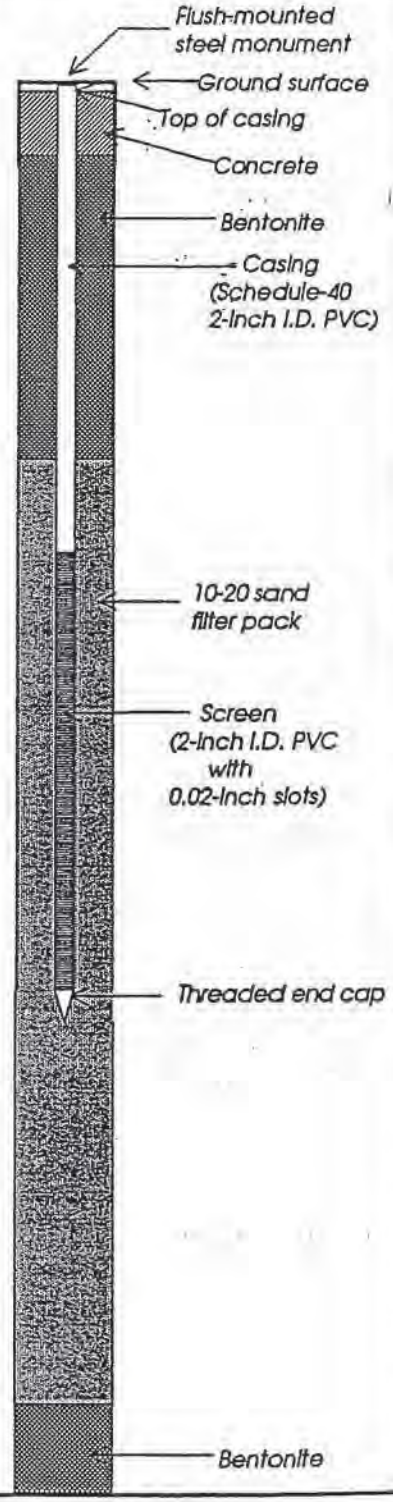
	Soil	Ground Water	Air	Surface Water
Method A	TPH - 100 ppm	Benzene 5 ppb		
B				
C				
Have these levels been met throughout the site? *(circle only one)*	YES (NO)	YES (NO)	YES NO	YES NO

PROJECT: *1029 Market Street* W.O. *12-01232-00* WELL NO. *MW-1*

Elevation reference: *City of Kirkland* Well completed: *28 November 1994*
Ground surface elevation: *168.66 feet* Casing elevation: *168.30 feet*

AS-BUILT DESIGN

DEPTH (feet)	SOIL DESCRIPTION	SAMPLE TYPE	SAMPLE NUMBER	BLOW COUNTS	OVM READING	GROUND WATER	TESTING
0	2" Asphalt over moist, brown, silty SAND with some gravel (Fill)						
	Hard, moist, brown to gray with some mottling, SILT with some sand and trace to some gravel						
5			MW-1/ 5.0	80	0.0	12/7/94	WTPH-G BTEX
10	Very dense, moist to slightly wet, gray, sandy SILT with trace to some gravel		MW-1/ 10.0	50/ 6"	0.0		WTPH-G BTEX
15			MW-1/ 15.0	50/ 6"	0.0		WTPH-G BTEX
	Very dense, saturated, gray, SILT with sand and trace to some gravel					ATD	
20	Very dense, damp to moist, gray, sandy SILT with trace to some gravel		MW-1/ 20.0	50/ 6"	0.0		
25			MW-1/ 25.0	100/ 6"	0.0		
30	(continued)						



LEGEND

- 3-Inch O.D. split-spoon sample
- WTPH-G BTEX — Analytical testing
- ATD — Observed groundwater level, ATD = at time of drilling
- 0/00/00 — Observed groundwater level, 0/00/00 = date observed

AGRA Earth & Environmental
11335 NE 122nd Way, Suite 100
Kirkland, Washington 98034-6918

Drilling started: *28 November 1994* Drilling completed: *28 November 1994* Logged by: *JK*

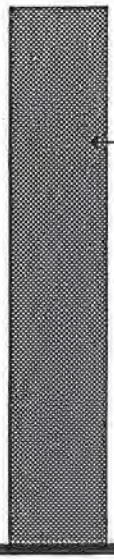
AGRA Earth and Environmental, Inc.

PROJECT: *1029 Market Street* W.O. *12-01232-00* WELL NO. *MW-1*

Elevation reference: *City of Kirkland* Well completed: *28 November 1994*
Ground surface elevation: *168.66 feet* Casing elevation: *168.30 feet*

AS-BUILT DESIGN

DEPTH (feet)	SOIL DESCRIPTION	SAMPLE TYPE	SAMPLE NUMBER	BLOW COUNTS	OVM READING	GROUND WATER	TESTING
30			MW-1/ 30.0	95/ 6"	0.0		
35	*Hard, damp to moist, gray, SILT with some sand and trace to some gravel*		MW-1/ 35.0	100/ 6"	0.0		
40			MW-1/ 40.0	100/ 6"	0.0		
	Bottom of boring at 41 feet.						
45							
50							
55							
60							



LEGEND

3-Inch O.D. split-spoon sample

Observed groundwater level
ATD = at time of drilling

WTPH-G
BTEX
Analytical testing

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Earth & Environmental
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Kirkland, Washington 98034-6918

Drilling started: *28 November 1994* Drilling completed: *28 November 1994* Logged by: *JK*

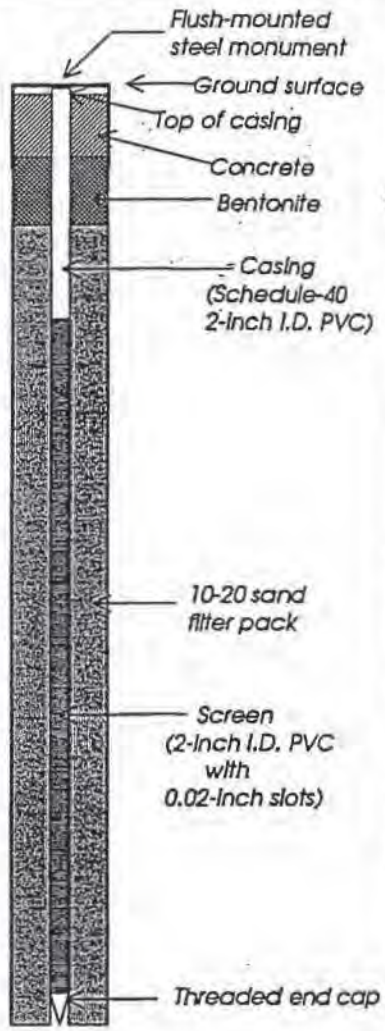
AGRA Earth and Environmental, Inc.

PROJECT: *1029 Market Street* W.O. *12-01232-00* WELL NO. *MW-2*

Elevation reference: *City of Kirkland* Well completed: *28 November 1994*
Ground surface elevation: *169.62 feet* Casing elevation: *169.30 feet*

AS-BUILT DESIGN

DEPTH (feet)	SOIL DESCRIPTION	SAMPLE TYPE	SAMPLE NUMBER	BLOW COUNTS	OVM READING	GROUND WATER	TESTING
0	*2" Asphalt over moist, brown to gray, silty SAND with some gravel (Fill)*				115		
5	*Dense to very dense, damp to moist, gray, sandy SILT with trace to some gravel*		MW-2/ 5.0	48	116	12/7/94	WTPH-G BTEX
10	*Becomes slightly wet*		MW-2/ 10.0	60/ 4"	NT		WTPH-HCID WTPH-G BTEX Total Pb
15			MW-2/ 15.0	50/ 6"	NT	ATD	WTPH-G BTEX
	Hard, wet(saturated), gray, SILT with sand and trace to some gravel		MW-2/ 16.0	50/ 4"	NT		
			MW-2/ 17.0	100/ 4"	NT		
	Hard, damp to moist, gray, SILT with some sand and trace to some gravel		MW-2/ 18.0	100/ 6"	NT		
20			MW-2/ 20.0	100/ 6"	0.0		
	Bottom of boring at 21 feet.						
25							
30							



LEGEND

- 3-inch O.D. split-spoon sample
- WTPH-G BTEX — Analytical testing
- ATD — Observed groundwater level, ATD = at time of drilling
- 0/00/00 — Observed groundwater level, 0/00/00 = date observed
- NT = Insufficent sample for OVM Reading

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Kirkland, Washington 98034-6918

Drilling started: *28 November 1994* Drilling completed: *28 November 1994* Logged by: *JK*

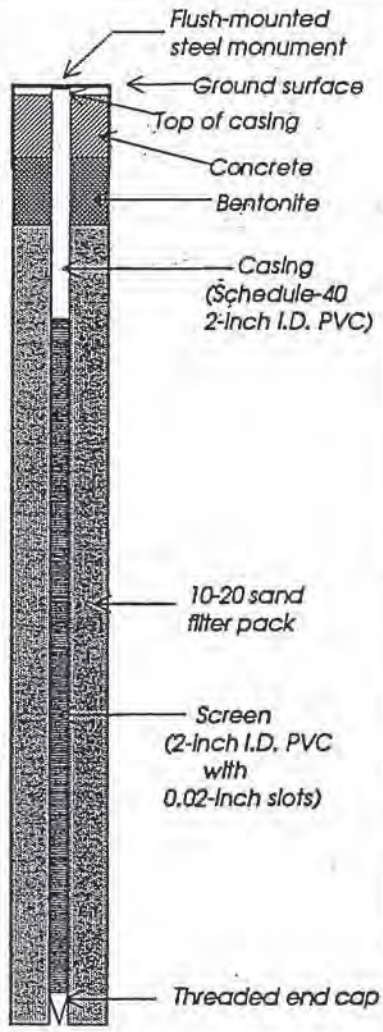
AGRA Earth and Environmental, Inc.

PROJECT: *1029 Market Street* W.O. *12-01232-00* WELL NO. *MW-3*

Elevation reference: *City of Kirkland* Well completed: *29 November 1994*
Ground surface elevation: *168.61 feet* Casing elevation: *168.10 feet*

AS-BUILT DESIGN

DEPTH (feet)	SOIL DESCRIPTION	SAMPLE TYPE	SAMPLE NUMBER	BLOW COUNTS	OVM READING	GROUND WATER	TESTING
0	*Moist, brown, silty SAND with gravel (Fill)*						
	Wet, greenish/gray, SILT with sand and gravel (Fill)					12/7/94	
5	*Very dense, moist to slightly wet, gray with some mottling, sandy SILT with trace to some gravel*	I	MW-3/ 5.0	75/ 6"	0.0		WTPH-G BTEX
10	*Hard, moist, gray, SILT with some sand and trace to some gravel*	I	MW-3/ 5.0	50/ 5"	0.0		WTPH-G BTEX
15	*Very dense, moist, gray, sandy SILT with trace to some gravel*	I	MW-3/ 15.0	50/ 4"	0.0		WTPH-G BTEX
20		I	MW-3/ 20.0	84/ 6"	0.0		
	Bottom of boring at 21 feet.						
25							
30							



LEGEND

I 3-inch O.D. split-spoon sample

▼ 0/00/00 Observed groundwater level 0/00/00 = date observed

WTPH-G BTEX Analytical testing

AGRA Earth & Environmental
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Kirkland, Washington 98034-6918

Drilling started: *29 November 1994* Drilling completed: *29 November 1994* Logged by: *JK*

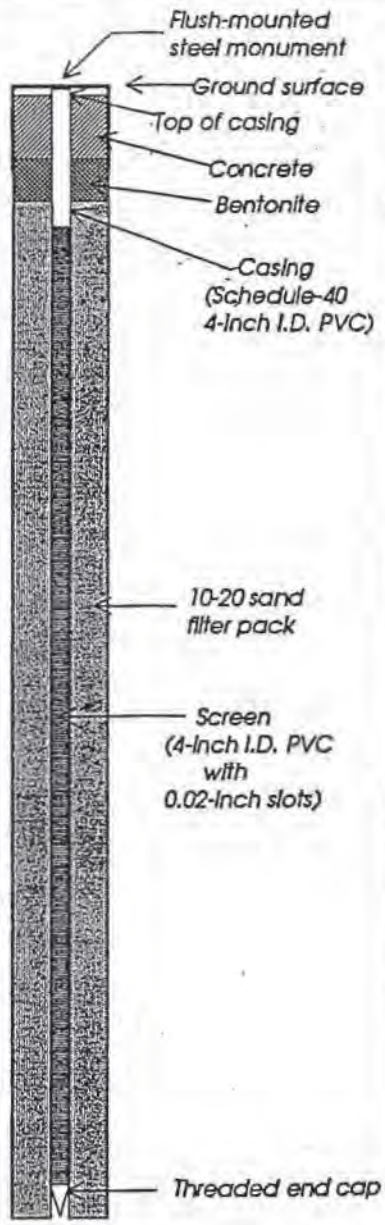
AGRA Earth and Environmental, Inc.

PROJECT: *1029 Market Street* W.O. *12-01232-00* WELL NO. *MW-4*

Elevation reference: *City of Kirkland* Well completed: *29 November 1994*
Ground surface elevation: *167.23 feet* Casing elevation: *166.70 feet*

DEPTH (feet)	SOIL DESCRIPTION	SAMPLE TYPE	SAMPLE NUMBER	BLOW COUNTS	OVM READING	GROUND WATER	TESTING
0	*Moist, brown, silty SAND with gravel (Fill)*				3	ATD 12/7/94	
	Becomes gray, water seeps into borehole						
	Very dense, wet, gray, sandy SILT with some gravel						
5			MW-4/ 5.0	67	347		WTPH-HCID WTPH-G BTEX
10			MW-4/ 5.0	90/ 6"	217	ATD	WTPH-G BTEX
	Hard, saturated, gray, SILT with sand and trace to some gravel						
15	*Hard, moist, gray, SILT with some sand and trace to some gravel*		MW-4/ 15.0	100/ 6"	6.0		WTPH-G BTEX Total Pb
20			MW-4/ 20.0	70/ 6"	12		
25			MW-4/ 25.0	100/ 6"	6.0		
	Bottom of boring at 24 feet.						
30							

AS-BUILT DESIGN



LEGEND

- 3-Inch O.D. split-spoon sample
- WTPH-G BTEX — Analytical testing
- ATD — Observed groundwater level, ATD = at time of drilling
- 0/00/00 — Observed groundwater level, 0/00/00 = date observed

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11335 NE 122nd Way, Suite 100
Kirkland, Washington 98034-6918

Drilling started: *29 November 1994* Drilling completed: *29 November 1994* Logged by: *JK*

AGRA Earth and Environmental, Inc.

PROJECT: *1029 Market Street* W.O. *12-01232-00* BORING NO. *B-1*

Page 1 of 1

DEPTH (feet)	SOIL DESCRIPTION Approximate ground surface elevation: *169 feet*	SAMPLE TYPE	SAMPLE NUMBER	OVM READING	GROUND WATER	STANDARD PENETRATION RESISTANCE (Blows per foot)	TESTING
0	*Medium dense, moist to wet, gray, sandy SILT with some gravel (TP-2 Backfill)*			368			
5	*Very dense, damp to moist, gray, sandy SILT with trace to some gravel*		B-1/ 5.0	679			WTPH-HCID WTPH-G BTEX Total Pb
10			B-1/ 10.0	164		50/4"	WTPH-G BTEX
15	*Very dense, saturated, gray, SILT with sand and trace to some gravel*		B-1/ 15.0	30	ATD	50/5"	WTPH-G BTEX
	Very dense, damp to moist, gray, sandy SILT with trace to some gravel		B-1/ 17.0	2.6		75/6"	
			B-1/ 19.0	0.0		90/6"	
20	*Boring terminated at approximately 20 feet*						
25							
30							

Scale: 0, 10, 20, 30, 40, 50

MOISTURE CONTENT: Plastic limit — Natural — Liquid limit

LEGEND

3-inch OD split-spoon sample

WTPH-G BTEX — Analytical testing

ATD — Groundwater level at time of drilling

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AGRA Earth and Environmental, Inc.

Drilling started: *28 November 1994* Drilling completed: *28 November 1994* Logged by: *JK*

PROJECT: *1029 Market Street* W.O. *12-01232-00* BORING NO. *B-2*

DEPTH (feet)	SOIL DESCRIPTION Approximate ground surface elevation: *167.3 feet*	SAMPLE TYPE	SAMPLE NUMBER	OVM READING	GROUND WATER	STANDARD PENETRATION RESISTANCE (Blows per foot)	TESTING
0	*Moist, brown, silty SAND with gravel (Fill)*						
	Hard, moist, brown to gray with some mottling, SILT with some sand and trace to some gravel						
5			B-2/ 5.0	2.0		50/4"	WTPH-G BTEX
10	*Becomes slightly wet*		B-2/ 10.0	0.0		50/6"	WTPH-G BTEX
15	*Very dense, moist, gray, sandy SILT with trace to some gravel*		B-2/ 15.0	0.0		75/6"	WTPH-G BTEX
			B-2/ 17.5	0.0		50/6"	
20	*Becomes damp*		B-2/ 20.0	0.0		100/6"	
25			B-2/ 25.0	0.0		100/6"	
			B-2/ 30.0 (Interval from 30.0-31.0 ft)	0.0		100/6"	
30	*Boring terminated at approximately 31 feet*						

Page 1 of 1

MOISTURE CONTENT: Plastic limit — Natural — Liquid limit

LEGEND

3-inch OD split-spoon sample

WTPH-G BTEX — Analytical testing

Groundwater level at time of drilling

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Kirkland, Washington 98034-6918

Drilling started: *28 November 1994* Drilling completed: *28 November 1994* Logged by: *JK*

AGRA Earth and Environmental, Inc.

PROJECT: *1029 Market Street* W.O. *12-01232-00* BORING NO. *B-3*

Page 1 of 1

DEPTH (feet)	SOIL DESCRIPTION Location: *Unknown* Approximate ground surface elevation: *167 feet*	SAMPLE TYPE	SAMPLE NUMBER	OVM READING	GROUND WATER	PENETRATION RESISTANCE (▲ Standard, △ Other; Blows per foot)	TESTING
0	*Medium dense, moist, brown SAND and GRAVEL with some 4" - 6" cobbles and some silt (Fill)*			0			
5	*Hard, moist, mottled brown and gray, SILT with some medium sand and trace to some gravel*		B-3/ 5.0	541		77	WTPH-G/ BTEX
			B-3/ 7.5.	596		80/5"	WTPH-G/ BTEX
10	*Becomes wet and gray (no mottling)*		B-3/ 10.0	-	ATD	100/4"	
			B-3/ 12.5	131		100/4"	WTPH-G/ BTEX
	Boring terminated at approximately 13 feet						
15							
20							
25							
30							

MOISTURE CONTENT (0, 20, 40, 60, 80, 100): Plastic limit — Natural — Liquid limit

LEGEND

I 3.00-inch OD split-spoon sample

WTPH-G/ BTEX Analytical testing

ATD Groundwater level at time of drilling

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Kirkland, Washington 98034-6918

AGRA Earth and Environmental, Inc.

