CITY OF KIRKLAND
Planning and Building Department
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ADVISORY REPORT

FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS

To: Kirkland Hearing Examiner

From: Sean LeRoy, Project Planner

Eric Shields, Planning Director

Date: April 13, 2017

File: SAR16-01828 & SEP16-01580

I. INTRODUCTION

A. APPLICATION

1. Applicant: Jay Schlau
2. Site Location: Vacant parcel on 10th St. S., just north of 9th Ave. S. (See Attachment 1)
3. Request: Request for approval of a Reasonable Use Exception permit to allow construction of a single-family residence within a Type 2 wetland buffer in a secondary basin (Moss Bay), see Attachment 2. The proposal includes 3,000 square feet of on-site disturbance, approximately 137 square feet of which is across a portion of the wetland for on-site access purposes, and approximately 2,954 square feet of right-of-way buffer disturbance for access to the property.

   Pursuant to Kirkland Zoning Code (KZC) 90.140.6 the applicant is also requesting a modification to increase the height of the proposed structure from the allowed 25 feet above average building elevation to 28′ 2″ above average building elevation.
4. Review Process: Process IIA, Hearing Examiner Decision
5. Summary of Key Issues and Conclusions:
   a. Compliance with the Reasonable Use Decisional Criteria (see Section II.D).
   b. Compliance with the Process IIA Decisional Criteria (see Section II.E).

B. RECOMMENDATIONS

Based on Statements of Fact and Conclusions (Section II), and Attachments in this report, I 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. Attachment 3, Development Standards, is provided in this report to familiarize the applicant with some of the additional development regulations. This attachment does not include all of the additional regulations. When a condition of approval conflicts with a development regulation in Attachment 3, the condition of approval shall be followed.

2. Prior to the issuance of a building permit the applicant shall:

   a. Include in the plan set the approved mitigation, monitoring, and maintenance plans, including the bond quantity worksheet (see Conclusion II.D.8.b.(2).(a)).

   b. Include on the site plan the conditions recommended in the geotechnical report completed by South Fork Geosciences, PLLC, dated December 10, 2016 (see Conclusion II.E.2.b.

   c. Submit full erosion control plans, which shall depict the location of a six-foot high construction phase fence along the boundary of the entire sensitive area buffer with silt screen fabric installed per City standard. The fencing shall be installed prior to issuance of any permits. The fence shall remain upright in the approved location for the duration of development activities (See Conclusion II.D.8.b.(2).(b)).

   d. Submit a financial security device to cover the cost of completing the mitigation requirements. The security shall be consistent with the standards outlined in Zoning Code section 90.145 (See Conclusion II.D.8.b.(2).(c)).

   e. Submit a signed and notarized covenant that holds the City harmless against any future claims that may arise as a result of the development of the property (See Conclusion II.D.8.b.(2).(d)).

   f. Dedicate a Natural Greenbelt Protective Easement (NGPE) over all sensitive areas and buffer areas on the subject property not impacted by the proposed development (See Conclusion II.D.8.b.(2).(e)).

   g. Include in the building permit plan set, a re-designed driveway:

      (1) Constructed of pervious pavement, according to the City's standards (see Conclusions II.D.6.b.(1-3).

      (2) Remove the proposed turn around in 10th Street South (see Conclusion II.D.5.b.(2)).

      (3) Provide an on-site driveway configuration sufficient for entering and existing the property without the need to back out from the garage to the right of way (see Conclusion II.D.5.b.(2)).

   h. Include in the plan set a 5 foot-wide pedestrian walkway constructed of gravel (see Conclusion II.F.2.b).

2. Prior to final inspection of the building permit, the applicant shall:

   a. Complete installation of the mitigation plan, subject to inspection by the City's wetland consultant at the applicant's expense (See Conclusion II.D.8.b.(3).(a)).

   b. Provide proof of a written contract with a qualified professional who will perform the monitoring program, together with a completed contract and fees to fund peer review of the five year monitoring and maintenance activities, (i.e. inspection of plant materials, annual monitoring reports or re-vegetation activities) by the City's wetland consultant. Alternatively, the applicant shall provide a copy of a completed contract and fees to fund completion of the monitoring program by the City's wetland consultant (See Conclusion II.D.8.b.(3).(b)).

   c. Provide proof of a written contract to cover maintenance activities outlined in the mitigation report (See Conclusion II.D.8.b.(3).(c)).

   d. Install either 1) a permanent 3 to 4 foot tall split rail fence, or 2) permanent planting of equal barrier value between the boundary of the sensitive area buffer and the developed portion of the site (See Conclusion II.D.8.b.(3).(d)).

   e. Submit to the Planning and Building Department a financial security device to cover all monitoring and maintenance activities that will need to be done including wetland consultant site visits, reports to the Planning Department, and any vegetation that needs to be replaced. The security shall be consistent with the standards outlined in Zoning Code section 90.145 (See Conclusion II.D.8.b.(3).(e)).

   f. Record a "Reasonable Use Permit Covenant" document, prepared by the City, which outlines the restrictions within the approved site disturbance area along with a copy of the approved site plan and a reference to the separately recorded Natural Greenbelt Easement document (See Conclusion II.D.4.b.(3).

II. FINDINGS OF FACT AND CONCLUSIONS

A. SITE DESCRIPTION

1. Site Development and Zoning:

   a. Facts:

      (1) Size: 25,501 square feet

      (2) Land Use: The subject property is currently vacant.

      (3) Zoning: RS 8.5, low density residential

      (4) Terrain and Vegetation:

         (a) The subject property contains a Type 2 wetland in the Moss Bay basin, a secondary basin as defined in KZC 90.30.13 (see Attachments 2, 4 and 5). KZC 90.45 requires a 50' buffer and 10' buffer setback for Type 2 wetlands located in secondary basins. Approximately 13,925 is wetland and approximately 9,998 is wetland buffer.

         (b) The site's terrain slopes gradually in the area delineated

as wetland, from a low point on the northwest property line of 254 feet to a high point of 262 feet on the southeast property line (see Attachment 2).

(c) The area designated as a wetland contains the typical wetland indicators of vegetation (red alder, salmonberry and skunk cabbage), soils and hydrology (see Attachment 5).

(d) The City's Geohazards Map designates a portion of the subject property as a seismic hazard. This is discussed further in Section II.E below.

b. Conclusions:

(1) Land use and zoning are not constraining factors.

(2) As the subject property is almost entirely encumbered by the presence of the wetland and its required buffer, the applicant is seeking approval for the construction of one single family residence under the City's Reasonable Use Exception clause as found in KZC 90.145 (see Section II.D).

2. Neighboring Development and Zoning:

a. Facts: The neighborhood properties are zoned as follows and contain the following uses:

(1) North: RS 8.5, vacant

(2) South: RS 8.5, single family residential

(3) West: RS 8.5, single family residential

(4) East: Unimproved right of way, (P) Everest Park, RM 5.0 (vacant), medium density residential

b. Conclusion: The neighborhood development and zoning are not constraining factors in this proposal.

B. PUBLIC COMMENT

1. Facts: The public comment period for this Reasonable Use Exception proposal ran from July 20, 2016 to August 16, 2016. During that time the City received seven comments from residents (see Attachment 6). The main issues raised were:

a. Comment: The City should require a condition that the existing pedestrian access along the unopened right of way to the east of the property be maintained; how will that be accomplished along with vehicular access to the property?

Staff Response: The applicant will be required to supply a 5 foot wide pedestrian path along the east side of the new driveway, ensuring that pedestrian access will continue to be provided. Bollards will be supplied

in the right-of-way just north of the site entry point of the driveway, to prevent vehicular access along the pedestrian pathway.

b. Comment: The City should not approve this Reasonable Use Exception permit because:

(1) The property was "set aside as protected wetland" when development to the west occurred.

Staff Response: The subject property was created as part of the Alexander Acre Tracts as recorded in Volume 12 of plats, page 59, in 1905. The subject property has remained vacant since it's platting, prior to the establishment of City wetland regulations.

(2) It does not comply with KZC 90.140, which states that the applicant may not exceed a total of 3,000 square feet of site disturbance, and does not encroach into the sensitive area.

Staff Response: Kirkland Zoning Code 90.140 discusses the review process under which a Reasonable Use Exception will be considered. The clause in the second half of the paragraph does not indicate that a proposal cannot encroach into the wetland; only that if the proposal does not encroach into the wetland, and the proposal does not exceed 3,000 square feet of site disturbance, it shall be reviewed through a Process I permit. The applicant's proposal does cross a small portion of the wetland, thus the review process is a Process IIA zoning permit.

(3) The pedestrian access will be impacted.

Staff Response: As a condition of approval, the applicant will be required to provide a 5 foot wide gravel pathway for pedestrian access in the unopened right-of-way along the east side of the property.

(4) The project would be close to numerous springs and the wetland which has caused the City to deny previous construction attempts.

Staff Response: The applicant has submitted a sensitive areas area report and a mitigation plan as part of his Reasonable Use Exception proposal, as discussed in Section II.D, below.

c. Comment: The City should require mitigation of impacts as part of the proposed development.

Staff Response: The applicant has provided a mitigation plan that meets the requirements of the Code (see Attachment 8).

d. Comment: The City should manage the subject property's storm water, to avoid any off-site impacts.

Staff Response: The applicant's plans to manage storm water will be reviewed with subsequent construction permit. The City's standard requirement for development submittals is compliance with the 2009 King County Surface Water Design Manual.

C. STATE ENVIRONMENTAL POLICY ACT (SEPA)

1. Facts:

a. The proposed development includes work within a wetland. Therefore, SEPA review is required.

b. The City issued a Determination of Non-Significance for the applicant's proposed development on March 31, 2017 (see Attachment 7).

2. Conclusion:

a. The City and applicant have satisfied the SEPA requirements.

D. REASONABLE USE APPROVAL CRITERIA

1. Decisional Criteria of a Reasonable Use Application

a. Facts:

(1) The subject property contains a Type 2 wetland in a secondary basin (Moss Bay). KZC Section 90.45 requires a 50 foot buffer and a 10 foot buffer setback from the wetland.

KZC 90.60 – Wetland Buffer Modification – establishes a process to modify wetland buffers by no more than one-third (1/3rd) of the standard buffer width. When applying the wetland buffer modification provisions of the code, after standard required yard setbacks are applied, the applicant would be left with a polygon-shaped building pad in the northwest corner of the property, the narrowest point being 16.5 feet.

(2) KZC 90.140.3 establishes a reasonable use application to modify wetland buffers by more than one-third of the standard buffer width if strict application of Chapter 90 KZC would preclude reasonable use of a site.

(3) KZC 90.140.4 establishes submittal requirements for a reasonable use application.

The applicant has submitted a report, prepared by a qualified professional, meeting KZC.90.140.4.a through i (see Attachment 8). The wetland mitigation report has been reviewed by The Watershed Company, the City's consultant (see Attachment 9).

(4) Kirkland Zoning Code section 90.140.5 establishes nine (9) decisional criteria for approving a Reasonable Use Exception proposal. The applicant's response to the criteria is included as Attachment 8. Sections II.D.2 through II.D.10 contain the staff's findings of facts and conclusions based on these nine (9) criteria.

(5) KZC 90.140.6 states that the City may allow maximum height of structures to be increased up to 5 feet to reduce the impact on the sensitive area and sensitive area buffer.

(a) The City shall include in the written decision any conditions and restrictions that the City determines are necessary to eliminate or minimize any undesirable effects of approving the exception.

(b) Section II.D.11 contains staff's facts and conclusions of the applicant's proposed height increase.

b. Conclusions:

(1) A buffer modification approval would not provide adequate area for a residence on the subject property. Due to the extent of the on-site wetland and its shape, the wetland buffer modification provision under KZC 90.60 are not adequate to provide reasonable use of the property.

(2) Based upon the following analysis in Section 2 through 11, and with the recommended conditions of approval, the application meets the established criteria for approving a reasonable use application under a Process IIA.

2. Criterion 1 KZC 90.140.5a: That no permitted type of land use for the property with less impact on the sensitive area and associated buffer is feasible and reasonable, which in a residential zone shall be one (1) single-family dwelling and in a commercial or industrial zone shall be an office use;

a. Facts:

(1) The subject property is located within the RS 8.5 zone, a low density residential zone which allows the following land uses: Church, Community Facility, Detached Dwelling Unit, Golf Course, Government Facility, Mini-School or Mini-Day-Care Center, Public Park, Public Utility, School or Day-Care Center.

(2) The applicant is proposing to construct one detached dwelling unit (single-family residence).

b. Conclusions: There is no other permitted land use for the subject property that would have a lesser impact on the sensitive areas and associated buffers than a detached dwelling unit (single-family residence).

3. Criterion 2 KZC 90.140.5b: That there is no feasible on-site alternative to the proposed activities, including reduction in size, density or intensity, phasing of project implementation, change in timing of activities, revision of road and lot layout, and/or related site planning considerations, that would allow a reasonable economic use with less adverse impacts to the sensitive area and buffer;

a. Facts:

(1) The subject property contains a Type 2 wetland in a secondary basin (Moss Bay basin), requiring a 50 foot buffer with an additional 10 foot setback as required by KZC 90.45.

(2) The subject property is 25,501 square feet, approximately 9,998 square feet of which is wetland buffer and 13,925 square feet of which is wetland. The wetland and wetland buffer comprise approximately 93% of the entire site.

