



CARILLON PROPERTIES W. BLVD.  
5245 LAKE WASHINGTON BLVD. NE

LAKE WASHINGTON BLVD NE

S03°09'47"E 265.49'

N88°51'02"W 170'±

MARINA SUITES  
5207 LAKE WA. BLVD. NE

N01°08'58"E 166.38'

N43°53'02"W 75.46'

N88°52'05"W 135.00'

N88°53'07"W 287.38'

BREAKWATER CONDOMINIUMS  
4823 LAKE WASHINGTON BLVD. NE

EXISTING SEWER LINE

JOB SITE  
5001 LAKE WASHINGTON BLVD. NE

'A'

'B'

'C'

'D'

'E'

'F'

'G1'

'G2'

O.H.W.L. 21.80'

255'-7"±

47'±

EXISTING PIER

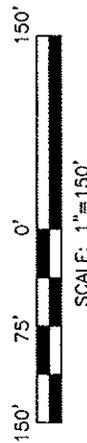
234'-7"±

EXISTING PIER

34'

EXISTING PIER

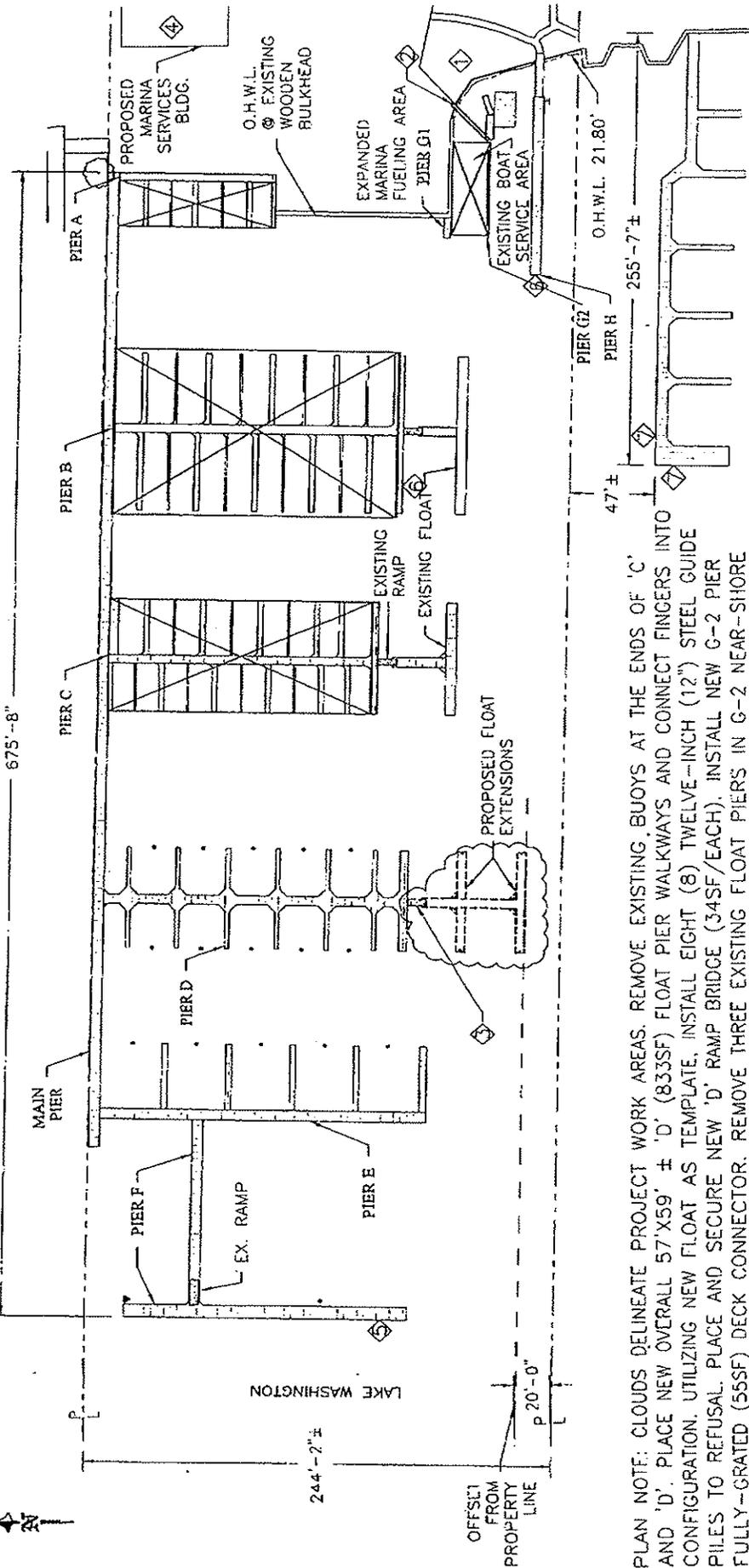
PLOT PLAN



REFERENCE #:  
 APPLICANT: YARROW BAY YACHT BASIN  
 PROPOSED: EXPAND PUBLIC MOORAGE AVAILABILITY. INSTALL  
 FLOATING PVC BOOM.  
 NEAR/AT: KIRKLAND  
 SHEET: 2 OF: 9  
 DATE: 1-12-05 DWG#: 04-3320-A.2-1

**REVISED**  
**1-19-06**

# PROPOSED YARROW BAY MARINA FUELING PLAN VIEW



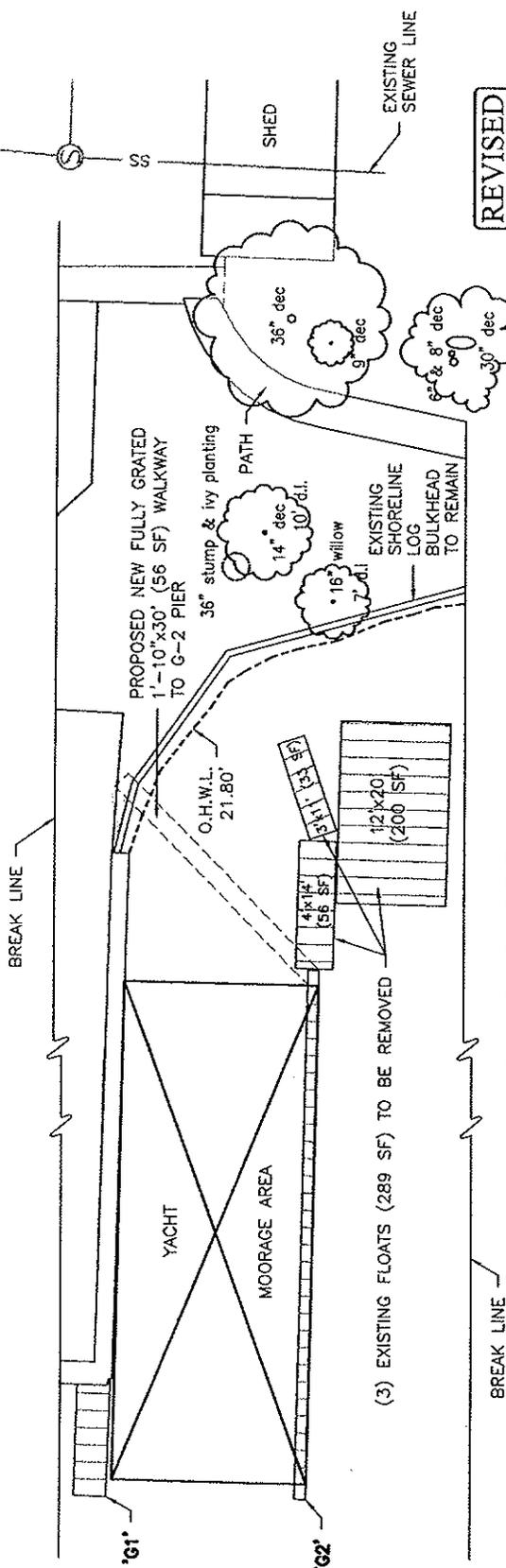
REVISED  
5-26-06

REFERENCE A	APPROVED YARROW BAY YACHT BASIN
REFERENCE B	PROPOSED YARROW PUBLIC HOUSAGE AVAILABILITY
SHEET 1	KIRKLAND
DATE	11-12-05
OF	1
DWG# 01-3370-1.1-1	

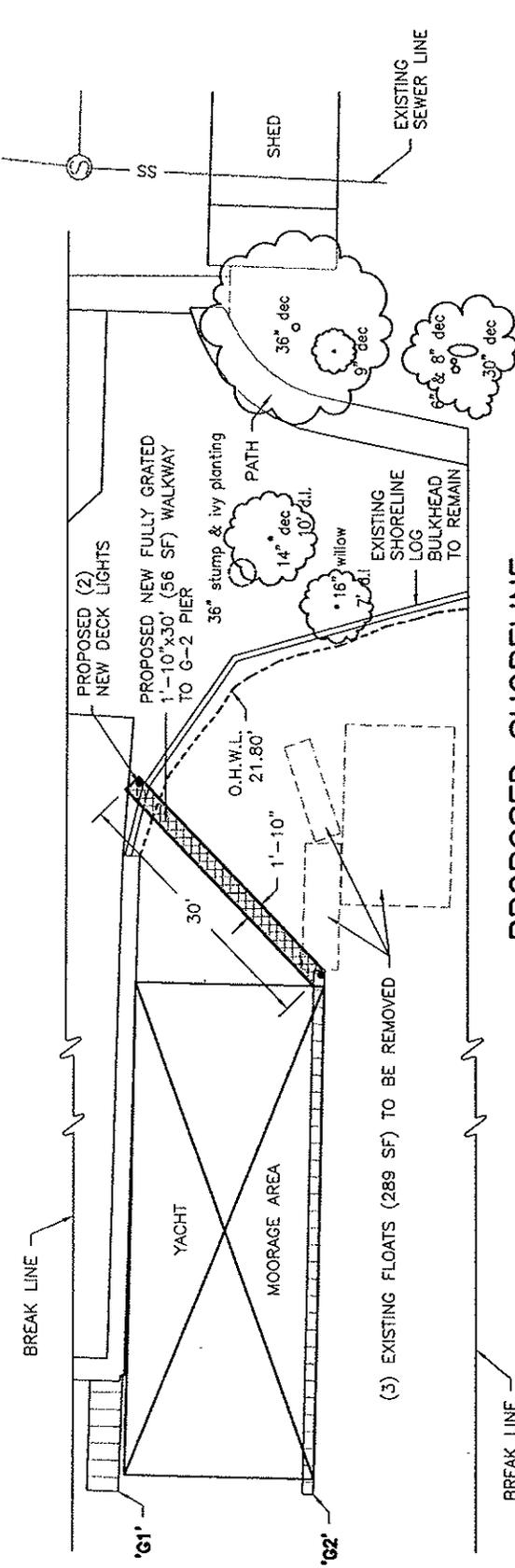
PLAN NOTE: CLOUDS DELINEATE PROJECT WORK AREAS. REMOVE EXISTING BUOYS AT THE ENDS OF 'C' AND 'D'. PLACE NEW OVERALL 57'X59' ± 'D' (833SF) FLOAT PIER WALKWAYS AND CONNECT FINGERS INTO CONFIGURATION. UTILIZING NEW FLOAT AS TEMPLATE, INSTALL EIGHT (8) TWELVE-INCH (12") STEEL GUIDE PILES TO REFUSAL. PLACE AND SECURE NEW 'D' RAMP BRIDGE (34SF/EACH). INSTALL NEW G-2 PIER FULLY-GRATED (55SF) DECK CONNECTOR. REMOVE THREE EXISTING FLOAT PIERS IN G-2 NEAR-SHORE AREA (289SF). NET NON-SHADE GAIN TO G-2 NEAR-SHORE AREA IS 234SF. NET INCREASE TO MARINA DECKING IS 1184SF.

- ◊ SEE: PLANTING PLAN ADDENDUM B
- ◊ PROPOSED SIGN: SLOW TO 5 MPH. NO WAKE. STAY NORTH OF BUOYS.
- ◊ PROPOSED G-2 WALKWAY
- ◊ PROPOSED SIGN: BOATS FOR FUELING SHALL NOT TIE TO NEIGHBORING DOCKS. YARROW BAY MARINA STAFF WILL ENFORCE.
- ◊ NEW RAMP TO PROPOSED 'D' FLOAT PIER
- ◊ PROPOSED SIGN: ABSOLUTELY NO PUBLIC BOATING TIE-UPS TO THIS PRIVATE PIER. RESPASSERS WILL BE REFUSED FUELING SERVICE.
- ◊ SEE: ADDENDUM D

REVISED  
1-19-06



EXISTING SHORELINE DETAIL VIEW  
SCALE: 1"=20'

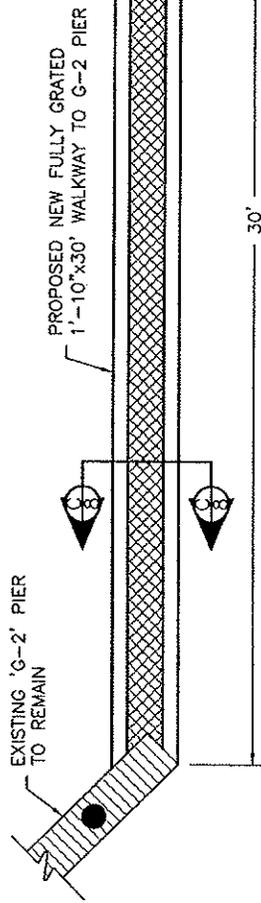
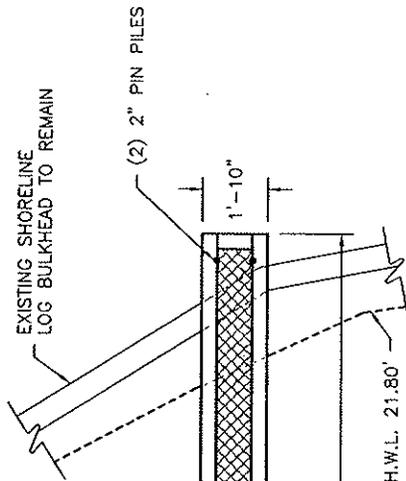


PROPOSED SHORELINE  
DETAIL VIEW  
SCALE: 1"=20'

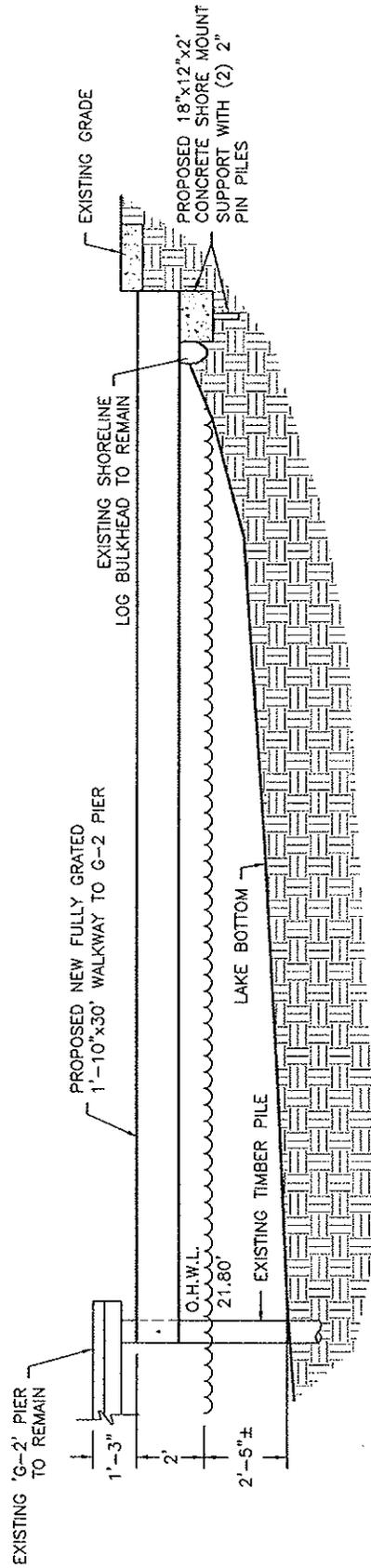
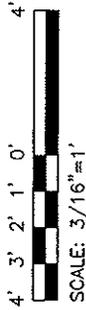


REFERENCE #:	
APPLICANT:	YARROW BAY YACHT BASIN
PROPOSED:	EXPAND PUBLIC MOORAGE AVAILABILITY. INSTALL FLOATING PVC BOOM.
NEAR/AT:	KIRKLAND
SHEET:	4 OF 9
DATE:	1-12-05
DWG#:	04-3320-A.4-1

NOTE: REMOVE THREE FLOATS (3'x11', 4'x14', AND 12'x20' = 329 SF OVERALL) MOORED AT SHORELINE. INSTALL AND SECURE NEW FULLY GRATED 1'x10'x30' WALKWAY TO G-2 PIER. (55 SF)



