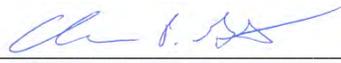




CITY OF KIRKLAND  
 Planning and Building Department  
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ADVISORY REPORT  
 FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS

To: Kirkland Hearing Examiner  
 From:  Christian Geitz, Project Planner  
 Paul Stewart, AICP Acting Director

Date: January 19, 2017

File: CARILLON POINT FLOAT PLANE OPERATION, SHR16-00803

Hearing Date and Place: January 30, 2017 at 6:00 PM  
 City Hall Council Chamber  
 123 Fifth Avenue, Kirkland

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I. INTRODUCTION

A. APPLICATION

1. Applicant: Carillon Properties on behalf of James Young with SeaPlane Scenics
2. Site Location: 4100 Carillon Point – Carillon Point Marina (see Attachment 1)
3. Request: James Young with SeaPlane Scenics is proposing to operate a scenic flight business from the existing commercial marina at Carillon Point under the float plane landing and moorage facility provisions of the Shoreline Master Program (SMP) (see Attachments 2 and 3). The proposed request includes the following:
  - a. Hours of Operation: Scenic flights from 9:00am to 1 hour prior to dark, seven (7) days a week.
  - b. Number of aircraft: Two proposed aircraft with no more than one aircraft moored at the marina at a time.
  - c. Location of moorage: Proposed to be located at the western end of Pier E, utilizing existing floating dock within marina (see Attachment 2).
  - d. Duration of moorage: Proposed to be moored during daylight hours only, with aircraft returning to permanent offsite location each evening.
  - e. Location of take-off and landing: Flights to take off and land at least 1000 feet from any shoreline (see Attachment 2).
  - f. Location of taxiing: Taxi patterns proposed to travel directly from the marina out into Lake Washington along the designated path illustrated in Attachment 2.
4. Review Process:
  - a. The proposed application requires a Shoreline Conditional Use Permit (SCUP) pursuant to the Shoreline Administration requirements of Chapter 141 KZC.
  - b. SCUP applications are required to follow the Process IIA standards of KZC 150, the Hearing Examiner conducts public hearing and makes final decision for the City. The permit is then forwarded to the Washington State Department of Ecology for final decision.
  - c. SEPA Appeal: Pursuant to Kirkland Municipal Code Section 24.02.230 the SEPA appeal hearing will be conducted by the Hearing Examiner and combined with the public hearing for the Process IIA Shoreline Conditional Use Permit. The Hearing Examiner will make the final decision on the SEPA appeal.
5. Summary of Key Issues and Conclusions:
  - a. Compliance with Shoreline Master Program (see Section II.F).
  - b. Compliance with applicable Comprehensive Plan Policies (see Section II.G).
  - c. Compliance with the Washington Administrative Code burden of proof standards for Shoreline Conditional Use Permits (see Section II.E).
  - d. Applicable Development Regulations (see Section II.H).

B. RECOMMENDATIONS

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

1. This application is subject to the applicable requirements contained in the Kirkland Municipal Code, Zoning Code, and Building and Fire Code. It is the responsibility of the applicant to ensure compliance with the various provisions contained in these ordinances.
2. The applicant shall follow the proposed moorage location plan, where the aircraft will be moored at the western terminus of pier E (see Conclusion II.F.2.b).
3. The applicant shall follow proposed moorage, taxi, take-off, and landing plan (see Conclusion II.F.3.b).
4. The applicant shall continue following current Marina Safety Program at the Carillon Point Marina (see Conclusion II.F.4.b.1).
5. The applicant shall comply with all Federal Aviation Administration safety requirements related to the taxiing, take-off, landing, and in flight operation of aircraft (see Conclusion II.F.4.b.2).
6. Prior to operation, the applicant shall provide the City of Kirkland all required licensing and approval documentation from the Federal Administration Aviation, including but not limited to the Letter of Determination of No Hazard and the Location of Site ID (see Conclusion II.F.4.b.2).
7. The applicant shall provide regular maintenance of aircraft to prevent engine backfire and noise exceeding the maximum levels allowed by code (see Conclusion II.F.5.b).
8. The applicant shall follow the proposed daytime moorage plan at the proposed location along the western end of pier E, and maintain separation from public shoreline pedestrian path by means of existing marina gates. The aircraft shall return to permanent moorage at offsite location in Renton each evening (see Conclusion II.F.6.b).
9. The applicant shall follow proposed moorage, taxiing, take off, and landing patterns in order to maintain adequate separation from the swimming area at Houghton Beach Park (see Conclusion II.F.6.b).
10. The applicant shall follow the proposed application, only operating scenic flights from Carillon Point. No flight training, passenger service or other activity shall occur without separate permit application (see Conclusion II.F.7.b)
11. Only one take-off and one landing per hour shall occur, including the return flight of the aircraft at the end of the day. The float plane operation shall be limited to the following hours of operation:
  - (a) 9:00 a.m. to 8:00 p.m. Monday through Friday (equal to twelve (12) total take-offs per day); and
  - (b) 9:00 a.m. to 6:00 p.m. Saturday, Sunday (equal to ten (10) total take-offs per day). (See Conclusions II.F.5.b and II.F.7.b).
12. The float plane operation shall **not operate on the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day** (see Conclusions II.F.5.b and II.F.7.b).

## II. FINDINGS OF FACT AND CONCLUSIONS

### A. SITE DESCRIPTION

#### 1. Site Development and Zoning:

##### a. Facts:

- (1) Size: The Carillon Point site is a fully developed 24.5 acre commercial and office property located along the shoreline of Lake Washington originally approved through a Master Plan Process under file number SD-III-86-75. The subject property is currently developed with mixed use multi-story buildings, a commercial marina, roadways, parking, and pedestrian trails. The existing marina is managed by Carillon Properties and supports both private and public moorage and access to Lake Washington.
- (2) Land Use: Commercial and Office Use
- (3) Zoning: Planned Area 15A (Chapter 30 KZC)
- (4) Shoreline Designation: Urban Mixed/ UM
- (5) Terrain and Vegetation: Proposed use will operate completely on the waters of Lake Washington. The application has no proposed development upland of the Ordinary High Water Mark.

- b. Conclusions: Size, Zoning, Terrain, Vegetation are not constraining factors in the review of the application. The float plane moorage facility is proposed to be incorporated into the existing private marina. Aircraft will taxi directly from the marina into Lake Washington for take-off and landing.

#### 2. Neighboring Development and Zoning:

##### a. Facts:

- (1) North: Zoned PLA 15A, multifamily condominium building
- (2) South: Zoned PLA 15A, commercial office building and commercial marina
- (3) East:
  - (a) Zoned PLA 15, multifamily residential complex of buildings
  - (b) RM 3.6, commercial office

- b. Conclusion: The neighboring development and zoning are factors in the review of the application.

### B. HISTORY

#### 1. Facts:

- a. The existing marina at Carillon Point was developed as part of the Master Plan approval under file SD-III-86-75 and was constructed in the early 1990s.
- b. The marina includes both private moorage and public fishing and moorage facilities. The marina is located along the southern two thirds of the Carillon Point property and is accessed directly from the site.

- c. The existing marina includes both elevated pier and floating dock fingers and ells, providing moorage access for watercraft of various sizes.
  - d. The Carillon Point Master Plan provided guidance for suggested uses and development, as listed in the Lakeview Neighborhood Chapter of the Comprehensive Plan (Policy L-6.1). The guidance supported development of the area including water-dependent uses such as marinas, tour boat operations, float plane service, passenger only ferry service, public amenities, and others.
  - e. The application proposes to utilize the floating dock portion of the marina at the western end of pier E to serve as the moorage and pedestrian access point for the aircraft (see Attachment 2).
2. Conclusion: The marina was legally constructed. The proposed float plane operation should continue following all requirements of the Master Plan for Carillon Point, approved under file SD-III-86-75. The proposed plans identify how customers can access aircraft via the existing marina infrastructure.

### C. PUBLIC COMMENT

The formal public comment period for the project ran from May 19, 2016 to June 20, 2016. Pursuant to KZC 150.35, a Process IIA Staff Report must include all comments received by the City prior to distribution of the staff report. Both opposition and supportive comments received on the proposed application are included in Attachment 4. The comment themes are listed with staff response below.

**NOISE:** The loud noise produced by the float planes will be heard throughout the day, from dawn to dusk and will impact the quality of life for Kirkland residents. A commercial float plane operation would create more frequent noise that would be a major annoyance year round. The noise from float planes impacts a very large number of residents, not just those living along the lake and those trying to enjoy Kirkland parks.

*Staff Response: Pursuant to WAC 173-60-050(4)(b) – adopted by reference in KMC 115.95 – the City has authority to review the noise levels of aircraft during take-off, landing and taxiing; **although noise made while aircraft are "in flight" is not reviewable.** At the request of the City, the applicant produced a noise study to accompany the application. The study was completed by a licensed acoustic engineer (see Attachment 5). The study recorded the noise of aircraft from various points along the property boundary through the complete process of taxiing out into the lake, take off, landing, and then taxiing back in to the marina. See discussion in section II.F below for further information regarding noise.*

**IMPACT OF USE:** The proposal impacts a large number of residents while benefiting only the property owner and the business. The operation of planes will impact the quality of life for Kirkland residents and should not be allowed.

*Staff Response: The Comprehensive Plan and Shoreline Master Program both identify a Float Plane Use as potentially appropriate at the proposed location. The SMP defines the use as a Water Dependent Use which is allowed when proposed within the Urban Mixed Shoreline Environment, which includes Carillon Point (see discussion sections II.F.1 and II.G).*

QUANTITY OF TAKE OFFS AND LANDINGS: Regular take off and landings every twenty minutes or twice an hour is too many. The application should be limited in the number of flights per day.

*Staff Response: The City has recommended limited hours of operation and number of flights per day. See discussion section II.F and recommendations in section I.B.*

HOURS OF OPERATION: Two aircraft taking off all day from 9am to one hour before sunset will produce too much noise all day long, every day of the year.

*Staff Response: The City has recommended limited hours of operation, number of flights per day, and that the aircraft shall not operate on certain days of the year. See discussion section II.F and recommendations in section I.B.*

LOCATION OF TAXI AND TAKE-OFF: The proposed application shows approach and departure routes are within 1000 feet of the shoreline of the Town of Yarrow Point. The proximity to the shoreline will adversely impact residents.

*Staff Response: The final application materials identify that the approach and take-off locations will be no closer than 1000 feet from any shoreline, or the Ordinary High Water Mark (OHWM) (see Attachment 2). Applicant must comply with all Federal Aviation Administration guidelines and laws regarding safe operation and navigation of aircraft.*

SEAPLANE AIRPORT: A seaplane airport at Carillon Point should not be allowed. An airport will significantly and negatively alter the serenity of Kirkland, adding aircraft noise and odors from fumes.

*Staff Response: The application is for a sightseeing operation activity and not for an airport. The business is not proposing to offer regular passenger service from Carillon Point to other destinations. The application is being considered for scenic flight operations only and will be limited in quantity of flights, hours of operation, and days of operation (see discussions in Section II and Recommendations in I.B).*

IMPACT ON WILDLIFE: The proposed operation of planes will negatively impact birds, fish and other wildlife that live on and around the lake. Waterfowl will be alarmed by planes and could be struck while in flight. The proposed use will destroy their habitats through aggravated noise and water pollution.

*Staff Response: The wildlife study prepared for the applicant by Wetlands & Wildlife Environmental Consulting examined the potential impacts of the float plane operation on the surrounding environment (see Attachment 6). The study reviewed the potential impacts on birds, fish and mammals that inhabit the lake and nearby wetland environment of Yarrow Bay. The study discussed noise and the short duration of the taxi and take-off process, which is significantly shorter than the continuous noise levels produced by boats and other watercraft. It concluded that the proposed float plane operation was designed to avoid and minimize adverse environmental impacts and will have no significant adverse impacts on surrounding wildlife species, wildlife habitat, and ecological processes.*

**SAFETY OF BOATING AND RECREATIONAL USE ON LAKE:** The proposed operation would create safety hazards for boaters, kayakers, paddle boarders, swimmers, divers, windsurfers and kite surfers. The float plane operation must take into consideration these types of users on the lake when taxiing, taking off and landing.

*Staff Response: The applicant has proposed to taxi out 1000 feet from the Carillon Point pier to a take-off point. Typical recommended taxi speed is below 6 or 7 knots, which is the equivalent to 7 to 8 miles per hour. Take-off will occur out into the lake in a westerly and northerly direction, away from the shoreline. Landing approach will be from the west and will occur out past the 1000 foot distance from shore. The pilot will then taxi back into the Carillon Point pier. The applicant/pilot will be responsible to operate the plane in accordance with US Coast Guard, FAA standards and the Harbor Patrol safe navigational standards at all times.*

**PROPERTY VALUE IMPACT:** The proposed operation of float planes out of Carillon Point will create noise, fumes, and safety hazards constantly, which will negatively impact property values of homes in the area.

*Staff Response: The Shoreline Master Program in the Kirkland Zoning Code, as well as the Kirkland Comprehensive Plan, allow for commercial zones such as Carillon Point to propose and operate float plane landing and moorage facilities. See discussion section II.F below.*

**ROAD DRIVING DISTRACTION:** Aircraft flying overhead and along the shoreline will distract drivers along Lake Washington Boulevard, causing traffic hazards.

*Staff Response: There are no criteria for the City to review for the proposed application related to alleged street traffic impacts.*

**CONSISTENCY WITH ALLOWED USES:** Proposed float plane service is not consistent with the uses already located at Carillon Point and the neighboring residential properties.

*Staff Response: The proposed float plane operation is allowed under the Commercial Use provisions of the Shoreline Master Program through the Shoreline Conditional Use permit requirements. Additionally, various chapters in the Comprehensive Plan allow for and recommend commercial float plane operation at Carillon Point. The Carillon Point Master Plan also includes float plane services as an allowed water-dependent use.*

**AIR AND WATER POLLUTION:** Fuel must not be allowed to enter Lake Washington and impact the lake ecosystem or nearby Yarrow Bay wetlands. Planes could spill fuel while fueling at the dock or from maintenance occurring on the aircraft while moored at Carillon Point.

*Staff Response: There is no proposal to fuel the aircraft at Carillon Point. Aircraft will be fueled at the overnight location where they are stored in Renton. Additionally, the Carillon Point Marina has a spill response and safety plan established as required by the Master Plan approval. See discussion section II.F below for further information.*

CUMMULATIVE IMPACTS OF OTHER OPERATIONS IN FUTURE: Allowing this application will invite more permits at other sites on Lake Washington. The cumulative increase will negatively impact the lake and surrounding residences.

*Staff Response: The conditional use burden of proof criteria in the Washington Administrative Code (WAC) require the City to analyze cumulative impacts of uses and development along the shoreline. The City has completed a review of the proposal related to cumulative impacts (see discussion in section II.E.3(a)(2)). Any future applications would also need to be reviewed for cumulative impacts.*

LACK OF PUBLIC OUTREACH. The applicant did not provide any outreach or solicit input from the neighboring properties or citizens.

*Staff Response: While the process under which the application is reviewed does not require a public or neighborhood meeting, it is strongly encouraged by the City. Planning Department staff met with the applicant on November 23, 2015 to go over the application requirements and recommended at that time that they hold a neighborhood meeting to provide neighboring residents and the public with an opportunity to raise concerns or offer suggestions on the proposal, prior to the application process.*

UNKNOWN FLIGHT PATHS: The application should show where the planes will be flying. Without that information the application does not address the potential noise impacts on residents. Planes taking off into the wind could cause flights to travel up and over nearby Kirkland properties.

*Staff Response: The City of Kirkland has no relevant regulation related to the flight paths of aircraft. The pilot is required to comply with Federal Aviation Administration rules and laws. The City has no authority to restrict flight paths. The applicant has proposed to take off out into the lake, away from the shoreline, in the northerly and northwesterly direction. Landing follows an opposite course, where the aircraft will land on the lake out beyond 1000 feet from shore, then once at 1000 feet, taxi into the marina.*

COMMENT PERIOD DURATION: The comment period on the application was too short and there was not enough communication of the window for public comment.

*Staff Response: The public comment period followed the code requirements established pursuant to the Process IIA standards and the Shoreline Administrative Codes found in Zoning Code Chapters 150 and 141 respectively. The formal comment period for a shoreline conditional use permit is 30 days. However, pursuant to the Process IIA standards found in 150.35, all comments received prior to distribution of the staff report must be considered. Furthermore, any comments received between distribution and the hearing will be entered into the record at the onset of the formal public hearing. Comments submitted or made at the hearing will be considered in the Hearing Examiner's decision. The City identifies the formal comment period at the onset of the process, to encourage as much up front commenting as possible. This provides staff adequate time to respond to each comment and work with the applicant on any proposed updates to the application, based on the comments.*

**FLOAT PLANE MOORAGE LOCATION AND TYPE:** The application has proposed moorage for the aircraft too close to the shoreline and has proposed to access the aircraft via an illegal pier structure.

*Staff Response: The originally proposed moorage location was at the north end of the marina, immediately adjacent to the shoreline. That location did not conform to the commercial marina standards in KZC section 83.290. The applicant has since revised the moorage location (see Attachment 2). **The proposed location is within the existing private marina along the end of pier "E."** The proposal will utilize the existing floating dock portion of pier E, and will require no modification to the marina structure. If limited to this location, the aircraft **will not be moored too close to shore, nor will it be accessed via an "illegal pier structure."***

**PILOT TRAINING:** The website for Seaplane Scenics says they offer both scenic tours and pilot training. Training would involve multiple take-offs and landings, thereby increasing the noise and other impacts.

*Staff Response: The proposal being considered is only for the operation of a scenic tour business. No pilot training function or any passenger service has been proposed from the Carillon Point marina and is not included as part of the decision of the City. The only use being considered here is for the operation of a scenic tour business.*

**TAKE OFF AND LANDING DIRECTION:** All take-off and landing operations, including approaches, should take place over the water and not over populated land areas nearby. Safety considerations should be made by the pilot for weather conditions.

*Staff Response: Applicant has proposed to take-off and land out beyond 1000 feet from shoreline (see discussion section II.F). The pilot is responsible for following all FAA rules, guidelines, and safety precautions when operating the aircraft.*

**FLIGHT SAFETY:** Previous operation by Seaplane Scenics was in an unsafe manner and flew aggressively with steep approaches and tight turns over the area. There is no security screening for passengers, vetting of the pilots, flight plan paperwork or information related to duration of time the plane can stay at the marina. **There is no "air police" to monitor or report to specifically for Lake Washington.**

*Staff Response: The applicant is required to comply with all Federal Aviation Administration (FAA) rules and procedures. The FAA was contacted by the City during the review of the application. The proposal for the sight-seeing operation **falls into the category of an "activity" which is regulated by the FAA.** The FAA has enforcement abilities as does the King County Harbor Patrol, which can be utilized if necessary.*

**TRIBAL FISHING PROTECTION:** The area around Carillon Point and Yarrow Bay is part of the Tribe's Usual and Accustomed Fishing Area protected under federal treaty. Tribal members may be fishing in this area when fishing opportunities are available. Float planes should be aware and avoid tribal fishing vessels and gear that may be in the area during taxi, take-off, and landing.

*Staff Response: The existing Master Plan (SD-III-86-75) included conditions of approval requiring informational postings be located at the entrances of the marina explaining there may be Muckleshoot Tribal fishing in the lake with nets and that vessels should use caution. The proposed float plane operation should continue following all requirements of the Master Plan for Carillon Point, approved under file SD-III-86-75.*

D. STATE ENVIRONMENTAL POLICY ACT (SEPA)

SEPA THRESHOLD DETERMINATION

1. Facts:

- a. A Determination of Nonsignificance (DNS) was issued on November 17, 2016. The Environmental Checklist, Determination, and additional environmental information are included as Attachments 7 and 8.
- b. A timely appeal of the SEPA Determination was filed on December 1, 2016 by Karen Story on behalf of the No Seaplane Group (see Attachment 9).
- c. The Hearing Examiner will conduct a public hearing on the SEPA appeal concurrently with the public hearing for **the applicant's Shoreline** Conditional Use Permit (SCUP) application on January 30, 2017. A separate memo, outlining the issues identified in the SEPA appeal and the SEPA appeal review procedures will be prepared and presented to the Hearing Examiner.

2. Conclusion: The City has satisfied all the procedural requirements for SEPA.

E. APPROVAL CRITERIA

1. SHORELINE CONDITIONAL USE

- a. Facts: The Hearing Examiner may approve a proposed shoreline conditional use permit only if it is consistent with:
  - (1) Washington Administrative Code sections WAC 173-27-140 and 173-27-160, pursuant to KZC 141.70(2)(d), and
  - (2) All the applicable development regulations, and to the extent there are no applicable development regulations, the Comprehensive Plan, and it is consistent with the public health, safety, and welfare, pursuant to KZC 150.65.
- b. Conclusion: The proposal complies with Kirkland Zoning Code section 141.70.2 and Zoning Code section 150.65. It is consistent with the Comprehensive Plan Shoreline Area chapter (see Section II.F). With the recommended conditions of approval, it is consistent with the Zoning Code and the Shoreline Master Program (see Sections II.E & G).

2. WAC 173-27-140 REVIEW CRITERIA FOR SHORELINE DEVELOPMENT

- a. Facts: WAC 173-27-140 establishes the general review criteria under which the City may issue a permit for development on the shoreline. The criteria are listed below with staff response following.
  - (1) No authorization to undertake use or development on shorelines of the state shall be granted by the local government unless upon

review the use or development is determined to be consistent with the policy and provisions of the Shoreline Management Act and the Master program.

*Staff Response: A float plane landing and moorage facility is a use allowed by the Shoreline Master Program, when located within the Urban Mixed Shoreline Environment. The proposed application is consistent with the Kirkland Shoreline Master Program (see sections II.F and G). The Kirkland Shoreline Master Program was reviewed and approved for consistency with the Shoreline Management Act by the Department of Ecology. The application is consistent with both the Shoreline Master Program and Shoreline Management Act.*

- (2) No permit shall be issued for any new or expanded building or structure of more than thirty-five feet above average grade level on shorelines of the state that will obstruct the view of substantial number of residences on areas adjoining such shorelines except where a master program does not prohibit the same and then only when overriding considerations of the public interest will be served.

*Staff Response: The application does not include any structure proposed to be located above finished grade.*

- b. Conclusion: The proposal complies with WAC 173-27-140.

3. WAC 173-27-160 REVIEW CRITERIA FOR CONDITIONAL USE PERMITS

- a. Facts: WAC 173-27-160 establishes the criteria that must be met for a conditional use permit to be granted. The purpose of a conditional use permit is to provide a system within the master program which allows flexibility in the application of use regulations in a manner consistent with the policies of RCW 90.58.020. In authorizing a conditional use, special conditions may be attached to the permit by local government or the Department of Ecology to prevent undesirable effects of the proposed use and/or to assure consistency of the project with the act and the local master program. The criteria are listed below with staff response following.