(3) The applicant has submitted a complete building permit application, showing a 35′ by 45′ building footprint (see

Attachment 2). The garage doors are shown to be recessed by about eight feet at the southeast corner of the building. This is not sufficient depth to back a car out and turn around on-site. The site plan shows an approximately 50 foot long driveway with a vehicular turn around in the 10th Street South right-of-way.

(4) KZC 15.30.060, permits a maximum height of structure above Average Building Elevation of 25 feet. Under the provision of KZC 90.140.6 the applicant is requesting the maximum height of structure be increased up to five (5) feet above the permitted 25 feet. The proposed building plans show a structure that is 28′ 2″ above average building elevation.

b. Conclusion:

(1) There is no feasible on-site alternative to construct a single-family residence due to the environmental constraints. Construction of one single family homes allows for reasonable economic use of the site with the minimum amount of impact to the sensitive area.

(2) Prior to the issuance of the building permit, the applicant should revise the plans to accommodate a driveway configuration sufficient for entering and existing the property without the need to back out from the garage to the right of way.

(3) The proposed site plan minimizes the adverse impact on the sensitive area by locating the residence as far as possible from the sensitive area and only disturbing a minimal amount of sensitive area – approximately 137 square feet – for a portion of the driveway.

(4) For the analysis of the requested height increase see Section II.D.11.

4. Criterion 3 KZC 90.140.5c: Unless the applicant can demonstrate unique circumstances related to the subject property, the amount of site area that will be disturbed by structure placement or other land alteration, including but not limited to grading, utility installation, decks, driveways, paving, and landscaping, shall not exceed the following limits:

- If the subject property contains 6,000 square feet of area or less, no more than 50 percent of the site may be disturbed.

- If the subject property contains more than 6,000 square feet but less than 30,000 square feet, no more than 3,000 square feet may be disturbed.

- For properties containing 30,000 square feet or more, the maximum allowable site disturbance shall be between 3,000 square feet and 10 percent of the lot area, to be determined by the City on a case-by-case basis.

- The amount of allowable disturbance shall be that which will have the least practicable impact on the sensitive area and the sensitive area

buffer given the characteristics and context of the subject property, sensitive area, and buffer.

- The applicant shall pay for a qualified professional to help with the City's determination of the appropriate limit for disturbance;

a. Facts:

(1) The subject property is approximately 25,501 square feet, with an approximately sensitive area of 13,925 square feet and a buffer of 9,998 square feet – a total of 93% of the site.

(2) The applicant is proposing to disturb 2,851 square feet of buffer, including the building footprint and provisions for the driveway. As part of the driveway improvements, only 137 square feet of wetland is proposed to be impacted.

(3) For access purposes, the applicant is proposing to disturb approximately 2,954 square feet of wetland buffer in the unopened right of way known as 10th Street South. The subject property has no other legal means of access as it does not front another right of way.

(5) The Reasonable Use Exception application includes a report completed by a qualified professional. The applicant has funded a review by the City's Consultant, The Watershed Company (see Attachments 8 and 9).

b. Conclusions:

(1) The proposed disturbance area meets the limitations established in the criteria and is the minimum practical intrusion given the size and shape of the sensitive areas and buffers. More than 3,000 square feet of site disturbance will occur when the area of the on-site and off-site work is totaled. However, there is no other means of access to the property except through 10th Street South, which makes this a unique circumstance.

(2) The proposed disturbance area, as situated in the applicant's plans, will lead to the least impact of the wetland. If the disturbance area was moved in any direction, more than the proposed 137 square feet of wetland would be impacted.

(3) Prior to the final inspection of the building permit the applicant should record a "Reasonable Use Permit Covenant" document prepared by the City, which outlines the restrictions within the approved site disturbance area along with a copy of the approved site plan, and a reference to the separately recorded Natural Greenbelt Easement document (see Attachments 10 and 11).

5. Criterion 4 KZC 90.5d: The proposal is compatible in design, scale and use with other legally established development in the immediate vicinity of the subject property in the same zone and with similar site constraints;

   a. Facts:

      (1) The subject property is 25,501 square feet.

      (2) The applicant's building permit plans show a proposed single family residence of approximately 3,300 square feet or 13% floor area ratio.

      (3) The subject property is bordered on the west by single family residences that have floor area ratios that range from 20-23%. Those parcels average 9,300 square feet in size.

      (4) Three houses were recently constructed on nearby parcels with wetland and buffer constraints on 8th Street South. The houses range in size from 4,400 to 4,600 square feet and their floor area ratios range from 32% to 39%.

      (5) The applicant plans show an asphalt driveway within the 10th Street South right-of-way, 10 feet in width, including a proposed vehicular turn around positioned on the northeast side of the entry point to the property.

   b. Conclusions:

      (1) The proposed single family residence is compatible in design, scale and use with the existing single family homes in the area.

      (2) Prior to the issuance of the building permit, the applicant should revise the building permit, by removing the vehicular turn around in 10th Street South and show pervious pavement for the driveway's material.

6. Criterion 5 KZC 90.140.5e: The proposal utilizes to the maximum extent possible innovative construction, design, and development techniques, including pervious surfaces, which minimize to the greatest extent possible net loss of sensitive area functions and values;

   a. Facts:

      (1) The applicant is proposing to disturb no more than 3,000 square feet of the subject property for the construction of the new single family residence and associated improvements. The majority of the site disturbance (roughly 96%) will be in the wetland buffer. Only 137 square feet of wetland impacts are proposed, as a portion of the driveway.

      (2) The applicant has requested a modification, pursuant to KZC 90.146.6, to increase the height of the single family residence to limit the impact to the sensitive area.

(3) The City of Kirkland Public Works Department's Standard Plans CK-L.09, CK-L.10 and CK-L.06 provide details for installation of permeable pavers and pervious concrete.

b. Conclusions:

(1) As part of the building permit, the applicant's plans should include pervious pavement for the driveway.

(2) The pervious pavement driveway should be constructed in accordance with Public Works Standard Plans CK-L.09 and CK-L.10.

(3) Where applicable, provide the necessary analysis and data to demonstrate pervious surfaces comply with relevant surface water requirements, performing in the manner in which they are intended.

(4) The applicant has positioned the proposed home and access to minimize the net loss of wetland function (see Attachment 2).

(5) As conditioned, the proposal utilizes, the maximum extent feasible, innovative construction, design and development techniques, including pervious surfaces, which will minimize the net loss of sensitive area functions and values.

7. Criterion 6 KZC 90.140.5f: The proposed development does not pose an unacceptable threat to public health, safety, or welfare on or off the property;

a. Facts:

(1) The applicant's Reasonable Use Exception permit is for the construction of a permitted use, a single family residence.

(2) The applicant's submittal includes a mitigation plan for impacts to the wetland and its buffer.

(3) In the applicant's mitigation plan, prepared by Altmann Oliver Associates, LLC, details are provided on plans to mitigate impacts to the buffer and wetland. In addition to mitigation efforts, the applicant's plan also discusses steps which will be taken to enhance the overall function of the wetland including removal of invasive species and strategic placement of woody debris for the benefit and propagation of habitat.

b. Conclusion: The applicant's proposal does not pose an unacceptable threat to public health, safety or welfare on or off the property, and thus it complies with this criteria.

8. Criterion 7 KZC 90.140.5g: The proposal meets the mitigation, maintenance, and monitoring requirements of KZC Chapter 90.

a. Facts:

(1) KZC 95.50 establishes the requirements for construction phase fencing and a permanent barrier along wetland buffers.

(2) KZC Chapter 90 requires an enhancement plan that meets certain standards and a 5-year monitoring and maintenance program with at least two yearly visits and a yearly report completed by a qualified professional.

(3) The applicant submitted a preliminary wetland mitigation plan that was reviewed and commented on by The Watershed Company. The plan meets the requirements set forth in Chapter 90, with the exception of providing a bond quantity worksheet.

(4) KZC Section 90.145 establishes the performance and maintenance security requirements for project involving sensitive areas.

(5) KZC Section 90.150 states that the applicant shall dedicate development rights, air space, or grant a greenbelt protection or open space easement to the City to protect sensitive areas and their buffers. Land survey information shall be provided by the applicant for this purpose in a format approved by the Planning Official.

(6) KZC Section 90.155 states that prior to issuance of a development permit, the applicant shall enter into an agreement with the City that runs with the property, in a form acceptable to the City Attorney, indemnifying the City from any claims, actions, liability and damages to the sensitive areas arising out of development activity on the subject property.

b. <u>Conclusion</u>:

(1) The proposed mitigation plan, as conditioned, meets the minimum standards of Chapter 90 KZC for mitigation, maintenance and monitoring.

(2) Prior to the issuance of the building permit, the applicant should submit:

(a) Development plans that incorporate the approved mitigation, monitoring and maintenance plans, including the bond quantity worksheet.

(b) Erosion control plans, which depict the location of a six-foot high construction phase fence along the boundary of the entire disturbance area with silt screen fabric installed per City standards. The fencing should be installed prior to issuance of any permits. The fence should remain upright in the approved location for the duration of development activities.

(c) A bond quantity worksheet and a financial security device to cover the cost of completing the buffer enhancement

improvements. The security should be consistent with the standards outlined in Zoning Code section 90.145.

(d) A signed and notarized covenant that hold the City harmless against any future claims that may arise as a result of the development of the property (see Attachment 12).

(e) Dedicate a Natural Greenbelt Protective Easement (NGPE) over all sensitive areas and buffer areas on the subject property not impacted by the proposed development.

(3) Prior to final inspection of the building permit, the applicant should:

(a) Complete installation of the wetland and buffer enhancement plan, subject to inspection by the City's wetland consultant at the applicant's expense.

(b) Provide proof of a written contract with a qualified professional who will perform the monitoring program, together with a completed contract and fees to fund peer review of the monitoring and maintenance activities, (i.e. inspection of plant materials, annual monitoring reports or revegetation activities) by the City's wetland consultant. Alternatively, the applicant should provide a copy of a completed contract and fees to fund completion of the monitoring program the City's wetland consultant.

(c) Provide proof a written contract to cover maintenance activities outlined in the buffer report.

(d) Install either: 1) a permanent 3 to 4 foot tall split rail fence, or 2) a permanent planting of equal barrier value between the boundary of the wetland buffer and the developed portion of the site.

(e) Submit to the Planning Department a financial security device to cover all monitoring and maintenance activities that will need to be done including wetland consultant site visits, reports to the Planning Department, and any vegetation that needs to be replaced. The security should be consistent with the standards outlined in Zoning Code section 90.145.

9. Criterion 8 KZC 90.140.5h: The inability to derive reasonable use is not the result of actions by the applicant after the effective date of the ordinance codified in this chapter or its predecessor; and

a. Facts:

(1) The subject property was originally platted under the Alexander Acres plat, a portion of lots 38-40, in 1905.

(2) The subject property has remained vacant since it's platting, prior to the establishment of City wetland regulations. In 1986 the owner of the subject property and the owner of the parcel directly south – 856 9th Ave South – submitted a Lot Line Alteration to move the common property line, south to its present location. The City approved the lot line alteration in April of 1986.

b. Conclusion: The inability to derive reasonable use is not the result of actions by the applicant after the effective date of the ordinance codified in Chapter 90 KZC or its predecessor. It results from the fact that the site is impacted by sensitive areas and required buffers.

10. Criterion 9 KZC 90.140.5i: The granting of the exception will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings, or structures under similar circumstances.

a. Facts:

(1) Under the provisions of KZC Chapter 90, the City has historically granted buffer modifications and reasonable use permits for the construction of reasonably sized homes, for properties encumbered by sensitive areas or sensitive area buffers.

(2) The applicant's building permit plan set indicates a proposed single family residence of approximately 3,300 square feet including the garage, or 13% floor area ratio.

b. Conclusion: The granting of the exception will not confer on the applicant any special privilege that is denied by Chapter 90 KZC to other lands, buildings or structures under similar circumstances.

11. Modification and Conditions 90.140.6: The City may approve reductions in required yards or buffer setbacks and may allow the maximum height of structures to be increased up to five (5) feet to reduce the impact on the sensitive area and sensitive area buffer. The City shall include in the written decision any conditions and restrictions that the City determines are necessary to eliminate or minimize *any undesirable effects* of approving the exception.

a. Facts:

(1) In order to reduce the impacts on the wetland buffer, the applicant is requesting an increase in height from the allowed 25 feet above average building elevation to 28′ 2″ above average building elevation.

(2) Approximately 93% of the subject property is wetland and wetland buffer.

(3) The site's constraining features and shape of the wetland and wetland buffer, limit the location of an appropriate building envelope to the proposed location, without significant additional

impact to the wetland.

(4) The presence of the wetland and the resulting hydrology of the subject property limit the construction of a basement. To properly construct a useable basement, and thereby limit the height of the house to that which is allowed by the underlying zoning (25′ above average building elevation), would require a minimum vertical cut of 10 feet. Doing so would necessitate a greater impact to the wetland, its buffer and hydrological function.

(5) The adjacent single family residences positioned to be most impacted by the height increase are located west of the subject property, 845 8th Avenue South and 843 8th Ave South. Both are 2 story houses and located approximately 80 feet and 60 feet, respectively, from the proposed new single family residence. The parcel directly north is vacant and the parcels directly east are vacant and represent a portion of Everest Park.

b. Conclusions:

(1) The granting of a height modification will not create any undesirable effects for the surrounding properties or the neighborhood as a whole.