**DETAIL VIEW**



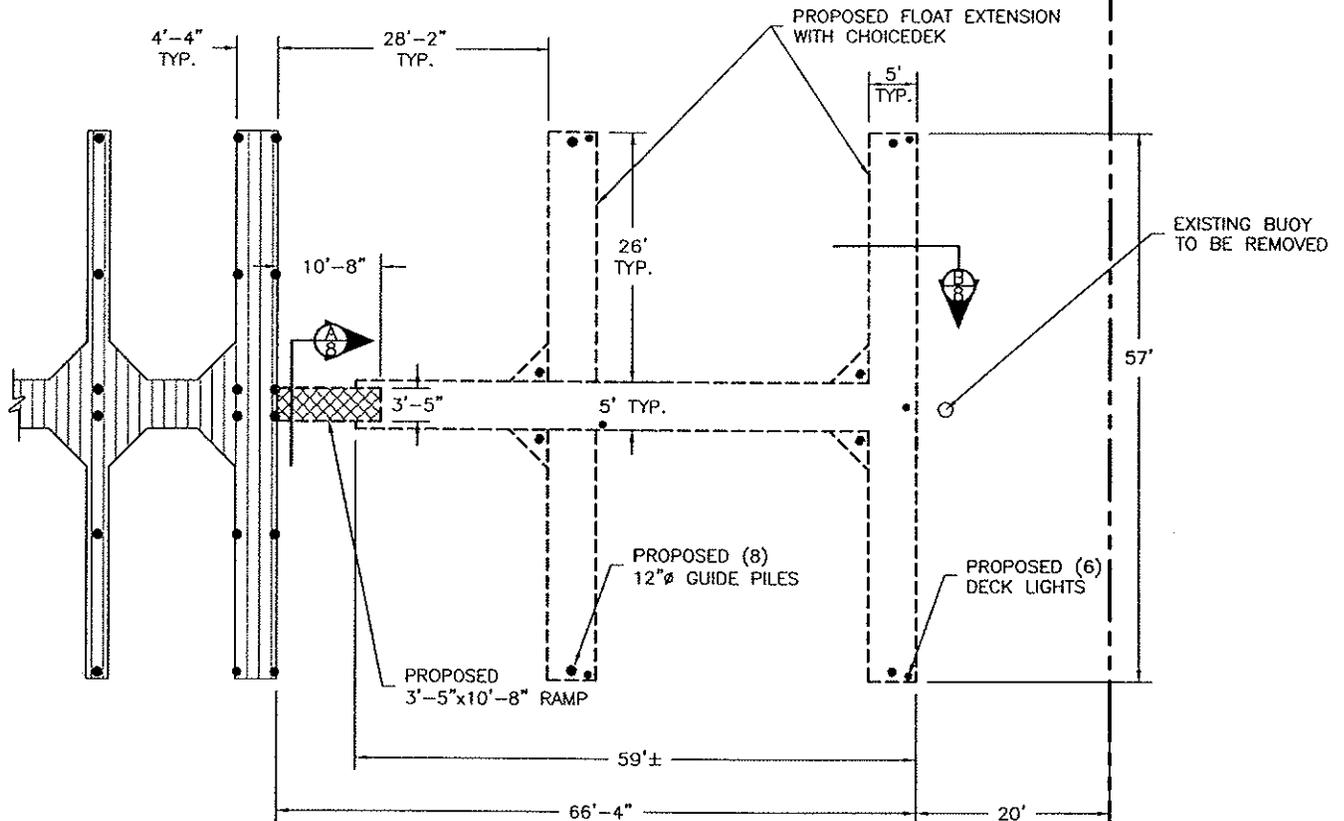
**ELEVATION VIEW**



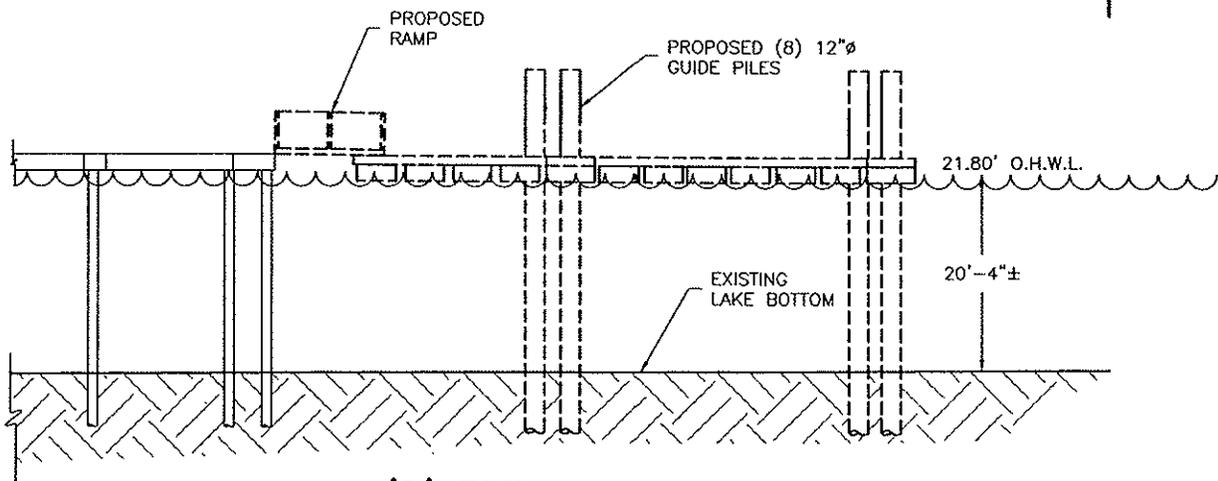
**REVISED**  
**1-19-06**

REFERENCE #:	
APPLICANT: YARROW BAY YACHT BASIN	
PROPOSED: EXPAND PUBLIC MOORAGE AVAILABILITY. INSTALL FLOATING PVC BOOM.	
NEAR/AT: KIRKLAND	
SHEET: 5	OF: 9
DATE: 1-12-05	DWG#: 04-3320-A-5-1

NOTE: INSTALL TWO (2) SHORELINE PINS. FORM AND CONSTRUCT NEW 12"x18"x24" CONCRETE SHOREMOUNT. INSTALL AND SECURE NEW FULLY GRATED 1'-10"x30' WALKWAY TO SHORE MOUNT AND EXISTING G-2 TIMBER PILE. (55 SF)



**'D' PIER DETAIL VIEW**  
SCALE: 1"=20'

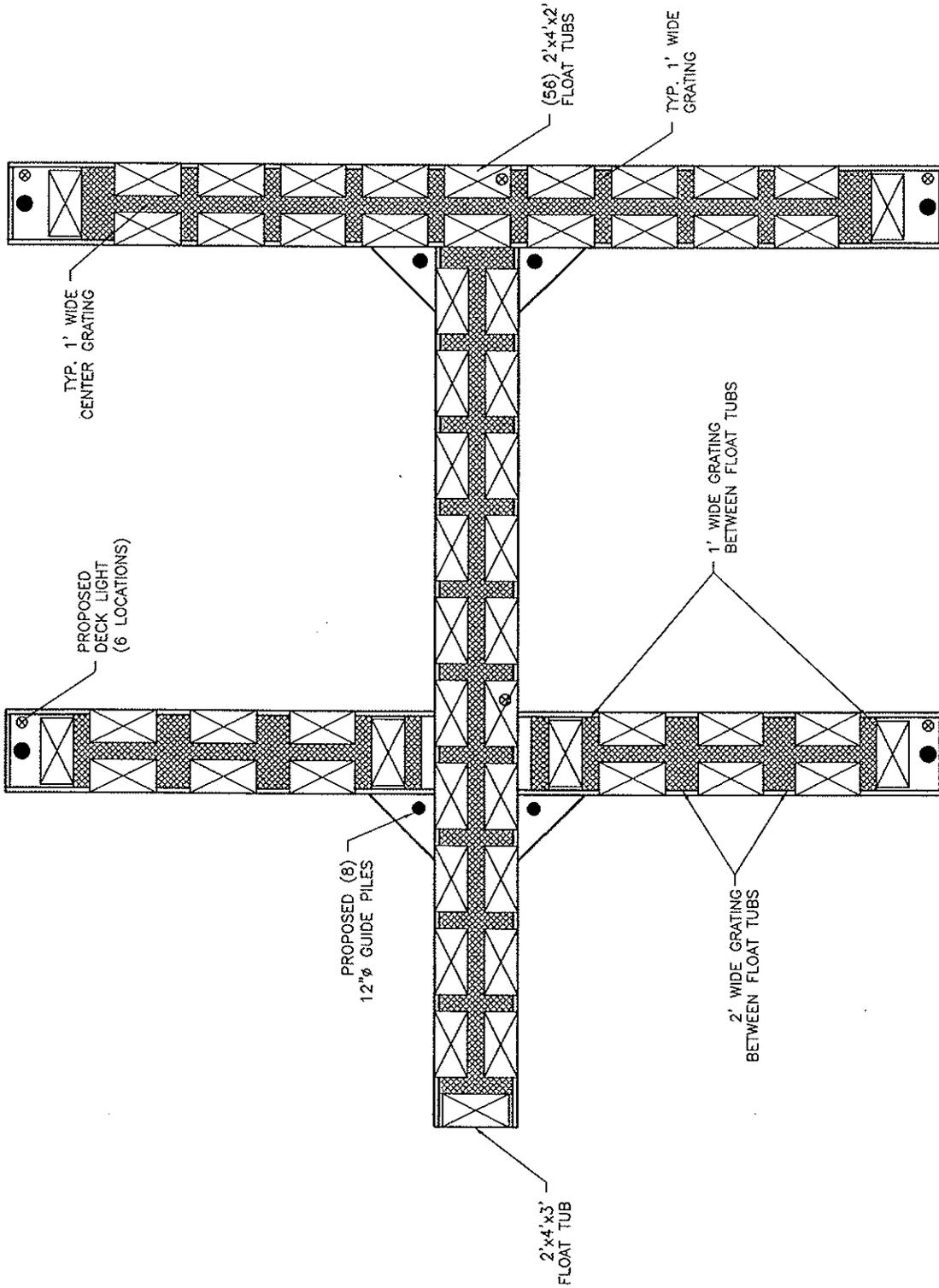


**'D' PIER ELEVATION VIEW**  
20' 15' 10' 5' 0' 20'  
SCALE: 1"=20'

**REVISED**  
**1-19-06**

**NOTE:**  
PLACE AND SECURE PROPOSED NEW OVERALL 57' X 59' ± 'D' FLOAT PIER SECTIONS (ACTUAL 833SF). UTILIZING NEW FLOAT AS TEMPLATE, INSTALL EIGHT (8) TWELVE-INCH (12") STEEL GUIDE PILES TO REFUSAL. INSTALL AND SECURE PROPOSED NEW 3'-5" X 10' (34SF) RAMP BRIDGE TO END OF EXISTING 'D' PIER AND TO PROPOSED NEW FLOAT PIER.

<b>REFERENCE #:</b>	
APPLICANT: YARROW BAY YACHT BASIN	
PROPOSED: EXPAND PUBLIC MOORAGE AVAILABILITY. INSTALL FLOATING PVC BOOM.	
NEAR/AT: KIRKLAND	
SHEET: 6	OF: 9
DATE: 1-12-05	DWG#: 04-3320-A.6-1



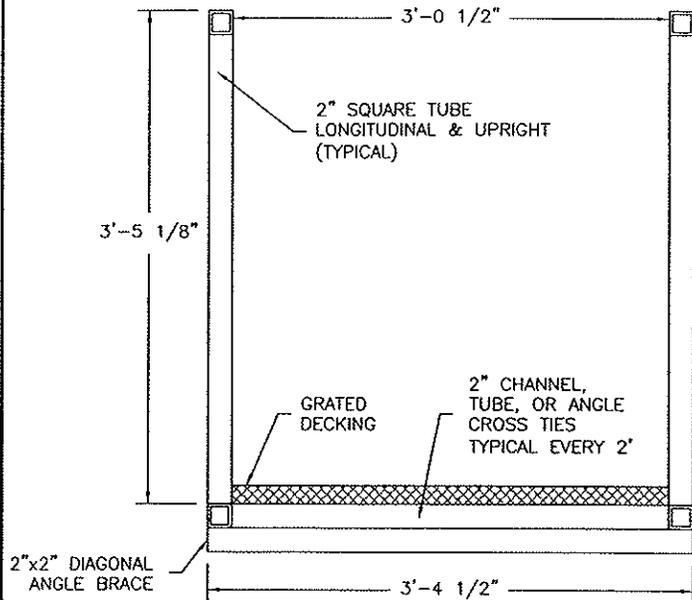
REVISED  
1-19-06

TOTAL DECK SURFACE AREA = 844 S/F  
 TOTAL GRATED AREA = 263 S/F x 60% = 158 S/F  
 TOTAL ADDITIONAL OVERWATER COVERAGE AREA = 686 S/F

REFERENCE #:	
APPLICANT:	YARROW BAY YACHT BASIN
PROPOSED:	EXPAND PUBLIC MOORAGE AVAILABILITY. INSTALL FLOATING PVC BOOM.
NEAR/AT:	KIRKLAND
SHEET:	7 OF 9
DATE:	12-29-05
DWG#:	04-3320-A.7-1

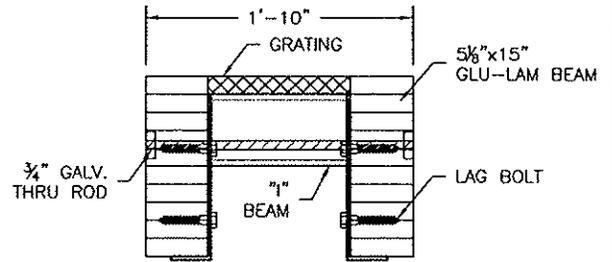
PROPOSED PIER 'D' FLOAT  
& GRATING PLAN VIEW





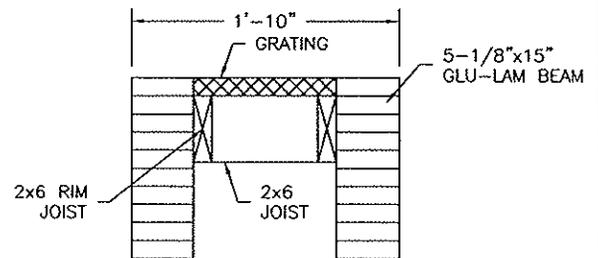
**PROPOSED PEDESTRIAN BRIDGE  
X-SECTION A-8**

SCALE: 3/4"=1'



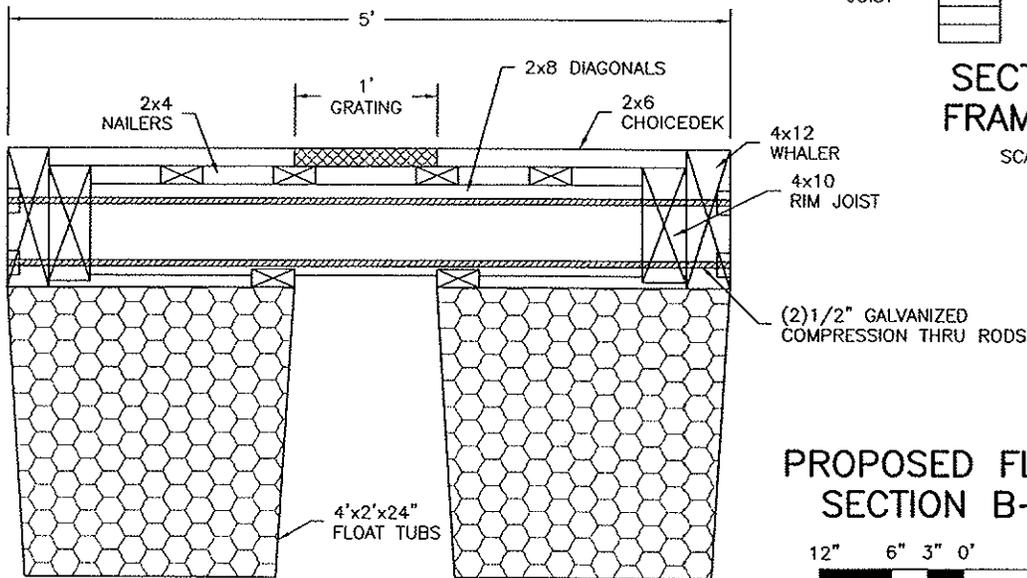
**PROPOSED WALKWAY  
SECTION C-8**

SCALE: 3/4"=1'

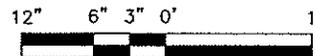


**SECTION C-8  
FRAMING PLAN**

SCALE: 3/4"=1'



**PROPOSED FLOAT  
SECTION B-8**



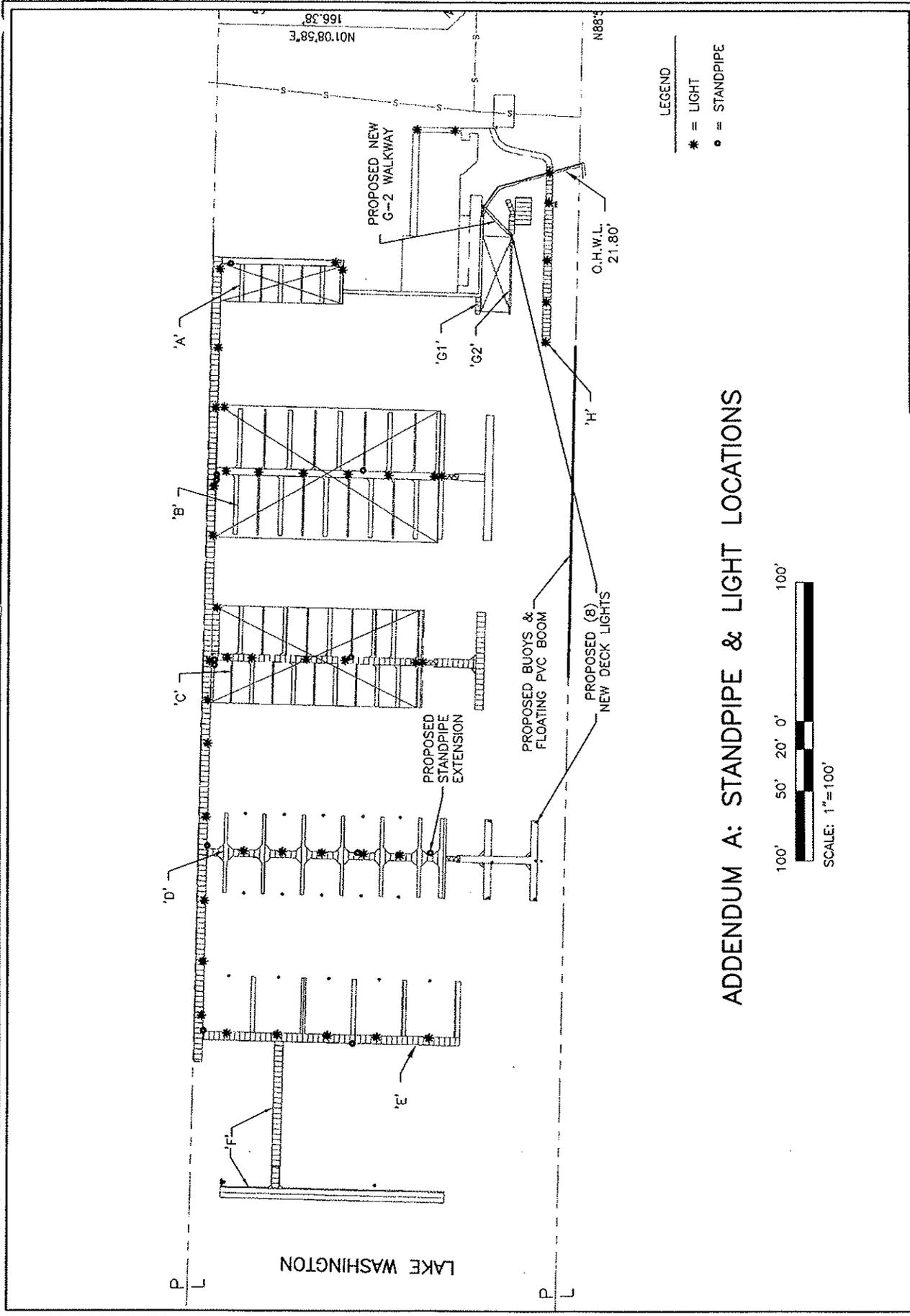
SCALE: 3/4"=1'