- (1) Uses which are classified or set forth in the applicable master program as conditional uses may be authorized provided that the applicant demonstrates all of the following:
  - (a) That the proposed use is consistent with the policies of RCW 90.58.020 and the master program;

*Staff Response: The application proposes the operation of a Float Plane Landing and Moorage Facility at the existing commercial marina within the Carillon Point Property, located along the shoreline of Lake Washington. The application proposes to utilize existing marina infrastructure to serve as the moorage facility. The local master program purpose and intent section (KZC 83.30) designates preference for uses that increase recreational opportunities for the public within the shoreline and those elements designated in the Shoreline Management Act.*

*Applicable uses or activities identified in the SMA (RCW 90.58.100) include tourist facilities that are particularly dependent on the shoreline location. The application is consistent with RCW 90.58.020 and the Kirkland Shoreline Master Program.*

- (b) That the proposed use will not interfere with the normal public use of public shorelines;

*Staff Response: The proposed day-time moorage facility is located entirely on private property within the commercial marina at Carillon Point. The application identifies the use of existing marina infrastructure. The use will have no impact on the existing public shoreline access pathway currently located along the shoreline frontage of the subject property. The public shoreline pathway provides direct public access to the public fishing pier and shoreline along the Carillon Point property. Noise produced by aircraft has been measured by a qualified professional and is consistent with City noise standards (see Discussion Sections II.F.5 and 7).*

- (c) That the proposed use of the site and design of the project is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and shoreline master program;

*Staff Response: The marina supporting the aircraft moorage is located within a commercial zone and is adjacent to a commercial marina property and multifamily residential properties. By nature of the use, the operation of the aircraft will extend beyond the marina and the subject property, out into Lake Washington. The general vicinity surrounding the taxi, take-off and landing area includes both passive and active parks, single-family residential, multifamily residential and office uses. The application proposes to limit take-off and landing to a minimum of 1000 feet from any shoreline, reducing impact to properties and following safe navigational standards.*

*The City has concluded that the proposed use is compatible with surrounding uses, both existing and planned and is identified as an allowed use within policies of the City of Kirkland Comprehensive Plan and Shoreline Master Program (see Section II.F and G).*

- (d) That the proposed use will cause no significant adverse effects to the shoreline environment in which it is to be located; and

*Staff Response: The proposed application will produce no additional overwater coverage by utilizing the existing marina and will operate on a limited basis pursuant to the conditions set forth by the City of Kirkland (see conditions of approval, Section I.B). The application provided*

*supportive materials from a qualified biologist identifying that the proposed use will have no adverse impacts on the aquatic or surrounding upland ecosystems or wildlife (see Attachment 6). The proposal will provide limited scenic flight service from the commercial marina and will have no significant adverse effects to the shoreline environment. (See City's SEPA Appeal Memo dated January 18, 2017, filed herewith, and attachments thereto.)*

- (e) That the public interest suffers no substantial detrimental effect.

*Staff Response: It is the recommendation of staff to conditionally approve the proposed use, limiting the number and frequency of flights during daylight hours (see sections II.F and G, below). The proposed noise produced by the aircraft complies with the State maximum environmental noise limitations (see section II.F.5 and Attachments 8 and 10). The limitation of flights will provide the applicant the ability to operate an allowed use, at a rate and duration which will satisfy the criterion.*

- (2) In the granting of all conditional use permits, consideration shall be given to the cumulative impact of additional requests for like actions in the area. For example, if conditional use permits were granted for other developments in the area where similar circumstances exist, the total of the conditional uses shall also remain consistent with the policies of RCW 90.58.020 and shall not produce substantial adverse effects to the shoreline environment.

*Staff Response: The Shoreline Master Program limits the location for float plane landing and mooring facilities to Urban Mixed designation environments only. The Urban Mixed shoreline environment designations that may allow for float plane facilities include the area containing Carillon Point and the Central Business District around downtown Kirkland (see discussion section II.F.1 and Attachment 11). The proposal is the first float plane landing and moorage facility within the City of Kirkland. There are no other existing or proposed developments in the area with similar circumstances, creating no cumulative impacts nor producing any adverse effects to the shoreline environment. The City is recommending limited hours of operation and flights, discussed in section II.F and conditioned in section I.B.*

- (3) Other uses which are not classified or set forth in the applicable master program may be authorized as conditional uses provided the applicant can demonstrate consistency with the requirements of this section and the requirements for conditional uses contained in the master program.

*Staff Response: A float plane landing and moorage facility is defined as a water-dependent use, allowed to be located through a Conditional Use Permit pursuant to the Shoreline Master Program, Chapter 83.170 of the Kirkland Zoning Code.*

- (4) Uses which are specifically prohibited by the master program may not be authorized.

*Staff Response: The Kirkland Shoreline Master Program, pursuant to KZC 83.170, allows for float plane landing and moorage facilities in the Urban Mixed shoreline designation areas. The proposed location at the Carillon Point marina is located within the Urban Mixed shoreline environmental designation area. The use is allowed by the local Shoreline Master Program.*

- (5) The City will not issue a conditional use permit for a use which is not listed as allowed in the shoreline master program

*Staff Response: The proposed use is allowed pursuant to KZC 83.170. The City may issue a conditional use permit for the proposed use.*

- b. Conclusion: The proposal complies with WAC 173-27-160.

F. SHORELINE MASTER PROGRAM (SMP) KZC 83

1. 83.170 Shoreline Environments, Permitted and Prohibited Uses

a. Facts:

- (1) KZC 83.170 identifies the uses or activities allowed within each Shoreline Environment along the shores of Lake Washington.
- (2) The Carillon Point Marina is located within the Urban Mixed Shoreline Environment as identified on the Shoreline Environment Designation Map, adopted by ordinance and located for reference as Figure SA-1 in the Shoreline Area Chapter of the Kirkland Comprehensive Plan (See Attachment 11).
- (3) Pursuant to KZC 83.170, float plane landing and mooring facilities are allowed within the Urban Mixed Shoreline Environment only when processed through a Conditional Use permit.
- (4) Float plane landing and mooring facilities are limited to water-based aircraft facilities for air charter operations.
- (5) The applicant is proposing a commercial float plane operation for scenic air charter flights from the Carillon Point Marina.

b. Conclusions:

- (1) The proposed float plane landing and mooring facility is an allowed use for the subject property and the application is consistent with the Shoreline Environment Permitted Use Chart of KZC 83.170.
- (2) The applicant should follow the proposed application and only operate scenic flights from Carillon Point. No flight training, passenger service or other activity should occur without necessary permit.

2. 83.210.1(a) Commercial Uses: Marina Infrastructure for Float Plane Facilities

- a. Facts:
    - (1) Pursuant to KZC 83.210.1(a), the use of piers or docks for commercial float plane service shall be allowed only in public or private marinas and shall be subject to a conditional use permit.
    - (2) The application proposes to operate a commercial float plane scenic flight service from the existing pier E, located within the private marina at Carillon Point (see Attachment 2).
  - b. Conclusion: The proposed application complies with the requirement to operate from the private Carillon Point Marina. The applicant should follow the proposed plans for day-time mooring at the western terminus of pier E.
3. 83.210.1(b)(1) Commercial Uses: Taxiing Patterns for Float Plane Facilities
- a. Facts:
    - (1) Pursuant to KZC 83.210.1(b)(1), any shoreline conditional use permit for float plane use shall specify taxiing patterns to be used by float planes that will minimize noise impacts on area residents and wildlife and minimize interference with navigation and moorage.
    - (2) The proposal identifies taxiing patterns to follow a direct path out and away from the marina where the aircraft will be moored at the end of pier E, to a distance of at least 1000 feet from the shoreline before take-off. Landing procedures will follow a reverse path, landing out some distance beyond the 1000 feet from shoreline, then once at 1000 feet from shore, taxiing back to the marina (see Attachment 2).
    - (3) The proposal identifies the aircraft will taxi out from the southern portion of the marina and travel away from the nearby Yarrow Bay Wetlands, to a distance of at least 2000 feet prior to take-off (see Attachment 2).
    - (4) The report prepared by Wetlands and Wildlife, Inc., identified the taxiing patterns are designed in a way that will avoid and minimize impacts on wildlife (see Attachment 6).
    - (5) Moorage location at the western end of pier E, is at the outermost position on the pier, closest to the open waters of Lake Washington.
    - (6) The proposal identifies that aircraft will taxi from the moorage location directly into Lake Washington following navigation safety standards.
  - b. Conclusions:
    - (1) The proposed taxiing patterns into and out of the marina are located to minimize impacts on adjoining properties.
    - (2) The proposed application complies with the requirement to minimize noise impacts on area residents and wildlife, and minimize interference with navigation and moorage. The applicant should follow the proposed moorage, taxi, take-off, and landing plan.

4. 83.210.1(b)(2) Commercial Uses: General Standards regarding fuel, oil spills, safety and firefighting equipment for Float Plane Facilities
  - a. Facts:
    - (1) Pursuant to KZC 83.210.1(b)(2), float plane facilities and services shall conform to all applicable City codes and Federal Aviation Administration standards and requirements for fuel, oil spills, safety and firefighting equipment.
    - (2) The application does not propose any fueling to occur at the Carillon Point Marina. Fueling will take place at an offsite location in Renton, where the aircraft are moored overnight.
    - (3) The Carillon Point Master Plan has a hazardous materials, spill prevention, and fire safety plan in place for the commercial marina, established as a condition of approval under file SD-III-86-75 (see Attachment 12).
    - (4) The applicant must comply with all Federal Aviation Administration standards and receive necessary approvals, such as a Letter of Determination of No Hazard and a Location of Site ID (see Attachment 13).
  - b. Conclusions:
    - (1) The proposed application complies with the requirements related to fuel and oil spill response and safety and firefighting equipment. The applicant should continue following the current safety program at the Carillon Point Marina.
    - (2) The applicant should comply with all Federal Aviation Administration safety requirements related to the taxiing, take-off, landing, and in flight operation of aircraft. The applicant should provide the City of Kirkland with licensing and approval documentation from the FAA prior to operation, including but not limited to the Letter of Determination of No Hazard and the Location of Site ID.
  
5. 83.210.1(b)(2) Commercial Uses: General Standards regarding noise
  - a. Facts:
    - (1) Pursuant to KZC 83.210.1(b)(2), float plane facilities and services shall conform to all applicable City codes and Federal Aviation Administration standards and requirements for noise.
    - (2) Pursuant to WAC 173-60-050(4)(b) – adopted by reference in KMC 115.95 – the City has authority to review the noise levels of aircraft during take-off, landing and taxiing; although noise made **while aircraft are “in flight” is not reviewable**. The application included a noise study prepared by a licensed engineer, which recorded and charted the noise from the aircraft during taxi, take-off, and landing from three separate points along the perimeter of the Carillon Point Property (see Attachment 5).
    - (3) The engineer quantified the noise produced during the entire flight sequence as standard decibels (dBA).

- (4) The maximum decibels recorded occurred during the take-off portion of the flight, measured at a level of 63 dBA. While the take-off of the aircraft occurs for a duration of approximately 40 seconds, the maximum noise peaked at 63 dBA for only a portion of that time (see Figure 1 in Attachment 5).
  - (5) An engine backfire was recorded during the study, measured at 77 dBA at the northern monitoring location. The occurrence was identified as rare and was excluded from the assessment.
  - (6) The sound measured during the landing portion of the flight was recorded at 60 dBA. While the landing of the aircraft occurred for a total duration of approximately 45 seconds, the maximum noise peaked at 60 dBA for only a portion of that time (see Figure 1 in Attachment 5).
  - (7) Pursuant to KZC 115.95, the City of Kirkland adopted the state standards for maximum environmental noise levels, found in the Washington Administrative Code section 173-60 (see Attachment 10). Pursuant to WAC section 173-60:
    - (a) The maximum decibels allowed to be transmitted from a commercial property to a residential property, between the hours of 7:00 a.m. and 10:00 p.m. is 57 dBA, with increases above that level as noted below.
    - (b) The maximum dBA may be increased by specific decibels for a determined period of time.
    - (c) An increase by 10 dBA, to a measured level of 67 dBA is allowed to occur for a total of five (5) minutes in any one hour period.
  - (8) The application is proposing a maximum of one flight per hour from 9:00 am to one hour prior to sunset.
  - (9) Pursuant to 115.95.2 KZC and as discussed in section II.F.7, noise which is deemed a public nuisance may still be allowed during certain hours of the day.
- b. Conclusions:
- (1) The recorded maximum noise level of 63 dBA for 40 seconds during take-off and 60 dBA for less than 45 seconds during landing is below the maximum allowed hourly occurrence of 67 dBA for a total of five (5) minutes. The applicant should be limited to flights taking off once per hour, as proposed.
  - (2) The applicant should provide regular maintenance of aircraft to prevent engine backfire and noise exceeding the maximum levels allowed by code.
6. 83.210.1(b)(2) Commercial Uses: General Standards regarding separation from pedestrian and swimming areas
- a. Facts:
- (1) Pursuant to KZC 83.210.1(b)(2), float plane facilities and services shall conform to all applicable City codes and Federal Aviation Administration standards and requirements for pedestrian and

swimming area separation.

- (2) Aircraft moorage is proposed to be located at the western end of pier E, within the Carillon Point marina. This location is separated from the public shoreline pedestrian path by locking gate and a distance of approximately 490 feet (see attachments 2 and 12).
- (3) Aircraft moorage at Carillon Point is proposed only during daylight hours. The proposal identifies that the aircraft will return to overnight moorage at an offsite location in Renton.
- (4) Taxiing of aircraft is proposed to begin from the southern extent of the marina and travel out to a distance of 1000 feet from shore. The moorage location for the aircraft is positioned approximately 1600 feet south of the nearest swimming area at Houghton Beach Park (see Attachment 2).
- (5) The designated swimming area at Houghton Beach Park extends to a distance of approximately 250 feet from the shoreline (see Attachment 14).
- (6) The proposal identifies that aircraft will take off from a position at least 1000 feet from the nearest shoreline and will travel parallel to or away from the shoreline.

b. Conclusions:

- (1) The proposed application is consistent with the pedestrian and swimming area separation requirements in the Shoreline Master Program.
- (2) The applicant should follow the proposed day time moorage plan at the proposed location along the western end of pier E, and maintain separation from the public shoreline pedestrian path by means of the existing marina gate.
- (3) The applicant should follow the proposed moorage, taxiing, take off, and landing patterns in order to maintain adequate separation from the swimming area at Houghton Beach Park.

7. 83.210 Commercial Uses: Hours of Operation for Float Plane Facilities

a. Facts:

- (1) Pursuant to KZC 83.210.1(b)(3), hours of operation may be limited to minimize impacts on nearby residents. KZC 83.80.68, defines "**may**" as: the action is acceptable, provided it conforms to the provisions of the Shoreline Management Act, with the decision-maker having or using the ability to act or decide according to their own discretion or judgment.
- (2) The applicant is proposing to operate one scenic flight per hour. The aircraft will leave the marina each evening, returning to Renton where overnight moorage is located.
- (3) The applicant is proposing to operate scenic flights from 9:00 am until one hour prior to sunset. Sunset on the summer solstice, June 21, will be at 9:11 p.m. The maximum number of scenic flights on the solstice is proposed at twelve.
- (4) The applicant is proposing to moor the aircraft at an offsite location overnight. Aircraft will leave the Carillon Point Marina

each evening. The proposed return flight to Renton will increase the total take-offs to 13 (12 scenic flights, 1 return flight to Renton) on the summer solstice.

- (5) The applicant is proposing to fly aircraft to Carillon Point each morning, from the overnight moorage located in Renton. The proposed arrival would be prior to the 9:00 a.m. initial scenic flight.
- (6) More than 100 opposition comments were received related to the negative impact of noise produced by float planes operating on the lake adjacent to residential properties (see Attachment 4 and Section II.C).
- (7) Pursuant to KZC 115.95.1, and as discussed in section II.F.5, Maximum Environmental Noise Levels are limited according to WAC 173-60 (see Attachment 10).
- (8) Pursuant to KZC 115.95.2, any noise which endangers the comfort or repose of a person's use of property is a violation of the Zoning Code. Provided, the Zoning Code allows the operation of equipment otherwise deemed a public nuisance, when such operation occurs during the following hours:
  - (a) Between the hours of 8:00 a.m. and 8:00 p.m. Monday through Friday; or
  - (b) Between the hours of 9:00 a.m. and 6:00 p.m. Saturday, Sunday.
  - (c) The exception is not allowed on the following holidays: **New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.**

b. Conclusions:

- (1) Only one take-off and landing per hour should occur, including the return flight at the end of the day, where the aircraft is empty and returning to the overnight moorage location in Renton.
- (2) The float plane operation, which includes all taxiing, take-offs and landings, should be limited to the following hours of operation:
  - (a) 9:00 a.m. to 8:00 p.m. Monday through Friday (equal to 12 take-offs per day); and
  - (b) 9:00 a.m. to 6:00 p.m. Saturday, Sunday (equal to 10 take-offs per day).
- (3) The float plane operation should not operate on the following holidays: **New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.**

8. 83.360 No Net Loss Mitigation Sequencing

a. Facts:

- (1) Pursuant to KZC 83.360.1(b), an applicant shall provide an analysis of measures taken to mitigate environmental impacts where a conditional use application is proposed.

- (2) Pursuant to KZC 83.170, float plane landing and moorage facilities within the Urban Mixed designation require a Conditional Use Permit.
  - (3) Under Chapter 173-26 WAC, uses and shoreline modifications **along Kirkland's** shoreline shall be designed to achieve no net loss of shoreline ecological functions.
  - (4) Pursuant to KZC 83.360.2, an applicant is required to complete the no net loss mitigation sequencing. The following is a list of all six guidelines that must be considered in the design, construction and operation of the proposal:
    - (a) Avoid the impact altogether by not taking a certain action or parts of an action;
    - (b) Minimize impacts by limiting the degree or magnitude of the action and its implementation by using appropriate technology or by taking affirmative steps to avoid or reduce impacts;
    - (c) Rectify the impact by repairing, rehabilitating, or restoring the affected environment;
    - (d) Reduce or eliminate the impact over time by preservation and maintenance operations;
    - (e) Compensate for the impact by replacing, enhancing, or providing substitute resources or environments; and
    - (f) Monitor the impact and the compensation projects and taking appropriate corrective measures.
  - (5) The applicant has submitted a no net loss analysis assessment as part of the application (see Attachment 6).
  - (6) The applicant is proposing to operate a scenic float plane business from the Carillon Point Marina. Float plane operations are defined as a water-dependent use pursuant to KZC 83.80.133.
  - (7) The applicant is proposing to utilize the existing pier and dock infrastructure at the Carillon Point Marina, operating from the western end of pier E. No new overwater coverage in the form of piers or docks or development on the property is proposed with the application.
- b. Conclusion:  
The proposed application is consistent with the no net loss mitigation sequencing standards of KZC 83.360. The applicant should follow the proposed plan to utilize the existing moorage at the western end of pier E, and follow the taxi, take-off, and landing plan.

## G. COMPREHENSIVE PLAN

1. Facts: Development subject to compliance with the Shoreline Master Program must also be consistent with relevant Comprehensive Plan Policies pursuant to 83.40, 83.50 KZC. Below are the applicable policies for the proposal found in various chapters of the Comprehensive Plan, followed by staff response.
  - a. *Shoreline Area Chapter, Policy SA-2.5: Designate properties as Urban Mixed to provide for high-intensity land uses, including residential, commercial, recreational, transportation and mixed-use developments.*  
*This type of designation would be appropriate for areas which include or are planned for retail, office, and/or multifamily uses. The following management policies should guide development within these areas.*

- (1) *Manage development so that it enhances and maintains the shorelines for a variety of urban uses, with priority given to water-enjoyment uses. Nonwater-oriented uses should not be allowed except as part of mixed-use developments, or in limited situations where they do not conflict with or limit opportunities for water-oriented uses or on sites where there is no direct access to the shoreline.*
- (2) *Visual and physical access should be implemented whenever feasible and adverse ecological impacts can be avoided. Continuous public access along the shoreline should be provided, preserved or enhanced.*
- (3) *Aesthetic objectives should be implemented by means such as sign control regulations, appropriate development siting, screening and architectural standards, and maintenance of natural vegetative buffers.*

Response: A float plane landing and moorage facility is a water dependent use as defined by the Shoreline Mater Program. The Carillon Point property currently supports a public access walkway along the shoreline, which was installed as a requirement of the Master Plan approval. The proposed Float Plane operation will have no impact on the public shoreline access and the pathway will be maintained in current form. The proposed moorage location within the marina and the taxi and take off pathway will have no impact on visual access, aesthetics, or views of Lake Washington, from the public shoreline pathway or the adjoining properties.

- b. *Shoreline Area Chapter, Policy SA-24.2: Allow limited floatplane moorage in commercial shoreline areas.*

*Floatplanes can be used for both commercial and recreational purposes. Commercial operations can include a variety of activities including air charter and scheduled air operations. These activities are water-dependent and should be permitted within high intensity shoreline commercial districts in limited circumstances, if evaluated through a public review process and where it has been determined that the facility or operation has been designed to minimize impacts, including impacts on native fish and wildlife and their habitat, as well as impacts to shoreline views and community character. Further, the operation of these facilities should ensure protection of adjacent development and uses as well as human safety, including limiting noise and other impacts on residential uses. Floatplane facilities should be located so they do not interfere with public swimming beaches or boating corridors. The floatplane operations should comply with State and Federal requirements.*

Response: The proposed commercial float plane landing and moorage facility is a recreational use located within a high intensity commercial zone along the shores of Lake Washington. The final recommendations of the City are for limited flight operations and capacity. The application has followed the public process for noticing, public comment, and open public hearing requirements identified in Chapter 141 and 150 KZC. Along with the conditions of approval provided within this report, information provided by the applicant in the form of environmental studies and a noise

study have identified that the proposal has been designed and conditioned to minimize impacts on surrounding wildlife and community. The location of the float plane moorage, the taxi and take-off patterns are situated so as to not interfere with public swimming beaches. The proposal is required to comply with safe navigational standards when operating on the waters of Lake Washington and comply with flight standards established by the Federal Aviation Administration. The application is consistent with Shoreline Area policy SA-24.2.

- c. *Lakeview Neighborhood Chapter, Policy L-6.1: Govern development and uses at Carillon Point by an approved Master Plan.*

*Carillon Point was developed under a master plan with an extensive public review and City approval process. Any future change to the development should be reviewed to ensure Master Plan compliance.*

*The Master Plan and Zoning Code regulations for PLA 15A ensure that development will minimize impacts to existing uses in the vicinity including view obstructions, traffic volume and movement, noise, and glare from uses of higher intensity, and compatibility of building scale. The Master Plan includes specific design guidelines for the site plan, circulation plan, and architectural design for the buildings.*

*The following is a summary of the key principles of the Master Plan to guide uses and development of the area (see KZC PLA 15A and B for more detail):*

- *Within the shoreline area water-dependent, water-related, and water-oriented commercial uses should be included, such as marinas, fueling and sewage pump-out facilities, and possibly tour boat operations, float plane service, passenger only ferry or water taxi facility, and public amenities access to piers for fishing, strolling or other pedestrian activities.*

Response: The proposed float plane landing and moorage facility is an identified water-dependent commercial use, specifically listed in the policy statement for Carillon Point within the Lakeview Neighborhood and the Master Plan. The application has identified how the proposal will minimize impacts related to noise and will utilize the existing marina infrastructure for moorage and aircraft access. The application is consistent with Lakeview Neighborhood policy L-6.1.

- d. *Natural Environment Chapter, Policy NE-2.6: Regulate development of land along the shoreline of Lake Washington to:*

- (1) *Preserve natural systems and maintain and improve the ecological functions of the water and shorelines;*
- (2) *Avoid natural hazards;*
- (3) *Promote visual and physical access to the water;*
- (4) *Provide recreational opportunities;*
- (5) *Preserve navigation rights; and*
- (6) *Minimize the creation of and reduce existing armored shorelines, overwater and in water structures.*

Response: The proposed application will provide recreational opportunity through the float plane business and both physical and visual access to the waters of Lake Washington. Based on the City recommendations located in section I.B, to limit the hours of operation and the number of flights per day, the reduced frequency of aircraft movement should preserve navigational rights on the waters of Lake Washington. The application is consistent with the Natural Environment policy NE-2.6.

- e. *Natural Environment Chapter, Policy NE-1.8: Strive to minimize human impacts on habitat areas.*

*The presence and activities of humans can impact habitat in a variety of ways. City policies and regulations strive to ensure that those impacts are avoided, if possible, or at least mitigated. In addition to physical alterations of natural resource, less obvious impacts, such as those from noise and light, should be minimized.*

Response: The application proposes to use the existing marina infrastructure and will maintain the existing overwater coverage, providing no additional impact on the nearshore environment. The application has proposed limited hours of operation and flights. The City has recommended additional limitations on the hours of operation and quantity of flights per day in order to minimize any impacts from noise (see Section II.F and I.B Recommendations). The application is consistent with Natural Environment policy NE-1.8.