(2) The proposed 3′ 2″ height increase is necessary to facilitate the construction of an economically viable home given the sensitive area constraints of the subject property.

E. KZC CHAPTER 85 – CRITICAL AREAS: GEOLOGICALLY HAZARDOUS AREAS

1. Facts:

a. Zoning Code regulations regarding geologically hazardous areas are found in Chapter 85.

b. The property is shown to contain a seismic hazard area as identified on the City's Geologically Hazardous Areas Map.

c. In compliance with KZC 85.3, the applicant, as part of his submittal, has included report by a qualified geotechnical professional (South Fork Geosciences, PLLC), see Attachment 13.

d. The applicant's geotechnical engineer, after a review of the subject property's site conditions and subsurface conditions, has concluded that no seismic hazard exits.

2. Conclusions:

a. The applicant has complied with the City's hazardous area requirements found in Chapter 85 of the Kirkland Zoning Code.

b. Prior to the issuance of the building permit the applicant shall include the recommendations provided by the Geotechnical Engineer.

F. RIGHT OF WAY IMPROVEMENTS AND MODIFICATIONS

1. Facts:

a. Chapter 110 of the Zoning Code includes requirements for improvement of rights-of-way adjacent to proposed development sites.

(1) The subject property abuts an unimproved right of way, 10th Street South, designated a Neighborhood Access type street. 10th Street South is located west of the southerly portion of Everest Park. A portion of the right-of-way is wetland buffer.

(2) KZC 110.10 and 110.25 establish that the applicant is responsible to make half-street improvements in rights-of-ways abutting the subject property, including a paved road surface, vertical curb, landscape strip and sidewalk.

(3) The unopened 10th Street South right-of-way has been historically used by pedestrians as a foot path providing an access point to the south end of Everest Park.

(4) KZC 110.70.3 allows the City to grant a modification to the nature or extent of any required improvements for any of the following reasons:

(a) If the improvement as required would not match the existing improvements.

(b) If unusual topographic or physical conditions preclude the construction of improvements as required.

(c) If other unusual circumstances preclude the construction of the improvements as required.

(d) If the City and neighborhood has agreed upon a modified standard for a particular street.

(5) The Public Works Department, due to the presence of the wetland buffer within the right-of-way, has recommended the following improvements along 10th Street South:

(a) A 10 foot-wide driveway from 9th Avenue South to the proposed entry point to the subject property.

(b) A 5 foot-wide gravel pedestrian path, along the eastside of the new driveway. The path shall be separated from the driveway by a vegetated strip with a minimum of width of one foot.

(c) 3 removable bollards in the right-of-way, north of the site entry point of the driveway.

(d) Installation of two "NO PARKING ANYTIME" signs along 10th Street South.

(6) KZC 90.20.4 exempts certain work from the requirements of Chapter 90 relating to sensitive areas. It states, "all normal and routine maintenance, operation and reconstruction of existing roads, streets and associated rights-of-way and structures."

2. Conclusions:
   a. The applicant's proposal meets the criteria for modification of the required right-of-way improvements for 10th Street South.
   b. The applicant's plans should be modified to include improvements recommended by the Public Works Department.

G. PROCESS IIA ZONING PERMIT APPROVAL CRITERIA

1. Fact: KZC 150.65.3 states that a Process IIA application may be approved if it is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and it is consistent with the public health, safety and welfare.

2. Conclusion: With the recommended conditions approval, the proposal complies with the criteria in KZC 150.65.3. It is consistent with all applicable development regulations (see Section II.D) and the Comprehensive Plan (see Section II.F). In addition, it is consistent with the public health, safety and welfare because it will allow reasonable use of a property while improving the quality and function of the sensitive area and its buffers.

H. COMPREHENSIVE PLAN

1. Facts:
   a. The subject property is located within the Everest neighborhood. The Comprehensive Land Use Map designates the subject property for low density residential at 5 units per acre.
   b. The following policies listed in the Natural Environmental Element of the Comprehensive Plan are applicable to the proposal:
      (1) Policy NE-1.6: Strive to minimize human impacts on habitat areas.
      (2) Policy NE-2.2: Protect surface water functions by preserving and enhancing natural drainage system whenever possible.
   c. KZC 90.50 requires that the applicant install a barrier (split rail fence or vegetative barrier) at the edge of the wetland buffer.
   d. Steps to limit damage include minimizing creation of new impervious surfaces, maximizing use of soils and vegetation in slowing and filtering runoff and installing structural slow control facilities at redeveloping sites where appropriate to mimic pre-development hydrologic regime.

2. Conclusions:
   a. The proposal is consistent with the Comprehensive Land Use Map.
   b. With the inclusion of a split rail fence at the edge of the disturbance area and pervious paved materials, the proposal would be consistent with the Natural Environment Element of the Comprehensive Plan.
   c. The applicant's mitigation plan, when implemented, will improve natural drainage through enhancement of the wetland and its buffer.

I. DEVELOPMENT REGULATIONS

1. Fact: Additional comments and requirements placed on the project are found in Attachment 3, Development Standards.
2. Conclusion: The applicant should follow the requirements set forth in Attachment 3.

III. SUBSEQUENT MODIFICATIONS

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

IV. APPEALS AND JUDICIAL REVIEW

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

A. APPEALS

1. Appeal to the City Council:

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

B. JUDICIAL REVIEW

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

V. LAPSE OF APPROVAL

Under KZC 90.140.8, the applicant must file a complete building permit application for the development activity, use of land or other actions approved under this chapter within one (1) year after the final approval of the City of Kirkland on the matter, or the decision becomes void; provided, however, that the applicant may apply for a one-time extension of up to one year.

The application for extension must be submitted by letter to the Planning Official and, along with any other supplemental documentation, must demonstrate that the applicant is making substantial progress toward developing the subject property consistent with the approval and that circumstances beyond his/her control prevent compliance with the time limit under this section. An extension must be granted at least 30 days prior to the one year expiration to be valid.

VI. ATTACHMENTS

Attachments 1 through 13 are attached.

1. Vicinity Map
2. Plans
3. Development Standards
4. Sensitive Areas Report
5. The Watershed Company's Review of Sensitive Areas Report
6. Public Comments
7. SEPA Determination of Non-Significance
8. Applicant's Mitigation Plan
9. The Watershed Company's Approval of the Revised Mitigation Plan
10. Reasonable Use Covenant
11. Natural Greenbelt Protective Easement
12. Save Harmless Agreement – Wetland
13. Geotechnical Report

VII. PARTIES OF RECORD

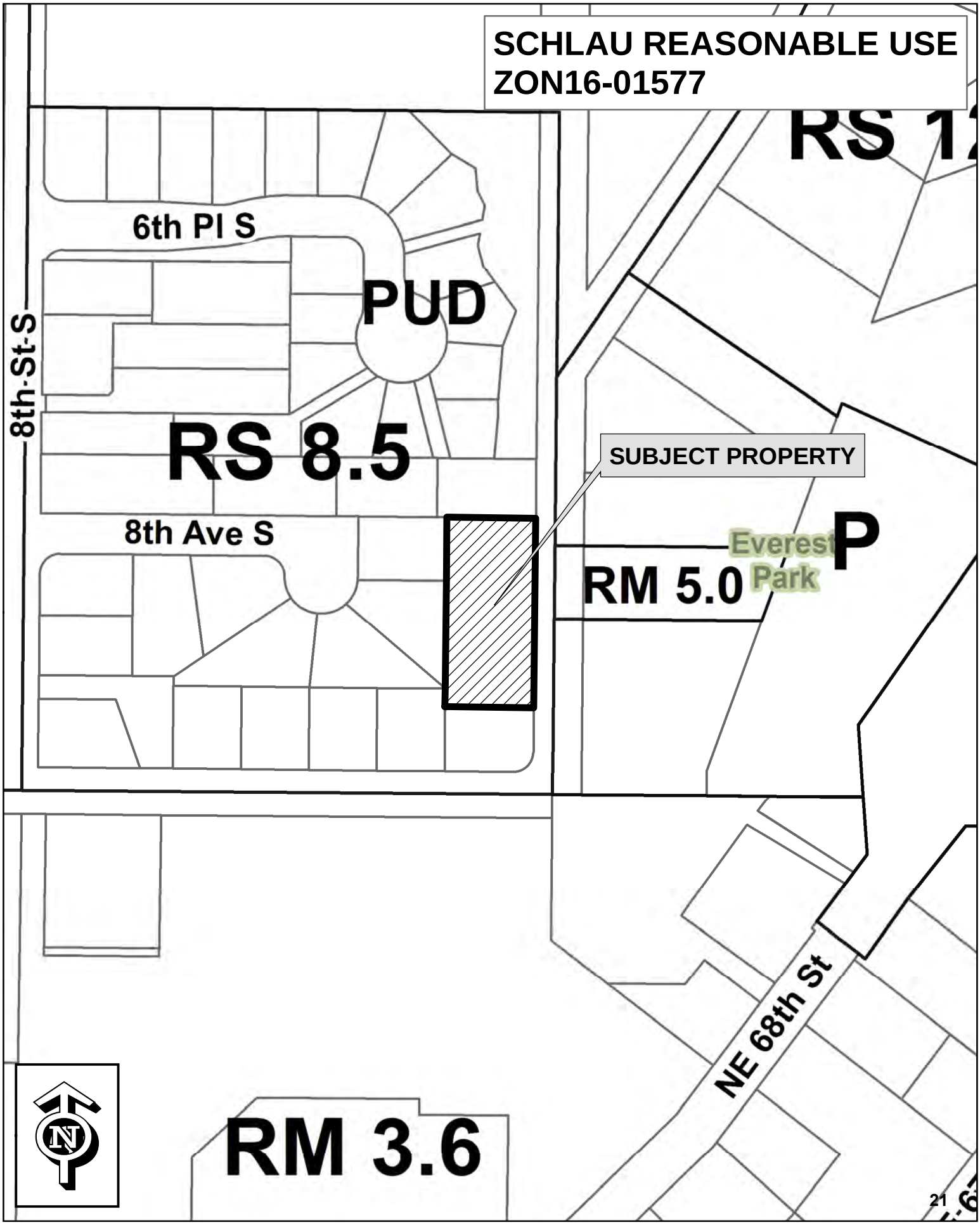
Applicant

Parties of Record

Planning and Building Department

Public Works Department

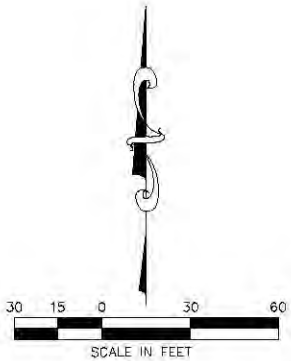
Fire Department

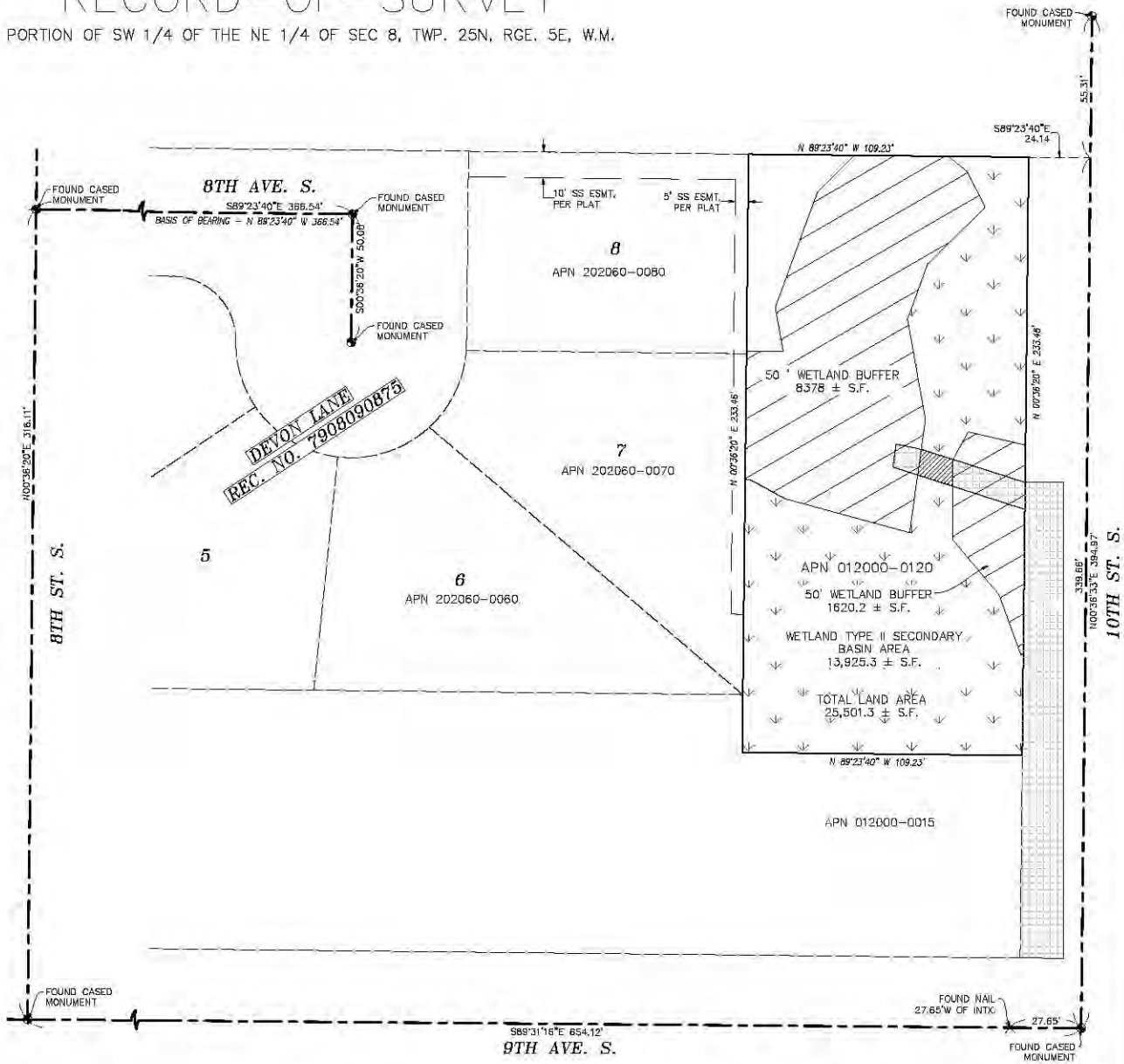

SCHLAU REASONABLE USE
ZON16-01577
RS 12
6th Pl S
PUD
8th St S
RS 8.5
SUBJECT PROPERTY
8th Ave S
Everest Park
P
RM 5.0
NE 68th St
RM 3.6
N

ATTACHMENT 2

RECORD—OF—SURVEY

PORTION OF SW 1/4 OF THE NE 1/4 OF SEC 8, TWP. 25N, RGE. 5E, W.M.