**MATERIAL SPECIFICATIONS**

PART	SPECS	TREATMENT/ MATERIAL
FLOAT GUIDE PILING	12" STEEL	DEV/TAR 5--A COATING
WALKWAY GLU--LAM BEAM	5--1/8"x15"	ACZA (CHEMONITE)
ALL METAL COMPONENTS	SEE FABRICATION SHEETS	GALVANIZED OR STAINLESS
FLOAT	#4860--20 ACE ROTO--MOLD	PLASTIC
FLOAT WOOD COMPONENTS	SEE PLANS & FAB. SHEETS	ACZA (CHEMONITE)
FLOAT DECKING	8" CHOICEDEK	PLASTIC/ WOOD COMPOSITE
FLOAT GRATING	THRU--FLOW	PLASTIC
G-2 GRATING	1x3 GRATED PANELS	PLASTIC

**REVISED  
1-19-06**

REFERENCE #:
APPLICANT: YARROW BAY YACHT BASIN
PROPOSED: EXPAND PUBLIC MOORAGE AVAILABILITY. INSTALL FLOATING PVC BOOM.
NEAR/AT: KIRKLAND
SHEET: 8 OF: 9
DATE: 1-12-05
DWG#: 04-3320-A.8-1



ADDENDUM A: STANDPIPE & LIGHT LOCATIONS

- LEGEND
- \* = LIGHT
  - o = STANDPIPE



REFERENCE #:	
APPLICANT:	YARROW BAY YACHT BASIN
PROPOSED:	EXPAND PUBLIC MOORAGE AVAILABILITY. INSTALL FLOATING PVC BOOM.
NEAR/AT:	KIRKLAND
SHEET:	ADDENDUM A
DATE:	1-12-05
DWG#:	04-3320

REVISED  
1-19-06

# MONITORING AND MAINTENANCE PLAN

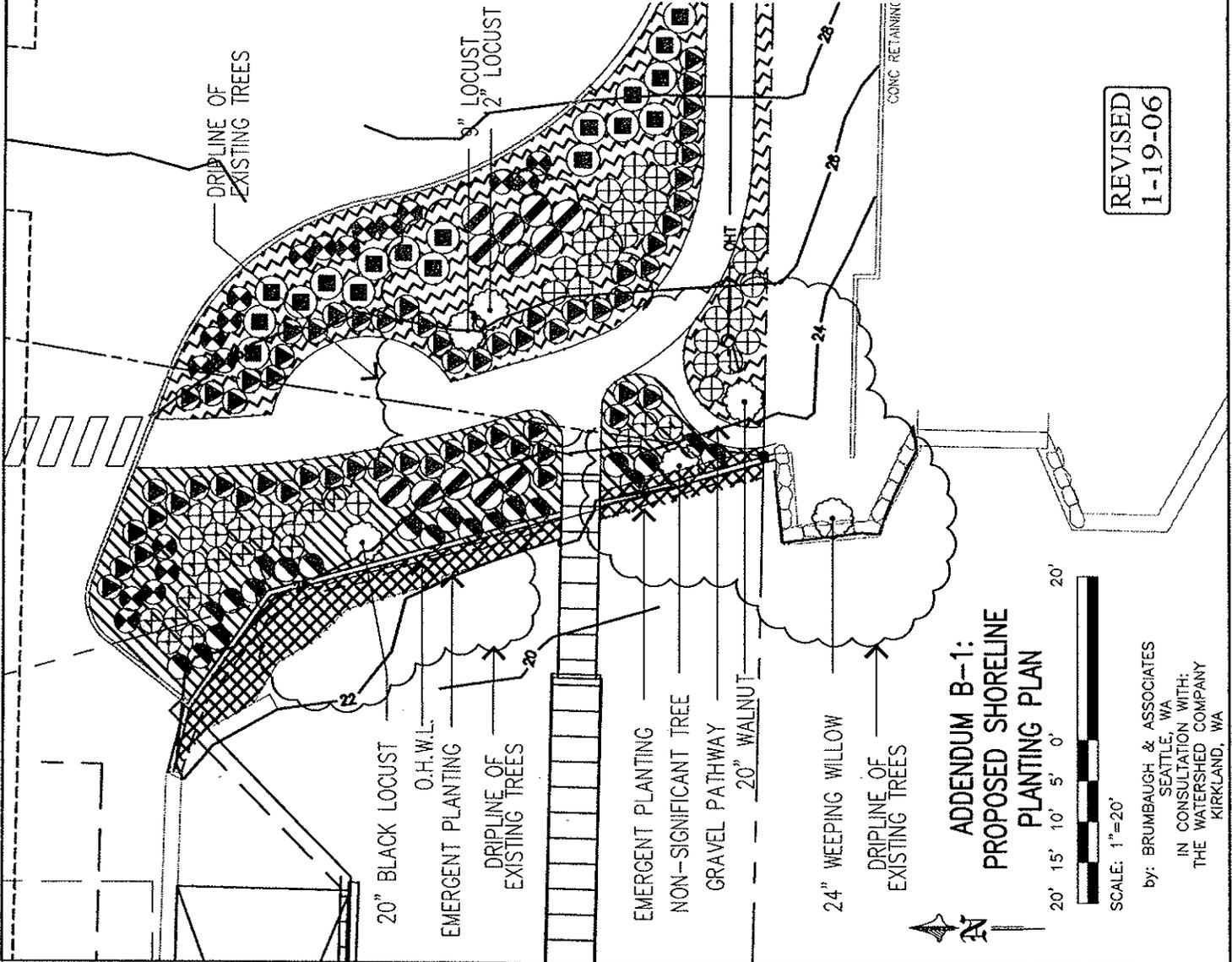
BY THE WATERSHED COMPANY

MONITORING: THE APPLICANT SHALL ASSURE 100 PERCENT SURVIVAL OF TREES AND SHRUBS DURING THE FIRST TWO YEARS OF MONITORING, 100 PERCENT SURVIVAL OF TREES DURING THE FINAL THREE YEARS OF MONITORING, AND 80 PERCENT SURVIVAL OF SHRUBS DURING THE FINAL THREE YEARS OF MONITORING. THE APPLICANT SHALL MAKE "GOOD-FAITH" EFFORTS TO ESTABLISH THE PROPOSED EMERGENT VEGETATION. THE APPLICANT SHALL ALLOW MONITORING OF THE TERRESTRIAL AND EMERGENT VEGETATION AND OTHER FISH HABITAT ENHANCEMENT FEATURES ON AN ANNUAL OR SEMI-ANNUAL BASIS BY QUALIFIED INDIVIDUALS SPECIFIED BY NOAA FISHERIES AND THE USACE. SUCH MONITORING MAY INCLUDE SNORKEL SURVEYS TO OBSERVE FISH USE OF EMERGENT PLANTS AND TO DETERMINE EMERGENT PLANT CONDITION. ACCESS TO THE APPLICANT'S PROPERTY FOR MONITORING PURPOSES WOULD BE ALLOWED, PROVIDED THAT MONITORS NOTIFY THE APPLICANT AT LEAST ONE WEEK PRIOR TO THE MONITORING VISIT. THE APPLICANT SHALL NOT BE RESPONSIBLE FOR ANY COSTS OF MONITORING BY USACE, NOAA FISHERIES, OR PARTIES DESIGNATED BY USACE OR NOAA FISHERIES.

FOR FIVE YEARS, THE APPLICANT SHALL PROVIDE TO THE USACE AN ANNUAL STATEMENT, INCLUDING PHOTOGRAPHS, OF THE CONDITION OF THE TERRESTRIAL VEGETATION AND EMERGENT VEGETATION. THE STATEMENT SHALL INCLUDE PERCENT SURVIVAL OF THE TERRESTRIAL VEGETATION, PHOTOGRAPHS OF THE TERRESTRIAL VEGETATION AREA SHALL BE TAKEN BEFORE PLANTING, IMMEDIATELY AFTER PLANTING, AND ONCE EACH YEAR AFTER THAT DURING JUNE OR JULY. THE PHOTOS SHALL BE TAKEN FROM PERMANENT PHOTO STATIONS SELECTED SUCH THAT THEY PROVIDE COMPLETE COVERAGE OF THE AREA WITHIN THE MITIGATION PLAN SCOPE. THE STATEMENT SHALL ALSO INCLUDE PERCENT SURVIVAL AND TOTAL PLANT COUNTS OF THE EMERGENT VEGETATION. PHOTOGRAPHS OF THE EMERGENT VEGETATION AREA SHOULD ALSO BE TAKEN BEFORE PLANTING AND IMMEDIATELY AFTER PLANTING. THEREAFTER, PHOTOS OF EMERGENT VEGETATION SHOULD BE TAKEN TWICE YEARLY, ONCE AT LOW LAKE (DECEMBER OR JANUARY) AND ONCE AT HIGH LAKE (JUNE OR JULY). THE STATEMENT AND PICTURES SHALL BE SUBMITTED TO THE USACE BY FEBRUARY 28 OF EACH YEAR OF THE MONITORING PERIOD.

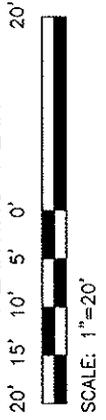
MAINTENANCE: MAINTENANCE OF THE TERRESTRIAL AND EMERGENT PLANTS DURING THE FIVE-YEAR MONITORING PERIOD SHALL BE CONDUCTED BY THE APPLICANT OR HIS AUTHORIZED AGENTS TO ENSURE ACHIEVEMENT OF THE SPECIFIED SURVIVAL STANDARDS. MAINTENANCE INCLUDES REMOVAL AND REPLACEMENT OF DEAD OR DYING PLANTS, WEEDING OF NON-NATIVE INVASIVE SPECIES (TERRESTRIAL AND EMERGENT SPECIES), AND WATERING (TERRESTRIAL SPECIES). WEEDING OF NON-NATIVE SPECIES IN THE NEARSHORE AREA SHALL BE DONE WHEN JUVENILE SALMONIDS ARE NOT IN THE SHALLOW WATERS OF THE PROJECT SITE. MAINTENANCE SHALL NOT INCLUDE APPLICATION OF TOXIC CHEMICAL TREATMENTS OR PRUNING.

REFERENCE #:	
APPLICANT: YARROW BAY YACHT BASIN	
PROPOSED: EXPAND PUBLIC MOORAGE AVAILABILITY. INSTALL FLOATING PVC BOOM.	
NEAR/AT: KIRKLAND	
SHEET: ADDENDUM B-1	
DATE: 12-29-05	DWG#: 04-3320



REVISED  
1-19-06

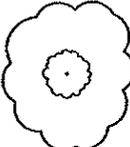
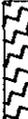
## ADDENDUM B-1: PROPOSED SHORELINE PLANTING PLAN



by: BRUMBAUGH & ASSOCIATES  
SEATTLE, WA  
IN CONSULTATION WITH:  
THE WATERSHED COMPANY  
KIRKLAND, WA

# PLANT SCHEDULE

BY BRUMBAUGH & ASSOCIATES, SEATTLE, WASHINGTON

SYMBOL	BOTANICAL NAME / COMMON NAME	SIZE	NOTES
	EXISTING TREES TO REMAIN WITH DRIFLINE		
SHRUBS			
	RIBES SANGUINEUM / RED FLOWERING CURRANT	2 GAL.	FULL FOLIAGE, 48" O.C.
	POLYSTICHUM MUNITUM / SWORD FERN	1 GAL.	FULL FOLIAGE, 24" O.C.
	BERBERIS NERVOSA / OREGON GRAPE	1 GAL.	FULL FOLIAGE, 36" O.C.
	SYMPHORICARPOS ALBUS / SNOWBERRY	2 GAL.	FULL FOLIAGE, 48" O.C.
	ROSA NUTKANA / NOOTKA ROSE	2 GAL.	FULL FOLIAGE, 48" O.C.
	VACCINIUM OVATUM / EVERGREEN HUCKLEBERRY	2 GAL.	FULL FOLIAGE, 48" O.C.
GROUNDCOVER			
	1/3 - EQUISETUM TELMATEAL / GIANT HORSETAIL	4" POT	FULL FOLIAGE, 24" O.C.
	1/3 - SCIRPUS ACUTUS / HARDSTEM BULRUSH	4" POT	FULL FOLIAGE, 24" O.C.
	1/3 - SCIRPUS MICROCARPUS / FRUITED BULRUSH	4" POT	FULL FOLIAGE, 24" O.C.
	ARCTOSTAPHYLOS UVA-URSI / KINNIKINNICK	4" POT	FULL FOLIAGE, 24" O.C.
	FRAGARIA CHILOENSIS / WILD STRAWBERRY	4" POT	FULL FOLIAGE, 24" O.C.

ADDENDUM B-2

REVISED  
1-19-06

REFERENCE #:

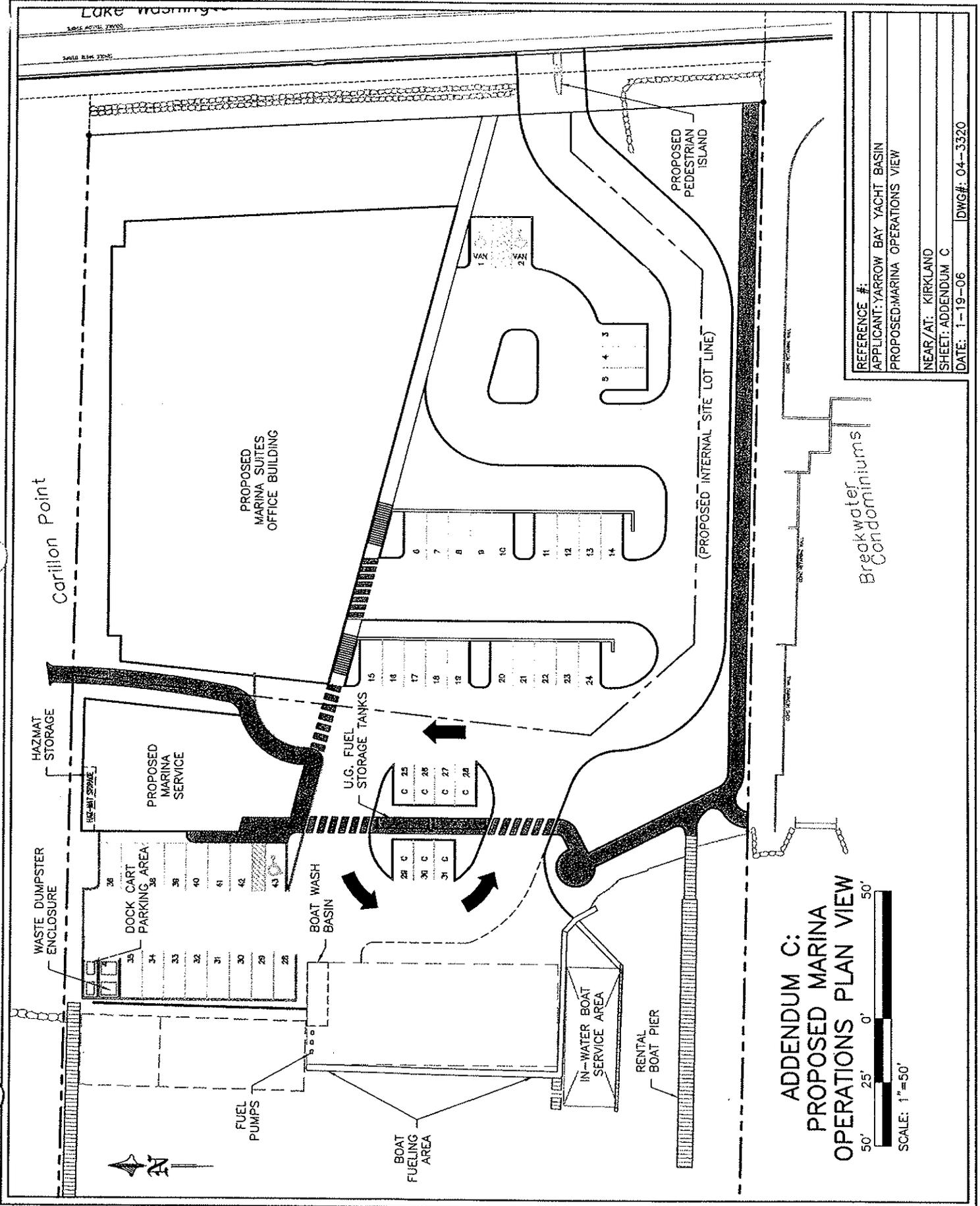
APPLICANT: YARROW BAY YACHT BASIN

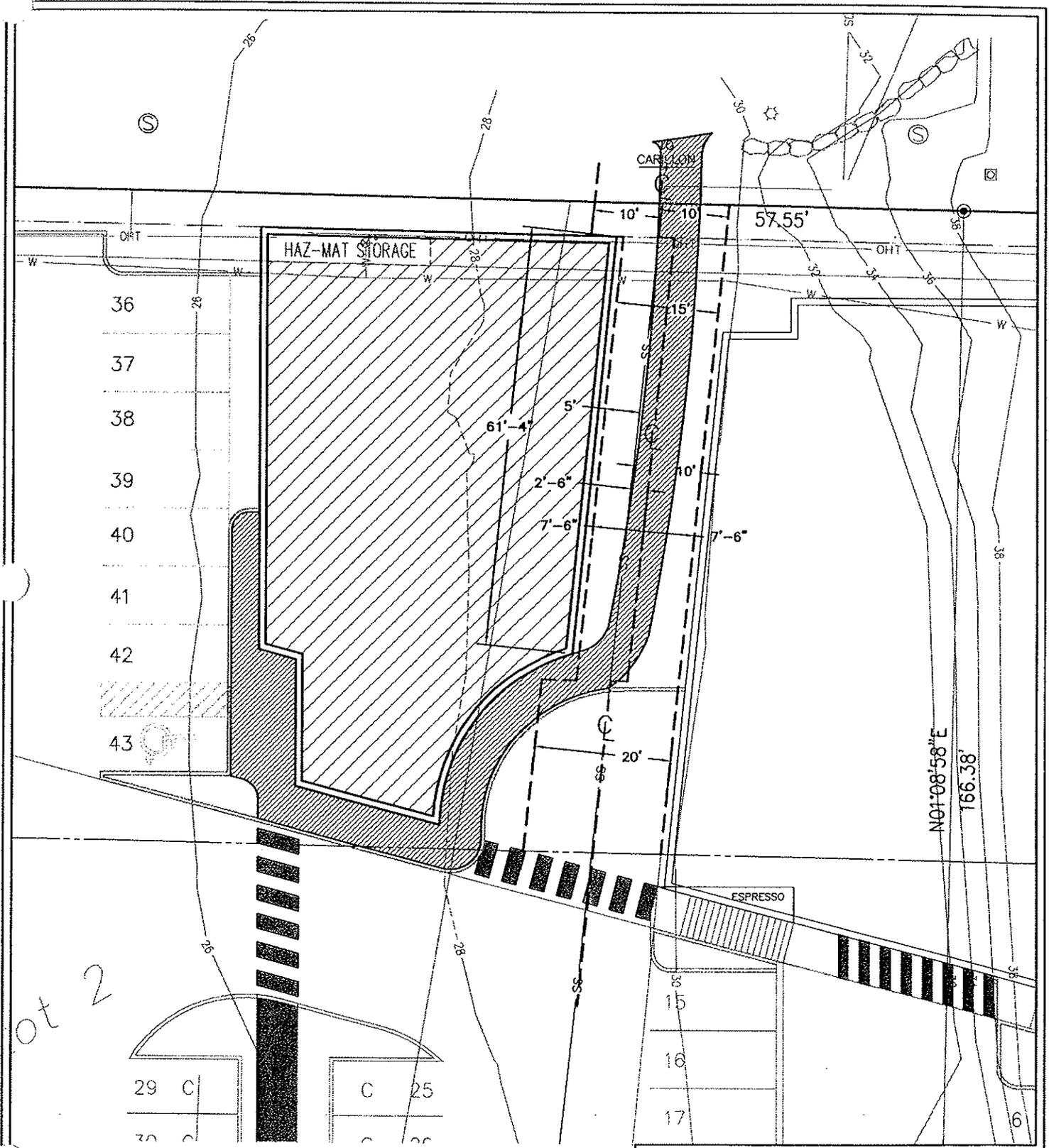
PROPOSED: EXPAND PUBLIC MOORAGE AVAILABILITY. INSTALL FLOATING PVC BOOM.

