



# CITY OF KIRKLAND

## CITY COUNCIL

Amy Walen, Mayor • Jay Arnold, Deputy Mayor • Dave Asher • Tom Neir  
Toby Nixon • Jon Pascal • Penny Sweet • Kurt Triplett, City Manager

### *Vision Statement*

*Kirkland is one of the most livable cities in America. We are a vibrant, attractive, green and welcoming place to live, work and play. Civic engagement, innovation and diversity are highly valued. We are respectful, fair and inclusive. We honor our rich heritage while embracing the future. Kirkland strives to be a model, sustainable city that values preserving and enhancing our natural environment for our enjoyment and future generations.*

123 Fifth Avenue • Kirkland, Washington 98033-6189 • 425.587.3000 • TTY Relay Service 711 • [www.kirklandwa.gov](http://www.kirklandwa.gov)

## AGENDA

### KIRKLAND CITY COUNCIL MEETING

#### City Council Chamber

#### Tuesday, October 2, 2018

#### 6:00 p.m. – Study Session

#### 7:30 p.m. – Regular Meeting

COUNCIL AGENDA materials are available on the City of Kirkland website [www.kirklandwa.gov](http://www.kirklandwa.gov). Information regarding specific agenda topics may also be obtained from the City Clerk's Office on the Friday preceding the Council meeting. You are encouraged to call the City Clerk's Office (425-587-3190) or the City Manager's Office (425-587-3001) if you have any questions concerning City Council meetings, City services, or other municipal matters. The City of Kirkland strives to accommodate people with disabilities. Please contact the City Clerk's Office at 425-587-3190. If you should experience difficulty hearing the proceedings, please bring this to the attention of the Council by raising your hand.

**PLEASE CALL 48 HOURS IN ADVANCE** (425-587-3190) if you require this content in an alternate format or if you need a sign language interpreter in attendance at this meeting.

**EXECUTIVE SESSIONS** may be held by the City Council only for the purposes specified in RCW 42.30.110. These include buying and selling real property, certain personnel issues, and litigation. The Council is permitted by law to have a closed meeting to discuss labor negotiations, including strategy discussions.

**ITEMS FROM THE AUDIENCE** provides an opportunity for members of the public to address the Council on any subject which is not of a quasi-judicial nature or scheduled for a public hearing. (Items which may not be addressed under Items from the Audience are indicated by an asterisk\*.) The Council will receive comments on other issues, whether the matter is otherwise on the agenda for the same meeting or not. Speaker's remarks will be limited to three minutes apiece. No more than three speakers may address the Council on any one subject. However, if both proponents and opponents wish to speak, then up to three proponents and up to three opponents of the matter may address the Council.

1. *CALL TO ORDER*
2. *ROLL CALL*
3. *STUDY SESSION*
  - a. City Council Emergency Role and Responsibilities
4. *EXECUTIVE SESSION*
  - a. To Discuss Potential Litigation
5. *HONORS AND PROCLAMATIONS*
  - a. Domestic Violence Action Month
  - b. National Cyber Security Month
  - c. Walk to School Month
6. *COMMUNICATIONS*
  - a. *Announcements*
  - b. *Items from the Audience*
  - c. *Petitions*

7. *SPECIAL PRESENTATIONS*

a. Innovation Triangle and Startup 425 Partnership Update

8. *CONSENT CALENDAR*

a. *Approval of Minutes*

(1) September 18, 2018

(2) September 18, 2018

b. *Audit of Accounts*

c. *General Correspondence*

d. *Claims*

(1) Claim for Damages

e. *Award of Bids*

f. *Acceptance of Public Improvements and Establishing Lien Period*

g. *Approval of Agreements*

h. *Other Items of Business*

(1) Resolution R-5336, Allocating the City's Portion of Community Development Block Grant (CDBG) Funds for 2019

(2) Resolution R-5337, Recognize the Vacation of and Relinquish Any and All of the City's Interest, Except for a Utility Easement, in Unopened Rights-of-Way VAC18-00328, "Ryseff"

(3) One Table Briefing

9. *PUBLIC HEARINGS*

a. Resolution R-5338, Supporting Initiative Measure No. 1631, Concerns Pollution

(1) Initiative Measure No. 1631

Initiative Measure No. 1631 concerns pollution.

**\*QUASI-JUDICIAL MATTERS**

Public comments are not taken on quasi-judicial matters, where the Council acts in the role of judges. The Council is legally required to decide the issue based solely upon information contained in the public record and obtained at special public hearings before the Council. The public record for quasi-judicial matters is developed from testimony at earlier public hearings held before a Hearing Examiner, the Houghton Community Council, or a city board or commission, as well as from written correspondence submitted within certain legal time frames. There are special guidelines for these public hearings and written submittals.

**ORDINANCES** are legislative acts or local laws. They are the most permanent and binding form of Council action, and may be changed or repealed only by a subsequent ordinance. Ordinances normally become effective five days after the ordinance is published in the City's official newspaper.

**RESOLUTIONS** are adopted to express the policy of the Council, or to direct certain types of administrative action. A resolution may be changed by adoption of a subsequent resolution.

**PUBLIC HEARINGS** are held to receive public comment on important matters before the Council. You are welcome to offer your comments after being recognized by the Mayor. After all persons have spoken, the hearing is closed to public comment and the Council proceeds with its deliberation and decision making.

This measure would charge pollution fees on sources of greenhouse gas pollutants and use the revenue to reduce pollution, promote clean energy, and address climate impacts, under oversight of a public board.

Should this measure be enacted into law?

- ( ) Yes  
( ) No

**10. UNFINISHED BUSINESS**

**a. 2019-2020 Utility Rate Ordinances**

- (1) Ordinance O-4659 and its Summary, Relating to Solid Waste Collection Rates for 2019 and 2020 and Amending Section 16.12.030 of the Kirkland Municipal Code
- (2) Ordinance O-4660, Relating to Monthly Surface Water Utility Service Rates for 2019 and 2020 and Amending Section 15.56.020 of the Kirkland Municipal Code
- (3) Ordinance O-4661 and its Summary, Relating to Domestic Water System Customer Rates for 2019 and 2020 and Amending Section 15.24.020 of the Kirkland Municipal Code
- (4) Ordinance O-4662 and its Summary, Relating to Sanitary Sewer System Customer Rates for 2019 and 2020 and Amending Section 15.24.080 of the Kirkland Municipal Code

**b. Rose Hill and Bridle Trails Neighborhood Plan Potential Amendment Requests**

**NEW BUSINESS** consists of items which have not previously been reviewed by the Council, and which may require discussion and policy direction from the Council.

**CITY COUNCIL COMMITTEE** agendas and minutes are posted on the City of Kirkland website, [www.kirklandwa.gov](http://www.kirklandwa.gov).

**ITEMS FROM THE AUDIENCE**

Unless it is 10:00 p.m. or later, speakers may continue to address the Council during an additional Items from the Audience period; provided, that the total amount of time allotted for the additional Items from the Audience period shall not exceed 15 minutes. A speaker who addressed the Council during the earlier Items from the Audience period may speak again, and on the same subject, however, speakers who have not yet addressed the Council will be given priority. All other limitations as to time, number of speakers, quasi-judicial matters, and public hearings discussed above shall apply.

**11. NEW BUSINESS**

**12. REPORTS**

**a. City Council Regional and Committee Reports**

**b. City Manager Reports**

- (1) Calendar Update

**13. ITEMS FROM THE AUDIENCE**

**14. ADJOURNMENT**



## **CITY OF KIRKLAND**

**Fire Department**

**123 Fifth Avenue, Kirkland, WA 98033 425.587.3800**

**[www.kirklandwa.gov](http://www.kirklandwa.gov)**

---

### **MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** Heather Kelly, Emergency Manager  
Kevin Raymond, City Attorney  
Joe Sanford, Fire Chief

**Date:** September 20, 2018

**Subject:** CITY COUNCIL ROLE AND RESPONSILITIES IN AN EMERGENCY OR OTHER DISASTER

### **RECOMMENDATION:**

As a wrap-up to National Preparedness Month, it is recommended the City Council review Council communication protocols, and discuss the proposed proclamation of emergency and resolution ratifying proclamation of emergency templates. Staff would bring forward the proclamation of emergency template for Council approval by resolution at a future meeting.

### **BACKGROUND DISCUSSION:**

The ability of City of Kirkland ("City") government to quickly and efficiently respond and recover from emergencies and disasters is directly related to its ability to coordinate actions in a commonly understood structure and method. September is National Preparedness Month, promoting personal and community emergency preparedness across the country. As part of this initiative, the City facilitated an all-day Emergency Operations Center ("EOC") exercise on September 6<sup>th</sup>, followed by a 3-hour Incident Policy Group ("IPG") exercise on September 11<sup>th</sup>. In a continuation of preparedness efforts, the Council is being engaged through a Study Session focused on Council roles and responsibilities in major emergencies.

The Council has four primary responsibilities during and after an emergency or other disaster:

- Proclaim emergencies and ratify prior City acts of emergency response;
- Serve as a communication conduit to the community;
- Offer guidance to City staff leadership; and
- Engage elected and appointed officials at all levels to assist City efforts.

#### *Council Communications*

Effective public messaging is critical to maintaining trust in City government, as well as reassuring and helping motivate the community to act in response to an emergency. Councilmembers are in a position to assist the City's response and recovery by delivering key messages in meaningful ways. Best practices from the Center for Disease Control ("CDC"), Jane's Crisis Communication Handbook, and communication experts offer guidance and



recommendations for successful communication with constituents. A concise communication guide for elected leaders is included as Attachment 1.

Some “Do’s and Don’t’s” of Council communication will be presented at the Study Session. In general, the best practice recommendations for common Councilmember communications are:

- Use only information that comes from the Joint Information Center (“JIC”) in the EOC, as that information will be verified, accurate and approved for public release;
- Each Councilmember should maintain personal voice and style with a consistent common message; and
- When using social media, retweet or share JIC-approved messages to maintain accuracy.

#### *Emergency Proclamations*

The roles and authorities of the City Manager and the Council in emergencies are outlined in KMC Ch.3.20, relating to Emergency Management. A copy of KMC Ch.3.20 is included as Attachment 4. The exercises undertaken recently by City staff identified opportunities for clarification and improvements related to the process and documentation supporting a proclamation of emergency within Kirkland. This has resulted in a draft emergency proclamation template and a draft resolution of ratification for Council review and discussion. It is critical that the City Manager is aware, empowered and able to provide policy and budget direction to the EOC as soon as practical during and following an emergency or disaster. Through a standard proclamation template, outlining the range of legal authorities afforded to a jurisdiction under state and local law, the City Manager can quickly direct response and recovery actions. Proclamations of emergency are disaster-specific and the legal authorities utilized will accordingly vary. Through the use of a standard template, however, the use of the response tools needed can be expedited. In addition, the use of a standard resolution specific to emergency proclamation ratification will affirm the actions taken by City staff in the anticipated interim period between the emergency itself and the Council’s ability to gather and meet, most likely at a special meeting as provided for in emergency circumstances by the Washington Open Public Meetings Act, Chapter 42.30 RCW.

Attachment 1: Communication Guide

Attachment 2: Draft Proclamation Template

Attachment 3: Draft Resolution Template

Attachment 4: KMC Ch.3.20

*“I think the most important thing to learn from this or any other tragedy is that unlike the frustration we feel sometimes on an airplane when something goes crack or the plane doesn’t leave and there’s total silence from the cockpit, that’s the worst thing to do. The best thing is transparency and openness.”*

— Frank Keating, Governor  
Oklahoma City, Bombing, 1995

## SUCCESSFUL COMMUNICATION

- Be the first source for information
- Express empathy early
- Show competence and expertise
- Remain honest and open
- Commit and remain dedicated

There are a number of psychological barriers that could interfere with the cooperation and response from the public. Many of them can be mitigated through the work of a leader with an empathetic and honest communication style. **Give people things to do.** As much as possible, give them relevant things to do; things that are constructive and relate to the crisis they’re facing. Anxiety is reduced by action and can restore a sense of control. The actions may be symbolic (e.g., put up the flag), or preparatory (e.g., donate blood or create a family check-in plan).

## COMMUNICATING DURING A CRISIS IS DIFFERENT:

Communicating in a crisis is different. In a serious crisis, all affected people take in information differently, process information differently, and act on information differently. As a leader, you need to know that the way you normally communicate with your community may not be effective during and after it suffers a crisis.



## BUILD AND MAINTAIN PUBLIC TRUST IN A CRISIS

**Empathy and caring.** Empathy and caring should be expressed within the first 30 seconds. Acknowledge fear, pain, suffering, and uncertainty.

**Competence and expertise.** Education, position title, or organizational roles and missions are quick ways to indicate expertise. Another useful means is to have established a relationship with your audiences in advance of the emergency. If that is not possible, have a third party, who has the confidence of the audience, express his or her confidence in you or your organization.

**Honesty and openness.** This does not mean releasing information prematurely, but it does mean facing the realities of the situation and responding accordingly. It means not being paternalistic in your communication but, instead, participatory—giving people choices and enough information to make appropriate decisions.

**Commitment.** State up front what your organization’s objective is in this emergency response, and commit to reaching that objective. Show dedication by sharing in the sacrifices and discomforts of the emergency. Don’t fake hardship for the cameras.

**Accountability.** Be as transparent as possible. If government or non-profit money is being spent in the response to a disaster, sooner or later the public and media will demand to know to whom that money or resources are being distributed.

### WHAT ABOUT PANIC?

Contrary to common belief, people seldom act completely irrationally or panic during a crisis. **The overwhelming majority of people do not engage in extreme behavior.**

## FIVE COMMUNICATIONS FAILURES

**Mixed messages from multiple experts.** In a crisis, people don’t want to “just pick one” of many messages, they want the best one or the right one to follow.

**Information released late.** If the public expects an answer from your organization on something that is answerable and you won’t provide it or direct them to someone who can, they will be open to being taken advantage of by unscrupulous or fraudulent opportunists.

**Paternalistic attitudes.** help the public to reach the same conclusion you did by sharing with them what you learned to reach that conclusion.

**Not countering rumors and myths in real time.** For example, what if a rumor starts that there isn’t enough drugs for everyone? What is your system to monitor what is being said by the public and the media? What is your system to react to false information?

**Public power struggles and confusion.** Sometimes there may be a power struggle over jurisdictions or other issues. The important thing is to make sure these are worked out quickly and confidentially. It’s naturally disconcerting to the public to think that the people responsible for helping them are not getting along.

## PRESS CONFERENCE PITFALLS

Don’t allow “hangers on” from your organization to circle in the back of the room. Reporters might have their eyes pointed toward you, but their ears are listening for off-the-cuff comments and they are watching for nonverbal communications (e.g., a nod or wink).

The second major mistake is thinking the press conference doesn’t begin until you step up to the microphone. Actually, the press conference begins the minute you enter the room.

## GRIEF AND YOUR ROLE AS SPOKESPERSON



Your presence is more important than your conversation. Family members may voice feelings with such strong emotion as “I don’t know how I’m going to live without my husband,” or “Why would God allow this to happen?” Short statements of condolence, such as “I’m so sorry,” “This is a sad time,” or “You’re in my prayers,” are enough of a response. If a person tenses at your touch, withdraw. Use “death” or “dying” not softer euphemisms. Many people feel patronized by words like “expired” or “received his heavenly reward.” Use the same words as the grieving person to respect cultural differences. Religious customs for bereavement vary. While most of the U.S. population professes to be of a Christian faith, remember that other religions are also prominent in the United States.

*“Empathy is the door that opens your voice to the information that you want to communicate. So if people can perceive that you actually care about them in a genuine, human way, I think they’re much more willing to listen to anything else that you have to say. If you don’t do that, you have really lost your audience because people won’t listen to you.”*

— Julie Gerberding,  
M.D., Director, CDC  
SARS, 2003

## HANDLING DIFFICULT BEHAVIORS

### Dependence on special relationships

Some people will attempt to bypass official channels to get special treatment or access to what they want during a crisis. Good communication can reduce some of these reactions. The more honest and open response officials are about what is available and for whom, the better odds officials have of reducing the urge among individuals in the community to seek out their own options.

### Vicarious rehearsal

Sometimes individuals not directly affected by an event may mentally rehearse the crisis and “try on” the courses of action presented to them. Such persons can heavily tax recovery and response efforts. Consider creating alternate messages encouraging them to delay taking the same action until it’s warranted by circumstances. Provide alternative things for them to do.

### MUPS: Multiple Unexplained Physical Symptoms

Commonly called the “worried well”, the fact is that stress caused by a crisis situation will make some people physically ill. Overburdened medical providers may have a difficult time trying to figure out who is really sick and who is sick from the stress of the situation. Communicate to the community that they need to consider whether their symptoms are from stress and, if so, provide them steps to help them reduce the stress such as deep-breathing exercises, physical exercise and talk therapy with friends and relatives.

### Stigmatization

Fear and isolation of a group perceived to be contaminated or risky to associate with will hamper community recovery and affect evacuation and relocation efforts. This could have both economic and psychological impact on the well-being of members of the community and should be challenged immediately.

**The First 48 Hours**  
BE FIRST. BE RIGHT. BE CREDIBLE

CS115054

For more information about CERC: [CERC\\_info@cdc.gov](mailto:CERC_info@cdc.gov)

To request CERC training tools: [CERCrequest@cdc.gov](mailto:CERCrequest@cdc.gov)

## **PROCLAMATION OF EMERGENCY**

WHEREAS, [initial "whereas" provisions describe the facts and circumstances giving rise to the proclamation of emergency and/or disaster by the City Manager or designee]; and

WHEREAS, the facts and circumstances set forth above constitute an emergency [and/or disaster] as defined by Chapter 3.20 of the Kirkland Municipal Code ("KMC") and the City of Kirkland ("City") Comprehensive Emergency Management Plan ("CEMP") and necessitates the utilization of emergency powers granted by applicable state and local law, including but not limited to Chapter 3.20 KMC, KMC Section 3.85.090 and Revised Code of Washington ("RCW") Sections 35.33.081, and RCW 38.52.070(2); and

WHEREAS, KMC Section 3.20.070 provides that the City shall have the broadest authority and greatest discretion consistent with state law with respect to emergency response and operation; and

WHEREAS, KMC Section 3.20.090 grants to the City Manager the authority to take action on behalf of the City in the event of an emergency or disaster, subject to ratification by the City Council as soon as practicable; and

WHEREAS, the City Manager wishes to exercise such authority to proclaim an emergency in order for the City to timely respond to such emergency [and/or disaster] subject to ratification by the City Council as soon as practicable.

NOW, THEREFORE, be it proclaimed by the City Manager that an emergency exists in the Kirkland and City departments and relevant staff are hereby authorized and directed to respond to such emergency as follows:

Section 1: Undertake measures in response thereto and without regard to time-consuming procedures and formalities generally applicable under state or local law, subject only to any mandatory constitutional requirements, in connection with one or more of the following:

- (1) Budget law limitations;
- (2) Requirements of competitive bidding and publication of notices;
- (3) Provisions pertaining to the performance of public works;
- (4) Entering into contracts;
- (5) Incurring obligations;
- (6) Employment of temporary workers;
- (7) Rental of equipment;
- (8) Purchase of supplies and materials;

(9) Reduction or waiver of fees and charges, such as those related to permits and other City approvals; and

(10) Appropriation and expenditure of funds.

Section 2: Enter into agreements and incur obligations necessary to recall City employees from vacation, cancel days off, authorize overtime, or recall selected retired employees in order to help protect the health and safety of persons and property.

Section 3: Undertake such additional measures pursuant to the City's police power authority under Washington Constitution Article XI, Section 11 to protect the public health, safety and welfare, including such measures as are imminently necessary for the protection of life and property, including but not limited to:

- (1) Imposition of general curfews;
- (2) Temporary closures of public places and businesses, including those selling or dispensing alcoholic beverages;
- (3) Limitations on the sale of fuel or other essential materials where demand is expected to exceed supply;
- (4) Evacuation or clearing of debris and wreckage from publicly and privately owned lands and waters;
- (5) Destruction of private property if necessary;
- (6) Imposition of rationing; and
- (7) Use of volunteer workers provided they are afforded the privileges, benefits and immunities provided by state law and state or federal regulations for registered emergency workers so long as they remain under the direction and control of an authorized official.

Section 4: In implementing the provisions of this proclamation, City departments and staff are not subject to generally applicable departmental and individual expenditure limits; provided, however, that City departments and staff, individually and in the aggregate, as the case may be, shall not exceed the following financial expenditure limits without the prior written approval of the City Manager or designee:

- (1) Per agreement or transaction: \$\_\_\_\_\_
- (2) Per day: \$\_\_\_\_\_
- (3) Per emergency or other disaster: \$\_\_\_\_\_

Section 5: This proclamation shall be subject to ratification by the City Council as soon as practicable. The City Council may meet during the pendency of such emergency in accordance with the special provisions provided therefore under the Washington Open Public Meetings Act, RCW 42.30.070.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Kurt Triplett, City Manager

RESOLUTION R-\_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND  
RATIFYING PROCLAMATION OF EMERGENCY.

WHEREAS, Kirkland Municipal Code ("KMC") Section 3.20.090 grants the City Manager the authority to take action on behalf of the City of Kirkland ("City") in the event of an emergency or disaster, subject to ratification by the City Council as soon as practicable; and

WHEREAS, in the exercise of such authority the City Manager did execute a Proclamation of Emergency dated \_\_\_\_\_, 20\_\_;  
and

WHEREAS, the City Council held a special meeting on \_\_\_\_\_, 20\_\_ [in accordance with the emergency meeting provisions of the Washington Open Public Meetings Act, specifically RCW 42.30.070]; and

WHEREAS, the City Council wishes to ratify the above-referenced Proclamation of Emergency and the acts of City departments and staff that have been and will be taken in connection with such emergency [and/or disaster].

NOW, THEREFORE, be it resolved by the City Council of the City of Kirkland as follows:

Section 1. Any and all acts undertaken by City departments and staff consistent with the Proclamation of Emergency issued by the City Manager dated \_\_\_\_\_, 20\_\_ and prior to the effective date hereof are hereby ratified and confirmed.

Section 2. Any and all acts undertaken by City departments and staff consistent with the Proclamation of Emergency issued by the City Manager dated \_\_\_\_\_, 20\_\_ and following the effective date hereof are hereby authorized until such time as such proclamation has been amended, rescinded or otherwise terminated by the City Manager or City Council.

Passed by majority vote of the Kirkland City Council in open meeting this \_\_\_\_ day of \_\_\_\_\_, 20.

Signed in authentication thereof this \_\_\_\_ day of \_\_\_\_\_,  
20.

\_\_\_\_\_  
Amy Walen, Mayor

Attest:

---

Kathi Anderson, City Clerk



**Chapter 3.20****EMERGENCY MANAGEMENT\***

## Sections:

- 3.20.010 Definitions.
- 3.20.020 Purpose.
- 3.20.030 Office created.
- 3.20.040 Director.
- 3.20.050 Comprehensive emergency management plan.
- 3.20.060 EOC.
- 3.20.070 Emergency powers.
- 3.20.080 Emergency management action team.
- 3.20.090 Ratification of actions.
- 3.20.110 Emergency management compensation board.
- 3.20.120 *Repealed.*

\* For the statutory provision authorizing noncharter code cities to enact such ordinances as necessary to preserve the peace not in conflict with the constitution or specifically denied by the general laws, see RCW 35A.11.020.

**3.20.010 Definitions.**

For the purposes of this chapter the following terms shall have their ordinary meaning and, in addition:

- (a) “Emergency or disaster” means an incident or set of circumstances which:
  - (1) Demands immediate action to preserve public health, protect life, protect public property, or to provide relief to any stricken community overtaken by such occurrences; or
  - (2) Reaches such a dimension or degree of destructiveness as to warrant the proclamation of a state of emergency.
- (b) “Emergency management” means the preparation for and the carrying out of emergency services and functions to mitigate, prepare for, respond to, and recover from emergencies and disasters, and to aid those suffering from injury or damage, resulting from disasters caused by all hazards, whether natural, human-made or technological, and to provide support for search and rescue operations for persons and property in distress. (Ord. 4611 § 1, 2017; Ord. 3476 § 2 (part), 1995)

**3.20.020 Purpose.**

Because of the possibility of the occurrence of emergencies or disasters of unprecedented size and destructiveness, and in order to help ensure that preparations of the city will be adequate to deal with such disasters, and generally to protect the public peace, health, and safety, and to preserve the lives and property of the people of the city of Kirkland, it is the purpose of this chapter to provide for emergency management in the city in accordance with the city’s comprehensive emergency management plan providing for coordination of the city’s emergency management and other essential government functions. (Ord. 4611 § 2, 2017; Ord. 3476 § 2 (part), 1995)

**3.20.030 Office created.**

There is hereby created, within the fire department, an office of emergency management to perform emergency management functions. The office of emergency management is the city’s local organization for emergency management for the purposes of RCW 38.52.070. (Ord. 4611 § 3, 2017; Ord. 4491 § 4 (part), 2015; Ord. 3476 § 2 (part), 1995)

**3.20.040 Director.**

The office of emergency management shall be headed by the director of emergency services. The city manager shall appoint the fire chief as the director of emergency services. The director of emergency services shall be directly responsible to the city manager for the organization, administration, and operation of the office of emergency

## Chapter 3.20 EMERGENCY MANAGEMENT\*

management. The director of emergency services shall appoint an emergency manager, subject to the approval of the city manager. (Ord. 4611 § 4, 2017; Ord. 4491 § 5, 2015; Ord. 3476 § 2 (part), 1995)

**3.20.050 Comprehensive emergency management plan.**

The director of emergency services shall create and maintain the city's comprehensive emergency management plan as described in Chapter 118-30 WAC. The city manager shall ensure that the city executes its comprehensive emergency management plan in the event of disaster and operates in accordance with said plan. (Ord. 4611 § 5, 2017; Ord. 3476 § 2 (part), 1995)

**3.20.060 EOC.**

The comprehensive emergency management plan shall provide for activation of the city's emergency operations center (EOC). Operation of the EOC shall be under the direction of the director of emergency services by and through the emergency manager. (Ord. 4611 § 6, 2017; Ord. 3476 § 2 (part), 1995)

**3.20.070 Emergency powers.**

In the event of an emergency or disaster coming within the scope of this chapter, the city shall have the broadest authority and greatest discretion consistent with state law with respect to emergency response and operation. These powers include, but are not limited to, those provided for in RCW 38.52.070; namely, the authority to act in light of the exigencies of an emergency situation without regard to time-consuming procedures and formalities prescribed by law (excepting mandatory constitutional requirements), including, but not limited to, budget law limitations, requirements of competitive bidding and publication of notices, provisions pertaining to the performance of public works, entering into contracts, the incurring of obligations, the employment of temporary workers, the rental of equipment, the purchase of supplies and materials, the levying of taxes, and the appropriation and expenditure of funds. (Ord. 4611 § 7, 2017; Ord. 3476 § 2 (part), 1995)

**3.20.080 Emergency management action team.**

There is hereby established an emergency management action team (EMAT), which shall be composed of at least the following: director of emergency services, emergency manager, city attorney, communication manager, and one representative from each city department. The EMAT shall support the activities of the office of emergency management to help ensure that all city departments are prepared to help respond to needs in the city of Kirkland during and after a disaster. (Ord. 4611 § 8, 2017; Ord. 3476 § 2 (part), 1995)

**3.20.090 Ratification of actions.**

The city manager shall have the authority to take action on behalf of the city in the event of an emergency or disaster, subject to ratification by the city council as soon as practicable. (Ord. 4611 § 9, 2017; Ord. 3476 § 2 (part), 1995)

**3.20.110 Emergency management compensation board.**

There is hereby established an emergency management compensation board for the processing of claims arising from emergency management related activities. This board shall function as provided for in the emergency management plan and be guided by applicable state law such as RCW 38.52.210(2) through 38.52.260. The board shall be composed of: one councilmember selected by the council; the city manager; the director of emergency services; the emergency manager; and the city attorney. The councilmember shall serve as the chair of the board and the emergency manager shall serve as secretary of the board. (Ord. 4611 § 10, 2017; Ord. 3476 § 2 (part), 1995)

**3.20.120 Search and rescue.**

*Repealed by Ord. 4611.* (Ord. 3476 § 2 (part), 1995)



**CITY OF KIRKLAND**  
**Department of Parks & Community Services**  
**123 5<sup>th</sup> Avenue, Kirkland, WA 98033 425.587.3300**  
**[www.kirklandwa.gov](http://www.kirklandwa.gov)**

---

## **MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** Lynn Zwaagstra, Director  
Leslie R. Miller, Human Services Supervisor

**Date:** September 20, 2018

**Subject:** DOMESTIC VIOLENCE ACTION MONTH PROCLAMATION

## **RECOMMENDATION:**

That the Mayor proclaim October 2018 as Domestic Violence Action Month in Kirkland, Washington.

## **BACKGROUND DISCUSSION:**

The purpose of National Domestic Violence Action Month is to promote an active community response against the scourge of domestic violence. Individuals may make a pledge of personal action utilizing the pledge form shared at the end of this memo.

LifeWire, the leading domestic violence agency in Washington State, encourages survivors, their loved ones, and concerned residents to learn more by calling the LifeWire Helpline at 425-746-1940. Resources regarding Domestic Violence are available as well at the following websites:

LifeWire, [www.lifewire.org](http://www.lifewire.org)

Washington State Coalition Against Domestic Violence, <https://wscadv.org>

National Coalition Against Domestic Violence, <https://ncadv.org>.

A staff member from LifeWire will be present to accept the Proclamation. Staff will post the proclamation online and provide a link to additional resources through the City of Kirkland website.



## Community Pledge

The **#1Thing** Community Pledge is a call to action, an invitation, a voluntary choice and opportunity to affirm your commitment to end domestic violence. Taking the pledge says that you will help end domestic violence by pledging to do **#1Thing**.

### MY PLEDGE

I, \_\_\_\_\_, pledge to \_\_\_\_\_  
\_\_\_\_\_.

I understand doing/changing one thing can make a difference in my community and the movement to end domestic violence.

I will use my voice to stand against victim-blaming, discrimination, and violence to end the stigma towards victims and survivors.

I will listen to victims and survivors without judgment, and respect their choices.

I will share my **#1Thing** boldly and proudly, and often, to inspire others to make a commitment to action against domestic violence.

I will also encourage others to embrace their own **#1Thing** to support victims and survivors of domestic violence, and honor the advocates that work tirelessly to ensure the well-being of all survivors.

By living this pledge, I am joining with advocates across the country to end gender-based violence in my home and community.



# A PROCLAMATION OF THE CITY OF KIRKLAND

---

## Designating October 2018 as "Domestic Violence Action Month" in Kirkland, Washington

**WHEREAS,** Domestic violence is a serious crime that affects one in four women and one in seven men during their lifetime; and

**WHEREAS,** Domestic violence is widespread and has a devastating impact on survivors, children, families and our community; and

**WHEREAS,** Domestic violence does not discriminate and crosses all economic, racial, gender, educational, religious and societal barriers, and is sustained by indifference; and

**WHEREAS,** in 2017 the Kirkland Police Department responded to many domestic related incidents, and new misdemeanor cases of domestic violence; and

**WHEREAS,** ending the cycle of this vicious crime requires the courage of survivors and the support of the larger community; and

**WHEREAS,** our efforts must extend beyond the criminal justice system to include housing and economic advocacy for survivors. We must work with young people to stop violence before it starts. We must reach out to friends and loved ones who have suffered from domestic violence, and we must tell them they are not alone; and

**WHEREAS,** we can all make a difference in our community by pledging to do "one thing" to help end domestic violence.

**NOW, THEREFORE,** I, Amy Walen, do hereby proclaim October 2018, as *Domestic Violence Action Month* in the City of Kirkland. Let us honor survivors by pledging to do "one thing", and by promoting peace in our own families, homes, and communities. Let us renew our commitment to end domestic violence and its brutal and destructive effects so that domestic violence has no future in Kirkland or beyond.

Signed this 2nd day of October,  
2018

---

Amy Walen, Mayor



**CITY OF KIRKLAND**  
Information Technology Department  
123 Fifth Avenue, Kirkland, WA 98033 425.587.3050  
[www.kirklandwa.gov](http://www.kirklandwa.gov)

---

## **MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** Donna Gaw, IT Manager – Network and Operations;  
Brenda Cooper, CIO

**Date:** September 20<sup>th</sup>, 2018

**Subject:** NATIONAL CYBER SECURITY AWARENESS MONTH PROCLAMATION –  
OCTOBER 2018

## RECOMMENDATION

It is recommended that the Mayor proclaim October, 2018, as National Cyber Security Awareness Month in Kirkland.

## BACKGROUND DISCUSSION

Cybersecurity is a serious and current risk. Security breaches allow for identity theft, ransomware attacks, and a variety of methods of extortion or trickery that can damage the credit, finances, and reputations of individuals, governments and businesses. While estimates vary, most place the economic risk of cyber-attacks at well over a trillion dollars a year. Cybercrime affects individuals of every income level and in every profession.

The National Cyber Security Awareness Alliance, one of the sponsors of National Cyber Security Awareness Month (NCSAM), says that "The line between our online and offline lives is indistinguishable. In these tech-fueled times, our homes, societal well-being, economic prosperity and nation's security are impacted by the internet."

The Federal Government of the United States of America, the U.S. Department of Homeland Security ([www.dhs.gov/cyber](http://www.dhs.gov/cyber)), the Multi-State Information Sharing and Analysis Center (<http://msisac.cisecurity.org>), the National Association of State Chief Information Officers ([www.nascio.org](http://www.nascio.org)), and the National Cyber Security Alliance ([www.staysafeonline.org](http://www.staysafeonline.org)) all recognize October as National Cyber Security Awareness Month;

Each week of Cyber Security Month has a different theme. These themes are described on the NCSAM website and are summarized on the next page.

**Week 1: Oct. 1–5: Make Your Home a Haven for Online Safety**

Every day, parents and caregivers teach kids basic safety practices – like looking both ways before crossing the street and holding an adult’s hand in a crowded place. Easy-to-learn life lessons for online safety and privacy begin with parents leading the way. Learning good cybersecurity practices can also help set a strong foundation for a career in the industry. With family members using the internet to engage in social media, adjust the home thermostat or shop for the latest connected toy, it is vital to make certain that the entire household – including children – learn to use the internet safely and responsibly and that networks and mobile devices are secure. Week 1 will underscore basic cybersecurity essentials the entire family can deploy to protect their homes against cyber threats.

**Week 2: Oct. 8–12: Millions of Rewarding Jobs: Educating for a Career in Cybersecurity**

A key risk to our economy and security continues to be the shortage of cybersecurity professionals to safeguard our ever-expanding cyber ecosystem. Raising the next generation of interested and capable cybersecurity professionals is a starting point to building stronger defenses. There are limitless opportunities to educate students of all ages – from high school into higher education and beyond – on the field of cybersecurity as they consider their options. In addition, veterans and individuals who are looking for a new career or re-entering the workforce, should explore the multitude of well-paying and rewarding jobs available. Week 2 will address ways to motivate parents, teachers and counselors to learn more about the field and how to best inspire students and others to seek highly fulfilling cybersecurity careers.

**Week 3: Oct. 15–19: It’s Everyone’s Job to Ensure Online Safety at Work**

When you are on the job – whether it’s at a corporate office, local restaurant, healthcare provider, academic institution or government agency – your organization’s online safety and security are a responsibility we all share. And, as the lines between our work and daily lives become increasingly blurred, it is more important than ever to be certain that smart cybersecurity carries over between the two. Week 3 will focus on cybersecurity workforce education, training and awareness while emphasizing risk management, resistance and resilience. NCSA’s CyberSecure My Business™ will shed light on how small and medium-sized businesses can protect themselves, their employees and their customers against the most prevalent threats.

**Week 4: Oct. 22–26: Safeguarding the Nation’s Critical Infrastructure**

Our day-to-day life depends on the country’s 16 sectors of critical infrastructure, which supply food, water, financial services, public health, communications and power along with other networks and systems. A disruption to this system, which is operated via the internet, can have significant and even catastrophic consequences for our nation. Week 4 will emphasize the importance of securing our critical infrastructure and highlight the roles the public can play in keeping it safe. In addition, it will lead the transition into November’s Critical Infrastructure Security and Resilience Month, which is spearheaded by the U.S. Department of Homeland Security.