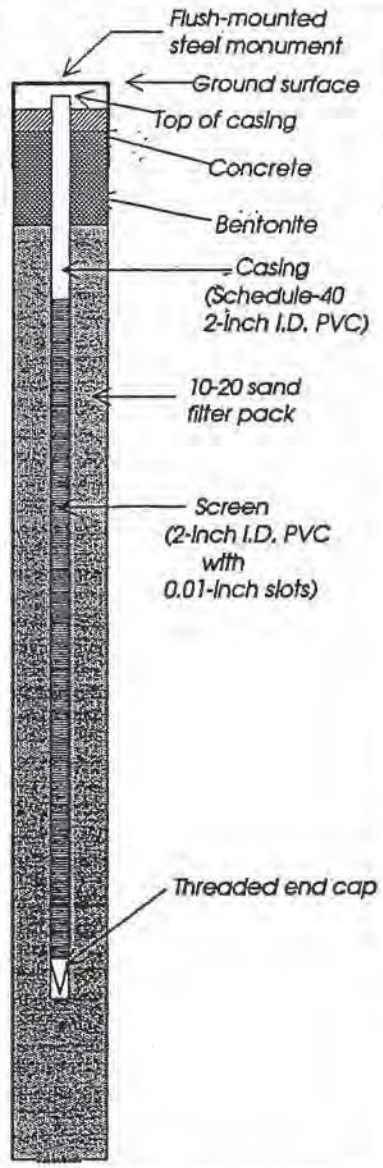
Drilling method: *HSA* Hammer type: *Automatic* Date drilled: *06 September 1995* Logged by: *JK*

PROJECT: *1029 Market Street* W.O. *12-01232-00* WELL NO. *MW-5*

Elevation reference: *170.55 feet* Well completed: *06 September 1995*
Ground surface elevation: *168.62 feet* Casing elevation: *168.12 feet*

DEPTH (feet)	SOIL DESCRIPTION	SAMPLE TYPE	SAMPLE NUMBER	BLOW COUNTS	OVM READING	GROUND WATER	TESTING
0	2" Asphalt over 10" Subbase						
	Medium dense, moist, brown to gray, silty, fine SAND with some gravel				0.0		
5	Very stiff, moist, tan to gray, SILT with some fine sand and trace to some gravel		MW-5/ 5.0	40	0.0		
			MW-5/ 7.5	49	0.0		WTPH-G/ BTEX
	Becomes gray						
10			MW-5/ 10.0	61	0.0		WTPH-G/ BTEX
	Becomes hard		MW-5/ 12.5	50/ 6"	0.0	9/8/95	
15			MW-5/ 15.0	50/ 6"	0.0		
			MW-5/ 17.5	50/ 4"	0.0		
	Sand content increases						
20			MW-5/ 20.0	50/ 4"	0.0		
			MW-5/ 22.5	50/ 5"	0.0		
25	Bottom of boring at 22.5 feet. Department of Ecology ID Number ACD-017						
30							

AS-BUILT DESIGN



LEGEND

- 3.00-inch OD split-spoon sample
- WTPH-G/ BTEX — Analytical testing
- ATD — Groundwater level at time of drilling
- 0/00/00 — Observed groundwater level 0/00/00 = date observed

AGRA Earth & Environmental
11335 NE 122nd Way, Suite 100
Kirkland, Washington 98034-6918

Drilling started: *06 September 1995* Drilling completed: *06 September 1995* Logged by: *JK*

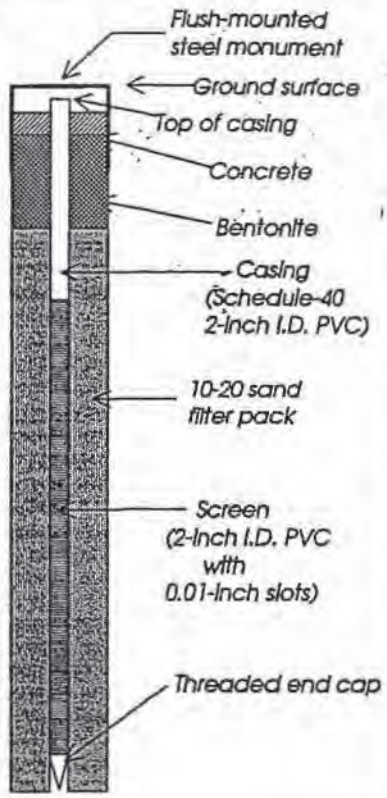
AGRA Earth and Environmental, Inc.

PROJECT: *1029 Market Street* W.O. *12-01232-00* WELL NO. *MW-6*

Elevation reference: *170.55 feet* Well completed: *06 September 1995*
Ground surface elevation: *164.84 feet* Casing elevation: *164.53 feet*

DEPTH (feet)	SOIL DESCRIPTION	SAMPLE TYPE	SAMPLE NUMBER	BLOW COUNTS	OVM READING	GROUND WATER	TESTING
0	3" Concrete over medium dense, moist, brown, fine SAND and GRAVEL with some silt and some roots systems (Fill)				0.0		
5	Very stiff, moist, mottled brown and orange, SILT with some fine sand and trace gravel		MW-6/ 5.0	32	0.0	9/8/95	
	Becomes sandier		MW-6/ 7.5	48	0.0		WTPH-G/ BTEX
10	Medium dense, wet, brown, white and gray, medium to coarse SAND with some gravel and trace silt		MW-6/ 10.0	41	0.0	ATD	WTPH-G/ BTEX
			MW-6/ 12.5	50	0.0		
15	Hard, moist, gray SILT with some sand and trace gravel		MW-6/ 15.0	60/ 6"	0.0		
	Bottom of boring at 16.5 feet. Department of Ecology ID Number ACD-018						
20							
25							
30							

AS-BUILT DESIGN



LEGEND

- 3.00-inch OD split-spoon sample
- WTPH-G/ BTEX — Analytical testing
- ATD — Groundwater level at time of drilling
- 0/00/00 — Observed groundwater level 0/00/00 = date observed

AGRA Earth & Environmental
11335 NE 122nd Way, Suite 100
Kirkland, Washington 98034-6918

Drilling started: *06 September 1995* Drilling completed: *06 September 1995* Logged by: *JK*

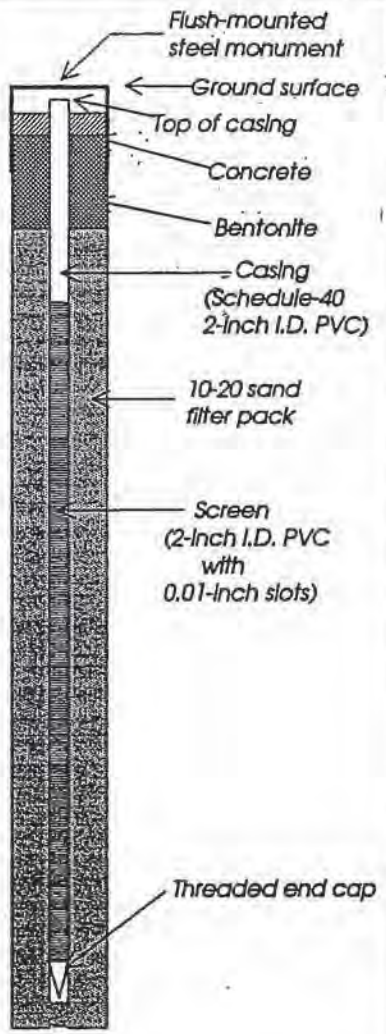
AGRA Earth and Environmental, Inc.

PROJECT: *1029 Market Street* W.O. *12-01232-00* WELL NO. *MW-7*

Elevation reference: *170.55 feet* Well completed: *06 September 1995*
Ground surface elevation: *167.80 feet* Casing elevation: *167.32 feet*

AS-BUILT DESIGN

DEPTH (feet)	SOIL DESCRIPTION	SAMPLE TYPE	SAMPLE NUMBER	BLOW COUNTS	OVM READING	GROUND WATER	TESTING
0	*3" Concrete over medium dense, moist, brown, medium SAND and GRAVEL with some silt (Fill)*				0.0		
5			MW-7/ 5.0	47	0.0		
	Very stiff, moist, gray SILT with some sand and trace to some gravel					9/8/95	
			MW-7/ 7.5	64	0.0		WTPH-G, BTEX
10	*Medium dense, wet, gray, fine to medium SAND with some silt*		MW-7/ 10.0	62	0.0	ATD	WTPH-G, BTEX
	Very stiff to hard, damp to moist, gray SILT with some fine sand		MW-7/ 12.5	59	0.0		
15			MW-7/ 15.0	50/ 6"	0.0		
			MW-7/ 17.5	43	0.0		
20			MW-7/ 20.0	50/ 4"	0.0		
	Bottom of boring at 21.5 feet. Department of Ecology ID Number ACD-019						
25							
30							



LEGEND

- 3.00-inch OD split-spoon sample
- WTPH-G/ BTEX — Analytical testing
- ATD — Groundwater level at time of drilling
- 0/00/00 — Observed groundwater level 0/00/00 = date observed

AGRA Earth & Environmental
11335 NE 122nd Way, Suite 100
Kirkland, Washington 98034-6918

Drilling started: *06 September 1995* Drilling completed: *06 September 1995* Logged by: *JK*

AGRA Earth and Environmental, Inc.

THIS SPACE PROVIDED FOR RECORDER'S USE

FILED FOR RECORD AT REQUEST OF:
Russell G. Cofano
RUSSELL G. COFANO P.S.
2047 152nd Avenue N.E.
Redmond, WA 98052

WHEN RECORDED RETURN TO:

Russell G. Cofano
RUSSELL G. COFANO P.S.
2047 152nd Avenue N.E.
Redmond, WA 98052

RESTRICTIVE COVENANT

THE UNDERSIGNED, being the fee owner of real property commonly known as 1029 Market Street, Kirkland, King County, Washington and legally described in Exhibit "A" attached hereto ("Property"), hereby make this Restrictive Covenant in compliance with WAC 173-340-440.

1. The Property contains the following subsurface areas which have been confirmed to contain residual concentrations of petroleum hydrocarbons ("Residual Contamination") at levels which exceed Method A Cleanup Guidelines as published in the Model Toxics Control Act (MTCA, RCW 70.105D et. seq. and WAC 173-140 et. seq.):

(a) Beneath the existing building on the Property;

(b) In the immediate vicinity of the catch basin located approximately 25 feet east of the front doors of the above referenced building; and

(c) In the extreme southerly corner of the Property at the intersection of the alley and West 3rd Street.

2. As a result of the Residual Contamination, the undersigned make the following restrictions, limitations and uses to which the Property may be put, and declares that such restrictions, limitations and uses shall constitute covenants running with the land and shall be binding on all parties and persons claiming under it, including all current and future owners of any portion of or interest in the Property:

(a) All activities on the Property that may interfere with a cleanup action, operation and maintenance, monitoring, or other measures necessary to assure the integrity of the cleanup action and continued protection of human health and the environment are prohibited;

(b) All activities that may result in the release of the Residual Contamination which was contained as a part of the cleanup action are prohibited. This includes, without limitation, any Residual Contamination under the building on the Property;

NEED TO DO

(c) Any owner of any interest in the Property that intends to convey such interest must provide notice of such intent to the Department of Ecology ("DOE"). No conveyance of title, easement, lease, or other interest in the property shall be consummated by the Property owner without adequate and complete provision for any future operation, maintenance or monitoring which may be imposed against the Property by DOE. Notwithstanding the foregoing, ownership interest as contemplated in this paragraph 2(c) does not include a security interest in the Property including, without limitation, an interest held by a mortgagee or beneficiary of a deed of trust.

(d) Any owner of the Property shall provide notice to and obtain approval from DOE of any proposal to use the site in a manner which is inconsistent with this Restrictive Covenant. If DOE, after public notice and comment, approves the proposed change, this Restrictive Covenant shall be amended to reflect the change.

(e) DOE and its designated representatives shall have the right to enter the property at reasonable times for the purpose of evaluating compliance with the cleanup action plan and other required plans, including the right to take samples, inspect any remedial actions taken at the Property, and to inspect records.

DATE: _____, 199___.

GRANTORS:

_____
Thorpe M. Kelly, Jr.

_____
Melissa K. Robbins

_____
Bruce P. Kelly

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

On this day personally appeared before me Thorpe M. Kelly, Jr., to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this ____ day of _____, 1995.

_____

_____
Print Name
Notary Public in and for the
State of Washington
Residing at _____
My commission expires _____

restcov.doc

THIS SPACE PROVIDED FOR RECORDER'S USE

FILED FOR RECORD AT REQUEST OF:
Russell G. Cofano
RUSSELL G. COFANO P.S.
2047 152nd Avenue N.E.
Redmond, WA 98052

WHEN RECORDED RETURN TO:

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(a) Beneath the existing building on the Property;

(b) In the immediate vicinity of the catch basin located approximately 25 feet east of the front doors of the above referenced building; and

(c) In the extreme southerly corner of the Property at the intersection of the alley and West 3rd Street.

2. As a result of the Residual Contamination, the undersigned make the following restrictions, limitations and uses to which the Property may be put, and declares that such restrictions, limitations and uses shall constitute covenants running with the land and shall be binding on all parties and persons claiming under it, including all current and future owners of any portion of or interest in the Property:

(a) All activities on the Property that may interfere with a cleanup action, operation and maintenance, monitoring, or other measures necessary to assure the integrity of the cleanup action and continued protection of human health and the environment are prohibited;

(b) All activities that may result in the release of the Residual Contamination which was contained as a part of the cleanup action are prohibited. This includes, without limitation, any Residual Contamination under the building on the Property;

(c) Any owner of any interest in the Property that intends to convey such interest must provide notice of such intent to the Department of Ecology ("DOE"). No conveyance of title, easement, lease, or other interest in the property shall be consummated by the Property owner without adequate and complete provision for any future operation, maintenance or monitoring which may be imposed against the Property by DOE. Notwithstanding the foregoing, ownership interest as contemplated in this paragraph 2(c) does not include a security interest in the Property including, without limitation, an interest held by a mortgagee or beneficiary of a deed of trust.

(d) Any owner of the Property shall provide notice to and obtain approval from DOE of any proposal to use the site in a manner which is inconsistent with this Restrictive Covenant. If DOE, after public notice and comment, approves the proposed change, this Restrictive Covenant shall be amended to reflect the change.

(e) DOE and its designated representatives shall have the right to enter the property at reasonable times for the purpose of evaluating compliance with the cleanup action plan and other required plans, including the right to take samples, inspect any remedial actions taken at the Property, and to inspect records.

DATE: _____, 199__.

GRANTORS:

_____
Thorpe M. Kelly, Jr.

_____
Melissa K. Robbins

_____
Bruce P. Kelly

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

On this day personally appeared before me Thorpe M. Kelly, Jr., to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this ____ day of _____, 1995.

_____

_____
Print Name
Notary Public in and for the
State of Washington
Residing at _____
My commission expires _____

restcov.doc

TO:
BRUCE HILYER
CHRIS PHILLIPS
FYI

FROM:
TED GRIFFIN

THIS SPACE PROVIDED FOR RECORDER'S USE

FILED FOR RECORD AT REQUEST OF:
Russell G. Cofano
CofanoGroup p.s.
12600 S.E. 38th Street, Ste. 115
Bellevue, WA 98006

WHEN RECORDED RETURN TO:
Russell G. Cofano
CofanoGroup p.s.
12600 S.E. 38th Street, Ste. 115
Bellevue, WA 98006

10:54:00 AM KING COUNTY RECORD 005 A13 $1.00

RESTRICTIVE COVENANT

THE UNDERSIGNED, being the fee-owner of real property commonly known as 1029 Market Street, Kirkland, King County, Washington and legally described in Exhibit "A" attached hereto ("Property"), hereby make this Restrictive Covenant in compliance with WAC 173-340-440.

1. The Property contains the following subsurface areas which have been confirmed to contain residual concentrations of petroleum hydrocarbons ("Residual Contamination") in subsurface soils at levels which exceed Method A Cleanup Guidelines as published in the Model Toxics Control Act (MTCA, RCW 70.105D et. seq. and WAC 173-140 et. seq.):

(a) Beneath the existing building on the Property which location is more fully described as follows:

> Petroleum affected soils exist in the southwest corner of the building, in the vicinity of the existing abandoned underground storage tank (UST), extending vertically from approximately 3.5 feet to 10 feet below the building's structural footing. Petroleum impacted soils also exist at the southeast corner of the building and extend north to the main entrance as well as including all planter areas in this vicinity. These soils also extend from approximately 6 inches to 11 feet below existing surface grades.

(b) In the immediate vicinity of the catch basin located approximately 25 feet east of the front doors of the above referenced building which location is more fully described as follows:

> Petroleum affected soils exist along the north side of the above referenced catch basin location. It should be assumed that these soils extend from the north side of the catch basin to monitoring well MW-5 and extend vertically from approximately 6 inches to 11 feet below the surface grade. Soils associated with the MW-5 exploration are below the MTCA Method A cleanup guidelines.

(c) In the extreme southerly corner of the Property at the intersection of the alley and West 3rd Street which location is more fully described as follows:

restcov.doc

The petroleum affected soils begin approximately 14 feet southeast of the southwest corner of the building and must be assumed to extend from this point south and west to the City of Kirkland right-of-ways. These soils extend vertically from approximately 4 feet to 10 feet below the existing surface grades.

2. As a result of the Residual Contamination, the undersigned make the following restrictions, limitations and uses to which the Property may be put, and declares that such restrictions, limitations and uses shall constitute covenants running with the land and shall be binding on all parties and persons claiming under it, including all current and future owners of any portion of or interest in the Property:

(a) Any activity which may be intrusive and that may interfere with a cleanup action, operation and maintenance, monitoring, or other measures necessary to assure the integrity of the cleanup action and continued protection of human health and the environment including, without limitation, grading, excavation and utilization of groundwater on the Property are prohibited without the prior written approval of the Washington Department of Ecology ("DOE").

(b) Any activity which may be intrusive and that may result in the release of the Residual Contamination which was contained as a part of the cleanup action including, without limitation, grading, excavation and utilization of groundwater on the Property are prohibited without the prior written approval of DOE.

(c) The integrity of monitoring wells MW-1 through MW-7 placed either on the Property or in the public right-of-way in the immediate vicinity of the Property for the purpose of groundwater monitoring shall be maintained and undisturbed and shall not be abandoned nor removed without the prior written approval of DOE.

(d) Any owner of any interest in the Property that intends to convey such interest must provide not less than thirty (30) days notice of such intent to DOE. No conveyance of title, easement, lease, or other interest in the Property shall be consummated by the Property owner without adequate and complete provision for any future operation, maintenance or monitoring which may be imposed against the Property by DOE. Notwithstanding the foregoing, ownership interest as contemplated in this paragraph 2(d) does not include a security interest in the Property including, without limitation, an interest held by a mortgagee or beneficiary of a deed of trust.

(e) Any owner of the Property shall provide notice to and obtain approval from DOE of any proposal to use the site in a manner which is inconsistent with this Restrictive Covenant. If DOE, after public notice and comment, approves the proposed change, this Restrictive Covenant shall be amended to reflect the change.

(f) DOE and its designated representatives shall have the right to enter the Property at reasonable times for the purpose of evaluating compliance with the cleanup action plan and other required plans, including the right to take samples, inspect any remedial actions taken at the Property, and to inspect records.

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rescov doc

3. The owner of the Property and the owner's assigns and successors in interest, reserve the right under WAC 173-340-720 and WAC 173-340-440 to record an instrument which provides that this Restrictive Covenant shall no longer limit use of the Property or be of any further force or effect provided that such instrument may be recorded only with the written consent of DOE, or of a successor agency. Public notice and comment may be sought by the DOE or a successor agency prior to giving such approval.

DATE: 4-30, 1996

GRANTORS:

Thorpe M. Kelly, Jr.

Mathias K. Robbins

Bruce P. Kelly

9605090519

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

On this day personally appeared before me Thorpe M. Kelly, Jr., to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this 30th day of April, 1996.

Jackleen F. Stevenson

Jackleen F. Stevenson
Print Name
Notary Public in and for the
State of Washington
Residing at Bothell
My commission expires 7-10-97

rtscov doc

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
Northwest Regional Office, 3190 - 160th Ave S.E. • Bellevue, Washington 98008-5452 • (206) 649-7000

May 20, 1996

Mr. Bruce Williams
AGRA Earth and Environmental
520 North Foothills Dr., STE. 600
Spokane, Washington 99207

Dear Mr. Williams:

RE: Request for No Further Action at the Former Time Oil Site
1029 Market Street, Kirkland, Washington

Thank you for submitting the results of your independent remedial actions for the Department of Ecology's (Ecology's) review. Ecology appreciates your initiative in pursuing this administrative option under the Model Toxics Control Act (MTCA).

Ecology's Toxics Cleanup Program has reviewed the information contained in the Independent Remedial Action Program Report, dated September 29, 1995. Ecology has also reviewed the documents listed below regarding the Former Time Oil Site, located at 1029 Market Street, in Kirkland:

1. 3rd Party Site Assessments' Phase I Environmental Site Assessment and Limited Phase II Environmental Site Assessment Report, dated June 1994.

2. AGRA Earth and Environmental's Subsurface Petroleum Hydrocarbon Assessment Report, dated January 18, 1995.

3. AGRA Earth and Environmental's Supplemental Phase I Assessment Report, dated July 7, 1995.

4. AGRA Earth and Environmental's Soil Vapor Survey Status Letter, dated August 16, 1995.

5. AGRA Earth and Environmental's Underground Storage Tank Closure Assessment and Remediation Report, dated September 6, 1995.