NEAR/AT: KIRKLAND

SHEET: ADDENDUM B-2

DATE: 12-29-05 DWG#: 04-3320

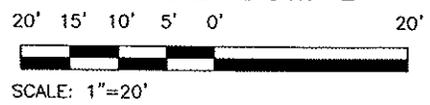




lot 2



**ADDENDUM D**



REFERENCE #:	
APPLICANT:	YARROW BAY YACHT BASIN
PROPOSED:	MARINA SERVICES BUILDING
NEAR/AT:	KIRKLAND
SHEET:	ADDENDUM D
DATE:	1-19-06
DWG#:	04-3320



Date: 7/17/2006

DEVELOPMENT STANDARDS

CASE NO.: SHR06-00001

PCD FILE NO.:SHR06-00001

\*\*\*FIRE DEPARTMENT CONDITIONS\*\*\*

1) \*\*\*FIRE DEPARTMENT CONDITIONS\*\*\*

Based on the site plan submitted, it appears that Fire Department requirements for access (width, turning radii, gradient) are met.

2) The additional hydrants shown on the plan will be adequate for hydrant coverage. All shall be equipped with 5" Stortz fittings.

3) A fire sprinkler system is required in both buildings.

4) A standpipe system is also required in the larger building. The standpipe system may be incorporated into the sprinkler system.

5) A fire alarm system is required in both buildings.

6) Fire extinguishers are required throughout the buildings.

7) A key box is required for fire department access.

8) Any activities involving underground tanks, fuel dispensing, boat/vehicle repair and/or other activities involving flammable/combustible or hazardous liquids shall meet the applicable requirements of the International Fire Code. The following IFC chapters may need to be consulted: Chapter 22 "Motor Vehicle Fuel-Dispensing Facilities and Repair Garages"; Chapter 34 "Flammable and Combustible Liquids"; Chapter 26 "Welding and Other Hot Work"; Chapter 27 "Hazardous Materials - General Provisions." In addition, all requirements of the Washington State Department of Ecology shall be met.

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 at [www.ci.kirkland.wa.us](http://www.ci.kirkland.wa.us).

2. This project will be subject to Public Works Permit and Connection Fees. At the pre-application stage, the fees can only be estimated. It is the applicant's responsibility to contact the Public Works Department by phone or in person to determine the fees. The fees can also be review the City of Kirkland web site at [www.ci.kirkland.wa.us](http://www.ci.kirkland.wa.us). The applicant should anticipate the following fees:

- o Water and Sewer 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 Traffic Impact Fee (paid with the issuance of Building Permit). For additional information, see notes below.

3. A Concurrency Test Notice has been issued by the City's Transportation E

See Planning staff report for a copy of the test notice.

4. Building Permits associated with this proposed project will be subject to the traffic impact fees per Chapter 27.04 of the Kirkland Municipal Code. The impact fees shall be paid prior to issuance of the Building Permit(s).
5. Any building that is demolished will receive a Traffic Impact Fee credit. This credit will be applied to the new Building Permit
6. All civil engineering plans which are submitted in conjunction with a building, grading, or right-of-way permit must conform to the Public Works Policy titled ENGINEERING PLAN REQUIREMENTS. This policy is contained in the Public Works Pre-Approved Plans and Policies manual.
7. All street improvements and underground utility improvements (storm, sewer, and water) must be designed by a Washington State Licensed Engineer; all drawings shall bear the engineers stamp.
8. All plans submitted in conjunction with a building, grading or right-of-way permit must have elevations which are based on the King County datum only (NAVD 88).
9. A completeness check meeting is required prior to submittal of any Building Permit applications.
10. Prior to issuance of any commercial or multifamily Building Permit, the applicant shall provide a plan for garbage storage and pickup. The plan shall be approved by Waste Management and the City.

#### Sanitary Sewer Conditions:

1. The new building (including the parking garage drains), shall be connected to the City sewer main. The side sewer size shall be at least 6-inch diameter and shall connect to a sewer manhole
2. In regards to the existing sewer main that runs north/south through the site, the following conditions shall be met:
  - " The existing City sewer mains on the property shall be encompassed in a public utility easement. The sewer main that runs between the Marina Services Building and the Office Building can be encompassed in a 15 ft. wide easement; all other sewer main easements shall be 20 feet wide.
  - " The footings for the Marina Services Building and the Office Building shall be equal or deeper in depth to the sewer main elevation.
  - " No trees shall be planted in the sewer easement.
  - " A 12 ft wide paved access road shall be provided between the Marina Services Building and the Office Building for access to the existing manhole at the north property line. The access road can also serve as the pedestrian path connection. Removable bollards shall be used to deter unauthorized vehicles from using the access road/pathway.

#### Water System Conditions:

1. The existing water main in the public right-of-way along the front of the subject property is adequate to serve this proposed development.
2. Extend a 16-inch water main to the new on-site hydrant. The final location of the hydrant will be determined by the Fire Department.
3. Provide separate domestic and irrigation water services sized per the plumbing code. These new services will be tapped off of the water main in Lake Washington Blvd.; the new water meters will be in the Lake Washington Blvd right-of-way.
4. The existing water service(s) may be used provided that it is in the right location, is not galvanized, and is sized adequately to serve the building or the irrigation (per the Plumbing Code). If it is not used, it shall be abandoned at the water main.

Surface Water Conditions:

1. Currently the City uses the 1998 King County Surface Water Design Manual for storm water control regulations. Due to the proximity to the lake, a detention system will not be required.
2. For new or reconstructed impervious areas, subject to vehicular use, provide storm water quality treatment per the 1998 King Surface Water Manual.
3. When applicable, structural source control measures, such as car wash pads or dumpster area roofing, shall be shown on the site improvement plans submitted for engineering review and approval. Refer to King County Storm water Pollution Control Manual and the 2006 Department of Ecology Storm water Management Manual for Western Washington for further information.
4. The National Pollutant Discharge Elimination System (NPDES) Phase II Final Rule requires operators of small construction sites (disturbing between 1 and 5 acres of land) to obtain a Construction Storm water General Permit through the Washington State Department of Ecology. Information about the permit can be obtained at:  
Washington State Department of Ecology <http://www.ecy.wa.gov/programs/wq/stormwater/construction/>  
U.S. EPA Office of Wastewater Management <http://cfpub.epa.gov/npdes/stormwater/const.cfm>  
Specific question can be directed to:  
Jeff Killelea  
PO Box 47600  
Olympia, WA 98504-7600  
(360) 407-6127  
[jkil461@ecy.wa.gov](mailto:jkil461@ecy.wa.gov)
5. If on-site fueling is provided, a spill control plan shall be submitted. Impervious areas around fueling islands shall be covered and shall drain to the sanitary sewer.
6. Provide an erosion control plan with Building or Land Surface Modification Permit application. The plan shall be in accordance with the 1998 or 2005 King County Surface Water Design Manual (whichever one is in place at the time of Building Permit submittal).
7. Construction drainage control shall be maintained by the developer and will be subject to periodic inspections. During the period from April 1 to October 31, all denuded soils must be covered within 15 days; between November 1 and March 31, all denuded soils must be covered within 12 hours. If an erosion problem already exists on the site, other cover protection and erosion control will be required.

Street and Pedestrian Improvement Conditions:

1. The subject property abuts Lake Washington Blvd. This street is an Arterial 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. Section 110.30-110.50 establishes that this street must be improved with the following:
  - A. Remove and replace any cracked curb and gutter.
  - B. Remove the entire existing concrete and asphalt sidewalk and install a new 10-ft wide sidewalk with street trees in tree grates 30 ft on-center.
  - C. The existing rockery may remain, provided that a geotechnical engineer inspects the rockery and certifies that it is stable and in good condition.
  - D. The proposed 3-lane driveway with the center island has been reviewed and approved by Public Works.
2. A pedestrian path and easement is required along the lake is required. The Planning Dept. will give input on path location and improvements.

3. A 2-inch asphalt street overlay will be required where more than three utility trench crossings occur with 150 lineal ft. of street length or where utility trenches parallel the street centerline. Grinding of the existing asphalt to blend in the overlay will be required along all match lines.
4. It shall be the responsibility of the applicant to relocate any above-ground or below-ground utilities which conflict with the project associated street or utility improvements.
5. Underground all new and existing on-site utility lines and overhead transmission lines.

\*\*\*Building Department Comments\*\*\*

Buildings must comply with 2003 editions of the International Building, Mechanical, and Fire Codes and the 2003 Uniform Plumbing Code as adopted and amended by the State of Washington and the City of Kirkland.

Structure must comply with Washington State Energy Code (WAC 51-11); and the Washington State Ventilation and Indoor Air Quality Code (WAC 51-13).

Structures must be designed for seismic design category D, wind speed of 85 miles per hour and exposure C.

Geotechnical report required to address development activity. Recommendations contained within the report shall be incorporated into the design of the subsequent structures.

Prior to issuance of Building, Demolition or Landsurface Modification permit applicant must submit a proposed rat baiting program for review and approval. Kirkland Municipal Ordinance 9.04.050



## CITY OF KIRKLAND

Planning and Community Development Department

123 Fifth Avenue, Kirkland, WA 98033 425.587-3225

[www.ci.kirkland.wa.us](http://www.ci.kirkland.wa.us)

---

### DEVELOPMENT STANDARDS LIST

**File:** Marina Suites LLC, Yarrow Bay Marina Redevelopment, File No. SHR06-00001

#### **Shoreline Master Program Standards**

24.05.165.5 Size of Moorage Structures. Moorage structures may not be larger than is necessary to provide safe and reasonable moorage for the boats to be moored.

24.05.165.9 Prohibited Substances. No part of moorage structures or other components that may come into contact with the lake may be treated with or consist of creosote, oil base, toxic, or other substances that would be harmful to the aquatic environment.

24.05.165.10 Prohibited Moorages. Covered moorage is prohibited. Aircraft moorage is prohibited.

WAC173-27-190 Substantial development, conditional use, or variance permits. Construction pursuant to a substantial development, conditional use, or variance permit shall not begin and is not authorized until 21 days from the date of filing, or until all review proceedings initiated within 20 days from the date of filing have been terminated, except as provided in RCW90.58.140(5)(a) & (b).

#### ***Prior to occupancy:***

24.05.135 Public Access. Project must provide public pedestrian access from the right-of-way to and along the entire waterfront of the subject property at or close to the high waterline.

Developments should be designed to visually and physically separate the public pedestrian access from adjacent private spaces.

24.05.135.6 Public Access Easements. All owners of the subject property must record an easement approved by the City Attorney establishing the right of the public to the pedestrian access (see Attachment 27).

24.05.135.7 Public Access Signs. Sign(s) shall be installed, obtained from the City, designating the public pedestrian access.

#### **Zoning Code Standards**

85.25.1 Geotechnical Report Recommendations. The geotechnical recommendations contained in the report by Associated Earth Sciences dated January 19, 2006 and June 24, 2002 shall be implemented.

85.25.3 Geotechnical Professional On-Site. A qualified geotechnical professional shall be present on site during land surface modification and foundation installation activities.

95.50 Plant Replacement. The applicant shall replace any plants required by this Code that are unhealthy or dead for a period of five years after initial planting.

100.25 Sign Permits. Separate sign permit(s) are required.

105.18 Pedestrian Walkways. All uses, except single family dwelling units and duplex structures, must provide pedestrian walkways designed to minimize walking distances from the building entrance to the right of way and adjacent transit facilities.

105.18 Bicycle Parking. All uses, except single family dwelling units and duplex structures, must provide covered bicycle parking within 50 feet of an entrance to the building.

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

105.18 Service Bay Locations. All uses, except single family dwellings and multifamily structures, must locate service bays away from pedestrian areas.

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

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

105.18.2 Weather Protection Standards. Overhead weather protection may be composed of awnings, marquees, canopies or building overhangs; must cover at least 3' of the width of the adjacent walkway; and must be at least 8 feet above the ground immediately below it.

105.65 Compact Parking Stalls. Up to 50% of the number of parking spaces may be designated for compact cars.

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

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

105.60.4 Parking Lot Walkways. All parking lots which contain more than 25 stalls must include pedestrian walkways through the parking lot to the main building entrance or a central location.

105.75 Landscape Islands. Landscape islands must be included in parking areas as provided in this Section.

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

105.80 Parking Area Buffers. Applicant shall buffer all parking areas and driveways from the right-of-way and from adjacent property with a 5-foot wide strip as provided in this section.

110.60.2 Public Pedestrian Walkways. The height of solid (blocking visibility) fences along pedestrian pathways that are not directly adjacent a public or private street right-of-way shall be limited to 42 inches unless otherwise approved by the Planning or Public Works Directors. All new building structures shall be setback a minimum of five feet from any pedestrian access right-of-way, tract, or easement that is not directly adjacent a public or private street right-of-way.

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

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

115.45 Dumpster Screening. For uses other than detached dwelling units, duplexes, moorage facilities, parks, and construction sites, all garbage receptacles and dumpsters must be screened from view from the street and from adjacent properties by a solid sight-obscuring enclosure.

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

115.90 Calculating Lot Coverage. The total area of all structures and pavement and any other impervious surface on the subject property is limited to a maximum percentage of total lot area. See the Use Zone charts for maximum lot coverage percentages allowed. Section 115.90 lists exceptions to total lot coverage calculations including: wood decks; access easements or tracts serving more than one lot that does not abut a right-of-way; detached dwelling unit driveways that are outside the required front yard; grass grid pavers; outdoor swimming pools; and pedestrian walkways. See Section 115.90 for a more detailed explanation of these exceptions.

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

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

115.115.d Driveway Setbacks. Parking areas and driveways for uses other than detached dwelling units, attached and stacked dwelling units in residential zones, or schools and day-cares with more than 12 students, may be located within required setback yards, but, except for the portion of any driveway which connects with an adjacent street, not closer than 5 feet to any property line.

115.120 Rooftop Appurtenance Screening. Vents, mechanical penthouses, elevator equipment and similar appurtenances that extend above the roofline must be surrounded by a solid sight obscuring screen, unless certain conditions are met.

115.135 Sight Distance at Intersection. Areas around all intersections, including the entrance of driveways onto streets, must be kept clear of sight obstruction as described in this section.

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

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

85.25.1 Geotechnical Report Recommendations. A written acknowledgment must be added to the face of the plans signed by the architect, engineer, and/or designer that he/she has reviewed the geotechnical recommendations and incorporated these recommendations into the plans.

85.45 Liability. 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 property (see Attachment 28).

***Prior to occupancy:***

85.25.3 Geotechnical Professional On-Site. The geotechnical engineer shall submit a final report certifying substantial compliance with the geotechnical recommendations and geotechnical related permit requirements.

107.90 Maintenance Bonds. The applicant shall establish a two-year maintenance bond to ensure maintenance of the storm water system.

110.60.5 Landscape Maintenance Agreement. The owner of the subject property shall sign a landscape maintenance agreement, in a form acceptable to the City Attorney, to run with the subject property to maintain landscaping within the landscape strip and landscape island portions of the right-of-way (see Attachment 29). It is a violation to pave or cover the landscape strip with impervious material or to park motor vehicles on this strip.

110.60.6 Mailboxes. Mailboxes shall be installed in the development in a location approved by the Postal Service and the Planning Official. The applicant shall, to the maximum extent possible, group mailboxes for units or uses in the development.

110.75 Bonds. The City may require or permit a bond to ensure compliance with any of the requirements of the Required Public Improvements chapter.

**Stacy Clauson**

**From:** Hhrogers@aol.com  
**Sent:** Monday, April 10, 2006 2:49 PM  
**To:** Stacy Clauson  
**Subject:** Yarrow Bay Marina Project

Stacy, I'd like to go on record with the following comments regarding the Yarrow Bay Marina Project. Would you tell me if this e-mail will do that, or should I send a written letter? Thanks . . . Helen Rodgers

**YARROW BAY MARINA PROJECT:**

As an owner of one of the Breakwater condominiums directly adjacent to the proposed re-development of the Yarrow Bay Marina, I'd like to go on record with some comments and questions. While it is irrefutable that the owners of the marina have the right to develop their property in a way that benefits their business plan, I think it is incumbent on the city of Kirkland to do everything in its power to make sure these changes do not unreasonably affect and irreparably harm the quality of life of its immediate neighboring properties.