LEGEND

- FOUND CONCRETE MONUMENT AS NOTED
- SET 1/2" REBAR/CAP #50711
- FOUND 1/2" REBAR/CAP AS NOTED
- SET LINE STAKE
- SET TACK IN LEAD WITH SHINER #50711 UNLESS OTHERWISE NOTED
- (M) MEASURED DIMENSION
- (C) CALCULATED DIMENSION
- —//— WOOD FENCE
- —X— CHAINLINK FENCE
- BUILDING LINE

BASIS OF BEARINGS

N89°23'40"W ALONG THE MONUMENTED CENTERLINE OF 8TH AVE. S. – PER THE PLAT OF DEVON LANE, VOL. 111, PG. 68, BOOK OF PLATS RECORDS OF KING COUNTY, WA.

REFERENCES

PLAT OF DEVON LANE, VOL. 111, PG. 68, BOOK OF PLATS RECORDS OF KING COUNTY, WA.

NOTES

INSTRUMENTATION FOR THIS SURVEY WAS A TOPCON OS-103 TOTAL STATION.

PROCEDURES USED WERE FIELD TRAVERSE, MEETING OR EXCEEDING STANDARDS SET BY WAC 332-130-090

THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT PURPORT TO SHOW ALL EASEMENTS OF RECORD, OR OTHERWISE IF ANY.

LEGAL DESCRIPTION

TRACT B, KIRKLAND LLA #LL-86-31 RECORDED UNDER RECORDING NO. 8604220252, RECORDS OF KING COUNTY WASHINGTON.

RECORDER'S CERTIFICATE:

RECORDER'S FILE NO. _____

FILED FOR RECORD THIS ___ DAY OF _____, 2015

AT ___:___.M. IN BOOK _____ OF SURVEYS AT PAGE ____

AT THE REQUEST OF ALL LAND SURVEYING, INC.

_____

COUNTY RECORDER

SURVEYOR'S CERTIFICATE

THIS MAP REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF JAY SCHLAU IN OCTOBER 2015

Certificate No. 50711

JOE W. WILLIS JR. STATE OF WASHINGTON 50711 REGISTERED PROFESSIONAL LAND SURVEYOR

EXPIRES: 10/15/17

10/29/15

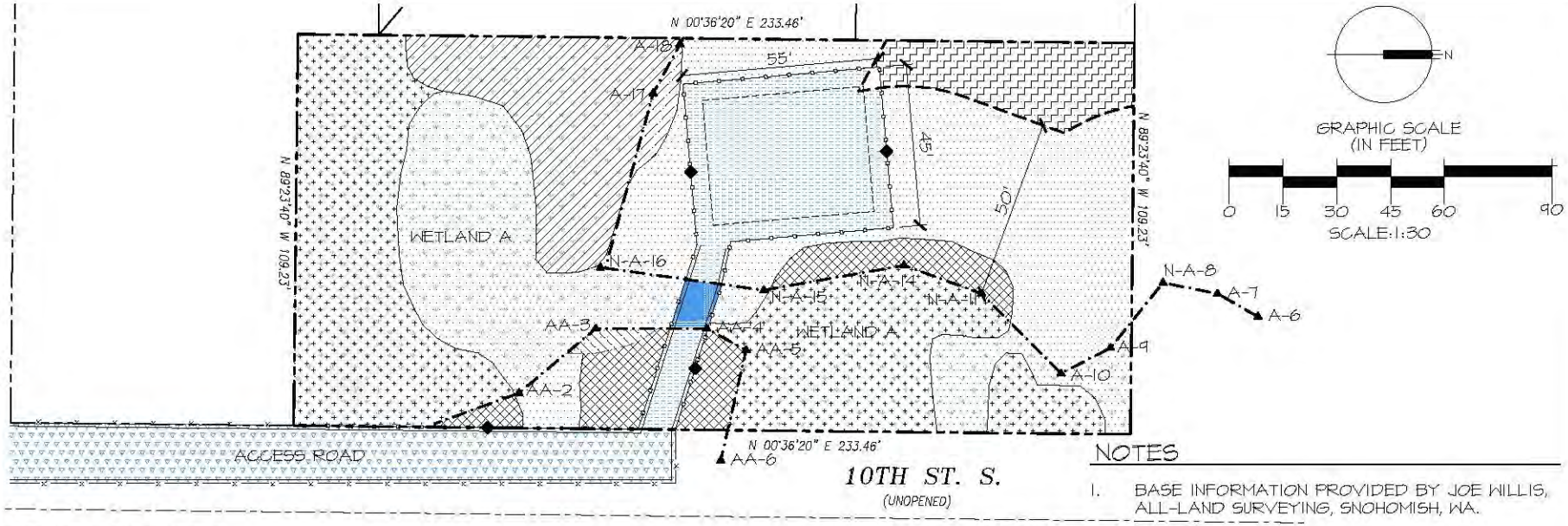
RECORD OF SURVEY FOR

JAY SCHLAU

PARCEL NO. 0120000120

ALL Land Surveying
Professional Land Surveyors
1317 Maple Avenue
Snohomish WA 98290
Phone (360) 568-4031 Email: info@alllandsurveing.com

DWN. BY:	DATE:	JOB NO.
BGM	10-29-2015	15036
CHK. BY:	SCALE:	SHEET
JWW	1" = 30'	1



NOTES

1. BASE INFORMATION PROVIDED BY JOE WILLIS, ALL-LAND SURVEYING, SNOHOMISH, WA.

8" Water Line need to verify cleanout

PLAN LEGEND

- PROPERTY LINE
- WETLAND BOUNDARY
- WETLAND CREATION BOUNDARY
- WETLAND FLAG LOCATION
- 50' WETLAND BUFFER
- PROPOSED BUFFER/CLEARING LIMITS/FENCE LOCATION - SEE NOTE 1 BELOW
- OFFSITE CLEARING LIMITS (SILT FENCE PER CITY OF KIRKLAND STANDARDS)
- 5' BSBL
- NATIVE MIXED FOREST - NO PLANTING BUFFER REPLACEMENT - 1,290 SF

NOTES:
PER KZC 90.50 A 6' HIGH CONSTRUCTION-PHASE CHAIN LINK FENCE WITH SILT SCREEN FABRIC SHALL BE INSTALLED PER CITY OF KIRKLAND STANDARDS DURING CONSTRUCTION AT THE CLEARING LIMITS ONSITE. THE CHAIN LINK CONSTRUCTION FENCE SHALL BE REMOVED AND REPLACED WITH A SPLIT-RAIL FENCE PER DETAIL 4 ON FIGURE 3 ON THIS DRAWING SET AFTER CONSTRUCTION OF THE HOUSE IS COMPLETE AND PRIOR TO FINAL APPROVAL OF THE MITIGATION AREA.

IMPACT LEGEND

WETLAND IMPACT	137 SF
BUFFER IMPACT	2,851 SF
TOTAL ONSITE IMPACT	3,000 SF*
OFF-SITE BUFFER IMPACT	2,954 SF

*3,000 SF TOTAL SITE IMPACT INCLUDE 12 SF OF NON-BUFFER

MITIGATION LEGEND

WETLAND CREATION - REMOVE AND STOCKPILE TOPSOIL, EXCAVATE ~3-9" TO BE AT SAME ELEVATION AS ADJACENT WETLAND, REPLACE TOPSOIL AND PLANT AT 100% DENSITY. AOA TO REVIEW WETLAND CREATION PRIOR TO TOPSOIL REPLACEMENT	103 SF
WETLAND ENHANCEMENT - COTTONWOOD BRANCHES OVER BLACKBERRY - CHIP BRANCHES, LEAVE LOGS AS WOODY DEBRIS, REMOVE BLACKBERRY AND REPLANT AT 80% DENSITY	2,503 SF
BUFFER ENHANCEMENT - COTTONWOOD BRANCHES OVER BLACKBERRY - CHIP BRANCHES, LEAVE LOGS AS WOODY DEBRIS, REMOVE BLACKBERRY AND REPLANT AT 80% DENSITY	195 SF
WETLAND ENHANCEMENT - 80% BLACKBERRY AND OTHER INVASIVES - REMOVE BLACKBERRY AND REPLANT AT 80% DENSITY	6,966 SF
BUFFER ENHANCEMENT - 80% BLACKBERRY AND OTHER INVASIVES - REMOVE BLACKBERRY AND REPLANT AT 80% DENSITY	1,565 SF
TOTAL MITIGATION	11,332 SF (9,094 SF CREDIT)

PROJECT	4811
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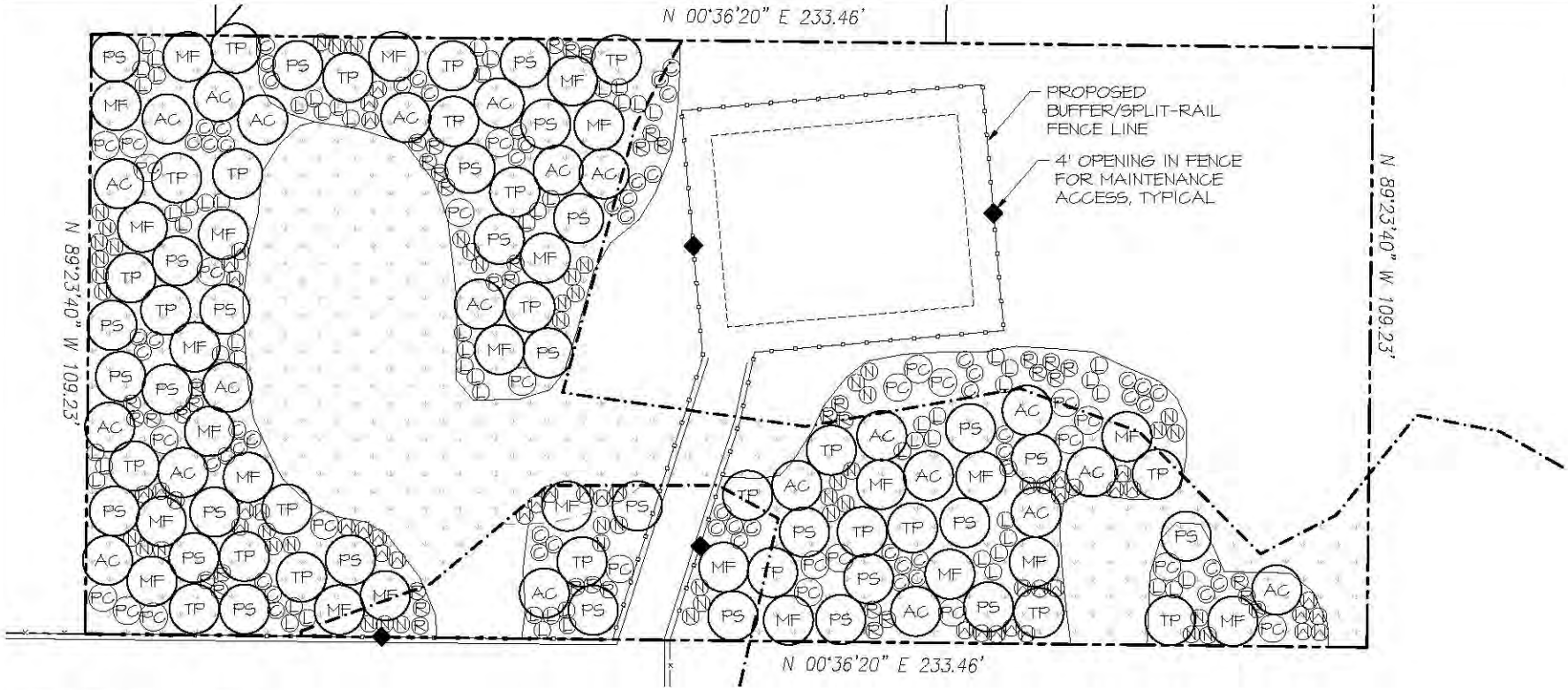
SCALE	AS NOTED
DATE	10-28-15
REVISED	05-04-16