- f. *Economic Development Chapter, Policy ED-3.2: Encourage businesses to develop and operate in a manner that enhances the character of the community, minimizes impacts on surrounding development and respects the natural environment.*

*As members of the community, businesses should be corporate stewards of the environment as well as good neighbors to adjacent less intensive uses. In some instances, economic activities may create impacts on surrounding development because of the way the business functions or building location and site design. Impacts may include open storage, large structures, poorly maintained grounds, parking lots, signs, exterior lighting, noise, air or water pollution, and pedestrian or vehicular traffic and may be especially noticeable along transition areas of commercial areas.*

*These adverse visual or other impacts created by economic activities should be minimized through development standards that maintain the character of adjacent development.*

*Additional standards may include noise limitations, appropriate setbacks, open space requirements and building design guidelines. Even with efforts taken by businesses to reduce impacts, residential uses located along commercial area boundary edges may continue to experience some level of unavoidable impact.*

Response: The proposal for commercial scenic float plane operation is a private business, allowing the public recreational access to Lake Washington and the Puget Sound Region. The proposal intends to

minimize noise impacts from the business through limited hours of operation. While some level of unavoidable impact may occur along the commercial boundary edge, the City has recommended additional limitations on the hours of operation and number of flights to minimize to the maximum extent feasible. The application is consistent with Economic Development policy ED-3.2.

2. Conclusion: The proposal with staff recommended conditions is consistent with the policies of the relevant Chapters of the Comprehensive Plan and as implemented in Chapter 83 KZC.

### III. SUBSEQUENT MODIFICATIONS

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

### IV. APPEALS

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

#### APPEALS

##### Appeal to Shoreline Hearings Board:

Pursuant to RCW 90.58.180 and WAC 173-27-220 any person aggrieved by the City's final decision on the Shoreline Conditional Use Permit may seek appeal to the State Shoreline Hearings Board by filing a petition for review. All petitions for review shall be filed with the Shoreline Hearings Board within 21 days of the date the decision of the Department of Ecology is transmitted by the department to the City. Within seven days of filing any petition for review with the Shoreline Hearings Board, the petitioner shall serve copies of the petition for review on the Department of Ecology, the State Attorney General, and the City of Kirkland. The petition for review must contain items required by WAC 461-08-350.

### V. LAPSE OF APPROVAL

Pursuant to RCW 90.58.200 and WAC 173-27-090, construction or substantial progress toward construction of a project for which a Shoreline Conditional Use Permit has been granted pursuant to the Shoreline Management Act must be undertaken within two (2) years after the date of filing. The project must be completed within five (5) years and a one (1) year extension may be considered.

"Date of filing" means the date the decision of the Department of Ecology is transmitted by the department to the City of Kirkland. The permit time periods do not include the time during which a use or activity was not actually pursued due to the pendency of administrative appeals or legal actions pursuant to RCW 90.58.180 and WAC 173-27-220.

### VI. APPENDICES

Attachments 1 through 13 are attached.

1. Vicinity Map
2. Proposed Plan
3. **Applicant's Proposed Narrative**
4. Public Comments
5. Noise Measurement Report
6. Wildlife Study

7. SEPA Determination
8. SEPA Memo with Attachments
9. SEPA Determination Appeal
10. City of Kirkland Noise Regulations
11. Shoreline Area Designation Map
12. Carillon Point Marina Safety Plan
13. FAA Email
14. Houghton Beach Swim Area Map

VII. PARTIES OF RECORD

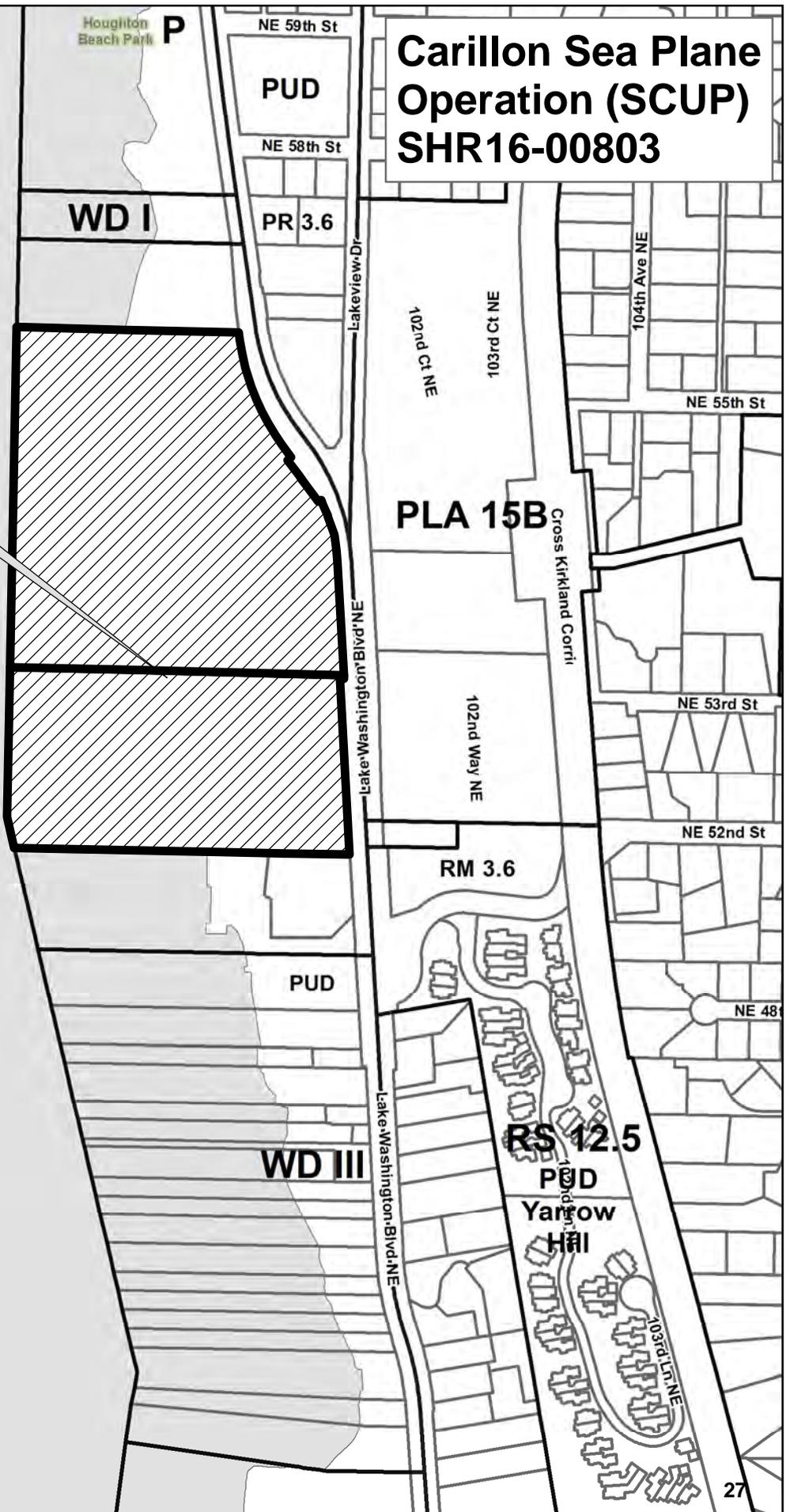
Applicant: James Young, Seaplane Scenics  
Sue Gemmill, Carillon Properties  
Parties of Record  
Planning and Building Department  
Department of Public Works

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



# Carillon Sea Plane Operation (SCUP) SHR16-00803

SUBJECT PROPERTY

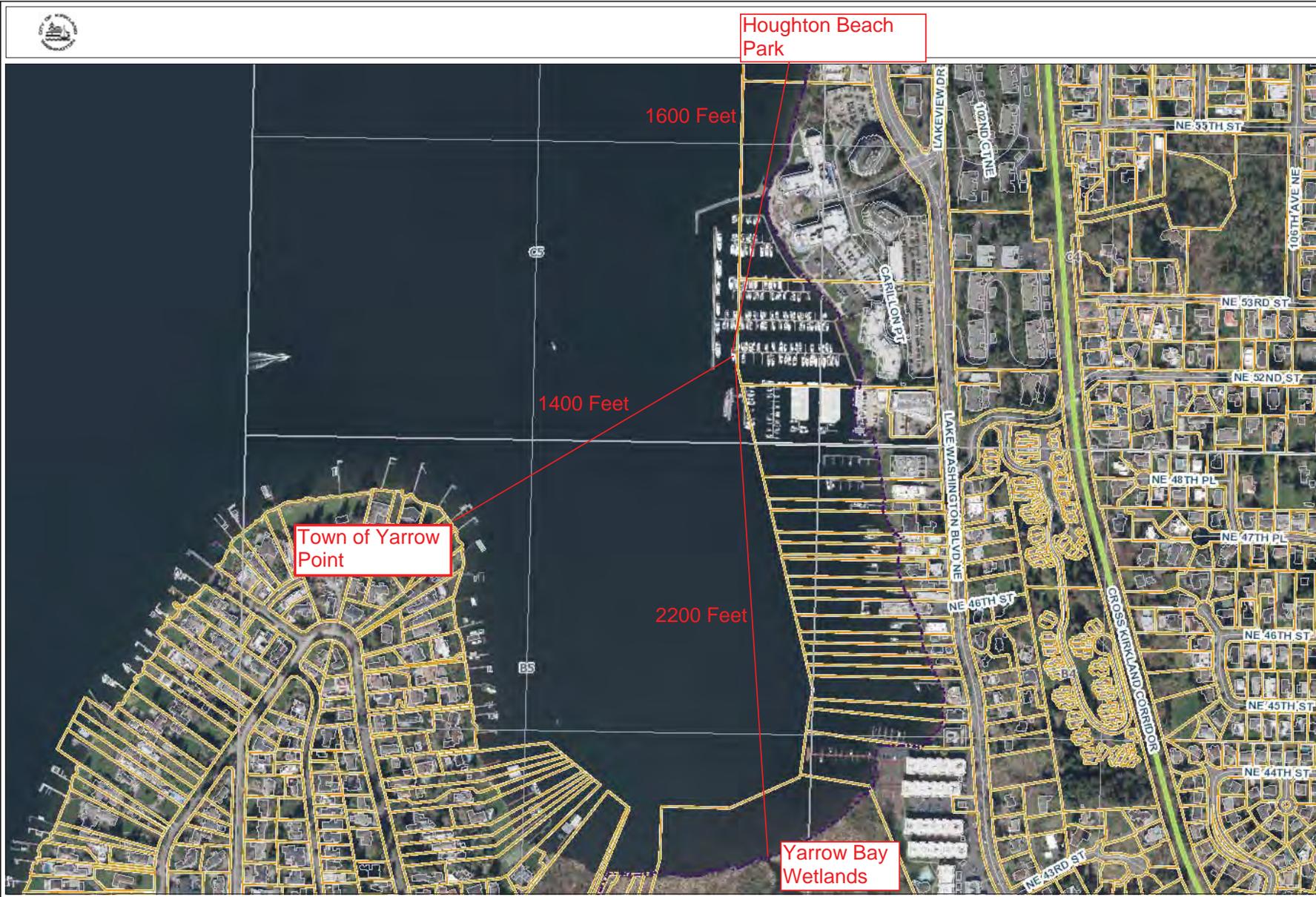






# Flight Plan





- Legend**
- City Limits
  - Grid
  - QQ Grid
  - Cross Kirkland Corridor
  - Regional Rail Corridor
  - Streets
  - Parcels
  - Buildings
  - Schools
  - Olympic Pipeline Corridor

1: 5,000 



NAD\_1983\_StatePlane\_Washington\_North\_FIPS\_4601\_Feet

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**Notes**



# Conditional Use Permit for Carillon Point

Carillon Properties  
4100 Carillon Point  
Kirkland, WA 98033

# Location of Services

## Carillon Point Guest Pier

Carillon Point

Kirkland, WA 98033



# Service Provider



## Seaplane Scenics

Website: [www.seaplanescenics.com](http://www.seaplanescenics.com)

Pilot: James Young

Phone: (206) 499-2135

# Hours of Operation

Two proposed aircraft, with not more than one aircraft at the Guest Pier at a time

Featuring 25 minute flight times

Offered 9am – 1 hour prior to dark

7 days a week

Scheduled by appointment via website

Some summer and seasonal weekend walk-on availability

(weather dependent)

# Conditional Use Permit - Narrative

Seaplane Scenics LLC is seeking approval to provide seaplane tours departing from Carillon Point's Guest Pier, located at 1200 Carillon Point. The planned Cessna Aircraft include Seaplane Scenics smaller and quieter C185F and C172L models. All flight operations shall be conducted outside of the city of Kirkland. Seaplane Scenics will taxi in and out of the Carillon Point Marina Guest Pier area similar to existing charter boat operations. These services are scheduled to be provided on a daily basis during daylight hours only.

The Carillon Point Marina is currently used for commercial passenger terminal uses and is equipped with all the necessary facilities. There will be no need for any upgrades.

The seaplane operation will provide no negative impacts to the surrounding environment. The existing uses of the surrounding Lake Washington waterways and the Carillon Point Marina operate the same hours with activities that currently exceed any and all levels of impact contemplated with the addition of seaplane services.

- Traffic on the water- negligible addition of vessels
- Aircraft activity- negligible addition of aircraft (currently helicopters, banner tow aircraft, and commercial Seatac Jet traffic)
- Shoreline and ecology from seaplanes has been determined to be zero impact per the attached US Army Corps 5 year study
- Noise from lake activity – seaplanes comply with Washington Boating noise limits as further illustrated in the attached “The Facts” noise study and the FAR Part 150 Noise Compatibility Study Update
- Parking and traffic can be easily accommodated with current parking ratios and availabilities. Clients will be primarily existing Hotel and restaurant guests, in addition to visitors to the Carillon Point Marina for uses that already exist (tour boats, etc.)

Please refer to the appendix section for Area Maps, existing marina data, seaplane routes, and detailed noise information.

Seaplane operations from Carillon Point provide enhanced access to water front activity and public use. Tourist, retail, and recreational activity for the public and surrounding community are sure to be well received and set Carillon Point and the city of Kirkland as a destination resort area.

# Conditional Use Permit - Criteria

## WAC 173-27-140

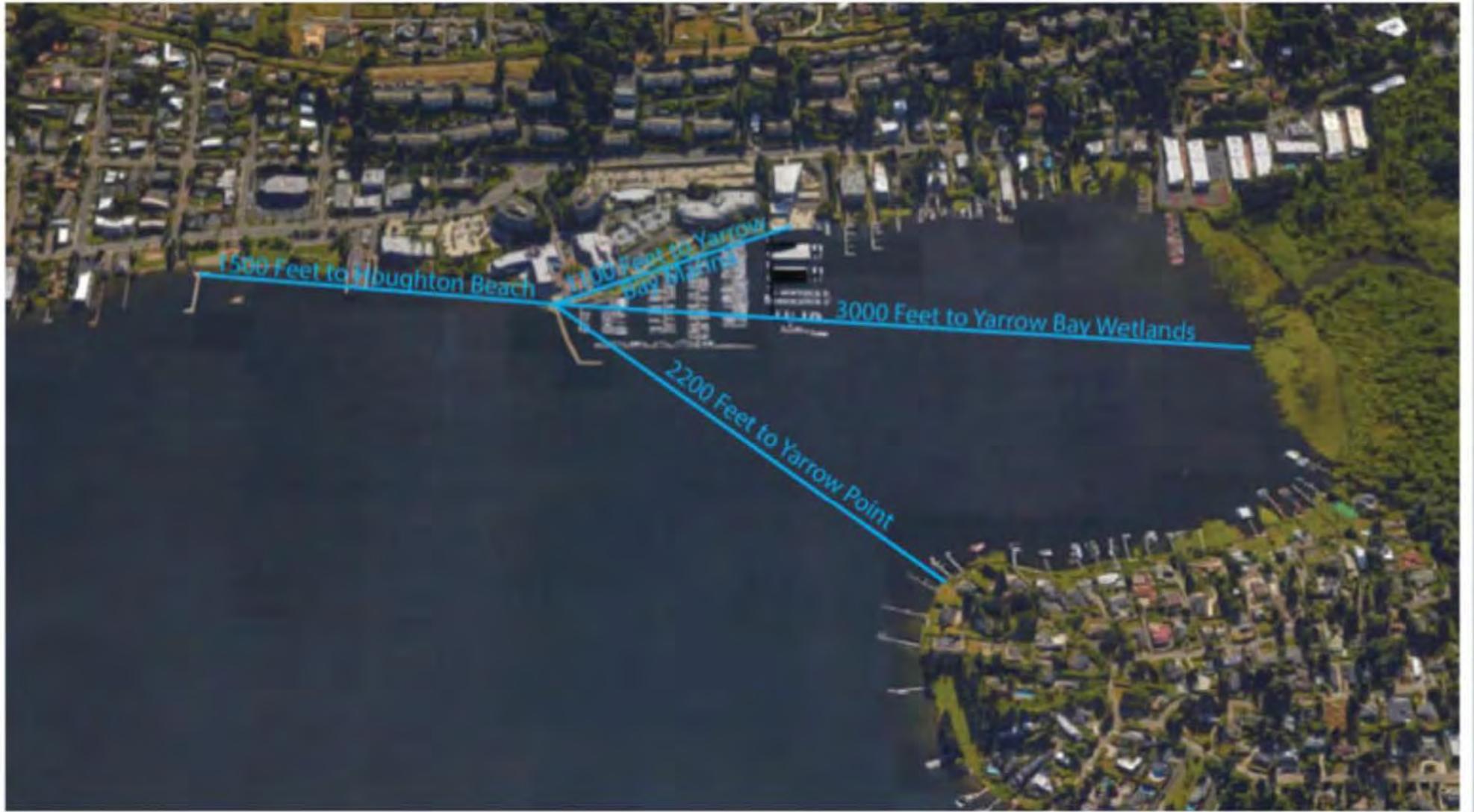
Seaplane activity from Carillon Point shall be compliant with the Shoreline Management Act and Master Program. Seaplanes are vessels when operating on the water and aircraft only when flying. All vessel regulations shall be satisfied by Seaplane Scenics.

## WAC 173-27-160

The proposed seaplane activity will create additional access to Lake Washington. Public waters of Washington State and the Kirkland shoreline specifically. The proposed seaplane activity is identical to current tour vessel and commercial activity at the Carillon Point Marina. There is no interference with normal public or shoreline use. Seaplane operations shall use existing vessel traffic routes and procedures. There is no shoreline impact determined by the US Army Corps study attached in the appendix section. The public experience shall be enhanced through expanded water front access and exposure to Seaplanes which are a historic use on Lake Washington and the Puget Sound. The positive benefit to Kirkland's tourism and existing public shall be both economic and recreational. Furthermore, seaplane activity is a conforming use. It complies with all the current vessel and use requirements for the Carillon Point Marina and Carillon Point properties.

- (1 a) Seaplane activity is consistent with policies 90.58.020 and the master program.
- (1 b) Public use will be enhanced and accessibility will be increased by Seaplane activity.
- (1 c) The site and design of the project are compatible with all other authorized uses within the area, current and planned.
- (1 d) The use has no adverse effects on the shoreline environment.
- (1 e) The public interest is enhanced with no detriment.
- (2) No cumulative or other development impacts exist from lake actions or areas.

Seaplane activity is a conforming use. It complies with all current vessel and use requirements for the Carillon Point Marina.



# Carillon Point Marina

## Current Use

- 200-slip marina offering private moorage of personal boats and yachts
- Woodmark Waterfront Adventures seasonal rentals featuring
  - Passenger boats
  - Jet Skis
  - Paddle boards
  - Kayaks
- Existing 436' of Guest Pier moorage facilities offering short-term, first-come, first-served (2 hour) docking for individual, private vessels along with access for commercial tour vessels operated by Argosy, Waterways Cruises and various other commercial tour companies.

# Environmental Impact

5-year study conducted by  
US Army Corps of  
Engineers

Air Quality: No impact

Water Quality: No impact

Soil Quality: No impact

Wildlife: No impact

Fisheries: No impact

Hydrology: No impact



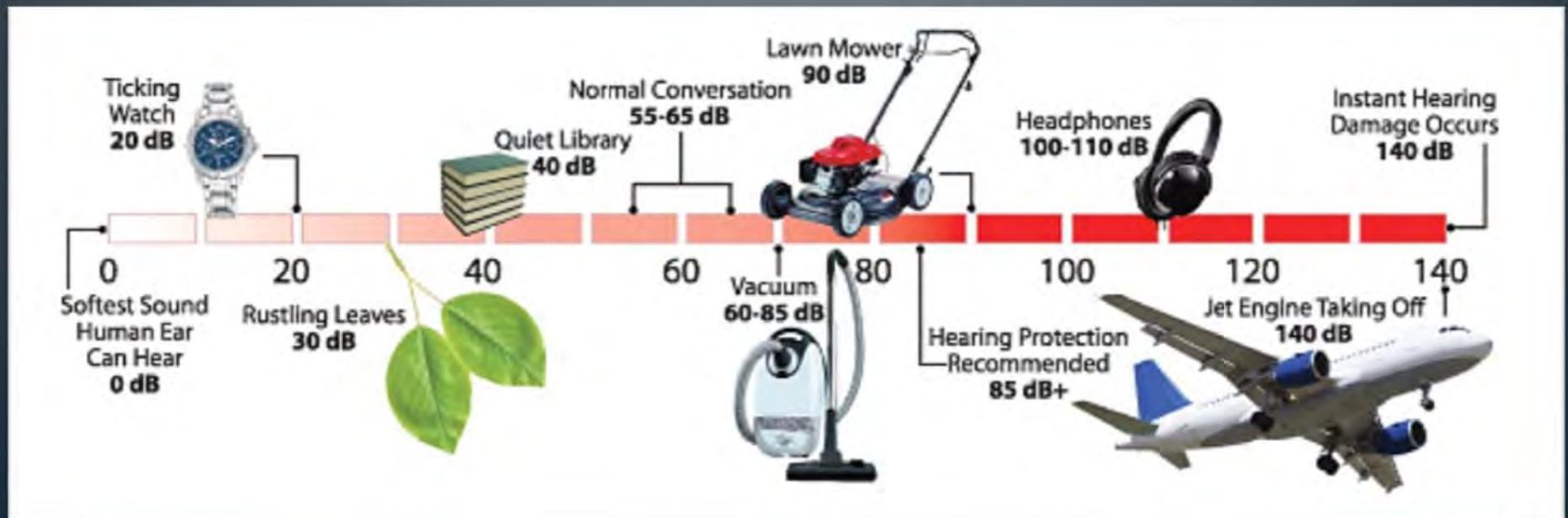
# Seaplane Safety

## 13-year study conducted from 1983-1995

- Only 195 accidents in total
- More than half the people involved sustained no injuries at all
- 54 fatalities in 13 years
- Boating fatalities in the same 13 years totaled over 12,000

# Noise Regulations

- The Washington state boating noise limit is 88dB
- The scale is logarithmic: 8 dB is what the human ear perceives as a halving or doubling of sound. 80 dB is perceived as half as loud as 88dB. 72dB is perceived as half of that, and so on



# Seaplane Noise

- Seaplanes produce maximum sound only during takeoff (a duration of approximately 20 seconds)
- Overall maximum sound produced by Seaplanes is ~75dB
- Noise is significantly reduced during actual flight time and landing
- Existing Speedboats on Lake Washington are more impactful, and can fluctuate between 65-95dB for the entire duration of travel time

# Timing of Seaplane Noise

- The significant (~75dB) noise produced by seaplanes occurs only during the 20 seconds of takeoff which shall only take place over 1,000 feet from the shoreline
- Almost no noise shall be produced during taxiing or landing
- As part of the proposed operation, Seaplane Scenics will only produce a total of 18 minutes of sound per week (equivalent to 74 minutes per month) during the busy summer season (April-September)
- During October-March only intermittent flights will be scheduled

# Seaplane Noise: Public Perception

## 1994 Survey conducted by US National Parks System and presented to the US Congress

Upon exiting the park guests were asked their opinions on the effects of aircrafts over-flight (mainly seaplanes used for observation)

- Only 1.9% of visitors said aircraft noise interfered with their enjoyment
  - Only 1.6% said they were annoyed by hearing aircraft
  - Only 2.8% said the natural quiet was disturbed

# Parking at Carillon Point

3 public parking garages available at Carillon Point

Offering over 1,600 parking spots in total

Seaplane Scenics guests and pilot have  
negligible impact on overall availability of parking

# Appendix

- Seaplanes – The Facts
- Seaplanes – Noise in National Parks
- Seaplanes – Noise Comparisons
- Seaplanes – Updated Noise Study
- Wetlands & Wildlife – Wildlife Habitat Assessment
- Carillon Point Detailed Map

# Seaplanes – The Facts

## \* Seaplanes leave no trace of their visit \*

In a recent 5 year study on the environmental effects of Seaplanes the U.S. Army Corps of Engineers, who are responsible for the waterways in the U.S.A., concluded 1:

- Air Quality: no impact
- Water Quality: no impact
- Soil Quality: no impact
- Wildlife: no impact
- Fisheries: no impact
- Hydrology: no impact

• The U.S. Fish & Wildlife Service owns a fleet of Seaplanes that is used for the safe and efficient surveillance and tracking of wildlife.