As a relative newcomer to the Breakwater, I would like to know more about the details of their plan regarding lot coverage, planning of building vs. parking space allotment and, most specifically, the exact nature of the proposed expansion of their docking facilities. In the one summer I've been here I've seen the abuse and wear-and-tear on our facility, the loss of reasonably expected privacy, the damage to our dock and the assumption of their customers that they can use our private dock for partying and loud behavior. They seem to feel they have the right to use the amenities they find there and it is not unusual to see Marina customers plugging into our electricity and using our hoses to wash their boats as they wait to purchase gas. The Marina staff has been made aware of this but, as far as I can see, they have done absolutely nothing to discourage this.

Since the project will change many aspects of the existing business, I would suggest that this would be the ideal time to address a way to mitigate this frequent and predictable infringement on the Breakwater residents' private property. I realize that open water is not considered private property but the configuration of their docking facilities as they exist guarantee the almost implied encouragement of their customers to feel that they are entitled to use our dock. Instead of extending a seemingly open invitation to intrude on private property, why can't this time of disrupted operation be used to relocate the entry to their gas dock to the north side of the property where it would co-exist with a like business and where the behavior of their customers is to be expected and can be managed without intruding on our private dock?

As I understand it, promises of mitigation have been made for years with no follow-through whatever, leading us to expect that the current protestations of planned mitigation will result in the same lack of attention and action even as they encroach ever further into our lives. I would ask that the city of Kirkland take these points under serious consideration and require a relocation of the entry to the Marina's gas dock to the north side of their property.

In the event that this does not happen, I think it is entirely reasonable to require that the proposed dock extension be configured that there will not seem to be a perceived connection to our private dock, as there seems to be now even with the current, smaller configuration.

Finally, I would ask that if the entry is not to be relocated, that the Marina be required to configure and identify a route into their facility which will make it clear that our dock is not part of the Marina entrance and not a logical and legal stopping off place for boats and their passengers as they wait in the gas line. I would ask specifically that there be serious and enforceable penalties written into place in the event that our current problems worsen.

We are taxpayers, too, and I think these legitimate concerns should be taken into account as plans are developed and considered.

Helen Rodgers  
 4823 Lake Washington Blvd. N.E.  
 The Breakwater, #8

ATTACHMENT <u>4.a</u>
<u>SHR06-0001</u>

4/10/2006

Kirkland, WA 98033  
425.889.0323

RECEIVED

MAR 23 2006

AM \_\_\_\_\_ PM \_\_\_\_\_  
PLANNING DEPARTMENT  
BY \_\_\_\_\_

Joan Schmidt  
Breakwater Condominiums  
4823 Lake Washington Blvd. NE, #7  
Kirkland, WA 98033-7600

March 20, 2006

Stacy Clauson, Project Planner  
City of Kirkland Department of Planning & Community Development  
123 - 5th Avenue  
Kirkland, WA 98033

**RE: File Number SHR06-00001**

To the Kirkland Department of Planning & Community Development:

As an owner of a condominium unit in the Breakwater, immediately south of the proposed developments for the Yarrow Bay Marina, I have several concerns:

- 1) – **The relocation of the marina's driveway.** Planned to be only 10 feet from our northern property line, the exiting and entrancing of hundreds of vehicles per day will cause **major traffic tie-ups, as we try to enter or leave our own property.** Lake Washington Blvd. is already difficult to negotiate into and out of our driveway with the current traffic! **Noise from that driveway and headlights shining into our building** are two more unimaginable concerns. Poor access devalues our property, not to mention our peace while we live here.

**SUGGESTION:** Please relocate the new marina driveway/road further north of our property line than proposed, in order to reduce the negative noise and traffic impact of hundreds of cars per day impeding the use of our own driveway. A traffic signal will definitely become necessary also.

- 2) – **The Parking variance requested.** An inadequate number of parking spaces, both underground and surface, will create a much greater negative impact on our property than should ever be allowed by the city in a residential area. Yarrow Bay Marina boasts of the dual use of spaces, since "the office will need the parking during the week days and the marina will only need the parking on nights and weekends". From experience, having lived next door for 7-1/2 years, that idealistic notion will not be the case. The marina parking is **packed** during the spring, summer, and fall with boat repairs as well as boaters, day and night. We are talking about a commercial property bordering a residential one, with (again) headlights shining into our windows at night, dusk, and dawn. I refer to the exit pattern requested, from the parking garage, the surface parking, and the circle drive in front of the office building. Where will the "overflow" park? We have already had a problem with marina clients taking our few "visitor" parking spaces in front of our building.

**SUGGESTION:** Please do not allow the requested variance. Instead, the project should be reduced in size so it can accommodate one hundred percent parking code requirements.

ATTACHMENT 4.6  
SHR06-00001

- 3) - **The proposed 3-foot hedge-fence on our northern property line.** Not good enough! We **NEED** a 6-foot high **solid fence** to protect us from the noise pollution and headlights shining into our property!! This would be our only relief.
- 4) - **The proposed entrance/exit for boaters to the marina's fuel and repair docks.** As with the proposed driveway, the proposed boater's marina entrance places the major activity of that commercial property immediately next to our quiet residential property. Both proposals are unfair to the Breakwater owners and guests.

**SUGGESTION:** Logically, the placement of both street and water entrances/exits to the marina businesses should be placed to the far north of the marina property, which borders another commercial marina and business site, not where they disturb a residential building.

**If the boat marina entrance is not repositioned to the north, then permits must be issued for the south side water barrier, to protect the Breakwater from the trespassers, waiting in fuel lines, from using and further damaging our dock!**

- 5) - **The S.W. dock additions and expansions -- another big problem.** The additional boat slips will not only block access to the proposed fueling area, but it forces them onto our side and encourages trespass use and damage to our dock. The yachts and boats moored further to the south and west will destroy our views of the lake and all areas to the west.

**SUGGESTION:** If the dock extensions cannot be moved northward, no expansions should be permitted in this residential neighborhood. The lake and mountain views invited us to move here in the first place. Our escalating property values and resales are dependent on those views!

- 6) - **The public walkway from Lake Washington Blvd. to the lakefront.** The Breakwater has enough public "lookie-loos" from the street-to-lake access on our south side. We do not want further access on our north side, which creates increased crime concerns for us. Further, because of the sloping grade, people walking to and from the lake would be able to look directly into our windows.

In conclusion, the entire Breakwater property will be gravely impacted by the Yarrow Bay Marina development as proposed. My fellow residents and I urge you to reconsider the plans for the good of us all. Happy neighbors make good neighbors.

Sincerely,



Mrs. Joan Schmidt

John Barnett  
4823 Lake Washington Blvd NE, #5  
Kirkland, WA 98033  
425-889-0207  
March 17, 2006

RECEIVED

MAR 17 2006

AM PM  
PLANNING DEPARTMENT  
BY \_\_\_\_\_

Stacy Clauson  
Planning & Community Development Dept.  
City of Kirkland  
123 Fifth Ave.  
Kirkland, WA 98033

Dear Stacy,

Subject: Yarrow Bay Marina development proposal

We met on January 11, 2006, at the Yarrow Bay Marina (YBM) development explanation. I write as the president of the Breakwater Condo Homeowners' Association which is located at the above address.

Our property is immediately adjacent on the south to the YBM. Therefore, ours is more than a casual interest and concern. The following is a list of some of the ways this development will negatively impact our property:

[1] The increased traffic and parking will have the greatest negative impact on our property. This is the only area of the development where any type of variance is requested. The project should be reduced in size so it can accommodate one hundred percent parking code requirements. The plan includes 211 underground parking spaces and 45 surface parking spaces. They want to have a building and marina larger than the parking spaces they will have available. So if they follow present city zoning for the number of parking spaces required for building size, they will have to either have the marina or the office building or both smaller than planned. A certain number of parking spaces are required for the size of the office building and the size of the marina. They are trying to say they can dual use the spaces since the office will need the parking during the week days and they are saying the marina only needs the parking on weekends and nights. Since this is an area that will so negatively impact our property, the city should never allow any type of variance in this area. This is a situation of commercial property bordering residential property and the city should not allow any variances that would produce more of a negative impact upon the residential property. The traffic and parking are our greatest concern.

The plan includes 211 underground and 45 surface parking spaces. The office building would potentially be used for businesses with each of the businesses having approximately ten to

ATTACHMENT 4.c  
SAROB 0001

twenty clients per day. Thus there could be hundreds or more cars a day coming and going on a driveway ten feet from our property line.

When exiting the planned parking garage the cars will face directly south and thus the head lights will shine directly at our building. When using the circle drive in front of the office building, the car lights will shine directly into our building. When cars exit the surface parking again the lights will shine directly into our building.

[2] The plan for the development relocates the marina driveway connecting to Lake Washington Blvd. moving it to within ten feet of our northern property border, which is considerably closer to our border than it is presently. With hundreds of cars in and out the driveway ten feet from our property line the noise factor is unimaginable. Locating the driveway/road further to the north of our property line would ease some of the negative impact of the hundreds of cars per day driving within ten feet of our property line.

[3] The development will have a public walkway from Lake Washington Blvd to the lake. This walkway will touch upon our northern property line. This would be a further problem to us as the result of the grade/slope, public walking to and from the lake would be able to look directly into our windows.

[4] No matter how the development goes, they should include a six foot solid fence on our northern property border. We will be so negatively impacted by the increased traffic and car lights, etc., the fence is the only way we can have some relief.

[5] The marina expansion is an opportunity for us to request the access to the fueling and repair dock of the marina be changed. Presently the marina is accessed from the south, our side, the residential side. We have all experienced the extreme problems this has caused to our dock etc. This is an opportunity to request the marina be accessed from their northern side which borders another business, the Carillon Point Marina.

The YBM say they cannot do this. However, we all know anything can be engineered and done.

The YBM has agreed to request a permit for a rope type barrier in the water going westward along their southern water border to extend out well beyond the end of our dock. This could ease the pressure of boats coming to our dock while awaiting the line up for fuel at the marina. This may or may not occur depending if permits can be obtained. Although this a small remedy to our dock encroachment problem, our first priority request would be for the marina to use their northern border for an entrance.

[6] The proposal calls for additions to the present docks. Primarily the southwest portion of their present docks would be expanded. The addition of boats docked in this area would block the access for boats to go into the fueling area, and thus forcing the boat traffic more onto our side. Also additional boats moored in this area would block our views of the lake and all areas to the west.

[7] In addition to the increased traffic in and out of the YBM, there will be increased difficulty in exiting our property by car onto Lake Washington Blvd., and entering it. Even without greater numbers of cars using the YBM entrance, I have counted as many as 50 automobiles passing in front of our driveway exit as I waited for a clear spot to enter the street.

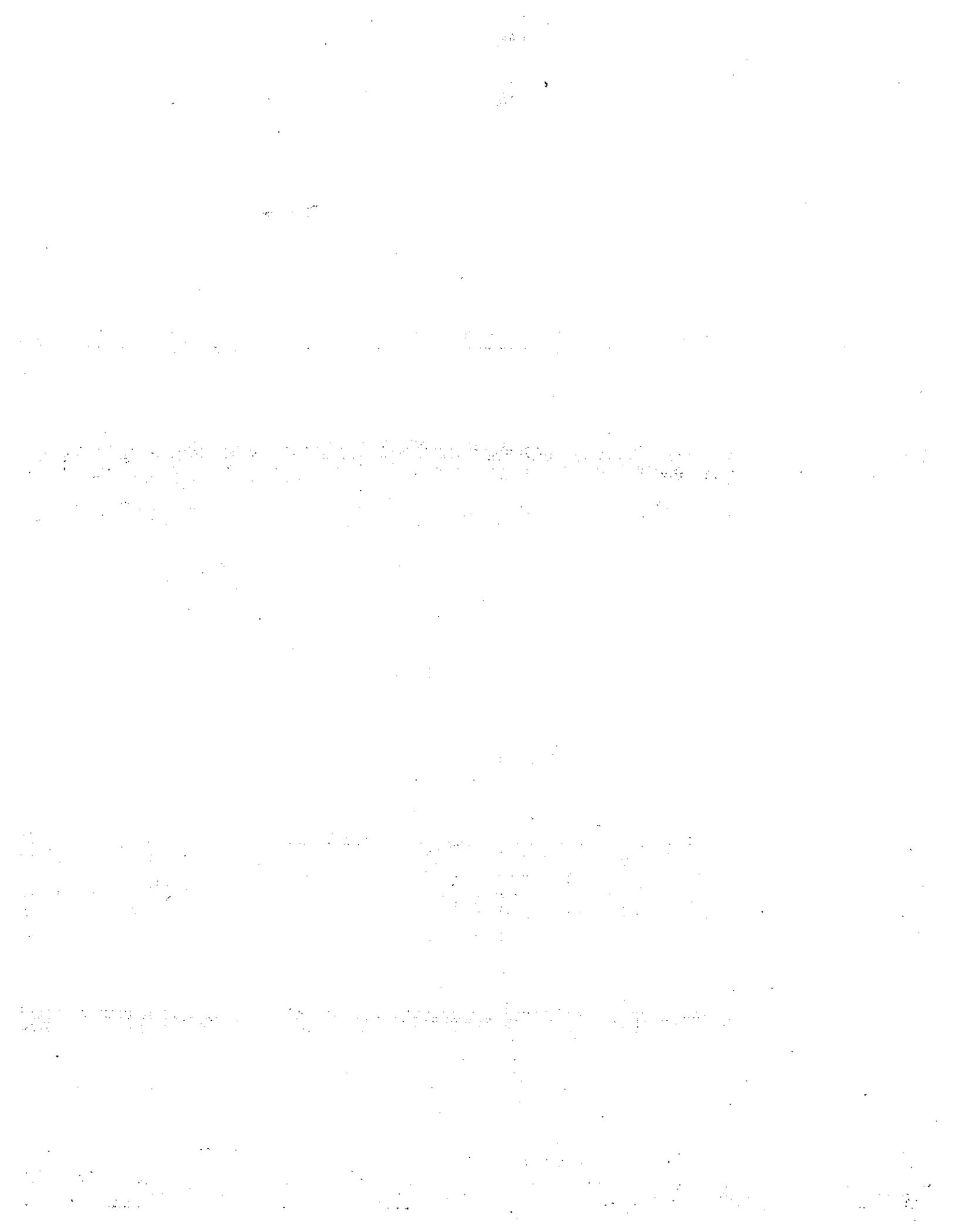
These are some of the problems we foresee. We ask that they be properly addressed and your decision communicated to us before construction is started.

Sincerely,

A handwritten signature in cursive script that reads "John Barnett".

John Barnett

President, Breakwater Condo



Fred and LouAnn Freeburg  
Breakwater Condominium  
4823 Lake Washington Blvd. N.E. #6  
Kirkland, WA 98033  
March 15, 2006

RECEIVED  
MAR 17 2006  
AM \_\_\_\_\_ PM \_\_\_\_\_  
PLANNING DEPARTMENT  
BY \_\_\_\_\_

Stacy Clauson  
City of Kirkland Department of Planning and Community Development  
123 5<sup>th</sup> Avenue  
Kirkland, WA 98033

Re: file number SHR06-00001

After visiting the city planning department and attending a informational meeting, we have come to some conclusions regarding the impact of the Yarrow Bay Marina expansion will have on our property.

**The following is a list of some of the ways this development will negatively impact our property:**

[1] The increased traffic and parking will have the greatest negative impact on our property. We understand from the city this is the only area of the development where any type of variance is requested. The project should be reduced in size so it can accommodate one hundred percent parking code requirements. The plan includes 211 underground parking spaces and 45 surface parking spaces. YBM want to have a building and marina larger than the parking spaces they will have available. So if they follow present city zoning for the number of parking spaces required for building size, they will have to either have the marina or the office building or both smaller than planned. A certain number of parking spaces are required for the size of the office building and the size of the marina. YBM is trying to say they can dual use the spaces since the office will need the parking during the week days and they are saying the marina only needs the parking on weekends and nights. After living next door to the marina for a number of years we know that there ~~is~~ active cars and trucks coming and going for the marina during the day and during the night every day and this usage is intensified beginning with opening day May one and continuing throughout the summer months. YBM cannot defend the dual use proposal for the parking. Since this is an area that will so negatively impact our property, the city should never allow any type of variance in this area. This is a situation of commercial property bordering residential property and the city should not allow any variances that would produce more of a negative impact upon the residential property. The traffic and parking are our greatest concern.

The plan includes 211 underground and 45 surface parking spaces. The office building would potentially be used for businesses with each of the businesses having approximately ten to twenty clients per day. Thus there could be hundreds or more cars a day coming and going on a driveway ten feet from our property

When exiting the planned parking garage the cars will face directly south and thus the head lights will shine directly at our building. When using the circle drive in front of

ATTACHMENT 4.d  
SHR06-00001

the office building, the car lights will shine directly into our building. When cars exit the surface parking again the lights will shine directly into our building.

[2] The plan for the development relocates the marina driveway connecting to Lake Washington Blvd. moving it to within ten feet of our northern property border, which is considerably closer to our border than it is presently. The plans indicate the drive would be at higher elevation than it is presently. This elevation would further intensify the problems. With hundreds of cars in and out the driveway ten feet from our property line the noise factor is unimaginable. Locating the driveway/road further to the north of our property line would ease some of the negative impact of the hundreds of cars per day driving within ten feet of our property line.

[3] The YBM development road entering Lake Washington Blvd. is going to negatively impact Lake Washington Blvd., a street that is already extremely difficult for car traffic to enter or exit. This proposed drive way is less than 300 feet to the north from a large office driveway that dumps traffic onto Lake Wa. Blvd. Presently it is difficult to enter or exit to our condominium driveway from the Boulevard. There are many walkers and joggers who use the side walk. For a driver to watch for the pedestrians and to find an opening in the traffic pattern to be able to drive on to the street is challenging. Sometimes we have counted as many as fifty cars going by before there is an opening in traffic only to find that a person walking their dog is now in front of the car walking on the sidewalk and we have to wait for another fifty cars to go by before entering the street. The same is true when exiting the boulevard and attempting to turn into our driveway. To add hundreds of cars going and coming on the Lake Washington Blvd. from a driveway a few feet from our present driveway will certainly make the situation much worse.

[4] The development will have a public walkway from Lake Washington Blvd to the lake. This walkway will touch upon our northern property line. This would be a further problem to us as the result of the grade/slope. The public walking to and from the lake would be able to look directly into our windows. Our building presently has a public walkway on its southern border. If this was done our building would have two public walkways to the lake closer to our building than any other similar building along the Boulevard. Two public walkways this close together seem unfair to our property.