# A PROCLAMATION OF THE CITY OF KIRKLAND

---

## **Proclaiming October 2018 as Cybersecurity Awareness Month in Kirkland, Washington**

**WHEREAS,** the Federal Government of the United States of America, the U.S. Department of Homeland Security, the Multi-State Information Sharing and Analysis Center, the National Association of State Chief Information Officers, and the National Cyber Security Alliance all recognize October as National Cyber Security Awareness Month; and

**WHEREAS,** the City of Kirkland recognizes that it has a vital role in identifying and responding to cyber threats that may have significant impact to our individual and collective security and privacy; and

**WHEREAS,** critical infrastructure sectors are increasingly reliant on information systems and technology to support financial services, energy, telecommunications, transportation, utilities, healthcare, and emergency response systems; and

**WHEREAS,** cyber security is a matter for all private companies, nonprofit and government organizations, academic institutions, and residents; and

**WHEREAS,** maintaining the security of cyberspace is a shared responsibility in which each of us has a critical role to play, and awareness of computer security essentials will improve the security of the City of Kirkland's information, infrastructure, and economy.

**Now, therefore,** I, Amy Walen, Mayor of the City of Kirkland, do hereby proclaim that the City of Kirkland supports National Cyber Security Awareness Month, and call upon all employees, residents and visitors of Kirkland to become educated about cyber security and put that knowledge into practice to keep our interconnected community safe from cyber threats.

Signed this 2<sup>nd</sup> day of October, 2018

---

Amy Walen, Mayor





**CITY OF KIRKLAND**  
Department of Public Works  
123 Fifth Avenue, Kirkland, WA 98033  
425.587.3800 [www.kirklandwa.gov](http://www.kirklandwa.gov)

---

**To:** Kurt Triplett, City Manager

**From:** Armaghan Baghoori, Transportation Program Coordinator  
Kathy Brown, Public Works Director

**Date:** September 20, 2018

**Subject:** WALK TO SCHOOL MONTH PROCLAMATION

**RECOMMENDATION:**

The Mayor proclaims October, 2018, as Walk to School Month in Kirkland.

**BACKGROUND DISCUSSION:**

The City of Kirkland continues to be active in partnering with the Lake Washington School District to develop safe routes to school. A portion of the Streets Levy funding is dedicated to pedestrian safety, benefitting students walking or biking to school. Since 2013, forty-four Rapid Flashing Beacons (RFB's) have been installed in the City, including street junctions along the Cross Kirkland Corridor (CKC) interim trail. Portions of the CKC have been designated by Lake Washington School District as Safe Routes to School. Twenty-three of the RFBs were installed on Safe Routes to School. These crossings will benefit students walking to schools, and will also increase overall pedestrian safety in Kirkland. In addition, a Safe Routes to School map was adopted by the City Council in early 2014.

The 10<sup>th</sup> of October is International Walk to School Day in 2018. The City Council supports school safety and healthy, active lifestyles and it is time to proclaim October Walk to School Month in Kirkland.





School events are planned and carried out primarily by Parent, Teacher, Student Association (PTSA) volunteers at each school. City staff assist by coordinating Fire and Police appearances, and the use of the Ped Bee costumes at each participating school. Councilmembers are invited to participate by visiting any of the schools' events, held in the morning at the beginning of the school day. Below is the event schedule with the eleven schools in Kirkland that have thus far planned to participate in October. Lakeview Elementary, not on the schedule, holds it's Walk to School during the third week of September, which occurred this year on September 17-21.

Changes, additions, or updates to the event schedule below will be emailed to the Council.

<b>Day/Date</b>	<b>School</b>	<b>Time</b>
Monday, Oct 1	Ben Franklin Elementary	8:45 AM – 9:15 AM
Wednesday, Oct 3	Helen Keller Elementary	8:45 AM – 9:45 AM
Wednesday, Oct 3	Peter Kirk Elementary	8:40 AM – 9:00 AM
Friday, Oct 5	AG Bell Elementary	8:45 AM – 9:15 AM
Friday, Oct 5	Thoreau Elementary	8:45 AM – 9:15 AM
Tuesday, Oct 9	Juanita Elementary	8:45 AM – 9:15 AM
Wednesday, Oct 10	Carl Sandberg Elementary	8:50 AM – 9:20 AM
Wednesday, Oct 10	Finn Hill Middle School	8:10 AM – 8:30 AM
Friday, Oct 12	Rose Hill Elementary	8:30 AM – 8:50 AM
Friday, Oct 26	Robert Frost Elementary	8:45 AM – 9:15 AM

Students and parents from each school will be invited to the October 2<sup>nd</sup> City Council meeting to receive the Proclamation from the Mayor. The school coordinators will be encouraging students and parents to support this important month in Kirkland to emphasize the priorities of pedestrian safety and healthy kids in Kirkland.

Attachment A: Proclamation



# A PROCLAMATION OF THE CITY OF KIRKLAND

---

## **Proclaiming October, 2018 as “Walk to School Month” in Kirkland, Washington**

**WHEREAS**, the National Center for Safe Routes to School, a group working to improve safety and health and walking conditions for children, encourages local communities to support International Walk to School Day and similar activities; and

**WHEREAS**, walking or biking to school supports an active, healthy lifestyle through a common and enjoyable form of exercise and teaches children the skills to walk and bicycle safely and to identify safe routes to school including portions of the Cross Kirkland Corridor as designated by the Lake Washington School District; and

**WHEREAS**, Kirkland voters approved the Street Maintenance and Pedestrian Safety Levy in 2012 which provides annual funding toward creating and enhancing school walk routes to elementary schools; and

**WHEREAS**, the City of Kirkland recognizes the importance of pedestrian safety and has constructed multiple improvements to school walk routes across the City, including forty-four Rapid Flashing Beacons at strategic school and other crosswalk sites since 2013; and

**WHEREAS**, the City Council adopted a Safe Routes to School map in March of 2014; and

**WHEREAS**, children and parents in Kirkland are encouraged to walk or bicycle to school every day, but particularly during the month of October, 2018;

**NOW, THEREFORE, I**, Amy Walen, Mayor of Kirkland, do hereby proclaim the month of October as “Walk to School Month” in the City of Kirkland, Washington and encourage Kirkland residents to participate in this annual event and to always consider the safety of pedestrians and bicyclists.

Signed this 2<sup>nd</sup> day of October, 2018

---

Amy Walen, Mayor



## **CITY OF KIRKLAND**

**123 Fifth Avenue, Kirkland, WA 98033 425.587.3000**  
**[www.kirklandwa.gov](http://www.kirklandwa.gov)**

---

### **MEMORANDUM**

**To:** Kurt Triplett, City Manager  
**From:** Ellen Miller-Wolfe, Economic Development Manager  
**Date:** September 6, 2018  
**Subject:** Innovation Triangle and Startup 425 2018 Program Reports

#### **Recommendation**

That Council hear about the accomplishments, challenges and opportunities of both the Innovation Triangle and Startup 425 regional alliances.

#### **Innovation Triangle**

The Innovation Triangle is an alliance of Bellevue, Kirkland and Redmond with the goal of recruiting foreign and domestic businesses in the ICT (Information, Communication, and Technology) sector to the Eastside. Since its inception in spring 2016 accomplishments of the Innovation Triangle include:

##### **Promoting the IT and Recruiting Businesses through Attendance at Tradeshows and Conferences**

- SelectUSA, sponsored by the US Department of Commerce, brings together foreign direct investors and businesses and U.S. economic development organizations
- DICE (Design, Innovate, Communicate, Entertain)
- Game Developers Conference (GDC)
- New Space Conference

##### **Augmenting Conference Attendance with Other Recruitment/Lead Generation Strategies**

- Met annually with our commercial brokerage community and development interests
- Curated 74 leads and prospects from SelectUSA, 2016-2018
- Engaged in several hundred conversations with international and domestic companies in the ICT sector who are interested in locating on the Eastside
- Executed an Immersion Tour in 2016 for 20 international companies to introduce them to major businesses, major business hubs as well as real estate, utility and government officials
- Contracted with a lead generation firm to produce 12 qualified leads and a training in lead generation
- Maintained and managed a list of interested businesses with plans to establish a shared CRM system in 2019

### Business Assistance

- Provided assistance to companies such as BitTitan and Echodyne to relocate, grow and expand their footprints within the Innovation Triangle
- Connected business prospects to existing businesses and resources
- Leveraged our abundance of tech talent for infrastructure, including a Carshare survey in 2016-17 to demonstrate Eastside demand for shared vehicles to companies like ReachNow and Carshare, and currently, a pending Federal grant to bring automated, connected, on-demand commute pool vehicles to serve employees who travel long distances into our business hubs and also, to alleviate congestion and lower greenhouse gas emissions
- Assisted incoming businesses through a Soft-Landing Program/Relocation Guide by providing co-working space options and access to resources for licensing, translation, housing etc.

### Funding

Each City of the Innovation Triangle leverages City general funds for Port of Seattle Grants. Annually, Kirkland provides \$32,500 to support a grant of \$65,000 from the Port of Seattle. In 2018 a portion of the Port Grant has also supported marina expansion feasibility studies. The IT also has entertained in-kind support from the cities involved including staff time and also, in the case of OneRedmond, attendance at trade shows and conferences.

### **Startup 425**

Asked by its communities to address the needs of local entrepreneurs and startups, the Innovation Triangle created Startup 425, an initiative that also includes Issaquah and Renton. The Startup 425 program has established a startup ecosystem on the Eastside where entrepreneurs, who range from those interested in starting businesses to owners of established businesses, can tap into expertise and get the support they need to establish or grow their business.

The program has supported a range of Eastside residents and business owners who are, on average, 68% female, 60% employed less than full time, and 50% people of color. A collaborative relationships with many of the business service providers across the region has allowed the program to become an easy to use access point for residents who are unfamiliar with the business building process.

The Startup 425 website provides information to over 4,000 users annually with rapid responses for technical assistance via web inquiries and a live chatbot. An active email list with over 600 subscribers (up from 0 in Jan. 2017) receives regular information on resources and events for small business owners.

### Foundations Workshops

Startup 425 currently operates a workshop series in the five cities taught by SCORE volunteers to assist individuals and early stage companies in the region to sustain and grow their businesses. Startup 425 is in the midst of its second round of the 2018 Foundation Series. A partnership with King County Library System who provides funding and meeting facilities has been very successful.

- The spring 2018 series had 670 workshop registrations, already a 51% increase from 443 registrations in 2017. With fall numbers it is estimated that Startup 425 will have

had over 1,000 workshop registrations in 2018. Some individuals take one workshop in the series, others take the whole series. Feedback from the workshops continues to be highly positive with 83% of responses stated that the workshops were either “extremely” or “very” helpful.

#### Global Passport Program

Global Passport helped small technology companies explore opportunities to sell their products and services in foreign markets. The goal was to smooth their learning curve and help them grow sales so these companies can create more jobs here at home.

Startup 425 Partners with the Trade Development Alliance (now part of Greater Seattle Partners) and the State of Washington sourced presenters and mentors and worked with the State Dept. of Commerce to help several startups apply for vouchers so they could attend the world’s largest tech trade show - Mobile World Congress – and work on sales leads.

#### **Opportunities and Challenges**

While there are many opportunities for growing the Innovation Triangle and Startup 425 there are challenges, chief among them:

**The structure of the organization.** The Innovation Triangle is currently a loosely organized group with partners relying on existing staffing levels to do the work of the IT. To date, partners have generously pitched in to accomplish the annual work plan, dividing up the work items. Entering its fourth year, the IT now has a raft of standard programs it is expected to carry out while entertaining new initiatives to satisfy regional and city needs. A long range plan that provides details about plans and resource commitments is needed.

**Funding.** Funding for the IT and Start-up 425 has come from multiple sources including public and private funds. There has been a heavy reliance on Port of Seattle matching grants, (Port funding of up to \$65,000 dependent upon population with a 50% match provided by cities). These Port funds will be available for 2019 but continuation beyond next year is uncertain. It would be prescient to look to other sources of funding, whether Port funding continues or not, to sustain and grow these programs. In this regard, Renton and Issaquah, beneficiaries and contributors to Startup 425 programs, have been asked and anticipate contributing funds for the 2019 program.

IT and Startup 425 have excelled at meeting the recruitment needs of the region and existing local businesses through trade show attendance, informational and responsive web presences, workshops and other strategies. Moving forward there are opportunities for growth that the entities can avail themselves of including:

- Providing business assistance tailored to immigrant and refugee businesses.
- Exploring the regional adoption and implementation of Bellevue’s ‘Creative Edge’ study which demonstrated the synergies of economic development and art
- Becoming the ‘go to’ for the Greater Seattle Partners, a new regional economic development organization to provide information, sites, business partnerships and other resources as needed

- Putting the two efforts on sound programmatic and financial footing including convening an advisory group of private businesses and organizations for support in lieu of or in conjunction with public and Port funds

### **Meeting of Innovation Triangle Mayors, August 30, 2018**

The mayors of Bellevue, Kirkland and Redmond met and responded to a number of questions aimed at ascertaining their views on the Innovation Triangle and Startup 425 including: whether there is interest in formalizing what is now an informal alliance of the cities; what might that formalization look like; and, what the relationship with the Greater Seattle Partners, the new regional economic development entity might be. The group concluded a more formal alliance was in order.

### **Recommendation**

That Council review the Innovation Triangle and Startup 425 report and provide their feedback.

## **KIRKLAND CITY COUNCIL SPECIAL MEETING**

### **Minutes**

**September 18, 2018**

#### **1. CALL TO ORDER**

Deputy Mayor Arnold called the Special Meeting of the Kirkland City Council to order at 5:00 p.m.

#### **2. ROLL CALL**

Members Present: Deputy Mayor Jay Arnold, and Councilmembers Dave Asher, Tom Neir, Toby Nixon, Jon Pascal and Penny Sweet. Members Absent: Mayor Amy Walen

#### **3. TOURISM DEVELOPMENT COMMITTEE INTERVIEWS**

- a. Rob Butcher
- b. Kelly Dylla
- c. Jeff Lockhart
- d. Phil Megenhardt
- e. Julie Metteer

#### **4. SELECTION AND APPOINTMENT OF TOURISM DEVELOPMENT COMMITTEE MEMBERS**

Councilmember Sweet moved to appoint Jeff Lockhart and Phil Megenhardt to seats on the Tourism Development Committee for the remainder of unexpired annual terms ending 3/31/2019, and to select Kelly Dylla as an alternate appointee should an additional vacancy arise within the next six months for which she is qualified on the Tourism Development Commission. Councilmember Nixon seconded the motion which passed unanimously.

#### **5. ADJOURNMENT**

The September 18, 2018 Special Meeting of the Kirkland City Council was adjourned at 5:49 p.m.

---

Kathi Anderson, City Clerk

---

Amy Walen, Mayor





KIRKLAND CITY COUNCIL MEETING MINUTES  
September 18, 2018

Council Meeting: 10/02/2018  
Agenda: Approval of Minutes  
Item #: 8. a. (2).

1. CALL TO ORDER

Deputy Mayor Arnold called the study session to order at 6 p.m. and Mayor Walen called the regular meeting to order at 7:30 p.m.

2. ROLL CALL

ROLL CALL:

Members Present: Mayor Amy Walen, Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Tom Neir, Councilmember Toby Nixon, Councilmember Jon Pascal, and Councilmember Penny Sweet.

Members Absent: None.

Mayor Walen joined the Council for the meeting at 6:55 p.m.

3. STUDY SESSION

a. 2019-2020 Proposed Utility Rates

Joining the Council for the discussion were City Manager Kurt Triplett, Deputy City Manager Tracey Dunlap, Public Works Director Kathy Brown and Senior Accountant Nancy Otterholt.

4. EXECUTIVE SESSION

a. Closed Session to Discuss Labor Negotiations

At 6:55 p.m. Deputy Mayor Arnold announced that the Council would enter into a closed session to discuss labor negotiations and would return to regular meeting at 7:30 p.m., which they did. Also attending were City Manager Kurt Triplett, Deputy City Managers Marilynne Beard and Tracey Dunlap, Assistant City Manager James Lopez, City Attorney Kevin Raymond, Human Resources Director Chris Thomas, Finance and Administration Director Michael Olson.

5. HONORS AND PROCLAMATIONS

a. Kirkland Majors All-Star Softball Team

Following a short video, team members accepted the proclamation from Mayor Walen and Councilmember Pascal.

- b. National Pollution Prevention Week

Public Works Director Kathy Brown, Water Quality Program Coordinator Ryeann-Marie Tuomisto, Stormwater Supervisor Jason Osborn and Storm Water Division Lead Lee Winston accepted the proclamation from Mayor Walen and Deputy Mayor Arnold.

## 6. COMMUNICATIONS

- a. Announcements
- b. Items from the Audience

Melissa Stone  
Donald Prince  
Alice Prince  
Lyle Matznick  
Curtis Brown  
Martin Morgan  
David Schwartz

- c. Petitions

## 7. SPECIAL PRESENTATIONS

- a. Update from King County Councilmember Claudia Balducci

Councilmember Balducci shared information regarding recent town hall events and provided updates on regional transportation issues, funding sources, affordable housing, homelessness, and the upcoming County budget.

## 8. CONSENT CALENDAR

- a. Approval of Minutes

- (1) September 4, 2018
- (2) September 8, 2018
- (3) September 9, 2018

The minutes as presented were approved via approval of the consent calendar.

- b. Audit of Accounts

Payroll: \$3,462,022.84  
A/P: \$2,932,036.74  
run #180906 checks #700800 - 700945

run #180912 checks #700946 - 701087

c. General Correspondence

d. Claims

(1) Claims for Damages

A claim received from Ialko Kloeppes was acknowledged via approval of the consent calendar.

e. Award of Bids

f. Acceptance of Public Improvements and Establishing Lien Period

g. Approval of Agreements

h. Other Items of Business

(1) 2017 Annual Transportation and Park Impact Fees Report

The Council accepted the report via approval of the consent calendar.

(2) Resolution R-5335, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ENTER INTO A CONTRACT WITH KIRKLAND APARTMENTS DEVELOPMENT COMPANY, LLC, REGARDING A POTENTIAL MULTIFAMILY HOUSING PROPERTY TAX EXEMPTION AND APPROVING THE ISSUANCE OF A CONDITIONAL CERTIFICATE OF TAX EXEMPTION."

The resolution was approved via approval of the consent calendar.

(3) Report on Procurement Activities

The Council accepted the report via approval of the consent calendar.

Motion to Approve the Consent Calendar.

Moved by Councilmember Tom Neir, seconded by Councilmember Penny Sweet

Vote: Motion carried 7-0

Yes: Mayor Amy Walen, Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Tom Neir, Councilmember Toby Nixon, Councilmember Jon Pascal, and Councilmember Penny Sweet.

## 9. PUBLIC HEARINGS

a. Resolution R-5334, Supporting Initiative Measure No. 1639, Concerns Firearms

- (1) Initiative Measure No. 1639 Initiative Measure No. 1639 concerns firearms. This measure would require increased background, training, age limitations, and waiting periods for sales or delivery of semiautomatic assault rifles; criminalize noncompliant storage upon unauthorized use; allow fees; and enact other provisions. Should this measure be enacted into law?  
( ) Yes  
( ) No

Mayor Walen opened the public hearing. Assistant City Manager James Lopez provided an overview of the initiative and the proposed resolution of support. Testimony was provided by: Heather McKnight, Sophia McDaniels, Sarah Richards, Dorothy Wolfe, Laura Robinson, Jill Rand, Linda Leste, Johanna Palmer, Larry Conrad, Paul Morris, Sue Amorosi, James Barrak, Dave Griffin, Shari Newton, John, Santos Contreras, and Kathy Munson. No further testimony was offered and the Mayor closed the hearing.

Motion to Approve Resolution R-5334, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND SUPPORTING INITIATIVE MEASURE NO. 1639, CONCERNING FIREARMS."

Moved by Councilmember Penny Sweet, seconded by Councilmember Tom Neir  
Vote: Motion carried 6-1

Yes: Mayor Amy Walen, Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Tom Neir, Councilmember Jon Pascal, and Councilmember Penny Sweet.

No: Councilmember Toby Nixon.

Council recessed for a short break.

b. Proposed Revenue Sources for the 2019-2020 Budget

Mayor Walen opened the public hearing. Finance and Administration Director Michael Olson presented and overview on the revenue sources for the 2019-2020 Budget. Testimony was provided by Loita Hawkinson. No further testimony was offered and the Mayor closed the hearing.

10. UNFINISHED BUSINESS

a. Rose Hill and Bridle Trails Neighborhood Plans Update

Senior Planner Joan Lieberman-Brill provided an overview of the plan objectives and drafts, responded to Council questions and received Council comment for next drafts in advance of October public hearings.

11. NEW BUSINESS

None.

## 12. REPORTS

### a. City Council Regional and Committee Reports

Councilmembers shared information regarding the Sound Cities Association Networking dinner; the Fire Station 25 ribbon cutting and open house; a King County Regional Transit Committee meeting; an upcoming fundraising luncheon for the Sophia Way; the proposed King County Comprehensive Plan; a King County Emergency Management Advisory Committee meeting; the final King County Emergency Medical Service Advisory Task Force meeting; the City of Kirkland Police Promotions and Swearing-In ceremonies; the Juanita Neighborhood Association meeting; the City of Kirkland Employee Appreciation Barbecue and City Manager Awards ceremony; a Lake Washington School District/City Coordination Committee meeting; the North Rose Hill Neighborhood Association meeting; an upcoming workshop as part of the Ruckelshaus Center's "A Road Map to Washington's Future" project; an upcoming Puget Sound Regional Council's Transit Oriented Development Advisory Committee meeting; an upcoming King County Cities Climate Collaboration elected officials summit; referred the issue of last-minute legislative amendments to the Finance Committee for discussion; referred the issue of council meeting scheduling conflicts to the Finance Committee; recognition to City staff for their efforts in putting on the Crossing Kirkland event; and an upcoming Sound Cities Association Board Meeting.

### b. City Manager Reports

#### (1) Letter to Interior Secretary Zinke Regarding Proposed Changes to the Endangered Species Act

Motion to Authorize Mayor Walen to sign the proposed draft letter to the Secretary of the Interior regarding concerns regarding proposed change to the Endangered Species Act

Moved by Councilmember Tom Neir, seconded by Deputy Mayor Jay Arnold

Vote: Motion carried 5-2

Yes: Deputy Mayor Jay Arnold, Councilmember Dave Asher, Councilmember Tom Neir, Councilmember Jon Pascal, and Councilmember Penny Sweet.

No: Mayor Amy Walen, and Councilmember Toby Nixon.

#### (2) Calendar Update

City Manager Kurt Triplett received direction from the Council that it would not be necessary to split discussion of proposed utility rate changes over multiple meetings; and confirmed that there is a Council meeting on December 11, 2018. Council requested that the STAR sustainability rating be reviewed by the Parks, Public Works and Human Services committee; Council requested that the "Have a Heart: Give

Smart" campaign be referred to the Human Services Commission; Council requested that staff explore improving ease and clarity in filing complaints.

13. ITEMS FROM THE AUDIENCE

None.

14. ADJOURNMENT

The Kirkland City Council regular meeting of September 18, 2018 was adjourned at 11:26 p.m.

---

Kathi Anderson, City Clerk

---

Amy Walen, Mayor



**CITY OF KIRKLAND**  
**Department of Finance and Administration**  
**123 Fifth Avenue, Kirkland, WA 98033 425.587.3100**  
**[www.kirklandwa.gov](http://www.kirklandwa.gov)**

---

## **MEMORANDUM**

**To:** Kurt Triplett, City Manager  
**From:** Kathi Anderson, City Clerk  
**Date:** September 27, 2018  
**Subject:** CLAIMS FOR DAMAGES

### **RECOMMENDATION**

It is recommended that the City Council acknowledge receipt of the following Claims for Damages and refer each claim to the proper department (Risk Management Section) for disposition.

### **POLICY IMPLICATIONS**

This is consistent with City policy and procedure and is in accordance with the requirements of state law (RCW 35.31.040).

### **BACKGROUND DISCUSSION**

The City has received the following Claim(s) for Damages from:

- (1) Gregory Hewitson  
530 Lake St South H-303  
Kirkland, WA 98033

**Amount:** Unknown

**Nature of Claim:** Claimant states injury occurred as a result of tripping over uneven and broken concrete while walking on a City sidewalk.

- (2) Tangerine Travel  
10808 NE 145<sup>th</sup> St  
Bothell, WA 98011

**Amount:** \$1,233.13

**Nature of Claim:** Claimant states damage occurred to commercial building mailbox resulting from City lawn mowing equipment in adjacent use.

- (3) John DiMicco  
8531 NE Juanita Dr.  
Kirkland, WA 98034

**Amount:** \$806.49

**Nature of Claim:** Claimant states damages resulted from residential water line leak from City pipe.

- (4) Vadim S. Ruvinov  
9914 NE 145<sup>th</sup> St  
Bothell, WA 98011

**Amount:** \$813.93

**Nature of Claim:** Claimant states damages to vehicle tire resulted from a hole in the road at 7<sup>th</sup> Avenue & 2<sup>nd</sup> Street.

**Note:** Names of Claimants are no longer listed on the Agenda since names are listed in the memo.





**CITY OF KIRKLAND**  
**Department of Parks & Community Services**  
**123 5<sup>th</sup> Ave., Kirkland, WA 98033 425.587.3300**  
**[www.kirklandwa.gov](http://www.kirklandwa.gov)**

---

## **MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** Lynn Zwaagstra, Director  
Leslie R. Miller, Human Services Supervisor

**Date:** September 20, 2018

**Subject:** RESOLUTION AUTHORIZING DISTRIBUTION OF COMMUNITY DEVELOPMENT  
BLOCK GRANT FUNDS FOR 2019

## **RECOMMENDATION:**

The Kirkland Human Services Commission recommends that the City Council approve the attached resolution distributing Kirkland's CDBG funds for 2019. By approving this item as part of the consent calendar, the Council is authorizing the distribution of funds as recommended by the Human Services Commission.

## **BACKGROUND DISCUSSION:**

Since 2015 the City of Kirkland has participated within the King County Community Development Block Grant (CDBG) and Home Investment Partnership Program (HOME) Consortium as a Joint Agreement City. As part of the Interlocal agreement with King County, Kirkland each year must develop a plan for allocating its portion of CDBG funds. Funds for public (human) services and capital projects must be utilized to benefit those with low to moderate income and be consistent with the King County Consortium Consolidated Housing and Community Development Plan ("Consolidated Plan").

Based on estimates provided by the United States Department of Housing and Urban Development (HUD), the City may allocate 2019 funds as follows:

\$128,012	Capital Projects
\$33,687	Public (Human) Services
\$33,687	Planning and Administration

This estimate is similar to the amount of funds granted to the City in 2018.

## **FUNDING DISTRIBUTION RECOMMENDATION:**

The Human Services Commission held a public hearing to receive comment about these recommendations on September 4, 2018. In addition, written feedback was welcomed. After consideration, the Commission makes the following recommendation:

Capital Funding Recommendation: Allocate the available funding (\$128,012 estimate) to A Regional Coalition for Housing (ARCH) for affordable housing projects. The recommendations

on specific project(s) to be funded will be provided by ARCH and acted on by the Kirkland City Council in the first quarter of 2019. This funding recommendation aligns with the work of the former Human Services Advisory Committee and their funding recommendations for distribution of grant funding in 2017 and 2018. The Human Services Commission concurs.

Public (Human) Services Funding Recommendation: Allocate the available funding (\$33,687 estimate) for human services to Congregations for the Homeless to support their work with those experiencing homelessness through a day center and winter shelter for men. This funding recommendation aligns with the work of the former Human Services Advisory Committee and their funding recommendations for distribution of grant funding in 2017 and 2018. The Human Services Commission concurs.

Planning and Administration Funding Recommendation: Allocate the available funding (\$33,687 estimate) to the Parks and Community Services Department to administer the City of Kirkland's CDBG program activities.

Contingency Plan: The funding level listed above is an estimate provided by HUD. The final amount for distribution will not be known until part way through 2019. The above projects will receive proportionate increases or decreases based upon the final distribution total.

Attachment

RESOLUTION R-5336

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND  
ALLOCATING THE CITY'S PORTION OF COMMUNITY DEVELOPMENT  
BLOCK GRANT (CDBG) FUNDS FOR 2019.

WHEREAS, on May 20, 2014, the City Council authorized the City's participation in the King County Community Development Block Grant and HOME Investment Partnerships Program (CDBG/HOME) Consortium as a Joint Agreement City and the City entered into an Interlocal Agreement with King County for that purpose; and

WHEREAS, on June 6, 2017, the City Council extended its Interlocal Agreement with King County as a Joint Agreement City through 2020; and

WHEREAS, as a Joint Agreement City, the City of Kirkland receives funds in support of programs and projects that directly benefit our community, including but not limited to home repair, affordable housing, community facilities, public infrastructure, and human services; and

WHEREAS, as part of the Interlocal Agreement with King County, the City of Kirkland must develop a plan for allocating its portion of the CDBG funds each year; and

WHEREAS, toward developing such a plan, the Human Services Commission held a public hearing on September 4, 2018, at which time the Commission provided an opportunity for the public to comment on recommendations for the plan, which recommendations are now being forwarded to the City Council.

NOW, THEREFORE, be it resolved by the City Council of the City of Kirkland as follows:

Section 1. The recommendations of the Human Services Commission are accepted and approved by the City Council.

Section 2. Based on estimates provided by the United States Department of Housing and Urban Development (HUD), the City intends to allocate 2019 funds as follows:

- (a) \$128,012 of Capital Projects funds to A Regional Coalition for Housing Trust Fund for affordable housing projects;
- (b) \$33,687 of Public Services funds to Congregations for the Homeless to support a winter shelter and day center for individuals experiencing homelessness; and
- (c) \$33,687 of Planning & Administration funds to support the City's administration of the CDBG program.

Section 3. In the event the funding level actually provided by HUD is more or less than estimated, the above projects, services and administration should receive proportionate increases or decreases based upon the final distribution amount.

Passed by majority vote of the Kirkland City Council in open meeting this \_\_\_\_ day of \_\_\_\_\_, 2018.

Signed in authentication thereof this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Amy Walen, Mayor

Attest:

\_\_\_\_\_  
Kathi Anderson, City Clerk



**CITY OF KIRKLAND**  
**Department of Public Works**  
123 Fifth Avenue, Kirkland, WA 98033 425.587.3800  
www.kirklandwa.gov

---

## **MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** Katy Coleman, Sr. Development Engineering Analyst  
Kathy Brown, Public Works Director

**Date:** September 20, 2018

**Subject:** RESOLUTION TO RECOGNIZE THE VACATION OF AND RELINQUISH ANY AND ALL OF THE CITY'S INTEREST, EXCEPT FOR A UTILITY EASEMENT, IN UNOPENED RIGHTS-OF-WAY VAC18-00328, "RYSEFF"

## **RECOMMENDATION:**

City Council adopts the attached Resolution recognizing the vacation of and relinquishing any and all interest, except for a utility easement, in the portions of unopened rights-of-way abutting the parcel at 663-12<sup>th</sup> Avenue. Specifically, the subject rights-of-way are identified as the west 8 feet of the unopened alley abutting the east boundary together with the north 8 feet of the unopened alley abutting the south boundary of the following described property: Lots 1 and 2, Block 28, Lake Avenue Addition to Kirkland, according to the plat thereof, recorded in Volume 6 of Plats, page 86, records of King County, Washington; together with Lots 8 and 9, Block 240, Supplementary Plat To Kirkland, according to the plat thereof, recorded in Volume 8 of Plats, page 5, records of King County, Washington.

Approval of this memo by adopting the Consent Calendar will recognize the vacation of, and authorize relinquishing interest, except for a utility easement along the east boundary of the property, in said rights-of-way.

## **BACKGROUND DISCUSSION:**

The unopened portions of the rights-of-way abutting the property of 663-12<sup>th</sup> Avenue (Attachment A) originally were platted and dedicated in 1890 as Lake Avenue Addition to Kirkland, and later in 1891 as Supplementary Plat to Kirkland. The "Five Year Non-User Statute" in Washington State law provides that any street or right-of-way platted, dedicated, or deeded prior to March 12, 1904, which was outside City jurisdiction when dedicated, and which remained unopened or unimproved for five continuous years, is then vacated. This area was part of the incorporation of the City in 1905. The subject rights-of-way have not been opened or improved. By operation of law they have been vacated, though they still appear on the City's records as unopened right-of-way.

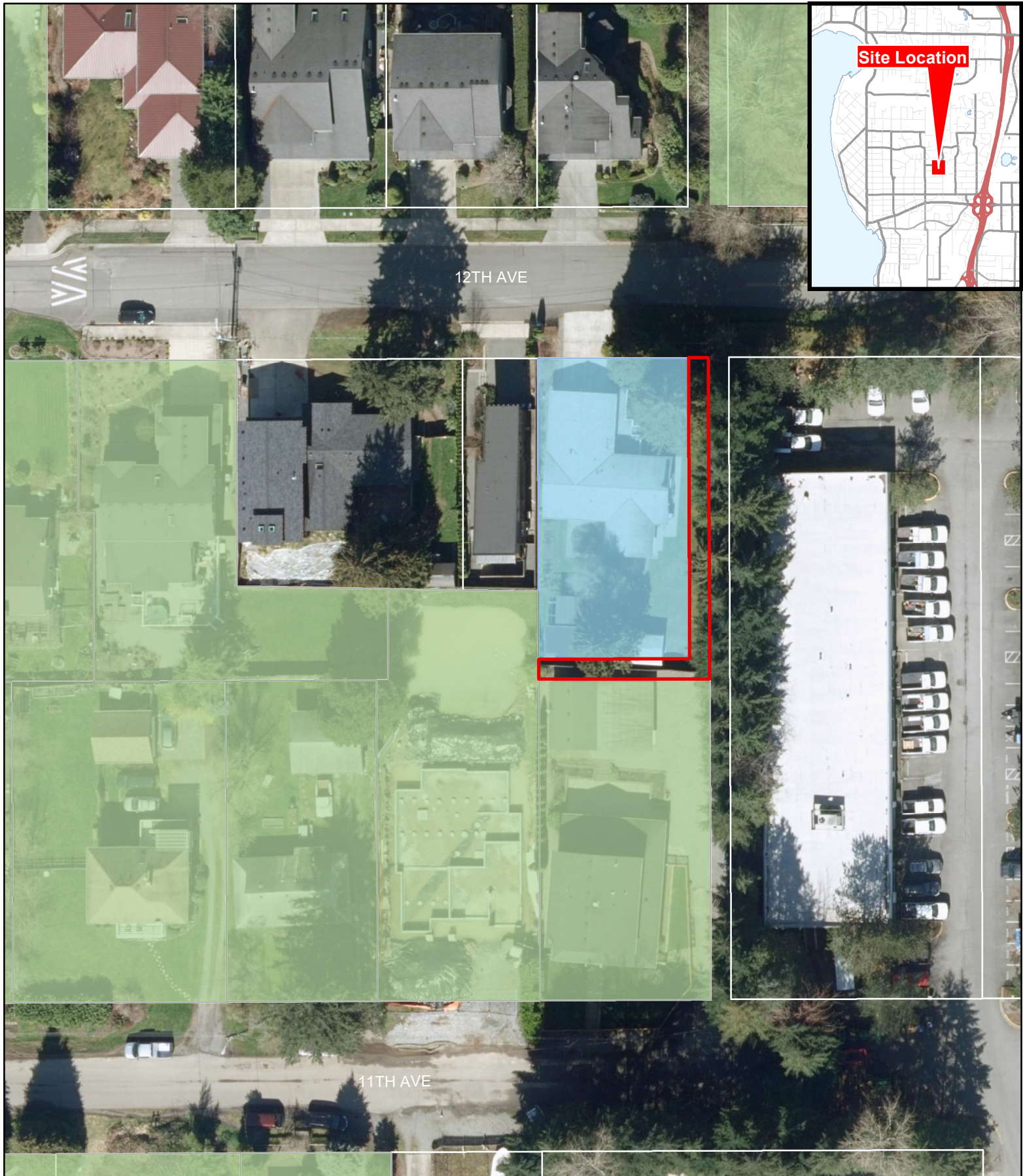
The King County Recorder's Office will not recognize such a de facto right-of-way vacation unless the jurisdiction in which it is located takes legislative action. In Kirkland, when property owners request acknowledgement of such right-of-way vacations, City staff asks for supporting documentation and, if satisfactory, asks the Council to act on a Resolution that recognizes the

vacation and relinquishes interest in the property, if any. This method is accepted by King County.

