



**CITY OF KIRKLAND**

Planning and Building Department  
123 5th Avenue, Kirkland, WA 98033  
[www.kirklandwa.gov](http://www.kirklandwa.gov) ~ 425.587.3600

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**MITIGATED DETERMINATION OF NON-SIGNIFICANCE (DNS)**

**DATE ISSUED:** October 7, 2020

**City Planner:** Aoife Blake

**File No.:** SEP20-00170

**Phone:** (425) 587-3262

**Project Name:** Mirra Townhomes

**Email:** [ablake@kirklandwa.gov](mailto:ablake@kirklandwa.gov)

**Project Location/Address:** 203 1<sup>st</sup> Ave S, 106-114 2<sup>nd</sup> St S, and 200 2<sup>nd</sup> Ave S

**Proponent:** Schuyler Tutt, Medici Architects

**Project Description:** 22-unit townhome development

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.

**Comment Period Information:**

This MDNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date issued. Comments must be submitted to Aoife Blake, project planner at [ablake@kirklandwa.gov](mailto:ablake@kirklandwa.gov) by 5:00 PM on October 21, 2020. Please reference file number SEP20-00170.

Mitigation required to be incorporated into the Project:

1. Prior to issuance of the demolition permit, the applicant shall provide the City a copy of a contract between the applicant and a qualified architectural historian or cultural consultant approved by the City to produce a report detailing information about the history of the building. The report shall contain information consistent with the Washington State Department of Archaeology & Historic Preservation's historic property inventory form and high-quality photographs of each building elevation and significant feature.
2. Prior to the issuance of the first building permit, the applicant shall provide the City the report produced by the architectural historian or cultural consultant.

**Responsible Official**

Adam Weinstein, AICP, Planning & Building Director  
City of Kirkland  
Planning & Building Department  
123 Fifth Avenue, Kirkland, WA 98033 – 425.587.3600

10/2/2020

Date

## Appeal Information:

KMC 24.02.230(a) states that administrative appeals of SEPA Determinations are available only in instances where there is an open record hearing on the underlying governmental action (such as Process IIA and IIB decisions). SEPA appeals must be filed within fourteen days of the date the SEPA determination is issued (KMC 24.02.230(c)(1)). A timely SEPA appeal will be placed on hold until the open record hearing on the underlying governmental action is scheduled. Then, both the SEPA appeal and underlying governmental action will be consolidated at one open record hearing.

Pursuant to KMC 24.02.230(f), if a land use permit does not include an open record public hearing but provides for an open record appeal (such as Design Review Board and Process I decisions), the SEPA appeal will be consolidated with the open record appeal and decided upon by the hearing examiner. A timely SEPA appeal will be placed on hold until the City's final decision on the underlying permit is issued. Then, if the underlying permit decision is appealed administratively, both appeals will be decided at a consolidated open record appeal hearing. If the underlying permit decision is not appealed, then there will be no administrative SEPA appeal available and judicial appeal procedures may be followed.

You may appeal this determination to the Planning & Building Department at City of Kirkland, 123 Fifth Avenue, Kirkland, WA 98033 no later than 5:00 PM on October 21, 2020 (date, 14 days from date issued) by a Written Notice of Appeal. You should be prepared to make specific factual objections and reference case number SEP20-00170. Contact Aoife Blake, project planner in the Planning & Building Department at 425.587.3262 to ask about the procedures for SEPA appeals. See also KMC 24.02.230 Administrative Appeals.

**Publish in The Seattle Times on:** Thursday, October 8, 2020

**Distribute this notice with a copy of the Environmental Checklist to:**

### GENERAL NOTICING

- Department of Ecology - Environmental Review
- Muckleshoot Tribal Council - Environmental Division, Tribal Archeologist
- Muckleshoot Tribal Council - Environmental Division, Fisheries Division Habitat
- Cascade Water Alliance – Director of Planning
- Moss Bay Neighborhood Association
- Lake Washington School District No. 414: Budget Manager and Director of Support Services
- Washington State Dept. of Archaeology & Historic Preservation
- King County Dept. of Transportation - Employer Transportation Representative
- Seattle & King County Public Health - SEPA Coordinator

### AGENCIES WITH JURISDICTION, AFFECTED AGENCIES, AND/OR INTERESTED PARTIES

- Washington State Department of Transportation – Local and Development Services Manager
- Interested Citizens (use Party of Record List, file DRV20-00473)