6. AGRA Earth and Environmental's Supplemental Subsurface Petroleum Hydrocarbon Assessment Report, dated September 22, 1995.

7. A copy of a Restrictive Covenant, recorded at the King County on May 8, 1996.

Based upon the contents of the above listed reports Ecology has determined that, at this time, the release of petroleum hydrocarbon compounds into the soil no longer poses a threat to human health or the environment.

Therefore, Ecology is issuing this determination that no further action is necessary at this site under the Model Toxics Control Act (MTCA), Chapter 70.105D Revised Code of Washington (RCW). However, please note that because your actions were not conducted under a consent decree with Ecology, this letter is not a settlement by the state under Ch. 70.105D.040(4) RCW.

This determination is made only with respect to the release to soil identified in the remedial action reports listed above. This no further action determination applies only to the area of the property at 1029 Market Street affected by the release identified in the reports. It does not apply to any other release or potential release at the property, any other areas on the property, nor any other properties owned or operated by the owners of this property.

Ecology does not assume any liability for any release, threatened release or other conditions at the site, or for any actions taken or omitted by any person or his/her agents or employees with regard to the release, threatened release, or other conditions at the site.

Ecology will update its database to reflect this "No Further Action" determination. Your site will not appear in future publications of Leaking Underground Storage Tank (LUST) database

Please contact me at (206) 649-7099 if you have any questions.

Sincerely,

Ben Amoah-Forson
Toxics Cleanup Program.

BA-F:bf

cc: Mr. Russell G. Cofano

The Riley Group, Inc.
17522 Bothell Way NE, Suite A
Bothell, Washington 98011
phone: 425.415.0551 fax: 425.415.0311

LETTER OF TRANSMITTAL

Date:	09/06/07	Project #	2006-271C
RE:	Groundwater Monitoring		

TO: Dibble Engineers, Inc.
Attn: Robb Dibble
25 Central Way
Suite 210
Kirkland, WA 98033

WE ARE SENDING YOU: ☒ Attached ☐ Under separate cover the following item(s):

☒ Report ☐ Plans ☐ Drawings ☐ Specifications ☐ Copy of Letter

☐ _____

COPIES	DATE	NO.	DESCRIPTION
2	09/06/07		Homes & Land Building
			1029 Market Street
			Kirkland, WA
			Groundwater Monitoring – 3rd Quarter 2007
1			Invoice

THESE ARE TRANSMITTED as checked below:

☒ For Approval ☐ Approved as Submitted ☒ As Requested

☐ For Your Use ☐ Approved as Noted ☐ For Review and Comment

REMARKS:

Copies To: _____

Signed: May Argueta

The Riley Group Inc.

The Riley Group, Inc.
17522 Bothell Way NE
Suite A
Bothell, WA 98011
Ph: 425-415-0551 Fx: 425-415-0311

Invoice

Date	Invoice #
9/6/2007	4185

Bill To
Dibble Engineers, Inc. Robb Dibble 25 Central Way Suite 210 Kirkland, WA 98033

P.O. No.	Terms	Project
	Due on receipt	2006-271C

Qty	Description	Rate	Amount
	Homes & Land Building 1029 Market Street Kirkland, WA Dibble Engineers Loan # 211227 & 211355		
1	Groundwater Monitoring - 3rd Quarter 2007 Project considered 100% complete. cc: Lehman Brothers	3,950.00	3,950.00
		Payments/Credits	$0.00
		Balance Due	$3,950.00

Thank you for your business.

Total $3,950.00

THE RILEY GROUP INC.

September 6, 2007

Mr. Robb Dibble
Dibble Engineers, Inc.
25 Central Way - Suite #210
Kirkland, WA 98033

RE: Groundwater Monitoring Event – 3rd Quarter 2007
Homes and Land Building
1029 Market Street, Kirkland, Washington
RGI Project # 2006-271 C

Dear Mr. Dibble:

This letter report documents The Riley Group Inc.'s (RGI's) findings regarding our recent sampling of seven groundwater-monitoring wells at the Homes & Land Building property, located at 1029 Market Street, Kirkland, Washington (referred to herein as the site), Figure 1.

SITE LOCATION

The Homes and Land Building subject site is bound on the south by 3rd Street West, on the north by 11th Avenue West, on the east by Market Street, and an alley right-of-way and existing single family residence on the west.

SCOPE OF WORK

The scope of work performed during this project was in accordance with *Groundwater Monitoring Proposal dated* August 22, 2007 and executed by Dibble Engineers on August 22, 2007.

Static Water Levels and Groundwater Flow Direction

On August 24th, 2007, depth to water measurements were recorded using an electronic water level indicator. Depth to groundwater ranged from 4.32 to 7.25 feet below top of well casing (TOC). Corresponding groundwater elevations, based on a previously reported reference datum, ranged from 157.99 to 163.88 feet above mean sea level (amsl) and were used to approximate groundwater flow direction and hydraulic gradient. Based on water level measurements recorded on August 24, 2007, the groundwater flow direction was easterly with an approximate gradient of 0.050 to 0.83 foot/foot. Water level elevations recorded at each well location are summarized in Table 1 and Figure 2.

Groundwater Sample Collection

On August 24th, 2007, RGI purged and sampled the wells. Purging and sampling protocols for this project are discussed below.

RGI used a clear bailer to determine the presence, or absence, of free product. Visible free product was not encountered in any of the wells.

All groundwater-monitoring wells were purged using a submersible pump with dedicated disposable polyethylene tubing. At least three well casing volumes were removed from each well prior to sampling. Development and purge water was placed in a labeled 55-gallon drum and left on-site pending profiling and off-site disposal.

Following purging activities, each well was left to recharge to at least 80% of its original water level prior to sampling. Wells were sampled using a submersible pump using low flow sampling techniques.

Groundwater samples were collected in laboratory-supplied 40-milliliter (ml) vials with Teflon caps (no headspace) and 500 ml or 1-liter (L) amber glass bottles. Sample containers were placed in an ice-chilled cooler and transported to the analytical laboratory under proper chain-of-custody documentation (included in Appendix A).

Laboratory Analysis

Groundwater samples were submitted to Friedman & Bruya, Inc. of Seattle, Washington, and analyzed for the following:

- Gasoline TPH using Ecology Test Method NWTPH-G;
- Diesel and heavy oil TPH using Ecology Test Method NWTPH-Diesel extended with silica gel cleanup[1]; and
- Volatile organic compounds (VOCs) using EPA Test Method 8260.

Findings

Analytical results and the Washington State Department of Ecology (Ecology) Model Toxics Control Act (MTCA) Method A Groundwater Cleanup Levels (WAC 173-340-720) are summarized in Table 1 and discussed below. A copy of the laboratory report and sample chain-of-custody are included in Appendix A.

Groundwater samples collected on August 24, 2007 from wells MW2, MW3, MW5, and MW7 had non-detectable concentrations of TPH and VOCs.

The groundwater sample collected on August 24, 2007 from well MW1 had a gasoline TPH concentration of 310 ug/L and benzene concentration of 2.2 ug/L, below their respective MTCA Method A Groundwater Cleanup Levels of 800 ug/L and 5 ug/L, respectively. No other VOCs were detected at the analytical detection limits, or were detected at concentrations below the applicable MTCA Method A Groundwater Cleanup Levels.

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[1] Silica gel cleanup removes naturally occurring biogenic material, which can result in artificially increased diesel and oil range TPH results.

The groundwater sample collected on August 24, 2007 from well MW4 had a gasoline TPH and benzene concentration of 300 ug/L and 21 ug/L, respectively. The MTCA Method A Groundwater Cleanup Levels are 800 ug/L and 5 ug/L, respectively. The sample exceeded the benzene MTCA Method A Groundwater Cleanup Level.

Well MW4 historically has been the only monitoring well that has shown TPH and/or benzene concentrations in groundwater above the MTCA Method A Groundwater Cleanup Levels. Historically, gasoline TPH concentrations detected at well MW4 have ranged from 140 ug/L (in 12/2006) to 790 ug/L (in 9/1995) Historically, benzene concentrations detected at well MW4 have ranged from 2 ug/L (in 12/2006) to 64 ug/L (in 9/1995).

Our August 2007 groundwater sampling results from well MW4 showed a benzene concentration (21 ug/L) less than, but similar in magnitude to, the concentration detected in September 1995 (64 ug/L). Both sampling events were performed in late summer, which corresponds to lower groundwater elevations. In general, seasonally low groundwater elevations typically show higher contaminant concentrations. All things considered, naturally occurring degradation of the TPH and benzene appears to be occurring, albeit perhaps, at a rate not as rapid as anticipated.

To the best of our knowledge and experience, the contaminants and their concentrations in groundwater detected at well MW4 do not pose a threat to human health or the environment. Furthermore, the contaminants will continue to degrade and attenuate overtime. Based on our recent groundwater monitoring results, RGI recommends additional groundwater monitoring.

PROJECT LIMITATIONS

Work for this project was performed, and this report prepared, in accordance with generally accepted professional practices for the nature and conditions of work completed in same or similar locations at the present time. RGI's results and findings from the select area do not necessarily reflect soil or groundwater conditions underlying other areas of the Site not investigated. RGI reserves the right to modify its conclusions and/or recommendations as new data and information is made available. No legal or other warranty, expressed or implied, is made.

Any questions regarding our work or this report, the presentation of information, or interpretation of data are welcome and should be referred to the undersigned.

Sincerely yours,
THE RILEY GROUP, INC.

for Tamara Adams
Staff Geologist

Paul D. Riley, LG, LHG
Principal

Attachments: *Figures 1 and 2*
Tables 1
Appendix A: Analytical Laboratory Report

Scale
0' 300' 600' 1200'

USGS, 1979, Bellevue North, Washington,
7.5x15-Minute Quadrangle

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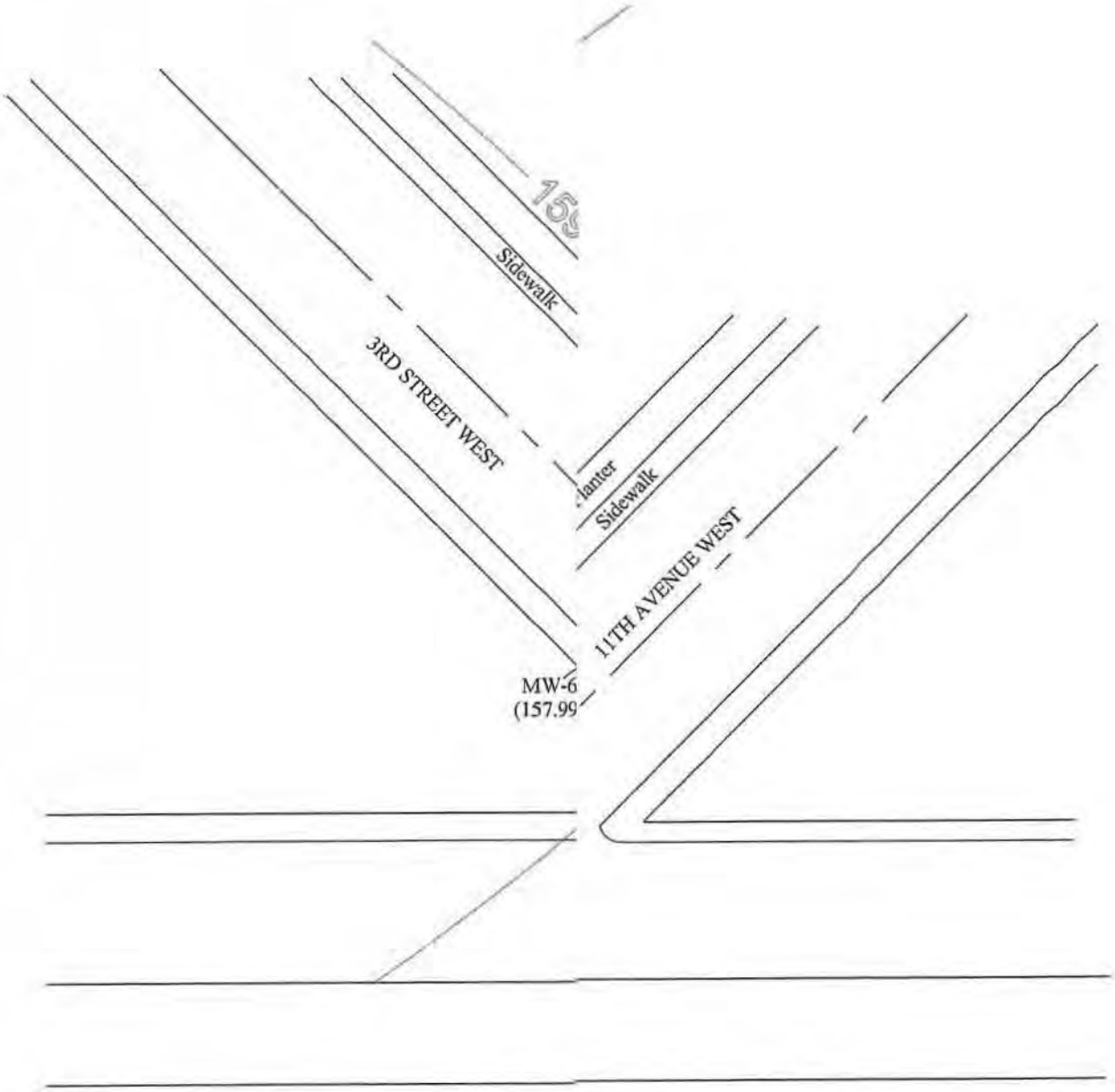
The Riley Group, Inc.
17522 BOTHELL WAY NE
BOTHELL, WASHINGTON 98011

Homes & Land Building		
Project #2006-271C	Site Vicinity Map	Figure 1
Site Address: 1029 Market Street, Kirkland, Washington		



Legend:

- B-2 Boring Number and Location (By AGRA, Sept, 1995)
- MW-1 2" Monitoring Well Number and Location (By AGRA, Nov. 1994 & Sept. 1995)
- MW-4 4" Monitoring Well Number and Location (By AGRA, Nov. 1994)
- Test Pit Number and Location, (performed by others, June 1994)
- CB Catch Basin
- Closed In-Pla
- Indoor Air S 12/28/06 & 3
- Outdoor Air - 3/13/07 (pe
- (160.53) Groundwater by RGI on 8-
- ---166--- Approximate Elevation Co

N

Approximate Scale 1" = 30'

0 15 30 60

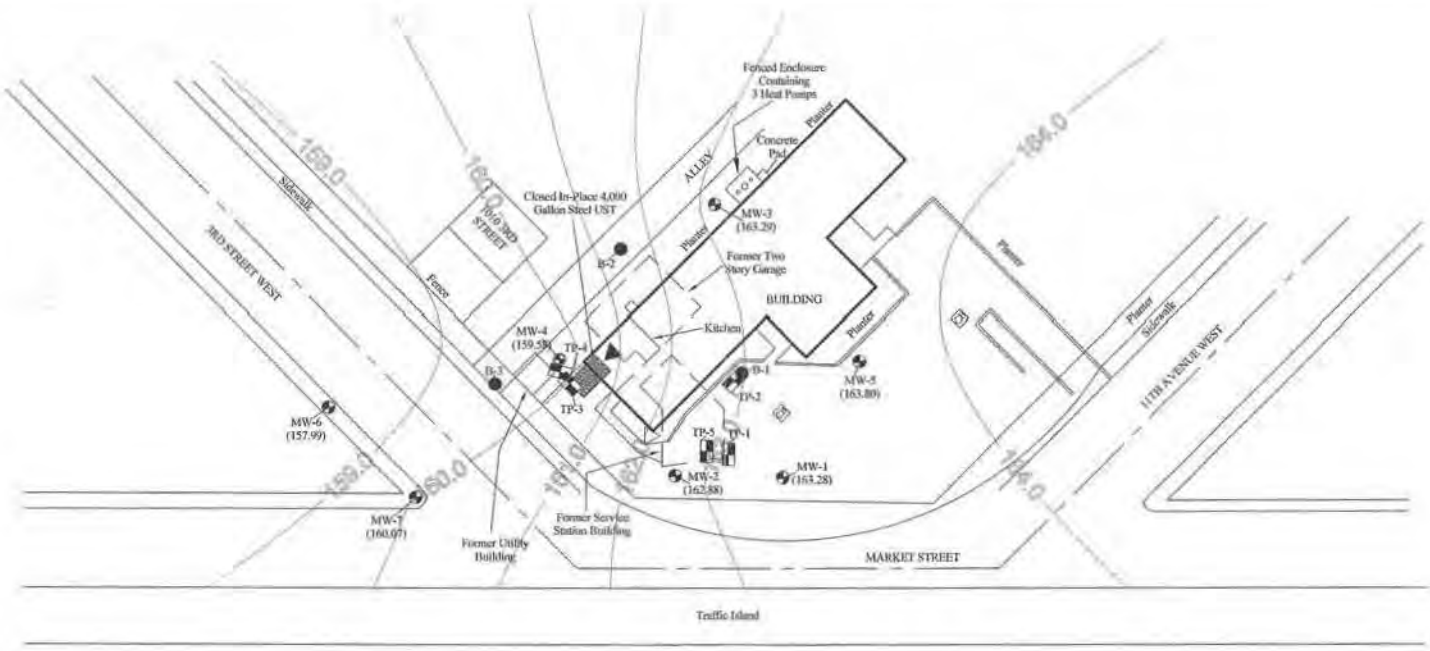
Building	*Figure 2*
Site Plan	*Date Drawn: 08/30/07*

9 Market Street, Kirkland, Washington

Table 1. Summary of Groundwater Sample Analytical Laboratory Results
Homes & Land Building
1029 Market Street, Kirkland, Washington
The Riley Group, Inc. Project #2006-271C

Well ID / Number	Sample Date	Top of Casing Elevation (ft)	Depth to Water (ft)	Ground-water Elevation (ft)	TPH-HCID			BTEX				Other VOCs
					Gas TPH	Diesel TPH	Oil TPH	B	T	E	X	
MW1	8/24/07	168.30	5.02	163.28	310	ND < 50	ND < 250	2.2	1.2	8.4	2.4	Isopropylbenzene = 3.5 n-Propylbenzene = 2.4 1,2,4-Trimethylbenzene = 1.8 Naphthalene = 1.6
	12/28/06		3.50	164.80	180	ND < 130	ND < 250	2	ND < 1	6	ND < 3	---
	9/8/95		6.54	161.76	< 50	ND < 250	---	< 0.5	< 0.5	< 0.5	< 1	---
	12/7/94		5.29	163.01	88	---	---	0.66	0.93	5.2	3	---
MW2	8/24/07	169.30	6.42	162.88	ND < 100	ND < 50	ND < 250	ND < 1	ND < 1	ND < 1	ND < 3	ND
	12/28/06		2.00	167.30	ND < 50	ND < 130	ND < 250	ND < 1	ND < 1	ND < 1	ND < 3	---
	9/8/95		7.12	162.18	60	ND < 250	---	< 0.5	< 0.5	1.1	1.4	---
	12/7/94		6.43	162.87	< 50	---	---	< 0.5	< 0.5	< 0.5	< 1	---
MW3	8/24/07	168.10	4.81	163.29	ND < 100	ND < 50	ND < 250	ND < 1	ND < 1	ND < 1	ND < 3	ND
	12/28/06		5.40	162.70	ND < 50	ND < 130	ND < 250	ND < 1	ND < 1	ND < 1	ND < 3	---
	9/8/95		4.60	163.50	85	**540**	---	< 0.5	< 0.5	< 0.5	< 1	---
	12/7/94		4.19	163.91	72	---	---	< 0.5	< 0.5	< 0.5	< 1	---
MW4	8/24/07	166.70	7.12	159.58	300	ND < 50	ND < 250	**21**	1.5	1.3	1	1,2 Dichloroethane (EDC) = 1.0 Isopropylbenzene = 1.5 1,2,4-Trimethylbenzene = 1.1
	12/18/06		n/a	n/a	ND < 50	140	ND < 250	2	ND < 1	ND < 1	ND < 3	---
	9/8/95		7.34	159.36	270	**790**	---	**64**	14	17	2.6	---
	12/7/94		3.64	163.06	100	---	---	**13**	0.61	0.61	4.8	---
MW5	8/24/07	168.12	4.32	163.80	ND < 100	ND < 50	ND < 250	ND < 1	ND < 1	ND < 1	ND < 3	ND
	12/28/06		3.90	164.22	ND < 50	ND < 130	ND < 250	ND < 1	ND < 1	ND < 1	ND < 3	---
	9/8/95		13.12	155.00	ND < 50	ND < 250	---	ND < 0.5	1.2	ND < 0.5	ND < 1	---
MW6	8/24/07	164.53	6.54	157.99	ND < 100	ND < 50	ND < 250	ND < 1	ND < 1	ND < 1	ND < 3	ND
	12/28/06		4.00	160.53	ND < 50	ND < 130	ND < 250	ND < 1	ND < 1	ND < 1	ND < 3	---
	9/8/95		6.70	157.83	ND < 50	ND < 250	---	ND < 0.5	ND < 0.5	ND < 0.5	ND < 1	---
MW7	8/24/07	167.32	7.25	160.07	ND < 100	ND < 50	ND < 250	ND < 1	ND < 1	ND < 1	ND < 3	ND
	12/28/06		5.60	161.72	ND < 50	ND < 130	ND < 250	ND < 1	ND < 1	ND < 1	ND < 3	---
	9/8/95		7.64	159.68	ND < 50	ND < 250	---	ND < 0.5	ND < 0.5	ND < 0.5	ND < 1	---
MTCA Method A Cleanup Levels					**800/1,000** [1]	**500**	**500**	**5**	**40**	**30**	**20**	**varies**

Groundwater samples collected in 2006 and 2007 were collected by RGI.
Groundwater samples collected in 1994 and 1995 were collected by AGRA Earth & Environmental, Inc.
Unless otherwise noted, all analytical results are given in micrograms per liter (ug/L), equivalent to parts per billion (ppb).
Gas TPH, Gasoline total petroleum hydrocarbons determined using Ecology Test Method NWTPH-Gx
BTEX, Benzene, Toluene, Ethyl Benzene, and Total Xylenes determined using EPA Test Method 8260B.
Diesel & oil TPH, diesel and oil range total petroleum hydrocarbons (TPH) determined using Ecology Test Method NWTPH-Dx with silica gel acid cleanup.
Other VOCs, other VOCs determined using EPA Test Method 8260B. Only contaminants detected and the result are shown in table. All detected concentrations shown for other VOCs are below the applicable MTCA Method A or B Groundwater Cleanup Level.
ND, non-detect, contaminant not detected at noted analytical detection limit.
---, Not analyzed or not applicable.
[1] the higher cleanup level is applicable if no benzene is detected in groundwater.
MTCA, Washington State Department of Ecology Model Toxics Control Act. **Bold** and shaded concentrations, if any, are above MTCA Method A Cleanup Levels for Ground Water (WAC 173-340-900, Table 720-1).