Janeen W. Ryseff and Mary L. Baldwin, trustees of the Ryseff Living Trust, owners of the property abutting this unopened rights-of-way, submitted information to the City documenting that the rights-of-way are subject to the Five Year Non-User Statute (Vacation by Operation of Law), Laws of 1889, Chapter 19, Section 32. In this case, the City has asked the owners and the owners have agreed, to grant the City a utility easement within the unopened rights-of-way on the east side of the property to provide options in the future for both the City and the property owners. There are no utilities in this proposed easement area at this time.

After reviewing this information, the City Attorney concurs with the owners, and recommends approval of the enclosed Resolution to bring closure to the matter.

Attachment A: Site and Vicinity Map  
Attachment B: Proposed Resolution



**Ryseff Living Trust Property  
Non-User Vacation Exhibit  
663 12th Avenue**

- Ryseff Property
- Proposed Vacation Recognition
- Non-User Vacations Recognized



Produced by the City of Kirkland.  
(c) 2018, the City of Kirkland, all rights reserved.  
No warranties of any sort, including but not limited to accuracy, fitness or merchantability, accompany this product.  
Printed 2018 - Public Works



RESOLUTION R-5337

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELINQUISHING ANY INTEREST THE CITY MAY HAVE, EXCEPT FOR A UTILITY EASEMENT, IN UNOPENED RIGHT-OF-WAY AS DESCRIBED HEREIN AND REQUESTED BY PROPERTY OWNERS JANEEN W. RYSEFF AND MARY L. BALDWIN, TRUSTEES OF THE RYSEFF LIVING TRUST.

1 WHEREAS, the City has received a request to recognize that any  
2 rights to the lands originally dedicated in 1890 as right-of-way abutting  
3 a portion of Lake Avenue Addition to Kirkland, and in 1891 as right-of-  
4 way abutting a portion of Supplementary Plat to Kirkland, have been  
5 vacated by operation of law; and  
6

7 WHEREAS, the Laws of 1889, Chapter 19, Section 32, provide  
8 that any county road that remains unopened for five years after  
9 authority is granted for opening the same is vacated by operation of law  
10 at that time; and  
11

12 WHEREAS, the areas that are the subject of this request were  
13 part of the incorporation of the City of Kirkland in 1905, with the relevant  
14 right-of-way having been unopened; and  
15

16 WHEREAS, in consideration for reimbursing the administrative  
17 costs for doing so and granting the City a utility easement in the vacated  
18 area the City is willing to recognize the vacation may have occurred.  
19

20 NOW, THEREFORE, be it resolved by the City Council of the City  
21 of Kirkland as follows:  
22

23 Section 1. As requested by the property owners Janeen W.  
24 Ryseff and Mary Baldwin, trustees of the Ryseff Living Trust, the City  
25 Council of the City of Kirkland hereby recognizes that the following  
26 described rights-of-way may have been vacated by operation of law and  
27 relinquishes all interest it may have, except for a utility easement, in  
28 those portions of rights-of-way described as follows:  
29

30 The west 8 feet of the unopened alley abutting the east boundary, or  
31 whatever portion remains for recognition of possible vacation by this  
32 Resolution; together with the north 8 feet of the unopened alley  
33 abutting the south boundary, or whatever portion remains for  
34 recognition of possible vacation by this Resolution; said boundaries of  
35 the following described property: Lots 1 and 2, Block 28, Lake Avenue  
36 Addition to Kirkland, according to the plat thereof, recorded in Volume  
37 6 of Plats, page 86, in King County, Washington; together with Lots 8  
38 and 9, Block 240, Supplementary Plat to Kirkland, according to the plat  
39 thereof, recorded in Volume 8 of Plats, page 5, in King County,  
40 Washington.



41  
42       Section 2. This resolution does not affect any third party rights  
43 in the property, if any.  
44

45       Passed by majority vote of the Kirkland City Council in open  
46 meeting this \_\_\_\_ day of \_\_\_\_\_, 2018.

47  
48       Signed in authentication thereof this \_\_\_\_ day of  
49 \_\_\_\_\_, 2018.

\_\_\_\_\_  
Amy Walen, Mayor

Attest:

\_\_\_\_\_  
Kathi Anderson, City Clerk



**CITY OF KIRKLAND**  
**Department of Parks & Community Services**  
**123 5<sup>th</sup> Avenue, Kirkland, WA 98033 425.587.3300**  
**www.kirklandwa.gov**

---

## **MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** Lynn Zwaagstra, Director  
Leslie R. Miller, Human Services Administrator

**Date:** September 20, 2018

**Subject:** ONE TABLE BRIEFING

## **RECOMMENDATION:**

That the City Council receive this written briefing on the outcomes of the One Table initiative.

## **BACKGROUND DISCUSSION:**

In December 2017 Auburn Mayor Nancy Backus, Seattle Mayor Jenny Durkan and King County Executive Dow Constantine called together local leaders from the government, nonprofit, philanthropic, faith and business sectors to identify actions that could be taken to reduce the number of people becoming homeless. Mayor Walen and Human Services Supervisor Leslie Miller represented Kirkland, and with Mayor Chelminiak of Bellevue, the Eastside.

The One Table Community Work Groups examined five root causes of homelessness.

1. Lack of affordable housing: 89,745 more affordable homes needed for households earning less than or equal to the 50% Area Median Income
2. Behavioral Health:
  - a. 31% of low-income clients could not access same day mental health treatment
  - b. Approximately 10% of Western State Hospital patients are discharged into homelessness
3. Child Welfare: 34% of youth who age out of foster care in King County become homeless within one year
4. Criminal Justice: Compliance charges (failure to comply with expectations of parole, bail, etc.) represent about 40% of bookings for those booked into a King County jail four or more times in a 12-month period
5. Employment: Nearly 50% of King County households earn less than \$75,000 per year. (The income needed to afford the typical two-bedroom apartment in King County).

An emphasis on racial justice & equity principles undergirded the work since certain populations and communities are more likely to become homeless. These populations include:

1. People of color
2. Immigrants and refugees
3. People with disabilities
4. People exiting the criminal justice system

5. People exiting behavioral health treatment
6. Young people exiting foster care

For example, while African Americans made up 6% of the King County General Population in 2016, 27% of people experiencing homelessness identified in the January 2017 One Night Count were African Americans.

The Community Work Groups developed a set of short term and long term strategies to address the problem statements. These recommendations were then reconfigured by city and county staff. Unfortunately, no resources were identified to carry out the strategies.

The hope is that the various stakeholders will work together to identify resources to implement these strategies.

**Attachment A** contains the summary documents outlining the One Table process and the highlighted strategies.

# ONE TABLE

Addressing root causes  
of homelessness

## *Purpose, Roles, Process*

### CONTEXT

The annual King County point-in-time count of people experiencing homelessness reflects the growing crisis in our region, with the recent census in January 2018 identifying 12,112 people without a stable home, up four percent from the previous years. This tells only part of the story. While more than 20,000 individuals exit homelessness annually in King County, more than 30,000 people lose housing. The need is outpacing the system's ability to respond. We must adopt a different approach, and focus on upstream strategies and root causes.

Homelessness is a broad societal issue that results from the failure of many systems and disproportionately affects people of color. Many community efforts to address homelessness have been focused on helping people *after* they have become homeless. If we are truly going to address homelessness, we need to prevent people from becoming homeless in the first place.

### PURPOSE

On Dec. 1, 2017, King County Executive Dow Constantine, Seattle Mayor Jenny Durkan and Auburn Mayor Nancy Backus announced One Table, a regional effort to bring together leaders from the business, nonprofit, philanthropic, faith, government and community sectors to identify solutions to prevent homelessness.

One Table participants were charged with addressing the root causes of homelessness through broad, scalable, multi-sectored community actions that harness community resources.

One Table's efforts to address these root causes of homelessness also strive to undo the racial disparities and disproportionality that result from these system failures. All participants share in the responsibility to identify and commit resources to implement the actions identified to address the causes of homelessness.

### Systemic factors contributing to homelessness

#### AFFORDABLE HOUSING

Rising housing costs make it difficult to find appropriate housing.

#### BEHAVIORAL HEALTH

Individuals lack access to necessary mental health and substance use treatment.

#### CHILD WELFARE SYSTEM

One-third of homeless youth in King County have been in the child welfare system.

#### CRIMINAL JUSTICE

Interaction with this expensive system inhibits individuals' ability to obtain housing and employment.

#### EMPLOYMENT

Inability to access employment and regional wage gaps make it difficult for some to afford housing costs.

## PARTICIPANTS

A comprehensive stakeholder group convened beginning January 2018 to participate in the One Table effort. This group included community and subject matter experts, civic leaders and elected officials.

### COMMUNITY ACTION WORKGROUP (CAW)

<b>Participants</b>	Subject matter experts from the business, nonprofit, philanthropic, faith and community sectors who have expertise in workgroup issue areas. Members participated in the following workgroups: Affordable Housing, Behavioral Health, Child Welfare, Criminal Justice, Employment
<b>Charge</b>	Develop scalable strategies/solutions that address each root cause of homelessness centered in addressing racial disparities

### CIVIC LEADERSHIP GROUP (CLG)

<b>Participants</b>	Civic leaders from business and philanthropy
<b>Charge</b>	Participate in the CAW process; advise on the ability to leverage and execute the recommended broad scalable solutions

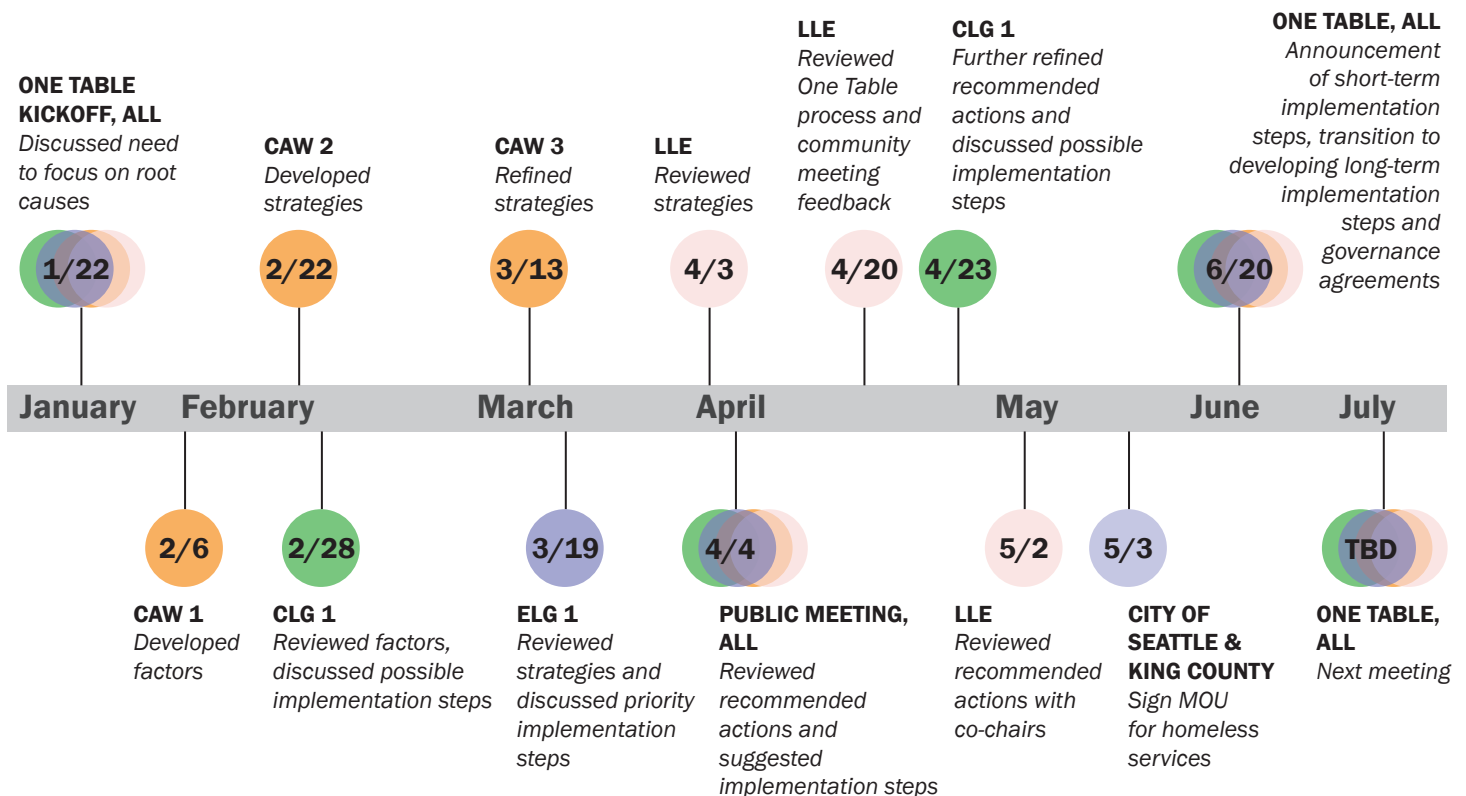
### ELECTED LEADERSHIP GROUP (ELG)

<b>Participants</b>	Elected officials from state, county and city governments across King County.
<b>Charge</b>	Participate in the CAW process; provide vision and guidance for process; commit to generating political will to implement scalable solutions

### LEADERS WITH LIVED EXPERIENCE (LLE)

<b>Participants</b>	Leaders with lived experience with homelessness and the systems being addressed
<b>Charge</b>	Participate in the CAW process; review strategies separately to leverage their expertise and ensure strategies are poised to make measurable impact

## PROCESS



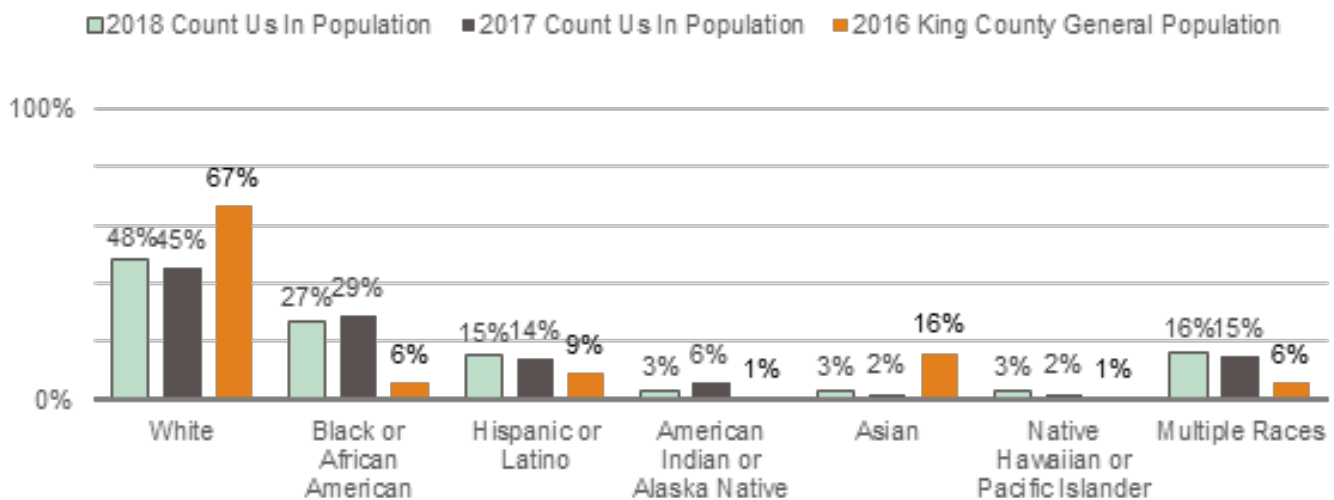
# ONE TABLE

Addressing root causes  
of homelessness

## Racial Justice & Equity Principles

### Target services to populations and communities most at risk of homelessness, including:

- People of color
- Immigrants and refugees
- People with disabilities
- People exiting the criminal justice system
- People exiting behavioral health treatment
- Young people exiting foster care



2017 n= 11,643; 2018 n= 12,112

U.S. Census Bureau. (May 2016). American Community Survey 2015 1-Year Estimates, Table DP05: ACS Demographic and Housing Estimates. Retrieved from <http://factfinder2.census.gov>.

Note: The U.S. Department of Housing and Urban Development (HUD) The U.S. Department of Housing and Urban Development (HUD) gathers data on race and ethnicity through two separate questions, similar to the U.S. Census. For the purposes of this report, race and ethnicity are presented together. Multiple response question. Percentages may not add up to 100.

NOTE: These numbers are approximate, based on the results of the 2018 Count Us In effort. For multiple reasons, people of color are likely under-represented in the point-in-time count.

### Support workforce training in:

- Institutional racism and bias
- Harm reduction models
- Trauma-informed care

### Recruit and retain a workforce that represents people being served by:

- Funding programs that employ peers with homelessness and behavioral health lived experiences
- Funding programs providing culturally-relevant services
- Funding services provided by communities of color

# ONE TABLE

## Action Statements

Addressing root causes of homelessness



Having a current county-wide gap of approximately 90,000 housing units that are affordable to very low income households is a major risk factor for these households becoming homeless. The community **should preserve existing low income housing, utilize public land whenever possible, adopt innovative solutions to utilize existing housing supply, implement effective policy tools and incentives to better utilize the private market, reduce displacement, increase financial resources for housing solutions, and intentionally serve individuals exiting jail, foster care, and behavioral health treatment facilities with a race and equity lens.**



Create a **housing stabilization fund to achieve zero exits into homelessness** (including zero inappropriate evictions), with a focus on preventing homelessness for those with the most acute need.



Provide **on-demand behavioral health services** that are racially, ethnically and culturally appropriate, flexible, person-centered, mobile, peer-focused, and trauma-informed.



Offer a **comprehensive service package for all foster youth aging out of care** to increase stability throughout their transition.



Strive to achieve **zero bookings for charges that are a direct result of homelessness and behavioral health crises**, through diversion and compliance requirement reform done through a racial justice lens. Study cost offsets from reduced jail use and redistribute savings to fund diversion programs.



Ensuring access to employment opportunities that can cover market rate housing costs in King County reduces the risk for homelessness. The community should **scale employment programs across the county over two years to train and employ people who are disproportionately at-risk of homelessness and secure private and public sector commitments to hire program graduates.** Employment programs to be scaled will include government, community-based and social enterprise programs and will be designed to accommodate the needs of all individuals at risk of homelessness and provide them with employment and wages that support them and their families.

# ONE TABLE

Addressing root causes of homelessness

## ROOT CAUSE: Affordable Housing

### CURRENT STATE

**89,745** more affordable homes needed for households earning less than or equal to 50% Area Median Income (or \$40,460/year for a family of 4\*)

\* Source: U.S. Department of Housing & Urban Development, Comprehensive Housing Affordability Strategy Data, 2014.

### FACTORS

Rising rents

High and increasing housing production costs (land and construction)

Restrictive land use and zoning regulations

Lengthy permitting time

Limited housing types

Restricted access to affordable housing units

Lack of financial resources to support affordable housing

### HIGHLIGHTED STRATEGIES

#### IMMEDIATE

##### IMPLEMENTATION WITHIN 3 YEARS



Actively promote transfer of public land to build more affordable homes.



Expedite permitting and reduce fees to build more affordable homes.



Endorse and enforce tenant protections.



Increase financial resources at the local, state and federal level to build more affordable housing.

#### LONG-TERM

##### IMPLEMENTATION IN 3-10 YEARS



Enact land use policies countywide that increase density and require affordable housing, especially at high capacity transit stations.



Support alternative housing types that better serve the needs of diverse cultures and people exiting behavioral health or criminal justice systems.



Expand non-traditional homeownership options that are more affordable and better address diverse cultural needs.



Fund longer-term rent supports.



Affirmatively market housing programs to communities of color and diverse cultural communities.



# ONE TABLE

Addressing root causes of homelessness

## ROOT CAUSE: Behavioral Health

### CURRENT STATE

**31%** of low-income clients seeking mental health services did not receive same day intake

Source: King County Department of Community and Human Services, Behavioral Health and Recovery Division, 2018.

On average of the past few years, approximately **10%** of Western State Hospital patients are discharged into homelessness

Source: Western State Hospital data for civil detention patients.

### FACTORS

Inadequate on-demand access to treatment

Lack of individualized care

Lack of a stable workforce to meet demand and care needs

Insufficient care coordination between systems

Inadequate access to housing resources

### HIGHLIGHTED STRATEGIES

#### IMMEDIATE

##### IMPLEMENTATION WITHIN 3 YEARS



Develop and expand behavioral health approaches shaped to individuals' unique needs.



Create a housing stabilization fund to pay rent in order to preserve housing while people are receiving inpatient treatment.



Fund an incentive pool so that behavioral health providers bring services to people whether in housing, shelters or unsheltered.

#### LONG-TERM

##### IMPLEMENTATION IN 3-10 YEARS



Expand care options that connect individuals experiencing behavioral health crisis with peers who have similar lived experience, and create peer crisis respite houses in all communities throughout King County.



Expand and improve opportunities in the behavioral health workforce for people with lived experience, particularly for people of color.



Provide resources for inpatient treatment programs to find stable, long-term housing for people exiting treatment.

# ONE TABLE

Addressing root causes of homelessness

## ROOT CAUSE: Child Welfare

### CURRENT STATE

**34%** of youth who age out of foster care in King County become homeless within one year

Source: Washington State Department of Social and Health Services, *Youth at risk of homelessness: Identifying key predictive factors among youth aging out of foster care in Washington State*, 2015.

### FACTORS

Key transition points compromise stability (i.e., moves, reunification, aging out, permanency placement)

Implicit bias inherent in decision-making within the child welfare system

Institutionalized racism creates and upholds barriers to stability

### HIGHLIGHTED STRATEGIES



#### IMMEDIATE

##### IMPLEMENTATION WITHIN 3 YEARS



Provide ongoing training in racial bias, racial disproportionality and institutional racism for everyone who influences the child welfare system.



Increase investments in family reunification.



Provide counseling, training and behavioral health services for families at risk of child welfare system engagement.



Implement a campaign to increase foster families of color and increase availability of foster placements for youth of color.



#### LONG-TERM

##### IMPLEMENTATION IN 3-10 YEARS



Recruit, incentivize and support people of color and/or people with lived experience in the child welfare system to become social workers.



Broaden the extended foster care program to provide youth up to age 25 with comprehensive, person-centered services.

# ONE TABLE

Addressing root causes of homelessness

## ROOT CAUSE: Criminal Justice

### CURRENT STATE

King County's Department of Adult & Juvenile Detention has about

**3,000 adult bookings into jail per month**

Source: King County Department of Adult and Juvenile Detention, Detention and Alternatives Scorecard, 2017.

**Compliance charges** (for failure to comply with expectations of parole, bail, etc.) **represent about 40% of bookings** for those booked into a King County jail four+ times in a 12-month period

Source: King County Department of Community and Human Services, Familiar Faces Population Analysis, 2016.

### FACTORS

Lack of early interventions

Shortage of diversion supports

Reentry system that sets individuals up for failure rather than success

Budgeting prioritizes criminal justice/corrections over services

Lack of housing for people with criminal justice system involvement

### HIGHLIGHTED STRATEGIES

#### IMMEDIATE

##### IMPLEMENTATION WITHIN 3 YEARS



Work with the criminal justice system (judges, staff, and law enforcement) to increase understanding on homelessness and housing needs.



Pass fair housing laws in King County and local municipalities that support housing choices for individuals with criminal records.

#### LONG-TERM

##### IMPLEMENTATION IN 3-10 YEARS



Conduct an analysis of current criminal justice investments to determine if any can be redirected to early intervention, diversion and behavioral health services.



Divert low-level homelessness-related bookings to services rather than jail.



Human-centered and racially explicit review and redesign of compliance requirements so that they do not penalize homelessness and poverty.

# ONE TABLE

Addressing root causes of homelessness

## ROOT CAUSE: Employment

### CURRENT STATE

Nearly **50%** of King County households\* earn less than \$75,000 per year, the income needed to afford the typical 2-bedroom apartment in King County\*\*

\* Source: United State Census Bureau. American Community Survey, 2016. <https://factfinder.census.gov/>

\*\* Source: National Low Income Housing Coalition. Out of Reach Report. 2018. [http://nlihc.org/sites/default/files/oor/OOR\\_2018.pdf](http://nlihc.org/sites/default/files/oor/OOR_2018.pdf)

### FACTORS

Low wages

Lack of job readiness, including supportive services

Lack of social capital and networks

Implicit bias inherent in employers' hiring practices

### HIGHLIGHTED STRATEGIES

#### IMMEDIATE

##### IMPLEMENTATION WITHIN 3 YEARS



Scale *King County Jobs Initiative* and increase other dedicated funds for training pathways in high wage jobs for groups most at risk of homelessness.



Change employment program policies to allow for more flexible funding to address needs of individuals and prevent homelessness.



Train housing and homeless service providers on income/employment referral options.



Create a system that encourages employers to adopt initiatives from a menu of actionable options (including training, internships, education, and hiring preferences) that address racial inequities in hiring.

#### LONG-TERM

##### IMPLEMENTATION IN 3-10 YEARS



Create Summer Academies for at-risk youth in middle school.



Place more high-quality teachers, counselors and community-based mentors in the highest poverty middle schools to support youth in need/at risk.



**CITY OF KIRKLAND**

**City Manager's Office**

123 Fifth Avenue, Kirkland, WA 98033 425.587.3001  
www.kirklandwa.gov

---

**MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** David Wolbrecht, Neighborhood Services Outreach Coordinator  
James Lopez, Assistant City Manager

**Date:** September 24, 2018

**Subject:** RESOLUTION SUPPORTING INITIATIVE MEASURE NO. 1631, CONCERNS POLLUTION

**RECOMMENDATION:**

City Council hold a public hearing and consider the attached Resolution expressing support of Initiative Measure No. 1631 ("I-1631"), concerns pollution, and which will be on the general election ballot on November 6, 2018.

**BACKGROUND DISCUSSION:**

The City Council requested staff prepare a resolution in support of I-1631 for consideration at its Tuesday, October 2, 2018 regular meeting. The resolution, however, could be amended to provide for opposition to I-1631 depending on the outcome of the hearing on the matter. The Council may also elect to take no action.

I-1631 (Attachment A) would add a new chapter to Title 70 of the Revised Code of Washington ("RCW"), Public Health and Safety. It would impose a pollution fee on large emitters of greenhouse gases, and the money raised by the fee would be used for certain environmental programs and projects. The measure would create a public oversight board to implement the measure and approve funding for programs and projects. The measure would also set forth procedures for proposing and approving the programs and projects that could be funded by money generated from the new fee.

Proponents of I-1631 filed the initiative on March 2, 2018. After the filing of I-1631, opponents of the measure filed a petition in the Thurston County Superior Court on March 26, 2018, challenging the ballot title of Initiative 1631. In the filed petition, opponents argued that the "statement of subject" for I-1631, concerns pollution, was:

misleading, inaccurate and not impartial and should be changed and corrected to read:  
"Initiative Measure No. 1631 concerns a tax on carbon."

On April 6, 2018, the court heard oral arguments and ordered that changes be made to the ballot proposition and summary. The petitioner did not prevail in their concern regarding the "statement of subject".

Proponents of I-1631 gathered nearly 350,000 signatures by the July 6, 2018 deadline, qualifying it for the November general election ballot.

The certified ballot title for Initiative Measure No. 1631 reads as follows:

Initiative Measure No. 1631 concerns pollution.

This measure would charge pollution fees on sources of greenhouse gas pollutants and use the revenue to reduce pollution, promote clean energy, and address climate impacts, under oversight of a public board.

Should this measure be enacted into law?

☐ Yes

☐ No

The ballot summary is as follows:

This measure would impose pollution fees on certain large emitters of greenhouse gas pollutants based on rules determining carbon content, starting in 2020. A public board would supervise spending the revenues on reducing pollution, promoting clean energy, and addressing climate change impacts to the environment and communities. Utilities could receive credits for approved investments. Indian tribes would consult on projects directly impacting their land. There would be periodic reporting on the measure's effectiveness.

**Explanatory statement below: Copied verbatim from the Secretary of State's Elections Division web site**

**The Law as It Presently Exists**

Under existing law, Washington has set goals to reduce greenhouse gases emitted in Washington. Those gases include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, sulfur hexafluoride, and other gases designated by the Department of Ecology. The goals are to reduce greenhouse gas emissions in the state to 1990 levels by 2020 and to continue reducing greenhouse gas emissions to achieve fifty percent of 1990 levels by 2050. The Department of Commerce is responsible for developing a plan to reduce greenhouse gas emissions and reporting progress toward meeting the state's goals. State agencies are required to reduce greenhouse gas emissions by certain specified levels.

Various laws and state agency rules relate to the reduction of greenhouse gas emissions. These include emission standards for certain power plants, renewable fuel standards, building codes, requirements for utilities to use renewable resources, converting state vehicles to clean fuels, motor vehicle emission standards, and land use laws such as the Growth Management Act, which encourage efficient transportation systems.

Under the State Environmental Policy Act (SEPA), state and local government must engage in a variety of public processes to review, avoid, or minimize environmental impacts. These processes include analyzing greenhouse gases and considering input from individuals and Indian tribes concerning environmental impacts of state permitting or other action.

### **The Effect of the Proposed Measure if Approved**

This measure would impose a pollution fee on large emitters of greenhouse gases. Money raised by the fee would be used for certain environmental programs and projects. The measure would create a public oversight board to implement the measure and approve funding for programs and projects. It also sets forth procedures for proposing and approving the programs and projects that could be funded by money generated from the new fee.

The pollution fee imposed by the measure would apply to fossil fuels sold or used within this state and electricity generated within or imported into this state. Fossil fuels include motor vehicle fuel and other petroleum products intended for combustion, natural gas, coal, coke, and any form of fuel created from these products. The pollution fee would be collected only one time on any particular unit of fossil fuels or energy. This means that the fee would not have to be paid again by subsequent sellers or users of the same fuel or energy.

The fee imposed on fossil fuels would be collected from various persons or companies. For motor vehicle fuel and "special fuel" (diesel and certain other fuels), the fee would be collected from fuel licensees who currently pay the motor vehicle fuel taxes on those fuels. For natural gas, the fee would be collected from natural gas public utilities or entities that pay the state's natural gas use tax. For refinery facilities, the fee would be collected from the refinery for fossil fuels consumed or used by the refinery. The fee may also be collected from a seller of fossil fuels to end users or consumers, a seller of fuel used for certain combined heat and power, or from other persons designated by the Department of Revenue.

The fee imposed on electricity would be collected from importers of electricity generated using fossil fuels, importers of electricity generated from an unspecified source, or a power plant located in Washington that generates electricity using fossil fuels.

The fee charged would be based on the amount of carbon content in the fossil fuels. In the case of electricity, the fee would be based on the carbon content of the fossil fuels used to generate the electricity. "Carbon content" means the carbon dioxide equivalent released from burning or oxidation of fossil fuels. Carbon dioxide equivalent is a measure used to compare emissions from various greenhouse gases based on their global warming potential. So the carbon content of a fossil fuel is a measure of the carbon dioxide and other greenhouse gases that are released when the fossil fuel is burned or otherwise consumed. For purposes of calculating the fee, the Department of Ecology is responsible for determining the carbon content of fossil fuels or inherent in electricity.

Beginning January 1, 2020, the pollution fee is set at fifteen dollars per metric ton of carbon content. The fee increases by two dollars per metric ton each year and is also adjusted for inflation each year. The two-dollar annual increases continue until the state's existing

greenhouse gas reduction goal for 2035 is met and the state is on pace and likely to meet the 2050 greenhouse gas reduction goal. At that time, the pollution fee will be fixed, except for the annual inflation adjustments.

The measure would not impose the fee in certain circumstances. For example, the fee would not apply to fossil fuels brought into Washington in the fuel supply tank of a motor vehicle, vessel, locomotive, or aircraft. It would not apply to fossil fuels exported or sold for export outside Washington. It would not apply to fossil fuels supplied to a light and power business for purposes of generating electricity. It would not apply to fossil fuels and electricity sold to and used by certain facilities designated by the Department of Commerce as within energy-intensive and trade-exposed industries. It would not apply to aircraft fuels, certain fuel used for agricultural purposes, and motor vehicle fuel or special fuel currently exempt from taxation. It would not apply to Indian tribes and Indians in circumstances where they are exempt from state taxation. The fee would not apply to facilities that generate electricity by burning coal, if those facilities are legally bound to close by 2025 or to comply with certain emission standards by 2025.

The measure also allows for credits in certain circumstances. For example, a fee-payer may receive a credit if the fossil fuel or electricity is subject to a similar fee on carbon content in another jurisdiction and the fee-payer receives approval from the Department of Commerce. A light and power business or gas distribution business, also known as a utility, may receive a credit up to the full amount of the fee for investments in programs, activities, or projects consistent with a clean energy investment plan. But to receive that credit, the utility's clean energy investment plan must be approved by the state Utilities and Transportation Commission (for investor-owned utilities) or the Department of Commerce (for consumer-owned utilities).

The measure would establish a public oversight board to implement the new law. The board would have fifteen voting members: the chair; the Commissioner of Public Lands; the directors of the Department of Commerce, the Department of Ecology, and the Recreation and Conservation Office; four at-large positions; and six co-chairs of three investment panels. The three investment panels would be created by the measure and would provide advice and recommendations to the board and assist in developing criteria for approving spending on certain projects. There would be certain requirements for the at-large positions and the six co-chairs.

The board would have numerous powers and duties. It would make decisions about which projects and programs to fund with the moneys raised by the pollution fee. It would review and approve rules developed by other agencies that set guidelines for the various programs required or funded by the measure. The board would consult with other agencies and government bodies, Indian tribes, and others in developing projects. It would report to the Governor and Legislature regarding progress and challenges in implementing the measure.

The measure would require consultation with Indian tribes by any state agency implementing the law, or receiving funding for projects, on decisions that may directly affect Indian tribes and tribal lands. The board could not approve spending on projects that directly affect an Indian tribe's lands or usual and accustomed fishing areas without first engaging in this formal consultation and following a mutually agreed timeline for the consultation. If a project is funded without this consultation and directly affects lands owned



or controlled by an Indian tribe or affects lands where a tribe has a significant interest, action on the project must cease upon request by an affected Indian tribe.

The measure would place all pollution fees collected in the state treasury in an account called the "clean up pollution fund." Expenditures from the fund would be limited to certain investments defined in the measure. The measure includes certain criteria that must be considered when approving funding.

The measure would allow money from the clean up pollution fund to be used for reasonable administrative costs. After administrative costs, the clean up pollution fund must be used for certain categories of investments: seventy percent of the clean up pollution fund must be spent on clean air and clean energy investments, twenty-five percent for clean water and healthy forest investments, and five percent for healthy communities investments. The board may allow different percentages in certain circumstances.

The measure defines clean air and clean energy investments as programs, activities, or projects that reduce pollution or that assist affected workers or people with lower incomes. As noted above, seventy percent of the fund would be spent in this category. The measure identifies some programs that fit this spending category, including those that promote renewable energy such as solar and wind power; that increase energy efficiency; that reduce transportation-related carbon emissions through use of electric vehicles or public transportation; and that promote the capturing and storing of carbon in water, soil, forests, or other natural areas. At least fifteen percent of the clean air and clean energy investments must be used to reduce the energy burden of people with lower incomes through programs such as assistance with paying energy bills, promoting public or shared transportation, and reducing energy consumption. In addition, within four years, a minimum of \$50 million would be set aside for a program to support fossil-fuel workers who are affected by the transition away from fossil fuels. The program may include wage replacement, health benefits, pension contributions, retraining costs, and other services.

The Department of Commerce, in consultation with others, must propose rules and criteria for disbursing funds for clean air and clean energy investments. The proposed rules and criteria must be approved by the board. The measure includes certain requirements for the rules and criteria for disbursing funds and includes certain goals for reducing carbon emissions and global temperature increases.

The second spending category for the clean up pollution fund is to address the impacts of climate change on the state's waters and forests. Twenty-five percent of the fund will be spent in this category. Examples for this category include spending to restore and protect state waters, to address ocean acidification, to reduce flood risk, to reduce risk of wildfires, and to address other impacts of climate change. Various state agencies are responsible for proposing rules and criteria for eligible programs. The rules and criteria for these programs must be approved by the board.

