



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

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## **CITY OF KIRKLAND**

### **NOTICE OF SEPA DETERMINATION**

*(An electronic copy of this notice is available at:  
[www.kirklandwa.gov/Government/Departments/Planning-and-Building/Planning-Public-Notices](http://www.kirklandwa.gov/Government/Departments/Planning-and-Building/Planning-Public-Notices))*

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

**Permit:** Johnson Short Plat - SEP20-00610 & SUB19-00536

**Proponent:** Andres Villaveces with Metrica, LLC

**Address or Location of proposal:** 8738 124<sup>th</sup> Avenue NE

**Description of project:** Divide the subject property into three lots to be developed with single family residences. There is a Category III wetland on the subject property that would be enhanced as part of the proposal. This requirement triggers SEPA review since work will occur within lands covered by water.

Notice is hereby given that on May 26, 2021 the City of Kirkland issued a Determination of Nonsignificance (DNS) in accordance with the State Environmental Policy Act (SEPA) and Chapter 197-11 of the Washington Administrative Code.

**Procedures to Appeal SEPA:** You may contact Désirée Goble at 425.587.3251 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.

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.

1. A written appeal must be filed with the Environmental Coordinator by **5:00 PM on June 9, 2021** 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](#).

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

Publishing Date: Monday, May 31, 2021



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Si usted desea esta información traducida al Español por favor envíe un mensaje a la siguiendirección electrónica: [TitleVICoordinator@kirklandwa.gov](mailto:TitleVICoordinator@kirklandwa.gov) o llame al número 425-587-3831.

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Если Вы хотите получить эту информация переведённую на Русский язык напишите по адресу [TitleVICoordinator@kirklandwa.gov](mailto:TitleVICoordinator@kirklandwa.gov) или позвоните 425-587-3831.

#### Alternate Formats:

People with disabilities may request materials in alternate formats.

Title VI: Kirkland's policy is to fully comply with Title VI of the Civil Rights Act by prohibiting discrimination against any person on the basis of race, color, national origin or sex in the provision of benefits and services resulting from its programs and activities. Any person who believes his/her Title VI protection has been violated, may file a complaint with the City.

To request an alternate format, file a complaint or for questions about Kirkland's Title VI Program, contact the Title VI Coordinator at 425-587-3831 (TTY Relay: 711) or [TitleVICoordinator@kirklandwa.gov](mailto:TitleVICoordinator@kirklandwa.gov).



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### DETERMINATION OF NON-SIGNIFICANCE (DNS)

**DATE ISSUED:** May 26, 2021

**City Planner:** Désirée Goble

**File No.:** SEP20-00610

**Phone:** (425) 587-3251

**Project Name:** Johnson Short Plat

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

**Project Location/Address:** 8738 124<sup>th</sup> Ave NE

**Proponent:** Andres Villaveces with Metrica LLC

**Project Description:** Divide the subject property into three lots to be developed with single family residences. There is a Category III wetland on the subject property that would be enhanced as part of the proposal. This requirement triggers SEPA review since work will occur within lands covered by water.

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:

There is no comment period for this DNS

#### Responsible Official:

5/21/21

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

Date

#### Appeal Information:

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 June 9, 2021 by a Written Notice of Appeal. You should be prepared to make specific factual objections and reference case number SEP20-00610. Contact Désirée Goble, project planner in the Planning & Building Department at 425.587.3251 to ask about the procedures for SEPA appeals. See also KMC 24.02.230 Administrative Appeals.

**Publish in The Seattle Times on:** Monday, May 31, 2021

**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
- North Rose Hill 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
  - City of Bellevue - Director, Planning Dept.
  - City of Kenmore - Director, Planning Dept.
  - City of Bothell - Manager, Planning Dept.
  - City of Woodinville - Director, Planning Dept.
  - City of Redmond - Manager, Planning Dept.

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

- Department of Ecology - Environmental Review
- Department of Fish and Wildlife – Olympia
- Muckleshoot Tribal Council - Environmental Division, Fisheries Division Habitat Program
- U.S. Army Corps of Engineers - Seattle District
- Eastside Audubon Society
- Seattle City Light - Department of Finance and Administration
- Parties of Record
- Interested Citizens

**cc:** Applicant  
Planning Department File, Case No. SUB18-00514

Distributed by:  May 26, 2021  
(Karin Bayes, Office Specialist) Date



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