1/5

FIGURE 1: DEVON LANE REASONABLE USE BUFFER MITIGATION PLAN
PARCEL 012000-0120
KIRKLAND, WASHINGTON

AOA



PLANT SCHEDULE

TREES

KEY	SCIENTIFIC NAME	COMMON NAME	SPACING	QTY.	SIZE (MIN.)	NOTES
AC	ACER CIRCINATUM	VINE MAPLE	9' O.C.	22	2 GAL.	MULTI-STEM (3 MIN.)
MF	MALUS FUSCA	WESTERN CRABAPPLE	9' O.C.	25	2 GAL.	SINGLE TRUNK, WELL BRANCHED
PS	PICEA SITCHENSIS	SITKA SPRUCE	9' O.C.	29	2 GAL.	FULL & BUSHY
TP	THUJA PLICATA	WESTERN RED CEDAR	9' O.C.	25	2 GAL.	FULL & BUSHY

SHRUBS

KEY	SCIENTIFIC NAME	COMMON NAME	SPACING	QTY.	SIZE (MIN.)	NOTES
C	CORNUS SERICEA	RED-OSIER DOGWOOD	3' O.C.	60	1 GAL.	MULTI-STEM (3 MIN.)
L	LONICERA INVOLUCRATA	BLACK TWIN-BERRY	3' O.C.	64	1 GAL.	MULTI-STEM (3 MIN.)
PC	PHYSOCARPUS CAPITATUS	PACIFIC NINEBARK	5' O.C.	25	1 GAL.	MULTI-STEM (3 MIN.)
N	ROSA NUTKANA	NOOTKA ROSE	3' O.C.	47	1 GAL.	MULTI-STEM (3 MIN.)
R	RUBUS SPECTABILIS	SALMONBERRY	3' O.C.	43	1 GAL.	FULL & BUSHY
W	SALIX SITCHENSIS	SITKA WILLOW	3' O.C.	*132	4' CUTTING	1/2" DIA., MIN., BARK INTACT

*3 WILLOW CUTTINGS PER SYMBOL

GRAPHIC SCALE (IN FEET)

0 10 20 30 40 60

SCALE: 1:20

N

NOTES

1. BASE INFORMATION PROVIDED BY JOE WILLIS, ALL-LAND SURVEYING, SNOHOMISH, WA.

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PROJECT 4811
SCALE AS NOTED
DATE 10-28-15
REVISED 03-04-16
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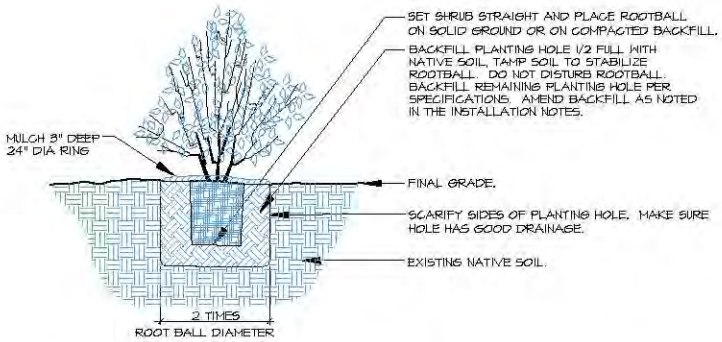
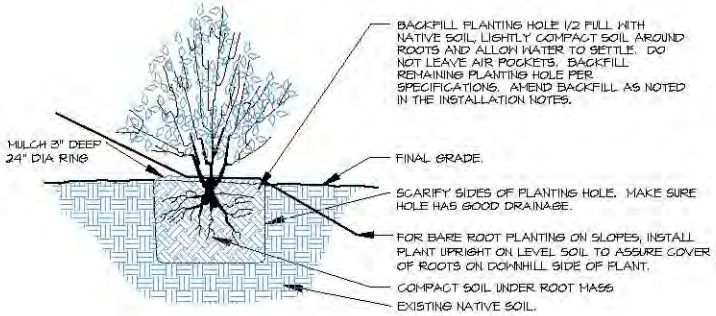
FIGURE 2: PLANTING PLAN
BUFFER MITIGATION PLAN
PARCEL 012000-0120
KIRKLAND, WASHINGTON

AOA



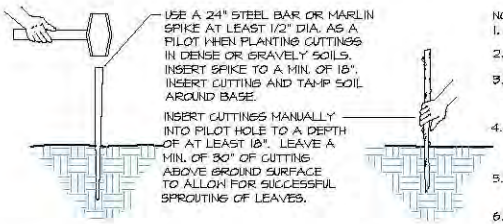
1 CONTAINER PLANTING DETAIL (TYP.)

SCALE: NTS



2 BARE-ROOT PLANTING DETAIL (TYP.)

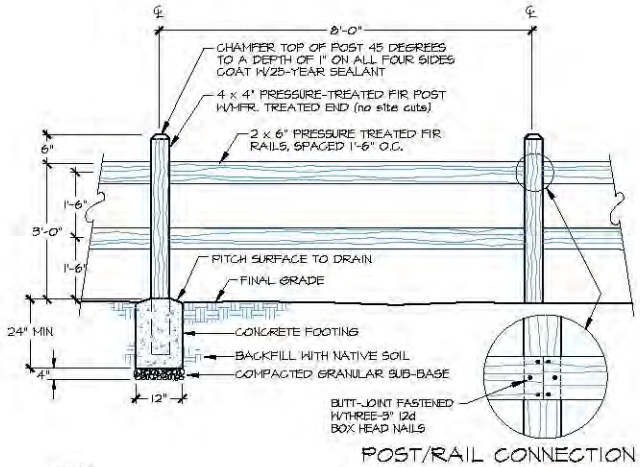
SCALE: NTS



NOTES:
1. CUTTINGS SHALL BE SPECIES AS NOTED IN THE PLANT SCHEDULE.
2. CUTTINGS SHALL BE AT LEAST 1/2" DIA. AND 4' (min.) IN LENGTH.
3. CUTTINGS MUST BE ALIVE WITH SIDE BRANCHES CLEARLY REMOVED AND BARK INTACT. CUTTINGS SHALL BE PLANTED WITHIN 24 HOURS OF CUTTING.
4. THE BUTT ENDS SHOULD BE CLEANLY CUT AT AN ANGLE FOR EASY INSERTION INTO THE SOIL. THE TOP SHOULD BE CUT SQUARE OR BLUNT.
5. CUTTINGS MUST BE FRESH AND KEPT MOIST AFTER CUTTING. THEY SHOULD BE PRUNED AND INSTALLED THE SAME DAY.
6. DIP BOTTOM OF CUTTING IN A PLANT ROOTING HORMONE PRIOR TO INSERTION INTO THE SOIL.

3 CUTTING INSTALLATION (TYP.)

SCALE: NTS



NOTES:
1. RAIL FENCE TO ALIGN WITH LAND GRADIENT.
2. TREAT WITH CLEAR PRESERVATIVE UPON COMPLETION OF INSTALLATION.
3. ALL FASTENERS TO BE GALVANIZED STEEL.

4 SPLIT-RAIL FENCE

SCALE: NTS

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REVISED 03-04-16

FIGURE 3: PLANTING DETAILS
BUFFER MITIGATION PLAN
PARCEL 012000-0120
KIRKLAND, WASHINGTON

AOA

SPECIFICATIONS

1. CONTRACTOR INFORMATION. WHEN IT IS AVAILABLE, CONTACT INFORMATION SHALL BE PROVIDED TO THE CITY OF KIRKLAND THAT INCLUDES NAMES, ADDRESSES AND PHONE NUMBERS OF PERSONS/FIRMS THAT WILL BE RESPONSIBLE FOR INSTALLING REQUIRED PLANTS AND PERFORMING REQUIRED MAINTENANCE.
2. CONTRACTOR'S QUALIFICATIONS. ALL WORK SHALL BE PERFORMED BY A LICENSED LANDSCAPE CONTRACTOR REGISTERED IN THE STATE OF WASHINGTON. CONTRACTOR MUST BE EXPERIENCED IN MITIGATION AND RESTORATION WORK. THE CONTRACTOR SHALL PROVIDE THAT THERE IS ONE PERSON ON THE SITE AT ALL TIMES DURING WORK AND INSTALLATION WHO IS THOROUGHLY FAMILIAR WITH THE TYPE OF MATERIALS BEING INSTALLED AND THE BEST METHODS FOR THEIR INSTALLATION, AND WHO SHALL DIRECT ALL WORK BEING PERFORMED UNDER THESE SPECIFICATIONS. THIS PERSON SHALL HAVE A MINIMUM OF FIVE (5) YEARS EXPERIENCE INSTALLING NATIVE PLANT MATERIALS FOR WETLAND MITIGATION OR RESTORATION PROJECTS, UNLESS OTHERWISE ALLOWED BY THE LANDSCAPE DESIGNER, WETLAND BIOLOGIST AND/OR THE CITY OF KIRKLAND.
3. IN THE WETLAND CREATION AREA, REMOVE AND STOCKPILE TOPSOIL, EXCAVATE ~3-9" TO BE AT SAME ELEVATION AS ADJACENT WETLAND. REPLACE TOPSOIL AND PLANT. AOA TO REVIEW WETLAND CREATION PRIOR TO TOPSOIL REPLACEMENT.
4. ALL PLANTS SHOULD BE INSTALLED BETWEEN DECEMBER 1ST AND MARCH 15TH.
5. INTERMEDIATE INSPECTIONS. ALL PLANTS SHALL BE INSPECTED AND APPROVED BY THE LANDSCAPE DESIGNER AND/OR WETLAND BIOLOGIST PRIOR TO INSTALLATION. CONDITION OF ROOTS OF A RANDOM SAMPLE OF PLANTS WILL BE INSPECTED, AS WELL AS ALL ABOVEGROUND GROWTH ON ALL PLANTS. ROOTS OF ANY BARE ROOT PLANTS, IF PERMITTED FOR USE, WILL BE INSPECTED. PLANT MATERIAL MAY BE APPROVED AT THE SOURCE, AT THE DISCRETION OF THE LANDSCAPE DESIGNER AND THE WETLAND BIOLOGIST, BUT ALL MATERIAL MUST BE RE-INSPECTED AND APPROVED ON THE SITE PRIOR TO INSTALLATION. PLANT LOCATIONS SHALL ALSO BE INSPECTED AND APPROVED PRIOR TO PLANTING.
6. PRIOR TO INSTALLATION OF PLANT MATERIAL ALL HIMALAYAN BLACKBERRY, ENGLISH IVY, ENGLISH HOLLY, CHERRY LAUREL, REED CANARYGRASS, HEDGE BINDWEED, THISTLE, POISON HEMLOCK, CREEPING NIGHTSHADE, SCOT'S BROOM, KNOTWEED, ANY NON-ORGANIC DEBRIS AND ANY OTHER INVASIVE PLANT SPECIES LOCATED IN THE PLANTING AREAS WILL BE REMOVED BY HAND GRUBBING ALL ROOTS AND EXPORTED OFFSITE. CARE SHALL BE TAKEN TO AVOID DISTURBANCE TO NATIVE WOODY VEGETATION LOCATION AMONGST NON-NATIVE VEGETATION. ALL NON-ORGANIC DEBRIS SHALL BE REMOVED FROM THE ENHANCEMENT AREAS AND EXPORTED FROM THE SITE. IN INVASIVE GRUBBING AREAS, DEJONG'S FERTIL-MULCH SHALL BE PLACED TO PRE-CLEARING GRADES.
7. AOA TO REVIEW DEBRIS REMOVAL, INVASIVE PLANT REMOVAL, SOIL PLACEMENT AND PLANT LAYOUT PRIOR TO PLANTING.
8. A SPLIT-RAIL FENCE SHALL BE INSTALLED ALONG THE BUFFER BOUNDARY PER DETAIL 4 ON FIGURE 3 PRIOR TO PLANTING. FENCE SHALL INCLUDE 4 - 4' WIDE OPENINGS FOR ACCESS DURING MAINTENANCE.
9. ALL PLANTS SHALL BE PIT-PLANTED IN PLANTING PITS EXCAVATED 2X THE DIAMETER OF THE PLANT. PITS SHALL BE BACKFILLED WITH A 30/70 MIX OF STEERCO TO NATIVE SOIL. PLANTS SHALL BE INSTALLED 2" HIGH AND SURFACED MULCHED TO A DEPTH OF 2" WITH MEDIUM-COURSE BARK MULCH PLACED CONTINUOUSLY THROUGHOUT THE PLANTING BED.
10. ALL PLANTS SHALL BE NURSERY GROWN (IN WESTERN WA OR OR) FOR AT LEAST 1 YEAR FROM PURCHASE DATE, FREE FROM DISEASE OR PESTS, WELL-ROOTED, BUT NOT ROOT-BOUND AND TRUE TO SPECIES.
11. PLANT LAYOUT SHALL BE APPROVED BY AOA PRIOR TO INSTALLATION AND APPROVED UPON COMPLETION OF PLANTING.
12. UPON COMPLETION OF PLANTING, ALL PLANTS SHALL BE THOROUGHLY WATERED.
13. UPON APPROVAL OF PLANTING INSTALLATION BY AOA, THE CITY OF KIRKLAND WILL BE NOTIFIED TO CONDUCT A SITE REVIEW FOR FINAL APPROVAL OF CONSTRUCTION.
14. MAINTENANCE SHALL BE REQUIRED IN ACCORDANCE WITH THE CITY OF KIRKLAND SENSITIVE AREAS MITIGATION GUIDELINES AND APPROVED PLANS.
15. THE IRRIGATION SYSTEM FOR THE NEW HOME SHALL HAVE A SEPARATE ZONE FOR THE MITIGATION PLANTING AREAS. THE IRRIGATION SYSTEM SHALL BE DESIGN/BUILT BY THE LANDSCAPE CONTRACTOR.
16. IRRIGATION FOR THE MITIGATION PLANTING AREAS SHALL BE SET TO PROVIDE 1/2" OF FLOW 2 TIMES WEEKLY FROM JUNE 15 – OCTOBER 15 THE FIRST YEAR AFTER PLANTING. FLOW SHALL REDUCE TO 1 TIME WEEKLY FROM JULY 1 - SEPTEMBER 30 THE SECOND YEAR AFTER PLANTING AND ONCE WEEKLY THE THIRD YEAR, IF DEEMED NECESSARY. NO FURTHER IRRIGATION IS NECESSARY AFTER THE THIRD YEAR AND THE SYSTEM SHALL BE REMOVED.
17. MAINTENANCE SHALL BE IMPLEMENTED ON A REGULAR BASIS ACCORDING TO THE SCHEDULE BELOW.