Finally, the third spending category for the clean up pollution fund is to prepare communities for the impacts of climate change and to help certain populations who are particularly affected by climate change. Five percent of the fund will be spent in this category. In this category, funds can be used for wildfire prevention and preparedness, relocation of communities on tribal lands affected by sea level rise and floods, and public

school education about the impacts of climate change and ways to reduce pollution. A portion of this fund must be used to help communities participate in carrying out the measure, such as help in preparing proposals for projects.

In addition to the spending requirements for these three categories, the measure imposes other requirements on spending. At least thirty-five percent of spending from the clean up pollution fund must provide direct and meaningful benefits to what the measure calls "pollution and health action areas." The Department of Health designates those areas based on University of Washington analyses of vulnerable populations and environmental burdens. A particular area partially or fully within Indian reservations or other Indian lands would also qualify as a pollution and health action area. At least ten percent of funds must be spent for projects formally supported by a resolution of an Indian tribe, and ten percent must be spent for projects located in and benefiting a pollution and health action area.

## **Fiscal Impact Statement** (Written by the Office of Financial Management)

### **FISCAL IMPACT SUMMARY**

Initiative 1631 imposes a pollution fee on large emitters of greenhouse gases. The fee will raise \$2,295,785,000 during the first five fiscal years. The additional Utilities and Transportation Commission regulatory fee will raise \$9,685,072 during the first five fiscal years. A public oversight board is established to supervise revenue expenditures to reduce carbon pollution, promote clean energy and address climate impacts to the environment and communities. Twelve state agencies and two higher education institutions are estimated to expend \$27,178,592. The remaining expenditures cannot be estimated until the public board approves investment plans. Local government expenditures are estimated to be \$158,623,072.

### **GENERAL ASSUMPTIONS**

- The effective date of the initiative is Dec. 6, 2018.
- The provisions of the initiative apply prospectively, not retroactively.
- Because the pollution fee will not be collected until Jan. 1, 2020, it is assumed that all costs for state agencies, except the Utilities and Transportation Commission (UTC), to implement the initiative before this date will be paid from the State General Fund. UTC costs are paid from the Public Service Revolving Account.
- Estimates use the state's fiscal year of July 1 through June 30. Fiscal year 2019 is July 1, 2018, to June 30, 2019.

## **REVENUE**

### ***Local Revenue***

The initiative will not impact local revenue.

### ***State Revenue***

The initiative would generate an estimated \$2,305,470,073 over five fiscal years from the state pollution fee and UTC regulatory fees.

### ***State Pollution Fee***

The initiative would impose a pollution fee on large emitters of fossil fuels based upon the carbon content of fossil fuels sold or used within the state, electricity generated within the state (including out-of-state sales) and electricity imported for consumption in the state. Beginning Jan. 1, 2020, the pollution fee is set at \$15 per metric ton of carbon content. The fee would increase by \$2 per metric ton each year and is also adjusted for inflation each year. The \$2 annual increases would continue until the state's existing greenhouse gas reduction goal for 2035 is met and the state is on pace and likely to meet the 2050 greenhouse gas reduction goal. At that time, the pollution fee would be fixed, except for annual inflation adjustments. The initiative would provide exemptions from the fee for certain fossil fuels and facilities.

The initiative would allow qualifying light and power businesses or gas distribution businesses to claim credits up to 100 percent of the pollution fee for investments made through clean energy investment plans that are approved by the UTC for investor-owned utilities and by the Department of Commerce for consumer-owned utilities.

All revenues from the pollution fee are deposited into the Clean Up Pollution Fund.

## **STATE REVENUE ASSUMPTIONS**

Revenue estimates are based on: 1) the U.S. Energy Information Agency (EIA) 2018 Annual Energy Outlook; 2) the IHS Markit June 2018 forecast of the Consumer Price Index for All Urban Consumers (CPI-U); and 3) the Washington State Department of Commerce, State Energy Office, Carbon Tax Assessment Model (CTAM) – version 3.5. The Department of Commerce periodically updates data in the CTAM. Any data updates to the CTAM made between preparation and publication of this fiscal impact statement are not reflected in the estimates displayed here. Although the initiative specifies that the US Bureau of Labor Statistic price index for all urban wage earners and clerical workers (CPI-W) is used to calculate the inflationary increase in the carbon fee, the Department of Revenue does not have access to a forecast for CPI-W so the CPI-U is used instead.

The following assumptions are made in the CTAM for modeling purposes:

- Year one is set to calendar year 2020 to most closely correspond to the Jan. 1, 2020, effective date of the proposed pollution fee.

- The baseline reference energy forecast (option A) is specified, which corresponds to the EIA Annual Energy Outlook 2018 reference case.
- Marine fuels are exempted.
- Aircraft fuels are exempted.
- "Transition coal," i.e., power generated from coal plants scheduled to close by 2025, is exempted.
- Power generated from Colstrip plants 1 and 2 are exempted since they are legally bound to cease operations by Dec. 31, 2025.

The following have been factored into the modeling to the extent possible:

- An exemption for aircraft fuels.
- An exemption for maritime fuels.
- An exemption for pollution emissions from coal closure facilities.
- An exemption for the fossil fuels and electricity sold to or used onsite by facilities with a primary activity that falls into an Energy Intensive Trade Exposed (EITE) sector. (Note that due to lack of available data, no attempt has been made to model the impact of this exemption for qualifying support facilities.)
- Facility-specific emissions data has been drawn from the Washington State Department of Ecology's Greenhouse Gas Reporting Program, which requires facilities that emit at least 10,000 metric tons of CO<sub>2</sub> per year in Washington to report. Note that facilities that emit fewer than 10,000 metric tons of CO<sub>2</sub> per year in Washington are not included in the data set used for estimating the EITE exemption.
- Emissions estimates have been adjusted to the extent possible to remove biogenic fuel emissions, non-CO<sub>2</sub> emissions and industrial process emissions.
- Zero growth is assumed for EITE facility emissions into the future.
- The initiative defines "carbon content" to include both CO<sub>2</sub> emissions and other CO<sub>2</sub> equivalents (methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, sulfur hexafluoride, nitrogen trifluoride) released through the combustion or oxidation of fossil fuels. The revenue from this proposal could be approximately 1 percent higher than modeled because the CTAM does not apply a tax or fee to CO<sub>2</sub> equivalents.
- Five months of cash collections are reflected in fiscal year 2020 due to the Jan. 1, 2020, effective date for the pollution fee.
- No credits are granted for payment of a similar fee in other jurisdictions.

- Qualifying light and power businesses or gas distribution businesses are assumed to claim credit for 100 percent of the pollution fees for which they are liable.

### ***State Revenue Impacts***

Table 1. Pollution fee revenues deposited into the Clean Up Pollution Fund

<b>State Revenue Impact</b>	<b>FY 2019</b>	<b>FY 2020</b>	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>
Clean Up Pollution Fund	\$0	\$238,374,000	\$610,047,000	\$686,365,000	\$760,999,000

### ***Pollution Fee Revenues Distribution Assumptions and Descriptions***

Following deductions for administrative costs, 70 percent of the balance in the Clean Up Pollution Fund will be deposited into the Clean Air and Clean Energy Account, 25 percent will be deposited into the Clean Water and Healthy Forests Investments Account and 5 percent will be deposited into the Healthy Communities Account.

In addition, the initiative defines investor-owned utility-retained credits in the utilities' Clean Energy Investment Account as gross operating revenue subject to UTC regulatory fees. This fee is equal to one-tenth of 1 percent of the first \$50,000 of gross operating revenue, plus two-tenths of 1 percent of any gross operating revenue in excess of \$50,000. In addition, each investor-owned utility must pay an annual fee of up to 1 percent of credited fees deposited into the Clean Energy Investment Account for UTC administrative costs to implement the initiative. It is assumed that the fee is set annually at 1 percent and excludes any amounts retained by consumer-owned utilities. These revenues would be deposited into the Public Service Revolving Account.

The initiative specifies that the Clean Up Pollution Fund may be used to pay for reasonable administrative costs. It is assumed that "administrative costs" include tax administration and other tasks necessary to implement the initiative unless a state agency has a usual fund source for the work required by the initiative.

Table 2. State revenues

<b>State Revenue Impact by Fund</b>	<b>FY 2019</b>	<b>FY 2020</b>	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>
Clean Up Pollution Fund (Administration)	\$0	\$4,670,163	\$6,495,803	\$6,106,598	\$4,840,946
Clean Air and Clean Energy Account	\$0	\$163,592,686	\$422,485,838	\$476,180,881	\$529,310,638
Clean Water and Healthy Forest Account	\$0	\$58,425,959	\$150,887,799	\$170,064,601	\$189,039,514
Healthy Communities Account	\$0	\$11,685,192	\$30,177,560	\$34,012,920	\$37,807,903
Public Service Revolving Account	\$0	\$996,266	\$2,545,019	\$2,898,850	\$3,244,937
<b>State Total</b>	<b>\$0</b>	<b>\$239,370,266</b>	<b>\$612,592,019</b>	<b>\$689,263,850</b>	<b>\$764,243,938</b>

## **STATE GOVERNMENT EXPENDITURES**

### ***State Agency Implementation Cost Assumptions***

Because the pollution fee will not be collected until Jan. 1, 2020, it is assumed that all costs for state agencies, except UTC, to implement the initiative before this date will be paid from the State General Fund. UTC costs are paid from the Public Service Revolving Account.

The initiative would establish a public oversight board (POB) to implement the new law. The POB adopts all programmatic policies, procedures and rules per the State Administrative Procedures Act for programs funded through the Clean Air and Clean Energy Account, the Clean Water and Healthy Forests Investments Account and the Healthy Communities Account. Utility investment plans are approved by the Department of Commerce and UTC by Dec. 31, 2020, to allow utilities to obtain pollution fee credits.

POB activity is phased as follows: 1) formation and organization; 2) programmatic rule makings and review and approval of investment plans; 3) project approvals and updates to rules, policies and procedures; 4) appropriation recommendations to the Legislature; and 5) tribal consultations throughout.

The POB would meet bimonthly in Olympia beginning March 1, 2019. From March 2019 through January 2020, the POB would hold one-day meetings; from February 2020 through January 2021, each meeting would last two days, with one-day meetings thereafter.

For each of the three Investment Advisory Panels, meeting length, location and frequency would mirror that of the POB, except that panel meetings would start in July 2019.

The Department of Health would begin work on Jan. 1, 2019, to designate pollution and health action areas and would complete this task by July 31, 2019.

To meet the requirement that state agencies submit all policies, procedures and rules related to expenditures from the Clean Air and Clean Energy Account, the Clean Water and Healthy Forests Investments Account and the Healthy Communities Account to the POB by Jan. 1, 2020, state agency work would begin on Jan. 1, 2019. State agencies would also begin work on Jan. 1, 2019, to develop the initial pollution reduction investment plans and rules that describe the processes and criteria to disburse funds from the Clean Air and Clean Energy Account, with review and approval by the POB by Jan. 1, 2020. A permanent pollution reduction investment plan and rule would be submitted to the POB by Jan. 1, 2022.

The Department of Ecology would begin work on Jan. 1, 2019, and would adopt emergency rules by Nov. 1, 2019, that specify the carbon content inherent in or associated with covered fossil fuels and electricity.

## **STATE AGENCY EXPENDITURES**

State agency costs are estimated to be \$27,178,592 over five fiscal years to implement the initiative. Costs by agency are:

- The Department of Revenue would incur costs estimated at \$4,170,500 to administer pollution fee collection activities.
- The Office of the Governor would incur costs estimated at \$8,326,874 for the staffing, operation, per diem and compensation of the POB and three investment panels that would review and adopt through the rule-making process, as needed, plans, procedures, criteria and rules for the programs as well as conduct effectiveness reviews.
- The Department of Commerce would incur costs estimated at \$10,668,899 to draft the initial and final pollution reduction investment plans as well as the proposed rules for process and criteria to disburse funds from the Clean Air and Clean Energy Account. In consultation with the Environmental and Economic Justice Panel, the department would incur costs to develop a plan for investments that directly reduce the energy burden of people with lower incomes; design and implement comprehensive enrollment campaigns to inform and enroll people with lower incomes in energy assistance programs; create a program and provide assistance and support to workers in fossil fuel industries affected by the transition to a cleaner energy economy; and develop draft procedures and rules to provide community capacity grants to participate in implementing the initiative. The agency would participate in development of carbon emission standards, validate a facility's EITE designation and review petitions by fee payers for credits for similar pollution fees imposed by other states. It would also conduct effectiveness reviews of programs in achieving carbon reduction goals and implementing pollution reduction plans.

- The Department of Health would incur estimated costs of \$631,000 to designate and update pollution and health action areas, participate on the POB and help support the Environmental and Economic Justice Panel and other investment panels.
- The Department of Ecology would incur both estimated costs and savings. Estimated costs of \$3,325,787 would be incurred to develop procedures, criteria and rules for grant programs for increasing the ability to remediate and adapt to the impacts of ocean acidification, reducing flood risk and restoring natural floodplain ecological function, increasing the sustainable supply of water and improving storm water infrastructure from previously developed areas within an urban growth boundary. These costs would also enable Ecology to contribute to development of procedures, criteria and rules on restoring and protecting estuaries, fisheries and marine shoreline habitats, and preparing for sea level rise. The agency would also adopt emergency rules specifying the basis for the carbon content of covered fossil fuels and electricity, work in consultation with the Department of Commerce to select a default emission factor for light and power businesses, and publish a default emissions factor for U.S. Bonneville Power Administration sales of electricity in Washington state. Ecology would also serve as a voting member of the POB, engage investment advisory panels and participate in conducting effectiveness reviews of programs in achieving carbon reduction goals and implementing pollution reduction plans. Ecology would incur estimated savings of \$10,436,000 in the State General Fund and the State Toxics Control Account from adopting rules to eliminate the program supporting the Clean Air Rule (Chapter 173-442 Washington Administrative Code) and associated greenhouse gas emissions reporting (Chapter 173-441 Washington Administrative Code), for a net estimated savings of \$7,110,213 over the five-year period.
- The Washington State Recreation and Conservation Office would incur estimated costs of \$534,272 to develop proposed procedures, criteria and rules for a grant program to prevent the conversion and fragmentation of working forests, farmland and natural habitat that sequester carbon and provide additional ecological benefits and to participate in the development of proposed procedures, criteria and rules for clean water investments that improve resilience from climate impacts. The agency would also participate as a voting member of the POB.
- The Department of Fish and Wildlife would incur estimated costs of \$423,600 to participate in development of proposed procedures, criteria and rules for clean water investments that improve resilience from climate impacts.
- The Puget Sound Partnership would incur estimated costs of \$272,772 to participate in the development of proposed procedures, criteria and rules for clean water investments that improve resilience from climate impacts, review programs and projects for consistency with the Puget Sound Action Agenda, and participate in conducting effectiveness reviews of programs in achieving carbon reduction goals and implementing pollution reduction plans.
- The Department of Natural Resources would incur estimated costs of \$2,573,400 to develop proposed procedures, criteria and rules to sequester carbon through blue carbon projects, invest in healthy forests and enhance community preparedness and



awareness of wildfires. Costs would also support tribal communities to suppress, prevent and recover from wildfires, and relocate tribal communities impacted by flooding and sea level rise. The agency would also participate in development of proposed procedures, criteria and rules for clean water investments that improve resilience from climate impacts.

- The Washington State Department of Agriculture would incur estimated costs of \$485,000 to develop proposed procedures, criteria and rules for a program to increase soil sequestration and reduce emissions from the loss and disturbance of soils.
- The UTC would incur estimated costs of \$4,800,418 to review and approve private utilities' clean energy investment plans, review utilities' annual reports on implementing their clean energy investment plans, conduct necessary rule making, support the POB and the investment panels, undertake tribal consultation on clean energy investments and participate in development of an effectiveness report.
- The University of Washington would incur estimated costs of \$797,070 for its Department of Environmental and Occupational Health Sciences to assist the Department of Health in designating and updating pollution and health action areas, and for the Climate Impacts Group to provide technical assistance to the Department of Natural Resources in developing programs and allocating funds for the clean water and healthy forest investments that increase resilience from climate impacts on wildlife and forest health and for investments to prepare communities for challenges caused by climate change.
- The Washington State University Energy Program would incur estimated costs of \$525,000 to participate in drafting the initial and final pollution reduction investment plans.
- The Office of Superintendent of Public Instruction would incur estimated costs of \$80,000 for developing and implementing education programs and teacher development programs to expand awareness of and increase preparedness for the environmental, social and economic impacts of climate change and strategies to reduce pollution.

Table 3. State Expenditures from the State General Fund, the Clean Up Pollution Fund, the Public Service Revolving Account and the State Toxics Control Account

<b>Agency</b>	<b>FY 2019</b>	<b>FY 2020</b>	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>
Governor's Office	\$174,180	\$2,109,440	\$2,031,220	\$1,930,146	\$2,081,888
Department of Revenue	\$0	\$1,764,400	\$819,700	\$810,700	\$775,700
Department of Commerce	\$2,452,979	\$2,542,708	\$1,657,286	\$2,649,444	\$1,366,482
Department of Health	\$315,000	\$46,000	\$162,000	\$62,000	\$46,000
Department of Ecology	\$(467,705)	\$(701,365)	\$(1,943,750)	\$(1,905,164)	\$(2,092,229)
Recreation and Conservation Office	\$118,846	\$261,226	\$139,846	\$7,177	\$7,177
Department of Fish and Wildlife	\$62,800	\$191,000	\$169,800	\$0	\$0
Puget Sound Partnership	\$33,419	\$33,420	\$33,104	\$93,098	\$79,731
Department of Natural Resources	\$650,700	\$1,241,100	\$648,800	\$16,400	\$16,400
Department of Agriculture	\$118,000	\$224,000	\$143,000	\$0	\$0
Utilities and Transportation Commission	\$253,294	\$843,092	\$1,111,404	\$1,479,395	\$1,113,233
University of Washington	\$208,518	\$160,161	\$142,797	\$142,797	\$142,797
Washington State University	\$75,000	\$175,000	\$125,000	\$100,000	\$50,000
Office of Superintendent of Public Instruction	\$0	\$80,000	\$0	\$0	\$0
<b>Total</b>	<b>\$3,995,031</b>	<b>\$8,970,182</b>	<b>\$5,240,207</b>	<b>\$5,385,993</b>	<b>\$3,587,179</b>

## LOCAL GOVERNMENT AND SCHOOL DISTRICT EXPENDITURES

Table 4. Total local government expenditure impact

	<b>FY 2019</b>	<b>FY 2020</b>	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>
Publicly Owned Utilities	\$0	\$18,811,545	\$40,579,011	\$46,552,927	\$52,679,589
<b>Local Government Total</b>	<b>\$0</b>	<b>\$18,811,545</b>	<b>\$40,579,011</b>	<b>\$46,552,927</b>	<b>\$52,679,589</b>

Cities, public utility districts, port districts and other local governments that provide electricity and natural gas services would potentially be required to pay the pollution fee. It is estimated that 43 local governments would likely be impacted by the initiative. Publicly owned utilities could either pay the pollution fee or claim a credit for state-approved clean-energy investments. It is assumed that publicly owned utilities operated by local governments would incur costs of \$158,623,072 over four years, primarily for state-approved clean-energy investments made in lieu of pollution fees for which they would be liable.

Key assumptions used to generate these estimates are:

- Pollution fee estimates are based upon the Department of Commerce's 2016 Washington State Electric Utility Fuel Mix Disclosure Report and the EIA 2016 data on natural gas utility deliveries.
- All consumer-owned utilities will withhold 100 percent of pollution-fee liability as pollution-fee credits equal to the value of clean-energy investments; however, the specific types of programmatic investments are unknown at this time. Jurisdictions choosing to participate in credit-eligible activities will incur indeterminate costs related to developing clean energy investment plans, applying for credits and reporting on funding usage.
- Neither the mix of fuels associated with electricity sources nor the demand for carbon-based fuels changes from 2016 reported levels. Local governments generally do not have the ability to modify their fuel mixes in the near term, and the impact of utility clean-energy investments on fuel mix and electricity demand are unknown at this time.

The Office of Superintendent of Public Instruction estimates that there are approximately 30 school districts that operate their own fueling distribution facilities that service their school bus fleets. To the extent these districts purchase fuel from out-of-state suppliers, they would be liable for the pollution fee. The source of fuel for these facilities is unknown, so no estimate is included of any potential costs to school districts. Similarly, the pollution fee liability incurred by local governments operating their own fuel-distribution facilities supplied with fuel imported directly from out of state is not known at this time.

## ARGUMENTS FOR AND AGAINST

<b><i>Argument For</i></b>	<b><i>Argument Against</i></b>
<p><b>Building a Cleaner Healthier Future for Our Kids</b></p> <p>We have a responsibility to future generations to pass on a healthier place to live. Initiative 1631 is a sensible step that puts a fee on large polluters like big oil companies, making them pay when they pollute our air and water and invests in affordable clean energy and healthier communities.</p> <p><b>Holding Big Polluters Accountable to Protect our Air and Water</b></p> <p>When big oil companies pollute they leave the rest of us to pay the price with our health and environment. Initiative 1631 will make clean energy like wind and solar more affordable for more people, reduce over 25 million tons of pollution annually, and build new clean energy projects creating 41,000 good paying jobs across the state.</p> <p><b>Public Accountability and Transparency</b></p> <p>All investments are overseen by a public board of experts in science, business, health, and trusted community leaders so that big oil companies and their lobbyists aren't making decisions about our future. Regular audits will ensure we're reducing pollution and expanding clean energy.</p> <p><b>Washington vs. Big Oil</b></p> <p>Initiative 1631 is backed by the largest initiative coalition in state history, including over 200 organizations and businesses like The Nature Conservancy, American Lung Association, Union of Concerned Scientists, REI, Children's Alliance, Sierra Club, MomsRising, Physicians for Social Responsibility, Tulalip Tribes, Washington</p>	<p>I-1631's deeply flawed, unfair energy tax would force Washington families, small businesses and consumers to pay billions in higher costs for gasoline, electricity, heating and natural gas – while exempting the state's largest polluters, and providing little accountability for spending.</p> <p><b>\$2.3 Billion Energy Tax, Increases Every Year</b></p> <p>The state's analysis shows 1631 would cost consumers over \$2.3 billion in the first five years alone. Higher electricity and natural gas bills would add hundreds of millions more in consumer costs, and 1631's escalating taxes would automatically increase every year – with no cap.</p> <p><b>Largest Polluters Exempt</b></p> <p>1631 would exempt many of the state's largest polluters, including a coal-fired power plant, pulp and paper mills, aircraft manufacturers and other large corporate emitters. Six of the state's top 10 carbon emitters would be exempt from 1631, while consumers and small businesses would pay billions.</p> <p><b>Gasoline, Energy Prices Increase Annually With No Cap</b></p> <p>Independent estimates show 1631 would increase gasoline prices by up to fourteen cents more per gallon at first, increasing annually, and quadrupling within 15 years, with no cap. Families, small businesses and farmers would also pay higher costs for natural gas, heating fuel, electricity and transportation, costing households hundreds more per year, especially hurting those who could least afford it.</p> <p><b>Lack of Accountability, No Guarantee</b></p>

<p>Conservation Voters, OneAmerica, UFCW 21, and Latino Community Fund.</p> <p>By voting Yes we will build clean energy, create thousands of jobs, and pass on a healthier future for our kids.</p>	<p>1631's unelected board would have broad authority to disperse billions with little accountability and no specific plan, no requirements to spend funds specifically to reduce greenhouse gases, and no guarantee of effectiveness. 1631 deserves a no vote.</p>
<b><i>Rebuttal of Argument Against</i></b>	<b><i>Rebuttal of Argument For</i></b>
<p>Five out-of-state oil companies are funding 99.9% of the opposition campaign. They will say anything to protect their billion-dollar profits. 1631 is a sensible step to reduce pollution today and leave a better future for our kids, by making big oil companies pay for the pollution they create. It makes clean energy more affordable, creating over 41,000 good paying jobs here in Washington. Let's build our future on our terms.</p>	<p>I-1631's deeply flawed approach to climate policy exempts Washington's largest polluters, imposes a permanently escalating tax on Washington families, and disproportionately burdens those who can least afford it. I-1631 has no clear guidelines for how its unelected board of political appointees would spend billions in taxpayer dollars, and no real accountability or likelihood of significantly reducing greenhouse gases. Cliff Mass, Ph.D., atmospheric sciences expert, represents his own opinions – not those of the University of Washington.</p>
<b><i>Argument Prepared By</i></b>	<b><i>Argument Prepared By</i></b>
<p><b>Carrie Nyssen</b>, American Lung Association, Vancouver; <b>Leonard Forsman</b>, President, Affiliated Tribes of Northwest Indians, Suquamish; <b>Ann Murphy</b>, President, League of Women Voters of Washington, Spokane; <b>Tony Lee</b>, Co- Chair, Asian Pacific Islander Coalition, Seattle; <b>Bonnie Frye Hemphill</b>, Solar Installers of Washington, Seattle; <b>Cenetra Pickens</b>, Registered Nurse, union member SEIU Healthcare 1199NW, Tacoma</p> <p>Contact: (206) 535-6617; info@yeson1631.org; yeson1631.org</p>	<p><b>Dean Maxwell</b>, Mayor of Anacortes 1993 – 2013; <b>Anne Lawrence</b>, Board Member, Washington Farm Bureau, Family Farmer, Vancouver; <b>Brian Sonntag</b>, Washington State Auditor 1993 – 2013; <b>Sabrina Jones</b>, Small Business Owner, Spokane; <b>Mark Riker</b>, Executive Secretary, Washington State Building Trades; <b>Cliff Mass</b>, Professor of Atmospheric Sciences, Seattle, Washington</p> <p>Contact: (877) 539-4443; info@VoteNOon1631.com; VoteNOon1631.com</p>

### **OUTREACH TO THE INDIVIDUAL CAMPAIGNS:**

Staff reached out to representatives of the Yes on I-1631 Campaign and to representatives of the Vote No on I-1631 Campaign, in an effort to gather information from both perspectives, and to invite representatives to the October 2, 2018 public hearing.

Christian Gobel, Media Coordinator with the NO On 1631 campaign, has confirmed that the campaign will have a representative speak at the public hearing. At the writing of this memo, the Yes of I-1631 Campaign had not confirmed a representative speaker.

### **COUNCIL ACTION:**

Under RCW 42.17A.555, the Council may vote on a resolution to support or oppose a ballot proposition "so long as

- (a) any required notice of the meeting includes the title and number of the ballot proposition, and
- (b) members of the legislative body or members of the public are afforded an approximately equal opportunity for the expression of any opposing view;..."

Following the public hearing, Council may: approve or reject the proposed resolution; modify the resolution; ask staff to provide additional information for action at a later date; or take no action on the resolution.

Attachments: A. Full text of Initiative Measure No. 1631

## Initiative Measure No. 1631, filed March 13, 2018

AN ACT Relating to reducing pollution by investing in clean air, clean energy, clean water, healthy forests, and healthy communities by imposing a fee on large emitters based on their pollution; and adding a new chapter to Title 70 RCW.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

NEW SECTION.    **Sec. 1.**    FINDINGS AND DETERMINATIONS.    The people of the state of Washington make the following findings and determinations:

(1) The intent of this chapter is to protect Washington for our children, our grandchildren, and future generations by quickly and effectively reducing pollution and addressing its negative impacts.

(2) Fossil fuel consumption and related pollution contribute directly to climate change and the regional effects of global warming, which harm Washington's health, economy, natural resources, environment, and communities. This harm includes, but is not limited to, intensified storms, droughts, sea level rise, increased flooding, more frequent and severe wildfires, and other adverse impacts to forests, agriculture, wildlife, fisheries, rivers, and the marine environment.

(3) Investments in clean air, clean energy, clean water, healthy forests, and healthy communities will facilitate the transition away from fossil fuels, reduce pollution, and create an environment that protects our children, families, and neighbors from the adverse impacts of pollution. Funding these investments through a fee on large emitters of pollution based on the amount of pollution they contribute is fair and makes sense. A pollution fee offsets and alleviates burdens to which those emitters directly contribute.

(4) The transition to the clean energy economy will have tremendous economic and job growth benefits. Washington's tradition of innovation and technology development combined with the funding available under this chapter will increase economic opportunity, enhance economic and environmental sustainability, and create and

support family-sustaining jobs across the state. The business community will play a critical role in leading this transition and in reducing pollution.

(5) Both pollution itself and transitioning to a society that prioritizes clean air, clean energy, clean water, healthy forests, and healthy communities disproportionately impact some people, workers, and communities more than others, including communities within pollution and health action areas. The use of a pollution fee to offset and alleviate those impacts is appropriate to ensure a successful and just transition.

(6) The investments authorized in this chapter constitute the purchase of pollution reduction and the protection of Washington's clean air, clean water, healthy forests, and healthy communities.

NEW SECTION. **Sec. 2.** SHORT TITLE. This act may be known and cited as the Protect Washington Act.

NEW SECTION. **Sec. 3.** CLEAN UP POLLUTION FUND. (1) The clean up pollution fund is created in the state treasury. All receipts collected from the pollution fee imposed by this chapter must be deposited in the fund. The department of revenue is authorized to create subfunds or subaccounts as may be necessary or appropriate to implement the purposes of this chapter. Receipts collected from the pollution fee imposed by this chapter may only be spent after appropriation into the clean up pollution fund.

(2) After reasonable administrative costs:

(a) Seventy percent of total expenditures under this act must be used for the clean air and clean energy investments authorized under section 4 of this act;

(b) Twenty-five percent of total expenditures under this act must be used for the clean water and healthy forests investments authorized under section 5 of this act; and



(c) Five percent of total expenditures under this act must be used for the healthy communities investments authorized under section 6 of this act.

(3) The board may authorize deviation from the allocations in subsection (2) of this section if there are an insufficient number of interested or eligible programs, activities, or projects seeking funding or if the board otherwise determines that variance from the prescribed allocation is critically important to achieve the purposes of this chapter.

(4) Compliance with the allocations required in subsection (2) of this section may be calculated based upon the average expenditures from the fund over any four-year period.

(5) In addition to the requirements of subsection (2) of this section, each year the total investments made under this chapter must meet the following requirements:

(a) A minimum of thirty-five percent of total investments authorized under this chapter must provide direct and meaningful benefits to pollution and health action areas.

(b) A minimum of ten percent of the total investments authorized under this chapter must fund programs, activities, or projects that are located within the boundaries of and provide direct and meaningful benefits to pollution and health action areas. An investment that meets the requirements of both this subsection (5)(b) and of (a) of this subsection may count towards the requisite minimum percentage for both subsections.

(c) A minimum of ten percent of the total investments authorized under this chapter must be used for programs, activities, or projects formally supported by a resolution of an Indian tribe, with priority given to otherwise qualifying projects directly administered or proposed by an Indian tribe. An investment that meets the requirements of both this subsection (5)(c) and of (a) of this subsection may count towards the requisite minimum percentage for both subsections. However, investments under this subsection (5)(c) are in addition to, and may not count towards, the requisite

minimum percentage for (b) of this subsection. Programs, activities, or projects for which credits are authorized pursuant to section 4(6) of this act may, but are not required to, count towards the requisite minimum percentage for this subsection (5)(c).

(d) For the purposes of this subsection, "benefits" means investments or activities that:

(i) Reduce vulnerable population characteristics, environmental burdens, or associated risks that contribute significantly to the cumulative impact designation of the pollution and health action area;

(ii) Meaningfully protect the pollution and health action area from, or support community response to, the impacts of climate change; or

(iii) Meet a community need identified by vulnerable members of the community that is consistent with the intent of this chapter and endorsed by the environmental and economic justice panel.

(6) The expenditure of moneys under this chapter must be consistent with applicable federal, state, and local laws, and treaty rights, including but not limited to prohibitions on uses of public funds imposed by the state Constitution.

(7) Public entities, including but not limited to state agencies, municipal corporations, and federally recognized tribes, and not-for-profit and for-profit private entities are eligible to receive investment funds authorized under this chapter.

(8) Funding under this chapter and credits authorized under section 4(6) of this act may be invested in pilot tests and other market and technology development projects that are designed to test the effectiveness of the proposed project, program, or technology.

NEW SECTION.    **Sec 4.**    CLEAN AIR AND CLEAN ENERGY INVESTMENTS.

(1) The clean air and clean energy account is created in the state treasury. All moneys directed to the account from the clean up pollution fund created in section 3 of this act must be deposited in the account. Money in the account must be used for programs,

activities, or projects that yield or facilitate verifiable reductions in pollution or assist affected workers or people with lower incomes during the transition to a clean energy economy, including but not limited to:

(a) Programs, activities, or projects that deploy eligible renewable energy resources, such as solar and wind power;

(b) Programs, activities, or projects, including self-directed investments, that increase the energy efficiency or reduce carbon emissions of industrial facilities, including but not limited to proposals to implement combined heat and power, district energy, or on-site renewables, such as solar and wind power, to upgrade existing equipment to more efficient models, to reduce process emissions, and to switch to less carbon-intensive fuel sources, especially converting fossil fuel sources of energy to nonfossil fuel sources;

(c) Programs, activities, or projects, including self-directed investments, that increase energy efficiency in new and existing buildings, with a goal of creating carbon neutral buildings across the state;

(d) Programs, activities, or projects that reduce transportation-related carbon emissions, including but not limited to programs, activities, or projects that:

(i) Accelerate the deployment of zero-emission fleets and vehicles, including off-road and maritime vehicles, create zero-emission vehicle refueling infrastructure, or deploy grid infrastructure to integrate electric vehicles and charging equipment;

(ii) Reduce vehicle miles traveled or increase public transportation, including investing in public transit, transportation demand management, nonmotorized transportation, affordable transit-oriented housing, and high-speed rural broadband to facilitate telecommuting options such as telemedicine or online job training; or

(iii) Increase fuel efficiency in vehicles and vessels where options to convert to zero-emissions, low-carbon fuels, or public transportation are cost-prohibitive and inapplicable or unavailable;

(e) Programs, activities, or projects that improve energy efficiency, including programs, activities, or projects related to developing the demand side management of electricity, district energy, or heating and cooling, and investments in market transformation of energy efficiency products;

(f) Programs, activities, or projects that replace the use of natural gas with gas not derived from fossil fuels, including but not limited to biomethane and synthetic gas. Programs, activities, or projects may include investments that address the incremental cost of nonfossil fuel gas or investments that expand the manufacture or delivery of nonfossil fuel gas;

(g) Programs, activities, or projects that deploy distributed generation, energy storage, demand side management technologies, and other grid modernization projects; or

(h) Programs, activities, or projects that result in sequestration of carbon, including but not limited to sequestration in aquatic marine and freshwater natural resources, agricultural lands and soils, terrestrial, riparian, and aquatic habitats, and working forests. Funding under this subsection (1)(h) may not fund legally required land management responsibilities, such as requirements under the forest practices act or other pertinent land use regulations.

(2)(a) The department of commerce, working with the panels, the Washington State University extension energy program, the department of transportation, and in consultation with the utilities and transportation commission, investor-owned and consumer-owned utilities, and other experts and agencies, and after review of other states' plans to reduce carbon pollution or investment strategies for greenhouse gas reduction, shall develop pollution reduction investment plans and proposed rules that describe the process and criteria to disburse funds from the clean air and clean energy

account in compliance with this section. All investment plans and proposed rules required by this subsection must follow this same process.

(i) The department of commerce shall propose and submit to the board for approval an initial investment plan, processes, and procedures for investments made under this section, which the board shall review and approve by January 1, 2020. The investment plan, processes, and procedures govern investments made under this section until the permanent investment plan required by (a)(ii) of this subsection is adopted by rule.

(ii) By January 1, 2022, the department of commerce shall draft and submit to the board a permanent investment plan and proposed rules for the board to review and approve through the rule-making process. Upon adoption of the final rules by the board, the adopted investment plan supersedes the initial investment plan authorized under (a)(i) of this subsection.

(iii) The department of commerce shall propose updates to the permanent investment plan and proposed rules every four years for review and approval by the board through the rule-making process.

(b) The investment plans must prescribe a competitive project selection process that results in a balanced portfolio of investments containing a wide range of technology, sequestration, and emission reduction solutions that efficiently and effectively reduce the state's carbon emissions from 2018 levels by a minimum of twenty million metric tons by 2035 and a minimum of fifty million metric tons by 2050 while creating economic, environmental, and health benefits. The emission reductions to be achieved under the plan should, in combination with reductions achieved under other state policies, achieve emissions reductions that are consistent with the state's proportional share of global carbon reductions that will limit global temperature increases to two degrees centigrade and preferably below one and one-half degrees centigrade.