Fenced Enclosure Containing 3 Heat Pumps
Concrete Pad
Planter
ALLEY
Closed In-Place 4,000 Gallon Steel UST
1010 3RD STREET
MW-3 (163.29)
B-2
Planter
Former Two Story Garage
BUILDING
Fence
Sidewalk
3RD STREET WEST
MW-4 (159.53)
TP-4
Kitchen
Planter
B-3
B-1
TP-2
MW-5 (163.80)
TP-3
MW-6 (157.99)
TP-5
TP-1
MW-2 (162.88)
MW-1 (163.28)
MW-7 (160.07)
Former Utility Building
Former Service Station Building
MARKET STREET
Planter
Planter
Sidewalk
11TH AVENUE WEST
Traffic Island
169.0
160.0
159.0
164.0
Legend:
B-2 Boring Number and Location (By AGRA, Sept, 1995)
MW-1 2" Monitoring Well Number and Location (By AGRA, Nov. 1994 & Sept. 1995)
MW-4 4" Monitoring Well Number and Location (By AGRA, Nov. 1994)
Test Pit Number and Location, (performed by others, June 1994)
Catch Basin
Closed In-Place 4,000 Gallon Steel UST
Indoor Air Sample Location 12/28/06 & 3/13/07 (performed by RGI)
Outdoor Air Sample Location - 3/13/07 (performed by RGI)
(160.53) Groundwater Elevation Measured by RGI on 8-24-07
—166— Approximate Groundwater Elevation Contour (8-24-07)
Note: Sketch Modified by The Riley Group, Inc. from AGRA Earth & Environmental Figure 2, dated September 1995.
N
Approximate Scale 1" = 30'
0 15 30 60
The Riley Group, Inc.
17522 BOTHELL WAY NE
BOTHELL, WASHINGTON 98011
Homes & Land Building
Figure 2
Project # 2006-271C
Site Plan
Date Drawn: 08/30/07
Site Address: 1029 Market Street, Kirkland, Washington

FRIEDMAN & BRUYA, INC.

ENVIRONMENTAL CHEMISTS

James E. Bruya, Ph.D.
Charlene Morrow, M.S.
Yelena Aravkina, M.S.
Bradley T. Benson, B.S.
Kurt Johnson, B.S.

3012 16th Avenue West
Seattle, WA 98119-2029
TEL: (206) 285-8282
FAX: (206) 283-5044
e-mail: fbi@isomedia.com

September 4, 2007

Paul Riley, Project Manager
The Riley Group, Inc.
17522 Bothell Way NE, Suite A
Bothell, WA 98011

Dear Mr. Riley:

Included are the results from the testing of material submitted on August 27, 2007 from the Homes and Land 2006-271c, F&BI 708336 project. There are 16 pages included in this report. Any samples that may remain are currently scheduled for disposal in 30 days. If you would like us to return your samples or arrange for long term storage at our offices, please contact us as soon as possible.

We appreciate this opportunity to be of service to you and hope you will call if you should have any questions.

Sincerely,

FRIEDMAN & BRUYA, INC.

Michael Erdahl
Project Manager

Enclosures
TRG0904R.DOC

FRIEDMAN & BRUYA, INC.

ENVIRONMENTAL CHEMISTS

CASE NARRATIVE

This case narrative encompasses samples received on August 27, 2007 by Friedman & Bruya, Inc. from the The Riley Group, Inc. Homes and Land 2006-271c, F&BI 708336 project. Samples were logged in under the laboratory ID's listed below.

Laboratory ID	The Riley Group, Inc.
708336-01	MW-1-H2O
708336-02	MW-2-H2O
708336-03	MW-3-H2O
708336-04	MW-4-H2O
708336-05	MW-5-H2O
708336-06	MW-6-H2O
708336-07	MW-7-H2O

All quality control requirements were acceptable.

FRIEDMAN & BRUYA, INC.

ENVIRONMENTAL CHEMISTS

Date of Report: 09/04/07
Date Received: 08/27/07
Project: Homes and Land 2006-271c, F&BI 708336
Date Extracted: 08/28/07
Date Analyzed: 08/28/07, 08/29/07, and 08/31/07

RESULTS FROM THE ANALYSIS OF THE WATER SAMPLES FOR TOTAL PETROLEUM HYDROCARBONS AS GASOLINE USING METHOD NWTPH-Gx

Results Reported as ug/L (ppb)

Sample ID Laboratory ID	Gasoline Range	Surrogate (% Recovery) (Limit 54-134)
MW-1-H2O 708336-01	310	98
MW-2-H2O 708336-02	<100	114
MW-3-H2O 708336-03	<100	119
MW-4-H2O 708336-04	300	105
MW-5-H2O 708336-05	<100	122
MW-6-H2O 708336-06	<100	117
MW-7-H2O 708336-07	<100	118
Method Blank	<100	115

FRIEDMAN & BRUYA, INC.

ENVIRONMENTAL CHEMISTS

Date of Report: 09/04/07
Date Received: 08/27/07
Project: Homes and Land 2006-271c, F&BI 708336
Date Extracted: 08/28/07
Date Analyzed: 08/29/07

RESULTS FROM THE ANALYSIS OF THE WATER SAMPLES FOR TOTAL PETROLEUM HYDROCARBONS AS DIESEL AND MOTOR OIL USING METHOD NWTPH-Dx Sample Extracts Passed Through a Silica Gel Column Prior to Analysis

Results Reported as ug/L (ppb)

Sample ID Laboratory ID	Diesel Range (C_{10}-C_{24})	Motor Oil Range (C_{24}-C_{36})	Surrogate (% Recovery) (Limit 52-134)
MW-1-H2O 708336-01	<50	<250	125
MW-2-H2O 708336-02	<50	<250	120
MW-3-H2O 708336-03	<50	<250	128
MW-4-H2O 708336-04	<50	<250	107
MW-5-H2O 708336-05	<50	<250	121
MW-6-H2O 708336-06	<50	<250	121
MW-7-H2O 708336-07	<50	<250	118
Method Blank	<50	<250	101

FRIEDMAN & BRUYA, INC.

ENVIRONMENTAL CHEMISTS

Analysis For Volatile Compounds By EPA Method 8260B

Client Sample ID:	MW-1-H2O	Client:	The Riley Group, Inc.
Date Received:	08/27/07	Project:	2006-271c, F&BI 708336
Date Extracted:	08/29/07	Lab ID:	708336-01
Date Analyzed:	08/29/07	Data File:	082920.D
Matrix:	Water	Instrument:	GCMS4
Units:	ug/L (ppb)	Operator:	MB

Surrogates:	% Recovery:	Lower Limit:	Upper Limit:
Dibromofluoromethane	85	55	118
1,2-Dichloroethane-d4	88	53	121
Toluene-d8	88	55	121
4-Bromofluorobenzene	85	29	181

Compounds:	Concentration ug/L (ppb)	Compounds:	Concentration ug/L (ppb)
Dichlorodifluoromethane	<1	Tetrachloroethene	<1
Chloromethane	<1	Dibromochloromethane	<1
Vinyl chloride	<0.2 j	1,2-Dibromoethane (EDB)	<1
Bromomethane	<1	Chlorobenzene	<1
Chloroethane	<1	Ethylbenzene	8.4
Trichlorofluoromethane	<1	1,1,1,2-Tetrachloroethane	<1
Acetone	<10	m,p-Xylene	2.4
1,1-Dichloroethene	<1	o-Xylene	<1
Methylene chloride	<5	Styrene	<1
trans-1,2-Dichloroethene	<1	Isopropylbenzene	3.5
1,1-Dichloroethane	<1	Bromoform	<1
2,2-Dichloropropane	<1	n-Propylbenzene	2.4
cis-1,2-Dichloroethene	<1	Bromobenzene	<1
Chloroform	<1	1,3,5-Trimethylbenzene	<1
2-Butanone (MEK)	<10	1,1,2,2-Tetrachloroethane	<1
1,2-Dichloroethane (EDC)	<1	1,2,3-Trichloropropane	<1
1,1,1-Trichloroethane	<1	2-Chlorotoluene	<1
1,1-Dichloropropene	<1	4-Chlorotoluene	<1
Carbon Tetrachloride	<1	tert-Butylbenzene	<1
Benzene	2.2	1,2,4-Trimethylbenzene	1.8
Trichloroethene	<1	sec-Butylbenzene	<1
1,2-Dichloropropane	<1	p-Isopropyltoluene	<1
Bromodichloromethane	<1	1,3-Dichlorobenzene	<1
Dibromomethane	<1	1,4-Dichlorobenzene	<1
4-Methyl-2-pentanone	<10	1,2-Dichlorobenzene	<1
cis-1,3-Dichloropropene	<1	1,2-Dibromo-3-chloropropane	<1
Toluene	1.2	1,2,4-Trichlorobenzene	<1
trans-1,3-Dichloropropene	<1	Hexachlorobutadiene	<1
1,1,2-Trichloroethane	<1	Naphthalene	1.0
2-Hexanone	<10	1,2,3-Trichlorobenzene	<1
1,3-Dichloropropane	<1		

FRIEDMAN & BRUYA, INC.

ENVIRONMENTAL CHEMISTS

Analysis For Volatile Compounds By EPA Method 8260B

Client Sample ID:	MW-2-H2O	Client:	The Riley Group, Inc.
Date Received:	08/27/07	Project:	2006-271c, F&BI 708336
Date Extracted:	08/29/07	Lab ID:	708336-02
Date Analyzed:	08/29/07	Data File:	082921.D
Matrix:	Water	Instrument:	GCMS4
Units:	ug/L (ppb)	Operator:	MB

Surrogates:	% Recovery:	Lower Limit:	Upper Limit:
Dibromofluoromethane	86	55	118
1,2-Dichloroethane-d4	85	53	121
Toluene-d8	86	55	121
4-Bromofluorobenzene	85	29	181

Compounds:	Concentration ug/L (ppb)	Compounds:	Concentration ug/L (ppb)
Dichlorodifluoromethane	<1	Tetrachloroethene	<1
Chloromethane	<1	Dibromochloromethane	<1
Vinyl chloride	<0.2 j	1,2-Dibromoethane (EDB)	<1
Bromomethane	<1	Chlorobenzene	<1
Chloroethane	<1	Ethylbenzene	<1
Trichlorofluoromethane	<1	1,1,1,2-Tetrachloroethane	<1
Acetone	<10	m,p-Xylene	<2
1,1-Dichloroethene	<1	o-Xylene	<1
Methylene chloride	<5	Styrene	<1
trans-1,2-Dichloroethene	<1	Isopropylbenzene	<1
1,1-Dichloroethane	<1	Bromoform	<1
2,2-Dichloropropane	<1	n-Propylbenzene	<1
cis-1,2-Dichloroethene	<1	Bromobenzene	<1
Chloroform	<1	1,3,5-Trimethylbenzene	<1
2-Butanone (MEK)	<10	1,1,2,2-Tetrachloroethane	<1
1,2-Dichloroethane (EDC)	<1	1,2,3-Trichloropropane	<1
1,1,1-Trichloroethane	<1	2-Chlorotoluene	<1
1,1-Dichloropropene	<1	4-Chlorotoluene	<1
Carbon Tetrachloride	<1	tert-Butylbenzene	<1
Benzene	<1	1,2,4-Trimethylbenzene	<1
Trichloroethene	<1	sec-Butylbenzene	<1
1,2-Dichloropropane	<1	p-Isopropyltoluene	<1
Bromodichloromethane	<1	1,3-Dichlorobenzene	<1
Dibromomethane	<1	1,4-Dichlorobenzene	<1
4-Methyl-2-pentanone	<10	1,2-Dichlorobenzene	<1
cis-1,3-Dichloropropene	<1	1,2-Dibromo-3-chloropropane	<1
Toluene	<1	1,2,4-Trichlorobenzene	<1
trans-1,3-Dichloropropene	<1	Hexachlorobutadiene	<1
1,1,2-Trichloroethane	<1	Naphthalene	<1
2-Hexanone	<10	1,2,3-Trichlorobenzene	<1
1,3-Dichloropropane	<1		

FRIEDMAN & BRUYA, INC.

ENVIRONMENTAL CHEMISTS

Analysis For Volatile Compounds By EPA Method 8260B

Client Sample ID:	MW-3-H2O	Client:	The Riley Group, Inc.
Date Received:	08/27/07	Project:	2006-271c, F&BI 708336
Date Extracted:	08/29/07	Lab ID:	708336-03
Date Analyzed:	08/29/07	Data File:	082922.D
Matrix:	Water	Instrument:	GCMS4
Units:	ug/L (ppb)	Operator:	MB

Surrogates:	% Recovery:	Lower Limit:	Upper Limit:
Dibromofluoromethane	87	55	118
1,2-Dichloroethane-d4	80	53	121
Toluene-d8	88	55	121
4-Bromofluorobenzene	86	29	181

Compounds:	Concentration ug/L (ppb)	Compounds:	Concentration ug/L (ppb)
Dichlorodifluoromethane	<1	Tetrachloroethene	<1
Chloromethane	<1	Dibromochloromethane	<1
Vinyl chloride	<0.2 j	1,2-Dibromoethane (EDB)	<1
Bromomethane	<1	Chlorobenzene	<1
Chloroethane	<1	Ethylbenzene	<1
Trichlorofluoromethane	<1	1,1,1,2-Tetrachloroethane	<1
Acetone	<10	m,p-Xylene	<2
1,1-Dichloroethene	<1	o-Xylene	<1
Methylene chloride	<5	Styrene	<1
trans-1,2-Dichloroethene	<1	Isopropylbenzene	<1
1,1-Dichloroethane	<1	Bromoform	<1
2,2-Dichloropropane	<1	n-Propylbenzene	<1
cis-1,2-Dichloroethene	<1	Bromobenzene	<1
Chloroform	<1	1,3,5-Trimethylbenzene	<1
2-Butanone (MEK)	<10	1,1,2,2-Tetrachloroethane	<1
1,2-Dichloroethane (EDC)	<1	1,2,3-Trichloropropane	<1
1,1,1-Trichloroethane	<1	2-Chlorotoluene	<1
1,1-Dichloropropene	<1	4-Chlorotoluene	<1
Carbon Tetrachloride	<1	tert-Butylbenzene	<1
Benzene	<1	1,2,4-Trimethylbenzene	<1
Trichloroethene	<1	sec-Butylbenzene	<1
1,2-Dichloropropane	<1	p-Isopropyltoluene	<1
Bromodichloromethane	<1	1,3-Dichlorobenzene	<1
Dibromomethane	<1	1,4-Dichlorobenzene	<1
4-Methyl-2-pentanone	<10	1,2-Dichlorobenzene	<1
cis-1,3-Dichloropropene	<1	1,2-Dibromo-3-chloropropane	<1
Toluene	<1	1,2,4-Trichlorobenzene	<1
trans-1,3-Dichloropropene	<1	Hexachlorobutadiene	<1
1,1,2-Trichloroethane	<1	Naphthalene	<1
2-Hexanone	<10	1,2,3-Trichlorobenzene	<1
1,3-Dichloropropane	<1		

FRIEDMAN & BRUYA, INC.

ENVIRONMENTAL CHEMISTS

Analysis For Volatile Compounds By EPA Method 8260B

Client Sample ID:	MW-4-H2O	Client:	The Riley Group, Inc.
Date Received:	08/27/07	Project:	2006-271c, F&BI 708336
Date Extracted:	08/29/07	Lab ID:	708336-04
Date Analyzed:	08/30/07	Data File:	082923.D
Matrix:	Water	Instrument:	GCMS4
Units:	ug/L (ppb)	Operator:	MB

Surrogates:	% Recovery:	Lower Limit:	Upper Limit:
Dibromofluoromethane	85	55	118
1,2-Dichloroethane-d4	86	53	121
Toluene-d8	86	55	121
4-Bromofluorobenzene	86	25	181

Compounds:	Concentration ug/L (ppb)	Compounds:	Concentration ug/L (ppb)
Dichlorodifluoromethane	<1	Tetrachloroethene	<1
Chloromethane	<1	Dibromochloromethane	<1
Vinyl chloride	<0.2 j	1,2-Dibromoethane (EDB)	<1
Bromomethane	<1	Chlorobenzene	<1
Chloroethane	<1	Ethylbenzene	1.3
Trichlorofluoromethane	<1	1,1,1,2-Tetrachloroethane	<1
Acetone	<10	m,p-Xylene	<2
1,1-Dichloroethene	<1	o-Xylene	1.0
Methylene chloride	<5	Styrene	<1
trans-1,2-Dichloroethene	<1	Isopropylbenzene	1.5
1,1-Dichloroethane	<1	Bromoform	<1
2,2-Dichloropropane	<1	n-Propylbenzene	<1
cis-1,2-Dichloroethene	<1	Bromobenzene	<1
Chloroform	<1	1,3,5-Trimethylbenzene	<1
2-Butanone (MEK)	<10	1,1,2,2-Tetrachloroethane	<1
1,2-Dichloroethane (EDC)	1.0	1,2,3-Trichloropropane	<1
1,1,1-Trichloroethane	<1	2-Chlorotoluene	<1
1,1-Dichloropropene	<1	4-Chlorotoluene	<1
Carbon Tetrachloride	<1	tert-Butylbenzene	<1
Benzene	21	1,2,4-Trimethylbenzene	1.1
Trichloroethene	<1	sec-Butylbenzene	<1
1,2-Dichloropropane	<1	p-Isopropyltoluene	<1
Bromodichloromethane	<1	1,3-Dichlorobenzene	<1
Dibromomethane	<1	1,4-Dichlorobenzene	<1
4-Methyl-2-pentanone	<10	1,2-Dichlorobenzene	<1
cis-1,3-Dichloropropene	<1	1,2-Dibromo-3-chloropropane	<1
Toluene	1.5	1,2,4-Trichlorobenzene	<1
trans-1,3-Dichloropropene	<1	Hexachlorobutadiene	<1
1,1,2-Trichloroethane	<1	Naphthalene	<1
2-Hexanone	<10	1,2,3-Trichlorobenzene	<1
1,3-Dichloropropane	<1		

FRIEDMAN & BRUYA, INC.