• The U.S. National Parks System is one of the biggest users of seaplanes in the World – it considers the seaplane essential for the management of their parks.

• To list the scores of U.S. National Parks which not only permit seaplane use in their wilderness areas but advertise it as a method of access, please follow the following link and search using “floatplane” or “seaplane” ( <http://www.nps.gov/> ). There are many National Parks in the U.S.A where seaplanes and boats provide the only access.

• The U.S. National Oceanic and Atmospheric Administration (NOAA) have a fleet of seaplanes which are used extensively for biological work, including sea turtle and mammal surveys. The mission of the NOAA is to describe and predict changes in the Earth’s environment and to conserve and manage the U.S. coastal and marine resources.<sup>2</sup>

• Seaplanes are used to monitor the activities and resources in the 1,252 square nautical mile Channel Islands Nautical Marine Sanctuary situated in the Santa Barbara channel off the coast of Southern California. The sanctuary’s primary goal is the protection of the natural and cultural resources. The sanctuary is an area of national significance because of its exceptional natural beauty and resources. <sup>3</sup>

# Seaplanes – The Facts (Con't)

- The Washington State Department of Ecology employs Seaplanes to sample water quality – the Seaplane is the only form of transport (excluding rowing boats and kayaks) that does not contaminate their findings.
- Seaplanes are one of the few forms of transport allowed on the Great Barrier Reef.
- A Seaplane's propeller is entirely above the water and thus does not disturb sediments or marine life, nor does it contribute to marine noise pollution.
- Seaplanes generate no more than a 2-3 inch wake – not enough to be a factor in shoreline erosion.

1 <http://www.seaplanes.org/advocacy/environment.pdf> and <http://www.seaplanes.org/advocacy/booklet.pdf>

2 [http://www.aoc.noaa.gov/aircraft\\_lake.htm](http://www.aoc.noaa.gov/aircraft_lake.htm)

3 <http://www.publicaffairs.noaa.gov/nr/pdf/oct2002.pdf> and <http://channelislands.noaa.gov/>

# Seaplanes – The Facts (Con't)

Seaplanes do not spread nonnative species.

- Seaplanes do not store or discharge oily bilge water or sewage.
  - Seaplanes do not discharge gallons of fuel and oil into the water as many other powered watercraft do (as much as three gallons per hour).<sup>4</sup>
  - Seaplanes do not discharge the contents of chemical toilets overboard.
  - Seaplanes are not treated with toxic anti-fouling paints.
  - Unlike boats, the exhaust from a seaplane's engine is discharged into the air well above the water's surface where it can dissipate without impacting water quality.
- Seaplanes are one of the few marine craft which are fully compliant with the Loch Lomond attachment Management Plan. The plan states, "particular areas of concern include fuel and exhaust emissions from powered craft, disposal of chemical toilet contents ..... and the possible disturbance of aquatic habitats and species".<sup>5</sup> Emissions from motorized watercraft kill zooplankton and the growth of fish larvae in lakes. <sup>6</sup>

## Seaplane Safety and Operation:

- Seaplane operations are infrequent and statistically insignificant compared to motorboat operations. In addition, they do not spend significant time on the water, or travel significant distances at high speed. The seaplane take-off distance is around 1500 feet and the landing distance is approximately 800 feet.

## The statistics

- During 13 years of Seaplane flying in the U.S.A. (10+ million flying hours) only three seaplane-boat collisions have occurred and only two of these resulted in injuries or fatalities.<sup>7</sup>
- In the same 13 year study period there were over 12,000 fatalities involving boats.<sup>8</sup>
- During a recent 5 year period boats collided with other vessels 11,174 times.<sup>9</sup>
- Statistically, it is considered that Boat/Seaplane accidents are nearly non-existent.

# Seaplanes – The Facts (Con't)

## Seaplane Compatibility – Case Studies

Seaplanes operate amongst other water traffic in many busy lakes, harbours and rivers worldwide, for example, they can be found in Vancouver, Seattle, Sydney, Lake Como, Maldives, Fiji, Hawaii, Norwegian Fjords, Alaska, Artic circle and also on the Great Barrier Reef.

### Lake Union – Seattle:

Lake Union is a small 580 acre lake in downtown Seattle and is home to considerably more boats than can be found on most recreational areas. The lake is a popular recreation spot for sailboats, motorboats, kayaks, and personal watercraft, as well as a busy public transport link between Lake Washington and Puget Sound.

Kenmore Air Harbour, the largest seaplane operator in North America, has been based on the lake since 1946 and although there are some 30,000 take-offs and landings each year there has not been a single accident since operations began 59 years ago. There are no markings or special use areas established on the lake. In addition, boaters do not receive any training and are not licensed.<sup>10</sup>

### British Columbia - Canada

Vancouver and Victoria Harbours in British Columbia each have around 40,000 seaplane movements per year and there have been no accidents. Victoria is a very small harbor, in the summer it has over 1,000 boat movements and 100 seaplane movements per day. <sup>11</sup> The boat movements include large cruise ships, large car ferries, motorboats, yachts, whale watching vessels, very small cross harbour ferries, and kayaks. <sup>12</sup>

4 U.S. National Park and Conservation Association

5 <http://www.sepa.org.uk/pdf/publications/technical/LochLomondCatchmentPlan.pdf>

6 University of Miami

7 National Transportation Safety Board (NTSB) accident review 1982-1995

8 U.S. Coastguard data

9 U.S. Coastguard data

10 <http://www.seaplanes.org/advocacy/booklet.pdf>

12 <http://www.victoriaharbour.org/pdf/vhts.pdf>

# Seaplanes – Noise in National Parks

## Noise in National Parks

In order to produce a report on the effects of aircraft over-flights for the U.S. Congress<sup>13</sup> a large survey was conducted by the U.S. National Parks System. Managers and visitors were asked their opinions and the results were presented to Congress in 1994.

To ensure that visitor memories were still fresh exit polls were conducted and the following statistics were recorded:

Only 1.9% of visitors said that aircraft noise interfered with their enjoyment.

Only 1.6% of visitors said that they were annoyed by hearing aircraft.

Only 2.8% of visitors said the natural quiet was disturbed.

**The visitors who complained were mainly “backcountry visitors”** - backcountry visitors may spend a much longer period of time in the park, thus increasing their opportunities to hear aircraft – they also typically spend a greater portion of their visit away from crowds, traffic, noise, etc., in locations where aircraft sounds may be more intrusive.

**Note :** The figures are even more surprising when you know that these parks are “wilderness areas” - there are no cars, no roads, no boats, no towns, no buildings and generally no facilities of any kind. Tourists require permits to enter and backcountry visitors, who want to venture deeper into the core of the park, might have to wait six months or more for permission.

The following statements and conclusions are made by the National Park System (NPS) management and have been extracted from the report:

Generally, visitors did not agree with NPS Management views that aircraft noise interfered with the enjoyment or appreciation of the Park.

NPS managers believe that aviation is essential to the management of many national parks. Parks and visitors benefit from the administrative use of aircraft for search and rescue, science and resource management, firefighting, law enforcement, maintenance, etc

Studies have shown that visitor judgment of the importance of natural quiet varies, probably as a function of the type of visitor activity, and hence, from the visitor perspective, natural quiet is not equally important in all locations or for all visitor activities.

Sites that are more easily accessible seem to be visited by a population of visitors that are less sensitive to aircraft sounds; conversely, the less accessible sites, where visitors must walk some distance, may attract more sensitive groups of visitors.

# Seaplanes – Noise in National Parks

Air tour passengers also benefit from aviation. Passengers find their experiences to be very rewarding, both in terms of overall enjoyment as well as in providing an enhanced appreciation for the park.

Health reasons, physical disabilities, unique perspective and time constraints were the most important reasons for taking flights over parks.

As a result of the flight, over 95% (of tour flight passengers) stated that their appreciation of the park had increased by a “moderate” to an “extreme” degree.

In the Grand Canyon 90% of passengers taking the air tour also toured on the ground.

10% of Park managers surveyed felt they had a noise problem due to people talking in the park. **Note** : Once again, please bear in mind that the comments and conclusions above are made by the U.S. National Park System management and refer to “wilderness areas”. There are many airways crossing the Loch Lomond and Trossachs National Park, in addition, the airspace allocated to the airports of Glasgow, Edinburgh and Prestwick extends over the park. Aircraft can be heard at all times of the day – from transatlantic 747s turboprops flying to the Highlands and Islands. In addition, throughout the National Park we have numerous military fighter jets, helicopters (including those chartered by the National Park) and light aircraft over-flying. One point that should be made is that pilots avoid areas where other aircraft are active and it is to be expected that over-flight aircraft noise maybe reduced due to the seaplane presence on Loch Lomond.

Loch Lomond Seaplanes operates an amphibious Cessna T206H aircraft which is almost twice as quiet as the strictest noise regulations in the World demand (Swiss and German). Seaplane scenic operates as very similar aircraft.

13 REPORT TO CONGRESS - REPORT ON EFFECTS OF AIRCRAFT OVERFLIGHTS ON THE  
NATIONAL PARK SYSTEM - September 12, 1994 - <http://www.nonoise.org/library/npreport/intro.htm>

# Seaplanes – Noise Comparisons

It is interesting to note that during an unannounced operational trial during 2002/3, which involved over 500 take-off and landings on Loch Lomond, no complaints or adverse comments were received by the Park authority. Indeed, it was not until Loch Lomond Seaplanes publicized its service that some complaints were made. High ambient background noise levels can be found in many areas of the Loch Lomond and Trossachs National Park. Some of the noise producers contributing to this background noise are listed below:

- Jet skis
- Speedboats
- Military jets
- Helicopters (charter, Rescue, military, sightseeing, police). The National Park regularly charters helicopters for use in the park.
- Construction – e.g. hotel and golf courses
- Farm machinery
- Logging – chain saws
- Road Noise – A82, Duck Bay, Luss, Firkin point
- Boat launching areas – Drumkinnon bay, Mallarochy bay
- Grass Cutters – industrial golf course machinery
- Overflying airline traffic into/out of the central belt airports.
- Glasgow airport's local flying training area has been located over the park for the last 60 years. Balloch is the entry/exit point for Glasgow airport's airspace.
- Shooting
- Trains

# Seaplanes – Noise Comparisons

Noise	dBA	Example
Firearm	140+	
Military jet	120+	
Jet ski	110	
Chainsaw	105	Forestry / logging
Grass Cutting	88-100+	Golf courses
Bulldozers	99	Construction
Tractors	95	Construction
Chainsaw	105	Forestry / logging
Grass Cutting	88-100+	Golf courses
Bulldozers	99	Construction
Tractors	95	Construction
truck/motorbike/bus	90	
All terrain vehicles	85	
Forklifts	84	
Speedboat	65-95	
Seaplane	75 on take-off only @ 1,000' (20 secs)	
Inside car	30 mph 73	
Normal conversation	65	
* 8 db difference is when humans perceive a halving or doubling of sound *		

# Seaplanes – Noise Comparisons

It is very important to understand that the 75 dBA at 1,000' stated above is measured at **MAXIMUM takeoff power**. In practice, this power is only produced for 20 seconds during the take-off phase and at no other time. As soon as the aircraft exits the water the pilot reduces the power and the noise reduces substantially. Seaplane noise is very directional. The most noise can be heard to the side of the aircraft – perpendicular to the direction of travel. The noise is constant – there is no whining and it is brief and transitory – it disappears in a few seconds as the aircraft departs the area at 150 mph. There is almost no noise on landing or taxi. To put the amount of noise into perspective we have calculated that the seaplane will generate around **18 minutes of noise per week** or 74 minutes per month during our high season. Yearly, We have calculated the amount of noise to be just over 5 hours - less noise energy in one year than a military jet produces in 2 minutes Seaplane Scenic would implement the following to ensure that our neighbors were not impacted:

No-fly zones will be observed over sensitive areas

Noise abatement routes will be used

Route variation will be employed to ensure that no one area is traversed continuously

Operational times will be limited

Routings and the daily ambient conditions will be logged to ensure that any complaint can be dealt with immediately and effectively (it may well be that our aircraft is not to blame)

During the period October – March almost no flying is scheduled

Generally, the aircraft will be unheard as it is operates below the high ambient noise level.

15 [www.nonoise.org/library/household/index.htm](http://www.nonoise.org/library/household/index.htm) - Typical Noise Levels

16 [www.safetyline.wa.gov.au/pagebin/farmhazd0014.htm](http://www.safetyline.wa.gov.au/pagebin/farmhazd0014.htm) - Farm Noise

# Updated Noise Study – Cessna Specs

FAR Part 150 Noise  
Compatibility Study Update

## Aircraft Certification

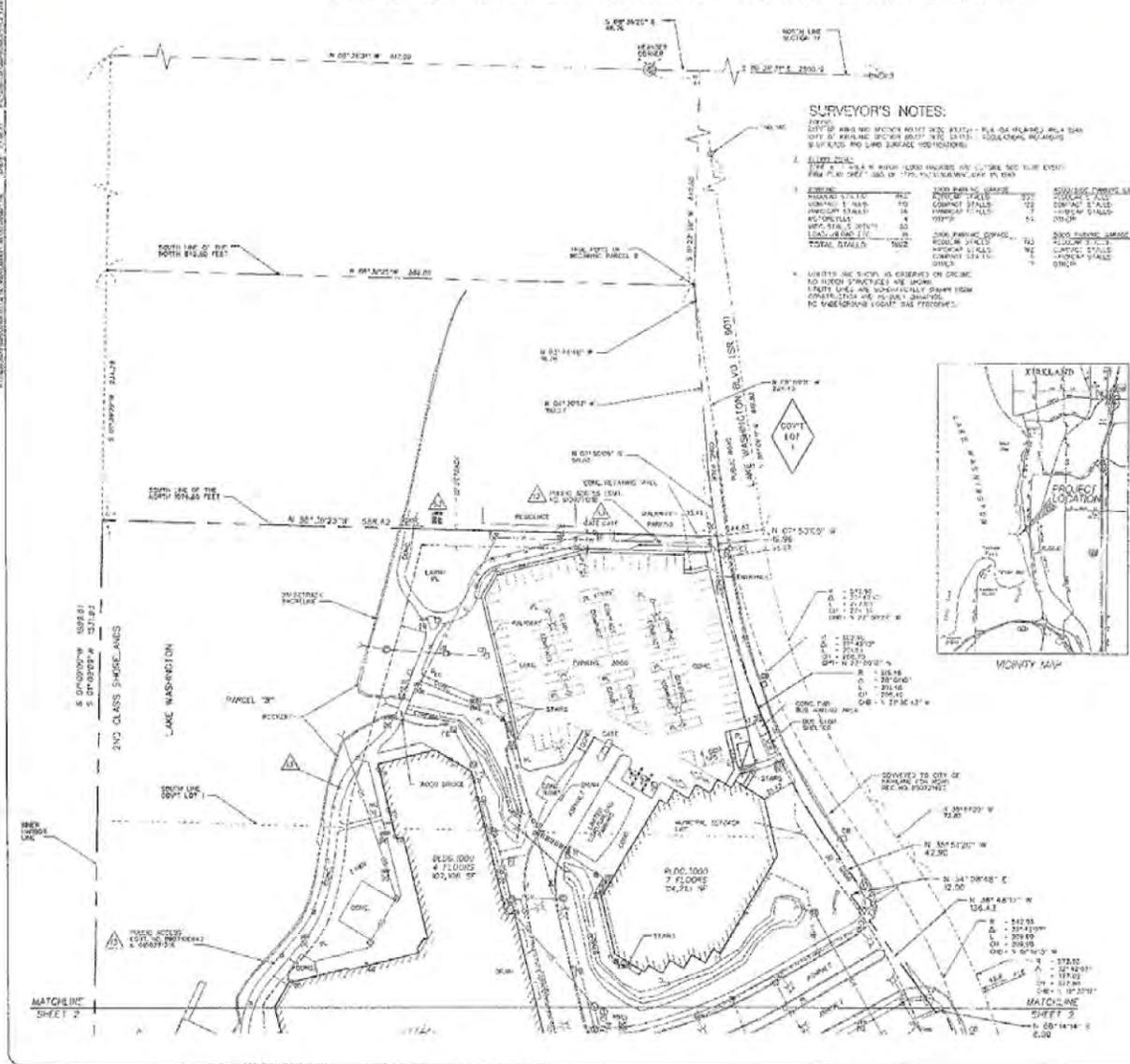
AC 36			TOGW	MLW	TO	APP
MANUFACTURER	AIRPLANE	ENGINE	1000 LBS	1000 LBS	dBA	dBA
CESSNA	180	O-470-J	2.80	2.80	69.0	63.0
CESSNA	182P	O-470-S	3.00	3.00	70.0	56.0
CESSNA	182Q	O-470-U	3.00	3.00	69.0	56.0
CESSNA	185F	IO-520-D	3.40	3.40	66.0	64.0
CESSNA	206	IO-520-A	3.30	3.30	70.2	63.5
CESSNA	206H	IO-580-A1A	3.60	3.60	69.3	63.7



- Seaplane Scenics proposed Aircraft:
- 1972 Cessna 172L with a piston engine and 2 bladed McCauley Propeller 1A175/ETM8042
- 1974 Cessna 185F with a piston engine and 3 bladed Hartzell Propeller 1C160/DTM7557M



PORTION OF NORTHWEST QUARTER OF SEC. 17, T 25 N, R 5 E, W.M.



**SURVEYOR'S NOTES:**  
 1. CITY OF WASHINGTON DISTRICT OF COLUMBIA...  
 2. EASEMENT...  
 3. UTILITY...  
 4. PROPERTY...

PARCEL	AREA	PERCENT	ACRES
1	1.2345	12.34	0.28
2	1.2345	12.34	0.28
3	1.2345	12.34	0.28
TOTAL	3.7035	37.02	0.84

**LEGAL DESCRIPTION**

THAT PORTION OF SECTION 17, T. 25 N., R. 5 E., W.M. IN THE...  
 PARCEL B  
 PARCEL C

**CERTIFICATION OF COMPLETION SURVEY**

I, the undersigned, being a duly licensed and qualified surveyor in and for the State of Maryland, do hereby certify that the foregoing is a true and correct copy of the original field notes and computations...  
 DATE: September 16, 2016  
 SIGNATURE: [Signature]

**ENTRANCO**  
 1000 N. 10th Street  
 Baltimore, Maryland 21204  
 TEL: 410-528-1000

**CARILLON POINT  
KIRKLAND**

ALTA / ACSM LAND TITLE  
SURVEY

**LEGEND**

- S.W. STORM DRAIN
- S.W. SANITARY SEWER
- WATER
- POWER
- GAS
- TELEPHONE
- COMMUNICATION NETWORK
- SANITARY SEWER MANHOLE
- CULVERT
- TELEPHONE MANHOLE
- CATCH BASIN TYPE I
- CATCH BASIN TYPE II
- FIRE DEPTH CONNECTION
- FIRE HYDRANT VALVE
- WATER VALVE
- WATER METER
- FIRE HYDRANT
- GAS VALVE
- GAS METER
- POWER MANHOLE
- POWER VAULT
- POWER TRANSFORMER
- UNDERGROUND VAULT
- LUMINAIRE
- PLANTER
- YARD LIGHT
- JUNCTION BOX
- SIGN
- WALKWAY EXISTENCE
- MONUMENT SETBACK
- HARD DRAIN/PUMP, ETC.
- LEGAL DESCRIPTION
- MEASURED
- SET REBAR & CAP
- FOUND REBAR & CAP
- FOUND MON. IN CASE
- SET REBAR SET W/ TAG

DATE: \_\_\_\_\_  
 SCALE: \_\_\_\_\_  
 SHEET 1 OF 2

**SCALE 1" = 50'**

0 10 20 30 40 50

**Christian Geitz**

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**From:** Tim Adamson <oh58@frontier.com>  
**Sent:** Monday, June 20, 2016 5:08 AM  
**To:** Christian Geitz  
**Subject:** Seaplane support

Hi,

As a frequent user of Lake Washington and a former and future resident of Kirkland, I fully **support** seaplane operations on Lake Washington. They are a boat while on the water and not an airplane until they actually break free of the water.

Many "thunder boats" make more noise and don't leave the area. Those same boats make a large wake and some have as many as 3 engines. There are motorcycles on the street as well. Nobody ever wants to ban or limit either of them. Many of the faster boats on the lake are faster than the takeoff and landing speed of an airplane

Why would airplanes be singled out?

While an airplane is a boat, it should have the same rights as any other boat.

Thanks for your attention.

Tim Adamson  
425-404-9211



June 20, 2016

Mr. Christian Geitz  
Project Planner  
City of Kirkland  
123 5<sup>th</sup> Avenue  
Kirkland, WA 98033

**SUBJECT: Carillon Seaplane Operation Shoreline Conditional Use Permit, SHR16-00803**

Dear Mr. Geitz,

As the Northwest Mountain Regional Manager for the Aircraft Owners and Pilots Association (AOPA), AOPA submits this written comment in strong support of the subject Carillon Seaplane Operation Shoreline Conditional Use Permit, SHR16-00803.

Founded in 1939, the Aircraft Owners and Pilots Association (AOPA) is a nationwide not-for-profit individual membership organization – the largest such aviation organization in the world – including more than 9,100 pilots and aircraft owners in Washington state. AOPA has for 77 years been committed to ensuring the safety, future viability, and development of general aviation as an integral part of our national transportation system. As the Northwest Mountain Regional Manager, I serve AOPA in seven states throughout the Pacific Northwest. I am also an active FAA-certificated Airline Transport Pilot with a Single Engine Seaplane rating and am therefore fully knowledgeable of the proposed operations.

AOPA respectfully submits the following points in support of this shoreline conditional use permit:

1. Proposed Area of Operations:
  - a. The proposed seaplane operations will be intermittent and by appointment only. There is no intent nor any requirement to establish and/or publish a formal seaplane base.
  - b. The nature of the proposed seaplane operations is very similar to other non-seaplane base operations throughout Lake Washington and there is no evidence of adverse consequences from these operations.
  - c. According to the City of Kirkland Base Map, all proposed waterway seaplane flight operations (i.e., takeoff and landing) under this permit will be conducted on the open waters of Lake Washington and outside the City of Kirkland's boundary. Flight operations on the water and while airborne are regulated only by the Federal Aviation Administration.
  - d. The permit application therefore only pertains to the operation of seaplanes as a watercraft vessel to and from the Carillon Point Marina.