(3)(a) For investments authorized under subsection (1)(h) of this section:

(i) The department of natural resources shall develop proposed procedures, criteria, and rules for a program to sequester carbon through blue carbon projects.

(ii) The department of agriculture shall develop proposed procedures, criteria, and rules for a program to increase soil sequestration and reduce emissions from the loss and disturbance of soils, including the conversion of grassland and cropland soils to urban development.

(iii) The recreation and conservation office shall develop proposed procedures, criteria, and rules for a grant program that funds projects to prevent the conversion and fragmentation of working forests, farmland, and natural habitats of all types; expands habitat and working forest connectivity; promotes reforestation; funds the acquisition of permanent conservation easements or fee simple title with deed restrictions that result in increased forest carbon sequestration through the implementation of improved forest management practices that safeguard ecological benefits, protect habitat, and provide sustainable jobs in rural communities; and supports management activities that improve landscape-scale ecological functions to protect water, soils, and habitat for fish, wildlife, and plants and reduce potential for emissions of greenhouse gases. The program must prioritize and rank projects that effectively capture and store carbon and provide a diversity of additional ecological benefits.

(b) Procedures and criteria for the programs, activities, or projects created under (a)(ii) and (iii) of this subsection must retain sufficient flexibility to serve as a source of matching funds from other sources and to allow for a portion of the funds awarded to provide for the long-term costs of stewardship obligations on lands protected under those programs, activities, or projects.

(c) The proposed procedures, criteria, and rules for the programs, activities, or projects created under (a)(ii) and (iii) of this subsection must be developed in consultation with the panels

and must be submitted to the board for final review and approval by January 1, 2020.

(4)(a) There must be sufficient investments made from the clean air and clean energy account to prevent or eliminate the increased energy burden of people with lower incomes as a result of actions to reduce pollution, including the pollution fees collected from large emitters under this chapter. At a minimum, fifteen percent of the clean air and clean energy account is dedicated to investments that directly reduce the energy burden of people with lower incomes. Additional funds from the clean air and clean energy account must be allocated for program development, recruitment, enrollment, and administration to achieve the intent of this subsection. Investments are in addition to programs, activities, or projects funded through credits authorized under subsection (6) of this section. After the first effectiveness report is issued, the environmental and economic justice panel may make recommendations to the board on measures to better achieve the intent of this subsection.

(b) The department of commerce or, for credits authorized pursuant to subsection (6) of this section, a light and power business or gas distribution business shall:

(i) In meaningful consultation with people with lower incomes and with the environmental and economic justice panel, develop a draft plan that identifies programs, activities, or projects that achieve the intent of this subsection and maximize the number of people with lower incomes benefiting at levels appropriate to need. The draft plan must be submitted to the board for final review and approval.

(ii) Prioritize programs, activities, and projects that create the following sustained energy burden reductions:

(A) Energy affordability through bill assistance programs and other similar programs;

(B) Reductions in dependence on fossil fuels used for transportation, including public and shared transportation for access and mobility;

(C) Reductions in household energy consumption, such as weatherization; and

(D) Community renewable energy projects that allow qualifying participants to own or receive the benefits of those projects at reduced or no cost.

(iii) In consultation with community-based nonprofit organizations and Indian tribes as appropriate, design and implement comprehensive enrollment campaigns that are language and culturally appropriate to inform and enroll people with lower incomes in the assistance programs authorized under this subsection. The campaign must also inform people with lower incomes of other energy cost reduction programs for which they may be eligible. The campaign should strive to achieve enrollment of one hundred percent of people with lower incomes. The department of commerce may contract with third parties to carry out the requirements of this subsection.

(c) Programs, activities, or projects that count toward the expenditures required by section 3(5)(a) of this act may not be counted toward the minimum expenditures required by this subsection.

(5) Within four years of the effective date of this section, a minimum balance of fifty million dollars of the clean air and clean energy account must be set aside, replenished annually, and maintained for a worker-support program for bargaining unit and nonsupervisory fossil fuel workers who are affected by the transition away from fossil fuels to a clean energy economy. The department of commerce, in consultation with the environmental and economic justice panel, may allocate additional moneys from the fund if necessary to meet the needs of eligible workers in the event of unforeseen or extraordinary amounts of dislocation.

(a) Worker support may include but is not limited to full wage replacement, health benefits, and pension contributions for every worker within five years of retirement; full wage replacement, health benefits, and pension contributions for every worker with at least one year of service for each year of service up to five years of service; wage insurance for up to five years for workers



reemployed who have more than five years of service; up to two years of retraining costs including tuition and related costs, based on in-state community and technical college costs; peer counseling services during transition; employment placement services, prioritizing employment in the clean energy sector; relocation expenses; and any other services deemed necessary by the environmental and economic justice panel.

(b) The department of commerce, in consultation with the environmental and economic justice panel, shall develop draft rules, procedures, and criteria, to identify affected workers and administer this program. These draft rules, procedures, and criteria must be submitted to the board for final review and approval through the rule-making process.

(6)(a) A qualifying light and power business or gas distribution business may claim credits for up to one hundred percent of the pollution fees for which it is liable under this chapter. Credits may be authorized for, and in advance of, investment in programs, activities, or projects consistent with a clean energy investment plan that has been approved by the utilities and transportation commission, for investor-owned utilities and gas distribution businesses, or the department of commerce, for consumer-owned utilities.

(b) Clean energy investment plans must be developed by a qualifying light and power business or gas distribution business in meaningful collaboration with stakeholders, including the board and the panels. The qualifying light and power business or gas distribution business shall solicit public input and submit the clean energy investment plan for review and approval by the commission, for investor-owned utilities and gas distribution businesses, or the department, for consumer-owned utilities.

(c) To receive approval, the clean energy investment plan must:

(i) Identify investments aligned with the pollution reduction investment plan, targets, and goals authorized under and identified in subsection (2) of this section. Eligible investments include:

(A) Those categories listed in subsection (1)(a) through (g) of this section;

(B) A customer education and outreach program to promote widespread participation by consumers and businesses;

(C) The accelerated depreciation of a fossil fuel-fired generator owned by a light and power business, limited to thirty percent of credits authorized under a clean energy investment plan, if:

(I) The accelerated depreciation schedule includes recovery of all plant-in-service costs of the light and power business that owns or controls the plant associated with the fossil fuel-fired generator;

(II) The plant is replaced with renewable resources or demand side resources that emit no greenhouse gases; and

(III) The accelerated depreciation schedule and replacement power plan is included in a clean energy investment plan approved by the commission;

(D) Replacing all or a part of the debt financing portion of a capital investment made in the development of eligible renewable energy resources if doing so lowers the cost of financing and the construction of the capital investment commences after the effective date of this section;

(E) For a qualifying gas distribution business, purchasing alternative carbon reduction units. Alternative carbon reduction units are available only if a gas distribution business demonstrates in its clean energy investment plan that it has pursued all other available investment opportunities. No more than ten percent of the pollution fee owed in a given year may be reduced by purchasing alternative carbon reduction units. A qualifying gas distribution business must demonstrate that any carbon reduction unit it purchased verifiably reduced carbon emissions within the state, created benefits, as defined in section (3)(5)(d) of this act, within pollution and health action areas, and was developed in meaningful consultation with vulnerable populations. Alternative

carbon reduction units are available only during the ten years immediately following the effective date of this section;

(ii) Identify sufficient investments to eliminate net increases in energy burden of customers that are people with lower incomes as a result of actions to reduce pollution, including the requirements of this act. At a minimum, fifteen percent of credits must be dedicated to investments that directly reduce energy burden on people with lower incomes. Additional funds must be allocated for program development, recruitment, enrollment, and administration to achieve the intent of this subsection. These investments must be consistent with subsection (4) of this section;

(iii) Demonstrate how the requirements of section 3(5)(a) of this act have been met and the criteria in section 7 of this act, excluding subsection (1)(d) of that section, have been given priority in the development of the plan;

(iv) Describe a long-term strategy to eliminate any fee obligation imposed by this chapter on electricity and minimize any fee obligation on natural gas;

(v) Provide performance metrics, including performance metrics designed to measure pollution reduction achieved, energy burden reduction benefits supplied, and other indicators of progress in achieving the purposes of this chapter. Performance metrics must cover the life of the plan;

(vi) Demonstrate that expenditures in the plan are in addition to existing programs and expenditures necessary to meet other emissions reduction, energy conservation, low income, or renewable energy requirements in the absence of this chapter and incremental to investments or expenditures that the light and power business or gas distribution business would have pursued in the absence of the plan and the requirements of this chapter; and

(vii) Describe methods of addressing shortfalls of previous plans in achieving the requirements set forth in this subsection (6)(c).

(d) The department and the commission may choose to approve the entire plan or only parts of a plan and authorize credits only for the approved segments. The department, the commission, and the board may confer with and provide recommendations to one another prior to the approval of a clean energy investment plan. The department and the commission may make determinations based on the efficacy of the plan, including appropriate comparison to carbon reduction and other outcomes that are projected to be achieved under the state's pollution reduction investment plan developed under subsection (2) of this section, results of the effectiveness report developed under section 12 of this act, and other criteria they adopt.

(e) A light and power business or gas distribution business authorized to receive credits under this subsection must establish and maintain a separate clean energy investment account into which it must deposit amounts equal to the credits authorized under this section. Funds deposited into this account must be expended during the year in which the funds were collected from customers, the preceding year, or any of the three subsequent years, after which they must be remitted to the clean air and clean energy account.

(f) Upon approval of a clean energy investment plan, a qualifying light and power business or gas distribution business must expend moneys from its clean energy investment account in accordance with the approved clean energy investment plan, with the oversight of the commission or department. A light and power business or gas distribution business must submit annual reports to the commission or department that include, at a minimum, the status of the plan and an evaluation of whether its investments have achieved the performance metrics identified in the clean energy investment plan.

(g) If the commission or the department determines that a plan did not meet a performance metric, the commission or department may require the light and power business or gas distribution business to remit remaining credits dedicated for the nonperforming plan or

components to the clean air and clean energy account and may deny future plans unless they meet the requirements of this subsection.

(h) To maintain eligibility to receive a credit for fees, a qualifying light and power business or gas distribution business must submit and receive approval of an updated clean energy investment plan every two years.

(i) An investor-owned light and power business or gas distribution business may not earn a rate of return from the portion of investments paid for with credits under this section.

(j) Credits may not support programs, activities, or projects that are otherwise legally required by federal, state, or local laws, or that are required as a result of a legal settlement or other action binding on the potential recipient of the funds. Credits may not be used to supplant existing funding for related programs.

(k) A qualifying light and power business or gas distribution business is authorized to use a reasonable portion of credits for necessary administrative costs related to the requirements of this subsection, including the development and implementation of an approved clean energy investment plan.

(l) For the purposes of this subsection, a qualifying light and power business or gas distribution business may request that within one hundred twenty days the department of health designate additional pollution and health action areas located in the service area of the qualifying light and power business or gas distribution business.

(m) Credited fees in the clean energy investment account are considered gross operating revenue for the purpose of RCW 80.24.010, and may not be considered gross income for the purposes of chapters 82.04 and 82.16 RCW. In addition to fees paid pursuant to RCW 80.24.010 on credited fees in the clean energy investment account, each investor-owned utility must pay an annual fee set by the commission annually through order of up to one percent of credited

fees deposited in the clean energy investment account to pay for the commission's reasonable cost of administering this subsection.

(n) The commission and department must adopt rules concerning the process, timelines, reporting, committees, standards, and documentation required to ensure proper implementation of this subsection. These rules must allow for stakeholder contribution to the clean energy investment plans and establish requirements for review, approval, performance metrics, and independent monitoring and evaluation of a clean energy investment plan of a light and power business or gas distribution business.

(o) The amount of credits authorized and spent under this subsection counts towards the minimum percentage of investments required by section 3(2)(a) of this act.

(p) The definitions in this subsection (6)(p) apply throughout this subsection unless the context clearly requires otherwise.

(i) "Commission" means the utilities and transportation commission.

(ii) "Department" means the department of commerce.

(7) Funding made available for programs, activities, or projects under this section must be additive to existing funding and may not supplant funding otherwise available.

(8) The expenditures of funds under this section may not support programs, activities, or projects that are otherwise legally required by federal, state, or local laws, or that are required as a result of a legal settlement or other legal action or court order binding on the potential recipient of the funds.

NEW SECTION.   **Sec. 5.**   CLEAN WATER AND HEALTHY FORESTS INVESTMENTS.   (1) The clean water and healthy forests account is created in the state treasury. All moneys directed to the account from the clean up pollution fund created in section 3 of this act must be deposited in the account. Moneys in the account are intended to increase the resiliency of the state's waters and forests to the impacts of climate change. Moneys in the account must be spent in a

manner that is consistent with existing and future assessment of climate risks and resilience from the scientific community and expressed concerns of and impacts to pollution and health action areas.

(2) Moneys in the account may be allocated for the following purposes:

(a) Clean water investments that improve resilience from climate impacts.

(i) Funding under this subsection (2)(a) must be used to:

(A) Restore and protect estuaries, fisheries, and marine shoreline habitats, and prepare for sea level rise;

(B) Increase the ability to remediate and adapt to the impacts of ocean acidification;

(C) Reduce flood risk and restore natural floodplain ecological function;

(D) Increase the sustainable supply of water and improve aquatic habitat, including groundwater mapping and modeling; or

(E) Improve infrastructure treating stormwater from previously developed areas within an urban growth boundary designated under chapter 36.70A RCW, with a preference given to projects that use green stormwater infrastructure.

(ii) Funding under this subsection (2)(a) proposed for projects in the Puget Sound basin must be reviewed by the Puget Sound partnership for consistency with the Puget Sound action agenda authorized under chapter 90.71 RCW. This review must be conducted in a manner that does not delay the approval of programs, activities, or projects under this subsection.

(iii) The departments of ecology, natural resources, fish and wildlife, the Puget Sound partnership, and the recreation and conservation office must jointly develop draft procedures, criteria, and rules for the program authorized under this subsection (2)(a).

(b) Healthy forests investments to improve resilience from climate impacts.

(i) Funding under this subsection (2)(b) must be used for projects and activities that will:

(A) Increase resilience to wildfire in the face of increased temperature and drought; or

(B) Improve forest health and reduce vulnerability to changes in hydrology, insect infestation, and other impacts of climate change.

(ii) The department of natural resources may consider supporting cross laminated timber and other mass timber technologies in support of this work.

(iii) The department of natural resources must develop draft procedures, criteria, and rules for the program authorized under this subsection (2)(b). Funding priority must be given to programs, activities, or projects prioritized pursuant to RCW 76.06.200 and 79.10.530 across any combination of local, state, federal, tribal, and private ownerships.

(iv) The department of natural resources must adopt rigorous performance-based criteria and objectives for funding decisions under this subsection (2)(b), such as the number of acres burned or thinned or otherwise treated to improve forest health, acres of forest for which wildland fire prevention measures have been implemented, and the number of communities in the wildland urban interface for which wildfire resilience and defense measures have been implemented.

(3) Draft procedures, criteria, and rules required under this section must be developed in consultation with the clean water and healthy forests panel and must be submitted to the board for final review and approval subject to the rule-making process.

(4) Moneys in the account may not be used for projects that would violate tribal treaty rights or result in significant long-term damage to critical habitat or ecological functions. Investments from this account must result in long-term environmental benefit and increased resiliency to the impacts of climate change.



(5) Funding made available for projects under this section should be considered additive to existing funding and is not intended to supplant funding otherwise available for such projects.

NEW SECTION.   **Sec. 6.**   HEALTHY COMMUNITIES INVESTMENTS.   (1) The healthy communities account is created in the state treasury. All moneys directed to the account from the clean up pollution fund created in section 3 of this act must be deposited in the account. Moneys in the account must be used for programs, activities, or projects to prepare communities for challenges caused by climate change and to ensure that the impacts of climate change are not disproportionately borne by certain populations. Investments from this account may be used for the following purposes, with first priority given to programs, activities, or projects eligible for funding under (a), (b), and (c) of this subsection:

(a) Enhancing community preparedness and awareness before, during, and after wildfires;

(b) Developing and implementing resources to support fire suppression, prevention, and recovery for tribal communities impacted or potentially impacted by wildfires;

(c) Relocating communities on tribal lands that are impacted by flooding and sea level rise; and

(d) Developing and implementing education programs and teacher professional development opportunities at public schools to expand awareness of and increase preparedness for the environmental, social, and economic impacts of climate change and strategies to reduce pollution.

(2) Funding under this section may not supplant federal funding or federal obligations otherwise required by law or treaty.

(3) The department of natural resources, in consultation with the environmental and economic justice panel, shall develop draft procedures, criteria, and rules for the programs authorized in subsection (1)(a) through (c) of this section. The procedures, criteria, and rules for the program authorized in subsection (1)(a)

of this section must prioritize programs, activities, or projects that benefit communities with limited English proficiency and other vulnerable populations in communities at risk from wildfires.

(4) The superintendent of public instruction shall develop draft procedures, criteria, and rules for the program authorized in subsection (1)(d) of this section.

(5) Twenty percent of the healthy communities account must be reserved for developing community capacity to participate in the implementation of this chapter, including the preparation of funding proposals. Funds for this community capacity program must be allocated through a competitive process with a preference for projects proposed by vulnerable populations in pollution and health action areas and rural communities. Any Indian tribe that applies must receive up to two hundred thousand dollars per year to build tribal capacity to participate in the implementation of this chapter. The department of commerce shall work with the environmental and economic justice panel to develop draft procedures, criteria, and rules for this program.

(6) Proposed procedures, criteria, and rules prepared under this section must be sent to the board for final adoption, including through the rule-making process as appropriate.

NEW SECTION.   **Sec. 7.**   INVESTMENT CRITERIA.   (1) After applying the account-specific criteria in sections 4, 5, and 6 of this act, preference must be given to investments authorized under section 3 of this act and credits authorized under section 4(6) of this act that meet one or more of the following investment criteria:

(a) Procurement and use of materials and content that have lower carbon emissions associated with their transportation and manufacturing, as determined through the best available reporting and assessment tools;

(b) Support of high quality labor standards, prevailing wage rates determined by local collective bargaining, apprenticeship and preapprenticeship utilization and preferred entry standards,

community workforce agreements with priority local hire, procurement from women, veteran, and minority-owned businesses, procurement from and contracts with entities that have a history of complying with federal and state wage and hour laws and regulations, and other related labor standards;

(c) Reduction of worker and public exposure to emissions of air pollutants regulated under chapter 70.94 RCW, discharges of pollutants regulated under chapter 90.48 RCW, or releases of hazardous substances under chapter 70.105D RCW; and

(d) Reduction of pollution through strategies that reduce vehicle miles traveled, including by reducing travel distances for people with lower incomes.

(2) Projects that satisfy multiple criteria in subsection (1) of this section receive first preference under this section.

NEW SECTION.   **Sec. 8.**   POLLUTION FEE.   (1) A pollution fee is imposed on and must be collected from large emitters based on the carbon content of:

(a) Fossil fuels sold or used within this state; and

(b) Electricity generated within or imported for consumption in the state.

(2) The fee must be levied only once on a particular unit of fossil fuels or electricity.

(3) Beginning January 1, 2020, the pollution fee on large emitters is equal to fifteen dollars per metric ton of carbon content. Beginning January 1, 2021, the pollution fee on large emitters increases by two dollars per metric ton of carbon content each January 1st. The annual increase shall adjust for inflation each year. The pollution fee is fixed and no longer increases, except for annual increases for inflation, when the state's 2035 greenhouse gas reduction goal is met and the state's emissions are on a trajectory that indicates that compliance with the state's 2050 goal is likely, as those goals exist or are subsequently amended, as determined by the board.

(4) In order to calculate the pollution fee on large emitters imposed by this chapter, by November 1, 2019, the department of ecology must, in consultation with the department of revenue, adopt emergency rules specifying the basis for the carbon content inherent in or associated with covered fossil fuels and electricity. In developing these rules, the department of ecology may consider, among other resources, the carbon dioxide content measurements for fossil fuels from the federal energy information administration and the federal environmental protection agency. The department of ecology may periodically update the rules specifying the carbon content of fossil fuels and electricity.

(5) For the generation or import of electricity from an unspecified source, the department of ecology, in consultation with the department of commerce, must select a default emission factor that maximizes the incentive for light and power businesses to specify power sources without also unduly burdening the ability to purchase electricity from the market.

(6) For power generated or imported by the Bonneville power administration, the department of ecology must publish a default emissions factor for sales into Washington state.

(7) A credit for the fee owed may be authorized as provided in section 4(6) of this act. The utilities and transportation commission and the department of commerce shall ensure that resources are not reallocated between customers, customer classes, or geographies for the purposes of artificially reducing the application of this fee without reducing actual pollution emissions and, in doing so, must also not unduly burden the ability of a light and power business or gas distribution business to transact with the market.

(8) The department of revenue is directed to collect the fee and is authorized to take actions it deems necessary to collect the pollution fee.

(9) To carry out the purposes of this chapter, the state is authorized to issue general obligation or revenue bonds within the

limitations now or hereafter prescribed by the laws of this state, and may use, and is authorized to pledge, the moneys collected under this section for repayment of those bonds.

(10) The pollution fee owed by a large emitter may be assumed by a light and power business when it purchases electricity from that large emitter.

(11) When a large emitter purchases power from the Bonneville power administration, the larger emitter must assume the pollution fees, if any.

NEW SECTION.    **Sec. 9.**    EXEMPTIONS.    (1) To ensure consistency with existing state and federal law and to facilitate the timely, feasible, and effective reduction of pollution under this chapter, the pollution fee imposed on large emitters does not apply to and may not be collected for:

(a) Fossil fuels brought into this state in the fuel supply tank of a motor vehicle, vessel, locomotive, or aircraft;

(b) Fossil fuels that are exported or sold for export outside of Washington. Export to a federally recognized Indian tribal reservation located within this state is not considered export outside of Washington;

(c) Fossil fuels directly or eventually supplied to a light and power business for purposes of generating electricity;

(d) Motor vehicle and special fuel currently exempt from taxation under RCW 82.38.080;

(e) Fossil fuels and electricity sold to and used onsite by facilities with a primary activity that falls into an EITE sector, including any facility primarily supporting one or more facilities falling into one or more EITE sectors such as administrative, engineering, or other office facilities, after the department of commerce has validated a facility's designation within such sector or its supporting facility status in an EITE sector;

(f) Aircraft fuels as defined in RCW 82.42.010 and maritime fuels;

(g) Activities or property of Indian tribes and individual Indians that are exempt from state taxation as a matter of federal law and state law, whether by statute, rule, or compact, including but not limited to the exemptions listed in WAC 458-20-192. For motor vehicle fuel or special fuel sold on tribal lands, the fee may be included in any agreements under RCW 82.38.310;

(h) Diesel fuel, biodiesel fuel, or aircraft fuel when these fuels are used solely for agricultural purposes by a farm fuel user, as those terms are defined in RCW 82.08.865;

(i) Pollution emissions from a coal closure facility. For the purpose of this chapter, a "coal closure facility" is any facility that generates electricity through the combustion of coal as of the effective date of this section and:

(i) Is legally bound to comply with emissions performance standards as set forth in RCW 80.80.040 by December 31, 2025; or

(ii) Is legally bound to cease operation by December 31, 2025.

(2) For any electricity or fossil fuels subject to the fee imposed by this chapter that are also subject to a similar fee on carbon content imposed by another jurisdiction, the payer may take a credit against the fee imposed by this chapter up to the amount of the similar fee paid to the other jurisdiction if the payer petitions to and receives approval for the credit from the department of commerce.

(3) For electricity generated in Washington that is sold out of state to a jurisdiction that has a similar fee on carbon content, a large emitter may receive a credit equal to the amount of the fee in the receiving jurisdiction up to the amount of the fee owed under this chapter if the payer petitions to and receives approval for the credit from the department of commerce.

**NEW SECTION.**    **Sec. 10.**    PUBLIC OVERSIGHT BOARD AND CONSULTATION.

(1) The public oversight board is established within the executive office of the governor. The purpose of the board is to ensure timely, effective, and efficient implementation of this chapter. The

board must ensure robust public involvement, accountability, and transparency in the implementation of this chapter.

(2) The board has fifteen voting members, including the chair, the six cochairs of the panels, four at-large positions, the commissioner of public lands, and the directors of the department of commerce, the department of ecology, and the recreation and conservation office. The governor shall appoint the chair and the four at-large positions, one of which must be a tribal representative and one of which must represent vulnerable populations in pollution and health action areas, to achieve an overall board membership with appropriate expertise in pollution reduction. The at-large positions must serve staggered four-year terms. The department of health, the department of transportation, and the superintendent of public instruction are nonvoting members of the board.

(3) The board has the following powers and duties:

(a) Develop budget recommendations pursuant to the process set forth in chapter 43.88 RCW;

(b) Work with appropriate state agencies to utilize, where feasible, existing programs to deliver funding made available under this chapter;

(c) Evaluate the funding proposals developed by the state agencies and the panels and provide final approval of funding for programs and projects under this chapter at a public hearing;

(d) Adopt rules under chapter 34.05 RCW as necessary to carry out the purposes of this chapter;

(e) Review and approve procedures, criteria, and rules developed under the provisions of this chapter, the pollution reduction investment plan developed under section 4 of this act, and the effectiveness report required by section 12 of this act;

(f) Develop a tribal consultation process for programs, activities, or projects proposed for funding under this chapter consistent with subsection (9) of this section;

(g) Confer with the governor and the legislature regarding implementation of this chapter; and

(h) Carry out such other duties necessary for implementation of this chapter or that are delegated to the board.

(4) The board must be led by the chair of the board. The chair is a full-time staff person appointed by the governor and should be housed in the office of the governor. The chair should have experience in management and administration and expertise in and a demonstrated commitment to reducing pollution and transitioning to a clean energy economy.

(5) In addition to leading the board, the chair has, without limitation, the following duties and authorities:

(a) Drive implementation of programs, activities, or projects in a manner that achieves timely and effective pollution reduction and the other purposes of this chapter;

(b) Solicit analysis from any state agency or office on matters related to implementation of this chapter;

(c) Convene and preside over a climate subcabinet, consisting of representatives of the agencies with responsibility to implement portions of this chapter and the cochairs of the panels;

(d) Periodically brief the governor and legislative leaders regarding progress, challenges, and obstacles in implementing this chapter; and

(e) Hire staff as necessary to support the work of the chair and the board.

(6) Members of the board who are not state employees must be compensated in accordance with RCW 43.03.240 and are entitled to reimbursement individually for travel expenses incurred in the performance of their duties as members of the board in accordance with RCW 43.03.050 and 43.03.060.

(7) All state agencies shall cooperate with and support the board as it implements this chapter. All state agencies shall complete their duties under this chapter and otherwise drive its implementation with a sense of urgency.



(8) To ensure timeliness, efficiency, and effectiveness, the board and the joint legislative audit and review committee shall jointly develop a schedule for periodic review and reporting regarding the implementation of this chapter.

(9) In furtherance of strengthening partnerships between the state and Indian tribes, achieving the goals set forth in this chapter, and to ensure mutual respect for the rights, interests, and obligations of each sovereign, this chapter must be construed to recognize and affirm the inherent sovereignty of Indian tribes, and to further the government-to-government relationships between Indian tribes and the state as follows:

(a) Any state agency acting under the authority of this chapter or receiving funding under this chapter must consult with Indian tribes on all decisions that may directly affect Indian tribes and tribal lands including but not limited to activities such as rule making. That consultation must follow the agency's protocol for consultation with Indian tribes developed pursuant to the centennial accord and must occur independent of any public participation process required by state law or by the agency, regardless of whether the agency receives a request for consultation from an Indian tribe.

(b) Any project proposed for funding under this chapter that directly impacts tribal lands or usual and accustomed fishing areas must be subject to meaningful formal consultation with Indian tribes before the board approves disbursement of investment moneys for the project. Consultation must include all consultation required under state or federal law and the provisions of this section. The goal of consultation is to share information regarding the project to ensure a complete understanding of the project and to identify and address tribal concerns. The process for consultation must be as follows:

(i) Consultation with Indian tribes must be initiated when a project is being evaluated for funding by a panel.

(ii) Consultation is initiated upon receipt of a letter from the board or panel to the person identified by Indian tribes under RCW

43.376.050. If an Indian tribe does not respond within forty-five days of receipt of the letter, the board may conclude that the Indian tribe has declined consultation on the project. The board shall provide notice in a manner that ensures actual receipt by the tribe and provides clarity as to the commencement of the forty-five day period outlined herein.

(iii) Where an Indian tribe responds to the letter, the board must utilize the consultation process established by the board, including a mutually agreed timeline for completion of consultation. The consultation process runs concurrently with the panels' and board's evaluation of the project and must be completed prior to the date determined by the board to complete final funding decisions.

(iv) The board and the Indian tribe must work in good faith during the consultation process to reach consensus on whether the project should be funded.

(c) For programs, activities, or projects that directly impact tribal lands, the goal of the consultation process is to obtain free, prior, and informed consent for the project. For these programs, activities, or projects, consultation is complete when the Indian tribe's government provides the board with a written resolution providing consent or withholding consent by the deadline set for completion of the consultation process.

(d) If any project that directly impacts tribal lands is funded under this chapter without complying with (b) and (c) of this subsection, upon a request by an Indian tribe, all further action on the project must cease until consultation with the Indian tribe is complete.

(e) Nothing in this subsection precludes a panel or the board from evaluating similar programs, activities, or projects as a group or using existing programs, activities, or projects to provide preliminary funding recommendations.

(f) Informal and early consultation between an Indian tribe and a project proponent is encouraged.

(g) The utilities and transportation commission shall comply with this subsection in exercising its authority under section 4 of this act.

NEW SECTION.   **Sec. 11.**   INVESTMENT ADVISORY PANELS.   (1) Three panels are created to provide detailed recommendations to the board and state agencies regarding implementation of this chapter, including the development of proposed rules, criteria, procedures, and other program elements. The governor shall appoint members of each panel for four-year, staggered terms. At least one-third of the membership of each panel must be representatives of the interests of vulnerable populations in pollution and health action areas.

(2) The clean air and clean energy panel must be cochaired by one business interest and a stakeholder that represents a statewide labor organization that represents a broad cross-section of workers. The panel may have no more than nine members, representing tribal, environmental, business, and labor communities and pollution and health action areas outside of tribal lands. The panel's membership must have expertise in carbon reduction programs, activities, and technologies. The panel shall work with appropriate state agencies to identify existing state programs that can be utilized to provide preliminary evaluations of grant applications, develop criteria and processes for evaluating programs, activities, or projects proposed that cannot be evaluated under existing programs, and prepare funding and other recommendations to the board for expenditures from the clean air and clean energy account, created in section 4 of this act. The clean air and clean energy panel may also develop, as needed, and recommend rules for the board's consideration.

(3) The clean water and healthy forests panel must be cochaired by one tribal leader and one stakeholder that represents statewide environmental interests. The panel may have no more than nine members, representing tribal, environmental, business, and labor communities and pollution and health action areas outside of tribal lands. The panel shall work with appropriate state agencies to

identify existing state programs that can be utilized to provide initial evaluations of grant applications, develop funding criteria and processes for programs, activities, or projects that cannot be evaluated under existing programs, and prepare funding and other recommendations to the board for expenditures from the clean water and healthy forests account, created in section 5 of this act. The panel may also recommend rules for the board's consideration.

(4) The environmental and economic justice panel must be cochaired by one tribal leader and one person that is a representative of the interests of vulnerable populations in pollution and health action areas outside of tribal lands. In addition to the cochairs, the panel consists of two members representing union labor with expertise in economic dislocation, clean energy economy, or energy-intensive and trade-exposed industries and five members, including at least one tribal leader and at least two nontribal leaders representing the interest of vulnerable populations in pollution and health action areas. The purpose of the panel is to:

(a) Prepare funding recommendations to the board for expenditures from the healthy communities account, created in section 6 of this act;

(b) Develop draft procedures, criteria, and rules for evaluating programs, activities, or projects for review and approval by the board and make funding recommendations regarding people with lower incomes, affected workers, vulnerable populations, and pollution and health action areas;

(c) Make recommendations regarding preventing or eliminating any increased energy burden of people with lower incomes as a result of actions to reduce pollution, including the pollution fees collected from large emitters under this chapter;

(d) Define meaningful consultation with pollution and health action areas, vulnerable populations, and people with lower incomes, and provide opportunities for vulnerable populations to consult on the implementation of this chapter;

(e) Evaluate compliance with the investment criteria in section 7 of this act;

(f) Define qualifying events and workers for the allocation of funds authorized under section 4(5) of this act;

(g) Review and comment on the analyses required under section 12 of this act and identify and recommend opportunities and measures to reduce burdens identified in the cumulative impact designation of pollution and health action areas pursuant to section 12(2) of this act, to increase economic opportunities, and to decrease risks, such as displacement; and

(h) Administer, in cooperation with the department of commerce, the community capacity grants authorized under section 6(5) of this act.

(5) Relevant state agencies shall cooperate with and support the panels as they implement this chapter.

(6) Any single individual may serve on more than one panel. Members of the panels who are not state employees must be compensated in accordance with RCW 43.03.240 and are entitled to reimbursement individually for travel expenses incurred in the performance of their duties as members of the panel in accordance with RCW 43.03.050 and 43.03.060. Members of the environmental and economic justice panel may receive financial support from organizations and the governments of Indian tribes through approved community capacity grants awarded under section 6(5) of this act.

NEW SECTION.   **Sec. 12.**   EFFECTIVENESS REVIEW AND POLLUTION MAPPING. (1)(a) By December 10, 2022, and every four years thereafter, the department of commerce, with support from relevant agencies and in consultation with the panels, the board, academic institutions, and other experts as appropriate, and taking into account scientific and community assessments of climate impacts, risks, and resilience needs, must develop and submit to the board a draft effectiveness report for final review and approval by the board.

(b) The effectiveness report must describe progress in achieving the purposes of this chapter, including progress made in achieving the carbon reduction goals established in section 4(2)(b) of this act and in developing and implementing the pollution reduction plans and clean energy investment plans under section 4 of this act. In addition, the effectiveness report must also include information regarding the impact of the implementation of this chapter upon employment and jobs, including the number and nature of jobs created, worker hours, job quality, job access and demographics, cobenefits secured, and other employment and economic information as deemed appropriate. The effectiveness report must also identify and evaluate outcomes, risks, and recommendations for vulnerable populations, pollution and health action areas, people with lower incomes, Indian tribes, and affected workers. The effectiveness report must recommend improvements to the implementation of this chapter.

(2) By July 31, 2019, the department of health shall designate pollution and health action areas. This designation must be at a minimum resolution of census tract scale and be based on the cumulative impact analysis of vulnerable populations and environmental burdens conducted by the University of Washington's department of environmental and occupational health sciences. The designation and ranking of census tracts in the cumulative impacts analysis and underlying data must be available for public review and may be integrated with or build upon other population tracking resources. The designation of pollution and health action areas and the cumulative impact analysis of vulnerable populations and environmental burdens must be periodically evaluated and updated by the department of health after meaningful consultation with vulnerable populations, the environmental and economic justice panel, and the University of Washington's department of environmental and occupational health sciences.

NEW SECTION.    **Sec. 13.**    DEFINITIONS.    The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Alternative carbon reduction unit" means a credit for one metric ton reduction in pollution that substitutes for an equivalent emission reduction in a qualifying gas distribution business's operations and is real, permanent, enforceable, verifiable, and additional to business as usual. The unit must derive from an action that reduces pollution.

(2) "Board" or "oversight board" means the public oversight board created in section 10 of this act.

(3) "Carbon content" means the carbon dioxide equivalent that is released through the combustion or oxidation of a fossil fuel, or that is associated with the combustion or oxidation of a fossil fuel, used to generate electricity.

(4) "Carbon dioxide equivalent" has the same meaning as provided in RCW 70.235.010.

(5) "Consumer-owned utility" has the same meaning as in RCW 19.29A.010.

(6) "Eligible renewable energy resource" has the same meaning as in RCW 19.285.030.

(7) "Energy burden" is the percentage of household income spent on road transportation and home energy bills.