[5] No matter how the development goes, they should include a six foot solid fence on our northern property border. We will be so negatively impacted by the increased traffic and car lights, etc., the fence is the only way we can have some relief.

[6] The marina expansion is an opportunity for us to request the access to the fueling and repair dock of the marina be changed. Presently the marina is accessed from the south, our side, the residential side. All of the Breakwater residents have experienced the extreme problems this has caused to our dock and front yard by marina fuel dock traffic. It is always a problem, but unbearable on heavy boat usage days. People park their boats on our dock while waiting to be served at the marina. While they are parked on our dock they do such things as: hook to our hose and wash their boats, pee on our dock from various positions, go back and forth from our dock thru our gate to the marina and then back to their boat on our dock, regularly damage our lights, our stand pipe, our water connection, subject us to obscenities, loud music, yelling and provide a great danger to us when we attempt to us the water or our own boats and dock during this time. During these days, it is impossible to get in or out of our dock and we certainly do not allow our

children or even teens to use the beach or dock area. This is an opportunity to request the marina be accessed from their northern side which borders another business, the Carrillon Point Marina.

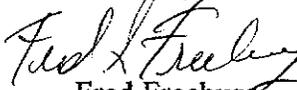
The YBM say they cannot do this. However, we all know anything can be engineered and this can be done. This is the time to correct this injustice. The two marinas, Carrillon Point and Yarrow Bay, should accept the inconvenience since they are the ones profiting from it.

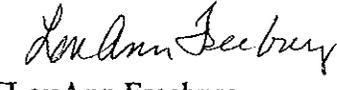
The YBM has agreed to request a permit for a rope type barrier in the water going westward along their southern water border to extend out well beyond the end of our dock. It is hoped this could ease the pressure of boats coming to our dock while awaiting the line up for fuel at the marina. We cannot be sure that there wouldn't be so many boats waiting to fuel that even with this barrier we would continue to have the same problems on our dock. Also this barrier may or may not occur depending if permits can be obtained. Although this a small remedy to our dock encroachment problem, our first priority request would be for the marina to use their northern border for an entrance.

[7] The proposal calls for additions to the present docks. Primarily the southwest portion of their present docks would be expanded. The addition of boats docked in this area would block the access for boats to go into the fueling area, and thus forcing the boat traffic more onto our side. Also additional boats moored in this area would block our views of the lake and all areas to the west.

In conclusion these seem to be our major concerns. Certainly the affect and impact of this proposed development on the residential neighbors, The Breakwater Condominium, needs to be considered. We trust the city will take our concerns into consideration when making decisions regarding our neighborhood.

Sincerely,

  
Fred Freeburg

  
LouAnn Freeburg



**From:** NEWACRES@comcast.net  
**Sent:** Friday, April 28, 2006 8:51 PM  
**To:** Stacy Clauson  
**Subject:** Yarrow Bay Marina Proposed development  
**Re:** file number SHR06-00001

Dear Stacy,

We have some additional concerns regarding the impact of the YBM proposed development on our property, The Breakwater Condominium, located to the south of the marina project.

1] Drainage: We are concerned about the additional ground and surface water coming on to our property as the result of the proposed development.

2] Bulk Heads: If the property to the north of us (YBM) is elevated by fill, additional pressure would be applied to our bulk heads.

Thank you for your consideration.

Sincerely,

Fred and LouAnn Freeburg  
Breakwater Condominium  
4823 LK WA BLVD NE #6  
Kirkland, WA 98033  
ph: 425-739-9806

ATTACHMENT <u>4.e</u>
<u>SHR06-00001</u>



RECEIVED

JUL 17 2006

AM PM  
PLANNING DEPARTMENT  
BY \_\_\_\_\_

**J. RICHARD ARAMBURU  
JEFFREY M. EUSTIS**

**Attorneys at Law**  
505 Madison Street, Suite 209  
Seattle, Washington 98104  
(206) 625-9515 Fax: (206) 682-1376

July 14, 2006

Ms. Stacy Clauson  
Associate Planner  
City of Kirkland  
123 Fifth Avenue  
Kirkland WA 98033-6189

Re: Yarrow Bay Marina/Marina Suites, Case No. SEP06-0004, SHR06-0001

Dear Ms. Clauson:

This office represents the Breakwater Condominium Homeowners Association whose address is 4823 Lake Washington Blvd NE, Kirkland, Washington 98033. Breakwater Condominium is located directly south of the subject proposal for construction of a new multi-level office building, relocated marina building, moorage expansion and parking development. I write today to ask, because of defects of notice and project description, that public comment period for the subject proposal be reopened and that no public hearings be held until after a new comment period has expired.

The reasons for our request are as follows.

**I. Shoreline Permit Application Notices.**

A subject proposal requires an issuance of a shoreline substantial development permit under the Shoreline Management Act. The Shoreline Management Act requires notice be given of an application for Shorelines Substantial Development, Conditional Use or Variance Permit.

The Notice of Application for this proposal issued on March 3, 2006 (published on March 9, 2006) referred only to processing of a subject proposal under a Process IIB Permit under the zoning code of the City of Kirkland. The notice makes no mention of any kind of processing of a Shoreline Substantial Development permit. Further, the Notice of Application indicates that the City Council decision is the "final decision" of the City when in fact under the Shoreline Management Act appeals of issuances of Substantial Development Permits can be made to the State Shorelines Hearings Board.

The Notice of Application is essentially misleading by not mentioning the

ATTACHMENT <u>4.f</u>
<u>SHR06-0001</u>

July 14, 2006  
Page 2

application for a Substantial Development Permit or/and misleading the public as to review procedures.

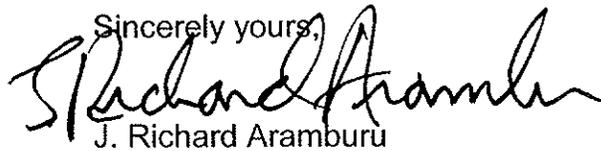
The failure of the City to provide proper notice requires that the City provide a new notice of the project, a new comment period and to postpone any public hearing's pending completion of the comment period.

## **II. Modifications To The Project Since Notice.**

It is essential that for public notice to be adequate there be a full description of the nature of the development proposal. In fact, this proposal has been modified substantially since the March 3, 2006 application. In particular, the applicant has now significantly modified and added a new public plaza, or pocket park, in the southwest corner of the site along the shoreline immediately adjacent to the Breakwater Condominium property. Plans recently made available indicate that a new plaza plan was prepared, according to the date block on the plans on May 26 and June 16, 2006, long after the notice was issued by the City. In fact, the notice provided by the City did not mention any shoreline plaza to be developed at the site at all.

Based on the foregoing, public notice should be reissued to correctly the nature of the total proposal on the site including the addition of the shoreline plaza/park.

Thank you in advance for attention to this matter.

Sincerely yours,  
  
J. Richard Aramburu

JRA/km  
cc: Breakwater HOA

CITY OF KIRKLAND  
123 FIFTH AVENUE, KIRKLAND, WASHINGTON 98033-6189  
(425) 587-3225



**DETERMINATION OF NONSIGNIFICANCE (DNS) .**

CASE #: SEP06-00004

DATE ISSUED: 5/9/2006

DESCRIPTION OF PROPOSAL

**Construct a new 55,000 square foot Office Building and 7,000 square foot Marina Services Building. The existing Yarrow Bay Marina services building is proposed to be demolished. The existing marina operations which include boat moorage, fueling, repair, and rentals would continue at the site. The proposal also includes a 66-foot long extension of an existing pier to provide for six additional moorage spaces.**

PROPONENT: **PHIL GOLDENMAN**

LOCATION OF PROPOSAL

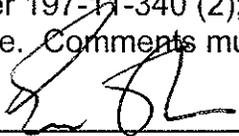
**5201/5207 LAKE WASHINGTON BLVD NE**

**LEAD AGENCY IS THE CITY OF KIRKLAND**

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21.030 (2) (c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public upon request.

This DNS is issued under 197-11-340 (2); the lead agency will not act on this proposal for 14 days from the date above. Comments must be submitted by 5:00 p.m. 5/23/2006

Responsible official:

  
Eric Shields, Director  
Department of Planning and Community Development  
425-587-3225

5/5/06  
Date

Address: City of Kirkland  
123 Fifth Avenue  
Kirkland, WA 98033-6189

**You may appeal this determination to NANCY COX at Kirkland City Hall, 123 Fifth Avenue, Kirkland, WA 98033 no later than 5:00 p.m., May 23, 2006 by WRITTEN NOTICE OF APPEAL.**

You should be prepared to make specific factual objections. Contact Nancy Cox to read or ask about the procedures for SEPA appeals.

ATTACHMENT	5
SEP06-00004	

Please reference case # SEP06-00004.

Publish in the Eastside Journal (date): May 18, 2006

Distribute this form with a copy of the checklist to the following:

- Environmental Review Section, Department of Ecology,  
P.O. Box 47703, Olympia, WA 98504-7703
- Department of Fish and Wildlife (for streams and wetlands - with drawings)  
North Lake Washington Tributaries Area Habitat Biologist  
16018 Mill Creek Boulevard, Mill Creek, WA 98012
- Department of Fish and Wildlife (for shorelines and Lake Wa. - with drawings)  
Lake Washington Tributaries Area Habitat Biologist  
C/O DOE  
3190 160th Avenue SE, Bellevue, WA 98008
- Seattle District, U.S. Army Corps of Engineers,  
P.O. Box C-3755  
Seattle, WA 98124
- Attn: Lynn Best, Acting Director, Environmental Division, Seattle City Light  
700 5th Avenue, Suite 3316  
P.O. Box 34023  
Seattle, WA 98125-4023
- Muckleshoot Tribal Council, Environmental Division, Fisheries Department  
39015 172nd SE  
Auburn, WA 98092
- Northshore Utility District,  
P.O. Box 82489  
Kenmore, WA 98028-0489
- Shirley Marroquin  
Environmental Planning Supervisor  
King County Wastewater Treatment Division  
201 South Jackson Street, MS KSC-NR-0505  
Seattle, WA 98104-3855 - and -
- Gary Kriedt  
King County Metro Transit Environmental Planning  
201 South Jackson Street, MS KSC-TR-0431  
Seattle, WA 98104-3856
- Director of Support Services Center  
Lake Washington School District No. 414  
P.O. Box 97039  
Redmond, WA 98073-9739
- John Sutherland, Developer Services  
Washington State Department of Transportation  
15700 Dayton Ave. N., MS 240  
P.O. Box 330310  
Seattle, WA 98133-9710
- Tim McGruder, Conservation Chair  
East Lake Washington Audubon Society  
13450 NE 100th St.  
Kirkland, WA 98033

Department of Community Development Attn: Environmental Coordinator,  
City of Bellevue, PO Box 9012, Bellevue WA 98009-9013

---

---

Applicant / Agent Phil Goldennan 205 NE Northlake way, Suite 230  
Seattle WA 98105

---

---MITIGATING MEASURES INCORPORATED INTO THE PROPOSAL: -----

1. Designate at least 34 parking spaces for the marina use at all times.
2. Designate at least 21 parking spaces near the office building employee entrances for carpools and high occupancy vehicles initially and more as required following Commute Trip Reduction surveys.
3. Provide a covered secured bicycle rack for at least six bikes.
4. Provide a commuter information center located in a prominent location within the building that provides commuters with transit schedules and information on commute options and promotions
5. Construct a driveway that provides a 14 foot entering lane and two 12 foot exiting lanes with a six foot pedestrian refuge island separating ingress and egress.
6. Install a guard rail/barrier between the driveway and the pedestrian path per AASHTO guidelines.
7. Prior to issuance of a building permit for the in-water or over-water structures, the applicant shall provide a more detailed plan describing how the proposed BMPs will be incorporated into the marina operations. This plan shall include text, drawings, and/or other materials. The plans shall include, at a minimum, the following elements:
  - a. A spill prevention and containment plan as recommended by the Best Management Practices for Marina Operators (Ecology, 1998). The plan shall address bilge water discharge, hazardous waste, waste oil and spills, solid waste, sewer management, and spill prevention and response.
  - b. A site plan showing the location, layout, and a mock-up of the informational signs suggested by the Best Management Practices for Marina Operators (Ecology, 1998). This shall be included on a sheet and submitted with the construction plans.
  - c. A copy of a proposed moorage agreement for the facility including the various notices and requirements as recommended by the Best Management Practices for Marina Operators (Ecology, 1998).
8. The applicant shall provide full containment during construction to control sediment transport and turbidity beyond the construction area.
9. No release of oils, hydraulic fluids, fuels, paints, solvents, or other hazardous materials shall be permitted into the lake. Accidental spill or discharge containment shall take precedence over other work on the site.
10. Prior to issuance of a building permit for the in-water or over-water structures, the applicant shall provide copies of the other applicable permits including additional federal and state mitigation requirements, if any. This may include an HPA, Corps Section 404/10 Permit, Department of Ecology 401 Water Quality Certification and National Pollution Discharge Elimination System (NPDES) (or letters of exemption, if applicable), and letters of concurrency with Section 7 of the ESA and/or a Section 10 incidental take statement from the NMFS and USFWS.
11. Prior to issuance of a land surface modification or building permit for the upland development, the applicant shall provide a copy of the National Pollution Discharge Elimination System (NPDES), if required.
12. Prior to final inspection of building permits for the in-water or over-water structures, the applicant shall:
  - a. Have all public information identified in the BMP's in place, including approved signs, brochures, moorage agreements, etc.
  - b. Complete installation of the approved shoreline restoration plan and submit to the Planning Department a five-year financial security device along with a cost estimate from a qualified biologist, to cover 100 percent of the cost of all monitoring and maintenance activities that will need to be done to meet the goals of the mitigation plan. These may

include biologist consultant site visits, reports to the Planning Department, and the cost of any vegetation that needs to be replaced. The estimate must include an inflation rate. The cost estimate must be approved by the City's consultant.

13. Prior to issuance of a building permit or land surface modification, the owners shall submit a copy of the results of the Hazardous Material Study (or Phase I environmental assessment) to the City for review, together with proof that any release of a hazardous substance discovered on the site has been reported to the Washington State Department of Ecology in accordance with the provisions of the Model Toxics Control Act (MCTA). The applicant is responsible for ensuring that any cleanup occurs in compliance with provisions established in the MCTA. If any cleanup is required, then prior to issuance of a Certificate of Occupancy, the applicant shall submit evidence (e.g. a "No Further Action" letter issued by the Department of Ecology) that the required cleanup work has been completed at the site.

14. Prior to issuance of a building permit for relocation the underground storage tank (UST), the applicant shall demonstrate that any state or federal requirements for USTs have been met, including notification to the Washington State Department of Ecology.

15. Prior to issuance of a building permit for the marina services building, the applicant shall submit a copy of the hazardous spill management plan which shall include the location of spill clean-up and containment materials. The plan shall address the Best Management Practices for Marina Operators (Ecology, 1998).

16. All exterior building mounted and ground mounted light fixtures for open air parking areas shall be directed downward and use "fully shielded cut off" fixtures as defined by the Illuminating Engineering Society of North America (IESNA), or other appropriate measures to conceal the light source from adjoining uses. Manufacturer specification sheets for the lighting fixtures including photometric data shall be included with lighting plans.

17. The maximum mounting height of ground mounted light fixtures in open air parking areas and equipment storage yards shall be 20'. Height of light fixtures shall be measured from the finished floor or the finished grade of the parking surface, to the bottom of the light bulb fixture.

18. All exterior lighting shall be turned off after business hours or 10:00 pm, whichever is earlier, leaving necessary lighting for site security. Outdoor lighting used for security purposes or to illuminate walkways, roadways, equipment yards, parking lots and building entrances may remain on after 10:00 p.m. provided the following are met:

- a. Light fixtures are mounted to a maximum of 12' high, and
- b. Site illumination does not exceed a uniformity ratio maximum of 15: 1, vertical illumination of .25 fc and horizontal luminance of .5 fc.

19. Mirrored glass may not be used on any exterior surface which is visible from any area beyond the subject property.

cc: Case # ZON06-00001

Distributed to agencies along with a copy of the checklist. (see attached).



Distributed By:

SEPA\_C\_A, rev: 5/5/2006

5-9-06

Date:



## CITY OF KIRKLAND

Planning and Community Development Department  
123 Fifth Avenue, Kirkland, WA 98033 425.587-3225  
www.ci.kirkland.wa.us

---

### MEMORANDUM

**To:** Eric R. Shields, AICP, SEPA Responsible Official

**From:** Stacy Clauson, Project Planner

**Date:** April 24, 2006

**File:** SEP06-00004

**Subject:** ENVIRONMENTAL DETERMINATION FOR MARINA SUITES LLC, YARROW BAY MARINA SITE REDEVELOPMENT, 5207 LAKE WASHINGTON BLVD NE

Marina Suites LLC is proposing to extend a pier and redevelop the upland portion of the Yarrow Bay marina site located at 5207 Lake Washington Blvd NE (see Enclosure 1). The applicant is requesting approval for the following (see Enclosure 2A for upland improvements and Enclosure 2B for shoreline improvements):

- Demolish the existing marina services building and accessory structures;
- Relocate the existing underground fuel tanks;
- Construct a new 55,000 square foot office building. The building would contain three floors of office space and two levels of parking;
- Construct a new 7,000 square foot marina services building to be used as office space related to marina operations as well as boat repair and service;
- Site improvements consisting of a new access driveway and parking for 211 vehicles (including enclosed, subterranean and surface parking), a pedestrian walkway system, new utility connections, grading and installation of retaining walls and landscaping;
- Extend an existing pier by 66 feet to provide for six additional uncovered moorage spaces;
- Removal of two existing buoys and three existing floats;
- Install new walkway to covered moorage located south of existing bulkhead; and
- Offsite work includes frontage improvements along Lake Washington Blvd NE.

I have had an opportunity to visit the site and review the environmental checklist and the following reports:

- Enclosure 3: Environmental Checklist
- Enclosure 4: Concurrency Test Notice, August 2, 2005. Thang Nguyen, City of Kirkland Transportation Engineer, Traffic Analysis
- Enclosure 5: Traffic Impact Analysis, William Popp Associates, January 20, 2005
- Enclosure 6: Traffic Review Memo. February 21, 2006. Thang Nguyen, City of Kirkland Transportation Engineer, Traffic Analysis
- Enclosure 7: Memo, April 14, 2006. Thang Nguyen, City of Kirkland Transportation Engineer, Traffic Analysis
- Enclosure 8: Biological Evaluation, The Watershed Company, April, 2005.