ANNUAL MAINTENANCE SCHEDULE

MAINTENANCE ITEM	J	F	M	A	M	J	J	A	S	O	N	D
WEED CONTROL			1		1		1			1		
GENERAL MAINT.			1		1		1			1		
WATERING - YEAR 1						4	8	8	8			
WATERING - YEAR 2						4	8	8	8	4		
WATERING - YEARS 3-5						4	4	4	4			

1-8 = NUMBER OF TIMES TASK SHALL BE PERFORMED PER MONTH.

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SCALE AS NOTED
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FIGURE 4: SPECIFICATIONS
BUFFER MITIGATION PLAN
PARCEL 012000-0120
KIRKLAND, WASHINGTON

AOA

MAINTENANCE & MONITORING PLAN

1.0 WETLAND AND BUFFER MITIGATION

Mitigation for the 137 s.f. of wetland impact includes the creation of 103 s.f. of new wetland and the enhancement of the remaining degraded wetlands on the property. KZC 90.55.4 requires a 1.5:1 mitigation ratio for direct impacts to Type 2 wetlands in a secondary basin. Of the total mitigation area no more than ½ of the mitigation requirement may consist of enhancement (137 x 1.5 divided by 2 = 103).

Enhancement calculations were conducted utilizing the assumption that approximately 20% of the areas deemed suitable for enhancement contain native vegetation that would be preserved. Even with this assumption, enhancement for buffer impacts would be well over a 1:1 impact to mitigation ratio for buffer impacts (see **Figures 1 through 5**).

The proposed mitigation plan should increase the habitat functions of the wetland and buffer over current conditions. Under this plan, invasive species would be removed and degraded buffer areas would be planted with a variety of native trees and shrubs to increase the plant species and structural diversity of the wetland and buffer. These plantings would also provide increased physical and visual screening to the wetland from the proposed development.

1.1 Goal, Objectives, and Performance Standards for Mitigation Area

The primary goal of the mitigation plan is to increase the habitat functions of the wetland and buffer on the site. To meet this goal, the following objectives and performance standards have been incorporated into the design of the plan:

Objective A: Increase the structural and plant species diversity within the mitigation area. *Performance Standard: There will be 100% survival of all woody planted species throughout the mitigation area at the end of the first year of planting. Following Year 1, success will be based on an 80% survival rate. In addition, areal cover of planted or recolonized native species within the mitigation area will be a minimum of 15% after Year 1, 20% after Year 2, 30% after Year 3, and 50% after Year 5*

Objective B: Limit the amount of invasive and exotic species within the mitigation area. *Performance Standard: After construction and following every monitoring event for a period of at least five years, exotic and invasive plant species will be maintained at levels below 10% total cover in all planted areas. These species include, but are not limited to, Himalayan and evergreen blackberry, reed canarygrass, Scot's broom, morning glory, Japanese knotweed, English ivy, thistle, and creeping nightshade.*

Objective C: Provide wetland hydrology within the proposed wetland creation area. *Performance Standard: After construction and following every monitoring event for a period of at least five years, the proposed wetland creation area will meet the hydrology requirements for wetlands as outlined in the May 2010 Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region (Version 2.0).*

1.2 Construction Management

Prior to commencement of any work in the mitigation area, the clearing limits will be staked and all existing vegetation to be saved will be clearly marked. A pre-construction meeting will be held at the site to review and discuss all aspects of the project with the landscape contractor and the owner.

A consultant will supervise plan implementation during construction to ensure that objectives and specifications of the mitigation plan are met. Any necessary significant modifications to the design that occur as a result of unforeseen site conditions will be jointly approved by the City of Kirkland and the consultant prior to their implementation.

1.3 Monitoring Methodology

The vegetation monitoring program will be conducted twice a year for a period of five years, with annual reports submitted to the City of Kirkland. Three permanent 50 foot long by 10 foot wide vegetation sampling transects will be established during the baseline monitoring assessment. Two in the southern portion of the site and one in the northeast portion of the site. During monitoring events, woody vegetation will be evaluated through the use of the point-intercept sampling methodology within each of these sampling locations. Herbaceous cover will be visually estimated.

Photo-points will be established from which photographs will be taken throughout the monitoring period. These photographs will document general appearance and progress in plant community establishment in the mitigation area. Review of the photos over time will provide a visual representation of success of the plan.

A shallow groundwater monitoring well will be installed within the 103 s.f. wetland creation area. Hydrology within the created wetland will be monitored at least twice a year during the spring. Site visits will be conducted early in the growing season with a follow up visit conducted in mid-spring. Since the adjacent wetland contains a seasonally high groundwater table with little ponding, wetland hydrology will be achieved if soil saturation is observed within 10 inches of the surface for a period of at least one month during the growing season.

2.0 MAINTENANCE PLAN

Maintenance will be conducted on a routine, year round basis. Additional maintenance needs will be identified and addressed following a twice-yearly maintenance review. Contingency measures and remedial action on the site shall be implemented on an as-needed basis at the direction of the consultant or the owner.

2.1 Weed Control

Routine removal and control of non-native and other invasive plants (e.g., reed canarygrass, Himalayan and evergreen blackberry, Japanese knotweed, Scot's broom, English ivy, morning glory, thistle and creeping nightshade) shall be performed by manual means whenever possible. Chemical means (Rodeo or Roundup) will only be used if necessary. Undesirable and weedy exotic plant species shall be maintained at levels below 10% total cover within any given stratum at any time during the three-year monitoring period.

2.2 General Maintenance Items

Routine maintenance of planted trees shall be performed. Measures include resetting plants proper grades and upright positions. Weed control should be performed by; hand removal whenever possible. If weed-whacking is performed, great care shall be taken to prevent damage to desired native species either planted or re-colonized.

3.0 CONTINGENCY PLAN

All dead plants will be replaced with the same species or an approved substitute species that meets the goal of the mitigation plan. Plant material shall meet the same specifications as originally-installed material. Replanting will not occur until after reason for failure has been identified (e.g., moisture regime, poor plant stock, disease, shade/sun conditions, wildlife damage, etc.). Replanting shall be completed under the direction of the consultant, City of Kirkland, or the owner.

4.0 AS-BUILT PLAN

Following completion of construction activities, an as-built plan for the mitigation area will be provided to the City of Kirkland. The plan will identify and describe any changes in relation to the original approved plan.

DRAWN SO | PROJECT 4811
SCALE AS NOTED
DATE 10-28-15 | 5/5
REVISED 03-04-16

FIGURE 5: MAINTENANCE & MONITORING PLAN
BUFFER MITIGATION PLAN
PARCEL 012000-0120
KIRKLAND, WASHINGTON

AQA

Written dimensions on this drawing shall have precedence over scaled dimensions. Contractor shall verify all dimensions, conditions etc., pertaining to the work before proceeding. The Owner must be notified of any variations from the dimensions and/or conditions shown on these drawings. Any such variation shall be resolved by the Owner prior to proceeding with the work, or the Contractor shall accept full responsibility for the cost to rectify same.

SQUARE FOOTAGE'S	
MAIN FLOOR	1,205 SF
UPPER FLOOR	1,119 SF
LOWER FLOOR	465 SF
LIVING SPACE TOTAL	2,784 SF
GARAGE	546 SF

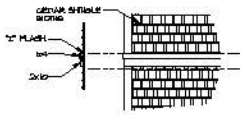
NOTES

1. ALL WOOD EXPOSED TO WEATHER SHALL BE PRESSURE TREATED OR CEDAR.
2. CAULK AND SEAL ALL WINDOW / DOOR AND EXTERIOR ENVELOPE PENETRATIONS.
3. GLAZING PER STATE ENERGY CODE.
4. SEPARATE PERMITS ARE REQUIRED FOR FENCES, PLUMBING, MECHANICAL AND ELECTRICAL.
5. 50% OF ROOF VENTING SHALL OCCUR IN EAVES AS BIRD BLOCKING.
6. REFER TO ALL ELEVATIONS FOR TYPICAL NOTES.
7. S.G. = SAFETY GLASS

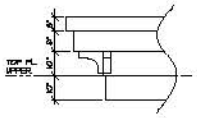
HANDRAIL NOTE

1. HANDRAIL ASSEMBLIES SHALL BE ABLE TO RESIST A SINGLE CONCENTRATED LOAD OF 200 POUNDS, APPLIED IN ANY DIRECTION AT ANY POINT ALONG THE TOP, AND HAVE ATTACHMENT DEVICES AND SUPPORTING STRUCTURE TO TRANSFER THIS LOADING TO APPROPRIATE STRUCTURAL ELEMENTS OF THE BUILDING (SEC 1607.7.1.1)

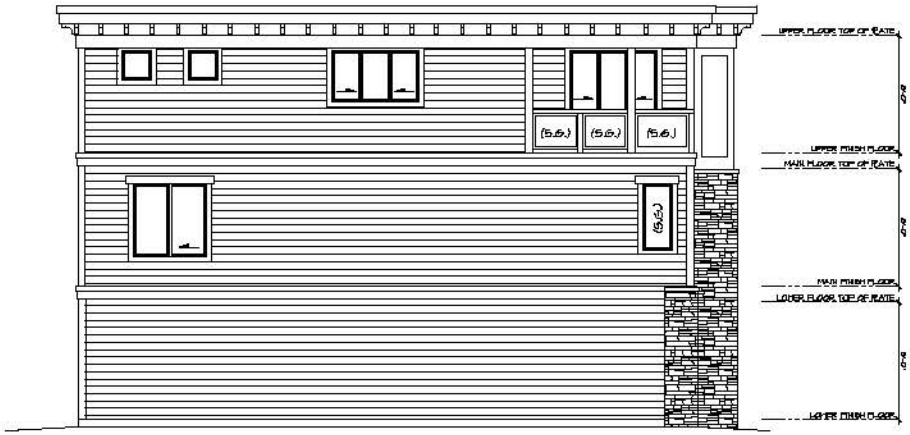
FRONT ELEVATION — SCALE: 1/4" = 1'-0"



1 TRIM BAND DETAIL — SCALE: N.T.S.



2 FASCIA DETAIL — SCALE: N.T.S.



REAR ELEVATION — SCALE: 1/4" = 1'-0"

4943 REGISTERED ARCHITECT
RICK L. JONES
STATE OF WASHINGTON

RICK JONES & ASSOCIATES
ARCHITECTS & PLANNERS
1400 112TH AVE SE
BELLEVUE, WA 98004
(425) 442-2028
P.O. Box 1187
North Bend, WA 98045
www.rickjonesandassociates.com

project: PLAN 2784

3 BEDROOM, 2½ BATH, DEN, 2-CAR GARAGE

date: 01-26-17
permit:
revisions:

drawn by: DAK
checked by: RLJ

SHEET A1 OF A10

ELEVATIONS

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NOTES

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3. GLAZING PER STATE ENERGY CODE.
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5. FOR OP ROOF VENTING SHALL OCCUR IN EAVES AS BIRD BLOCKING.
6. REFER TO ALL ELEVATIONS FOR TYPICAL NOTES.
7. S.G. = SAFETY GLASS

LEFT ELEVATION

SCALE: 1/4" = 1'-0"

RIGHT ELEVATION

SCALE: 1/4" = 1'-0"