ENVIRONMENTAL CHEMISTS

Analysis For Volatile Compounds By EPA Method 8260B

Client Sample ID:	MW-5-H2O	Client:	The Riley Group, Inc.
Date Received:	08/27/07	Project:	2006-271c; F&BI 708336
Date Extracted:	08/29/07	Lab ID:	708336-05
Date Analyzed:	08/30/07	Data File:	082924.D
Matrix:	Water	Instrument:	GCMS4
Units:	ug/L (ppb)	Operator:	MB

Surrogates:	% Recovery:	Lower Limit:	Upper Limit:
Dibromofluoromethane	87	55	118
1,2-Dichloroethane-d4	85	53	121
Toluene-d8	86	55	121
4-Bromofluorobenzene	86	29	181

Compounds:	Concentration ug/L (ppb)	Compounds:	Concentration ug/L (ppb)
Dichlorodifluoromethane	<1	Tetrachloroethene	<1
Chloromethane	<1	Dibromochloromethane	<1
Vinyl chloride	<0.2 j	1,2-Dibromoethane (EDB)	<1
Bromomethane	<1	Chlorobenzene	<1
Chloroethane	<1	Ethylbenzene	<1
Trichlorofluoromethane	<1	1,1,1,2-Tetrachloroethane	<1
Acetone	<10	m,p-Xylene	<2
1,1-Dichloroethene	<1	o-Xylene	<1
Methylene chloride	<5	Styrene	<1
trans-1,2-Dichloroethene	<1	Isopropylbenzene	<1
1,1-Dichloroethane	<1	Bromoform	<1
2,2-Dichloropropane	<1	n-Propylbenzene	<1
cis-1,2-Dichloroethene	<1	Bromobenzene	<1
Chloroform	<1	1,3,5-Trimethylbenzene	<1
2-Butanone (MEK)	<10	1,1,2,2-Tetrachloroethane	<1
1,2-Dichloroethane (EDC)	<1	1,2,3-Trichloropropane	<1
1,1,1-Trichloroethane	<1	2-Chlorotoluene	<1
1,1-Dichloropropene	<1	4-Chlorotoluene	<1
Carbon Tetrachloride	<1	tert-Butylbenzene	<1
Benzene	<1	1,2,4-Trimethylbenzene	<1
Trichloroethene	<1	sec-Butylbenzene	<1
1,2-Dichloropropane	<1	p-Isopropyltoluene	<1
Bromodichloromethane	<1	1,3-Dichlorobenzene	<1
Dibromomethane	<1	1,4-Dichlorobenzene	<1
4-Methyl-2-pentanone	<10	1,2-Dichlorobenzene	<1
cis-1,3-Dichloropropene	<1	1,2-Dibromo-3-chloropropane	<1
Toluene	<1	1,2,4-Trichlorobenzene	<1
trans-1,3-Dichloropropene	<1	Hexachlorobutadiene	<1
1,1,2-Trichloroethane	<1	Naphthalene	<1
2-Hexanone	<10	1,2,3-Trichlorobenzene	<1
1,3-Dichloropropane	<1		

FRIEDMAN & BRUYA, INC.

ENVIRONMENTAL CHEMISTS

Analysis For Volatile Compounds By EPA Method 8260B

Client Sample ID:	MW-6-H2O	Client:	The Riley Group, Inc.
Date Received:	08/27/07	Project:	2006-271c, F&BI 708336
Date Extracted:	08/29/07	Lab ID:	708336-06
Date Analyzed:	08/30/07	Data File:	082929.D
Matrix:	Water	Instrument:	GCMS4
Units:	ug/L (ppb)	Operator:	MB

Surrogates:	% Recovery:	Lower Limit:	Upper Limit:
Dibromofluoromethene	86	55	118
1,2-Dichloroethane-d4	86	53	121
Toluene-d8	86	55	121
4-Bromofluorobenzene	85	29	181

Compounds:	Concentration ug/L (ppb)	Compounds:	Concentration ug/L (ppb)
Dichlorodifluoromethane	<1	Tetrachloroethene	<1
Chloromethane	<1	Dibromochloromethane	<1
Vinyl chloride	<0.2 J	1,2-Dibromoethane (EDB)	<1
Bromomethane	<1	Chlorobenzene	<1
Chloroethane	<1	Ethylbenzene	<1
Trichlorofluoromethane	<1	1,1,1,2-Tetrachloroethane	<1
Acetone	<10	m,p-Xylene	<2
1,1-Dichloroethene	<1	o-Xylene	<1
Methylene chloride	<5	Styrene	<1
trans-1,2-Dichloroethene	<1	Isopropylbenzene	<1
1,1-Dichloroethane	<1	Bromoform	<1
2,2-Dichloropropane	<1	n-Propylbenzene	<1
cis-1,2-Dichloroethene	<1	Bromobenzene	<1
Chloroform	<1	1,3,5-Trimethylbenzene	<1
2-Butanone (MEK)	<10	1,1,2,2-Tetrachloroethane	<1
1,2-Dichloroethane (EDC)	<1	1,2,3-Trichloropropane	<1
1,1,1-Trichloroethane	<1	2-Chlorotoluene	<1
1,1-Dichloropropene	<1	4-Chlorotoluene	<1
Carbon Tetrachloride	<1	tert-Butylbenzene	<1
Benzene	<1	1,2,4-Trimethylbenzene	<1
Trichloroethene	<1	sec-Butylbenzene	<1
1,2-Dichloropropane	<1	p-Isopropyltoluene	<1
Bromodichloromethane	<1	1,3-Dichlorobenzene	<1
Dibromomethane	<1	1,4-Dichlorobenzene	<1
4-Methyl-2-pentanone	<10	1,2-Dichlorobenzene	<1
cis-1,3-Dichloropropene	<1	1,2-Dibromo-3-chloropropane	<1
Toluene	<1	1,2,4-Trichlorobenzene	<1
trans-1,3-Dichloropropene	<1	Hexachlorobutadiene	<1
1,1,2-Trichloroethane	<1	Naphthalene	<1
2-Hexanone	<10	1,2,3-Trichlorobenzene	<1
1,3-Dichloropropane	<1		

FRIEDMAN & BRUYA, INC.

ENVIRONMENTAL CHEMISTS

Analysis For Volatile Compounds By EPA Method 8260B

Client Sample ID:	MW-7-H2O	Client:	The Riley Group, Inc.
Date Received:	08/27/07	Project:	2006-271c, F&BI 708336
Date Extracted:	08/29/07	Lab ID:	708336-07
Date Analyzed:	08/30/07	Data File:	082930.D
Matrix:	Water	Instrument:	GCMS4
Units:	ug/L (ppb)	Operator:	MB

Surrogates:	% Recovery:	Lower Limit:	Upper Limit:
Dibromofluoromethane	86	55	118
1,2-Dichloroethane-d4	86	53	121
Toluene-d8	85	55	121
4-Bromofluorobenzene	85	29	181

Compounds:	Concentration ug/L (ppb)	Compounds:	Concentration ug/L (ppb)
Dichlorodifluoromethane	<1	Tetrachloroethene	<1
Chloromethane	<1	Dibromochloromethane	<1
Vinyl chloride	<0.2 j	1,2-Dibromoethane (EDB)	<1
Bromomethane	<1	Chlorobenzene	<1
Chloroethane	<1	Ethylbenzene	<1
Trichlorofluoromethane	<1	1,1,1,2-Tetrachloroethane	<1
Acetone	<10	m,p-Xylene	<2
1,1-Dichloroethene	<1	o-Xylene	<1
Methylene chloride	<5	Styrene	<1
trans-1,2-Dichloroethene	<1	Isopropylbenzene	<1
1,1-Dichloroethane	<1	Bromoform	<1
2,2-Dichloropropane	<1	n-Propylbenzene	<1
cis-1,2-Dichloroethene	<1	Bromobenzene	<1
Chloroform	<1	1,3,5-Trimethylbenzene	<1
2-Butanone (MEK)	<10	1,1,2,2-Tetrachloroethane	<1
1,2-Dichloroethane (EDC)	<1	1,2,3-Trichloropropane	<1
1,1,1-Trichloroethane	<1	2-Chlorotoluene	<1
1,1-Dichloropropene	<1	4-Chlorotoluene	<1
Carbon Tetrachloride	<1	tert-Butylbenzene	<1
Benzene	<1	1,2,4-Trimethylbenzene	<1
Trichloroethene	<1	sec-Butylbenzene	<1
1,2-Dichloropropane	<1	p-Isopropyltoluene	<1
Bromodichloromethane	<1	1,3-Dichlorobenzene	<1
Dibromomethane	<1	1,4-Dichlorobenzene	<1
4-Methyl-2-pentanone	<10	1,2-Dichlorobenzene	<1
cis-1,3-Dichloropropene	<1	1,2-Dibromo-3-chloropropane	<1
Toluene	<1	1,2,4-Trichlorobenzene	<1
trans-1,3-Dichloropropene	<1	Hexachlorobutadiene	<1
1,1,2-Trichloroethane	<1	Naphthalene	<1
2-Hexanone	<10	1,2,3-Trichlorobenzene	<1
1,3-Dichloropropane	<1		

FRIEDMAN & BRUYA, INC.

ENVIRONMENTAL CHEMISTS

Analysis For Volatile Compounds By EPA Method 8260B

Client Sample ID:	Method Blank	Client:	The Riley Group, Inc.
Date Received:	Not Applicable	Project:	2006-271c, F&BI 708336
Date Extracted:	08/29/07	Lab ID:	071315 mb
Date Analyzed:	08/29/07	Data File:	082918.D
Matrix:	Water	Instrument:	GCMS4
Units:	ug/L (ppb)	Operator:	MB

Surrogates:	% Recovery:	Lower Limit:	Upper Limit:
Dibromofluoromethane	87	55	118
1,2-Dichloroethane-d4	88	53	121
Toluene-d8	88	55	121
4-Bromofluorobenzene	86	29	181

Compounds:	Concentration ug/L (ppb)	Compounds:	Concentration ug/L (ppb)
Dichlorodifluoromethane	<1	Tetrachloroethene	<1
Chloromethane	<1	Dibromochloromethane	<1
Vinyl chloride	<0.2 j	1,2-Dibromoethane (EDB)	<1
Bromomethane	<1	Chlorobenzene	<1
Chloroethane	<1	Ethylbenzene	<1
Trichlorofluoromethane	<1	1,1,1,2-Tetrachloroethane	<1
Acetone	<10	m,p-Xylene	<2
1,1-Dichloroethene	<1	o-Xylene	<1
Methylene chloride	<5	Styrene	<1
trans-1,2-Dichloroethene	<1	Isopropylbenzene	<1
1,1-Dichloroethane	<1	Bromoform	<1
2,2-Dichloropropane	<1	n-Propylbenzene	<1
cis-1,2-Dichloroethene	<1	Bromobenzene	<1
Chloroform	<1	1,3,5-Trimethylbenzene	<1
2-Butanone (MEK)	<10	1,1,2,2-Tetrachloroethane	<1
1,2-Dichloroethane (EDC)	<1	1,2,3-Trichloropropane	<1
1,1,1-Trichloroethane	<1	2-Chlorotoluene	<1
1,1-Dichloropropene	<1	4-Chlorotoluene	<1
Carbon Tetrachloride	<1	tert-Butylbenzene	<1
Benzene	<1	1,2,4-Trimethylbenzene	<1
Trichloroethene	<1	sec-Butylbenzene	<1
1,2-Dichloropropane	<1	p-Isopropyltoluene	<1
Bromodichloromethane	<1	1,3-Dichlorobenzene	<1
Dibromomethane	<1	1,4-Dichlorobenzene	<1
4-Methyl-2-pentanone	<10	1,2-Dichlorobenzene	<1
cis-1,3-Dichloropropene	<1	1,2-Dibromo-3-chloropropane	<1
Toluene	<1	1,2,4-Trichlorobenzene	<1
trans-1,3-Dichloropropene	<1	Hexachlorobutadiene	<1
1,1,2-Trichloroethane	<1	Naphthalene	<1
2-Hexanone	<10	1,2,3-Trichlorobenzene	<1
1,3-Dichloropropane	<1		

FRIEDMAN & BRUYA, INC.

ENVIRONMENTAL CHEMISTS

Date of Report: 09/04/07
Date Received: 08/27/07
Project: Homes and Land 2006-271c, F&BI 708336

QUALITY ASSURANCE RESULTS FOR THE ANALYSIS OF WATER SAMPLES FOR TOTAL PETROLEUM HYDROCARBONS AS GASOLINE USING METHOD NWTPH-Gx

Laboratory Code: 708331-01 (Duplicate)

Analyte	Reporting Units	Sample Result	Duplicate Result	Relative Percent Difference (Limit 20)
Gasoline	ug/L (ppb)	<100	<100	nm

Laboratory Code: Laboratory Control Sample

Analyte	Reporting Units	Spike Level	Percent Recovery LCS	Acceptance Criteria
Gasoline	ug/L (ppb)	1,000	77	69-134

FRIEDMAN & BRUYA, INC.

ENVIRONMENTAL CHEMISTS

Date of Report: 09/04/07
Date Received: 08/27/07
Project: Homes and Land 2006-271c, F&BI 708336

QUALITY ASSURANCE RESULTS FOR THE ANALYSIS OF WATER SAMPLES FOR TOTAL PETROLEUM HYDROCARBONS AS DIESEL EXTENDED USING METHOD NWTPH-Dx

Laboratory Code: Laboratory Control Sample Silica Gel

Analyte	Reporting Units	Spike Level	Percent Recovery LCS	Percent Recovery LCSD	Acceptance Criteria	RPD (Limit 20)
Diesel Extended	ug/L (ppb)	2,500	87	105	73-142	19

FRIEDMAN & BRUYA, INC.

ENVIRONMENTAL CHEMISTS

Date of Report: 09/04/07
Date Received: 08/27/07
Project: Homes and Land 2006-271c, F&BI 708336

QUALITY ASSURANCE RESULTS FOR THE ANALYSIS OF WATER SAMPLES FOR VOLATILES BY EPA METHOD 8260B

Laboratory Code: 708319-09 (Duplicate)

Analyte	Reporting Units	Sample Result	Duplicate Result	Relative Percent Difference (Limit 20)
Dichlorodifluoromethane	ug/L (ppb)	<1	<1	nm
Chloromethane	ug/L (ppb)	<1	<1	nm
Vinyl chloride	ug/L (ppb)	<0.2	<0.2	nm
Bromomethane	ug/L (ppb)	<1	<1	nm
Chloroethane	ug/L (ppb)	<1	<1	nm
Trichlorofluoromethane	ug/L (ppb)	<1	<1	nm
Acrolein	ug/L (ppb)	<10	<10	nm
1,1-Dichloroethene	ug/L (ppb)	<1	<1	nm
Methylene chloride	ug/L (ppb)	<5	<5	nm
trans-1,2-Dichloroethene	ug/L (ppb)	<1	<1	nm
1,1-Dichloroethane	ug/L (ppb)	<1	<1	nm
2,2-Dichloropropane	ug/L (ppb)	<1	<1	nm
cis-1,2-Dichloroethene	ug/L (ppb)	<1	<1	nm
Chloroform	ug/L (ppb)	<1	<1	nm
1,2-Dichloroethane (EDC)	ug/L (ppb)	<10	<10	nm
1,2-Dichloroethane (EDC)	ug/L (ppb)	<1	<1	nm
1,1,1-Trichloroethane	ug/L (ppb)	<1	<1	nm
1,1-Dichloropropene	ug/L (ppb)	<1	<1	nm
Carbon tetrachloride	ug/L (ppb)	<1	<1	nm
Benzene	ug/L (ppb)	0.1	0.1	0
Trichloroethene	ug/L (ppb)	<1	<1	nm
1,2-Dichloropropane	ug/L (ppb)	<1	<1	nm
Bromodichloromethane	ug/L (ppb)	<1	<1	nm
Dibromomethane	ug/L (ppb)	<1	<1	nm
4-Methyl-2-pentanone	ug/L (ppb)	<10	<10	nm
cis-1,3-Dichloropropene	ug/L (ppb)	<1	<1	nm
Toluene	ug/L (ppb)	<1	<1	nm
trans-1,3-Dichloropropene	ug/L (ppb)	<1	<1	nm
1,1,2-Trichloroethane	ug/L (ppb)	<1	<1	nm
2-Hexanone	ug/L (ppb)	<10	<10	nm
1,3-Dichloropropane	ug/L (ppb)	<1	<1	nm
Tetrachloroethene	ug/L (ppb)	<1	<1	nm
Dibromochloromethane	ug/L (ppb)	<1	<1	nm
1,2-Dibromoethane (EDB)	ug/L (ppb)	<1	<1	nm
Chlorobenzene	ug/L (ppb)	<1	<1	nm
Ethylbenzene	ug/L (ppb)	1.3	1.2	8
1,1,1,2-Tetrachloroethane	ug/L (ppb)	<1	<1	nm
m,p-Xylene	ug/L (ppb)	<2	<2	nm
o-Xylene	ug/L (ppb)	<1	<1	nm
Styrene	ug/L (ppb)	<1	<1	nm
Isopropylbenzene	ug/L (ppb)	4.0	4.0	0
Bromoform	ug/L (ppb)	<1	<1	nm
n-Propylbenzene	ug/L (ppb)	7.8	7.8	0
Bromobenzene	ug/L (ppb)	<1	<1	nm
1,3,5-Trimethylbenzene	ug/L (ppb)	<1	<1	nm
1,1,2,2-Tetrachloroethane	ug/L (ppb)	<1	<1	nm
1,2,3-Trichloropropane	ug/L (ppb)	<1	<1	nm
2-Chlorotoluene	ug/L (ppb)	<1	<1	nm
4-Chlorotoluene	ug/L (ppb)	<1	<1	nm
tert-Butylbenzene	ug/L (ppb)	<1	<1	nm
1,2,4-Trimethylbenzene	ug/L (ppb)	<1	<1	nm
sec-Butylbenzene	ug/L (ppb)	2.7	2.7	0
p-Isopropyltoluene	ug/L (ppb)	<1	<1	nm
1,3-Dichlorobenzene	ug/L (ppb)	<1	<1	nm
1,4-Dichlorobenzene	ug/L (ppb)	<1	<1	nm
1,2-Dichlorobenzene	ug/L (ppb)	<1	<1	nm
1,2-Dibromo-3-chloropropane	ug/L (ppb)	<1	<1	nm
1,2,4-Trichlorobenzene	ug/L (ppb)	<1	<1	nm
Hexachlorobutadiene	ug/L (ppb)	<1	<1	nm
Naphthalene	ug/L (ppb)	<1	<1	nm
1,2,3-Trichlorobenzene	ug/L (ppb)	<1	<1	nm

FRIEDMAN & BRUYA, INC.