**cc:** Applicant  
Planning Department File, Case No. SEP20-00170  
Public Works Department Transportation Engineer

Distributed by: \_\_\_\_\_

  
(Karin Bayes, Office Specialist)

October 7, 2020

\_\_\_\_\_  
Date



**NOTICE OF SEPA DETERMINATION & ROAD CONCURRENCY TEST**  
**MIRRA TOWNHOMES, FILE NUMBER: [SEP20-00170](#)**

*(An electronic copy of this notice is available at [www.kirklandwa.gov/depart/planning/Development\\_Info/Notices](http://www.kirklandwa.gov/depart/planning/Development_Info/Notices))*

The City of Kirkland has conducted an environmental review and road concurrency review of the following project:

**Permit No.:** SEP20-00170

**Proponent:** Schuyler Tutt, Medici Architects

**Address or Location of proposal:** [203 1<sup>st</sup> Ave S](#), [106-114 2<sup>nd</sup> St S](#), and [200 2<sup>nd</sup> Ave S](#)

**Description of project:** 22-unit attached townhomes with shared underground parking garage

Notice is hereby given that on October 7, 2020 the City of Kirkland issued a Mitigated Determination of Nonsignificance (MDNS) in accordance with the State Environmental Policy Act (SEPA) and Chapter 197-11 of the Washington Administrative Code.

The proposal has been changed to include the following measures to mitigate impacts:

1. Prior to issuance of the demolition permit, the applicant shall provide the City a copy of a contract between the applicant and a qualified architectural historian or cultural consultant approved by the City to produce a report detailing information about the history of the building. The report shall contain information consistent with the Washington State Department of Archaeology & Historic Preservation's historic property inventory form and high-quality photographs of each building elevation and significant feature.
2. Prior to the issuance of the first building permit, the applicant shall provide the City the report produced by the architectural historian or cultural consultant.

**SEPA Comments:** Comments must be submitted by **5:00 PM on October 21, 2020** to the City of Kirkland, [Planning & Building Department](#), 123 Fifth Avenue, Kirkland, WA 98033. Contact Aoife Blake for further information at 425.587.3262.

**Procedures to Appeal SEPA:** You may contact Aoife Blake, Associate Planner, at 425.587.3262 to ask about the procedures for SEPA appeals).

KMC 24.02.230(a) states that administrative appeals of SEPA Determinations are available only in instances where there is an open record hearing on the underlying governmental action (such as Process IIA and IIB decisions). SEPA appeals must be filed within fourteen days of the date the SEPA determination is issued (KMC 24.02.230(c)(1)). A timely SEPA appeal will be placed on hold until the open record hearing on the underlying governmental action is scheduled. Then, both the SEPA appeal and underlying governmental action will be consolidated at one open record hearing.

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1. A written appeal must be filed with the Environmental Coordinator by **5:00 PM on October 21, 2020** at the above address.
2. The appeal must contain a brief and concise statement of the matter being appealed, the specific components or aspects that are being appealed, the appellant's basic rationale or contentions on appeal, and a statement demonstrating standing to appeal. The following have standing to appeal: a) the applicant; b) any agency with jurisdiction; c) any individual or other entity who is specifically and directly affected by the proposed action. The appeal may also contain whatever supplemental information the appellant wishes to include.
3. Pay the fee to file an appeal. See the [Planning & Building Department Land Use Fee Schedule](#).

Notice is hereby given that the proposed project passed the road concurrency review and the City of Kirkland issued a road concurrency test notice in accordance with the [Kirkland Municipal Code \(KMC\) Title 25](#).

**Procedures to Appeal Road Concurrency:**

1. Refer to [Kirkland Municipal Code \(KMC\) Chapter 25.23](#) for what decisions may not be appealed.
2. A written appeal must be filed with the Public Works Official, Thang Nguyen, by **5:00 p.m. on October 21, 2020** at the above address.
3. A concurrency appeal will follow the same process as a SEPA appeal. See No. 2 and 3 above under SEPA appeals for procedures. A separate appeal fee is required. See the [Planning & Building Department Land Use Fee Schedule](#).

**There is no other opportunity to appeal road concurrency issues.** Call Thang Nguyen at 425.587.3869 if you have questions about what is addressed in concurrency review.

More information is available at [www.mybuildingpermit.com](http://www.mybuildingpermit.com).