2. Pilot Requirements:

- a. As with all credentialed pilots, seaplane pilots are held to extraordinarily high standards of conduct and training by the Federal Aviation Administration (FAA). They are required to obtain a minimum of 40 hours (most pilots train a great deal longer) of hands-on flight training with an FAA Certificated Flight Instructor. Once this initial instruction is complete pilots must demonstrate mastery of the aircraft by completing a practical exam. However, successful completion of this exam does not mark the end of the pilot's training. It is mandatory for pilots to complete periodic training sessions in order to continue using their privileges. Certification in seaplanes requires additional training and typically a second flight examination by an FAA-certified examiner.
- b. Training topics include use of prudent judgement, aircraft control and maneuvering, obstacle avoidance, landing area assessment, sensitivity to community concerns, and aircraft regulations. Many pilots gain additional training through safety seminars and independent instruction on advanced topics. Pilots take pride in their professionalism, and that professionalism is demonstrated in the sound judgement they exercise when at the controls of an aircraft.

3. Safety:

- a. In addition to the certification and training requirements listed above, seaplane operations are further governed by two specific federal aviation regulations (FARs), both of which delineate specific pilot responsibilities in the operation of their aircraft. Violation could lead to fines and/or loss of piloting privileges.
  - i. FAR 91.115, Right-of-way rules: Water operations, and
  - ii. FAR 91.13, Careless or reckless operations.
- b. The proposed number of seaplane operations is statistically insignificant compared to the number of local boating operations. As noted above, seaplane pilots must meet a far higher certification standard than exists in the boating community.
- c. The exemplary safety record of seaplane operations at Kenmore and on Lake Union, even at high volumes, more than adequately demonstrates that low volume operations can be conducted safely.
- d. A study of boat-boat accident statistics versus seaplane-boat accident statistics offer proof that seaplane-boat accidents are statistically insignificant.

4. Environmental Considerations:

- a. An Army Corps of Engineers study has shown that there is "no impact" from seaplane operations on air/water/soil quality, wildlife, fisheries, and hydrology.
- b. As compared to boating operations, no fossil fuels or exhaust gases enter the water from seaplane operations.
- c. All seaplane propeller activity is above the surface resulting in no disturbance of underwater plants or sediments.
- d. Seaplanes are regularly used for water quality analysis because they have been found to offer a lower level of intrusiveness than any other watercraft vessel.

5. Noise

- a. The facts of seaplane noise outweigh anecdotal concerns of increased noise levels.
- b. Washington state water vessel noise limits are 88 db at the source and 75 db at the shoreline, with exceptions for temporary exceedances of various time durations.
- c. Even at takeoff power, the proposed seaplane aircraft to be used in the proposed permit application operate below those state-imposed noise limits.

- d. The noise level of offshore seaplane at takeoff power will be below that of a typical lawn mower. The duration of each takeoff will be less than 30 seconds.
  - e. The total cumulative time when noise levels approach, while remaining below, the applicable state guidelines (takeoff operations only) will be less than 20 minutes per week.
6. Permit Fees:
- a. Should any permit fees be charged as a result of this permit application, they should be fair and consistent with the fees charged to other commercial vessel operators/tour operators in the City of Kirkland.
7. Quality of Life:
- a. Less than 2% of National Park Service survey respondents indicated that aircraft noise either interfered or annoyed their enjoyment of the park experience. Less than 3% felt that their “quiet” was disturbed. It should be appreciated that the threshold for noise awareness/tolerance is considerably different when comparing a national park to a downtown city environment. Even so, any harm was shown to be minimal.
  - b. In comparison, over 95% of flight tour passengers indicated that their appreciation of the local area increased in moderate to extreme amounts as a result of the flight tour.
8. Economic Impact and Recreational Opportunities:
- a. Approval of the applicant’s permit will provide an additional set of recreational opportunities to residents and visitors to Kirkland and the surrounding areas.
  - b. The existence of seaplane operations will act as a magnet to bring additional economic benefits to local businesses via additional overnight stays and retail, dining, and entertainment sales.

The nature of seaplane operations throughout the Pacific NW has shown that they are a compatible commercial and recreational activity, and one that further highlights the unique resources of the Puget Sound region. AOPA encourages the City of Kirkland to take advantage of the recreational and economic impact improvements that seaplane operations will provide the city.

AOPA appreciates the opportunity to provide a written comment regarding this shoreline conditional use permit application. AOPA will also participate in the public hearing for this application, should one be convened. Please advise regarding its date, time, and location once established.

Thank you for your consideration of our views on this issue. We look forward to working with the City of Kirkland to ensure seaplane access to Carillon Point Marina.

Sincerely,



Warren Hendrickson  
NW Mountain Regional Manager, AOPA  
6523 California Ave SW, Suite 401  
Seattle, WA 98136  
[warren.hendrickson@aopa.org](mailto:warren.hendrickson@aopa.org)  
(206) 999-3111

**Christian Geitz**

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**From:** Marc Bauman <marceb@msn.com>  
**Sent:** Thursday, June 09, 2016 2:40 PM  
**To:** Christian Geitz  
**Subject:** Seaplane Application SHR16-00803

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** Zoning Permits

I live in the Finn Hill neighborhood. Recently I became aware of a seaplane company operating tours form Carillon Point. Their application is SHR16 – 00803. The commercial business sounds like a nice addition to our city. Kirkland has an amazing waterfront and it is what draws many people to our town both to live and visit.

I think the noise impact will be minimal. Already, private seaplanes take off and land off the shores of Kirkland. It is part of the charm of our city.

Marc Bauman

## Christian Geitz

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**From:** Eric Shields  
**Sent:** Friday, June 10, 2016 10:55 AM  
**To:** Christian Geitz  
**Subject:** FW: seaplanes and NIMBY - Kirkland Reporter article

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**From:** g.braschel@comcast.net [mailto:g.braschel@comcast.net]  
**Sent:** Thursday, June 09, 2016 6:53 PM  
**To:** Eric Shields <EShields@kirklandwa.gov>  
**Subject:** seaplanes and NIMBY - Kirkland Reporter article

Hello

The June 10 Kirkland Reporter has an article about the proposed use of Carillon Point as a temporary dock for sea planes. The paper names a Christian Geitz in your Department, however the Kirkland City web site does not provide a contact, thusly I take the liberty of addressing this to you.

I do not have a dog in this fight, just some observations that may be of interest to you..

If I am preaching to the Choir, I ask your indulgence. However when I heard about all the NIMBY comments you have apparently received, I had to speak up. Apparently you are being barraged by NIMBY - well here is one for the other side - and for what is presently fully legal under Federal Law ( subject to certain requirements of the USCG and FAA )

**Please do not be swayed by a bunch of priviledged gold coast NIMBY with irrational fears.**

Please review the long term collaborative seaplane use of Lake Union ( which DOES have a regular scheduled airline using it and a high volume of flight compared to the apparent Kirkland proposal which likely is rather modest in reality ) and thusly the lack of substance to any NIMBY objections for a certain similar but much less intense use in Kirkland, such Kirkland event subject of course to some reasonable and common sense policies for something that is presently perfectly legal under Federal Law.

As I understand it, this will be a minimal use situation, heavily tourist dependent, which will thus be seasonal and somewhat limited in volume - NOT a new SeaTac airport....

Another major point: Economically speaking these guys are trying to compete with Kenmore Air for a finite market and there just aren't going to be that many flights in out of Kirkland cuz there is a limited market for same flights ( else Kenmore Air would be the party here talking to you...and you will note that they aren't. Don't make the boogey man bigger than he is...)

1. There will always be NIMBYS ( ironically when THEY want to do something, then whatever that something is it must be OK - just don't you try to do something they don't like )
2. The waters of Lake Washington are navigable and are subject to Regulation by the USCG and the FAA for seaplanes, under the Laws of Commerce. Like it or not, these Laws and Rules allow certain use. Period. ( see for example the requirement to open a bridge for navigation by a vessel, even

though those so very important drivers may have to wait...) Like it or not, the NIMBYS have little say in much of this matter as they are super ceded by the subject Federal Laws of Commerce

3. Use of these waters by seaplanes is presently fully legal, subject to the above comment, and is done daily on Lake Washington and elsewhere.

4. As I understand this, the seaplane vendor will merely dock to embark disembark passengers ( no facilities here ) and then taxi out to the off shore waters to actually take off or land. This area of " runway " is thus offshore a distance

5. If you have every observed seaplanes taxing they are basically at idle and make nominal noise, often not being heard when only a short distance away as they are moving.

6. Depending on the aircraft type they are somewhat noisy at full throttle for take off, lasting only a few moments and they are gone. Seaplanes are virtually silent as they swoop in to land.

7. Existing seaplane use to land and approach the shore is presently fully legal on Lake Washington, subject as stated above in #2, and has occurred for years in many locations around the Lake.

NIMBYS really don't have too much say in this matter as to who what has the ability to land and dock at Carillon Point, just as any normal boat or vessel presently does

I would trust that the City of Kirkland address this proposal with calm and measured administration just like any similar marine use ( even though it is unique to the local history and present use ) and not be swayed by vociferous NIMBYS who really don't have much legal say in the matter, nor much of a real gripe in the first place .

And if we are going to NIMBY get our panties all up in a bunch - have you ever heard a rich guys cigarette boat that stopped for lunch at Carillon Point - ROAR all the way across the Lake as it leaves and heads for the ship Canal.....where is the petition to ban those fast boats..??

regards

Grant Braschel .....Kirkland resident since 1976

**Christian Geitz**

---

**From:** Eric Shields  
**Sent:** Friday, June 10, 2016 10:55 AM  
**To:** Christian Geitz  
**Subject:** FW: Further the NIMBY and the seaplanes

---

**From:** g.braschel@comcast.net [mailto:g.braschel@comcast.net]  
**Sent:** Thursday, June 09, 2016 7:08 PM  
**To:** Eric Shields <EShields@kirklandwa.gov>  
**Subject:** Further the NIMBY and the seaplanes

I apologize for this second email \_ I hit send too soon and had left out a thot

Although the population ages, changes moves and grows, thus making turn over in the actual residents in a particular place or address, I have traveled the shores of Lake Washington around Juanita - Kirkland and the Points to Medina Bellevue etc many times over the years..

It should be noted that a number of these Gold Coast residences have now - or had at one time- privately owned seaplanes and beaching dockage facilities and those owners used their aircraft regularly, I do not recall any mass uprising against those sea planes - again they being perfectly legal to use in those subject locations under Federal Law.

If the NIMBY want to stop this proposed Carillon Point use how does that action comport with all the other similar same area present use by various local residents???? Is the witch hunt to go after them also? and what when the Feds step in and quash that action?

regards

Grant

## Christian Geitz

---

**From:** g.braschel@comcast.net  
**Sent:** Saturday, June 18, 2016 11:32 AM  
**To:** Christian Geitz  
**Subject:** Re: further discussion > seaplanes and NIMBY

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Mr. Geitz

Hello. This is further our previous about the subject of seaplanes and Carillon Point.

( Links to informative articles are attached FYI )

I am sure that you are being barraged with comments and opinions, particularly from the Gold Coast NIMBY who simply cant understand that the Lake belongs to a wide variety of users...not just them ....and have drawn themselves into hysteria over the seaplane issue - ignoring the fact they are presently perfectly legal on Lake Washington - and Carillon Point - ( subject to certain Federal and State Law and Regulation )

Yours will be a difficult task sorting through all the noise to find the nugget of reality on which you will need to operate. I sympathize with you having to deal with the controversy that this has placed you in.

As I said in my initial correspondence to you, I personally don't have a dog in this fight, but I simply cannot stand by while obviously self centered NIMBY continue thinking they are the only people entitled to use the Lake.

I think you will find that after a careful review of the over lapping and potentially conflicting Laws and Regulations of the various jurisdictions - Federal, State and local - all having their finger in this pie, that a reasonable and common sense result allowing the seaplane use can and should be reached.

I attach a couple of links to articles addressing this matter and providing some detailed and realistic analysis of the issue in general. If you already have them good - I do not mean to preach to the choir - I merely wish to point out the real world non issue of this.

In regard use of occasional ( as proposed ) use of seaplanes at Carillon - there is no tangible nor meaningful pollution nor noise nor anything else the NIMBY protest about that realistically will harm the environment nor the safety nor livability of the Lake or surrounding environs, beyond present existing use by boats and people. Present use by water craft and vessels can and does generate as much risk of pollution and noise as the dreaded seaplane boogey man ( jet skis and cigarette / ski boats ain't quiet and there is no apparent proposal to ban those.....)

Certain reasonable regulation and policies - of course. A refusal or Denial of Use - NO.

I trust that you will find the following of interest. They specifically address the issue. If you already have them, then good and I apologize for the duplication.

Sincerely

Grant Braschel

425- 821 -3835

[www.seaplanesinparadise.com/facts/SeaplanesInParadise\\_The\\_Facts.pdf](http://www.seaplanesinparadise.com/facts/SeaplanesInParadise_The_Facts.pdf)

[http://search.xfinity.com/?cat=web&related=on&q=http://avstop.com/stories/part3seaplane.htm&org\\_q=http://avstop.com/stories/part3seaplane.htm](http://search.xfinity.com/?cat=web&related=on&q=http://avstop.com/stories/part3seaplane.htm&org_q=http://avstop.com/stories/part3seaplane.htm)

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**From:** "Christian Geitz" <CGeitz@kirklandwa.gov>  
**To:** "g.braschel@comcast.net" <g.braschel@comcast.net>  
**Sent:** Friday, June 10, 2016 4:24:23 PM  
**Subject:** FW: seaplanes and NIMBY - Kirkland Reporter article

Mr. Braschel,

Thank you for your comments on the proposal. I received both messages sent to Eric Shields. Your comments will be entered into the official file and you will be added as a party of record. A complete response and assessment of the comments will be provided in the staff recommendation to the Hearing Examiner. If you have questions or would like to review the formal file, please let me know.

Christian

**Christian Geitz**

Planner

Planning and Building Department

City of Kirkland

p: 425.587.3246

**"Kirkland Maps" makes property information searches fast and easy.**  
*GIS mapping system now available to public at <http://maps.kirklandwa.gov>.*

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**From:** Eric Shields  
**Sent:** Friday, June 10, 2016 10:55 AM  
**To:** Christian Geitz <CGeitz@kirklandwa.gov>  
**Subject:** FW: seaplanes and NIMBY - Kirkland Reporter article

---

**From:** [g.braschel@comcast.net](mailto:g.braschel@comcast.net) [<mailto:g.braschel@comcast.net>]  
**Sent:** Thursday, June 09, 2016 6:53 PM  
**To:** Eric Shields <[EShields@kirklandwa.gov](mailto:EShields@kirklandwa.gov)>  
**Subject:** seaplanes and NIMBY - Kirkland Reporter article

Hello

The June 10 Kirkland Reporter has an article about the proposed use of Carillon Point as a temporary dock for sea planes. The paper names a Christian Geitz in your Department, however the Kirkland City web site does not provide a contact, thusly I take the liberty of addressing this to you.

I do not have a dog in this fight, just some observations that may be of interest to you..

If I am preaching to the Choir, I ask your indulgence. However when I heard about all the NIMBY comments you have apparently received, I had to speak up. Apparently you are being barraged by NIMBY - well here is one for the other side - and for what is presently fully legal under Federal Law ( subject to certain requirements of the USCG and FAA )

**Please do not be swayed by a bunch of priviledged gold coast NIMBY with irrational fears.**

Please review the long term collaborative seaplane use of Lake Union ( which DOES have a regular scheduled airline using it and a high volume of flight compared to the apparent Kirkland proposal which likely is rather modest in reality ) and thusly the lack of substance to any NIMBY objections for a certain similar but much less intense use in Kirkland, such Kirkland event subject of course to some reasonable and common sense policies for something that is presently perfectly legal under Federal Law.

As I understand it, this will be a minimal use situation, heavily tourist dependent, which will thus be seasonal and somewhat limited in volume - NOT a new SeaTac airport....

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5. If you have every observed seaplanes taxiing they are basically at idle and make nominal noise, often not being heard when only a short distance away as they are moving.
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I would trust that the City of Kirkland address this proposal with calm and measured administration just like any similar marine use ( even though it is unique to the local history and present use ) and not be swayed by vociferous NIMBYS who really don't have much legal say in the matter, nor much of a real gripe in the first place .

And if we are going to NIMBY get our panties all up in a bunch - have you ever heard a rich guys cigarette boat that stopped for lunch at Carillon Point - ROAR all the way across the Lake as it leaves and heads for the ship Canal.....where is the petition to ban those fast boats..??

regards

Grant Braschel .....Kirkland resident since 1976

**Christian Geitz**

---

**From:** Greg Corrado <gregcorrado@icloud.com>  
**Sent:** Wednesday, June 15, 2016 6:02 PM  
**To:** Christian Geitz  
**Subject:** Case No. SHR16-00803

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

I have had the opportunity to review Seaplane Scenics Application for a Conditional Use Permit for operating Scenic Floatplane tours from the Guest Dock at Carillon Point. It appears to be well reasoned, environmentally sensible use of the facilities. As a Puget Sound Floatplane owner and pilot, I would like more people to experience the enjoyment of seeing this area from the air with the opportunity to experience the joy of seaplanes. I realize that some people consider seaplanes to be environmentally unsound but that couldn't be further from the truth. No part of the propulsion system ever comes into contact with the water including the exhaust so seaplanes are nearly as good for the environment as a canoe. There are noise issues but as so well documented in their application, the signature is short as most noise is generated only on takeoff and generally is no louder than an average pleasure boat for about 20 seconds per operation. I have operated privately from a small lake in Kitsap County that has 360 waterfront homes for 16 years without a single complaint. I look forward to your approval of this application.

Greg Corrado  
7512 Long Lake Rd SE  
Port Orchard, WA 98367  
gregcorrado@icloud.com

**Christian Geitz**

---

**From:** Steve Cullen <steve@cullens.org>  
**Sent:** Tuesday, June 14, 2016 9:24 AM  
**To:** Christian Geitz  
**Subject:** Seaplane proposal

This email is in regards to application SHR16-00803 and the proposal to authorize seaplane operations at Carillon Point.

To the extent the proposal is compliant with local codes and ordinances, I support the approval of seaplane operations at Carillon.

I think the proposal is actually a rather exciting development for the city. It supports tourism here in general and the businesses at Carillon specifically.

The scope of intended operations appears to fit reasonably with the location. I do not believe the noise will be a problem. I have sat in the Beach Cafe when float planes have started up and taxied out...its just not an issue.

I am not affiliated in any way with the parties involved in the application or any of the businesses at Carillon.

Feel free to share this email with others involved in the decision process.

Regards,

Steve Cullen  
(206) 695-7232

**Christian Geitz**

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**From:** Dan Fallon <fallon1@hotmail.com>  
**Sent:** Friday, June 10, 2016 4:52 PM  
**To:** Christian Geitz; Eric Shields; Kurt Triplett; Amy Walen; Jay Arnold; Shelley Kloba; Penny Sweet; Toby Nixon; Dave Asher; Doreen Marchione  
**Subject:** Seaplanes

I am a long time Kirkland resident, and I think Seaplanes would be a great addition. The Woodmark Hotel and the Carillon Pt development has been a great addition to Kirkland and they are responsible corporate citizens and neighbors. Please approve.

Sent from [Mail](#) for Windows 10

## Christian Geitz

---

**From:** Kevin Franklin <kevin@firststrikegames.com>  
**Sent:** Friday, June 10, 2016 12:40 AM  
**To:** Christian Geitz  
**Subject:** Kirkland Seaplanes - Yes Please!

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** Zoning Permits

Hi Christian

As a lakeside resident, and worker in Kirkland, I can't tell you how excited I am to have more Seaplane activity around the lake. One only has to look at Seattle's rich history of Seaplanes and the prestige of them that increases the attractiveness of a neighborhood. I fully **support** Seaplane Scenic's activities at Carillon Point.

I understand there are some ecology concerns around Seaplanes, but I also understand that Seaplane Pilots are taking tests on the best way to deal with invasive freshwater organisms. <https://www.aopa.org/asf/invasive-species/>

In addition to this my Grandfather supports Seaplanes, he is a limnologist, marine biologist, and the author the research text "Nonindigenous Freshwater Organisms"

[https://books.google.com/books/about/Nonindigenous\\_Freshwater\\_Organisms.html?id=NDcUAQAIAAJ](https://books.google.com/books/about/Nonindigenous_Freshwater_Organisms.html?id=NDcUAQAIAAJ)

If you would be interested in hearing from him directly on his thoughts on Seaplanes please let me know.

Also, I have found them to be much quieter than lawn mower or weedwacker.

Thank-you

Kevin Franklin  
CEO  
First Strike Games

**Christian Geitz**

---

**From:** Dave Gandara <davegandara@gmail.com>  
**Sent:** Friday, June 10, 2016 4:07 PM  
**To:** Christian Geitz; Amy Walen; Kurt Triplett  
**Subject:** In Support of the Seaplanes (YES) SHR16-00803

I'm in support of the seaplanes.

Thank you,  
David

David Gandara

Cell: 206-399-6595  
Kirkland, WA



DEAR CHRISTIAN GEITZ.

June 10th, 2016

RE: Seaplanes Operation at Carillon Point

Seaplane Scenics LLC is proposing the operation of seaplanes from Carillon Point departing the guest pier at 1200 Carillon Point and appears to be working with all the proper authorities.

- All flight operations will be conducted outside of the city of Kirkland.
- These services will be provided daily during daylight hours only.
- No Aircraft fueling or storage will be done on site

The Carillon Point Marina is currently authorized for commercial passenger terminal use. This is the use proposed by Seaplane Scenics. The Special Use Permit should not even be required. There is no change of use being requested. Carillon Point is equipped with all the necessary facilities. There will be no need for any upgrades.

The seaplane operation will provide no negative impacts. The existing uses of Lake Washington and the Carillon Point Marina operate the same hours with activities that exceed any and all levels of impact.

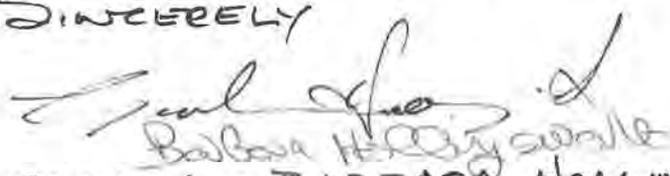
- Traffic on the water- negligible addition of vessels
- Aircraft activity- negligible addition of aircraft (currently helicopters, banner tow aircraft, and commercial Seatac Jet traffic)
- Shoreline and ecology is zero impact per attached US Army Corps 5 year study
- Noise from lake activity – seaplanes comply with Washington Boating noise limits and further illustrated in “The Facts” noise study
- Parking and traffic is easily accommodated with current parking lots. Clients are primarily visitors to Carillon Point and hotel or restaurant guests.

I support the seaplane operations from Carillon Point. It will provide enhanced access to water front activity and public use. This facilitates the city of Kirkland’s mission and goals. Tourist, retail, and recreational activity for the public and surrounding community fulfill the economic and social needs of people of Kirkland. The general public is in favor of this type of activity. Prior to the public notice, there have been no negative opinions expressed. This activity has been well received and promotes Carillon Point and the city of Kirkland as a destination resort area.

Please accept this letter as a statement of positive support and a request for Seaplane Scenics to provide their services from Carillon Point.

THANK YOU FOR YOUR CONSIDERATION.

SINCERELY



GRAHAM • BARBARA HOLLINGSWORTH  
108, 2ND AVE S. #308, KIRKLAND, WA 98033

**Christian Geitz**

---

**From:** pilotdjk@yahoo.com  
**Sent:** Saturday, June 18, 2016 11:15 PM  
**To:** Christian Geitz  
**Subject:** Please allow Seaplane Base permit  
**Attachments:** Carillon Sea Plane Operation SCUP Notice of Application - SHR16-00803.pdf;  
ATT00001.txt

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Sir:

We would appreciate your approval of permit SHR16-00803. It would be beneficial and fun for the neighborhood and the whole lake area too. Seaplane operators have consistently shown themselves to be exceedingly responsible in all categories using public and private resources. My mailing address is POB 31329 Seattle WA, 98103 and if you would keep me informed of the progress on this permit approval I would appreciate it.