ENVIRONMENTAL CHEMISTS

Date of Report: 09/04/07
Date Received: 08/27/07
Project: Homes and Land 2006-271c, F&BI 708336

QUALITY ASSURANCE RESULTS FOR THE ANALYSIS OF WATER SAMPLES FOR VOLATILES BY EPA METHOD 8260B

Laboratory Code: Laboratory Control Sample

Analyte	Reporting Units	Spike Level	Percent Recovery LCS	Percent Recovery LCSD	Acceptance Criteria	RPD (Limit 20)
Dichlorodifluoromethane	ug/L (ppb)	50	95	91	30-130	2
Chloromethane	ug/L (ppb)	50	93	89	35-134	3
Vinyl chloride	ug/L (ppb)	50	97	96	36-144	1
Bromomethane	ug/L (ppb)	50	111	113	36-145	2
Chloroethane	ug/L (ppb)	50	95	86	33-144	9
Trichlorofluoromethane	ug/L (ppb)	50	90	110	34-132	7
Acetone	ug/L (ppb)	50	88	94	32-142	2
1,1-Dichloroethene	ug/L (ppb)	50	108	108	38-133	0
Methylene chloride	ug/L (ppb)	50	102	102	64-132	0
trans-1,2-Dichloroethene	ug/L (ppb)	50	106	108	56-137	2
1,1-Dichloroethane	ug/L (ppb)	50	106	108	63-133	2
2,2-Dichloropropane	ug/L (ppb)	50	96	101	42-143	5
cis-1,2-Dichloroethene	ug/L (ppb)	50	103	106	73-127	1
Chloroform	ug/L (ppb)	50	98	99	63-137	1
2-Butanone (MEK)	ug/L (ppb)	50	108	103	77-133	2
1,2-Dichloroethane (EDC)	ug/L (ppb)	50	90	87	67-131	3
1,1,1-Trichloroethane	ug/L (ppb)	50	95	95	63-134	0
1,1-Dichloropropene	ug/L (ppb)	50	103	102	62-132	0
Carbon Tetrachloride	ug/L (ppb)	50	95	97	63-135	2
Benzene	ug/L (ppb)	50	102	101	75-134	1
Trichloroethene	ug/L (ppb)	50	99	97	75-131	0
1,2-Dichloropropane	ug/L (ppb)	50	102	102	75-119	0
Bromodichloromethane	ug/L (ppb)	50	96	96	69-129	1
Dibromomethane	ug/L (ppb)	50	107	103	68-117	4
4-Methyl-2-pentanone	ug/L (ppb)	50	84	82	68-124	2
cis-1,3-Dichloropropene	ug/L (ppb)	50	99	98	64-133	1
Toluene	ug/L (ppb)	50	104	102	70-140	1
trans-1,3-Dichloropropene	ug/L (ppb)	50	97	96	71-124	1
1,1,2-Trichloroethane	ug/L (ppb)	50	101	100	66-132	1
2-Hexanone	ug/L (ppb)	50	90	92	66-129	2
1,3-Dichloropropane	ug/L (ppb)	50	101	102	71-125	1
Tetrachloroethene	ug/L (ppb)	50	102	104	73-124	2
Dibromochloromethane	ug/L (ppb)	50	104	102	71-122	1
1,2-Dibromoethane (EDB)	ug/L (ppb)	50	102	103	72-124	1
Chlorobenzene	ug/L (ppb)	50	100	102	72-118	2
Ethylbenzene	ug/L (ppb)	50	99	100	70-123	1
1,1,1,2-Tetrachloroethane	ug/L (ppb)	50	90	88	69-122	2
m,p-Xylene	ug/L (ppb)	100	96	101	69-126	5
o-Xylene	ug/L (ppb)	50	101	103	68-123	2
Styrene	ug/L (ppb)	50	100	103	73-123	3
Isopropylbenzene	ug/L (ppb)	50	100	102	66-122	1
Bromoform	ug/L (ppb)	50	102	104	70-127	1
n-Propylbenzene	ug/L (ppb)	50	101	103	67-118	1
Bromobenzene	ug/L (ppb)	50	102	104	71-114	1
1,3,5-Trimethylbenzene	ug/L (ppb)	50	100	103	69-126	3
1,1,2,2-Tetrachloroethane	ug/L (ppb)	50	101	102	57-128	1
1,2,3-Trichloropropane	ug/L (ppb)	50	97	99	64-126	2
2-Chlorotoluene	ug/L (ppb)	50	99	100	66-118	1
4-Chlorotoluene	ug/L (ppb)	50	100	101	67-117	1
tert-Butylbenzene	ug/L (ppb)	50	102	103	65-121	0
1,2,4-Trimethylbenzene	ug/L (ppb)	50	97	98	66-123	1
sec-Butylbenzene	ug/L (ppb)	50	102	103	73-118	1
p-Isopropyltoluene	ug/L (ppb)	50	101	102	72-120	1
1,3-Dichlorobenzene	ug/L (ppb)	50	102	104	76-114	2
1,4-Dichlorobenzene	ug/L (ppb)	50	102	103	73-113	1
1,2-Dichlorobenzene	ug/L (ppb)	50	100	103	76-116	3
1,3-Dibromo-5-chloropropane	ug/L (ppb)	50	102	97	54-135	5
1,2,4-Trichlorobenzene	ug/L (ppb)	50	102	107	72-122	5
Hexachlorobutadiene	ug/L (ppb)	50	108	105	60-137	3
Naphthalene	ug/L (ppb)	50	102	106	61-137	4
1,2,3-Trichlorobenzene	ug/L (ppb)	50	107	106	74-126	1

Note: The calibration verification result for chloroethane exceeded 15% deviation. The average deviation for all compounds was not greater than 15%; therefore, the calibration is considered valid. This applies to samples 708336-01, -02.

FRIEDMAN & BRUYA, INC.

ENVIRONMENTAL CHEMISTS

Data Qualifiers & Definitions

a - The analyte was detected at a level less than five times the reporting limit. The RPD results may not provide reliable information on the variability of the analysis.

A1 - More than one compound of similar molecule structure was identified with equal probability.

b - The analyte was spiked at a level that was less than five times that present in the sample. Matrix spike recoveries may not be meaningful.

ca - The calibration results for this range fell outside of acceptance criteria. The value reported is an estimate.

c - The presence of the analyte indicated may be due to carryover from previous sample injections.

d - The sample was diluted. Detection limits may be raised due to dilution.

ds - The sample was diluted. Detection limits are raised due to dilution and surrogate recoveries may not be meaningful.

dv - The sample was diluted due to insufficient sample volume. Detection limits are raised due to dilution

fb - The analyte indicated was found in the method blank. The result should be considered an estimate.

fc - The compound is a common laboratory and field contaminant.

fp - Compounds in the sample matrix interfered with quantitation of the analyte. The reported concentration may be a false positive.

hr - The sample and duplicate were reextracted and reanalyzed. RPD results were still outside of control limits. The variability is attributed to sample inhomogeneity.

ht - The sample was extracted outside of holding time. Results should be considered estimates.

ip - Recovery fell outside of normal control limits. Compounds in the sample matrix interfered with the quantitation of the analyte.

j - The result is below normal reporting limits. The value reported is an estimate.

J - The internal standard associated with the analyte is out of control limits. The reported concentration is an estimate.

jl - The analyte result in the laboratory control sample is out of control limits. The reported concentration should be considered an estimate.

jr - The rpd result in laboratory control sample associated with the analyte is out of control limits. The reported concentration should be considered an estimate.

lc - The presence of the compound indicated is likely due to laboratory contamination.

L - The reported concentration was generated from a library search.

nm - The analyte was not detected in one or more of the duplicate analyses. Therefore, calculation of the RPD is not applicable.

pc - The sample was received in a container not approved by the method. The value reported should be considered an estimate.

pr - The sample was received with incorrect preservation. The value reported should be considered an estimate.

ve - The value reported exceeded the calibration range established for the analyte. The reported concentration should be considered an estimate.

vo - The value reported fell outside the control limits established for this analyte.

x - The pattern of peaks present is not indicative of diesel.

y - The pattern of peaks present is not indicative of motor oil.

708336

SAMPLE CHAIN OF CUSTODY

ME 08/27/07

V2/ D04

Page # 1 of 1

Send Report To Paul Riley

Company The Riley Group

Address 17522 Bothell Way NE

City, State, ZIP Bothell, WA 98011

Phone # (425) 415-0551 Fax # (425) 415-0311

SAMPLERS (signature): Tamara Adams / Rian Skov

PROJECT NAME/NO.: Homes and Land 2006-276

PO #

REMARKS

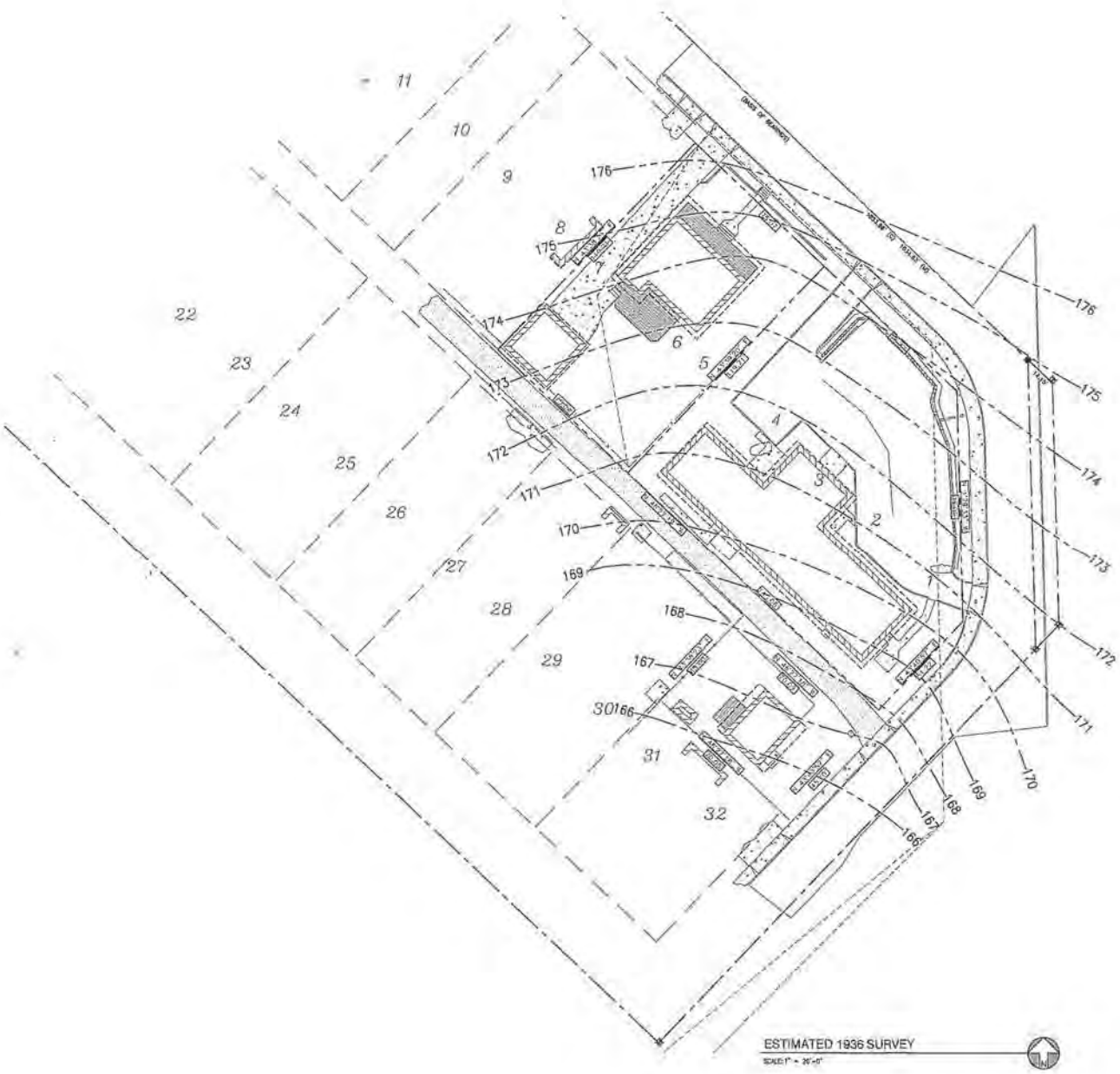
TURNAROUND TIME
- ☐ Standard (2 Weeks)
- ☐ RUSH
- Rush charges authorized by: By Friday 8/31/07

SAMPLE DISPOSAL
- ☐ Dispose after 30 days
- ☐ Return samples
- ☐ Will call with instructions

Sample ID	Lab ID	Date	Time	Sample Type	# of containers	TPH-Diesel*	TPH-Gasoline	BTEX by 8021B	VOCs by 8260	SVOCs by 8270	HFS							Notes
MW-1-H_2O	01 A-E	8/24	3:25	H_2O	5	⊗	⊗		⊗									*ambrzcly
MW-2-H_2O	02 A-E	|	1:30	|	|	⊗	⊗		⊗									silica gel cleanup
MW-3-H_2O	03 A-E	|	4:20	|	|	⊗	⊗		⊗									± report diesel
MW-4-H_2O	04 A-E	|	5:30	|	|	⊗	⊗		⊗									+ oil TPH
MW-5-H_2O	05 A-E	|	1:15	|	|	⊗	⊗		⊗									
MW-6-H_2O	06 A-E	|	10:30	|	|	⊗	⊗		⊗									
MW-7-H_2O	07 A-E	↓	11:30	↓	↓	⊗	⊗		⊗									
																		Samples received at 8 °C

Friedman & Bruya, Inc.
3012 16th Avenue West
Seattle, WA 98119-2029
Ph. (206) 285-8282
Fax (206) 283-5044

	SIGNATURE	PRINT NAME	COMPANY	DATE	TIME
Relinquished by:	M. Argueta	M. ARGUETA	TRG, Inc.	8/27	1:00 PM
Received by:	CHL #2073		CHAMPION		
Relinquished by:					
Received by:	Mary Tam	Nhan Phan	FeBI	8/27/07	2:15



DIBBLE ENGINEERS, INC.
Professional Structural Engineering Services

SEAL

PRE-APP REVIEW

DIBBLE BUILDING
1029 MARKET STREET
KIRKLAND, WA 98033
PARCEL ASSESSOR # 3085901885

PROJECT #	07-2340
DRAWN BY:	TTP
DESIGNED BY:	RAD

DATE:	DESCRIPTION
4.12.2010	PRE-APP REVIEW

JURISDICTIONAL STAMP:

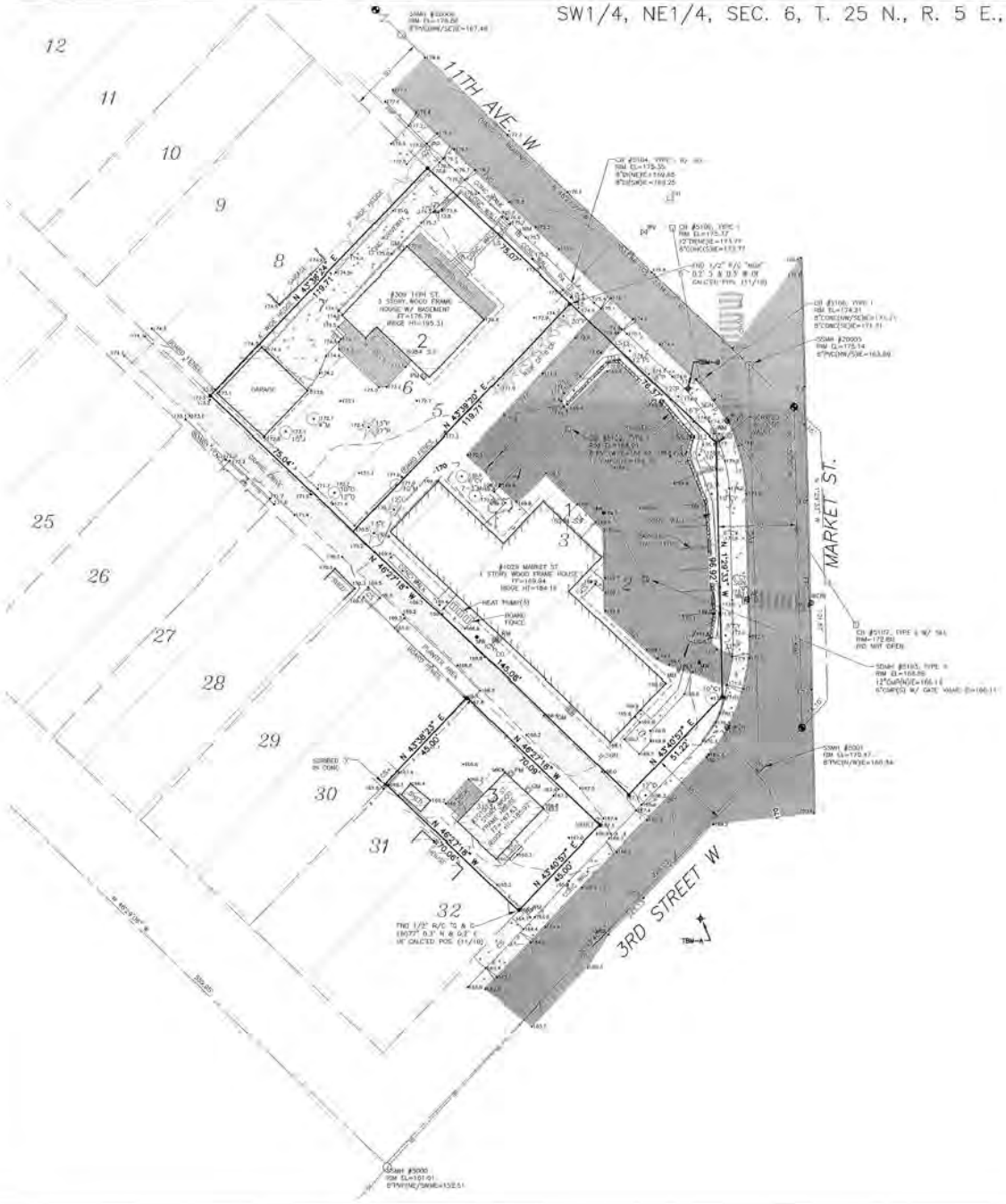
SHEET TITLE:

ESTIMATED 1936 SURVEY

SHEET NUMBER:

C 100

SW1/4, NE1/4, SEC. 6, T. 25 N., R. 5 E., W.M.


11TH AVE. W
MARKET ST.
3RD STREET W
1029 MARKET ST
1 STORY WOOD FRAME HOUSE
GARAGE
HEAT PUMP(S)
FRAME FENCE
CHAIN LINK FENCE
BOARD FENCE
SIDEWALK
CONCRETE
N 43°39'23" E
119.77'
N 46°27'18" W
145.06'
N 43°40'07" E
91.22'
N 46°27'18" W
70.00'
N 43°40'07" E
45.00'
N 46°27'18" W
75.04'
N 43°39'23" E
45.00'
N 46°27'18" W
70.00'
N 43°40'07" E
45.00'
N 46°27'18" W
75.07'
N 43°39'23" E
119.77'
N 46°27'18" W
26.94'
N 43°40'07" W
91.22'
N 46°27'18" W
145.06'
N 43°39'23" E
119.77'
N 46°27'18" W
75.04'
N 43°39'23" E
119.77

PERSPECTIVE

PROPOSED HEIGHT LIMIT BASED UPON HISTORIC GRADE (EXISTING HEIGHT LIMIT OUTLINED)
LOOKING WEST ACROSS MARKET STREET

A10-170

1029 MARKET STREET REDEVELOPMENT
HEIGHT VARIANCE | KIRKLAND, WA 02.16.2017

DEI DIBBLE ENGINEERS INC

Freiheit & Ho architects

BUILDING MASSING: EXISTING BUILDING

1029 MARKET STREET REDEVELOPMENT

HEIGHT VARIANCE | KIRKLAND, WA 02.16.2017

Freiheit & Ho architects

BUILDING MASSING: PROPOSED VS CODE HEIGHT VARIANCE

1029 MARKET STREET REDEVELOPMENT

HEIGHT VARIANCE | KIRKLAND, WA 02.16.2017

Freiheit & Ho architects

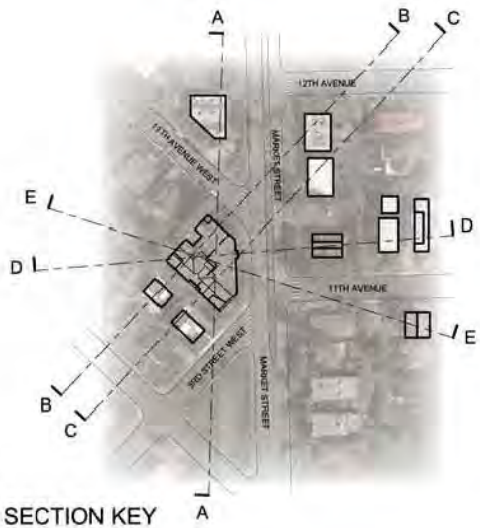
ATTACHMENT 12

VIEW PROJECTIONS

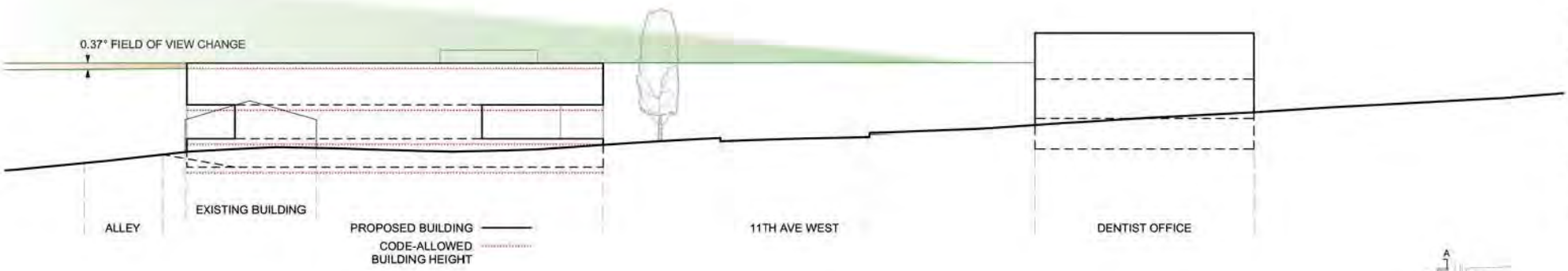
Views are shown from eye level of the second floor of surrounding buildings. The lower boundaries of the views are governed by any buildings in front. Existing vegetation creates additional screening in most locations.