(8) "Energy-intensive and trade-exposed sectors" and "EITE sectors" mean:

(a) Those sectors identified under "EITE covered party" in WAC 173-442-020(1)(m) as of April 22, 2017; and

(b) Other sectors the department of commerce designates that have, on average across all facilities belonging to the sector in the state, both a greater energy intensity of production and a greater trade share of goods than the corresponding averages for any other EITE sector.

(9) "Environmental burdens" refers to the cumulative risks to communities caused by historic and current:

(a) Exposure to conventional and toxic hazards in the air, water, and land, and;

(b) Adverse environmental effects, which are environmental conditions caused or made worse by contamination or pollution or that create vulnerabilities to climate impacts.

(10) "Fossil fuel" means petroleum products that are intended for combustion, natural gas, coal or coke of any kind, or any form of solid, liquid, or gaseous fuel derived from these products including but not limited to motor vehicle fuel, special fuel, aircraft fuel, marine fuel, still gas, propane, and petroleum residuals such as bunker fuel. For purposes of imposing the pollution fee on the carbon content of fossil fuels consumed by a refinery facility during the process of refining fossil fuels, "fossil fuel" also means crude oil and petroleum.

(11) "Fund" means the clean up pollution fund established under section 3 of this chapter.

(12) "Gas distribution business" has the same meaning as provided in RCW 82.16.010.

(13) "Greenhouse gas" and "greenhouse gases" have the same meaning as provided in RCW 70.235.010(6).

(14) An "Indian tribe" is an Indian nation, tribe, band, community, or other entity:

(a) Recognized as an Indian tribe by the federal department of the interior; and

(b) With its principal governmental office located within the geographical boundaries of the state of Washington or with treaty-reserved rights retained within the geographical boundaries of the state of Washington.

(15) "Inflation" means the percentage change in the consumer price index for all urban wage earners and clerical workers for the United States as published for the most recent twelve-month period by the bureau of labor statistics of the federal department of labor by September 30th of the year before the fees are payable.



(16) "Investor-owned utility" has the same meaning as in RCW 19.29A.010.

(17) "Large emitter" means:

(a) For electricity:

(i) An importer of electricity that was generated using fossil fuels or is subject to a default emissions factor under section 8 of this act; or

(ii) A power plant located in the state of Washington that generates electricity using fossil fuels.

(b) For motor vehicle fuel and special fuel, entities required to pay the tax specified in RCW 82.38.030(9).

(c) For natural gas, entities required to pay the tax specified in chapter 82.16 RCW, or, if the fee is not paid by a gas distribution business under chapter 82.16 RCW, by the person required to pay tax as provided in RCW 82.12.022 (1) through (3) and (8) through (10).

(d) For other petroleum products, persons as designated by rule by the department of revenue.

(e) A seller of fossil fuels to end users or consumers.

(f) A seller of fossil fuels sold for combined heat and power as defined in RCW 19.280.020.

(g) A refinery facility for crude oil, crude oil derivatives and other fossil fuels consumed by or in a refinery facility.

(18) "Light and power business" has the same meaning as provided in RCW 82.16.010, and includes a light and power business owned or operated by a municipality.

(19) "Maritime fuels" means diesel, gasoline, and biofuel-blend fuels sold from fuel docks for use in vessels and bunker and other fuels sold for use in ships for interstate and international transportation.

(20) "Motor vehicle fuel" has the same meaning as provided in RCW 82.38.020.

(21) "Panel" or "panels" means any or all of the panels established in section 11 of this chapter.

(22) "Person" means the state of Washington, political subdivision of the state of Washington, municipal corporation, the United States, and any individual, receiver, administrator, executor, assignee, trustee in bankruptcy, trust, estate, firm, partnership, joint venture, club, company, joint stock company, business trust, corporation, limited liability company, association, society, or any group of individuals acting as a unit, whether mutual, cooperative, fraternal, nonprofit, or otherwise.

(23) "People with lower incomes" means:

(a) All Washington residents with an annual income, adjusted for household size, which is at or below the greater of:

(i) Eighty percent of the area median income as reported by the federal department of housing and urban development; or

(ii) Two hundred percent of the federal poverty line; and

(b) Members of an Indian tribe who meet the income-based criteria for existing other means-tested benefits through formal resolution by the governing council of an Indian tribe.

(24) "Petroleum product" means hydrocarbons that are the product of the fractionation, distillation, or other refining or processing of crude oil that are used as, usable as, or may be refined as a fuel or fuel blend stock.

(25) "Pollution" means, for purposes of this chapter only, the presence of or introduction into the environment of greenhouse gases.

(26) "Pollution and health action areas" are those communities designated by the department of health based on the cumulative impacts analysis required by section 12(2) of this chapter and census tracts that are fully or partially on "Indian Country" as defined in 18 U.S.C. Sec. 1151.

(27) "Power plant" has the same meaning as in RCW 80.80.010.

(28) "Special fuel" has the same meaning as provided in RCW 82.38.020 and includes fuel that is sold or used to propel vessels.

(29) "Supplier" means a person that produces, refines, imports, sells, or delivers fossil fuels in or into the state for use or processing within the state.

(30) "Tribal lands" means "Indian Country" as defined in 18 U.S.C. Sec. 1151, lands owned by or held in trust for an Indian tribe, and sensitive tribal areas. For the purposes of this chapter, "sensitive tribal areas" are areas in which an Indian tribe has a significant interest, such as sacred sites, traditional cultural properties, and burial grounds protected under chapter 27.44 RCW.

(31) "Tribal leaders" means persons identified by Indian tribes under RCW 43.376.050 or other designee formally appointed by the Indian tribe.

(32) "Usual and accustomed fishing area" is any area adjudicated to have been reserved for fishing by one or more Indian tribe(s) through treaties as recognized by *United States v. Washington*, 20 F. Supp. 3d 899 (2008). For purposes of this chapter only, "usual and accustomed fishing area" refers to waterways only and not nearby uplands.

(33) "Vulnerable populations" are communities that experience high cumulative risk from environmental burdens due to:

(a) Adverse socioeconomic factors, such as unemployment, high housing and transportation costs relative to income, and linguistic isolation; and

(b) Sensitivity factors, such as low birth weight and higher rates of hospitalization.

NEW SECTION. **Sec. 16.** All departments and agencies named in this chapter may adopt rules, develop guidance, and create forms and other documents necessary to effectuate the provisions and purposes of this chapter.

NEW SECTION. **Sec. 17.** As of the effective date of this section, chapter 173-442 WAC and associated amendments to chapter 173-441 WAC previously adopted by the department of ecology may not

be enforced by the department of ecology. If this chapter is invalidated, the department of ecology is directed to enforce chapter 173-442 WAC and associated amendments to chapter 173-441 WAC.

NEW SECTION. **Sec. 18.** If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of the chapter or the application of the provision to other persons or circumstances is not affected. If any provision of this chapter or its application to any person or circumstance is held unconstitutional or unlawful, this chapter shall be construed to provide for the maximum application of the pollution fee and investments authorized in this chapter. Each exemption in section 9 of this act is severable and, if any exemption is held unconstitutional or unlawful, the remainder of the chapter is not affected.

NEW SECTION. **Sec. 19.** The findings and determinations in section 1 of this act are an integral part of this chapter. The provisions of this chapter are to be liberally construed to effectuate the policies and purposes of this chapter.

NEW SECTION. **Sec. 20.** The people find and determine that the pollution fee imposed in this chapter is not a tax in light of the purposes, benefits, and use of the fee. Nevertheless, if a court of final jurisdiction determines that the pollution fee imposed in this chapter is a tax, then that tax shall be deemed authorized, imposed, and exempt from the provisions of RCW 82.32.805 and 82.32.808.

NEW SECTION. **Sec. 21.** Sections 1 through 19 of this act constitute a new chapter in Title 70 RCW.

--- END ---

RESOLUTION R-5338

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND SUPPORTING INITIATIVE MEASURE NO. 1631, CONCERNS POLLUTION.

1 WHEREAS, in 2007, the City Council adopted strong  
2 greenhouse gas ("CO2") emission reduction targets for the City of  
3 Kirkland ("City") and community to help bring total CO2 emissions  
4 in Kirkland to 80 percent below 2005 levels by 2050; and

5  
6 WHEREAS, in 2009, the City Council adopted the Climate  
7 Protection Action Plan through Resolution R-4760 to help achieve  
8 greenhouse gas reduction targets by reporting annual greenhouse  
9 gas inventories to the City to allow quicker revisions and  
10 corrections to better help meet targets; and

11 WHEREAS, in 2014, the City joined the King County-Cities  
12 Climate Collaboration ("K4C") to work alongside other cities  
13 through joint funding, outreach and coordination to find  
14 innovative solutions to climate challenges in our region; and

15 WHEREAS, in 2015, the City Council adopted amendments  
16 to its Comprehensive Plan which included elements of Goal E5 to  
17 target carbon neutrality by 2050 to greatly reduce the impacts of  
18 climate change; and

19 WHEREAS, the City and Puget Sound Energy ("PSE") have  
20 worked jointly to encourage the development of renewable energy  
21 projects that provide clean energy to utility customers at stable  
22 long-term contracted rates, and that also support the local  
23 economy and regional and national energy independence; and

24 WHEREAS, in 2017, the City Council entered into a  
25 voluntary, long-term agreement with PSE through Resolution R-  
26 5256 to provide nearly all of the City's electricity use through PSE's  
27 Green Direct program, which allows participants to directly invest  
28 in a specific renewable energy project while also locking into a  
29 stable and predictable price for electricity for ten years, thereby  
30 helping remove City electricity costs from a sometimes volatile and  
31 unpredictable energy market; and

32 WHEREAS, PSE estimates that the City's use of Green  
33 Direct power will provide a reduction of 3,250,000 pounds of CO2

emissions annually based on all eligible City uses, including those at City Hall, the Kirkland Justice Center, the Maintenance Center, the community centers and the Fire Stations; and

WHEREAS, some concerned Kirkland residents have urged the City Council to hold a public hearing and to officially support I-1631; and

WHEREAS, Initiative Measure 1631 ("I-1631"), concerns pollution, will be on the general election ballot on November 6, 2018; and

WHEREAS, I-1631 seeks to add a new chapter to Title 70 of the Revised Code of Washington ("RCW"), Public Health and Safety; and

WHEREAS, I-1631 would impose a pollution fee on large emitters of greenhouse gases; and

WHEREAS, I-1631 would set forth procedures for proposing and approving the programs and projects that could be funded by money generated from the new fee; and

WHEREAS, I-1631 would create a public oversight board to implement the measure and approve funding for certain environmental programs and projects; and

WHEREAS, as provided for by RCW 42.17A.555, the City Council provided public notice of its intent to consider taking action at its October 2, 2018 meeting to support or oppose I-1631, at which time members of the public were given an opportunity to express their views in connection with I-1631; and

WHEREAS, such hearing has now been held; and

WHEREAS, the City Council now desires to show its support to I-1631.

NOW, THEREFORE, be it resolved by the City Council of the City of Kirkland as follows:

Section 1. The City Council supports Initiative 1631, concerns pollution.

Section 2. The City Council urges Kirkland voters to vote yes on Initiative 1631 and enact the measure into law.

68  
69  
70  
71  
72  
73

Passed by majority vote of the Kirkland City Council in open meeting this \_\_\_\_ day of \_\_\_\_\_, 2018.

Signed in authentication thereof this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Amy Walen, Mayor

Attest:

\_\_\_\_\_  
Kathi Anderson, City Clerk



## **CITY OF KIRKLAND**

**Department of Public Works**

**123 Fifth Avenue, Kirkland, WA 98033 425.587.3800**

**[www.kirklandwa.gov](http://www.kirklandwa.gov)**

---

### **MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** Kyle Butler, Sr. Operations & Financial Analyst  
Nancy Otterholt, Senior Accountant  
John MacGillivray, Solid Waste Programs Supervisor  
Michael Olson, Director of Finance and Administration  
Kathy Brown, Public Works Director

**Date:** September 20, 2018

**Subject:** 2019-2020 UTILITY RATE ADOPTION

### **RECOMMENDATION:**

City Council adopts the four attached ordinances establishing the 2019 and 2020 rates for solid waste, surface water, domestic water, and sanitary sewer utilities.

### **BACKGROUND:**

The proposed 2019-2020 solid waste rates were presented to the City Council at its September 4, 2018 meeting (see Attachment A). The proposed 2019-2020 surface water, domestic water, and sanitary sewer rates were presented at the City Council study session held on September 18, 2018 (see Attachment B). The Council did not direct staff to make any changes to the proposed rates for any of the four utilities; staff therefore is proposing rates for all four utilities, without modification, as they were presented in the Study Session.

At the study session, the City Council requested the following additional information:

1. The service package information for all four utilities that was contained in the staff Powerpoint presentations discussed in the September 4<sup>th</sup> and September 18<sup>th</sup> City Council meetings:

Summaries of service packages for these utilities have been provided as Attachment C to this memorandum.

Council may still accept, reject or modify the service packages during the budget process, as long as the Council does not add services packages that exceed the approved utility rate amounts set forth in these ordinances.

2. Utility rate increase data for all utilities going back to 2013, similar to the rate history provided during the Solid Waste rate study session. That rate information for surface water, water and sewer is included in the tables that follow.



## Utility rate increase data for previous years:

### Surface Water

Sector	Two Year Rate Increases		Two Year Rate Increases		Two Year Rate Increases	
	2013	2014	2015	2016	2017	2018
Monthly charge per ESU (\$)	15.60	15.60	16.22	16.87	17.21	17.55
% change from Prior year	0%	0%	4%	4%	2%	2%

### Water

Sector	Two Year Rate Increases		Two Year Rate Increases		Two Year Rate Increases	
	2013	2014	2015	2016	2017	2018
Single Family	3.4%	4.9%	4.9%	3.3%	1.7%	1.7%
Multi-Family	3.4%	4.9%	0.0%	0.0%	0%	0%
Commercial	3.4%	4.9%	0.0%	0.0%	0%	0%
Irrigation	3.4%	4.9%	4.9%	3.3%	1.7%	1.7%
Aggregate	3.4%	4.9%	2.9%	2.0%	1.0%	1.0%

### Sewer

Sector	One Year Rate All in First Year		Two Year Rate Increases		Two Year Rate Increases	
	2013	2014	2015	2016	2017	2018
Single Family	6.4%	0.0%	4.2%	1.1%	4.8%	1.0%
Multi-Family	6.4%	0.0%	4.2%	1.1%	2.7%	1.4%
Commercial	6.4%	0.0%	4.2%	1.1%	2.7%	1.4%
Consumption	6.4%	0.0%	4.2%	1.1%	3.4%	5.4%
Average	6.4%	0.0%	4.2%	1.1%	3.95%	1.6%

The proposed rates contained in the attachments meet staff's goal of holding aggregate proposed utility rate increases to levels at or below the Consumer Price Index (CPI-W) of 3.6%.

Attachment A: Staff memo, "2019-2020 Proposed Solid Waste Rates Briefing," August 23, 2018

Attachment B: Staff memo, "2019-2020 Proposed Utility Rates Briefing," September 6, 2018

Attachment C: Powerpoint slides: services packages, surface water, domestic water, sanitary sewer

Proposed ordinance, 2019-2020 Solid Waste Rates

Proposed ordinance, 2019-2020 Surface Water Rates

Proposed ordinance, 2019-2020 Domestic Water Rates

Proposed ordinance, 2019-2020 Sanitary Sewer Rates



## **CITY OF KIRKLAND**

**Department of Public Works**

**123 Fifth Avenue, Kirkland, WA 98033 425.587.3800**

**[www.kirklandwa.gov](http://www.kirklandwa.gov)**

---

### **MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** John MacGillivray, Solid Waste Programs Supervisor  
Kathy Brown, Public Works Director

**Date:** August 23, 2018

**Subject:** 2019-2020 Proposed Solid Waste Rates Briefing

### **RECOMMENDATION**

That the City Council receive a briefing at its September 4, 2018 meeting to include an overview of the utility rates review process ("Utility Rates 101") and a presentation of the proposed 2019-2020 Solid Waste rates with the opportunity to provide feedback and direction to staff.

### **BACKGROUND**

At its July 31, 2018 Finance and Administration Committee meeting, City Council committee members received a briefing on the first draft of the proposed 2019-2020 Solid Waste rates.

In preparation for the budget process, staff updated its Solid Waste rate projections for the 2019-2020 biennium using consultant assistance from Sound Resource Management. The Solid Waste rates are highly sensitive to, and informed by, the pass-through of rate increases from the King County Solid Waste Division; rates are also affected by an annual consumer price indicator escalator contractually granted to Waste Management (WMI). Kirkland's Solid Waste rate analysis therefore runs concurrent with King County's budget and rate adoption processes and the July release of the June-June CPI-W Seattle, Tacoma, Bremerton Wage Earners Index. In the case of Solid Waste rates, per RCW 35.21.157 the City must notify rate payers of rate increases at least 45 days before the effective date of the increase which requires final adoption of a rate ordinance no later than the October 16, 2018 City Council meeting.

The process of developing the 2019-2020 proposed Solid Waste rates was based on a combination of the financial performance of the utility over the past several years, needs as identified in the annual Solid Waste work plan, and contractual obligations and requirements. The proposed rates are designed to ensure the future financial integrity of the utility while bearing in mind the impacts on ratepayers.

The rates developed reflect the following overarching principles:

- Fully fund ongoing operations
- Maintain cash reserves
- Maintain or enhance capital contributions
- Achieve regular, modest rate adjustments in lieu of infrequent, large rate increases
- Reduce the commercial-to-single family residential cross subsidy

- **SOLID WASTE UTILITY RATES BACKGROUND**

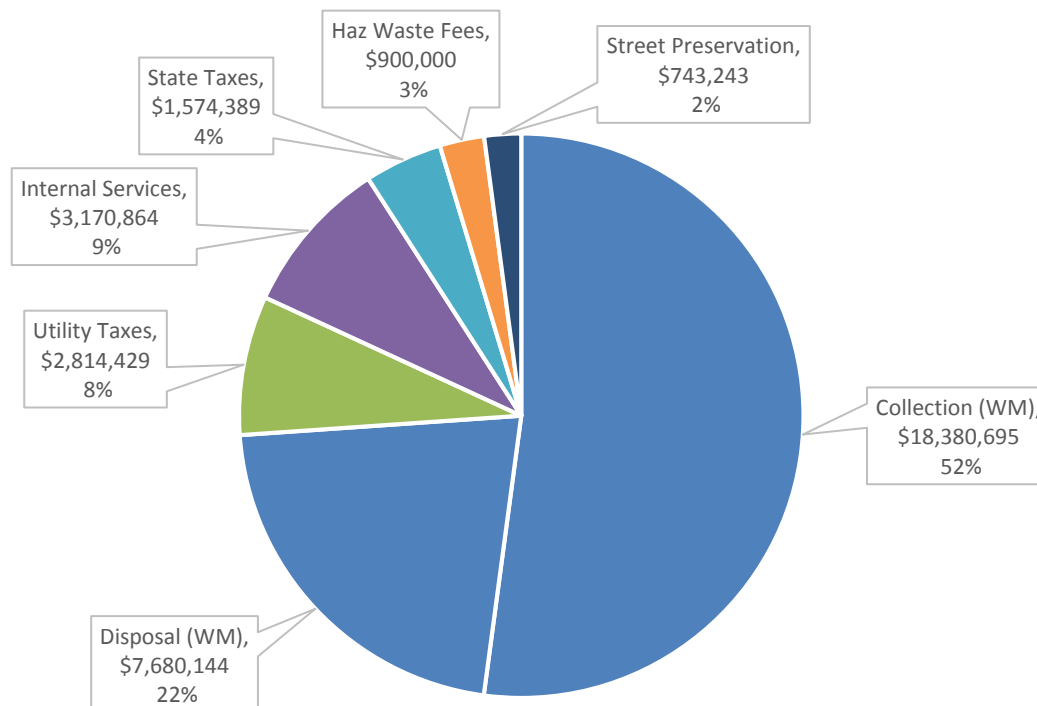
### *Overview*

The Solid Waste Utility provides collection and disposal services for Kirkland residents and businesses through its contract with WMI. Billing services are provided by the Utility Billing Division of the Finance and Administration Department. At the Council's direction, the City has periodically evaluated shifting billing services to WM, but each evaluation has shown that the City currently provides billing services at a lower cost and with better local control. Finally, waste avoidance, reduction, and recycling program development and education and outreach activities are implemented by City staff with the occasional assistance of outside consultants.

### *Solid Waste Utility Budget*

As shown below in *Chart 1*, the majority of the budget (74%) is comprised of payments to WMI for the collection and disposal/recycling of trash, recyclables, and organics. The monthly payment to WMI is subdivided into two categories: collection costs make up 70% and disposal costs account for 30%. Taxes (City utility and State) and hazardous waste fees account for 15% of the total budget. The remaining 11% is comprised of City services and an annual street preservation fee paid to the Capital Improvement Program to mitigate the ongoing wear and tear heavy collection vehicles have on City streets. The total proposed 2019/2020 biennial budget is \$35,263,764. For the 2017-2018 biennium through July 2018, the utility is collecting approximately 103% of its projected budget, largely due to stronger-than-anticipated revenues from the commercial sector.

Chart 1: Solid Waste Utility Budget Distribution

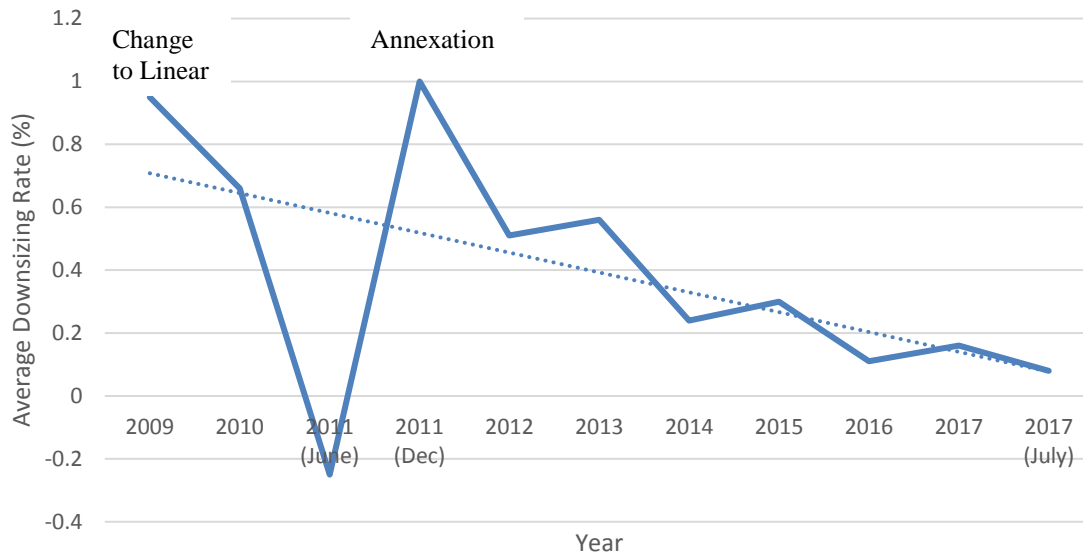


*Solid Waste Rate Adjustment Drivers*

The following factors and drivers were influential in drafting the proposed 2019-2020 Solid Waste rates:

- **King County Solid Waste Division Disposal Fee Increase.** On July 23, 2018 the King County Executive transmitted the proposed 2019/2020 King County Solid Waste Division disposal fee and budget to the Metropolitan King County Council (MKCC). The proposal includes a 4.6% increase in the disposal fee from \$134.59/ton to \$140.82/ton, subject to change pending MKCC review and adoption in September. The major drivers in the proposed King County disposal rate include:
  - Inflation and administrative costs
  - Further development of the Cedar Hills Regional Landfill Station (pending MKCC approval and city ratification of the Comprehensive Solid Waste Management Plan's disposal recommendation)
  - Siting of a Northeast Recycling and Transfer Station (pending MKCC approval and city ratification of the Comprehensive Solid Waste Management Plan's transfer system recommendation)
  - Construction of the South County Recycling and Transfer Station
  - Increased tonnage handling
  - Compliance with various environmental regulations
  - A low income discount on the disposal fee at transfer stations
- **Consumer Price Index Rate Adjustment to WMI.** The City is contractually required to grant WMI an annual CPI adjustment to the collection/service component of its wholesale rates paid by the City by 100% of the Seattle-Tacoma-Bremerton Metropolitan Area for Urban Wage Earners and Clerical Workers (CPI-W 1982-1984) in the period ending in June of each year. The allowed CPI rate adjustment for 2019 is 3.65%. The rate model conservatively estimates the 2020 CPI increase will be 3.5%.
- **A steady but stable rate of downsizing.** The City's linear Solid Waste rate model must account for downsizing; that is, the migration of customers from the large cart sizes (96/64 gallons) where the utility accrues excess revenue to the smaller cart sizes (10/20 gallons) where the utility operates at revenue deficit. The 35 gallon service offering is revenue neutral. The equal price-per-gallon inherent to linear rates naturally encourages customers to downsize to the service offering that best matches their waste production. The rate model conservatively accounts for this phenomenon by estimating downsizing rates of 1.7% and 1.8% in 2019 and 2020, respectively. As shown below in *Graph 1*, Kirkland experienced an abnormally high rate of downsizing when linear rates were first established in 2009 and for a two year period after annexation between June 2011 and 2013. The downsizing drew down the Solid Waste cash reserve to an uncomfortably low level in 2012. Over the course of 2014-2018 the cash reserve was replenished and the rate of downsizing has stabilized back to predictable, pre-annexation levels so the downsizing can once again be forecasted with high degree of certainty in the rate modeling.

Graph 1: Container Downsizing (2009-Current)



- Street Preservation Fee.** Currently, WMI regularly operates 29 heavy garbage, recycling, and organics collection vehicles in Kirkland (20 residential, 7 multifamily/commercial, and 2 roll-off). In 2011, a \$300,000 street preservation fee was incorporated in the solid waste rates to mitigate the damage heavy solid waste collection vehicles do to Kirkland's streets. The funding is provided annually to the Public Works Capital Improvement Program (CIP) and is used for the asphalt overlay program. The initial funding amount was borrowed from the City of Bothell's prior solid waste contract and has acted as a reasonable approximation of the pavement damage. The \$300,000 in funding has not changed since 2011 nor been subject to annual inflationary increases.

Starting with the 2019/2020 biennium, staff is proposing to increase the street preservation fee to \$365,000 and \$378,000, respectively, to reflect inflation over time, thereby increasing the fee by \$143,000 over the two year period. These amounts reflect the compounded CPI-W since 2012, as shown below in *Table 1*. The rate impact of the increases contribution is .30% each year.

**Table 1: Street Preservation Fee Escalation by Inflation**

Year	CPI-W	CPIW-Escalated Fee Amount	Actual Fee (Current)
2011	First Year	N/A	\$300,000
2012	3.7%	\$311,100	\$300,000
2013	2.67%	\$319,406	\$300,000
2014	1.16%	\$324,516	\$300,000
2015	2.23%	\$331,752	\$300,000
2016	1.08%	\$335,334	\$300,000
2017	1.99%	\$342,007	\$300,000
2018	3.03%	\$352,369	\$300,000
2019	3.65%	\$365,230	\$300,000
2020	3.5% (est)	\$378,013	\$300,000
	Total	\$3,356,727	\$3,000,000

*Other Rate Considerations*

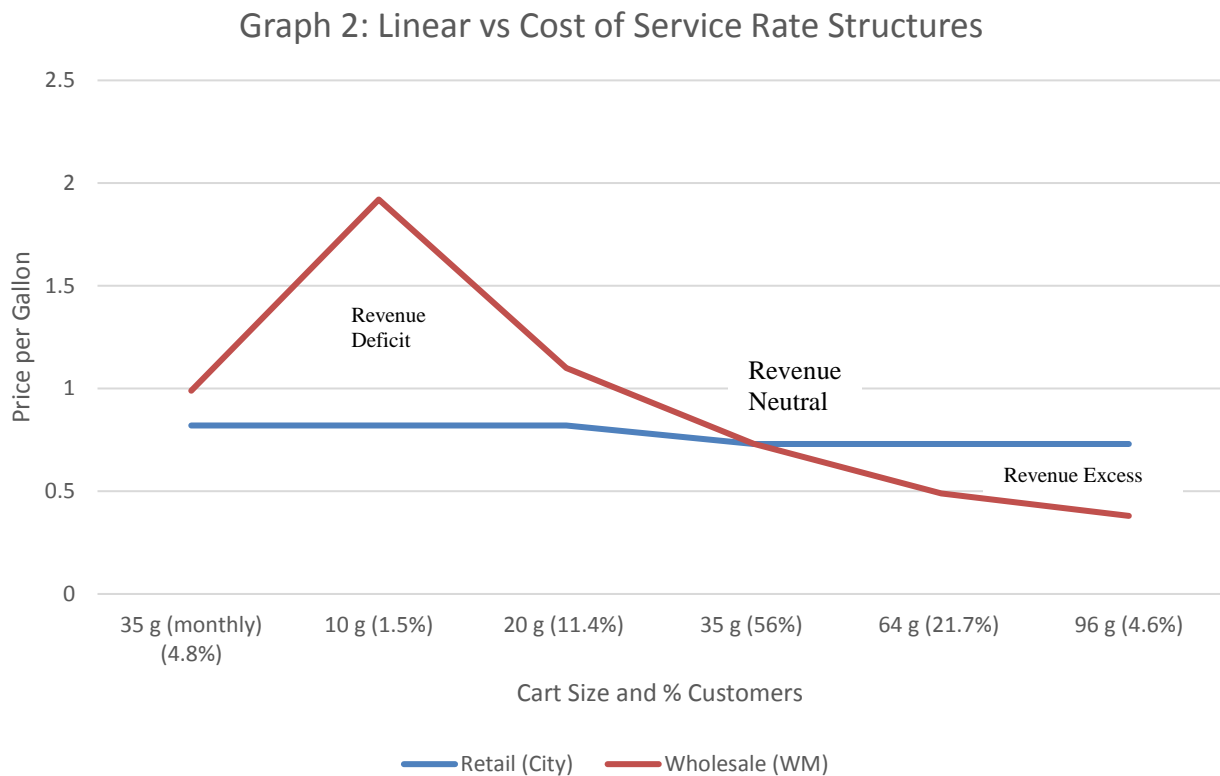
- **China Sword.** The recent restrictions by China on the import of specific recyclables from the northwest, mainly mixed plastics and paper, will not impact the proposed solid waste rates. Due to Chinese restrictions, processing costs and commodity values have temporarily increased and decreased, respectively. Consequently, WMI has requested a rate increase that is currently under review and consideration by staff. However, any increase, if granted at all, would instead be an ancillary surcharge and would not impact the wholesale rates and consequently the City's retail rates.

*Solid Waste Rate Assumptions and Features*

- **Maintain staffing levels.** The proposed Solid Waste rates would maintain the current ongoing staffing levels at 2.5 FTEs. Staffing includes a 1.0 FTE Solid Waste Programs Supervisor, a 1.0 FTE Recycling Programs Coordinator, and a .50 FTE Environmental Education and Outreach Specialist (EOS). A proposed service package, discussed later in this memorandum, would use one-time cash reserve funding to increase the EOS position by .25 FTE to .75 FTE for the biennium.
- **Equal Cart-based Service Rates.** The cart-based garbage service rates in single family residential and multifamily/commercial are the same. This policy direction was given by City Council several years ago to provide rate equity between the two sectors where the multifamily/commercial cart rates were previously higher than single family cart rates.
- **Commercial Organics Program.** The costs for the Commercial Organics Program are embedded in the rates (25% allocated to single family and 75% to multifamily/commercial). The program offers weekly or semi-weekly food composting service at no additional cost to about 125 qualified multifamily properties and businesses.
- **Maintain the "nearly linear" rate structure to encourage waste reduction and recycling.** In 2009, City Council adopted a linear rate structure in which the cost per gallon in Kirkland's retail rates were equalized amongst all service offerings. This rate structure naturally encourages downsizing since customers do not receive a "bulk discount" for having a larger cart size as is the case in a cost-of-service model. Linear rates offer customers the opportunity to downsize to a smaller, more affordable service offering by optimizing their use of embedded recycling and composting services provided at no additional cost. Linear rates have been foundational in *maintaining or marginally increasing* Kirkland's high annual recycling diversion rate in the single family residential sector, particularly after annexation when Kirkland added 10,000 new customers previously serviced under cost-of-service rate structure.

When Kirkland's linear retail rate model is overlayed onto the WMI wholesale rate cost-of-service model, the Solid Waste Utility loses revenue on the small service offerings but gains revenue on the larger carts. If an inordinate number of customers migrate from large to small service levels, the consequent impact on revenues and cash reserves bears close monitoring. For the 2013-2014 and 2015-2016 biennia, City Council adopted a revised "nearly linear" rate structure, as shown in *Graph 2*, where the price per gallon of the smaller service levels (10/20 gallon weekly and 35 gallon monthly) was increased slightly higher than the price per gallon for the larger carts (64 and 96 gallon) as a way

to hedge against continued downsizing and decrease the revenue deficit. The majority of Kirkland's 21,975 customers (57%) have settled at the 35 gallon weekly service where the retail price matches the wholesale price paid to WMI.



- Maintain Cash Reserve Balance.** The Solid Waste Utility cash reserve policy is to maintain a cash reserve of no less than \$1.3 million which covers the monthly invoice paid to WMI plus internal expenses. The Solid Waste Utility pays WMI monthly but bills its customers every two months so maintaining a reasonable and healthy cash reserve allows the City to pay WMI monthly and bill its customers in arrears. Currently, the Solid Waste cash reserve stands at approximately \$1.8 million and has been replenished at a slightly higher rate than expected due to the strong economy, particularly in the commercial sector. The proposed rates intend to maintain but not increase the current cash reserve level. If all service packages discussed later in the memorandum are approved, the cash reserve would be reduced by \$173,000.
- Reduce the commercial to single family cross subsidy.** During the 2017-2018 utility rate review and adoption process, City Council passed Resolution R-5210 requiring the elimination of rate cross subsidies by the end of 2022 unless such elimination is deemed to be impractical due to unforeseen circumstances. For the 2019-2020 biennium, staff is proposing to reduce the commercial-to-single family residential cross subsidy incrementally by 50% or about \$130,000 by 2020 and reduce the remaining 50% of the subsidy by 2022 as a way to soften the blow to single family residents by smoothing the impact over four years instead of two.



- **Increase the affordability of bulky waste collection.** For several years, the cost charged to customers to dispose of/recycle bulky waste items like appliances, mattresses, and furniture at the curb has been cost prohibitive when compared to the costs charged at regional transfer stations and by private junk hauling companies. The 2018 retail rate charged to customers to dispose of bulky waste is about \$131 for each item and, consequently, the service has a low usage rate. In contrast, the wholesale rates paid to WMI for the service range between \$67-\$74.

Due to lack of use bulky waste collection is not, nor has it ever been, a significant revenue generator for the utility. This proposed adjustment would make this service revenue neutral by reducing the City retail rate to match the WMI wholesale rate. This price reduction would make the service more attractive and affordable to residents while maintaining the "premium" nature of the curbside service relative to self-transporting bulky items to transfer stations where customer pay between \$10-\$30. The price reduction will also serve as a way to discourage illegal dumping activity.

### **PROPOSED SERVICE PACKAGES**

The following three service packages are proposed to be included in the 2019/2020 Solid Waste budget. The total combined service package request is \$159,500 with all of the funding proposed to be one-time from the Solid Waste cash reserve with no impact on rates. All costs shown are biennial. Narratives of each service package are included below.