Thank You,

David J Krall

**Christian Geitz**

---

**From:** Patrick Leewens <pat@leewens.com>  
**Sent:** Monday, June 13, 2016 9:48 AM  
**To:** Christian Geitz; Eric Shields; Kurt Triplett; Amy Walen; Jay Arnold; Shelley Kloba; Penny Sweet; Toby Nixon; Dave Asher; Doreen Marchione  
**Subject:** SHR16-00803 SEP16-00804 Seaplanes out of Carillon Point

Christian, Eric, Kurt, Amy, Jay, Shelley, Penny, Toby, Dave, Doreen,

I think it would be great to have seaplanes out of Carrillon Point. Maybe they can also go to the San Juan Islands. I myself and visiting friends and family would take advantage of this offering. It would be great for tourism and commerce for Kirkland. They are welcome to fly over both my house and office in Kirkland.

Since Lake Washington is a Federal Waterway, I do wonder if Kirkland or WA State has the appropriate jurisdiction.

Thank you,

Patrick Leewens

**Christian Geitz**

---

**From:** Robert Moehle <robert.c.moehle@gmail.com>  
**Sent:** Monday, June 20, 2016 12:55 PM  
**To:** Christian Geitz; Eric Shields; Kurt Triplett; Amy Walen; Penny Sweet; Shelley Kloba; Jay Arnold; Toby Nixon; Dave Asher; Doreen Marchione  
**Subject:** Kirkland resident opinion on SHR16-00803

Planning Commission,

I am writing to express my support for a seaplane business to be issued the appropriate permits to operate out of Carillon Point.

The environmental and noise impacts are insignificant compared to those of boats and personal watercraft. A seaplane business will bring great economic benefit to the region. Let's not cease the current operation over a few outlying complaints.

In a way, seaplanes are the lifeblood of aviation in the Pacific Northwest, beginning with [William Boeing's seaplane startup](#), to a world-renowned family-owned [seaplane charter business](#) in Kenmore.

Please keep me posted on any hearings so I may express my support in person.

Thank you,

--

Robert Moehle  
[robert.c.moehle@gmail.com](mailto:robert.c.moehle@gmail.com)  
(316) 990-3242

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**Christian Geitz**

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**From:** tntmuro <tntmuro@frontier.com>  
**Sent:** Tuesday, June 14, 2016 3:22 PM  
**To:** Christian Geitz; Eric Shields; Kurt Triplett; Amy Walen; Jay Arnold; Shelley Kloba; Penny Sweet; Toby Nixon; Dave Asher; Doreen Marchione  
**Subject:** SHR16-00803 and SEP16-00804

I like the idea of Sea Planes. I think it will be a great addition to the City. I don't think the noise will be an issue at all.

Thanks,  
Tony Muro  
11425 NE 94<sup>th</sup> St  
Kirkland, Wa. 98033

**Christian Geitz**

---

**From:** Kevin <neilspop@hotmail.com>  
**Sent:** Sunday, June 12, 2016 7:33 AM  
**To:** Christian Geitz  
**Subject:** Seaplanes

Hello

I would like to express a positive vote for the proposed seaplane operation at carillon. One good thing about it would be the exposure to aviation to young people watching from the nearby beaches.

Thank you

Kevin O'Connor

Kirkland

Sent from Windows Mail

**Christian Geitz**

---

**From:** Mary Ousley <maousley@frontier.com>  
**Sent:** Thursday, June 16, 2016 1:49 PM  
**To:** Christian Geitz  
**Subject:** seaplanes at Carillon

Greetings,

Is the proposed seaplane project at Carillon similar to the seaplane that is currently taking off and landing at Carillon? If so, I don't see any problem with Carillon's proposal. I live on the south side of the Parkside Condos at 5535 Lk Washington Blvd NE and the current seaplane activity at Carillon has created no negative impact or noise for me. If future seaplanes follow the same flight path as the current one, noise won't be a problem near Carillon.

Respectfully,  
Mary Ousley  
5535 Lk WA Blvd NE #204

425 827 5787

**Christian Geitz**

---

**From:** Gina Panzica Simpson <gvtps@cs.com>  
**Sent:** Sunday, June 19, 2016 5:52 PM  
**To:** Christian Geitz; Eric Shields; Kurt Triplett; Amy Walen; Jay Arnold; Shelley Kloba; Penny Sweet; Toby Nixon  
**Subject:** seaplanes at Carillon Point

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

I see not problem with allowing the permit ... permit number SHR16-00803. But I'm not in favor of the hours 9am to one hour before sunset.

Since the sun doesn't set until rather late in summer I would like to see the hours for the permit changed to 9am to one hour before sunset in with the last flight being 7pm.

thanks  
Gina Panzica Simpson

**Christian Geitz**

---

**From:** Glenn Peterson <glenn.peterson@comcast.net>  
**Sent:** Monday, June 20, 2016 7:05 PM  
**To:** Christian Geitz  
**Subject:** Re: SHR16-00803 and SEP16-00804

To City of Kirkland officials;

I am familiar with seaplane noise from boating on Lake Washington and Lake Union. I am also well acquainted with boat traffic around Carillon Point and noise in the area. I have read the application for this permit and associated information.

I see no reason that this operation should not be allowed. I even see a public benefit.

I am also an advocate for economic development in Kirkland, and this attraction will help bring more people to the area during the tourist season. This assures us that such services and attractions as the restaurants and hotels in Kirkland are sustainable through the offseason.

All this said, I do have to say that having this attraction in operation for so long without a permit is unwelcome. That is not the way to operate any activity in our city.

]Thank you,  
Glenn Peterson  
[glenn.peterson@comcast.net](mailto:glenn.peterson@comcast.net)  
(206) 660-8424

---

**Christian Geitz**

---

**From:** Stephen Ratzlaff <stephen.ratzlaff@orderport.net>  
**Sent:** Monday, June 20, 2016 4:59 PM  
**To:** Christian Geitz  
**Subject:** Re: Carillon Point Seaplane Operation - Shoreline Conditional Use Permit - SHR16-00803 - Input from Washington Seaplane Pilots Association

Here is additional input.

Reference: Permit Number SHR16-00803

Christian Geitz,

The Washington Seaplane Pilots Association is a local non-profit based in Seattle with a stated goal of “protecting and growing access to Washington waters, promoting Safe and responsible Seaplane operations while fostering communications among owners, operators, service providers and the local community.” We have hundreds of members not just in Washington but across the country and Canada.

After reviewing the Application for a Conditional Use Permit submitted by Seattle Scenics to offer Seaplane tours from the Guest Pier at Carillon Point our Board of Directors gives our unanimous support to their proposal. On this 100<sup>th</sup> Anniversary of the Boeing Company which started with a Seaplane flying from Lake Union, giving locals and tourists alike the opportunity to see the beauty of the area from the vantage point of a floatplane. This will allow them to feel the history and become part of the fabric of this region.

Over the years we have had many opportunities to work with other cities, counties and State agencies on solutions to seaplane access and after much review we find the application submitted by Seattle Scenics to be the most concise, comprehensive and well documented plan we have ever seen.

We look forward to your approval of this Application.

Sincerely,

Greg Corrado

Vice President – Washington Seaplane Pilots Association

Stephen Ratzlaff  
206-250-1625

Sent from my iPad

On Jun 20, 2016, at 5:15 PM, Christian Geitz <[CGeitz@kirklandwa.gov](mailto:CGeitz@kirklandwa.gov)> wrote:

Stephen,

Thank you for your comments on the proposal. Your comments will be entered into the official file and you will be added as a party of record. Staff is currently accepting comments related to the proposal through June 20, 2016. A

complete response and assessment of the comments and a review of all applicable local, state, and federal codes will be provided in the staff recommendation, and will be presented to the Hearing Examiner.

I have attached a summary from the applicant and a brief explanation of the project (proposal, codes, process) from the City. These smaller documents are easy to distribute via email.

If you have questions or would like to review the formal file, please let me know.

Christian

**Christian Geitz**  
Planner  
Planning and Building Department  
City of Kirkland  
p: 425.587.3246

**"Kirkland Maps" makes property information searches fast and easy.**  
*GIS mapping system now available to public at <http://maps.kirklandwa.gov>.*

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**From:** Stephen Ratzlaff [<mailto:stephen.ratzlaff@orderport.net>]  
**Sent:** Monday, June 20, 2016 6:32 AM  
**To:** Christian Geitz <[CGeitz@kirklandwa.gov](mailto:CGeitz@kirklandwa.gov)>  
**Cc:** [board@washingtonseaplanepilots.org](mailto:board@washingtonseaplanepilots.org)  
**Subject:** Carillon Point Seaplane Operation - Shoreline Conditional Use Permit - SHR16-00803 - Input from Washington Seaplane Pilots Association

To: Christian Geitz

Re: Request for Shoreline Conditional Use Permit for Seaplane Operation

On behalf of the Washington Seaplane Pilots Association, I am writing to support approval for the requested permit for Seaplane Operations.

Our experience is that seaplane operations present no adverse impact on the public or the environment.

Seaplane pilots are trained and licensed by the federal government (FAA) and are therefore well equipped to manage safety and risk.

Seaplane operations are already regulated by the FAA and are planes are expected to take off and land at least 1,000 feet from shoreline buildings. There is virtually no noise impact during landing and takeoffs have a duration of less than a minute. Furthermore, noise from propellers emanates 90 degrees from the axis of the propeller shaft. Therefore when a plane takes off to the west away from Kirkland, the noise is directed to the north and south, and not towards the shore.

Seaplane operations will benefit much of Kirkland's population as well as visitors. We recommend this permit be approved.

Stephen Ratzlaff  
President, Washington Seaplane Pilots Association

**Stephen Ratzlaff**

Director, Business Development

**OrderPort - Solutions for Wineries**

**Mobile:** 206-250-1625 | **Office:** 206-464-1151 x106 | **Fax:** 206-826-9211

[stephen@orderport.net](mailto:stephen@orderport.net) | [www.orderport.net](http://www.orderport.net)

<Carillon Point Float Plane Summary.pdf>

<Permit Quick Info Sheet.pdf>

## Christian Geitz

---

**From:** Stephen Ratzlaff <stephen.ratzlaff@orderport.net>  
**Sent:** Monday, June 20, 2016 6:32 AM  
**To:** Christian Geitz  
**Cc:** board@washingtonseaplanepilots.org  
**Subject:** Carillon Point Seaplane Operation - Shoreline Conditional Use Permit - SHR16-00803 - Input from Washington Seaplane Pilots Association

To: Christian Geitz

Re: Request for Shoreline Conditional Use Permit for Seaplane Operation

On behalf of the Washington Seaplane Pilots Association, I am writing to support approval for the requested permit for Seaplane Operations.

Our experience is that seaplane operations present no adverse impact on the public or the environment.

Seaplane pilots are trained and licensed by the federal government (FAA) and are therefore well equipped to manage safety and risk.

Seaplane operations are already regulated by the FAA and are planes are expected to take off and land at least 1,000 feet from shoreline buildings. There is virtually no noise impact during landing and takeoffs have a duration of less than a minute. Furthermore, noise from propellers emanates 90 degrees from the axis of the propeller shaft. Therefore when a plane takes off to the west away from Kirkland, the noise is directed to the north and south, and not towards the shore.

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## Christian Geitz

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**From:** Tim Adamson <oh58@frontier.com>  
**Sent:** Monday, June 20, 2016 3:34 PM  
**To:** Christian Geitz  
**Subject:** RE: Seaplane support

Thanks Christian,

I think that this Seaplane operation would add character to the area. I lived on Lake Union a couple years and the seaplanes were a great treat every day.

There will be people who will say things that are so farfetched that it really takes imagination and maybe be a good candidate for some mental health evaluation.

Some are pretty funny like:

Air operations will cause:

- An increase in prostitution
- An increase in child abuse
- An increase in drug use
- Miscarriages in Pregnant women
- Stunt children's growth
- Cause cancer
- Cause learning disability in children

The above were actually stated in hearings about airline service at Paine Field where I had a business for 10 years.

Below are variations of what people have said at small airports.

- There will be 747s landing on the lake just as soon as you allow a small airplane
- The traffic will bad so bad that we can't get to work.
- They will be so noisy that my windows will break
- The sonic boom will kill us

I am a boater and have had to dodge drunks, people who don't know the rules, jet skis, and thunder boats. I have a 57 ft motorsailer and a 15 ft Boston Whaler, both of which frequent Kirkland. Never have I ever had a problem with an airplane on the far more crowded Lake Union.

I don't know of a single accident between a boat and a seaplane on the far more crowded Lake Union.

Thank You

Tim Adamson

---

**From:** Christian Geitz [mailto:CGeitz@kirklandwa.gov]  
**Sent:** Monday, June 20, 2016 1:59 PM  
**To:** 'Tim Adamson' <oh58@frontier.com>  
**Subject:** RE: Seaplane support

Tim,  
Thank you for your comments on the proposal. Your comments will be entered into the official file and you will be added as a party of record. Staff is currently accepting comments related to the proposal through June 20, 2016. A complete response and assessment of the comments and a review of all applicable local, state, and federal codes will be provided in the staff recommendation, and will be presented to the Hearing Examiner.

I have attached a summary from the applicant and a brief explanation of the project (proposal, codes, process) from the City. These smaller documents are easy to distribute via email.

If you have questions or would like to review the formal file, please let me know.

Christian

**Christian Geitz**  
Planner  
Planning and Building Department  
City of Kirkland  
p: 425.587.3246

**"Kirkland Maps" makes property information searches fast and easy.**  
*GIS mapping system now available to public at <http://maps.kirklandwa.gov>.*

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**From:** Tim Adamson [<mailto:oh58@frontier.com>]  
**Sent:** Monday, June 20, 2016 5:08 AM  
**To:** Christian Geitz <[CGeitz@kirklandwa.gov](mailto:CGeitz@kirklandwa.gov)>  
**Subject:** Seaplane support

Hi,

As a frequent user of Lake Washington and a former and future resident of Kirkland, I fully **support** seaplane operations on Lake Washington. They are a boat while on the water and not an airplane until they actually break free of the water.

Many "thunder boats" make more noise and don't leave the area. Those same boats make a large wake and some have as many as 3 engines. There are motorcycles on the street as well. Nobody ever wants to ban or limit either of them. Many of the faster boats on the lake are faster than the takeoff and landing speed of an airplane

Why would airplanes be singled out?

While an airplane is a boat, it should have the same rights as any other boat.

Thanks for your attention.

Tim Adamson  
425-404-9211

June 10, 2016



Christian Geitz  
City of Kirkland Planning Department  
123 5th Ave.  
Kirkland, WA 98033

Subject: Permit Number SHR16 – 00803

I request approval by the City of Kirkland Hearing Examiner of the subject permit. The additional noise of the proposed small engine float plane, its frequency, and distance from shore and any residences is minimal and will hardly be noticed when compared to the present noise levels in the Lakeview Neighborhood's shoreline area. The additional amenity of having such a sightseeing opportunity for residents and visitors is an excellent idea, especially with the minimal impact the operation will have. The operator's C182F float planes are small, and produce nowhere near the noise level of larger piston and turbine engine float planes operated by Kenmore Air and others currently on the lake. Float plane pilots are more highly trained than other rated pilots of same-sized aircraft due to the additional skill and judgement required to taxi, take off and land on water among other watercraft; there should be no safety concerns about this operation.

The Applicant appears to have thoughtfully considered ways to not only bring such an amenity to our City, but also in a way which is respectful of the surrounding area and fellow boaters like me. I look forward to taking rides and sharing them with friends, family and visitors!

Sincerely,

Brian Tucker  
442 13<sup>th</sup> Ave W  
Kirkland, WA 98033-5311

Cc Kirkland City Council  
Kirkland City Manager  
Kirkland Planning Director

**Christian Geitz**

---

**From:** Karen Story <karen@nwnative.us>  
**Sent:** Tuesday, November 29, 2016 8:14 AM  
**To:** Christian Geitz  
**Subject:** Appealing DNS case number SEP16-00804

Hi Christian,

After reviewing the DNS issued by the city for case number SEP16-00804, I believe the sound study is inherently flawed. It does not measure noise in front of the waterfront homes and businesses that are most affected by the noise. It also does not measure the noise farther north along the waterfront, where I have personally had my conversations interrupted and my serenity shattered by seaplane noise when walking along Waverly Way (before the plane operation was suspended).

It is my understanding that the SEPA appeal and the permit application will be decided at the same hearing. Thus I would like the hearing examiner to please take my above comments into consideration when they make a decision.

Thanks,

Karen Story

9017 Slater Ave NE Kirkland WA 98033

**Christian Geitz**

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**From:** Pete Veazey <pveazey3@gmail.com>  
**Sent:** Thursday, June 09, 2016 7:27 PM  
**To:** Christian Geitz; Eric Shields; Kurt Triplett; Amy Walen; .psweet@kirklandwa.gov; .skloba@kirklandwa.gov; Jay Arnold; Toby Nixon; Dave Asher; Doreen Marchione  
**Subject:** RE: SHR16-00803

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** Zoning Permits

Apparently the opponents of this issue have never been to Alaska, much less Kenmore Air Harbor ! In the opposing statement I especially like the statement that this would "set a precedent for seaplanes to be allowed elsewhere on the lake" .. now that's funny. Noise ? I get more noise from Seatac air traffic and airlift Northwest that I do from seaplanes.

I'm all for it :-)

Pete Veazey  
Kirkland Highlands

--

Pete

**Christian Geitz**

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**From:** Aimee Voelz <avoelz@yahoo.com>  
**Sent:** Saturday, June 11, 2016 10:05 PM  
**To:** Christian Geitz; Eric Shields; Kurt Triplett; Amy Walen; Jay Arnold; Shelley Kloba; Penny Sweet; Toby Nixon; Dave Asher; Doreen Marchione  
**Cc:** Aimee Voelz  
**Subject:** Seaplanes at Carillon Point

Dear City Council Members,

I'm writing in support of the proposed request for Seaplane sightseeing at Carillon Point: SHR16-00803 and SEP16-00804.

My understanding is that the ecological review found that there would not be a disturbance to the wildlife preserve at Yarrow Bay. I believe the seaplane activity as proposed will not create an intolerable level of noise to nearby residents. I've spent time at an apartment building on Lake Union that had seaplanes land in front of it and the noise was limited to take-off and landing and was not disturbing.

I support the proposal because I'm in favor of drawing business and tourism where hubs already exist. I believe Carillon Point is a great location to expand business activity and that the area supports much more business than it currently has.

Thanks for considering my input.  
Aimee Voelz  
Moss Bay Resident

**Christian Geitz**

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**From:** Walter Windus <wwindus@msn.com>  
**Sent:** Monday, June 20, 2016 1:20 PM  
**To:** Christian Geitz; Eric Shields; Kurt Triplett; Amy Walen; Jay Arnold; Shelley Kloba; Penny Sweet; Toby Nixon; Dave Asher  
**Subject:** SHR16-00803

This message is to support the application for the above referenced permit. Those who are objecting are unfairly complaining about a reasonable use of the owner's property and with experience, they will find that their issues of concern are unwarranted.

Please approve this application.

Regards,  
Walter Windus

## Christian Geitz

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**From:** bobby arzadon <bobby@perfectwave.com>  
**Sent:** Saturday, January 14, 2017 12:30 PM  
**To:** Christian Geitz  
**Subject:** Re: case number SHR16-00803

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Planning Dept, City Council, and City Manager,

I have been a Kirkland business owner and resident for many years, and I am strongly opposed to a commercial seaplane operation at Carillon Point. I operate a paddle board and kayak business just north of Carillon Point. I am very concerned about customer safety and my own safety. Although I am an expert paddle boarder and kayaker, I have had several close calls with seaplanes. I may not have been in mortal danger, but it was scary. If I feel this way, can you imagine how my customers, many of whom are inexperienced, feel? I have had customers tell me they were not comfortable going out on the water when the seaplanes were operating. One mother said, "Would you let your kids play on a runway?" If customers don't feel safe on the water, this affects my bottom line.

I am also opposed due to noise. When the seaplanes were operating they were irritatingly loud at the beach.

Four to five thousand people use my business every summer. I want to keep the Kirkland waterfront a safe and inviting place for them, for my business, and for the many others who use that beach.

Sincerely,

[Bobby Arzadon](#)

### **Perfect Wave**

retail store

Shop hours 3-7 M-f, 10-6 Sat & Sun

8209 124th Ave NE

Kirkland, WA 98033

425-827-5323 shop

206-498-8469 cell

[www.perfectwave.com](http://www.perfectwave.com)

### **Sup & Kayak rental Location**

Summer hours 10-7 M-F, 9-7 Sat & Sun

houghton Beach Park, on LW

5811 Lake Washington blvd

Kirkland, WA 98033



**Christian Geitz**

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**From:** John Barnett <johnandyokobarnett@gmail.com>  
**Sent:** Thursday, November 17, 2016 7:01 PM  
**To:** Christian Geitz  
**Subject:** Seaplane

We live two doors south of Carillon  
Point and are against it for all of the reasons mentioned.  
John and Yoko Barnett

Sent from my iPad

## Christian Geitz

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**From:** g.braschel@comcast.net  
**Sent:** Thursday, January 12, 2017 12:07 PM  
**To:** Karin Bayes  
**Cc:** Christian Geitz  
**Subject:** Re: my 2.34 cents ( inflation you know ) comment" re: Notice of SEPA Appeal Hearing & Notice of Shoreline Conditional Use Permit Hearing: Carillon Sea Plane Operation - SHR16-00803 & SEP16-00804

Hello Ms. Bayes and Mr. Geitz

Thank you for keeping me included in the developments of the seaplane at Carillon situation. Like many matters it is interesting to follow civic discourse on an issue and see who has an ax, no matter how off the mark or on it, to grind. And also who wants to ignore the Law as established, or manipulate it to their own parochial interests.

As I previously stated I don't personally have a dog in this fight, but rather an interest in such matters in general and a dislike for NIMBY hypocrisy - which appears rampant to me here.

I also have a long back ground in legal matters and litigation of same, and get amused when certain players convoluted and twist logic, actual facts, and the Law to a certain position beneficial only to them rather than a general applies to everyone result

I am sure that this matter has been already heavily reviewed by various members of the Legal trade, who have long since determined and advised to Kirkland that there are only very narrow grounds for Kirkland to have a say in this matter- not the broad powers that the Gold Coast NIMBYS might wish you had

If I understand the current status of this matter- a seaplane business proposed to use the Carillon location, and was supported by Carillon Management, and was then met with loud ( no pun intended ) opposition by a bunch of the "Gold Coast" NIMBYS using the claim of excessive noise being a problem

Then Kirkland issued a Conditional Use Permit and since that allowed the seaplanes project to proceed , *now the NIMBY are appealing with a Hearing on the 30th, am I correct?*

If so, then allow me to again point out some observations:

If I am preaching to the choir I apologize - but I would appreciate the following to be again considered

> the FAA and the Coast Guard control the Lake as it is deemed "Navigable" under various " commerce" Laws. This over rides local control for the most part

>Seaplanes are therefore presently allowed to use the Lake at present and to approach the shore ANYWHERE under present Federal Law, subject ONLY to some very narrow restrictions in / by various local Law and Governing entities.