4943 REGISTERED ARCHITECT
RICK L. JONES
STATE OF WASHINGTON

1400 12TH AVE SE
BELLEVUE, WA 98004
(425) 442-2028

P.O. Box 1137
North Bend, WA 98045

RICK JONES & ASSOCIATES
ARCHITECTS & PLANNERS

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project: PLAN 2764
3 BEDROOM, 2½ BATH, DEN, 2-CAR GARAGE

date: 01-26-17
permit:
revisions:

drawn by: DAK
checked by: RLJ

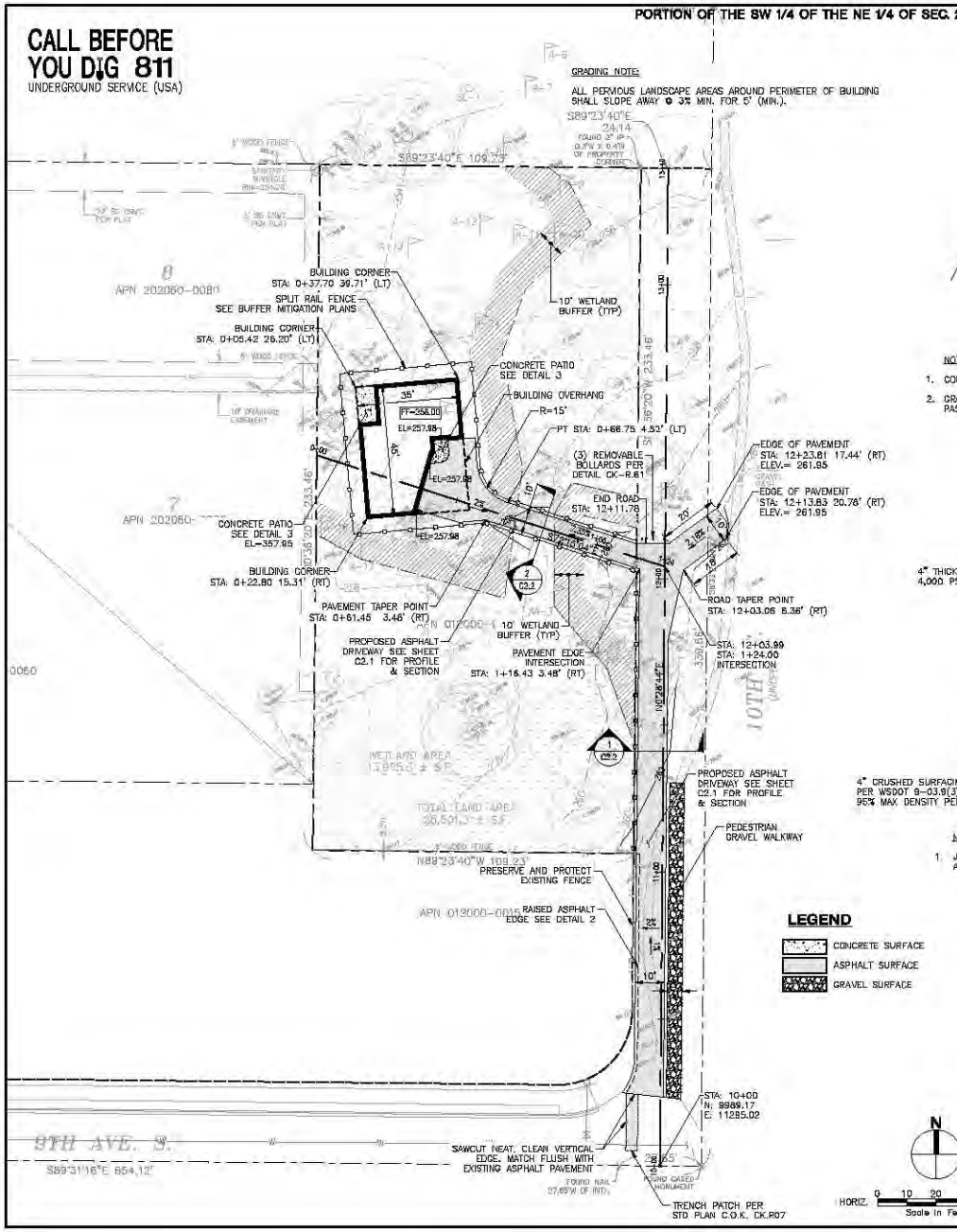
SHEET A2 OF A10

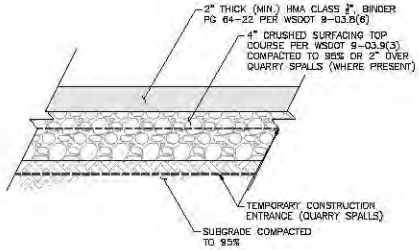
ELEVATIONS

PORTION OF THE SW 1/4 OF THE NE 1/4 OF SEC. 25, TWP 26 N, RGE. 4 E, W.M.

CALL BEFORE YOU DIG 811
UNDERGROUND SERVICE (USA)

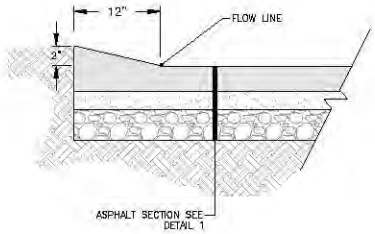
GRADING NOTE:
ALL PERMOUS LANDSCAPE AREAS AROUND PERIMETER OF BUILDING SHALL SLOPE AWAY @ 3% MIN. FOR 5' (MIN.).



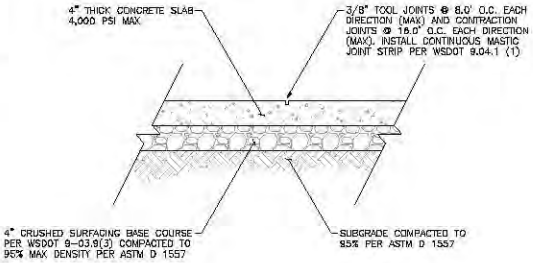


NOTES:
1. COMPACTION SHALL BE 95% MAXIMUM DRY DENSITY PER ASTM D-1557.
2. GRAVEL BORROW SHALL HAVE LESS THAN 5% FINES (LESS THAN 5% PASSING THE No. 200 SEIVE).

1 — ASPHALT SECTION DETAIL
N.T.S.

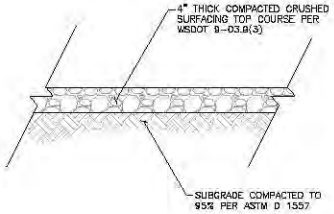


2 — RAISED ASPHALT EDGE DETAIL
N.T.S.



NOTES:
1. JOINT SPACING SHALL BE AS SHOWN ABOVE OR AS DETAILED IN ARCHITECTURAL PLANS.

3 — CONCRETE PATIO DETAIL
N.T.S.



4 — PEDESTRIAN GRAVEL WALKWAY
N.T.S.

LEGEND
- CONCRETE SURFACE
- ASPHALT SURFACE
- GRAVEL SURFACE

REVISIONS

No.	Description	Date
1	PERMIT SUBMITTAL	6/27/2016

08-201-B Project No.	YB Drawn By
R.M. Designed By	R.M. Approved By
6/27/2016 Date	

BOYER CHRISTIAN STATE OF WASHINGTON 34374 REGISTERED PROFESSIONAL ENGINEER

CECIL ASSOCIATES
PO BOX 598 BOTHELL, WA 98011
(206) 484-3485
INFO@CECILASSOC.COM

Client: CAIPNEY GROUP, LLC 13010 SE32ND AVE SE SNOQUALMIE, WA 98065
Contact: JAY SCHLAU

SCHLAU RESIDENCE

LAYOUT, PAVING, & GRADING PLAN

C2.0

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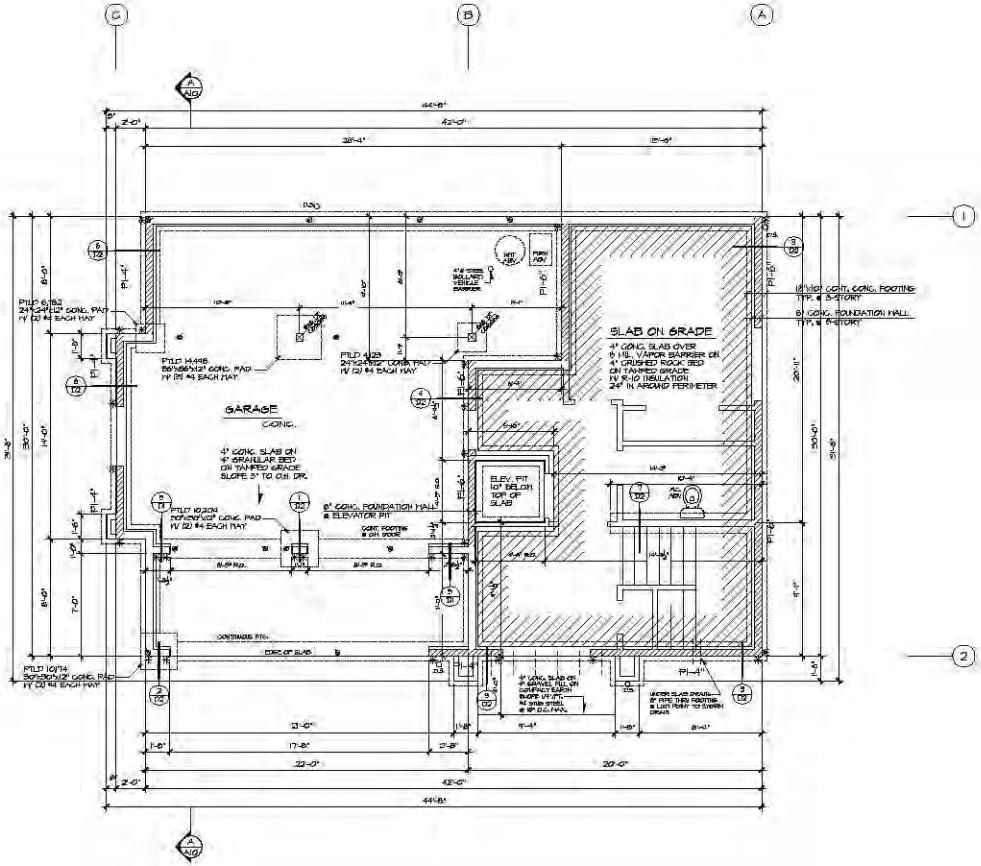

FOUNDATION NOTES

1. PROVIDE GRAVEL SPACE DRAIN AT LOW POINT IN CRAWL SPACE.
2. SLOPE ALL CONCRETE STOOPS AND / OR PATIOS 1/ NINE FOOT AWAY FROM DOORWAYS.
3. ALL WOOD IN CONTACT WITH CONCRETE SHALL BE PRESSURE TREATED OR CEDAR.
4. PROVIDE SOLID BLOCKING UNDER BEARING WALLS.
5. PROVIDE 6 MIL. VISQUEEN VAPOR BARRIER WITH 12" OVERLAP AT BEAMS TO TOP OF FOOTING THRU-OUT CRAWL SPACE.
6. FASTENERS INTO OR IN CONTACT WITH PRESSURE-TREATED OR FIRE-RETARDENT WOOD SHALL BE OF TRIPLE ZINC CHAN (G185 PER ASTM A653) HOT DIP GALVANIZE (ASTM A123 FOR CONNECTORS AND A153 TYP FOR FASTENERS AND ANCHORS). SIMPSON T-PRIWOOD.
7. ANCHOR BOLTS FOR PRESSURE TREATED SILL PLATES TO FOUNDATION WALLS TO BE 5/8" DIAMETER WITH 3 INCH EMBEDMENT INTO CONCRETE AND MAXIMUM SPACING OF 48 INCHES ON CENTER UNLESS NOTED OTHERWISE ON THE PLANS. MINIMUM 2 BOLTS PER SILL PLATE PIECE. ONE BOLT TO BE PLACED WITHIN 12 INCHES OF EACH END OF SILL PLATE.

LEGEND

- BEARING ABOVE
- * * INDICATES STRONG HOLDOWN TYPICAL WHERE SHOWN UNLESS NOTED OTHERWISE.
- SHEAR WALL PER SCHEDULE
- HTT INDICATES HTT5 HOLDOWN TYPICAL WHERE SHOWN UNLESS NOTED OTHERWISE.