- Enclosure 9: Preliminary Geotechnical Feasibility Report, Associated Earth Sciences, Inc. dated January 19, 2006
- Enclosure 10: Arborist Report, Greenforest, Inc., December 2005
- Enclosure 11: View Study

During the public comment period for the application, several letters were submitted (see Enclosure 12, a through d). Several of these letters expressed concern about noise and lighting impacts associated with the driveway location, which will be evaluated by staff as part of the review of the pending zoning application. Other concerns that were raised addressed impacts from fueling operations at the site to the adjoining property owners to the south, which will also be evaluated by staff as part of the review of the pending zoning application. Several of the letters also addressed traffic impacts.

Based on a review by staff, the key environmental issues associated with this project are traffic, habitat for salmonids, light and glare, and environmental health. These environmental issues are addressed in the following analysis.

### **TRAFFIC IMPACTS**

Thang Nguyen, City of Kirkland Public Works Department Transportation Engineer, has had a chance to review the proposal and the traffic impact study completed by William Popp Associates (see Enclosure 5). Based upon this review (see Enclosure 6), he has concluded that:

- The project will not create significant traffic impacts that would require specific off-site traffic mitigation.
- There are sufficient gaps in the traffic stream to accommodate project traffic. Furthermore, there is a two-way left-turn lane on Lake Washington Boulevard for project traffic to take refuge before entering and exiting the traffic stream.
- Sight distance at the driveway meets the City's minimum requirements.
- The parking supply is adequate for the proposed use.

As adjoining property owners, residents of the Breakwater Condominiums have submitted concerns addressing traffic and impacts to the use of the Breakwater driveway, as well as parking (see Enclosures 12.a-d).

These issues are addressed in the enclosed traffic reports and have been analyzed by Mr. Nguyen (see Enclosures 5, 6 and 7).

Based on an analysis of Mr. Nguyen's memos, the following mitigation measures should be required with the building permit for this project:

1. Designate at least 34 parking spaces for the marina use at all times.
2. Designate at least 21 parking spaces near the office building employee entrances for carpools and high occupancy vehicles initially and more as required following Commute Trip Reduction surveys.
3. Provide a covered secured bicycle rack for at least six bikes.
4. Provide a commuter information center located in a prominent location within the building that provides commuters with transit schedules and information on commute options and promotions
5. Construct a driveway that provides a 14 foot entering lane and two 12 foot exiting lanes with a six foot pedestrian refuge island separating ingress and egress.
6. Install a guard rail/barrier between the driveway and the pedestrian path per AASHTO guidelines.

### **HABITAT IMPACTS**

The applicant has submitted a report completed by the Watershed Company that assesses the potential impacts on sensitive species from the proposed marina extension project (see Enclosure 8). The report identifies potential direct and indirect effects on species of concern, including salmonids and Bald Eagles. As mitigation for these improvements, the applicant has proposed the following (see Enclosure 8 and 2B):

- Removal of existing floats that are located over nearshore habitat.
- Minimization of pier width to 5 feet.
- Use of full deck grating and narrow width (22 inches) for nearshore walkway.
- Use of durable and non-toxic materials.
- Construction of project within established work windows for Lake Washington.
- Hand removal of any non-native vegetation that colonizes the nearshore area between a depth of 0 and 2 feet.
- Installation of native plantings along the shoreline edge in the southwest corner of project, together with a monitoring and maintenance plan for these activities.

The applicant has also proposed to incorporate the Best Management Practices outlined in the Washington State Department of Ecology's Best Management Practices Manual for Marina Operations into the marina operations (see Enclosure 8, Exhibit A). The BMPs outlined in this manual address bilgewater management and fueling practices, hazardous waste, used oil, solid waste, spill prevention and response, and exotic species.

Based on an analysis of the environmental checklist and Biological Evaluation completed by The Watershed Company, the following mitigation measures should be required for this project:

1. Prior to issuance of a building permit for the in-water or over-water structures, the applicant shall provide a more detailed plan describing how the proposed BMPs will be incorporated into the marina operations. This plan shall include text, drawings, and/or other materials. The plans shall include, at a minimum, the following elements:
  - a. A spill prevention and containment plan as recommended by the Best Management Practices for Marina Operators (Ecology, 1998). The plan shall address bilge water discharge, hazardous waste, waste oil and spills, solid waste, sewer management, and spill prevention and response.
  - b. A site plan showing the location, layout, and a mock-up of the informational signs suggested by the Best Management Practices for Marina Operators (Ecology, 1998). This shall be included on a sheet and submitted with the construction plans.
  - c. A copy of a proposed moorage agreement for the facility including the various notices and requirements as recommended by the Best Management Practices for Marina Operators (Ecology, 1998).
2. The applicant shall provide full containment during construction to control sediment transport and turbidity beyond the construction area.
3. No release of oils, hydraulic fluids, fuels, paints, solvents, or other hazardous materials shall be permitted into the lake. Accidental spill or discharge containment shall take precedence over other work on the site.
4. Prior to issuance of a building permit for the in-water or over-water structures, the applicant shall provide copies of the other applicable permits including additional federal and state mitigation requirements, if any. This may include an HPA, Corps Section 404/10 Permit, Department of Ecology 401 Water Quality Certification and National Pollution Discharge Elimination System (NPDES) (or letters of exemption, if applicable), and letters of concurrency with Section 7 of the ESA and/or a Section 10 incidental take statement from the NMFS and USFWS.
5. Prior to issuance of a land surface modification or building permit for the upland development, the applicant shall provide a copy of the National Pollution Discharge Elimination System (NPDES), if required.

6. Prior to final inspection of building permits for the in-water or over-water structures, the applicant shall:
  - a. Have all public information identified in the BMP's in place, including approved signs, brochures, moorage agreements, etc.
  - b. Complete installation of the approved shoreline restoration plan and submit to the Planning Department a five-year financial security device along with a cost estimate from a qualified biologist, to cover 100 percent of the cost of all monitoring and maintenance activities that will need to be done to meet the goals of the mitigation plan. These may include biologist consultant site visits, reports to the Planning Department, and the cost of any vegetation that needs to be replaced. The estimate must include an inflation rate. The cost estimate must be approved by the City's consultant.

## **ENVIRONMENTAL HEALTH**

The marina boat service and repair use will have hazardous substances on-site. The applicant has indicated that a hazardous spill management plan will be present on the site and that spill clean-up and containment materials will also be available on the site. Hazardous waste should be addressed as part of the requested spill prevention and containment plan (see above).

As part of redevelopment of the upland site, the marina services building and material storage areas will be demolished. Further, the underground fuel storage tanks, which the applicant indicates are double-walled, are proposed to be relocated on the property. The area in and around these structures has the potential to contain hazardous materials in the soil or groundwater. The applicant has proposed to complete a hazardous material study prior to demolition of these structures. To ensure proper storage of hazardous substances and that any hazardous substances that may have been released are appropriately identified and that cleanup is initiated, the following mitigation measures are recommended:

1. Prior to issuance of a building permit or land surface modification, the owners shall submit a copy of the results of the Hazardous Material Study (or Phase I environmental assessment) to the City for review, together with proof that any release of a hazardous substance discovered on the site has been reported to the Washington State Department of Ecology in accordance with the provisions of the Model Toxics Control Act (MCTA). The applicant is responsible for ensuring that any cleanup occurs in compliance with provisions established in the MCTA. If any cleanup is required, then prior to issuance of a Certificate of Occupancy, the applicant shall submit evidence (e.g. a "No Further Action" letter issued by the Department of Ecology) that the required cleanup work has been completed at the site.
2. Prior to issuance of a building permit for relocation the underground storage tank (UST), the applicant shall demonstrate that any state or federal requirements for USTs have been met, including notification to the Washington State Department of Ecology.
3. Prior to issuance of a building permit for the marina services building, the applicant shall submit a copy of the hazardous spill management plan which shall include the location of spill clean-up and containment materials. The plan shall address the Best Management Practices for Marina Operators (Ecology, 1998).

## **LIGHT and GLARE IMPACTS**

The area proposed for development is located adjacent to residential uses on the south and east. As a result, the minimization of lighting and glare impacts on adjacent residential properties is an important concept to consider in the proposed development of the site. In order to discourage excessive lighting and to protect adjoining residential uses from adverse impacts that can be associated with light trespass, the following mitigation measures are recommended for all exterior lighting on buildings, all open air parking areas and equipment storage yards:

1. All exterior building mounted and ground mounted light fixtures for open air parking areas shall be directed downward and use "fully shielded cut off" fixtures as defined by the Illuminating Engineering Society of North America (IESNA), or other appropriate measures to conceal the light source from adjoining uses. Manufacturer specification sheets for the lighting fixtures including photometric data shall be included with lighting plans, and
2. The maximum mounting height of ground mounted light fixtures in open air parking areas and equipment storage yards shall be 20'. Height of light fixtures shall be measured from the finished floor or the finished grade of the parking surface, to the bottom of the light bulb fixture.
3. All exterior lighting shall be turned off after business hours or 10:00 pm, whichever is earlier, leaving necessary lighting for site security. Outdoor lighting used for security purposes or to illuminate walkways, roadways, equipment yards, parking lots and building entrances may remain on after 10:00 p.m. provided the following are met:
  - a. Light fixtures are mounted to a maximum of 12' high, and
  - b. Site illumination does not exceed a uniformity ratio maximum of 15: 1, vertical illumination of .25 fc and horizontal luminance of .5 fc.

The applicant has also identified the potential for glare from the glass windows of the proposed office building. To minimize impacts from glare, the following should be required:

4. Mirrored glass may not be used on any exterior surface which is visible from any area beyond the subject property.

These recommendations are based on adopted goals and policies of the City as found in the City's Comprehensive Plan. Specifically, the following elements of the 1995 Comprehensive Plan support the recommendations in the previous sections:

### **Community Character**

Policy CC-4.11: Minimize impacts from noise, lighting, glare and odor.

### **Transportation**

Policy T-5.4: Require new development to mitigate site specific transportation impacts.

Policy T-5.6: Promote transportation demand management (TDM) strategies to help achieve mode split goals. TDM may include incentives, programs or regulations to reduce the number of single-occupant vehicle trips.

Policy LU-3.5: Incorporate features in new development projects which support transit and non-motorized travel as alternatives to the single-occupant vehicle.

### **Natural Environment**

Goal FG-5: Protect and preserve environmentally sensitive areas, and a healthy environment.

Policy NE-1.3: Use a variety of techniques to manage activities affecting air, vegetation, water, and the land to maintain or improve environmental quality, to preserve fish and wildlife habitat, to prevent degradation or loss of natural features and functions and to minimize risks to life and property.

Policy NE-1.4: Proactively pursue restoration or enhancement of the natural environment. In addition, require site restoration if land surface modification violates adopted policy or development does not ensue within a reasonable period of time.

Policy NE-2.3: Comprehensively manage activities that may adversely impact surface and ground water quality or quantity.

Policy NE-2.6: Regulate development of land along the shoreline of Lake Washington to:

- Preserve the resources and ecology of the water and shorelines;
- Avoid natural hazards;
- Promote visual and physical access to the water;
- Preserve navigation rights; and
- Minimize the creation of armored shorelines, and explore incentives and opportunity to restore natural shoreline features and habitat.

Policy LU-1.5: Regulate land use and development in environmentally sensitive areas to ensure environmental quality and avoid unnecessary public and private costs.

These policies directly support the above mentioned mitigating measures and require these measures in order to fully mitigate the impacts created by the proposal.

## **CONCLUSIONS AND RECOMMENDATION**

It will be necessary to further analyze certain aspects of the proposal to determine if the project complies with all the applicable City codes and policies. That analysis is most appropriately addressed within the review of the Process IIB zoning and shoreline permit and building permits. In contrast, State law specifies that this environmental review under the State Environmental Policy Act (SEPA) is to focus only on potential significant impacts to the environment that could not be adequately mitigated through the Kirkland regulations and Comprehensive Plan.<sup>1</sup>

Based on my review of all available information and adopted policies of the City, I am recommending that the proposal be changed or clarified to include the mitigating measures described in the sections above so that a Determination of Nonsignificance (DNS) can be issued.

### SEPA ENCLOSURES

1. Vicinity Map
2. Project Drawings
3. Environmental Checklist
4. Concurrency Test Notice, August 2, 2005. Thang Nguyen, City of Kirkland Transportation Engineer, Traffic Analysis
5. Traffic Impact Analysis, William Popp Associates, January 20, 2005
6. Traffic Review Memo. February 21, 2006. Thang Nguyen, City of Kirkland Transportation Engineer, Traffic Analysis

---

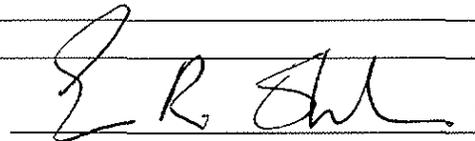
<sup>1</sup>ESHB 1724, adopted April 23, 1995

7. Memo, April 14, 2006. Thang Nguyen, City of Kirkland Transportation Engineer, Traffic Analysis
8. Biological Evaluation, The Watershed Company, April, 2005.
9. Preliminary Geotechnical Feasibility Report, Associated Earth Sciences, Inc. dated January 19, 2006
10. Arborist Report, Greenforest, Inc., December 2005
11. View Study
12. Public Comment Letters

Review by Responsible Official:

I concur       I do not concur

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



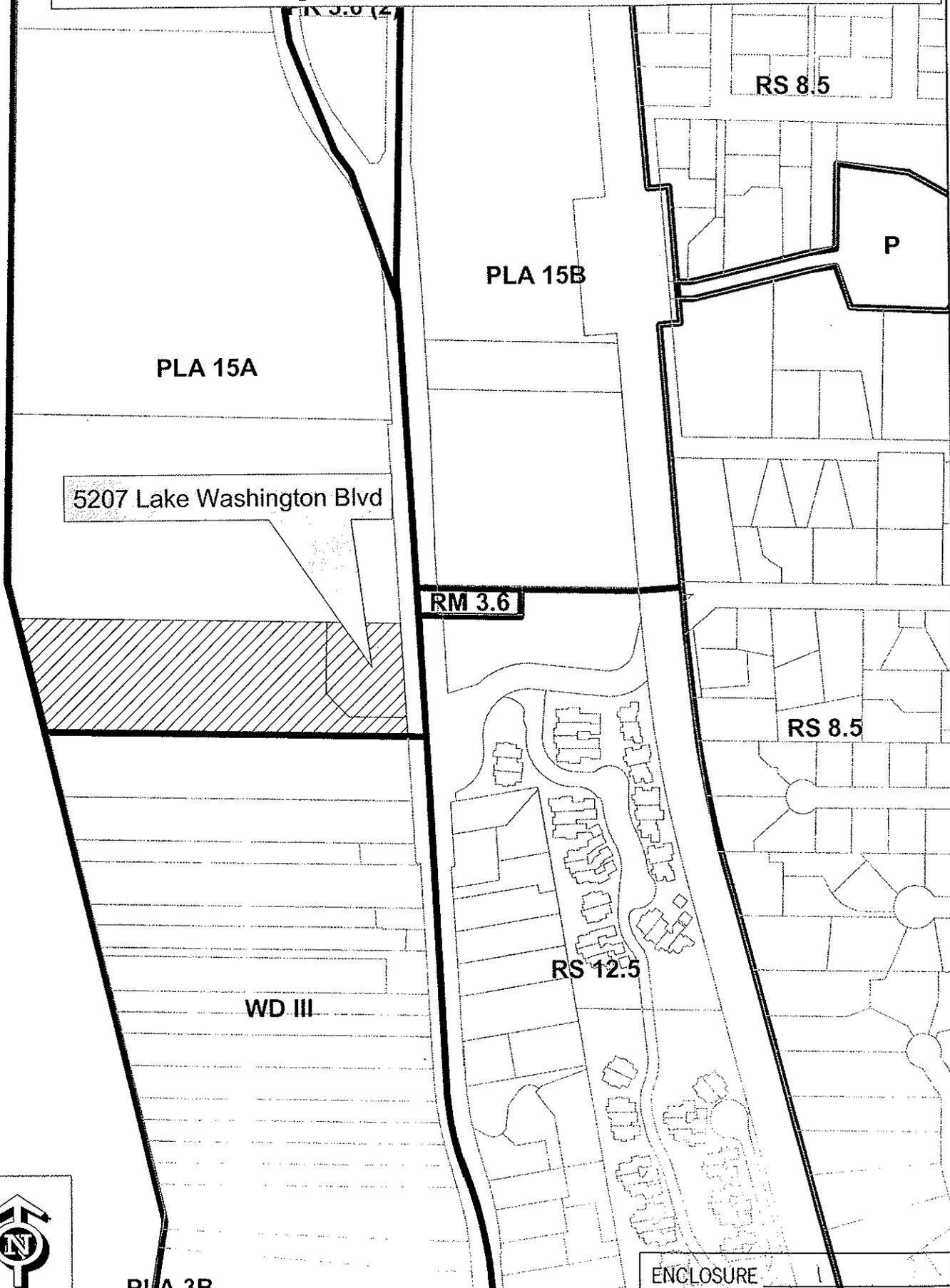
Eric R. Shields, Planning Director

Date

cc: Phil Goldenman, 205 NE Northlake Way, Suite 230, Seattle, WA 98105  
Helen Rodgers, 4823 Lake Washington Blvd NE #8, Kirkland, WA 98033  
Joan Schmidt, 4823 Lake Washington Blvd NE #7, Kirkland, WA 98033  
John Burnett, 4823 Lake Washington Blvd NE #5, Kirkland, WA 98033  
Fred and LouAnn Freeburg, 4823 Lake Washington Blvd NE #6, Kirkland, WA 98033