In the case of the proposed building, the lower boundaries of the views are influenced by the proposed building height (shown in black), as well as the code-allowed building height (shown as a red dotted line). The difference is noted as a field of view change in degrees. The maximum reduction in field of view is less than one degree.

View A looks to the south, views B and C look to the southwest, and views D and E look west.



NEIGHBORHOOD SECTION KEY

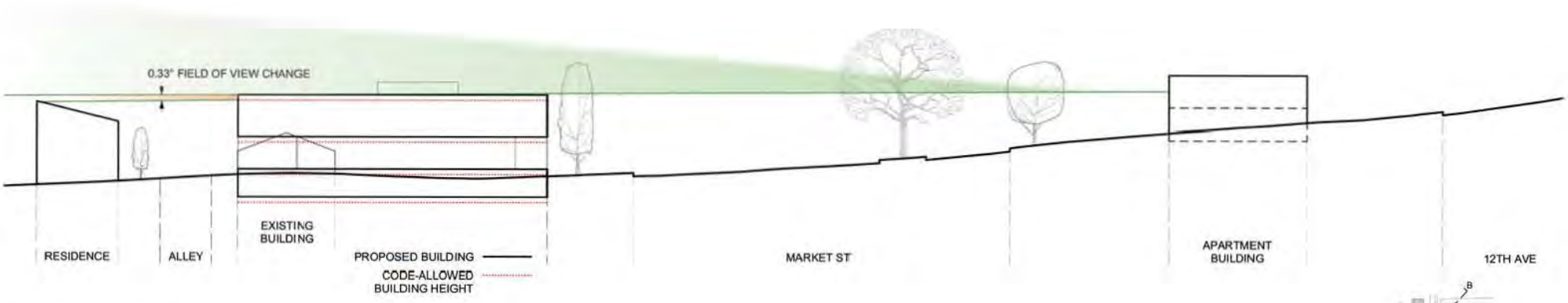


VIEWS THROUGH NEIGHBORHOOD SECTIONS

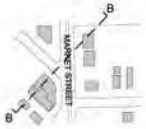
NEIGHBORHOOD SECTION A

1029 MARKET STREET REDEVELOPMENT
HEIGHT VARIANCE | KIRKLAND, WA 02.16.2017

Freiheit & Ho architects



NEIGHBORHOOD SECTION B



NEIGHBORHOOD SECTION C

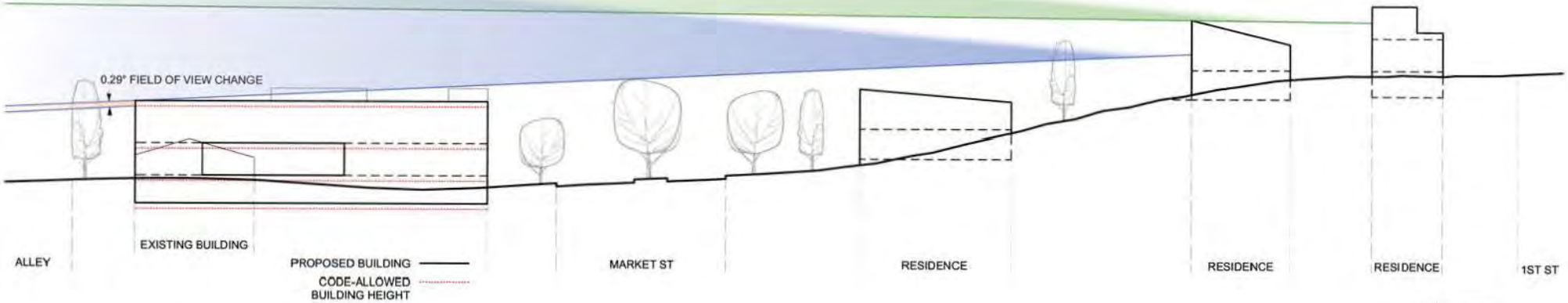
VIEWS THROUGH NEIGHBORHOOD SECTIONS

A16-170

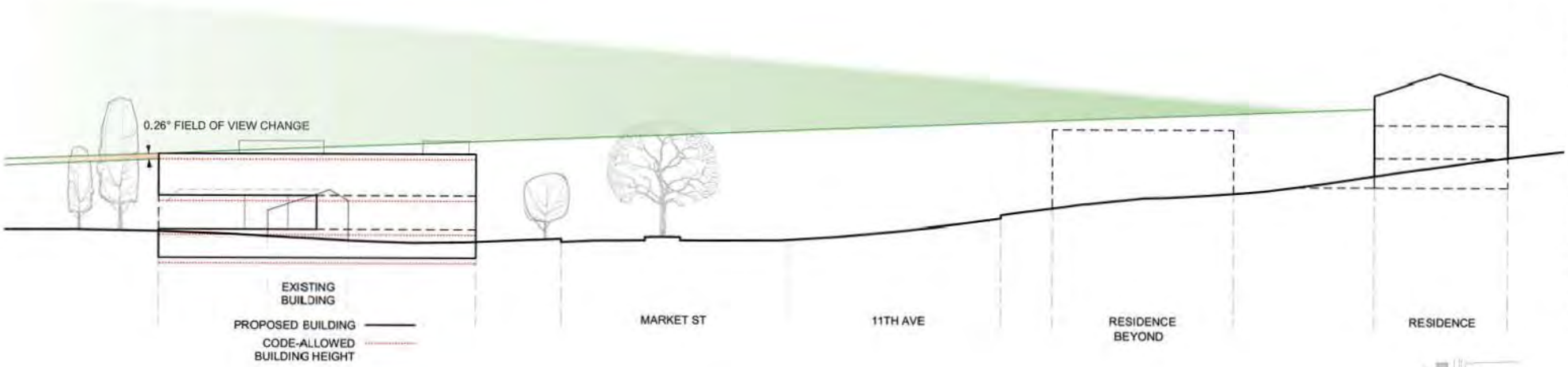
1029 MARKET STREET REDEVELOPMENT

HEIGHT VARIANCE | KIRKLAND, WA 02.16.2017

Freiheit & Ho architects



NEIGHBORHOOD SECTION D



VIEWS THROUGH NEIGHBORHOOD SECTIONS

NEIGHBORHOOD SECTION E

1029 MARKET STREET REDEVELOPMENT

HEIGHT VARIANCE | KIRKLAND, WA 02.16.2017

Freiheit & Ho architects

DEVELOPMENT STANDARDS

VAR16-02086

PLANNING DEPARTMENT

Contact: Janice Coogan, jcoogan@kirklandwa.gov or 425-587-3257
ZONING CODE STANDARDS
92.35 Prohibited Materials In Design Districts. If in a design district the following building materials are prohibited or limited in use: mirrored glass or reflective materials, corrugated fiberglass, chain link fencing, metal siding, concrete block, backlit awnings. Water spigots are required along building facades along sidewalks for cleaning and plant watering. Commercial buildings with more than one tenant shall install a cornerstone or plaque.
95.51.2.a Required Landscaping. All required landscaping shall be maintained throughout the life of the development. The applicant shall submit an agreement to the city to be recorded with King County which will perpetually maintain required landscaping. Prior to issuance of a certificate of occupancy, the proponent shall provide a final as-built landscape plan and an agreement to maintain and replace all landscaping that is required by the City.
95.44 Parking Area Landscape Islands. Landscape islands must be included in parking areas as provided in this section.
95.45 Parking Area Landscape Buffers. Applicant shall buffer all parking areas and driveways from the right-of-way and from adjacent property with a 5-foot wide strip as provided in this section. If located in a design district a low hedge or masonry or concrete wall may be approved as an alternative through design review.
95.50 Tree Installation Standards. All supplemental trees to be planted shall conform to the Kirkland Plant List. All installation standards shall conform to Kirkland Zoning Code Section 95.45.
95.52 Prohibited Vegetation. Plants listed as prohibited in the Kirkland Plant List shall not be planted in the City.
100.25 Sign Permits. Separate sign permit(s) are required. Electrical signs are prohibited along Market St.
105.18 Pedestrian Walkways. All uses, except single family dwelling units and duplex structures, must provide pedestrian walkways designed to minimize walking distances from the building entrance to the right of way and adjacent transit facilities, pedestrian connections to adjacent properties, between primary entrances of all uses on the subject property, through parking lots and parking garages to building entrances. Easements may be required. In design districts through block pathways or other pedestrian improvements may be required. See also Plates 34 in Chapter 180.
105.32 Bicycle Parking. All uses, except single family dwelling units and duplex structures with 6 or more vehicle parking spaces must provide covered bicycle parking within 50 feet of an entrance to the building at a ratio of one bicycle space for each twelve motor vehicle parking spaces. Check with Planner to determine the number of bike racks required and location.
105.18 Entrance Walkways. All uses, except single family dwellings and duplex structures, must provide pedestrian walkways between the principal entrances to all businesses, uses, and/or buildings on the subject property.
105.18 Overhead Weather Protection. All uses, except single family dwellings, multifamily, and industrial uses, must provide overhead weather protection along any portion of the building, which is adjacent to a pedestrian walkway.
105.18.2 Walkway Standards. Pedestrian walkways must be at least 5' wide; must be distinguishable from traffic lanes by pavement texture or elevation; must have adequate lighting for security and safety. Lights must be non-glare and mounted no more than 20' above the ground.
105.18.2 Overhead Weather Protection Standards. Overhead weather protection must be provided along any portion of the building adjacent to a pedestrian walkway or sidewalk; over the primary exterior entrance to all buildings. May be composed of awnings, marquees, canopies or building overhangs; must cover at least 5' of the width of the adjacent walkway; and must be at least 8 feet above the ground immediately below it. In design districts, translucent awnings may not be backlit; see section for the percent of property frontage or building facade
105.20 Required Parking. The number of parking spaces for an office use are one parking space per 300 sq. ft. of gross floor area. All parking must be located on-site.
105.58 Parking Lot Locations in Design Districts. See section for standards unique to each district.
105.65 Compact Parking Stalls. Up to 50% of the number of parking spaces may be designated for compact cars.
105.60.2 Parking Area Driveways. Driveways which are not driving aisles within a parking area shall be a

minimum width of 20 feet.
105.60.3 Wheelstops. Parking areas must be constructed so that car wheels are kept at least 2' from pedestrian and landscape areas.
105.77 Parking Area Curbing. All parking areas and driveways, for uses other than detached dwelling units must be surrounded by a 6" high vertical concrete curb.
105.96 Drive Through Facilities. See section for design criteria for approving drive through facilities.
110.52 Sidewalks and Public Improvements in Design Districts. See section, Plate 34 and public works approved plans manual for sidewalk standards and decorative lighting design applicable to design districts.
110.60.5 Street Trees. All trees planted in the right-of-way must be approved as to species by the City. All trees must be two inches in diameter at the time of planting as measured using the standards of the American Association of Nurserymen with a canopy that starts at least six feet above finished grade and does not obstruct any adjoining sidewalks or driving lanes.
115.25 Work Hours. It is a violation of this Code to engage in any development activity or to operate any heavy equipment before 7:00 am. or after 8:00 pm Monday through Friday, or before 9:00 am or after 6:00 pm Saturday. No development activity or use of heavy equipment may occur on Sundays or on the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, and Christmas Day. The applicant will be required to comply with these regulations and any violation of this section will result in enforcement action, unless written permission is obtained from the Planning official.
115.40 Fence Location. Fences over 6 feet in height may not be located in a required setback yard. A detached dwelling unit abutting a neighborhood access or collector street may not have a fence over 3.5 feet in height within the required front yard. No fence may be placed within a high waterline setback yard or within any portion of a north or south property line yard, which is coincident with the high waterline setback yard.
A detached dwelling unit may not have a fence over 3.5 feet in height within 3 feet of the property line abutting a principal or minor arterial except where the abutting arterial contains an improved landscape strip between the street and sidewalk. The area between the fence and property line shall be planted with vegetation and maintained by the property owner.
115.45 Garbage and Recycling Placement and Screening. For uses other than detached dwelling units, duplexes, moorage facilities, parks, and construction sites, all garbage receptacles and dumpsters must be setback from property lines, located outside landscape buffers, and screened from view from the street, adjacent properties and pedestrian walkways or parks by a solid sight-obscuring enclosure.
115.47 Service Bay Locations. All uses, except single family dwellings and multifamily structures, must locate service bays away from pedestrian areas. If not feasible must screen from view.
115.75.2 Fill Material. All materials used as fill must be non-dissolving and non-decomposing. Fill material must not contain organic or inorganic material that would be detrimental to the water quality, or existing habitat, or create any other significant adverse impacts to the environment.
115.90 Calculating Lot Coverage. The total area of all structures and pavement and any other impervious surface on the subject property is limited to a maximum percentage of total lot area. See the Use Zone charts for maximum lot coverage percentages allowed. Section 115.90 lists exceptions to total lot coverage calculations See Section 115.90 for a more detailed explanation of these exceptions.
115.95 Noise Standards. The City of Kirkland adopts by reference the Maximum Environmental Noise Levels established pursuant to the Noise Control Act of 1974, RCW 70.107. See Chapter 173-60 WAC. Any noise, which injures, endangers the comfort, repose, health or safety of persons, or in any way renders persons insecure in life, or in the use of property is a violation of this Code.
115.115 Required Setback Yards. This section establishes what structures, improvements and activities may be within required setback yards as established for each use in each zone.
115.115.3.g Rockeries and Retaining Walls. Rockeries and retaining walls are limited to a maximum height of four feet in a required yard unless certain modification criteria in this section are met. The combined height of fences and retaining walls within five feet of each other in a required yard is limited to a maximum height of 6 feet, unless certain modification criteria in this section are met.
115.115.3.p HVAC and Similar Equipment: These may be placed no closer than five feet of a side or rear property line, and shall not be located within a required front yard; provided, that HVAC equipment may be located in a storage shed approved pursuant to subsection (3)(m) of this section or a garage approved pursuant to subsection (3)(o)(2) of this section. All HVAC equipment shall be baffled, shielded, enclosed, or placed on the property in a manner that will ensure compliance with the noise provisions of KZC 115.95.
115.120 Rooftop Appurtenance Screening. New or replacement appurtenances on existing buildings shall be surrounded by a solid screening enclosure equal in height to the appurtenance. New construction shall screen rooftop appurtenances by incorporating them in to the roof form.

115.135 Sight Distance at Intersection. Areas around all intersections, including the entrance of driveways onto streets, must be kept clear of sight obstruction as described in this section.
150.22.2 Public Notice Signs. Within seven (7) calendar days after the end of the 21-day period following the City's final decision on the variance permit, the applicant shall remove all public notice signs.

Prior to issuance of a grading or building permit:
95.30(4) Tree Protection Techniques. A description and location of tree protection measures during construction for trees to be retained must be shown on demolition and grading plans.
95.34 Tree Protection. Prior to development activity or initiating tree removal on the site, vegetated areas and individual trees to be preserved shall be protected from potentially damaging activities. Protection measures for trees to be retained shall include (1) placing no construction material or equipment within the protected area of any tree to be retained; (2) providing a visible temporary protective chain link fence at least 6 feet in height around the protected area of retained trees or groups of trees until the Planning Official authorizes their removal; (3) installing visible signs spaced no further apart than 15 feet along the protective fence stating "Tree Protection Area, Entrance Prohibited" with the City code enforcement phone number; (4) prohibiting excavation or compaction of earth or other damaging activities within the barriers unless approved by the Planning Official and supervised by a qualified professional; and (5) ensuring that approved landscaping in a protected zone shall be done with light machinery or by hand.

Prior to occupancy:
92.35 Building Cornerstone or Plaque. All commercial buildings designed for use by more than one tenant must have a building cornerstone placed in a prominent location, constructed in stone, cast stone, masonry, terra cotta or other vandal resistant material. Plaques must be mounted no lower than 2 ft. and no higher than 10 ft. above found and must be made of bronze, brass, anodized aluminum, porcelain enamel covered steel or aluminum or other corrosion resistant material. Cornerstones and plaques must indicate the name of the building, date of construction and architect, include the owner's name and other historical information.
95.51.2.a Required Landscaping. All required landscaping shall be maintained throughout the life of the development. The applicant shall submit an agreement to the city to be recorded with King County which will perpetually maintain required landscaping. Prior to issuance of a certificate of occupancy, the proponent shall provide a final as-built landscape plan and an agreement to maintain and replace all landscaping that is required by the City
110.60.5 Landscape Maintenance Agreement. The owner of the subject property shall sign a landscape maintenance agreement, in a form acceptable to the City Attorney, to run with the subject property to maintain landscaping within the landscape strip and landscape island portions of the right-of-way (see Attachment_). It is a violation to pave or cover the landscape strip with impervious material or to park motor vehicles on this strip.
110.75 Bonds. The City may require or permit a bond to ensure compliance with any of the requirements of the Required Public Improvements chapter.

BUILDING DEPARTMENT

Contact: Angela Haupt – Ahaupt@kirklandwa.gov
1. A geotechnical report is required to address development activity. The report must be prepared by a Washington State licensed Professional Engineer. Recommendations contained within the report shall be incorporated into the design of the Short Plat and subsequent structures.
2. Prior to issuance of Building, Demolition or Landsurface Modification permit applicant must submit a proposed rat baiting program for review and approval. Kirkland Municipal Ordinance 9.04.040
3. A demolition permit is required for removal of existing structures.
4. Plumbing meter and service line shall be sized in accordance with the current UPC. We are currently using the 2015 edition.
5. Any vault or retaining walls to be constructed with the LSM will require separate building permits.
6. Building permits must comply with the International Building and Mechanical Codes and the Uniform Plumbing Code as adopted and amended by the State of Washington and the City of Kirkland. Kirkland currently has adopted the 2015 code editions.
7. Structures must comply with International Energy Conservation Code as adopted and amended by the State of Washington. We are currently using the 2015 code edition.
8. Kirkland reviews, issues and inspects all electrical permits in the city. Kirkland currently uses the 2014 Washington Cities Electrical Code chapters 1 and 3 as published by WABO. Permits submitted after June 30, 2017

shall comply with the 2017 code edition.
9. Structures must be designed for seismic design category D, wind speed of 110 miles per hour and exposure C.
10. Nonstructural components must be designed for seismic design category D, wind speed of 110 miles per hour and exposure C.
11. Per IBC section 1105.1, 60% of all public entrances must be accessible. See ANSI A117.1-2009 section 402 fo accessible route components.
12. The applicant is cautioned to investigate the implications of the Americans with Disabilities Act on the construction of this project. For more information the applicant may contact the Office of the General Counsel, Architectural and Transportation Barriers Compliance Board, 1111 18th Street, N.W., Suite 501, Washington, DC 20036, Ph# (800) 514-0301.
13. An area must be set aside for recyclable materials, organics and solid waste. Ref.: WAC 51-50-009 - in addition this area must be accessible to the serving utility (Waste Management) Ref.: KMC 16.08.075

FIRE DEPARTMENT

FIRE DEPARTMENT COMMENTS

Contact: Grace Steuart at 425-587-3660; or gsteuart@kirklandwa.gov

NO COMMENT

The Fire Department has no comment on the variance aspect of this project. When the building permit is applied for, Fire will provide comments on the building plans.