#### *Service Package 1: Environmental Education and Outreach Specialist*

<b>.25 FTE Environmental Education and Outreach Specialist</b>			
<b>Cost:</b> \$49,500	<b>Rate Impact:</b> None	<b>Funding Type:</b> One-time	<b>Funding Source:</b> Solid Waste Cash Reserve
<b>Details and Justification</b>			
<p>The Solid Waste Environmental Education and Outreach Specialist (EOS) has been funded as a permanent, ongoing .50 FTE position since 2007. Since 2014, Washington State Department of Ecology grant funding has been used to increase the position by .25 FTE to .75 FTE. The additional .25 FTE has been funded as one-time temporary on a semi-annual basis and provides Solid Waste with additional labor hours to support reuse, waste reduction, and recycling through the coordination of community education programs, special events, and the design and production of associated collateral.</p> <p>The grant funding source no longer allows the billing of staff labor hours that cannot be directly linked to quantifiable recycling diversion and the available grant funding was cut by 60% by the State Legislature in 2018. This service package would change the funding source for the .25 FTE from one-time grant funding to one-time cash reserve funding, converting the EOS position to a .75 FTE for 2019/2020.</p>			

*Service Package 2: Partial Restoration of Unlimited No Cost Yard Waste Extras*

<b>Yard Waste Extras</b>			
<b>Cost:</b> \$30,000	<b>Rate Impact:</b> None	<b>Funding Type:</b> One-time	<b>Funding Source:</b> Solid Waste Cash Reserve
<b>Details and Justification</b>			
<p>In 2013, the City ended its rate-subsidized offering of unlimited no cost yard waste extras for single family residents due to increasingly unsustainable costs after annexation. Since that time, numerous customers have asked the City reconsider its policy of charging for yard waste extras, particularly during the fall leaf and storm season. During the fall, City crews provide increased neighborhood street sweeping services and respond to urban flooding complaints caused by leaves and other woody debris caught on catch basins and drainage culverts. Resident assistance with leaf removal is now less reliable and less frequent due to the extra disposal costs.</p> <p>This service package would allow residents to place out an unlimited number of extra units yard waste during the month of November only, modeled on the <a href="#">City of Seattle's program</a>. In exchange for not charging customers for extra units of yard waste, Seattle asks its customers to help keep leaves out of drains to reduce the risk of flooding. SPU accepts up to ten bags of extra yard waste per household at no additional cost from November 1-30. This service will provide residents with the ability to compost large accumulations of yard debris as well as encourage residents to assist the City by removing their leaves from the streets and catch basins.</p> <p>Due to the uncertainty surrounding the additional number of extra units of yard waste that may be generated, this service package is proposed as a pilot project to be funded for the biennium out of the Solid Waste cash reserve.</p>			

*Service Package 3: Multifamily Recycling Assistance*

For the 2017/2018 biennium, City Council provided Solid Waste with \$80,000 in rate-supported funding to enhance recycling assistance provided to multifamily property managers and residents. Residents in multifamily properties typically have significantly lower recycling diversion rates and less services available. Cascadia Consulting provided additional support through direct technical assistance, recommended improvements and access to educational materials, and conducted research on potential additional services. The Cascadia Consulting project summary is included as *Attachment 1* to this memorandum.

The consultant assisted Solid Waste with three specific tasks:

**Task 1: Property Manager Toolkit and Move-in Plan.** This task provided assistance through the review of existing City outreach channels and materials. Through this task, Cascadia assessed Kirkland's multifamily recycling webpages and available resources, and recommended organization of specific materials for new move-ins and the reconfiguration of on-line multifamily resources. Property managers and people living in multifamily properties have different preferences on how to receive information and the results of this task recommended offering recycling information and key resources in a variety of ways. Through this task, Solid Waste staff reconfigured the City's webpages to offer our resources more clearly to property managers and to residents directly.

**Task 2: Best Management Practices Research and Innovation.** Cascadia researched innovative new potential programs for multifamily audiences, by looking into key strategies used by leading jurisdictions. Cascadia offered evaluation of costs, feasibility, and diversion potential, and ultimately recommended two programs for potential further development: a prompt-based education program and a bulky item collection program.

Cascadia recommended that should more funding be available, Kirkland should consider further research into the specific needs of property managers around bulky item collection to inform a possible pilot program.

**Task 3: Multifamily Property Outreach.** City of Kirkland staff has been providing customized outreach and technical assistance to multifamily properties for several years. Utilizing Cascadia's team of outreach staff enabled the City to expand on its efforts. The focus of Task 3 was to provide direct on-site assistance for property managers and direct outreach to residents. Through this program, Cascadia offered assistance to 35 properties. This assistance included visits to 947 units at 12 properties, using door-to-door delivery of durable recycling bags and recycling information. Recycling service changes were made at 10 properties, resulting in 37.4 cubic yards of added weekly recycling capacity.

Kirkland's multifamily recycling rate has continued to increase due to investment in education and programs, and was at 22.8% at the end of 2017. As recently as 2014, the diversion rate was hovering around 18%. Unfortunately, WMI changed its diversion rate calculation methodology during this project so staff is unable to definitively determine the impact this project has had upon the multifamily recycling diversion rate. The new calculation has Kirkland multifamily recycling diversion rate now hovering at 30.9% through July 2018.

<b>Multifamily Recycling Assistance</b>			
<b>Cost:</b> \$80,000	<b>Rate Impact:</b> None	<b>Funding Type:</b> One-time	<b>Funding Source:</b> Solid Waste Cash Reserve
<b>Details and Justification</b>			
This service package request for 2019/2020 funding would build on and continue the 2017-2018 work, and accommodate outreach to some of the 4,642 multifamily units in pre-permit review and construction coming to Kirkland in the next two years. This influx of additional multifamily units would benefit from proactive technical assistance, onsite visits, and implementation of move-in programs to help build a waste reduction and recycling culture from day one.			
This service package funding request of \$80,000 for the 2019-20 biennium would be allocated toward 1) additional multifamily technical assistance and direct property outreach and 2) the implementation of interviews and focus groups with multifamily property managers, in an effort to gather more information and data about potentially adding bulky item collection at multifamily properties in 2021 to offer more convenience, equalize service offerings, and reduce illegal dumping activity. \$25,000 would be allocated toward the latter research, a recommendation from the 17-18 Cascadia Consulting final report. This budget will allow communications with 16-24 Kirkland property managers representing a mix of property types and areas of the City, to ask about what issues they have with bulky items, what types of assistance would be useful, and to evaluate a range of pricing signals. The remaining \$55,000 would be allocated toward direct on-site multifamily property outreach and would allow staff and its consultant to reach out to between 50-75 additional properties in 2019 and 2020.			

**PROPOSED SOLID WASTE RATES**

As shown in *Table 2*, staff is proposing a two-year Solid Waste rate with equal percentage rate increases in 2019 and 2020. The overall average increase each year is 3.4%. In order to reduce the cross subsidization between the commercial and single family sectors by 50 percent by 2020, the proposed rates for single family are 4.5% per year versus 1.8% per year for the multifamily/commercial sector. The proposed rates for the roll-off sector (containers >10 yd<sup>3</sup> in capacity and compactors) are subsidy-free and proposed to increase by 4.3% each year.

<b>Table 2: Proposed Solid Waste Rate Adjustment</b>		
<b>Sector</b>	<b>Proposed Rate Increase*</b>	
	<b>2019</b>	<b>2020</b>
Single Family	4.5%	4.5%
Multifamily/Commercial	1.8%	1.8%
Roll-off	4.3%	4.3%
<b>Average</b>	3.4%	3.4%

*\* The proposed 4.6% King County disposal fee increase and the 3.65% 2019 CPI rate adjustment to WMI comprise 82% of the proposed rate adjustment. Other rate drivers in the proposed Kirkland solid waste rate include downsizing forecasts and administrative cost increases.*

*Impact to Average Single Family Residential Customer*

The average residential customer, after taxes and fees, would pay \$2.68 per month or \$32.16 more per year in 2020 versus 2018. Of the six service offerings, the 35 gallon garbage cart service is used as an example of the typical customer as 56% of Kirkland's residents subscribe to this service level. *Table 3* below illustrates the total customer cost billed to the customer including the base monthly rate, the effective utility tax rate of 10.5%, and the hazardous waste fee pass-through collected and remitted to the Local Hazardous Waste Management Program of King County.

<b>Table 3: Rate Adjustment Impact to Average Single Family Residential Customer's Bill</b>				
	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>End 2020</b>
35 gallon/weekly	\$25.56	\$26.70	\$27.90	
10.5% Utility Tax	\$2.68	\$2.80	\$2.93	
KC Hazardous Waste Fee	\$0.84	\$0.89	\$0.93	
Total	\$29.08	\$30.39	\$31.76	
Increase/month		\$1.31	\$1.37	\$2.68
Increase/year		\$15.72	\$16.44	\$32.16

*Impact to Average Multifamily/Commercial Customer*

Of the 42 possible service levels for multifamily/commercial (seven container sizes and six possible service days per week) the 4 cubic yard once-per-week dumpster service is the most popular and serves below in *Table 4* as an example of the average multifamily/commercial customer. Relative to 2018, after taxes and fees, the average multifamily/commercial customer would pay \$9.22 more per month or \$110.64 per year in 2020.

<b>Table 4: Solid Waste Rate Increase Impact to Multifamily/Commercial</b>				
	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>End 2020</b>
4 yard 1x/week	\$241.01	\$244.56	\$248.15	
10.5% Utility Tax	\$25.31	\$25.68	\$26.06	
KC Hazardous Waste Fee	\$12.01	\$12.66	\$13.34	
Total	\$278.33	\$282.90	\$287.55	
Increase/month		\$4.57	\$4.65	\$9.22
Increase/year		\$54.84	\$55.80	\$110.64

**PROGRESS AND NEXT STEPS**

*Table 5* shows the progress made to date and upcoming next steps in the utility rate adoption process.

<b>Table 5: Utility Rate Adoption Progress and Next Steps</b>				
<b>Status</b>	<b>Utility</b>	<b>Action</b>	<b>Forum</b>	<b>Date</b>
<input checked="" type="checkbox"/>	Solid Waste	Discussion	FAC	July 31
<input checked="" type="checkbox"/>	Surface Water, Water, Sewer	Discussion	FAC	August 28
	Rates 101 and Solid Waste	Discussion	Regular Meeting	September 4
	Surface Water, Water, Sewer	Discussion	Study Session	September 18
	All Utilities	Adoption	Regular Meeting	October 2 or 16

# CITY OF KIRKLAND MULTIFAMILY ASSISTANCE

## 2017-18 Project Summary

Cascadia Consulting was hired by City of Kirkland in August 2017 to identify and implement outreach strategies likely to be successful in reducing waste generation and improving recycling participation at multifamily complexes. The following report identifies work completed in the 2017-18 contract year, as of August 15, 2018.

### TASK 1. DEVELOP NEW RESIDENT MOVE-IN TOOLKIT

The City of Kirkland has already invested in developing high-quality education materials, tools, and resources but wanted to organize them into a toolkit for property managers and new residents in a multifamily setting.

For this task, Cascadia reviewed all existing materials available for property managers and residents, and researched website content and recycling toolkits produced for property staff by other jurisdictions.

Following the review and best practices research, Cascadia recommended specific updates to the City of Kirkland's website to centralize relevant resources in a web-based toolkit and to make materials and information more tailored to property managers and easier to find. Cascadia also recommended development of a resident recycling kit including a guide for residents new to Kirkland's recycling program and tear off annual mailer for property managers.

Through work on multifamily projects in other jurisdictions, Cascadia has identified that property staff and residents access information through multiple channels including: website, mail, phone, email, or in-person interactions. **Each person living and working at a multifamily property may have different preferences to gather information about how to recycle properly.** It is important that the City of Kirkland make resources available through each channel. In addition to helping the City develop a web-based toolkit, Cascadia developed a Marketing Strategy and Outreach Plan to guide the City's approach to marketing the toolkits and other available resources to multifamily properties in Kirkland.

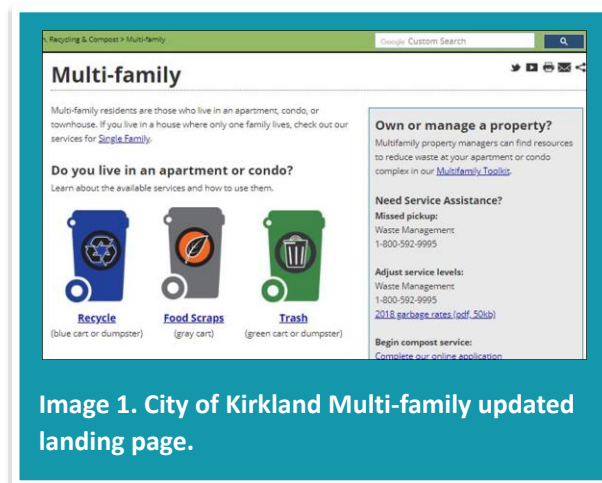


Image 1. City of Kirkland Multi-family updated landing page.

## TASK 2. BEST MANAGEMENT PRACTICES RESEARCH AND INNOVATION

For this task, Cascadia researched strategies used by leading jurisdictions across North America for addressing multifamily recycling challenges as well as strategies that have not yet been implemented in other jurisdictions but that have been explored or researched as possible solutions to challenges faced in multifamily settings.

In the first phase of research, Cascadia conducted a preliminary evaluation of the cost, diversion potential, and feasibility of implementing seven different programs or strategies, including:

- On-site textiles collection
- On-site electronics collection
- On-site bulky collection
- Resident visual reminders pilot
- Incentives program
- Performance reporting pilot
- Community reuse or swap events

As part of the research process, Cascadia Consulting Group interviewed representatives from New York Department of Sanitation, Waste Management in Oakland, Austin Resource Recovery, Zerocycle, and ReCollect. Cascadia also reviewed literature and other documents published.

Based on the preliminary evaluation findings, Cascadia recommended three of the seven strategies as meriting deeper exploration for implementation in Kirkland. City of Kirkland staff ultimately selected two strategies for further development: **resident visual reminders** and **on-site bulky waste collection**. Cascadia conducted additional research and analysis and developed a set of implementation recommendations for each strategy.

For the **resident visual reminders** strategy, Cascadia provided specific implementation recommendations on message design, placement location, and multicultural accessibility. To further assess and quantify the potential impact the strategy could have on multifamily recycling citywide, Cascadia recommended first conducting a pilot. Based on information about the impact of resident reminders from other pilot programs, Cascadia estimated that a pilot reaching 15 large multifamily properties in Kirkland could increase diversion of recyclables by 14 tons in a year or reduce recycling contamination (depending on the messaging focus of the pilot).

If future funding becomes available, Cascadia recommended conducting further research related to design and implementation of an **on-site bulky waste collection program**. Additional information is needed on perceived need for the program from property managers, potential usage levels, hauler collection costs, funding and subsidization structures, accepted items, impacts on curbing illegal dumping behaviors, and on-site collection logistics.

## TASK 3. ASSISTANCE AT LARGE MULTIFAMILY PROPERTIES

Prior to this project, City of Kirkland staff have been implementing best practices for increasing and sustaining multifamily recycling. This includes a combination of **property management engagement**, **infrastructure improvements**, and **resident education**. Cascadia specializes in widespread implementation of these best practices and was contracted to expand the reach of the City's assistance efforts. Key features of each of these elements include:

### Property Management Engagement

- Assess properties regularly for whether infrastructure improvements or other assistance is needed.
- Coordinate service changes with property decision makers to ensure service is appropriate for property needs.
- Provide property managers resources, tools, and incentives to maintain infrastructure and educate residents.

### Infrastructure Improvements - Four C's of Multifamily Recycling

- **Convenience** – Recycling and garbage containers should be equally convenient for residents to access. This generally requires co-location of containers wherever possible.
- **Clarity** – It must be clear to residents which container is for garbage and which container is for recycling. Containers should have large, identifying labels and image-based signs posted at every point of collection.
- **Capacity** – There must be sufficient room in the recycling container for residents to place their recyclables. For most properties, recycling service should be approximately 50 percent of its total service volume, with per unit recycling capacity in the range of 20 to 30 gallons (0.10 to 0.15 cubic yards).
- **Color** – Color coding of containers improves clarity around which container is intended for recyclables. Blue is generally associated with recycling.

### Resident Education – Once the 4Cs of infrastructure are in place

- **Conduct door-to-door outreach to residents** using community-based social marketing approaches, cultural competency outreach principles, and a multilingual staff whenever possible. Prioritize outreach to properties with adequate infrastructure and recycling capacity in place.
- **Distribute recycling tote bags and educational materials** tailored specifically for a multifamily audience.

**As part of the 2017-18 project, Cascadia offered assistance to 35 properties through implementation of these best practices and customized property support.**

### *Customized Property Support*

To identify properties to participate in the program, City of Kirkland staff and Cascadia analyzed service levels for all multifamily properties in Kirkland and focused on medium and large properties with low diversion rates. Once properties were identified, a site assessment was completed. The goals of a site assessment were:

- 1) to make contact with the screened properties (or complete a drop-in assessment if property decision maker could not be reached during the selection process),



- 2) determine whether additional recycling capacity or other infrastructure improvements were needed and, if so,
- 3) provide the property decision makers with technical assistance to make the necessary service changes and improvements.

Cascadia offered assistance to 35 properties and completed site assessments at 33 properties. (Two properties received resident materials and additional support from City of Kirkland.)

During site assessments, field staff developed service change recommendations with the help of a cloud-based tool that calculated per-unit recycling capacity and allowed them to try out different recommendations for container quantities and sizes needed to meet benchmark standards for recycling in different ways to find an approach that worked best with the unique needs and constraints of each property.

At properties where a decision maker could never be reached after multiple attempts (via phone, email, and site visit), the Kirkland Recycling Program Coordinator decided to move forward with no-contact service changes where appropriate. In these cases, additional recycling capacity was needed and could be added by simply adding an additional day of recycling pickup. Properties with significant infrastructure improvement needs or where recommended service changes would affect monthly waste bills were not included in no-contact service changes.

In total, service changes were completed at 10 properties. Of the 10 service changes completed, five were no-contact service changes. These changes resulted in **37.4 cubic yards of additional multifamily recycling capacity** per week in the City of Kirkland. (Representing a **26 percent increase** in average per unit capacity.)

**37.4 cubic yards of recycling added per week at multifamily properties**



### Resident Education

In total, 12 properties representing 947 units received resident education. Of those 12 properties, 11 received door-to-door outreach and one property decided to deliver materials to residents directly.

Door-to-door outreach was conducted during weekday afternoons (typically 1pm-6pm) by a multilingual outreach team capable of communicating with residents in English, Spanish, and Vietnamese. Outreach staff visited each residential unit once.

When residents were reached at home, outreach staff followed a script using community-based social marketing principles to engage and educate residents, including walking the resident through a web-based interactive recycling “quiz”. At properties with new or additional recycling service, outreach staff alerted residents to the changes and confirmed that residents were aware of recycling container locations onsite.

Residents were given a reusable tote bag along with education materials. Residents who received the tote bag were asked to provide a verbal commitment that they would use the tote bag to carry separated recyclables to the central recycling container. Reusable tote bags were distributed to all 12 properties that received resident education representing 947 units.

At units where bags were provided and no resident was home, outreach staff left a tote bag at the door or with the property manager (per the manager's instructions).

Outreach staff achieved an average interaction rate of 27 percent at units reached directly, meaning that staff spoke with a resident at approximately 1 in every 4 units visited.

In addition to resident education, assistance staff installed special signage to help residents understand how to dispose of materials in the recycling and garbage containers. (Per City of Kirkland's multifamily waste service contract, properties already have color-coded containers onsite to support proper resident participation.)

"I'm so happy that we have more recycling, this service [education] is amazing."

– Resident at Villa Sonoma

"Very educational!"

– Resident at SCG Atlas Woodlake

"Thank you for what you are doing."

– Resident at Wild Glen Condo  
(and member of the Hyatt Hotel Green Team)

### Additional Assistance Provided

Providing effective assistance to support recycling participation requires a tailored approach at each multifamily property based on the unique factors that influence the recycling program, such as the number of units, types of residents, layout of collection containers, involvement of property staff in collection, just to name a few. In addition to standard service updates and door-to-door resident education, properties require tailored assistance based on their needs. For this project, examples of additional assistance included:

- In-person, email, and phone education for property decision makers about the City of Kirkland's Code 16.08.012 (G).
- Developing tailored outreach messaging. For example, contamination messaging at properties where pre/post audits have shown high levels of garbage in the recycling, food waste education at properties that participate in organics collection, or multilingual resident engagement at properties where residents speak a language other than English.
- Delivering free materials for property managers to provide new residents during move-in.
- Providing demonstrations of website tools and resources available to property staff.
- Pitching benefits of improving recycling service to condominium boards.
- Providing training and education to in-home staff that work with residents (e.g. home house aids in senior living facilities).

### Results

Over the course of the 2017-18 multifamily assistance project, Cascadia offered assistance to 35 properties, including making service changes at 10 properties that resulted in 37.4 cubic yards of additional weekly recycling capacity, and conducted door-to-door resident outreach at 12 properties representing 947 units.

## Bin Audits

Pre and post bin audits were completed at five properties assisted in 2018. Initial bin audits occurred during the onsite assessment. Final bin audits were completed approximately one month after assistance was provided.

Pre and post bin audit results are compared to quantitatively evaluate program success. Staff assess recycling contamination and volume by completing a visual audit evaluating container fullness (to the nearest 10%) and composition of the materials. (Materials are not weighed or physically sorted.)

Almost all properties that received service changes had increased recycling volumes observed in recycling containers during post-assistance audits. Increased recycling volumes were observed at three out of four properties audited that received both service changes and door-to-door outreach, and at the property that received service changes only (no outreach).

Bin audits before and after assistance show that additional recycling capacity combined with door-to-door outreach can increase recycling volumes without significantly increasing contamination at multifamily properties.

Property Name	Recycling Contamination (% by volume)		Recycling Volume (cy/wk)	
	Pre	Post	Pre	Post
STONEBRIDGE CONDOS - NE 105TH CT	unknown	18%	1.8	1.6
HIDDEN RIVER TOWNHOMES - NE 130TH LN	11%	17%	9.7	20.1 ▲
WILD GLEN CONDO - 100TH AVE NE	4%	5%	9.5	10.4 ▲
SCG ATLAS WOODLAKE LLC - NE 132ND ST	7%	6% ▼	11.1	37.4 ▲
BRIDLE ESTATES - 132ND AVE NE	3%	2% ▼	3.5	4.7 ▲

## Recommendations

The City of Kirkland currently provides service to over 500 multifamily properties and it is expected that several large new properties, representing an additional 4,500 multifamily units, will be added to the City's service in the next few years. To continue improving recycling outcomes at multifamily buildings in Kirkland, it is essential to ensure that property managers and residents at both existing and new properties have the education, resources, and supportive infrastructure to enable successful recycling participation.

Bin audits before and after assistance show that additional recycling capacity combined with door-to-door outreach can substantially increase recycling volumes without significantly increasing contamination at multifamily properties. To achieve measurable progress in recycling program outcomes, Cascadia makes the following recommendations:

- Expand technical assistance to reach additional multifamily properties, including the use of no-contact service changes where needed.
- Deliver recycling toolkits to property managers at new properties for distribution to new residents and engage property managers in recycling program launch where feasible.
- Utilize Waste Management's multilingual guidelines for resident education.
- Send a yearly mailer and email (when on file) to property managers notifying them about the recycling program and available resources and assistance.



## **CITY OF KIRKLAND**

**Department of Public Works**

**123 Fifth Avenue, Kirkland, WA 98033 425.587.3800**

**[www.kirklandwa.gov](http://www.kirklandwa.gov)**

---

### **MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** Kyle Butler, Sr. Operations & Financial Analyst  
Kathy Brown, Public Works Director  
Michael Olson, Director of Finance and Administration

**Date:** September 6, 2018

**Subject:** 2019-2020 PROPOSED UTILITY RATES BRIEFING

### **RECOMMENDATION**

It is recommended that the City Council receive a briefing at its September 18, 2018 Study Session regarding the proposed 2019-2020 rates for the City's water, sewer, and surface water utilities and provide direction to staff.

### **BACKGROUND**

The City manages four public utilities: domestic water, sanitary sewer, solid waste, and surface water. Since the City moved to biennial budgeting beginning with the 2004-2005 biennium, the Council has reviewed and established utility rates to span the two-year period of the budget, though the rates themselves may be slightly different for each year of the biennium.

During the budget development and review phase, the utility rate discussion usually begins with solid waste rates. This is because State law is specific about solid waste rates, in that a city that plans to increase solid waste rates must provide notice to the affected rate payers at least 45 days prior to the proposed effective date of the rate increase (RCW 35.21.157). This year, to align this requirement with the City's own budget calendar, staff asks the Council to act on solid waste rates and all other proposed utility rates by October 16 so that the 45-day solid waste rate notice period may be satisfied before the Council takes final action on the entire budget on December 11. There is no similar statutory notice period for any of the other utilities the City operates.

The proposed 2019-2020 solid waste rates were reviewed by the City Council Finance and Administration Committee on July 31 and were reviewed by the full Council at its regular meeting on September 4. Staff was assisted by Sound Resource Management in the development of proposed solid waste rates.

The proposed 2019-2020 rates for domestic water (water), sanitary sewer (sewer), and surface water were reviewed by the City Council Finance and Administration Committee on August 28.

In preparation for the budget process, staff contracted with FCS Group to update utility rate projections for the upcoming biennium for the water, sewer, and surface water utilities. Because the costs of these three utilities are tied significantly to the pass-through rates from partner service providers, such as the Cascade water Alliance and the King County Wastewater

Treatment Division, Kirkland's rate analyses ran concurrent to those service providers' rate adoption processes. In addition to pass-through costs, the 2019-2020 proposed utility rates were informed by a combination of the financial performance of each utility over the past several years, needs identified in their respective master and system plans, and contractual obligations and requirements. All rates are designed to ensure the future financial integrity of each utility while bearing in mind the financial impacts to ratepayers.

The rates developed were guided by the following overarching principles:

- Fully fund ongoing operations;
- Maintain or replenish cash reserves;
- Maintain or enhance capital contributions;
- Achieve regular, modest rate adjustments in lieu of infrequent, large rate increases;
- Reduce customer class cross subsidies;
- Pass through regional rate increases; and
- Hold aggregate increases at or below the Consumer Price Index (CPI-W).

A summary of the proposed 2019-2020 utility rates for a typical single-family home is provided below. A description of each utility's financial and programmatic factors that were considered in the rate proposals is provided in the pages that follow. Given the proposed utility rate adjustments as described, the typical single-family customer would pay an additional \$6.51 per month in 2019 and \$5.41 per month above that in 2020. The typical Kirkland single family customer is defined as having or using:

- Solid Waste: A 35 gallon weekly garbage service
- Surface Water: A single-family residence
- Water: 700 cubic feet of consumption and a 3/4" water meter service
- Sewer: 600 cubic feet of consumption

<b>Proposed Utility Rate Summary: Impact to Typical Single-Family Kirkland Customer</b>							
<b>Utility</b>	<b>2018</b>	<b>2019</b>			<b>2020</b>		
	<b>Monthly Rate</b>	<b>Proposed Rate</b>	<b>Monthly Impact \$</b>	<b>% Increase</b>	<b>Proposed Rate</b>	<b>Monthly Impact \$</b>	<b>% Increase</b>
Solid Waste	\$25.56	\$26.70	\$1.14	4.5%	\$27.90	\$1.20	4.5%
Surface Water	\$17.55	\$17.99	\$0.44	2.5%	\$18.44	\$0.45	2.5%
Water	\$44.76	\$46.10	\$1.34	3.0%	\$47.41	\$1.31	2.8%
Sewer	\$73.49	\$76.40	\$2.91	4.0%	\$78.28	\$1.88	2.5%
Subtotal	\$161.36	\$167.19	\$5.83	3.6%	\$172.03	\$4.84	2.9%
Utility Taxes*	\$17.71	\$18.34	\$0.63	3.6%	\$18.87	\$0.53	2.9%
KC Haz Waste	\$0.84	\$0.89	\$0.05	6.0%	\$0.93	\$0.04	4.5%
Total	\$179.91	\$186.42	\$6.51	3.6%	\$191.83	\$5.41	2.9%

\*The utility tax rate varies by utility: Water 13.38%, Sewer and Solid Waste 10.5%, and Surface Water 7.5%. The combined 2018 utility tax budget for these utilities is about \$5,050,000. If the proposed rate increases are adopted, the utility tax budget would increase by about \$90,000 in 2019 and \$80,000 in 2020.

**Surface Water Utility Rates****OVERVIEW**

The Surface Water Utility rate recommendation reflects the continuation of basic services; the continued implementation of the recommendations contained in the Surface Water Master Plan (SWMP); and implications of the Surface Water Design Regulations, which were adopted in 2016.

The current monthly surface water rate for single-family residential is \$17.55, to which is added a 7.5% utility tax. The last rate increase was in 2018 and reflected the implementation of the SWMP.

**PROPOSED SURFACE WATER UTILITY RATES**

Staff proposes adopting rates for the coming two years, with an increase of 2.5% in 2019 and another 2.5% in 2020. These rates reflect the City's 2019-20 inflation assumptions for wage, benefit, and other costs, and the projected needs to fund Capital Improvement Program (CIP) projects in the proposed 2019-24 CIP. These increases reflect recommendations from 2014, when consultants analyzed the financial condition of the Utility and the costs of implementing the recommendations in the SWMP. Based on available cash resources in the Utility capital fund at that time together with the most immediate operating needs, the consultants identified individual annual rate increases that ranged from 0% to 11% over the next ten years. As an alternative to fluctuating rate increases, the consultants proposed a "smoothing" policy that calls for steady but modest rate increases to match forecasted operating and capital expenses. The recommendation included in the SWMP was for annual 4% increases each year over the ten year period. Through a variety of proactive measures as well as changing conditions, staff is proposing rates below the suggested 4%.

Residential customers would pay an additional \$0.44 per month in 2019 and \$0.45 per month in 2020. Multifamily and commercial bills would increase by the same percentage.

Rate Impact to Single Family Residential			
	2018	2019	2020
Typical Monthly Bill	\$17.55	\$17.99	\$18.44
7.5% Utility Tax	\$1.32	\$1.35	\$1.38
Total	\$18.87	\$19.34	\$19.82
Increase/month		\$0.47	\$0.48
Percentage increase		2.5%	2.5%

**SURFACE WATER UTILITY RATE ASSUMPTIONS**

- System Reinvestment Funding**  
 The target annual system reinvestment funding is 1.0 times the annual depreciation expense. The City is currently meeting this target. The proposed rates assume the current practice will continue. The purpose of a system reinvestment policy is to fund replacement of aging system facilities and ensure sustainability of the system for ongoing operations. Annual depreciation is intended to recognize the consumption of utility assets over their useful lives. In

addition, \$500,000 would be transferred to Capital for construction of surface water infrastructure that is in conjunction with City street or transportation projects.

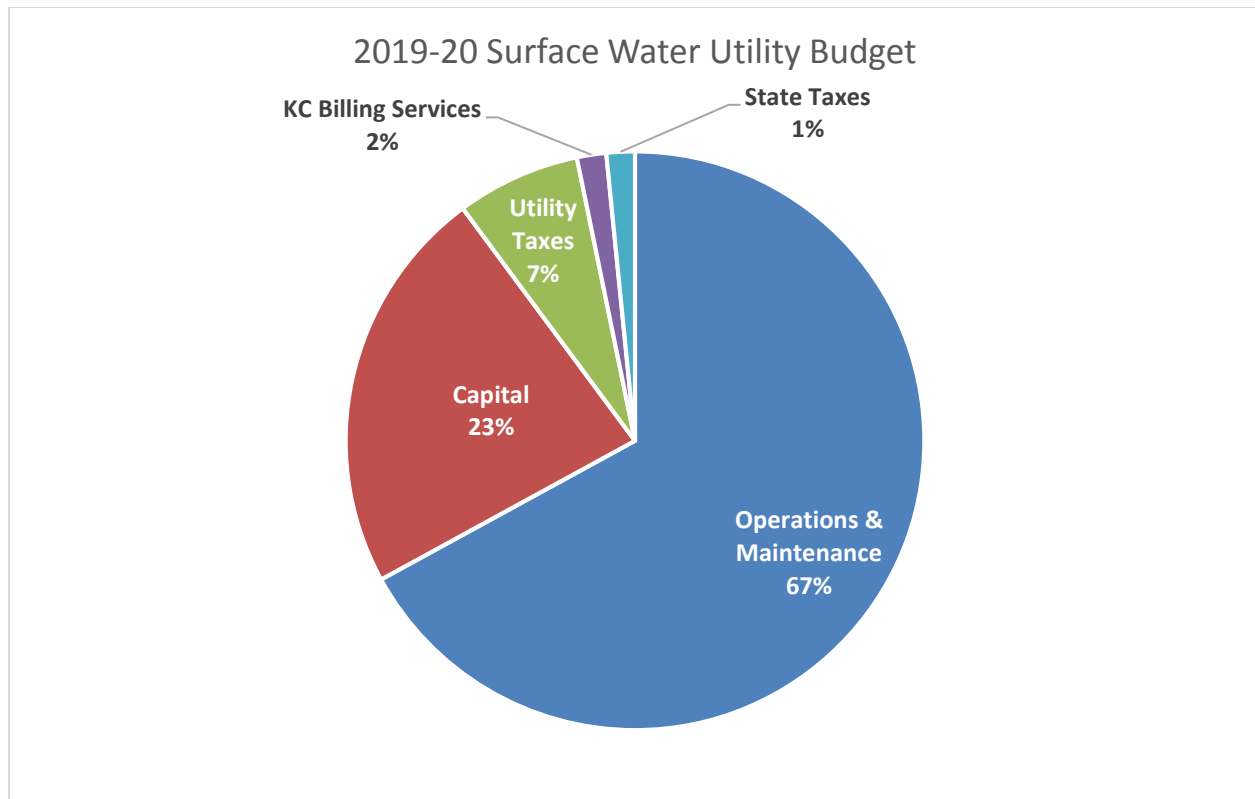
- Surface Water Master Plan

The rates support ongoing efforts to implement the 2014 SWMP, which recommends many program and capital project additions to reduce flooding, improve water quality, protect and maintain infrastructure, and improve aquatic habitat conditions. In addition to the system reinvestment above, the proposed rates include funding for an enhanced level of service with a new Environmental Monitoring position and CIP projects that deliver high levels of environmental benefits through the implementation of the 2016 Surface Water Design Manual.

#### **SURFACE WATER UTILITY BUDGET**

The annual Surface Water budget is approximately \$11 million with 67% going to operations and maintenance, including: 1) system maintenance and engineering; and 2) education and outreach programs. About 23% is transferred to the Surface Water CIP for surface water capital projects. The surface water management fee is billed by King County with property tax bills. Under this contractual relationship, the City pays King County a fee equal to 2% of the Utility budget for this service. The remaining 8% is composed of taxes and fees collected and sent to the State of Washington or retained by the City.

- Fees collected by King County on behalf of the City include the utility tax. The tax is transferred from the Surface Water Utility Fund to the General Fund; and
- The State of Washington imposes a Business and Occupation (B&O) tax on the utility.



### **Domestic Water Utility Rates**

#### **OVERVIEW**

The Water Utility provides for construction, replacement, and rehabilitation of water distribution and storage facilities; funds the purchase of water from the Cascade Water Alliance (CWA); and provides for ongoing maintenance and operations of Water Utility infrastructure. City participation in CWA allows Kirkland to have a voice and a vote over reliable and adequate drinking water supplies.

The current monthly water rate for the typical residential single family is \$44.76, to which is added a 13.38% utility tax (which includes a component for fire hydrant maintenance). The last rate increase was in 2018 and reflected a CWA rate increase for the purchase of water and continued phase-in of funding for the City's annual capital reinvestment based on depreciation of assets.

#### **PROPOSED WATER UTILITY RATES**

Staff is proposing a single family rate increase of 3.0% in 2019 and 2.8% in 2020 as well as a 10% increase for irrigation rates in both years. The total aggregate two-year Water Utility rate increase is 2.5% in both 2019 and 2020, with different rates by customer class. These rates continue to implement recommendations from the Cost of Service Analysis (COSA) that was completed as part of the rate update for 2015-2016. The COSA concluded there should be a shift in cost recovery from multifamily and commercial customers to residential and irrigation customers. Starting in 2015, residential and irrigation customers have seen rate increases while multifamily and commercial have had no rate increases. The COSA recommended gradually reducing



the subsidy over a 5-6 year period to reach full cost of service by sector. The proposed 2019-2020 rates again show increases for residential and irrigation but no increases for multifamily and commercial. Irrigation rates were found to be 35% below the cost of service, so it is proposed that they increase at a faster pace.

Proposed 2019-20 Water Rate Increase		
Sector	2019	2020
Single Family	3.0%	2.8%
Multifamily/Commercial	0.0%	0.0%
Irrigation	10%	10%
<b>Aggregate*</b>	2.5%	2.5%

*\*weighted by customer class, consumption & revenue*

The typical single family customer would pay an additional \$1.52 per month in 2019 and \$1.48 per month in 2020.