# Yarrow Bay Marina Site Redevelopment



ENCLOSURE 1  
S11206-0001

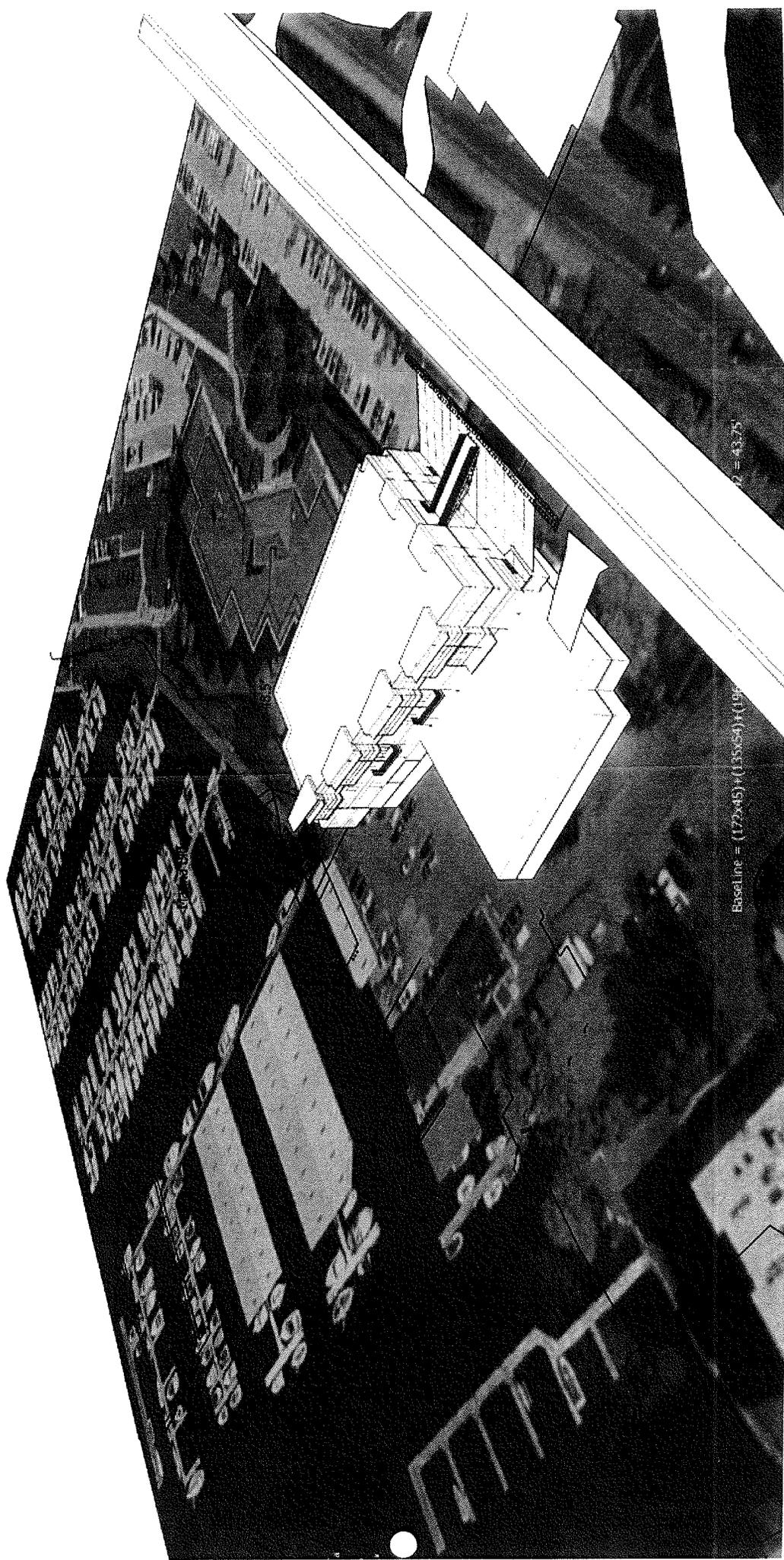






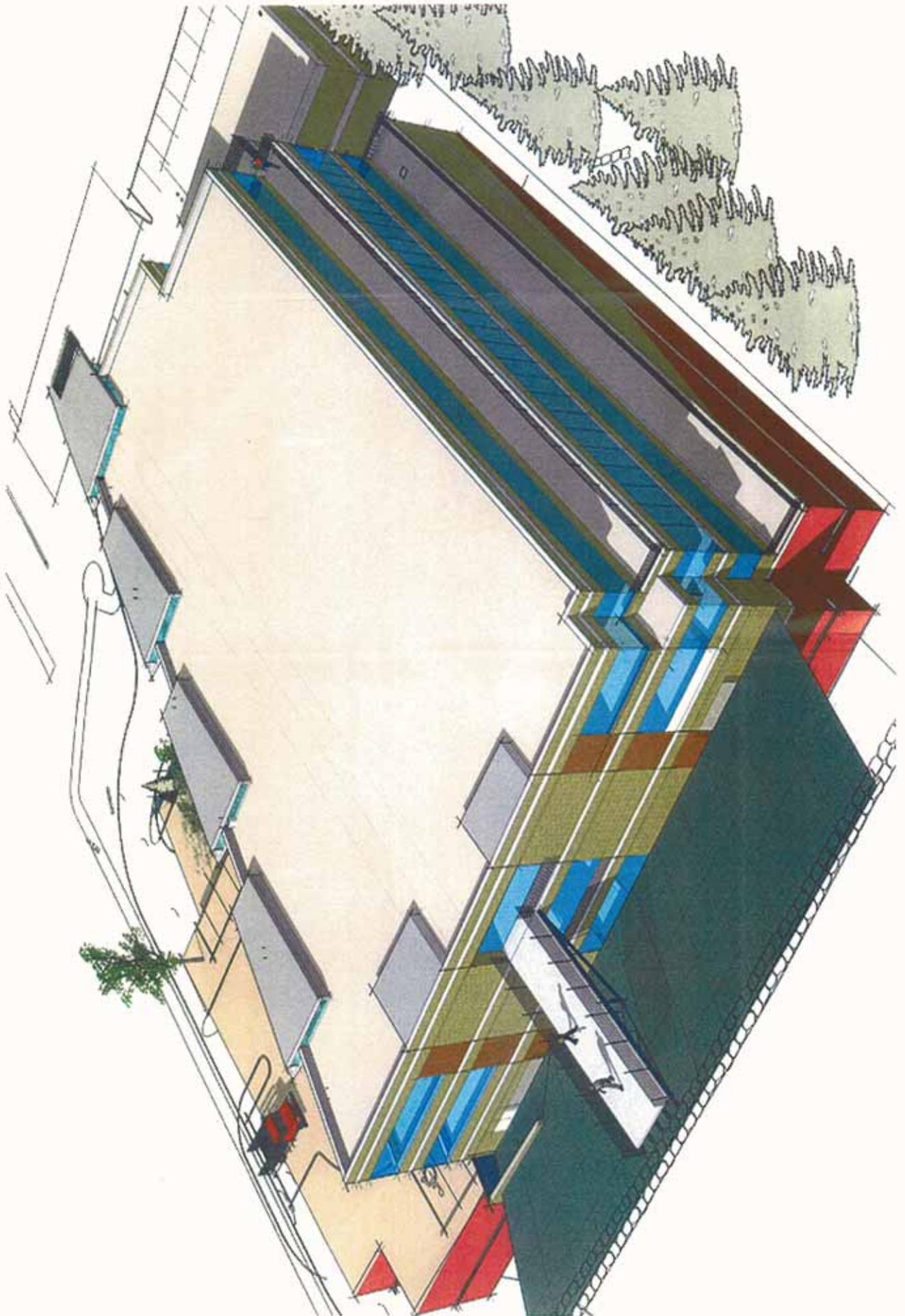


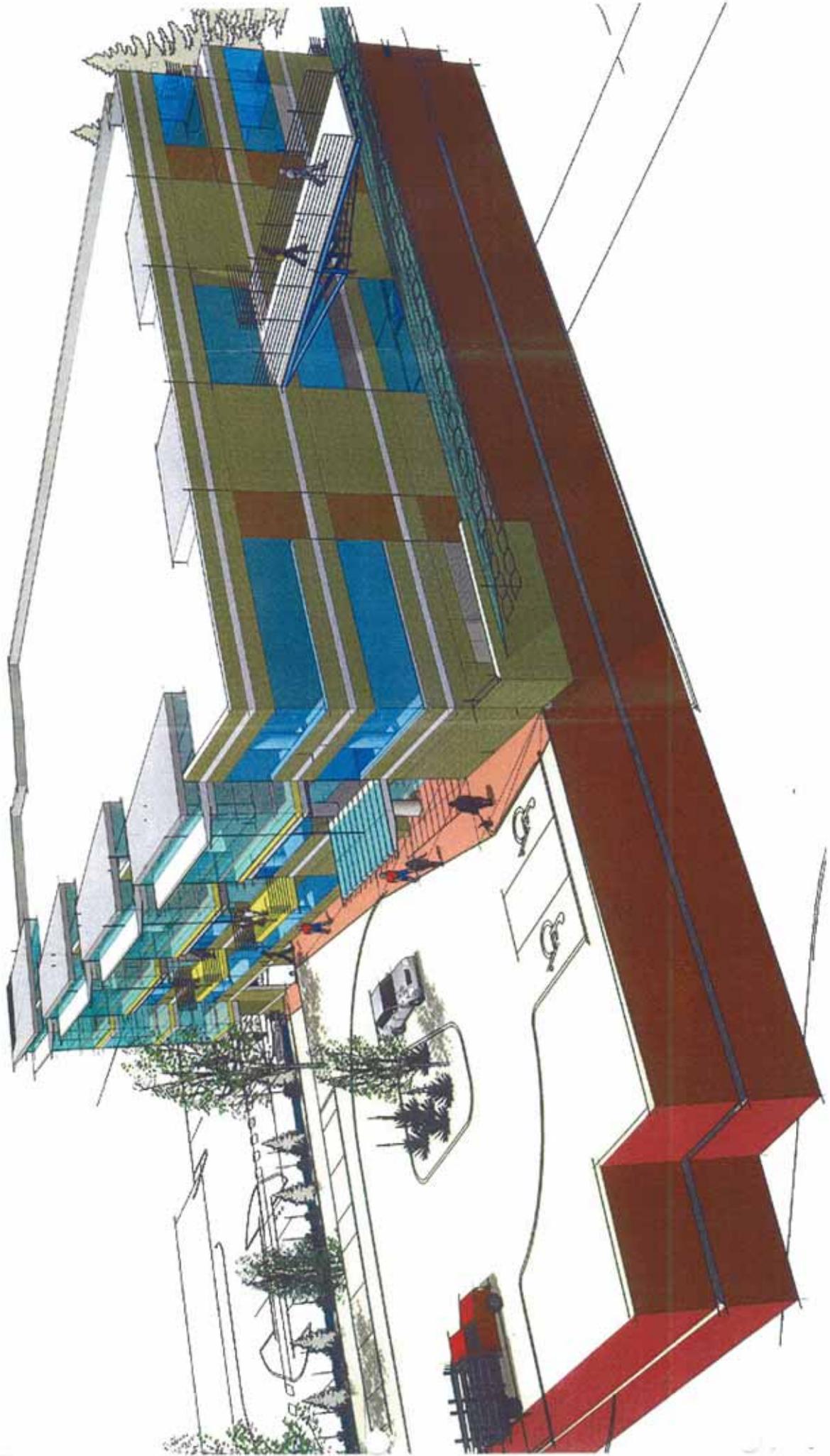


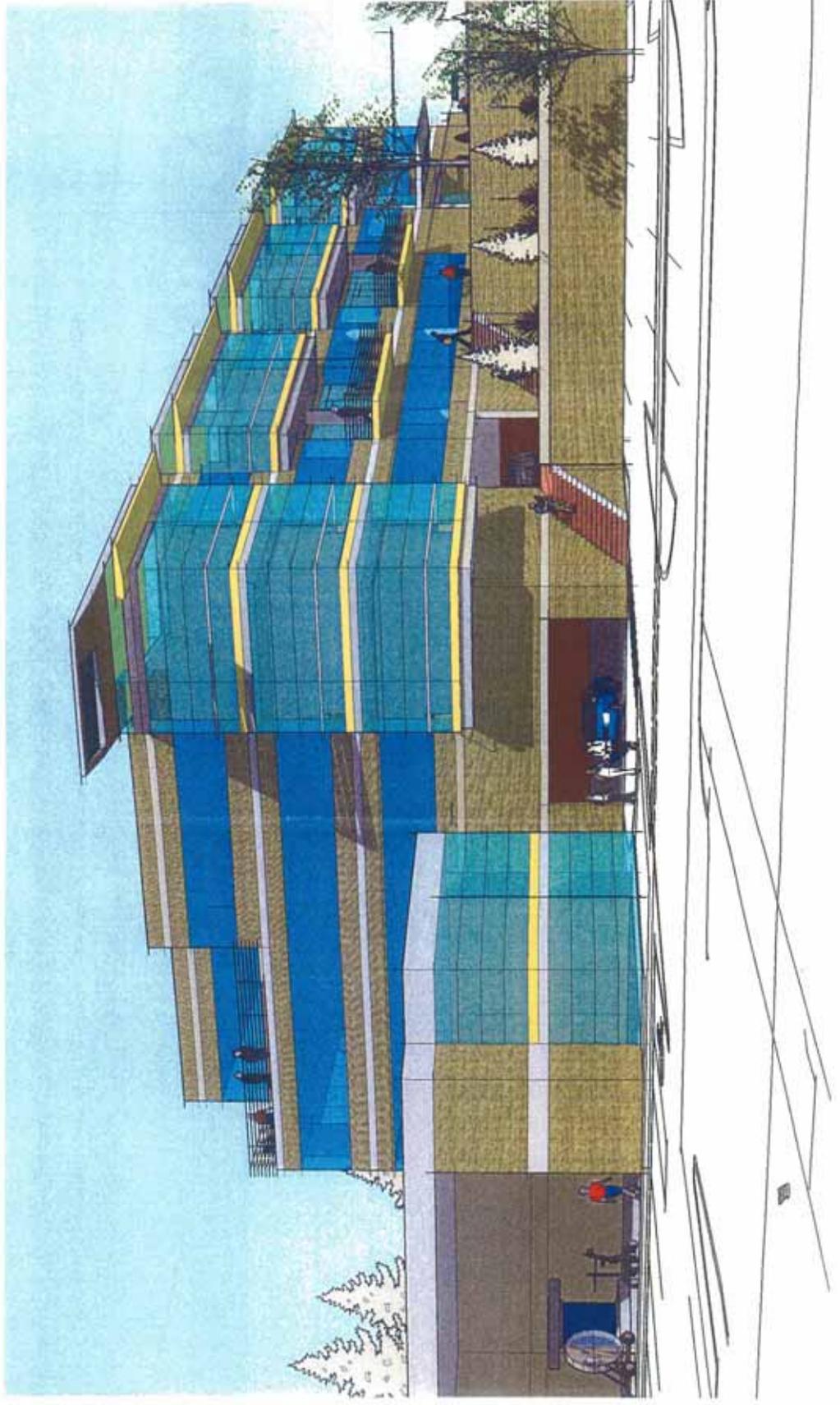


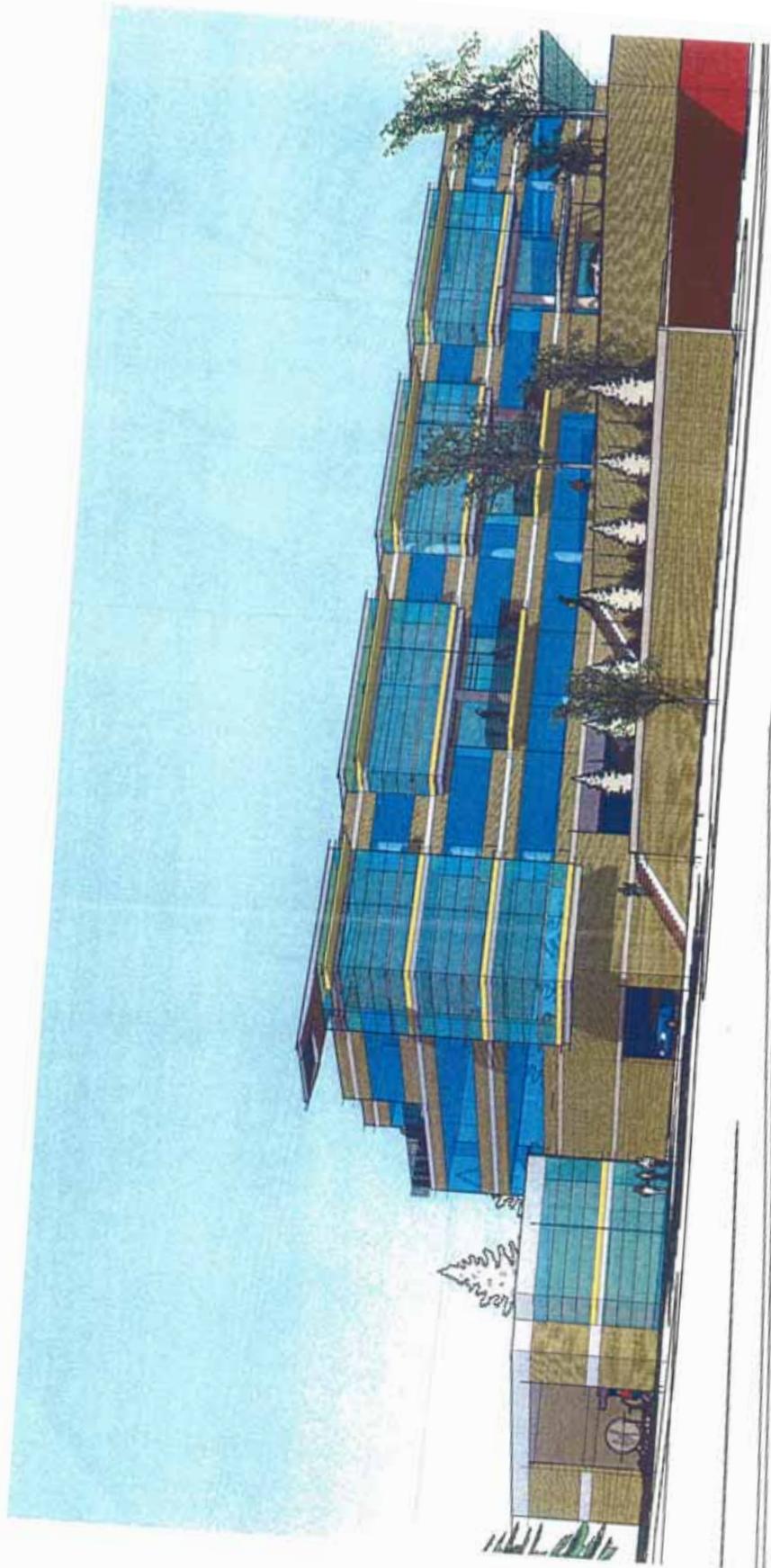
2 = 43.25'

BaseLine = (172x45) + (135x50) + (19x









Handwritten text, possibly a signature or name, located at the bottom of the rendering.