>While these restrictions may be imposed in some minutia or nuance situation, for example banned from ecology sensitive areas that thusly have very limited access by anyone not just seaplanes , under the General Commerce Navigable concept, these other Governing entities cannot on an over all basis prevent the general use of seaplanes in general,( while allowing many other classes of users to continue such use ) , from the Lake nor its shores, including in the waters near Kirkland- Note: Federal Law in this matter applies all the way to the shoreline

> while certain general noise matters may be regulated on an overall basis applied to EVERY user - **noise cannot be an exclusionary factor applied ONLY against seaplanes**

> **this raises an entirely separate additional legal concept to fight over ( outside does a seaplane make unreasonable noise issues per se ) of "disparate treatment" by a legal entity i.e. Kirkland**

**"Disparate treatment " means the Law, what ever it regulates, has to apply EQUALLY to everyone.....**

> **Banning seaplanes ONLY over perceived noise would be Disparate treatment - i.e. you CANNOT BAN a seaplane solely on the basis of noise from the general Carillon area, but have Kirkland then simultaneously ALLOW a noisy cigarette boat or noisy jet ski or a noisy motorcycle or loud car or truck or noisy boom box speaker on the beach ( no concerts or wedding music or...? ) etc in that same general Carillon area - even the noisy "carillon bells" are thus subject to this noise matter -if noise is a problem for the NIMBY then ANY source must also be banned or at least regulated**

And we haven't even gone into debate of the concept of "how far into the Lake does Kirkland claim it controls?" Remember this is a Federal controlled "Navigable" Lake - Kirkland cant claim control out to the middle or way over to Seattle or elsewhere ....and how many times can one hear while at Carillon some noisy jet ski or cigarette boat way out there far off Kirkland's "Sacrosanct Holy Gold Coast NIMBY Shore " - often coming or going to from Carillon - are all those to be banned also???

> *acquiescing to the NIMBY over the noise complaint concept in this matter thus REQUIRES Kirkland ( if it wants to avoid Litigation against itself over general discrimination ) to adopt a draconian NOISE Law that virtually shuts down EVERYTHING above a certain level in the general Carillon area*

Does Kirkland really want to go that far into the rabbit hole?

Oh, and by the way, If I and a couple dozen of my friends wanted to fly our personal seaplanes into the Lake and visit and moor at Carillon and come and go for lunch or to use the men's room or whatever - as private citizens - back and forth all day long - under PRESENT Federal Law under which there is the current RIGHT to do so under the Commerce and Navigable waters Laws ( subject only to certain FAA and USCG Law ) - *I hope you understand that Kirkland CANNOT stop that use as it has no basis to do so.....( unless it eliminates ANYONE from using Carillon or faces disparate treatment litigation )*

Nor can Kirkland stop the use by nearby residents of Medina or Hunts Point or Evergreen Point etc etc ( over which Kirkland has NO jurisdiction ) from coming and going in their seaplanes, many of which have existed there on and off for years....and doesn't that noise also travel into the area...briefly as it may occur?

I trust that Kirkland will thread its way thru this and allow a reasonable use of Carillon by the seaplanes subject only to minimal and logical regulation that is common sense - which is what I assume the seaplane operator and Carillon intended in the first place.

Have fun with this one !!

best regards

Grant Braschel

---

**From:** "Karin Bayes" <KBayes@kirklandwa.gov>

**Cc:** "Christian Geitz" <CGeitz@kirklandwa.gov>

**Sent:** Thursday, January 12, 2017 9:13:28 AM

**Subject:** Notice of SEPA Appeal Hearing & Notice of Shoreline Conditional Use Permit Hearing: Carillon Sea Plane Operation - SHR16-00803 & SEP16-00804

Attached for your information is the Notice of SEPA Appeal Hearing and Notice of Shoreline Conditional Use Permit Hearing for the **Carillon Sea Plane Operation, Case No. SHR16-00803 & SEP16-00804.**

If you have any questions concerning this information, please contact planner **Christian Geitz** at [cgeitz@kirklandwa.gov](mailto:cgeitz@kirklandwa.gov) or 425-587-3246.

Thank you,

Karin Bayes

Office Specialist  
Planning & Building Department  
City of Kirkland  
425-587-3236

## Christian Geitz

---

**From:** g.braschel@comcast.net  
**Sent:** Friday, January 13, 2017 10:10 AM  
**To:** Christian Geitz; Karin Bayes  
**Subject:** Additional thots further my recent > my 2.34 cents ( inflation you know ) comment" re: Notice of SEPA Appeal Hearing & Notice of Shoreline Conditional Use Permit Hearing: Carillon Sea Plane Operation - SHR16-00803 & SEP16-00804

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hello again - Ms. Bates and Mr. Geitz

Further my recent on the Carillon seaplane matter - may I try your patience one more time with some additional thoughts..?

After my recent email to you - below - I got into a "*what if devils advocate*" chat with some cronies and we went off ruminating on certain theories of legal matters and causes of action and where this might go as it gets progressively weirder...

Allow me to submit some further legal musings and potential reasoning and consequences in following of the matter further down the rabbit hole that you are presently standing over...

I submit the following as a cautionary note to Kirkland ( constructive suggestion of potential consequences, not professorial lecture, about which I am sure your Legal Counsel has already thought of, reviewed and discussed with you, but please bear with me for the moment... ) over the idea of refusing use to a particular class of user ( seaplanes ) while allowing a wide general and non regulated variety of others to use the Carillon facilities.

This takes off ( again no pun intended ) on the Navigable waters and disparate treatment theories I previously mentioned.

Conundrum:

> if the waters are deemed "navigable" and thus open to use under the relevant commerce clauses etc. which readily allow seaplanes ( *does Kirkland really want to take on the United States to claim the waters are not? and that Kirkland can legitimately ban commerce usage thereof??* ) then they must be allowed for use by ALL, including seaplanes.

>Under the Disparate treatment theories, if you ban seaplanes then you must ban ALL and EVERY use - and then you get a new " Law of Unintended consequences" result - i.e. you can't just ban blue Chevrolets rather you must ban ALL vehicles... { "...wait ! wait! " cry the NIMBY ...." ...seaplanes are bad but boats are good - we didn't meant to stop boats at Carillon....oh gosh !!..." }

The Gold Coast NIMBY are apparently zealots in this matter, witness this Appeal, to their exclusion of the logic behind "disparate treatment" claims...how far will they go ??

I don't presume to advise Kirkland in legal matters, and I don't know the applicant sea plane operator nor the Carillon Management, nor how much passion they may have on this subject, or their interest in spending large amounts in litigation.

But I trust that my comments fore warn you of the potential of various Causes of Action against Kirkland should Kirkland agree with the NIMBY -

What they are basing their objections on - noise - must apply to ALL on an EQUAL basis 24 / 7 / 365 , and in order for Kirkland to not expose itself in the claims of unequal enforcement of disparate treatment of the noise matter, can you imagine the size of the new Kirkland "Noise Police" Department and all the scientific equipment and monitoring and equal enforcement measures and 24 hour personnel that will be required???? ( and there are already issues with balancing the budget - where does all that new money come from ?...)

And then there is also the future litigation against Kirkland by all the new ( non seaplane ) parties you dragged into this fight once you opened Pandora's Box over noise...." *my Harley is NOT too loud !!!...*"

Do you really want to go there....???

regards again - enjoy this one !!

Grant Braschel

---

**From:** "g braschel" <g.braschel@comcast.net>  
**To:** "Karin Bayes" <KBayes@kirklandwa.gov>  
**Cc:** "Christian Geitz" <CGeitz@kirklandwa.gov>  
**Sent:** Thursday, January 12, 2017 12:06:40 PM  
**Subject:** Re: my 2.34 cents ( inflation you know ) comment" re: Notice of SEPA Appeal Hearing & Notice of Shoreline Conditional Use Permit Hearing: Carillon Sea Plane Operation - SHR16-00803 & SEP16-00804

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Have fun with this one !!

best regards

Grant Braschel

---

**From:** "Karin Bayes" <KBayes@kirklandwa.gov>

**Cc:** "Christian Geitz" <CGeitz@kirklandwa.gov>

**Sent:** Thursday, January 12, 2017 9:13:28 AM

**Subject:** Notice of SEPA Appeal Hearing & Notice of Shoreline Conditional Use Permit Hearing: Carillon Sea Plane Operation - SHR16-00803 & SEP16-00804

Attached for your information is the Notice of SEPA Appeal Hearing and Notice of Shoreline Conditional Use Permit Hearing for the **Carillon Sea Plane Operation, Case No. SHR16-00803 & SEP16-00804.**

If you have any questions concerning this information, please contact planner **Christian Geitz** at [cgeitz@kirklandwa.gov](mailto:cgeitz@kirklandwa.gov) or 425-587-3246.

Thank you,

Karin Bayes

Office Specialist

Planning & Building Department

City of Kirkland

425-587-3236

**Christian Geitz**

---

**From:** Dennis Fill <D.FILL@frontier.com>  
**Sent:** Sunday, November 27, 2016 10:57 PM  
**To:** Christian Geitz  
**Cc:** ccoby1@comcast.net  
**Subject:** Seaplane "Determination of Environmental Non-Significance"

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear Ms. Geitz,

We are residents and owners of Unit 2A at 5505 Lake Washington Blvd NE, here in Kirkland. We have owned our condo for 26 years.

We are writing to you to express our deep concern at the apparent Determination by the City of Kirkland regarding the application you have received concerning seaplane flights from Lake Washington, to be located at the foot of Carillon Point, by the Woodmark Hotel.

We have of course already experienced such an activity due to such flights having taken place for many weeks last year and we are thus aware of a noise level that we believe to be detrimental to the health of nearby residents, both psychological and physiological.

As we believe all officials within the Kirkland City Council, etc. have as one of their responsibilities the welfare of residents and tax payers of Kirkland, this letter is a request that you reconsider the determination made to date, and thus deny approval to this proposed commercial enterprise.

We look forward to hearing from you at your convenience and thank you for your attention to a matter we believe to be of major importance.

Yours Sincerely,

Dennis C. Fill and  
Carollyne Coby-Fill

**Christian Geitz**

---

**From:** yolande hoisington <yolandehoisington1@frontier.com>  
**Sent:** Tuesday, January 17, 2017 9:21 AM  
**To:** Christian Geitz  
**Subject:** Sea plane permit

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

I live on 62nd street in Kirkland, by the water. Unfortunately I am not available on the 30th to come at the hearing. I would like to express my deep concern about this permit. Life is already very noisy around the lake in summer, I am deeply opposed to this project. Please count me on your list.  
Please let me know if I can help.  
Thanks.  
Yolande Matoré Hoisington

## Christian Geitz

---

**From:** Mark Taylor <mark.s.taylor@hotmail.com>  
**Sent:** Wednesday, January 18, 2017 9:01 AM  
**To:** Christian Geitz; Eric Shields; Kurt Triplett; City Council  
**Cc:** editor@kirklandviews.com; letters@kirklandreporter.com  
**Subject:** No commercial seaplanes at Carillon Point

I would like to add my voice to the chorus of those who are opposed to permitting a commercial seaplane operation at Carillon Point. While I enjoy watching seaplanes, I am opposed to introducing this level of noise on an hourly basis to our residential neighborhood.

Contrary to the assertions of the seaplane interests, the planes are extremely noisy to anyone within an extended range. Measurements of Cessna 185 model aircraft (proposed for the Carillon Point operation) by a third party seaplane proponent in 2002 (<http://www.faegre.org/files/AF-seaplane-noise-2002.pdf>) indicate a sound level of over 90 decibels for over 20 seconds per take-off at a range of over 1000 feet (with lesser sound levels for a longer duration). This sound level is similar in intensity to that of a food blender several feet away, and equally unpleasant. These numbers are matched by our experience -- we live one-half mile north of Carillon Point on the east side of Lake Washington Blvd, over 150 feet away from the shoreline, and the seaplane take-offs last year (without permit) were sufficiently loud to interrupt conversation if our windows were open. Even the occasional cigarette boat passing by much nearer seems no louder than the seaplane taking off.

Similar seaplane touring opportunities are readily available at both the south and north ends of Lake Washington. Both of these areas are industrial in nature, rather than residential, and thus more appropriate locations for this type of operation.

Respectfully,  
Mark Taylor  
6202 Lake Washington Blvd NE  
Kirkland

## Christian Geitz

---

**From:** Nadia Tkach <nadia5188@gmail.com>  
**Sent:** Wednesday, November 23, 2016 9:59 AM  
**To:** Christian Geitz  
**Cc:** Karen Story  
**Subject:** opposing seaplanes DNS

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

case number SEP16-00804

Hi Christian,

I've reviewed the DNS determination as well as sound study for seaplanes noise levels, and I have a few questions and concerns.

The Kirkland land to the east of seaplanes landing and departure zone (such as Houghton SW) is not flat, and there was no assessment to the noise level that would be heard up the slope. I want to highlight that noise travels in all directions and over long distances as long as there are no physical obstacles on its way. Measuring noise levels of seaplanes from street level or south point as depicted on the pictures in the report seems inaccurate since there are clear physical obstacles on the way of the noise. I also strongly encourage to measure noise levels at more than 3 locations. The purpose of the sound study is to evaluate the impact of seaplanes noise on residents of this area, therefore it seems logical to use residential locations like overwater condo / apartment complex, rooftop of a residential building, multiple locations at the top of the hill. Also please evaluate the level of noise generated by seaplanes during its flight. I live in Houghton SW area near the crossing of NE 60th St and 106th Ave NE at the top of the hill and whenever seaplanes fly over the residential neighborhood they make a lot of noise that is heard inside our home even with windows closed.

I also was not clear about definition of noise transferred from commercial property to adjoining residential area. What distance is acceptable for noise from commercial property to travel through residential area? Since again this area is not flat and seaplanes are flying above the ground level, the range of noise impact is fairly wide. Also please consider the noise created during flight over residential area as well.

Seaplanes operation can be considered a new form of transportation mode laid over a residential area operating for more than 10 hours a day during summer months. If compared to light rail being built in residential SW Bellevue (for example, Enatai neighborhood), the light rail proposal includes noise barrier walls to protect comfort and wellbeing of local residents. There is currently no noise protection plan for Kirkland residents from seaplanes noise.

Please consider that old and young residents are the most vulnerable but often enough they are the ones without ability to voice their concerns. Protect the wellbeing of local residents.

Thank you,  
~Nadia Mendes



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City of Kirkland  
Planning and Building Department  
Attention: Christian Geitz  
123 5th Avenue  
Kirkland, Washington 98033

Reference Case SEP 16-00804

November 22, 2016

Dear Christian,

The proposal of seaplanes in and out of Carillon Point represents unacceptable noise levels despite environmental analysis of decibels.

Case in point... The sea plane originally (without permit) flew into the north aspect of Carillon Point. That has changed and is now being proposed to move to the southern aspect at E dock. Why?

The noise level of takeoff and landing were loud enough to interrupt conversations, whether over cocktails at the outdoor seating at the Beach Cafe or during weddings in the tent when the wedding party was giving toasts and no one could hear until the sea plane noise had abated.

I, like many other boat owners at Carillon Point, enjoy the quiet of the docks. Many of us spend more time at dock on board then off and around on the lake. The quality of that experience will suddenly and forever change with the advent of seaplanes as proposed.

Kirkland and its thirst to bolster its tax base through ever-increasing congestion, density and Noise, is killing the Golden Goose.

Both Kirkland and Carillon Point are effectively ignoring hundreds of residents who have taken the time to go through the due process, expressing fear for safety and quality of life. Do you just no longer care?

Marshall Partington MD  
3732 101st Way NE  
Kirkland Washington  
98033

10220 N.E. POINTS DR, SUITE 110, KIRKLAND, WA 98033  
TEL: 425.883.2294 • FAX: 425.883.3933 • PARTINGTONPS.COM

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**Christian Geitz**

---

**From:** Gina Panzica Simpson <gvtps@cs.com>  
**Sent:** Thursday, November 17, 2016 6:02 PM  
**To:** Christian Geitz  
**Subject:** Carillon Point seaplane

While I'm very much in favor of the seaplanes and the added revenue for Kirkland. I still feel a time limit (first flight out not before 9am and last flight out 8pm) should be included. We get a lot of sunny summer days and having it read sunset doesn't make sense. Make the time absolute ... not earlier / later than...

Gina Panzica Simpson

## Christian Geitz

---

**From:** Karen Walter <KWalter@muckleshoot.nsn.us>  
**Sent:** Monday, June 20, 2016 11:01 AM  
**To:** Christian Geitz  
**Cc:** Joe.Burcar@ecy.wa.gov  
**Subject:** RE: Carillon Sea Plane Operation SCUP Notice of Application SHR16-00803

Thank you... please, call if you have questions or need additional information.

Karen Walter  
Watersheds and Land Use Team Leader

Muckleshoot Indian Tribe Fisheries Division Habitat Program  
39015 172nd Ave SE  
Auburn, WA 98092  
253-876-3116

-----Original Message-----

From: Christian Geitz [mailto:CGeitz@kirklandwa.gov]  
Sent: Monday, June 20, 2016 10:21 AM  
To: Karen Walter  
Cc: Joe.Burcar@ecy.wa.gov  
Subject: RE: Carillon Sea Plane Operation SCUP Notice of Application SHR16-00803

Hi Karen,

At this point, the City is beginning to think about how we may limit the hours of operation. We have received high volume of negative comments on the application, with only a few supportive. We will be looking at other operations in the area (Lake Union and Kenmore Air) and discussing with other jurisdictions and agencies to chart a path toward some decision. Thank you for the comments and I may be in touch during the drafting of a staff report on the project.

Thanks,  
Christian

Christian Geitz  
Planner  
Planning and Building Department  
City of Kirkland  
p: 425.587.3246

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-----Original Message-----

From: Karen Walter [mailto:KWalter@muckleshoot.nsn.us]  
Sent: Friday, June 17, 2016 12:25 PM  
To: Christian Geitz <CGeitz@kirklandwa.gov>  
Cc: Joe.Burcar@ecy.wa.gov

Subject: RE: Carillon Sea Plane Operation SCUP Notice of Application SHR16-00803

Christian,

Thank you again for getting back to us with additional information regarding the proposed Carillon Sea Plane Operation at Carillon marina proposal referenced above. A couple of follow-up questions and comments.

1. How will the City condition the Shoreline Conditional Use permit to restrict the number of seaplanes and hours of moorage as described in the responses below?
2. The City and the applicant should note that this area as well as the greater Lake Washington basin are part of the Tribe's Usual and Accustomed Fishing Area protected under federal treaty. Tribal members may be fishing in this area when fishing opportunities are available. This project and its associated operations need to ensure that there is no impairment of tribal fishing activities. One component to address this issue, is to have seaplanes be aware and avoid tribal fishing vessels and gear that may be in the area during when these planes taxi, take-off, and land thus reducing the chances of damage to gear and loss of fishing opportunities for tribal members. The Muckleshoot Indian Tribe maintains a "hotline" that is regularly updated to reflect when and where tribal fishing is occurring. This hotline number is 1-800-FISH-NOW.

Of course this issue is not unique to seaplanes, but also boats and other watercraft on Lake Washington that in this case, would be coming and going from Carillon Point Marina that could also impair tribal fishing activities.

We appreciate the opportunity to review and coordinate with the City on this project. If you have any questions, please contact me.

Best regards,  
Karen Walter  
Watersheds and Land Use Team Leader

Muckleshoot Indian Tribe Fisheries Division Habitat Program  
39015 172nd Ave SE  
Auburn, WA 98092  
253-876-3116

---

From: Christian Geitz [CGeitz@kirklandwa.gov]  
Sent: Tuesday, June 07, 2016 12:21 PM  
To: Karen Walter  
Subject: RE: Carillon Sea Plane Operation SCUP Notice of Application SHR16-00803

Karen,  
The application is proposing to operate 2 planes from the site. Only one plane is proposed to be at the pier at one time, and no planes are moored overnight. The application does not include a flight plan. The City has no regulation to apply when dealing with where planes fly. They must follow the FAA standards. A taxi and take-off plan is included with the application materials (attached). No modifications are proposed for the pier. The use is intended to be ancillary to the hotel and restaurants, which the existing parking will support.

The attached documents should provide more information on the application. Let me know if you have any other questions.

Christian

Christian Geitz  
Planner  
Planning and Building Department  
City of Kirkland  
p: 425.587.3246

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From: Karen Walter [mailto:KWalter@muckleshoot.nsn.us]  
Sent: Monday, June 06, 2016 4:39 PM  
To: Christian Geitz <CGeitz@kirklandwa.gov>  
Subject: FW: Carillon Sea Plane Operation SCUP Notice of Application SHR16-00803

Hi Christian,

We received this SCUP Notice of Application and need more information about this project to fully evaluate its potential impacts to salmon habitat and tribal fishing activities as described below.

1. How many sea planes are proposed to use this site?
2. When will they be using this site?
3. What is the proposed flight path for these planes?
4. Does the existing pier need modifications to accommodate this use?
5. Does the site need to expand parking or make any modifications to the shoreline?

We may have comments on this proposal once we have received responses/information to these questions.

Thank you,  
Karen Walter  
Watersheds and Land Use Team Leader

Muckleshoot Indian Tribe Fisheries Division Habitat Program  
39015 172nd Ave SE  
Auburn, WA 98092

253-876-3116

From: Justine Lybeck [mailto:jlybeck@kirklandwa.gov]  
Sent: Friday, May 13, 2016 11:11 AM  
Cc: Christian Geitz  
Subject: Carillon Sea Plane Operation SCUP Notice of Application SHR16-00803

Attached for your information are the Notice of Application and Environmental Checklist for the Carillon Sea Plane Operation SCUP, File No. SHR16-00803.

If you have any questions regarding this project, please contact Planner Christian Geitz at 425.587.3246 or [cgeitz@kirklandwa.gov](mailto:cgeitz@kirklandwa.gov)<mailto:cgeitz@kirklandwa.gov>.

Thank you,

Justine Lybeck  
Office Specialist  
Planning & Building Department  
City of Kirkland

P Please don't print this e-mail unless you really need to. Reduce, Reuse, Recycle

**Christian Geitz**

---

**From:** Shay Abrash <shay\_abrash@hotmail.com>  
**Sent:** Monday, June 13, 2016 2:07 PM  
**To:** Christian Geitz; Eric Shields; Kurt Triplett; Amy Walen  
**Subject:** SHR16-00803 and SEP16-00804

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

As a Houghton resident, I am concerned about the proposal to allow sea planes to operate at Carillon Point. The noise level from boats and jet skis is already significant during the spring and summer without adding 20 to 40 takeoff and landings of sea planes on a daily basis. We enjoy the peace and quiet of the lake during the winter, and that would be in jeopardy with this year-round proposal. Please do not approve this proposal.

Thank you for your consideration .

Sincerely,

Cheryl Abrash  
6211 108th Ave NE  
Kirkland, WA 98033

Sent from my iPad

**Christian Geitz**

---

**From:** i» Jack Arndt <jcakra@frontier.com>  
**Sent:** Saturday, June 11, 2016 1:58 PM  
**To:** Kurt Triplett; Amy Walen; Dave Asher; Doreen Marchione; Shelley Kloba; Penny Sweet; Jay Arnold; Toby Nixon; Christian Geitz; Eric Shields  
**Subject:** Seaplanes - SHR16-00803, SEP 16-00804

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

We are informing you that we do not support regular service seaplanes on Lake Washington at Carillon Point, this is not a location that any of you should support for many reasons such as; noise level, environmental issues, safety, let the boaters, jet skiers, and kayaking have this area without having to make room for landing and takes offs of planes which will increases the risk of serious injury and death.

We already have traffic and pedestrian issues on Lake Washington Blvd., what impact will drivers looking up at the sky versus the road cause to safety? What will be the negative impact to individual property values?

If we had wanted regular airplane noise in our neighborhood we would have moved to Sea-Tac with a lower tax base.

It is time you, our leaders take a stand in supporting the concerns of its citizens and vote NO to seaplanes service as there are significant negative impacts to the community if allowed under any circumstances.