PUBLIC WORKS DEPARTMENT

Permit #: VAR16-02086
Project Name: Dibble Office
Project Address: 1029 Market St
Date: October 24, 2016

PUBLIC WORKS CONDITIONS

Building and Land Surface Modification (Grading) Permit Process:
Philip Vartanian, Development Engineer
Phone: 425-587-3856 Fax: 425-587-3807
E-mail: pvartanian@kirklandwa.gov

General Conditions:
1. All public improvements associated with this project including street and utility improvements, must meet the City of Kirkland Public Works Pre-Approved Plans and Policies Manual. A Public Works Pre-Approved Plans and Policies manual can be purchased from the Public Works Department, or it may be retrieved from the Public Works Department's page at the City of Kirkland's web site.
2. This project will be subject to Public Works Permit and Connection Fees. It is the applicant's responsibility to contact the Public Works Department by phone or in person to determine the fees. The applicant should anticipate the following fees:
o Water and Sewer Connection Fees (If new water meter is added or ungraded to a larger size, fees are paid with the issuance of a Building Permit)
o Surface Water Connection Fees (paid with the issuance of a Building Permit)
o Side Sewer Inspection Fee (paid with the issuance of a Building Permit)
o Right-of-way Fee
o Review and Inspection Fee (for utilities and street improvements).
o Building Permits associated with this proposed project will be subject to the traffic impact fees per Chapter 27 of the Kirkland Municipal Code. The impact fee shall be paid prior to issuance of the Building Permit(s). Any existing building within this project which is demolished will receive a Traffic Impact Fee credit. This credit will be applied to the Building Permit that is applied for the project. The credit amount for each demolished building will be equal to the most currently adopted Fee schedule.
3. All street and utility improvements shall be permitted by obtaining a Land Surface Modification (LSM) Permit, including the required LSM Checklist.

4. Performance and Maintenance Securities:
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Prior to issuance of the Building Permit a standard right of way restoration security ranging from $10,000.00 to 30,000.00 (value determined based on amount of ROW disruption) shall be posted with Public Works Department. This security will be held until the project has been completed. Additional before the project can be finaled a 2 yrs. Maintenance security will need to be posted.
5. Prior to submittal of a Building or Zoning Permit, the applicant must apply for a Concurrency Test Notice. Contact Thang Nguyen, Transportation Engineer, at 425-587-3869 for more information. A separate Concurrency Permit will be created.
6. After Concurrency has passed a certificate will be issued that will read as follows: CERTIFICATE OF CONCURRENCY: This project has been reviewed and approved for water, sewer, and traffic concurrency. Any water and sewer mitigating conditions are listed within the conditions below. Any traffic mitigating conditions will be found in an attached memorandum from the Public Works Traffic Engineering Analyst to the Planning Department Project Planner. Upon issuance of this permit, this project shall have a valid Certificate of Concurrency and concurrency vesting until the permit expires. This condition shall constitute issuance of a Certificate of Concurrency pursuant to chapter 25.12 of the Kirkland Municipal Code.
7. All civil engineering plans which are submitted in conjunction with a building permit must conform to the Public Works Policy G-7, Engineering Plan Requirements. This policy is contained in the Public Works Pre-Approved Plans and Policies manual.
8. All street improvements and underground utility improvements (storm, sewer, and water) must be designed by a Washington State Licensed Engineer; all drawings shall bear the engineers stamp.
9. All plans submitted in conjunction with a building permit must have elevations which are based on the King County datum only (NAVD 88).
10. A completeness check meeting is required prior to submittal of any Building Permit applications.
11. Prior to issuance of any commercial Building Permit, the applicant shall provide a plan for garbage storage and pickup. The plan shall conform to Policy G-9 in the Public Works Pre-approved Plans and be approved by Waste Management and the City.
12. The required tree plan shall include any significant tree in the public right-of-way along the property frontage.

Sanitary Sewer Conditions:
1. The existing sanitary sewer mains within the public right-of-ways along the front of the property are adequate to serve the proposed project.
2. Provide a 6-inch minimum side sewer stub to each lot.
3. Any existing side sewer stubs serving the property shall be PVC type pipe per Public Works Pre-approved Plans Sanitary Sewer Design Criteria. Existing side sewer not meeting this standard shall be removed and replaced.

Water System Conditions:
1. The existing water mains in the public right-of-ways along the front of the subject property are adequate to serve this proposed development.
2. Provide adequate water service tap(s) from the water main (1" minimum) to the meter for proposed development; City of Kirkland will set the water meter(s). The meter size is determined when the Building Permit is submitted and is sized per the Uniform Plumbing Code. A ¾" meter is minimum size used.
3. The existing water service shall be abandoned unless otherwise approved by the Development Engineer or Construction Inspector.
4. In mixed-use projects each use shall have a separate water meter, i.e., the commercial/retail use shall have a separate water meter from residential use.
Surface Water Conditions:

1. Provide temporary and permanent storm water control per the 2009 King County Surface Water Design Manual and the Kirkland Addendum (Policy D-10). See Policies D-2 and D-3 in the PW Pre-Approved Plans for drainage review information, or contact city of Kirkland Surface Water staff at (425) 587-3800 for help in determining drainage review requirements. The drainage review levels can be determined using the Drainage Review Flow Chart. Summarized below are the levels of drainage review based on site and project characteristics:
- Full Drainage Review
  A full drainage review is required for any proposed project, new or redevelopment, that will:
  Adds 5,000ft2 or more of new impervious surface area or 10,000ft2 or more of new plus replaced impervious

surface area,

Propose 7,000ft2 or more of new pervious surface or,

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

2. A drainage report (Technical Information Report) must be submitted with building permit application. This must include a downstream analysis.
3. This project is in a Level 1/Potential Direct Discharge Area, and is required to comply with core drainage requirements in the 2009 King County Surface Water Design Manual.

To qualify for direct discharge, the applicant must demonstrate (at a minimum):

- The conveyance system between the project site and Lake Washington will be comprised of manmade conveyance elements and will be within public right-of-way or a public or private drainage easement, AND
- The conveyance system will have adequate capacity per Core Requirement #4, Conveyance System, for the entire contributing drainage area, assuming build-out conditions to current zoning for the equivalent area portion and existing conditions for the remaining area; or,
- This project may qualify for an exception to flow control if the target surfaces will generate no more than a 0.1 cfs increase in the existing site conditions 100-year peak flow.

4. Evaluate the feasibility and applicability of dispersion, infiltration, and other stormwater low impact development facilities on-site (per section 5.2 in the 2009 King County Surface Water Design Manual). If feasible, stormwater low impact development facilities are required. See PW Pre-Approved Plan Policy L-1 or L-2 (depending on drainage review) for more information on this requirement.
5. Amended soil per Ecology BMP T5.13 is recommended for all landscaped areas.
6. Provide a level one off-site analysis (based on the King County Surface Water Design Manual, core requirement #2).
7. Provide an erosion control report and plan with Building or Land Surface Modification Permit application. The plan shall be in accordance with the 2009 King County Surface Water Design Manual.
8. Construction drainage control shall be maintained by the developer and will be subject to periodic inspections. During the period from May 1 and September 30, all denuded soils must be covered within 7 days; between October 1 and April 30, all denuded soils must be covered within 12 hours. Additional erosion control measures may be required based on site and weather conditions. Exposed soils shall be stabilized at the end of the workday prior to a weekend, holiday, or predicted rain event.
9. Provide collection and conveyance of right-of-way storm drainage.
10. Provide storm drainage connection. All roof and driveway drainage must be tight-lined to the storm drainage system or utilize low impact development techniques. Parking garage area shall connect to the building sewer system.

Street and Pedestrian Improvement Conditions:

1. The subject property abuts Market St, 3rd St W, 11th Ave W and a paved alley. These streets are Arterial and a Neighborhood Access type streets respectively. Zoning Code sections 110.10 and 110.25 require the applicant t make half-street improvements in rights-of-way abutting the subject property. Section 110.30-110.50 establishes that this street must be improved with the following:

A. Remove and replace all existing curb, gutter and sidewalk along property frontages.
B. Maintain existing street widths.
C. Adjust storm drainage as needed.
D. Install new curb and gutter, a 4.5 ft. planter strip with street trees 30 ft. on-center, and a 5 ft. wide sidewalk.

2. When three or more utility trench crossings occur within 150 lineal ft. of street length or where utility trenches parallel the street centerline and/or trenches are made in asphalt that is less than 5 years after overlay of the ROW the street shall be overlaid with new asphalt or the existing asphalt shall be removed and replaced per the City of Kirkland Street Asphalt Overlay Policy R-7.

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

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

4. All street and driveway intersections shall not have any visual obstructions within the sight distance triangle. See Public Works Pre-approved Policy R.13 for the sight distance criteria and specifications.
5. Prior to the final of the building or grading permit, pay for the installation of stop and street signs. Locate all street signs on plans.
6. It shall be the responsibility of the applicant to relocate any above-ground or below-ground utilities which conflict with the project associated street or utility improvements.
7. Underground any new off-site transmission lines.
8. A striping plan for the street must be submitted with the building permit.

Links:

- City of Kirkland Pre-Approved Plans and Policies
- Public Works Development Fees
- Stormwater FAQs
- Application Forms (Electronic, Paper)
- KZC105 – Private Drive, Private and Pedestrian Walkway Requirements
- KZC110 - Public Right-of-way Improvement Requirements

Permit #: DRV16-03090
Project Name: Dibble Office
Project Address: 1029 Market St
Date: February 13, 2017

PUBLIC WORKS CONDITIONS

Building and Land Surface Modification (Grading) Permit Process:
Philip Vartanian, Development Engineer
Phone: 425-587-3856 Fax: 425-587-3807
E-mail: pvartanian@kirklandwa.gov

General Conditions:

1. All public improvements associated with this project including street and utility improvements, must meet the City of Kirkland Public Works Pre-Approved Plans and Policies Manual. A Public Works Pre-Approved Plans and Policies manual can be purchased from the Public Works Department, or it may be retrieved from the Public Works Department's page at the City of Kirkland's web site.

2. This project will be subject to Public Works Permit and Connection Fees. It is the applicant's responsibility to contact the Public Works Department by phone or in person to determine the fees. The applicant should anticipate the following fees:
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o Surface Water Connection Fees (paid with the issuance of a Building Permit)
o Side Sewer Inspection Fee (paid with the issuance of a Building Permit)
o Right-of-way Fee
o Review and Inspection Fee (for utilities and street improvements).
o Building Permits associated with this proposed project will be subject to the traffic impact fees per Chapter 27 of the Kirkland Municipal Code. The impact fee shall be paid prior to issuance of the Building Permit(s). Any existing building within this project which is demolished will receive a Traffic Impact Fee credit. This credit will be applied to the Building Permit that is applied for the project. The credit amount for each demolished building will be equal to the most currently adopted Fee schedule.

3. All street and utility improvements shall be permitted by obtaining a Land Surface Modification (LSM) Permit, including the required LSM Checklist.

4. Performance and Maintenance Securities:

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Prior to issuance of the Building Permit a standard right of way restoration security ranging from $10,000.00 to 30,000.00 (value determined based on amount of ROW disruption) shall be posted with Public Works Department. This security will be held until the project has been completed. Additional before the project can be finaled a 2 yrs. Maintenance security will need to be posted.

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

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

7. All civil engineering plans which are submitted in conjunction with a building permit must conform to the Public Works Policy G-7, Engineering Plan Requirements. This policy is contained in the Public Works Pre-Approved Plans and Policies manual.

8. All street improvements and underground utility improvements (storm, sewer, and water) must be designed by a Washington State Licensed Engineer; all drawings shall bear the engineers stamp.

9. All plans submitted in conjunction with a building permit must have elevations which are based on the King County datum only (NAVD 88).

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

11. Prior to issuance of any commercial Building Permit, the applicant shall provide a plan for garbage storage and pickup. The plan shall conform to Policy G-9 in the Public Works Pre-approved Plans and be approved by Waste Management and the City.

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

Sanitary Sewer Conditions:

1. The existing sanitary sewer mains within the public right-of-ways along the front of the property are adequate to serve the proposed project.

2. Provide a 6-inch minimum side sewer stub to each lot.

3. Any existing side sewer stubs serving the property shall be PVC type pipe per Public Works Pre-approved Plans Sanitary Sewer Design Criteria. Existing side sewer not meeting this standard shall be removed and replaced.

Water System Conditions:

1. The existing water mains in the public right-of-ways along the front of the subject property are adequate to serve this proposed development.

2. Provide adequate water service tap(s) from the water main (1" minimum) to the meter for proposed development; City of Kirkland will set the water meter(s). The meter size is determined when the Building Permit is submitted and is sized per the Uniform Plumbing Code. A ¾" meter is minimum size used.

3. The existing water service shall be abandoned unless otherwise approved by the Development Engineer or Construction Inspector.

4. In mixed-use projects each use shall have a separate water meter, i.e., the commercial/retail use shall have a separate water meter from residential use.

Surface Water Conditions:

1. Provide temporary and permanent storm water control per the 2009 King County Surface Water Design Manua and the Kirkland Addendum (Policy D-10). See Policies D-2 and D-3 in the PW Pre-Approved Plans for drainage review information, or contact city of Kirkland Surface Water staff at (425) 587-3800 for help in determining drainage review requirements. The drainage review levels can be determined using the Drainage Review Flow Chart. Summarized below are the levels of drainage review based on site and project characteristics:

- Full Drainage Review
  A full drainage review is required for any proposed project, new or redevelopment, that will:
  Adds 5,000ft2 or more of new impervious surface area or 10,000ft2 or more of new plus replaced impervious surface area,
  Propose 7,000ft2 or more of new pervious surface or,
  Be a redevelopment project on a single or multiple parcel site in which the total of new plus replaced impervious surface area is 5,000ft2 or more and whose valuation of proposed improvements (including interior improvements but excluding required mitigation and frontage improvements) exceeds 50% of the assessed value of the existing site improvements.

2. A drainage report (Technical Information Report) must be submitted with building permit application. This must include a downstream analysis.

3. This project is in a Level 1/Potential Direct Discharge Area, and is required to comply with core drainage requirements in the 2009 King County Surface Water Design Manual.
To qualify for direct discharge, the applicant must demonstrate (at a minimum):

- The conveyance system between the project site and Lake Washington will be comprised of manmade conveyance elements and will be within public right-of-way or a public or private drainage easement, AND
- The conveyance system will have adequate capacity per Core Requirement #4, Conveyance System, for the entire contributing drainage area, assuming build-out conditions to current zoning for the equivalent area portion and existing conditions for the remaining area; or,
- This project may qualify for an exception to flow control if the target surfaces will generate no more than a 0.1 cfs increase in the existing site conditions 100-year peak flow.

4. Evaluate the feasibility and applicability of dispersion, infiltration, and other stormwater low impact developmen facilities on-site (per section 5.2 in the 2009 King County Surface Water Design Manual). If feasible, stormwater low impact development facilities are required. See PW Pre-Approved Plan Policy L-1 or L-2 (depending on drainage review) for more information on this requirement.

5. Amended soil per Ecology BMP T5.13 is recommended for all landscaped areas.

6. Provide a level one off-site analysis (based on the King County Surface Water Design Manual, core requirement #2).

7. Provide an erosion control report and plan with Building or Land Surface Modification Permit application. The plan shall be in accordance with the 2009 King County Surface Water Design Manual.

8.
Construction drainage control shall be maintained by the developer and will be subject to periodic inspections. During the period from May 1 and September 30, all denuded soils must be covered within 7 days; between October 1 and April 30, all denuded soils must be covered within 12 hours. Additional erosion control measures

may be required based on site and weather conditions. Exposed soils shall be stabilized at the end of the workday prior to a weekend, holiday, or predicted rain event.

9. Provide collection and conveyance of right-of-way storm drainage.

10. Provide storm drainage connection. All roof and driveway drainage must be tight-lined to the storm drainage system or utilize low impact development techniques. Parking garage area shall connect to the building sewer system.

Street and Pedestrian Improvement Conditions:

1. The subject property abuts Market St, 3rd St W, 11th Ave W and a paved alley. These streets are Arterial and a Neighborhood Access type streets respectively. Zoning Code sections 110.10 and 110.25 require the applicant t make half-street improvements in rights-of-way abutting the subject property. Section 110.30-110.50 establishes that this street must be improved with the following:

A. Remove and replace all existing curb, gutter and sidewalk along property frontages.
B. Maintain existing street widths. (See traffic mitigation for additional requirements).
C. Adjust storm drainage as needed.
D. Install new curb and gutter, a 4.5 ft. planter strip with street trees 30 ft. on-center, and a 5 ft. wide sidewalk.
E. Provide adequate public sidewalk easements for any sidewalk intrusion on the property.

Additional traffic condition for the proposed project:

Project Description
Previously, the applicant proposed a 12,611 square foot office building that included parking along the alley. The project has been reduced to eliminate the need for parking along the alley. The current project proposal includes an 11,931 square foot (SF) office building on a site that is currently occupied by a 3,932 SF office that will be removed with the proposed project. The existing driveway off Market Street will be eliminated. Vehicular access to the site would be provided at two locations; one via a driveway on 11th Ave W and one via the existing alley with access to 3rd Street W. The garage entry will be angled toward 3rd Street West to eliminate project traffic from going through the alley and limit the project traffic to the east end of the alley. Furthermore, the alley will be widened between the parking garage entry and 3rd Street West to provide for two-way traffic circulation. The width of the rest of the alley to the west of the parking garage entrance will remain its' current width.

The applicant is also proposing to extend the curb from Market Street and the alley by eight (8) feet to narrow 3rd Street West between Market Street and the alley to help slow down traffic entering 3rd Street West from Market Street and to shorten the crosswalk distance. Furthermore, the applicant is proposing to install c-curb to limit left-tu rns out of the alley and the project driveway off 11th Avenue West.

Forty (40) parking stalls are proposed on two levels to meet the City of Kirkland parking code requirement for the proposed office building. The project is anticipated to be complete and fully occupied by 2018.

Traffic Mitigation Conditions
The following condition is required for the proposed development traffic mitigation

a. Pay transportation impact fees.
b. Angle the parking garage as proposed.
c. Construct a 2-foot curb along the west side of the parking garage entrance.
d. Provide a traffic study to determine if the c-curbs are needed at the driveway on 11th Avenue West and at the alley on 3rd Street West. The traffic study shall include three days of traffic data at the intersection of the alley/3rd Street West and at the project driveway on 11th Avenue West. The data shall include: traffic volumes collected during the AM and PM peak hours, the latest three-year crash data, and speed data for southbound traffic on 3rd Street West, south of Market Street.
e. Secure a bond for the construction of two c-curb(s); one on 11th Avenue West at the site driveway and the other on 3rd Street West at the alley. The construction of the c-curb(s) will be determined by a traffic study as

stated above.

f. Prior to final building permit, a sight distance evaluation shall be provided to Public Works for review to ensure the landscaping will not obstruct sight distance from the alley. The applicant shall provide a horizontal and vertical profile sight distance analysis as well as on-site sight distance measurements for Public Works staff to review and approve.

For more information see TRAN16-02281.

2. When three or more utility trench crossings occur within 150 lineal ft. of street length or where utility trenches parallel the street centerline and/or trenches are made in asphalt that is less than 5 years after overlay of the ROW the street shall be overlaid with new asphalt or the existing asphalt shall be removed and replaced per the City of Kirkland Street Asphalt Overlay Policy R-7.

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

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

4. All street and driveway intersections shall not have any visual obstructions within the sight distance triangle. See Public Works Pre-approved Policy R.13 for the sight distance criteria and specifications.

5. Prior to the final of the building or grading permit, pay for the installation of stop and street signs. Locate all street signs on plans.

6. It shall be the responsibility of the applicant to relocate any above-ground or below-ground utilities which conflict with the project associated street or utility improvements.

7. Underground any new off-site transmission lines.

8. A striping plan for the street must be submitted with the building permit.

Links:

- City of Kirkland Pre-Approved Plans and Policies
- Public Works Development Fees
- Stormwater FAQs
- Application Forms (Electronic, Paper)
- KZC105 – Private Drive, Private and Pedestrian Walkway Requirements
- KZC110 - Public Right-of-way Improvement Requirements