FOUNDATION PLAN

SCALE: 1/4" = 1'-0"

REGISTERED ARCHITECT
RICK L. JONES
STATE OF WASHINGTON

RICK L. JONES & ASSOCIATES
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1405 12TH AVENUE
BELLINGHAM, WA 98225
(425) 442-2026
P.O. Box 1197
Hartford, WA 98249
www.rickjonesandassociates.com

project: PLAN 2764
3 BEDROOM, 2½ BATH, DEN, 2-CAR GARAGE

dates: 01-26-17
permit:
revisions:

drawn by: DAK
checked by: RLJ

SHEET A3 OF A10

FOUNDATION PLAN

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FRONT ELEVATION

SCALE: 1/4" = 1'-0"

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LIVING SPACE TOTAL	2,784 SF
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NOTES:

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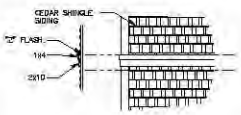
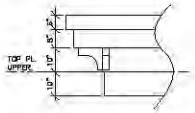
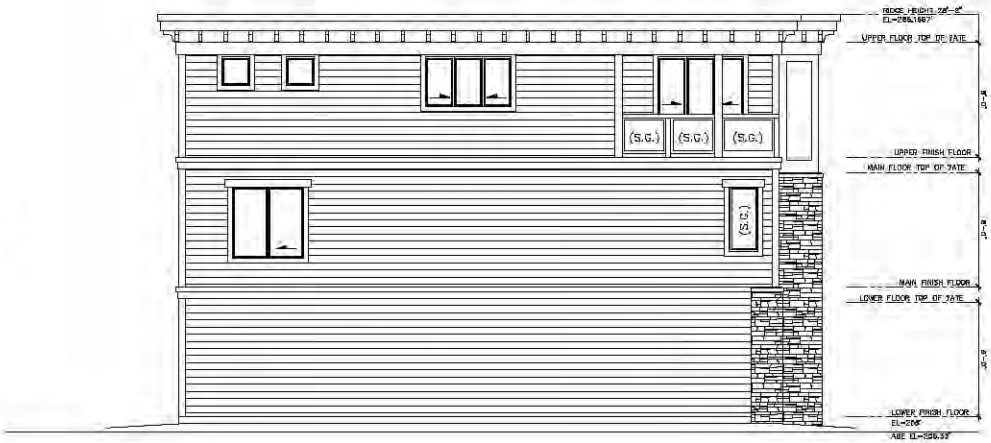


1 TRIM BAND DETAIL — SCALE: N.T.S.



2 FASCIA DETAIL — SCALE: N.T.S.



REAR ELEVATION

SCALE: 1/4" = 1'-0"

RICK JONES & ASSOCIATES
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BELLEVUE, WA 98004
(425) 442-2028
P.O. Box 1137
North Bend, WA 98045
www.rickjonesandassociates.com

project: PLAN__2784
3 BEDROOM, 2 BATH, DEN, 2-CAR GARAGE

date: 1-26-17
permit:
revisions:

drawn by: DAK
checked by: RLJ

SHEET A1 OF A10

ELEVATIONS

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LEFT ELEVATION

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7. S.G. - SAFETY GLASS

RIGHT ELEVATION

SCALE: 1/4" = 1'-0"

RICK JONES & ASSOCIATES
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1400 112TH AVE SE
BELLEVUE, WA 98004
(425) 442-2028
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North Bend, WA 98045
www.rickjonesandassociates.com

project: PLAN 2784
3 BEDROOM, 2½ BATH, DEN, 2-CAR GARAGE

date: 01-26-17
permit:
revisions:

drawn by: BAK
checked by: RJJ

SHEET A2 OF A10

ELEVATIONS

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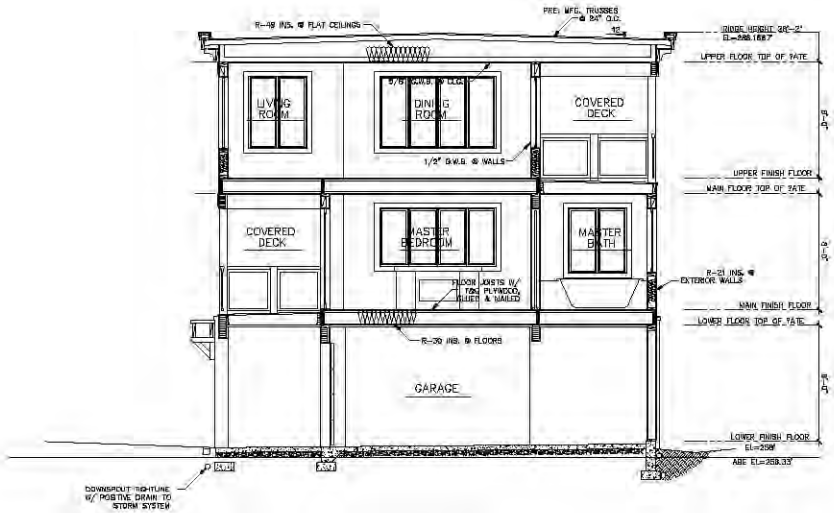

SECTION A

SCALE: 1/4" = 1'-0"

SECTION B

SCALE: 1/4" = 1'-0"

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revisions:

drawn by: DAK
checked by: RLJ

SHEET A10 OF A10

ELEVATIONS

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

DEVELOPMENT STANDARDS LIST

File: SAR16-01828 – SCHLAU REASONABLE USE PERMIT

ZONING CODE STANDARDS

90.45 Wetlands and Wetland Buffers. No land surface modification may take place and no improvement may be located in a wetland or within the environmentally sensitive area buffers for a wetland, except as specifically provided in this Section.

90.50 Wetland Buffer Fence. Prior to development, the applicant shall install a six-foot high construction phase fence along the upland boundary of the wetland buffer with silt screen fabric installed per City standard. The fence shall remain upright in the approved location for the duration of development activities. Upon project completion, the applicant shall install between the upland boundary of all wetland buffers and the developed portion of the site, either 1) a permanent 3 to 4 foot tall split rail fence, or 2) permanent planting of equal barrier value.

90.55 Monitoring and Maintenance of Wetland Buffer Modifications: Modification of a wetland buffer will require that the applicant submit a 5-year monitoring and maintenance plan consistent with the criteria found in 95.55 and which is prepared by a qualified professional and reviewed by the City's wetland consultant. The cost of the plan and the City's review shall be borne by the applicant.

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

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

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

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

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

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

115.115.3.p <u>HVAC and Similar Equipment</u>: These may be placed no closer than five feet of a side or rear property line, and shall not be located within a required front yard; provided, that HVAC equipment may be located in a storage shed approved pursuant to subsection (3)(m) of this section or a garage approved pursuant to subsection (3)(o)(2) of this section. All HVAC equipment shall be baffled, shielded, enclosed, or placed on the property in a manner that will ensure compliance with the noise provisions of KZC 115.95.

115.115.5.a <u>Driveway Width and Setbacks</u>. For a detached dwelling unit, a driveway and/or parking area shall not exceed 20 feet in width in any required front yard, and shall be separated from other hard surfaced areas located in the front yard by a 5-foot wide landscape strip. Driveways shall not be closer than 5 feet to any side property line unless certain standards are met.

115.115.5.b <u>Driveway Setbacks</u>. For attached and stacked dwelling units in residential zones, driveways shall have a minimum 5' setback from all property lines except for the portion of any driveway, which connects with an adjacent street. Vehicle parking areas shall have a minimum 20-foot setback from all front property lines and meet the minimum required setbacks from all other property lines for the use.

150.22.2 <u>Public Notice Signs</u>. Within seven (7) calendar days after the end of the 21-day period following the City's final decision on the permit, the applicant shall remove all public notice signs.

Prior to issuance of a grading or building permit:

90.50 <u>Wetland Buffer Fence</u>. Prior to development, the applicant shall install a six-foot high construction phase fence along the upland boundary of the wetland buffer with silt screen fabric installed per City standard. The fence shall remain upright in the approved location for the duration of development activities. Upon project completion, the applicant shall install between the upland boundary of all wetland buffers and the developed portion of the site, either 1) a permanent 3 to 4 foot tall split rail fence, or 2) permanent planting of equal barrier value.

90.150 <u>Natural Greenbelt Protective Easement</u>. The applicant shall submit for recording a natural greenbelt protective easement, in a form acceptable to the City Attorney, for recording with King County.

90.155 <u>Liability</u>. The applicant shall enter into an agreement with the City which runs with the property, in a form acceptable to the City Attorney, indemnifying the City for any damage resulting from development activity on the subject property which is related to the physical condition of the stream, minor lake, or wetland.

95.30(4) <u>Tree Protection Techniques</u>. A description and location of tree protection measures during construction for trees to be retained must be shown on demolition and grading plans.

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

PUBLIC WORKS CONDITIONS
General Conditions:

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

2. This project will be subject to Public Works Permit and Connection Fees. It is the applicant's responsibility to contact the Public Works Department by phone or in person to determine the fees. The applicant should anticipate the following fees:

o Water, Sewer, and Surface Water Connection Fees (paid with the issuance of a Building Permit)

o Side Sewer Inspection Fee (paid with the issuance of a Building Permit)

o Water Meter Fee (paid with the issuance of a Building Permit)

o Right-of-way Fee

o Review and Inspection Fee (for utilities and street improvements).

o Building Permits associated with this proposed project will be subject to the traffic, park, and school impact fees per Chapter 27 of the Kirkland Municipal Code. The impact fees shall be paid prior to issuance of the Building Permit(s). Any existing buildings within this project which are demolished will receive a Traffic Impact Fee credit, Park Impact Fee Credit and School Impact Fee Credit. This credit will be applied to the first Building Permits that are applied for within the project. The credit amount for each demolished building will be equal to the most currently adopted Fee schedule.

3. This project is exempt from concurrency review.

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

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

6. All plans submitted in conjunction with a building, grading or right-of-way permit must have elevations which are based on the King County datum only (NAVD 88).

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

Sanitary Sewer Conditions:

1. The existing sanitary sewer main extended to the northwest property corner of the subject site shall be adequate, providing it can be located from data obtained from the Public Works Record Drawing, Tag No. 258.

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

Water System Conditions:

1. The existing water main in the unopened public right-of-way along the front of the subject property is adequate to serve this proposed development.

2. Provide a separate 1" minimum water service from the water main to the meter for th lot; City of Kirkland will set the water meter. The water size is determined when the Building Permit is submitted and is sized per the Uniform Plumbing Code. A ¾" meter is the typical size for new single-family home. The meter shall be set in a location so not as interfere with vehicular access, or effect negatively the wetland areas.

Surface Water Conditions:

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

Targeted Drainage Review
A targeted project drainage review is required for projects that meet the new impervious area criteria for small projects, but also have additional characteristics that require a more in-depth level of review, such as sensitive drainage areas or the construction/modification of a 12" pipe or ditch.

2. A preliminary drainage report (Technical Information Report) must be submitted with the building permit application. This must include a downstream analysis for all projects (except small project Type 1).

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

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

4. Evaluate the feasibility and applicability of dispersion, infiltration, and other stormwater low impact development facilities on-site (per section 5.2 in the 2009 King County Surface Water Design Manual). If feasible, stormwater low impact development facilities are required. See PW

Pre-Approved Plan Policy L-1 or L-2 (depending on drainage review) for more information on this requirement.

5. Construction drainage control shall be maintained by the developer and will be subject to periodic inspections. During the period from May 1 and September 30, all denuded soils must be covered within 7 days; between October 1 and April 30, all denuded soils must be covered within 12 hours. Additional erosion control measures may be required based on site and weather conditions. Exposed soils shall be stabilized at the end of the workday prior to a weekend, holiday, or predicted rain event.

6. Provide collection and conveyance of right-of-way storm drainage as required. The driveway may be configured to "sheet-flow" the runoff to the westerly shoulder in the right-of-way, mitigating runoff to 9th Ave S.

7. Provide a separate storm drainage connection for the lot. All roof and on-site driveway drainage must be tight-lined to the storm drainage system or utilize low impact development techniques. The tight line connections shall be installed with the new house. Since the storm system was provided to the site when Devon Lane Division 1 was constructed, based upon Public Works record drawing No. 258, the lateral may be used alone, or in combination with Low Impact Development (LID) applications. The storm system may consist entirely of LID applications, with now connection to the storm system, depending upon the storm water analysis (TIR).

8. Provide a plan design for the storm sewer system.

9. A storm sewer "Joint Maintenance Agreement" may be required and would need to be recorded with the property for the jointly used storm sewer lines, if the storm line from Devan Lane is used.

Street and Pedestrian Improvement Conditions:

1. The subject property abuts 10th Street S Right-of-Way. This street is a Neighborhood Access type street. Zoning Code sections 110.10 and 110.25 require the applicant to make half-street improvements in rights-of-way abutting the subject property. The Planning Department shall make the final approval of the magnitude of the entry improvements in proximity to the wetland. However, since this right-of-way is located in and abutting to a wetland, the public improvements shall be limited to the following:

A. Utilize the westerly half right-of-way to include a 10 ft wide driveway form 9th Avenue S to the proposed entry point into the lot.
B. Install 3 removable bollards in the right-of-way just north of the site entry point of the driveway.
C. Install a 5 ft wide gravel pedestrian path along the east side of the new driveway. The path shall be separated by a vegetated strip with a minimum width of 1 ft.

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

- Existing streets with 4-inches or more of existing asphalt shall receive a 2-inch (minimum thickness) asphalt overlay. Grinding of the existing asphalt to blend in the overlay will be required

along all match lines.

- Existing streets with 3-inches or less of existing asphalt shall have the existing asphalt removed and replaced with an asphalt thickness equal or greater than the existing asphalt provided however that no asphalt shall be less than 2-inches thick and the subgrade shall be compacted to 95% density.

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

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

5. Install "NO PARKING ANYTIME" signs (2) along 10th Street S.

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

7. Underground any new off-site transmission lines.

Links

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

FIRE DEPARTMENT COMMENT

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

Due to access, a 13D sprinkler system is required to be installed throughout the house. A separate permit is required from the Fire Department prior to installation. Submit three sets of plans, specifications and calculations for approval; or permit may be applied for on line at MyBuildingPermit.com. All plans shall be designed and stamped by a person holding a State of Washington Certificate of Competency. The system shall be installed by a state licensed sprinkler contractor.