Sincerely,

Jack & Christy Arndt - 6424 Lake Washington Blvd. NE. - Kirkland

**Christian Geitz**

---

**From:** cathybachmann@aol.com  
**Sent:** Saturday, May 21, 2016 12:05 PM  
**To:** Christian Geitz  
**Subject:** SHR16-00803

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Hi Christian,

I am writing about the application for sea plane operation at Carillon Point. I have lived in the apartments up the hill from Carillon for 3 years and lived up the hill on 52nd Street for 26 years. I am opposed to adding sea plane noise to this area. We have had to endure additional noise over the years. The addition of Carillon Point has brought loud stereos and motor noise from boats and jet skis. Carillon Point also has vehicles that deliver during the middle of the night that use back up beepers and cause quite a bit of racket. They also installed a new HVAC unit on top of one of their building this last summer that is quite a bit noisier than the old HVAC unit. We also live with the unruly noise of motorcycles revving up and down the boulevard. So now you want to add Sea Planes to the mix. How many take offs and landings are we talking per day? Is this really something we want to add to the neighborhood? This was once a nice waterfront community that is turning into a commercial development. I am opposed to adding to all the commotion and noise in this area with Sea Planes taking off and landing.

Cathy Bachmann  
5604 Lakeview Dr #E  
Kirkland WA 98033

Permit #SHR16-00803

**Christian Geitz**

---

**From:** Craig <craigball@comcast.net>  
**Sent:** Friday, June 17, 2016 7:28 PM  
**To:** Christian Geitz; Eric Shields; Kurt Triplett; Amy Walen; Jay Arnold; Shelley Kloba; Penny Sweet; Toby Nixon; Dave Asher; Doreen Marchione  
**Subject:** 'No' for seaplanes

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hello, all,

Like many of my neighbors, I have recently become aware of the commercial seaplane operation based out of Carilon Point via my neighborhood e newsletter.

I am a 20 year resident of the Highlands neighborhood and have, in fact, noticed that there are more and more light airplanes buzzing over my house. While I've never actually seen the planes, I hear them as their noise level within my home is very loud. As you can imagine, this is more than just a quaint annoyance.

Please know that the members of my household are vehemently opposed to the continued operation of this seaplane business at Carilon Point. While sightseeing flights may serve as a positive for transient vacation goers, they simply represent one more negative impact on our quality of life here in Kirkland.

Please say 'no' to seaplanes.

Best regards,

Craig Ball  
Highlands resident

**Christian Geitz**

---

**From:** John Barnett <johnandyokobarnett@gmail.com>  
**Sent:** Saturday, June 18, 2016 1:34 PM  
**To:** Christian Geitz  
**Subject:** Re: Carillon Point Sea Plane Proposal (SHR16-00803)

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Christian,

Thank you for sending the information below. We have at least two questions for which we would like replies.

1. One of our condo members was earlier told from what is expected to be a reliable source that there is a limit of 25 flights per day.

However, that does not agree with the information you sent that reads that there would be only one flight per hour starting from

9:00AM and ending one hour before sunset. By my calculation the limit at the end of June when we have the latest sunset

would be eleven flights at one per hour. Which is correct?

2. Since 2015 seaplanes have been boarding and discharging passengers in front of the Beach Cafe and the Woodmark Hotel

by tying up to the north side of the breakwater extending from shore close to the Beach Cafe. The flight plan in your document

appears to have the seaplane dock moved to the extreme south end of the Carillon Point Marina immediately adjacent to the

north edge of the Yarrow Bay Marina. That, incidentally, would move it to about one hundred yards from our condo. If my

understanding about this placement is correct, I ask why it is moved from the site of the Beach Care and Woodmark

Hotel?

Thank you.

John Barnett  
4823 Lake Washington Blvd NE, #5  
Kirkland, WA 98033

On Jun 15, 2016, at 11:39 AM, Christian Geitz <[CGeitz@kirklandwa.gov](mailto:CGeitz@kirklandwa.gov)> wrote:

You are receiving this message because you either are an interested party or submitted a comment to the City of Kirkland regarding the proposed Float Plane (Sea Plane) operation at Carillon Point. In an attempt to provide all interested parties with the most up to date information, the applicant prepared a brief summary of the proposal. Additionally, the City prepared a brief handout identifying the proposal, the codes we will apply, and the process the application will follow. The applicant's summary identifies some of the more significant points related to the permit. Please note that the application has not changed, and the official file is available to be viewed here at City Hall (123 5<sup>th</sup> Avenue).

The City is dedicated to providing information about all types of land use and construction projects. If you have any questions about the application, please let me know.

Thank you again for your interest and comments.

Christian

**Christian Geitz**  
Planner  
Planning and Building Department  
City of Kirkland  
p: 425.587.3246

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<Permit Quick Info Sheet.pdf><Carillon Point Float Plane Summary.pdf>

**Christian Geitz**

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**From:** John Barnett <johnandyokobarnett@gmail.com>  
**Sent:** Monday, May 30, 2016 4:26 PM  
**To:** Christian Geitz  
**Cc:** Helen Rodgers; Ron Weinstein; John Barnett; Fred Freeburg; Joel Benoliel; Jackie Goldfarb; Gary Schwartz; Jonathan D. Lazarus  
**Subject:** Carillon Sea Plane Operation Shoreline Conditional Use Permit

Dear Officer Geitz,

We are voicing against subject and have copied other homeowners in our condo, 4823 Lake Washington Blvd. NE, Kirkland, WA.

Currently, seaplanes taking off at Carillon Point in front of the Beach Cafe at Carillon Point make a horrendous noise. We have heard that there will be up to 25 landings and takeoffs per day. This undoubtedly will have an impact on those within hearing distance. It is only the Yarrow Bay Marina between our condo and Carillon Point Marina, a short distance for sound travel.

There will certainly be a huge impact on air birds and waterfowl. As retirees we derive great pleasure at all times of the day observing air and water birds from our west-facing windows. With 25 planes a day, birds will almost certainly leave the area because they won't feel safe. This will impact our life enjoyment in a negative manner. For these reasons we are against the subject.

Please give us prior notice of the hearing as soon as possible.

Thank you.

John and Yoko Barnett  
4823 Lake Washington Blvd. NE, #5  
Kirkland, WA 98033

425-889-0207

**Christian Geitz**

---

**From:** seema bharati <seema\_bharati@hotmail.com>  
**Sent:** Wednesday, June 01, 2016 6:52 PM  
**To:** cgeitz@krklandwa.gov  
**Subject:** Proposed Airplane operation - SHR16 - 00803 .

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**Categories:** Zoning Permits

SHR16 - 00803 .

Hello,

The impact of an airplane operation in an area which is dense in residential condominiums and houses will affect families in extremely negative way. The continuous noise of airplanes landing and taking off throughout the day would have a detrimental effect on members of our home as well as members of many families who have senior citizens and school age children.

For example my Mother-In-Law is 79 nine years old and is in fragile health. She stays with us permanently and will have a disturbed day due to harsh noise which will be detrimental to her health.

The area around the proposed landing place has many families with children whose education will also be negatively affected.

The harmony of the environment and families should not be disturbed by granting a landing permit to the commercial hotel in an area primarily surrounded by residential units.

Please ensure that we can have a peaceful life without the ear shattering noise.

Thank You

Seema

**Christian Geitz**

---

**From:** Kim Blackwell <foodwinetravel@gmail.com>  
**Sent:** Friday, June 17, 2016 2:58 PM  
**To:** Christian Geitz; Eric Shields; awalen@kirklandwagov.com; Kurt Triplett  
**Subject:** Opposition to permit # SHR16-0083

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Our building of 21 units is directly south of Carillon Point. Anytime construction work goes on at the point, we get an extremely annoying amount of dust. It covers everything -- vertical windows included. Because seaplanes emit a lot of exhaust fumes, and because of the obvious noise from departing airplanes, all our occupants, especially those 10 units on the north side strenuously oppose having seaplanes leaving and arriving at Carillon Point.

Thank you for your consideration.

**Jim Hoon**  
**President, Yarrowbay Condominiums Owners' Association**

Kim Blackwell  
Board Member, Yarrowbay Condominiums Owners' Association

4561 Lake Washington Blvd NE  
Kirkland, WA 98033

**Christian Geitz**

---

**From:** winelovernw <winelovernw@gmail.com>  
**Sent:** Wednesday, June 15, 2016 7:57 PM  
**To:** Christian Geitz  
**Subject:** Sea planes at Carillon - Permit # SHR16-00803

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Christian,  
My name is Kim Blackwell. I reside at 4561 Lake Washington Blvd NE Unit 102 in Kirkland, WA. I purchased my home in 2004.

I adamantly oppose **SHR16-00803** as I believe this will significantly compromise the enjoyment of Lake Washington for many Kirkland residents and visitors.

If the project moves forward, I would anticipate a greater degree of noise, air and water pollution. I would like to maintain the beauty of this lovely lake we call home.

I can be reached for further comment at 425.753.4277.

Thank you!

**Christian Geitz**

---

**From:** Lisa Boyce <lisab817@hotmail.com>  
**Sent:** Sunday, June 12, 2016 1:00 PM  
**To:** Christian Geitz; Eric Shields; Kurt Triplett; Amy Walen; Jay Arnold; Shelley Kloba; Penny Sweet; Toby Nixon; Dave Asher; Doreen Marchione  
**Subject:** Seaplanes NO

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Do not want seaplanes to noisy this is a very bad idea strongly don't want the noise.

Lisa Boyce

Sent from my iPad

**Christian Geitz**

---

**From:** Harvey BUER <HSBUER@MSN.COM>  
**Sent:** Monday, June 20, 2016 8:22 AM  
**To:** Eric Shields; Christian Geitz  
**Subject:** seaplane permit

Eric and Christian, We live across the street from Houghton Park and wish to register our resistance to extending a permit to authorize the Seaplane business out of Carillon Point. Each time the seaplane takes off, even at 1000 feet from shore our conversation stops whether we are indoors or outdoors. The noise level prohibits us from hearing each other. Of course the frequency of the take offs increase in summer and on weekends when we are most likely to be entertaining. It is more than annoying. It rattles the nerves. We know you must weigh the merits of tourism to neighborhood quality but this service does not seem to be a big plus for tourism and it is a significant negative to our Houghton neighborhood. We urge you to deny a permit to this Seaplane industry. Thanks you. Harvey and Suzanne Buer, 10115 NE 62<sup>nd</sup>. St.

## Christian Geitz

---

**From:** Dan Carpenter <hcskiff@gmail.com>  
**Sent:** Monday, June 20, 2016 3:54 PM  
**To:** Christian Geitz  
**Cc:** Eric Shields; Kurt Triplett; Amy Walen  
**Subject:** Seaplanes in Kirkland

Christian,

As a Kirkland resident, I am writing to oppose the permitted use of seaplanes at Carillon Point for the following reasons:

1. Noise that would occur from 9:00 to dusk with that disturbance happening with regular frequency. Private residences and a hotel are next to this perceived seaplane operation. Check your decibel ordinances as initiated by the problem at Juanita Bay.

This can't happen!

2. Safety- This is a water congested area consisting of two Stand Up Paddle/ Kayak rental companies along with Rental Jet Ski operations private power boats, organized sail boat regattas and a public park next door. All sharing the same space!

What are you Thinking and if you allow a permit, I hope the city is well insured.

Don't compare this operation to Kenmore Air on Lake Union. That entire lake has a 7 knot speed limit on all water craft and that allows for a measure of safety.

No speed limit exists outside the markers outside the Carillon marina and how often has there been 50 mph speed boats travel just outside these buoys intersecting seaplane departures.

Please go back into your public records and check the original claims of the Carillon Developer. They stood in front of the public and the city council making assurances that the Carillon Development would never allow in the Marina either Ski Boats or Jet Skis let alone rental operations. This promise was abandon and Now Seaplanes?

And why has the city not bother to issue a seaplane permit for the last year and allow this business to exist without a notification to the public?

Dan Carpenter  
Parkside Condo Owner

**Christian Geitz**

---

**From:** Shawclark <shawclark@yahoo.com>  
**Sent:** Wednesday, May 25, 2016 7:36 AM  
**To:** Christian Geitz  
**Subject:** Seaplane

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**Categories:** Zoning Permits

I just learned their is a request to have sea plans landing and taking off in Kirkland. If this was limited to a few a day I would be fine but up to 11 is a huge noise issue. Please don't let our waterfront become a commercial noise pollution scene.

Thank you  
Sandy Clark  
Kirkland resident

Sent from my iPad

**Christian Geitz**

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**From:** Randall Cohen <randall4978@gmail.com>  
**Sent:** Saturday, June 11, 2016 2:56 PM  
**To:** Christian Geitz  
**Subject:** Seaplanes at Carolin Point

The Kirkland waterfront is popular to many who enjoy the peace and quiet of Lake Washington. It is also what attracted us and our neighbors to purchase waterfront property.

Perpetual seaplane noise which is considerable, would detrimentally spoil the Kirkland waterfront experience for those who live here as well as visitors and residents who frequent our wonderful waterfront parks.

The seaplane noise may well have a detrimental effect on property prices leading inevitably to less city revenues.

Please take these considerations into account while considering the permit to allow seaplanes on such a frequent basis.

Randall Cohen  
905 Lake St. S. Kirkland

## Christian Geitz

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**From:** Corinne <corinnecowan1@aol.com>  
**Sent:** Sunday, June 19, 2016 12:09 PM  
**To:** Christian Geitz; Christian Geitz  
**Cc:** Eric Shields  
**Subject:** Carillon Point - Kirkland: Seaplane Operations Permit

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Mr. Geitz,

It is our understanding that in your capacity as Assistant City Planner you are the appropriate person to whom we are to address our observations and comments regarding the now proposed permitting for seaplane excursions from Carillon Point.

We are sure that you will be receiving many reasons as to why a permit should not be issued for Seaplane Scenic Flights; among them resident user safety, environmental safety and community security.

Before those considerations are reviewed we would like to address the underlying issue(s):

- What is the reason for not adhering to our city's permitting process from the beginning of flight operations.
- Why did the city deny operation at the Marina then turn around and suggest they seek operation at Carillon Point

Are the answers, perhaps the following:

- Seaplane operation at the marina would, by its very nature, disrupt the enjoyable usage of Marina Park's city sponsored events, businesses, marina access, patron tranquility and safety
- Carillon Point - Skinner Corporation Headquarters: is their social and business presence the reason why Mr. Shields, Kirkland planning director, has taken a hands off stance and allowed an operation that is in violation of the city's permitting process. (Kirkland Reporter: "We have not taken a heavy hand on that so far. I'd prefer not to do that.")

Solution:

- Cease and desist operations until all "legalities" are satisfied.

Rationale:

- How few people will enjoy a 20 minute ride; how many people south of Marina Park will lose enjoyment of the tranquil beauty of our greatest asset: the shoreline and its' adjacent waters.
- What's good for the Marina Park entities is equally good for the businesses, residents, boaters, kayakers, surf and kite boarders, swimmers, park users between the Carillon Point and Marsh Park sections of our city parks.
- Is anything sacrosanct. Do we have to be bombarded by noise incessantly.
- Is the dollar at the top of our priority list in all cases?

Most Sincerely  
Doug and Corinne Cowan, Kirkland Residents  
6736 Lake Washington Blvd. NE # 2  
Kirkland, 98033  
425.454.5315 (c)

CC: Erik Shields, Director - Kirkland Planning and Building Department

Corinne  
corinnecowan1@aol.com

**Christian Geitz**

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**From:** Larry Saltz <lesaltz@earthlink.net>  
**Sent:** Sunday, June 12, 2016 9:29 AM  
**To:** Christian Geitz  
**Subject:** Seaplanes

Kirkland Council, June 11, 2016

I am writing regarding the proposed seaplanes landing on the lake by Carillon Point.

I have always been against noise pollution and find it is seldom addressed. I enjoy very much walking along the lake and always take the opportunity to drop down away from the road to the "quieter" side and enjoy the peace of the lake. I was disappointed to see the two large houses that replaced the apartment house were not required to make a walkway along the lake to extend the current walkway. When I asked at the planning department I was told that since they replaced 4 homes with two they were not required to place a water walkway. Disappointed.

I was happy to see however that Anthony's Homeport was no longer doing outside music. I like music but I like ever vanishing silence even more.

Which bring me to the seaplanes. Another source of noise. I hate that jet skis appear to be currently allowed but ask you do what you can to prevent even more noise by fighting the potential seaplane noise.

Kirkland is a fantastic city and everyone wants to be here but if we are not careful the high density housing and the noise will drive people out.

Thank you for your attention to this issue.

Sincerely,

Kathleen Dier  
6214 101st Court NE  
425 896 8180

**Christian Geitz**

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**From:** Deborah Dinzes <deborah.dinzes@comcast.net>  
**Sent:** Thursday, May 26, 2016 6:01 PM  
**To:** Christian Geitz  
**Subject:** Case No. SHR16-00803

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**Categories:** Zoning Permits

Regarding the application for sea plane operation at Carillon Point, as a resident of Houghton, I'd like to register my opposition to this proposal.

1. This is a heavily populated area and the residents of this area value our view and the relative quiet of our area. Running a noisy airport in our front yard would be extremely offensive. And smelly. Airplane fuel really stinks.
2. Carillon is the most popular beach for downtown Kirkland residents, especially with children. We don't want sea planes taking off around our #1 beach.
3. The lake in this area is heavily used by boaters, jet skiers, kayakers, paddlers, rowers, and swimmers. Having sea planes taking off in the area around Carillon grossly inconveniences the many residents who actively use this water.
4. Kenmore sea planes aren't that far away that someone can't drive 15 minutes to get there. That airport is located in a commercial area, not a residential area, and is far away from people's homes and recreational areas. There is also the sea plane international airport on Lake Union just 5 miles away.
5. Then there's the logistics. Where would you plan to build a fueling station? Where would the planes be moored? What about fuel spills? That fuel would roll right in to the beach where our kids swim.

Those few residents who feel they need this aren't grossly inconvenienced by driving a few minutes to two nearby sea plane venues, whereas thousands of local residents are grossly inconvenienced every day by this project.

I hope that the city of Kirkland will prioritize the needs and rights of the many over the miniscule monetary interests of a few people.

Sincerely,  
Deborah Dinzes  
11331 NE 67<sup>th</sup> St.  
Kirkland, WA 98033  
425.443.9524

## Christian Geitz

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**From:** Mark & Karen Duncan <the.duncans@comcast.net>  
**Sent:** Wednesday, May 25, 2016 8:41 AM  
**To:** Christian Geitz  
**Subject:** Comments on SHR16-00803

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

To the Kirkland Planning Commission -

I am writing in regards to the application to begin seaplane flights from the Carillon Point Marina area. As a homeowner in the area, I have strong concerns about the related noise levels and **I am against allowing this business to operate from this area** which is surrounded by residential neighborhoods. I am actually a fan of motorsports in general, and I grew up in a family which owned airplanes. I have flown extensively in small aircraft and have a lot of respect for the industry. However, seaplanes emit a large amount of loud noise on take-off and climbing to altitude. An occasional flight is not at all bothersome to me, and indeed is part of the character of Lake Washington and the greater Northwest. However, if flights reach the maximum that will most likely be sought by the business – I have heard this could be over 20-25 flights per day – the noise would become a relentless distraction. One may listen to the concerns/complaints of people living near the 520 bridge regarding increased noise related to expansion joints as an example of the impact of constant high levels of noise. Would the City of Kirkland consider having this business operate out of the Moss Bay area? I would suggest that the appropriate place for a seaplane base is near an existing base, such as Kenmore or Lake Union. I hope the city considers the trade-off between the taxes and employment opportunities offered by this operation vs. the reduction in property values likely to be incurred by a large number of homeowners in the vicinity. I encourage the City to reject the application for a seaplane terminal at Carillon point.

Regards,

Mark Duncan  
10431 NE 52nd St.  
Kirkland, WA 98033  
[the.duncans@comcast.net](mailto:the.duncans@comcast.net)



birding  
conservation  
education

14 June 2016

Planner Christian Geitz  
City of Kirkland  
123 Fifth Avenue  
Kirkland, WA 98033

Reference: Permit No. SHR16-00803

Ladies and Gentlemen:

I am writing on behalf of Eastside Audubon to comment on Case No. SHR16-00803 regarding the proposal of a Process IIA Shoreline Conditional Use Permit for a sea plane operation at Carillon Point Marina. We are opposed to the issuance of this permit because of the danger to protected wildlife. The planes would be too disruptive to birds resting and feeding along the shore, especially over the winter months. This area of Lake Washington is a major wintering ground for many species of ducks.

This area of Lake Washington proposed as the site of the sea plane operation is a wintering area for migrating waterfowl and they would be harmed if a sea plane operation is established there. Waterfowl will be alarmed by planes moving in and out of the area and the noise from their engines, causing them expend energy which they need for wintering over. In addition, birds may be hit by the sea planes.

A wide variety of birds use this area of Lake Washington. Review of data from bird watchers' checklists posted to eBird, a database maintained by the Cornell Lab of Ornithology and open to the public, in the area near Houghton Park in January and February 2016 show bird species and the numbers of each of them.

308 Fourth Avenue S.  
Kirkland, WA 98033  
P.O. Box 3115  
Kirkland, WA 98083-3115  
phone 425.576.8805  
fax 425.822.8580  
eastsideaudubon.org

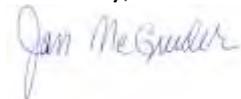
The following table presents the date on which the birds were seen and the observer's name, the name of the species, and the number of each species seen:

<u>Seen on 19 Feb 2016 by Ryan Merrill</u>	<u>Additional birds seen on 18 Jan 2016 by Adrian Lee</u>	<u>Other birds, continued</u>
Eurasian Wigeon 1	Gadwall 4	Osprey
American Wigeon 140	Aythya sp. 60	Caspian Tern
Mallard 17	Pied-billed Grebe 2	Dark-eyed Junco
Mallard (Domestic type) 7	Horned Grebe 6	Canada Goose
Greater Scaup 70	Red-necked Grebe 1	Great Blue Heron
Lesser Scaup 70	Western Grebe 150	House Finch
Bufflehead 1	Song Sparrow 1	Violet-Green Swallow
Common Goldeneye 3		Bald Eagle
Common Merganser 6		Black-capped chickadee
Double-crested Cormorant 1	<u>Other birds that use the area throughout the year are:</u>	Bewick's Wren
American Coot 2	Hooded Merganser	Northern Flicker
Mew Gull 4	Cooper's Hawk	White-crowned Sparrow
Ring-billed Gull 3	Barn Swallow	Belted Kingfisher
California Gull 1		Varied Thrush
Western x Glaucous-winged Gull (hybrid) 2		
American Crow 4		

The review of this proposal and the Environmental Impact Statement will need to include a discussion of the effect of the sea planes on these birds, and a determination of how the proposal will address the danger to these birds and whether or not the U.S. Fish and Wildlife Service will issue a take permit. If you have information about this aspect of the proposal, please send that information on to us.

Please add our chapter to the list of those who have commented on this proposal and I would appreciate your sending us a notice of the date of the hearing. Please feel free to contact us if you have any questions.

Sincerely,



Jan McGruder, President

CC: Planning Director Eric Shields  
City Manager Kurt Triplett  
Mayor Amy Walen  
Deputy Mayor Jay Arnold  
Councilmember Shelley Kloba

Councilmember Penny Sweet  
Councilmember Toby Nixon  
Councilmember Dave Asher  
Councilmember Doreen Marchione

**Christian Geitz**

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**From:** Sigrid E. Elenga <sigride@mobilegis.com>  
**Sent:** Monday, June 20, 2016 3:24 PM  
**To:** Christian Geitz  
**Subject:** RE: Seaplanes at Carillon Point article in Kirkland Reporter, June 17, 16

Dear Mr. Geitz,

I read the article which mentions that the permit will be issued on a complaint basis. My husband and I live on 431 5<sup>th</sup> Ave West directly on the water and hear the take-offs and landings all too well. I would like to make a complaint: The seaplanes are so loud that they constitute a noise hazard.

We would very much like this kind of a business to move to Renton, at the Southernmost part of Lake Washington, where there are already other seaplanes or to forbid seaplanes on Lake Washington altogether.

Please let me know when you have the hearing in September.

Regards,

Sigrid Elenga  
431 5<sup>th</sup> Ave West  
Kirkland, WA 98033-5323  
425-827=6124