Water Rate Increase Impact to Single Family Residential			
	2018	2019	2020
Base + 7 units	\$44.76	\$46.10	\$47.41
13.38% Utility Tax	\$5.99	\$6.17	\$6.34
Total	\$50.75	\$52.27	\$53.75
Increase/month		\$1.52	\$1.48
Increase/year		\$18.24	\$17.76

#### **WATER UTILITY RATE ASSUMPTIONS**

The following factors and drivers influenced the proposed 2019-2020 water utility rates:

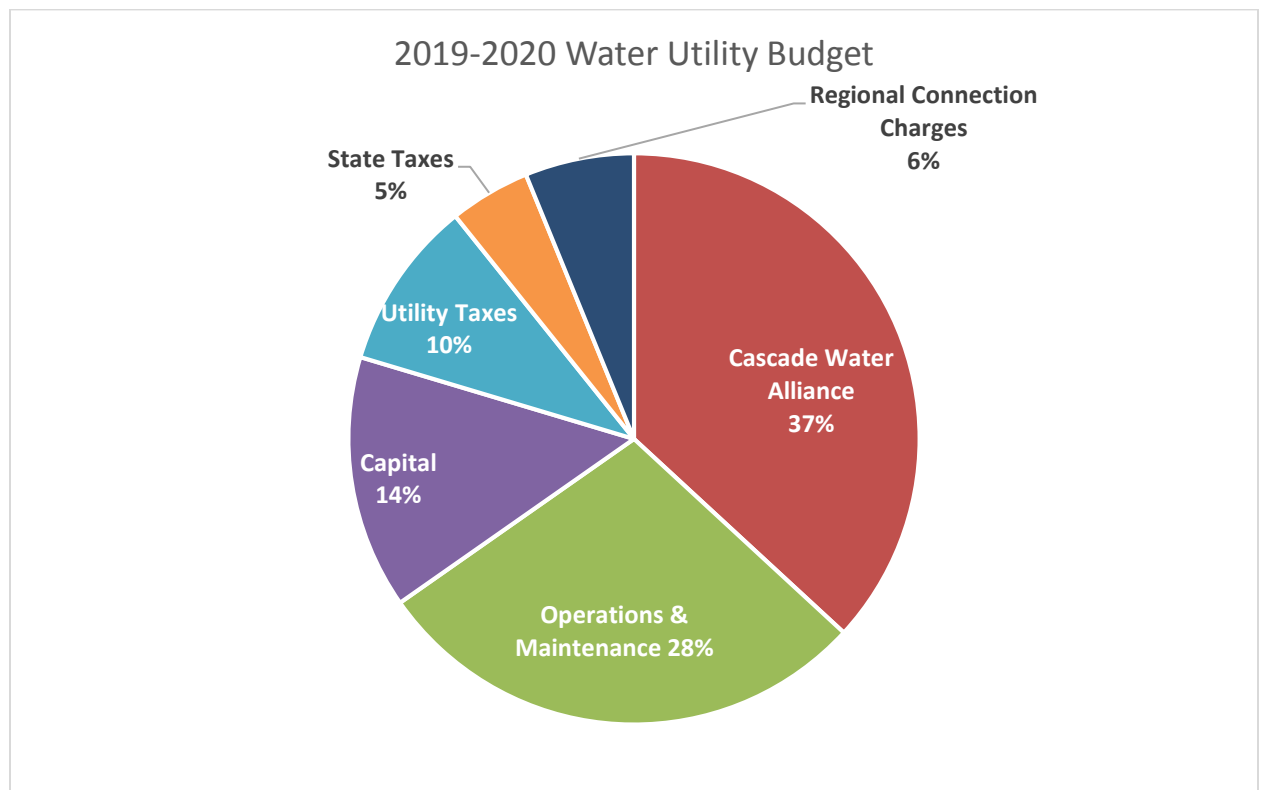
- Reduce the Subsidy from Multifamily and Commercial to Single-family and Irrigation  
Though it is not uncommon for multifamily and commercial utility customers to subsidize the rates of single-family and irrigation customers, Kirkland has chosen to move away from that practice. Similar to 2017-2018 rates, the 2019-2020 proposed rates will reduce this subsidy, while also going further to address the fact that in the past the subsidy benefited irrigation rates more than any other class. Although this rate proposal does not eliminate the cross subsidy, it continues to gradually realign rates with the true cost of service.
- Wholesale Rate Increase  
CWA's proposed rate increases are 3.87% in 2019 and 2.57% in 2020. Payments to CWA represent about 37% of the Utility's budget, and the pass-through is 100% of the City's proposed rate increase. The key factor for CWA in an increase in wholesale water prices from CWA's water supplier, Seattle Public Utilities.

#### **WATER UTILITY BUDGET**

The annual Water Utility budget is approximately \$14.7 million. Approximately 37% of the annual expenditures are payments made to CWA for membership dues and the purchase of water. Another 6% is from the regional capital facility charges imposed by

CWA for all new water connections, a fee that is collected by the City but passed through to CWA. Kirkland's direct costs for operations and maintenance account for 28% of the annual expenditures. The contribution to the Water CIP is 14% of the budget. The remaining 15% is composed of taxes and fees collected and sent to the State of Washington or retained by the City:

- The City collects a utility tax that is charged on the utility bill and then transferred from the utility fund to the General Fund; and
- The State of Washington imposes a B&O tax and public utility tax on the utility.



### **Sanitary Sewer Utility Rates**

#### **OVERVIEW**

The Sewer Utility provides for Kirkland's share of the regional wastewater collection, treatment, and disposal administered by the Wastewater Treatment Division of King County (KCWTD). In addition, the Utility provides for the construction, operation, and maintenance of the City's local wastewater collection and transmission system.

The current monthly sewer rate for single family residential is \$73.49, to which is added a 10.5% utility tax. The last rate increase was in 2018 and reflected the continued phase-in of capital reinvestment funding based on the annual depreciation of assets.

**PROPOSED SEWER UTILITY RATES**

Staff is proposing adoption of a two-year rate with an aggregate increase of 2.9% in 2019 and 1.38% in 2020, with different rates by customer class. The proposed rates continue to reduce the cross subsidies that were identified in the 2017-18 rate analysis as part of a Cost of Service Analysis (COSA). The COSA concluded that there should be a truing up of cost recovery from multifamily and commercial customers to residential customers to reduce the cross subsidy.

<b>Proposed 2019-20 Sewer Rate Increase</b>		
<b>Sector</b>	<b>2019</b>	<b>2020</b>
Single Family	4%	2.45%
Multifamily/Commercial	1.4%	0%
<b>Aggregate*</b>	<b>2.9%</b>	<b>1.38%</b>

*\*weighted by customer class, consumption & revenue*

The typical single family customer would pay an additional \$3.21 per month in 2019 and \$2.08 per month in 2020.

<b>Sewer Rate Increase Impact to Single Family Residential</b>			
	<b>2018</b>	<b>2019</b>	<b>2020</b>
King County/Treatment	\$44.22	\$45.33	\$45.33
Kirkland/Collection	\$29.27	\$31.07	\$32.95
10.5% Utility Tax	\$7.72	\$8.02	\$8.22
<b>Total</b>	<b>\$81.21</b>	<b>\$84.42</b>	<b>\$86.50</b>
Increase/month		\$3.21	\$2.08
Increase/year		\$38.52	\$24.96

**SEWER UTILITY RATE ASSUMPTIONS**

The following factors and drivers were influential in drafting the proposed 2019-2020 Sewer Utility rates:

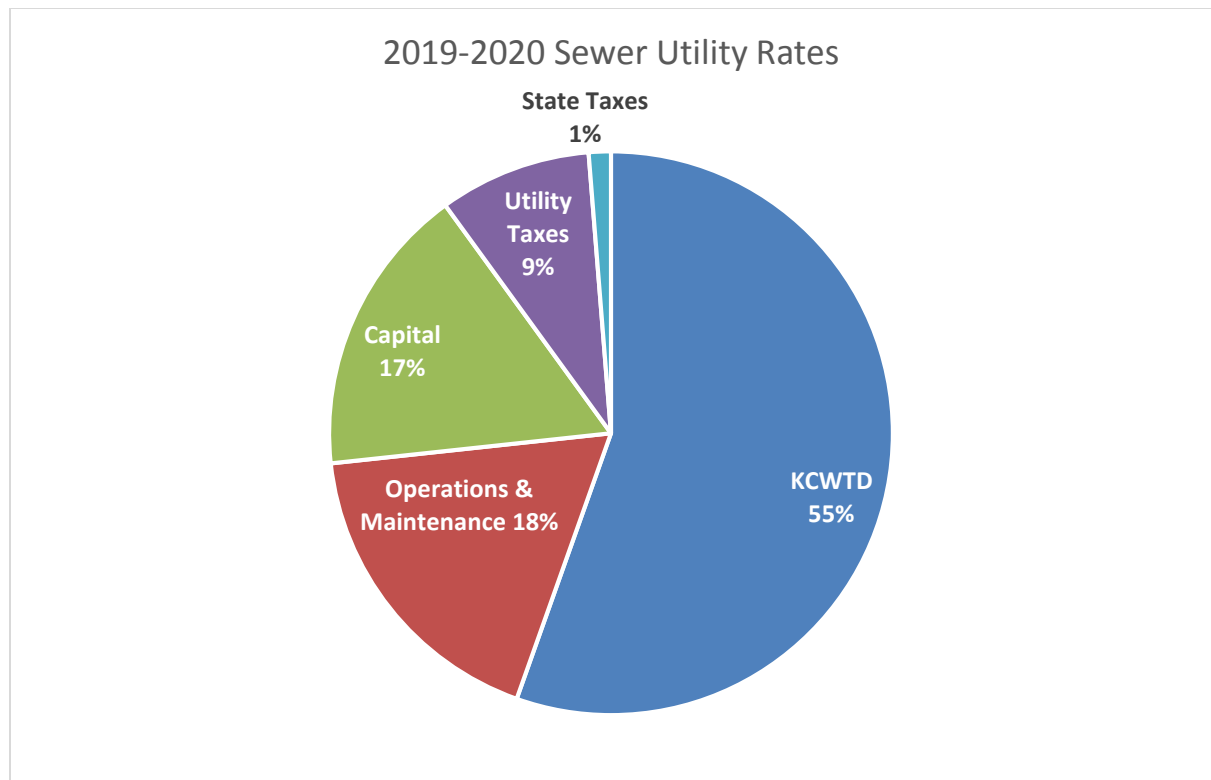
- Reduce the Commercial to Single-family Cross Subsidy**  
Multifamily/commercial to single-family residential and irrigation customer cross subsidies are not uncommon in utility rates. The 2019-2020 proposed rates reduce this subsidy, which is a change that began with the 2017-2018 rates. Although this rate proposal does not eliminate the cross subsidy, it continues to gradually realign rates without too great of an impact to customers.
- Wholesale Rate Increase**  
KCWTD adopted a rate of \$45.33 per residential-customer-equivalent per month held constant for both 2019 and 2020, a 2.5% increase from 2018. Payments to KCWTD for sewer treatment represent about 51% of the 2018 sewer budget. The key factor for KCWTD is the goal of reducing outstanding debt through 2030 using increased cash financing and moderate rate increases. The pass-through of this increase represents a little over half of the City's proposed rate increase.

- Increase in Rate-funded System Reinvestment  
Increase capital funding set-aside from 1.5 times calculated depreciation in 2018 to 1.55 in both 2019 and 2020; continue to make progress toward the goal of 1.65 in future rate adjustments. The 2018 level of funding is \$2.15 million and will increase to \$2.6 million in 2020. The multiplier applied to the depreciation expense recognizes that the cost to replace infrastructure over time will be higher than the original cost on which depreciation is based.

#### SEWER UTILITY BUDGET

The annual Sewer Utility budget is approximately \$15.25 million. Approximately 55% of the annual expenditures are payments made to KCWTD for regional wastewater services. Kirkland's direct costs for operations and maintenance account for 18% of the annual expenditures. The contribution to capital accounts for 17% of the budget. The remaining 10% is composed of taxes and fees collected and sent to the State of Washington or retained by the City:

- The City collects a utility tax that is charged on the utility bill and then transferred from the utility fund to the General Fund; and
- The State of Washington imposes a B&O tax and public utility tax on the utility.



Memorandum to Kurt Triplett  
September 6, 2018  
Page 10

**NEXT STEPS**

Based on City Council feedback and direction, staff will prepare water, sewer, and surface water rate ordinances to accompany the solid waste rate ordinance for Council adoption at either the October 2 or October 16, 2018 Council meeting. Because of the aforementioned customer notification requirements for solid waste rates established in State law, Council action must be taken on solid waste rates on or before the October 16 City Council meeting in order to meet the December 11 target date for adoption of the full 2019-2020 budget, and accordingly for the solid waste rates to be effective January 1, 2019. Staff proposes action on all proposed utility rates at the same meeting.

## Surface Water Maintenance & Ops Service Package (No impact on new rates)

Service Package	Outcomes	Funding Details
4" Trailer Mounted Pump	Localized flood control and bypass needs. <ul style="list-style-type: none"> <li>• Replaces aging and unreliable unit</li> <li>• Quiet enough to run overnight</li> </ul>	One-Time use of \$75,000.  Ongoing annual cost of \$7,500 <ul style="list-style-type: none"> <li>• Fleet O&amp;M and replacement rates.</li> </ul>
	Total:	One Time: \$75,000 – Ongoing: \$7,500 net-new

## Surface Water Engineering/Environment Service Packages (0.5% incr. to rates

Service Package	Outcomes	Funding Details
Stormwater Retrofit Planning	<ul style="list-style-type: none"> <li>2014 SW Master Plan priority</li> <li>New NPDES requirement</li> </ul>	One-Time use of \$350,000
Stormwater Pipe Capacity Analysis	Right-size CIP and private development projects	One-Time use of \$200,000
Green Kirkland Enhancement	Healthy forests provide a stormwater management function	Ongoing annual cost of \$106,000 <ul style="list-style-type: none"> <li>\$30,000 from existing budget</li> </ul>
Private Stormwater Inspection/Source Control Software Migration	<ul style="list-style-type: none"> <li>Improve inspection program</li> <li>Reduce IT staff time</li> </ul>	One-Time use of \$60,000
Environmental Monitoring 1.0 FTE, Vehicle & Equipment	Implement 2014 SW Master Plan priorities: <ul style="list-style-type: none"> <li>Natural resource data collection</li> <li>Monitor CIP mitigation</li> </ul> Monitor tree protection/retention	<ul style="list-style-type: none"> <li>Ongoing annual cost of <b>\$112,000</b> after proposed expense cuts and offsetting CIP revenue</li> <li>One-Time use of \$45,000</li> </ul>
Total:		One Time: \$655,000 – Ongoing: \$162,000/year net new

## Water Maintenance & Ops Service Packages (No impact on new rates)

Service Package	Outcomes	Funding Details
Unidirectional Flushing Analysis	Best management practice for system flushing during routine maintenance. <ul style="list-style-type: none"> <li>• Improve water quality and reliability</li> <li>• Minimize “dirty” water</li> </ul>	One-Time use of \$50,000
Water Division Backflow Program	Improve the City’s Backflow Prevention program with a dedicated position to: <ul style="list-style-type: none"> <li>• Enhance drinking water safety program</li> <li>• Public outreach and assistance</li> </ul>	Ongoing annual cost of \$150,000 One-Time use of \$25,000
Water & Sewer Cost of Service Analysis – 2020	Regular detailed update of customer data and trends <ul style="list-style-type: none"> <li>• Re-baseline data to reflect actual usage</li> <li>• Develop cost-based rate recommendations</li> <li>• Continue accurate rate pricing</li> </ul>	One-Time use of \$25,000
Total:		One Time: \$100,000 – Ongoing: \$150,000/year net-new



## Sewer Maintenance & Ops Service Packages (No impact on new rates)

Service Package	Outcomes	Funding Details
Sewer Excavator, Dump Truck, and Trailer	Dedicated equipment for sewer repairs <ul style="list-style-type: none"> <li>• More proactive maintenance schedule</li> <li>• Reduces conflicting needs with Water for excavation equipment</li> </ul>	One-Time use of \$324,000  Ongoing annual cost of \$54,474 <ul style="list-style-type: none"> <li>• Fleet O&amp;M and replacement rates</li> </ul>
Water & Sewer Cost of Service Analysis – 2020	Regular detailed update of customer data and trends <ul style="list-style-type: none"> <li>• Re-baseline data to reflect actual usage</li> <li>• Develop cost-based rate recommendations</li> <li>• Continue accurate rate pricing</li> </ul>	One-Time use of \$25,000
Total:		One Time: \$349,000 – Ongoing: \$54,474/year net new

ORDINANCE O-4659

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO SOLID  
WASTE COLLECTION RATES FOR 2019 AND 2020 AND AMENDING  
SECTION 16.12.030 OF THE KIRKLAND MUNICIPAL CODE.

The City Council of the City of Kirkland does ordain as follows:

Section 1. Section 16.12.030 of the Kirkland Municipal Code is  
hereby amended to read as follows:

**16.12.030 Collection rates.**

The rates to be charged for solid waste collection service in the city  
shall be as follows:

(1) Residential.

**A. Single-Family Per Month Rate**

<b>Monthly Service</b>	<b><u>Rate</u></b>	<b><u>2019</u></b>	<b><u>2020</u></b>
------------------------	--------------------	--------------------	--------------------

35-gallon cart	6.63	<u>6.93</u>	<u>7.24</u>
----------------	------	-------------	-------------

**Weekly Service**

10-gallon mini cart	8.22	<u>8.59</u>	<u>8.97</u>
---------------------	------	-------------	-------------

20-gallon mini cart	16.42	<u>17.15</u>	<u>17.92</u>
---------------------	-------	--------------	--------------

35-gallon cart	25.56	<u>26.70</u>	<u>27.90</u>
----------------	-------	--------------	--------------

64-gallon cart	46.72	<u>48.80</u>	<u>51.00</u>
----------------	-------	--------------	--------------

96-gallon cart	70.08	<u>73.20</u>	<u>76.50</u>
----------------	-------	--------------	--------------

32-gallon Equivalent "extra"	6.26	<u>6.51</u>	<u>6.71</u>
---------------------------------	------	-------------	-------------

Per Occurrence

**Extra Yard Debris Service**

96-gallon cart	14.85	<u>15.51</u>	<u>16.21</u>
----------------	-------	--------------	--------------

Per Month

32-gallon container	5.53	<u>5.75</u>	<u>5.95</u>
		Per Occurrence	

As stated in Section 16.12.025, the solid waste rate to be charged to a qualified low-income senior citizen single-family residential customer shall be sixty percent of the rate set forth in Section 16.12.030 (1)(A).

One gray yard waste cart and one blue recycling cart is provided to each customer at no extra charge. The contractor will charge a fee for additional yard waste receptacles above the first set provided. The contractor will provide a 35 or 96 gallon recycling cart on request to new residents and those residents needing less or additional capacity than provided by the default 64 gallon recycling cart.

**B. Miscellaneous Service Fees**

	<b><u>Rate</u></b>	<b><u>2019</u></b>	<b><u>2020</u></b>
Return Trip	19.33	<u>20.19</u>	<u>21.10</u>

Per Occurrence

Drive-in Charge	8.78	<u>9.17</u>	<u>9.58</u>
-----------------	------	-------------	-------------

Per Month

Redelivery Fee (carts)	26.37	<u>27.55</u>	<u>28.79</u>
------------------------	-------	--------------	--------------

Per Occurrence

Carry-out Surcharge	5.26	<u>5.49</u>	<u>5.74</u>
---------------------	------	-------------	-------------

Per Month

**C. On-Call Bulky Waste Collection Fees (Per Occurrence – Per Item)**

	<b><u>Rate</u></b>	<b><u>2019</u></b>	<b><u>2020</u></b>
Appliances	131.91	<u>76.28</u>	<u>78.56</u>
Refrigerator/Freezer	131.91	<u>81.58</u>	<u>83.78</u>
Sofa	131.91	<u>78.90</u>	<u>81.15</u>
Chair	131.91	<u>73.68</u>	<u>76.00</u>

Mattress or box springs	131.91	<u>73.68</u>	<u>76.00</u>
Tire: Auto/light truck	35.16	<u>36.77</u>	<u>38.00</u>
Tire: Bus/heavy truck	43.96	<u>46.59</u>	<u>48.03</u>
Tire: Additional for rims or wheels	26.37	<u>27.53</u>	<u>28.46</u>
Miscellaneous, per cubic yard	96.73	<u>101.04</u>	<u>105.59</u>

<b>D. Temporary Container Service</b>	<b><u>Rate</u></b>	<b><u>2019</u></b>	<b><u>2020</u></b>
Temp. 2-yard container	76.07	<u>79.46</u>	<u>83.04</u>
Daily rent	1.77	<u>1.85</u>	<u>1.93</u>
Delivery fee	66.83	<u>69.81</u>	<u>72.95</u>
Temp. 4-yard container	96.44	<u>100.74</u>	<u>105.28</u>
Daily rent	2.21	<u>2.31</u>	<u>2.41</u>
Delivery fee	66.83	<u>69.81</u>	<u>72.95</u>
Temp. 6-yard container	116.11	<u>121.28</u>	<u>126.75</u>
Daily rent	2.63	<u>2.75</u>	<u>2.87</u>
Delivery fee	66.83	<u>69.70</u>	<u>72.84</u>
Temp. 100-yard container	3,789.57	<u>3,958.44</u>	<u>4,136.80</u>

## (2) Multifamily and Commercial

A. **Carts**

<b>Weekly Service</b>	<b><u>Rate</u></b>	<b><u>2019</u></b>	<b><u>2020</u></b>
20-gallon mini cart	16.42	<u>17.15</u>	<u>17.92</u>
35-gallon cart	25.56	<u>26.70</u>	<u>27.90</u>
64 gallon cart	46.72	<u>48.80</u>	<u>51.00</u>

	96-gallon cart	70.08	<u>73.20</u>	<u>76.50</u>
	32-gallon equivalent "extra"	6.26	<u>6.51</u>	<u>6.71</u>
B.	<b>Miscellaneous Services (Per Event)</b>	<b><u>Rate</u></b>	<b><u>2019</u></b>	<b><u>2020</u></b>
	Return Trip	41.35	<u>41.96</u>	<u>42.57</u>
	Carry-out service (per container)	4.61	<u>4.68</u>	<u>4.75</u>
	Redelivery	58.20	<u>59.06</u>	<u>59.92</u>
	Roll-out container	7.67	<u>7.78</u>	<u>7.90</u>
	Unlock container	2.60	<u>2.64</u>	<u>2.68</u>
	Gate opening	4.61	<u>4.68</u>	<u>4.75</u>
	Pressure washing (per yard)	27.55	<u>27.96</u>	<u>28.37</u>
C.	<b>Comm.MF Uncompacted Containers</b>	<b><u>Rate</u></b>	<b><u>2019</u></b>	<b><u>2020</u></b>
	<b>1 Cubic Yard Uncompacted</b>			
	1 pickup/week/container	94.90	<u>96.30</u>	<u>97.71</u>
	2 pickups/week/container	183.12	<u>185.82</u>	<u>188.54</u>
	3 pickups/week/container	271.38	<u>275.38</u>	<u>279.42</u>
	4 pickups/week/container	359.62	<u>364.92</u>	<u>370.27</u>
	5 pickups/week/container	447.85	<u>454.44</u>	<u>461.11</u>
	6 pickups/week/container	536.10	<u>543.99</u>	<u>551.97</u>
	<b>1.5 Cubic Yard Uncompacted</b>			
	1 pickup/week/container	120.38	<u>122.15</u>	<u>123.94</u>

2 pickups/week/container	232.94	<u>236.37</u>	<u>239.84</u>
3 pickups/week/container	345.49	<u>350.58</u>	<u>355.72</u>
4 pickups/week/container	458.06	<u>464.81</u>	<u>471.62</u>
5 pickups/week/container	570.60	<u>579.00</u>	<u>587.49</u>
6 pickups/week/container	683.23	<u>693.29</u>	<u>703.46</u>

## **2 Cubic Yard Uncompacted**

1 pickup/week/container	145.35	<u>147.49</u>	<u>149.65</u>
2 pickups/week/container	280.99	<u>285.13</u>	<u>289.31</u>
3 pickups/week/container	416.67	<u>422.81</u>	<u>429.01</u>
4 pickups/week/container	552.30	<u>560.43</u>	<u>568.65</u>
5 pickups/week/container	687.97	<u>698.10</u>	<u>708.34</u>
6 pickups/week/container	824.85	<u>837.00</u>	<u>849.27</u>

## **3 Cubic Yard Uncompacted**

1 pickup/week/container	192.95	<u>195.79</u>	<u>198.66</u>
2 pickups/week/container	374.81	<u>380.33</u>	<u>385.91</u>
3 pickups/week/container	556.65	<u>564.85</u>	<u>573.13</u>
4 pickups/week/container	738.49	<u>749.36</u>	<u>760.36</u>
5 pickups/week/container	920.34	<u>933.89</u>	<u>947.59</u>
6 pickups/week/container	1,102.22	<u>1,118.45</u>	<u>1,134.86</u>

## **4 Cubic Yard Uncompacted**

1 pickup/week/container	241.01	<u>244.56</u>	<u>248.15</u>
2 pickups/week/container	469.04	<u>475.95</u>	<u>482.93</u>
3 pickups/week/container	697.10	<u>707.36</u>	<u>717.74</u>

4 pickups/week/container	925.15	<u>938.77</u>	<u>952.54</u>
5 pickups/week/container	1,153.18	<u>1,170.16</u>	<u>1,187.32</u>
6 pickups/week/container	1,381.24	<u>1,401.58</u>	<u>1,422.14</u>

**6 Cubic Yard  
Uncompacted**

1 pickup/week/container	335.79	<u>340.73</u>	<u>345.73</u>
2 pickups/week/container	656.13	<u>665.79</u>	<u>675.56</u>
3 pickups/week/container	976.64	<u>991.02</u>	<u>1,005.56</u>
4 pickups/week/container	1,297.09	<u>1,316.19</u>	<u>1,335.50</u>
5 pickups/week/container	1,617.52	<u>1,641.34</u>	<u>1,665.41</u>
6 pickups/week/container	1,937.98	<u>1,966.52</u>	<u>1,995.36</u>

**8 Cubic Yard  
Uncompacted**

1 pickup/week/container	429.97	<u>436.30</u>	<u>442.70</u>
2 pickups/week/container	842.77	<u>855.18</u>	<u>867.72</u>
3 pickups/week/container	1,255.59	<u>1,274.08</u>	<u>1,292.77</u>
4 pickups/week/container	1,668.43	<u>1,693.00</u>	<u>1,717.83</u>
5 pickups/week/container	2,081.24	<u>2,111.89</u>	<u>2,142.86</u>
6 pickups/week/container	2,494.07	<u>2,530.80</u>	<u>2,567.92</u>

**"Extra" Uncompacted  
Cubic Yard**

D.	<b>Comm./MF Compacted Containers (Weekly Pulls)</b>	<b><u>Rate</u></b>	<b><u>2019</u></b>	<b><u>2020</u></b>
	1 cubic yard container	240.17	<u>243.71</u>	<u>247.28</u>
	1.5 cubic yard container	333.86	<u>338.78</u>	<u>343.75</u>

	2 cubic yard container	426.88	<u>433.17</u>	<u>439.52</u>
	3 cubic yard container	610.07	<u>618.98</u>	<u>628.06</u>
	4 cubic yard container	793.82	<u>805.51</u>	<u>817.32</u>
	6 cubic yard container	1,699.25	<u>1,724.27</u>	<u>1,749.56</u>
E.	<b>Comm./MF Yard Debris (Per Month)</b>	<b><u>Rate</u></b>	<b><u>2019</u></b>	<b><u>2020</u></b>
	96-gallon cart (weekly collection)	13.90	<u>14.10</u>	<u>14.31</u>
	2 cubic yard container (weekly)	106.72	<u>108.29</u>	<u>109.88</u>
	Extra cubic yard	33.21	<u>33.70</u>	<u>34.19</u>
	Extra yard debris 32- gallon can	4.92	<u>4.99</u>	<u>5.07</u>
F.	<b>Roll-off Container Rental Permanent Noncompacted Service (Per Month)</b>	<b><u>Rate</u></b>	<b><u>2019</u></b>	<b><u>2020</u></b>
	10 cubic yard container	50.53	<u>52.72</u>	<u>54.99</u>
	15 cubic yard container	58.94	<u>61.50</u>	<u>64.14</u>
	20 cubic yard container	75.79	<u>79.08</u>	<u>82.48</u>
	25 cubic yard container	84.23	<u>87.88</u>	<u>91.66</u>
	30 cubic yard container	92.65	<u>96.67</u>	<u>100.82</u>
	40 cubic yard container	101.06	<u>105.44</u>	<u>109.98</u>
G.	<b>Roll-off Container Rental Temporary Noncompacted Service (Per Month)</b>	<b><u>Rate</u></b>	<b><u>2019</u></b>	<b><u>2020</u></b>
	10 cubic yard container	59.10	<u>61.80</u>	<u>64.20</u>



15 cubic yard container	67.20	<u>70.20</u>	<u>73.20</u>
20 cubic yard container	77.40	<u>80.70</u>	<u>84.30</u>
25 cubic yard container	87.60	<u>91.50</u>	<u>95.40</u>
30 cubic yard container	96.30	<u>100.50</u>	<u>104.70</u>
40 cubic yard container	112.80	<u>117.60</u>	<u>122.70</u>

## (3) Comm./MF Drop-Box Collection (Per Haul)

A.	<b>Noncompacted Service</b>	<b><u>Rate</u></b>	<b><u>2019</u></b>	<b><u>2020</u></b>
	10 cubic yard container	165.13	<u>172.29</u>	<u>179.70</u>
	15 cubic yard container	165.13	<u>172.29</u>	<u>179.70</u>
	20 cubic yard container	165.13	<u>172.29</u>	<u>179.70</u>
	25 cubic yard container	165.13	<u>172.29</u>	<u>179.70</u>
	30 cubic yard container	165.13	<u>172.29</u>	<u>179.70</u>
	40 cubic yard container	165.13	<u>172.29</u>	<u>179.70</u>
B.	<b>Compacted Service</b>	<b><u>Rate</u></b>	<b><u>2019</u></b>	<b><u>2020</u></b>
	10 cubic yard container	181.15	<u>189.01</u>	<u>197.13</u>
	15 cubic yard container	181.15	<u>189.01</u>	<u>197.13</u>
	20 cubic yard container	181.15	<u>189.01</u>	<u>197.13</u>
	25 cubic yard container	181.15	<u>189.01</u>	<u>197.13</u>
	30 cubic yard container	181.15	<u>189.01</u>	<u>197.13</u>
	40 cubic yard container	181.15	<u>189.01</u>	<u>197.13</u>
C.	<b>Temporary</b>	<b><u>Rate</u></b>	<b><u>2019</u></b>	<b><u>2020</u></b>
	10 cubic yard container	166.74	<u>173.97</u>	<u>181.45</u>
	15 cubic yard container	166.74	<u>173.97</u>	<u>181.45</u>
	20 cubic yard container	166.74	<u>173.97</u>	<u>181.45</u>

25 cubic yard container	166.74	<u>173.97</u>	<u>181.45</u>
30 cubic yard container	166.74	<u>173.97</u>	<u>181.45</u>
40 cubic yard container	166.74	<u>173.97</u>	<u>181.45</u>
Delivery Fee – all Temp Customers	126.32	<u>131.80</u>	<u>137.46</u>

**D. Additional Services      Rate      2019      2020**

Additional mileage charge for hauls to other sites

Charge per mile	6.74	<u>7.03</u>	<u>7.33</u>
Return Trip	58.94	<u>61.50</u>	<u>64.14</u>
Solid drop-box lid charge per month	58.94	<u>61.50</u>	<u>64.14</u>
Pressure washing (per yard)	13.49	<u>14.08</u>	<u>14.68</u>
Stand-by time (per minute)	3.38	<u>3.53</u>	<u>3.68</u>

**Hourly Rates**

Rear/side load packer and driver	176.83	<u>184.50</u>	<u>192.43</u>
Front load packer and driver	176.83	<u>184.50</u>	<u>192.43</u>
Drop-box truck and driver	176.83	<u>184.50</u>	<u>192.43</u>
Additional labor (per person)	84.23	<u>87.88</u>	<u>91.66</u>

21 (4) Wherever detachable containers are used having a capacity for  
22 which a rate has not been established, the director of Public Works is  
23 authorized to establish a rate for such container, which shall be  
24 consistent with the ratio of the container capacity to rate charged for  
25 the rate herein established.

(5) In addition to the collection rates established in subsections (1), (2) and (3) of this section, there shall be included a hazardous waste charge adopted by King County Board of Health.

Section 2. Effective date for new rates: For 2019, the monthly rates established in this Ordinance go into effect and become the rates to be charged as of January 1, 2019. For 2020, the monthly rates established in this Ordinance go into effect and become the rates to be charged as of January 1, 2020.

Section 3. The garbage rates set forth in KMC 16.12.030, which is amended by this ordinance, shall remain in force and effect until the rates set forth in this ordinance go into effect.

Section 4. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance, or the application of the provision to other persons or circumstances is not affected.

Section 5. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication pursuant to Section 1.08.017, Kirkland Municipal Code in the summary form attached to the original of this ordinance and by this reference approved by the City Council.

Passed by majority vote of the Kirkland City Council in open meeting this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

Signed in authentication thereof this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Amy Walen, Mayor

Attest:

\_\_\_\_\_  
Kathi Anderson, City Clerk

Approved as to Form:

\_\_\_\_\_  
Kevin Raymond, City Attorney

PUBLICATION SUMMARY  
OF ORDINANCE NO. O-4659

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO SOLID WASTE COLLECTION RATES FOR 2019 AND 2020 AND AMENDING SECTION 16.12.030 OF THE KIRKLAND MUNICIPAL CODE.

SECTION 1. Amends Section 16.12.030 of the KMC by amending solid waste collection rates.

SECTIONS 2 - 3. Provides an effective date for the rates.

SECTION 4. Provides a severability clause for the ordinance.

SECTION 5. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code and establishes the effective date as five days after publication of summary.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

I certify that the foregoing is a summary of Ordinance \_\_\_\_\_ approved by the Kirkland City Council for summary publication.

\_\_\_\_\_  
Kathi Anderson, City Clerk

ORDINANCE O-4660

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO MONTHLY  
SURFACE WATER UTILITY SERVICE RATES FOR 2019 AND 2020 AND  
AMENDING SECTION 15.56.020 OF THE KIRKLAND MUNICIPAL CODE.

The City Council of the City of Kirkland do ordain as follows:

Section 1. Section 15.56.020 of the Kirkland Municipal Code, as  
last amended by Ordinance 4536, is hereby amended to read as follows:

**15.56.020 Monthly surface water utility service rates.**

Effective 2019

The monthly surface water utility rates are based on the impervious  
surface area.

(1) Single-Family Residential Parcels. The average impervious area for  
a single-family residence is two thousand six hundred square feet. This  
is based on the measurement of over three hundred parcels. This value  
is referred to as an equivalent service unit (ESU). The single-family  
service charge shall be equivalent to one ESU and shall be a flat rate of  
~~seventeen dollars and fifty-five~~ seventeen dollars and ninety-nine cents.

(2) All other Customers, Including Commercial and Multifamily  
Residential. The service charge for all classes other than single-family  
residences will be based on the number of ESUs. The actual measured  
impervious area of each individual site will be divided by two thousand  
six hundred square feet to determine the number of ESUs of the  
individual site. The computed rate shall not be less than that for one  
ESU. The surface water utility service rate for these customers shall be  
~~seventeen dollars and fifty-five~~ seventeen dollars and ninety-nine cents  
per each ESU.

(3) Late Fees. All fees and charges arising under this chapter which are  
past due or delinquent shall be charged a late fee of eight percent per  
annum.

Effective 2020

The monthly surface water utility rates are based on the impervious  
surface area.

(1) Single-Family Residential Parcels. The average impervious area for  
a single-family residence is two thousand six hundred square feet. This  
is based on the measurement of over three hundred parcels. This value  
is referred to as an equivalent service unit (ESU). The single-family  
service charge shall be equivalent to one ESU and shall be a flat rate of  
~~seventeen dollars and ninety-nine~~ eighteen dollars and forty-four cents.

(2) All other Customers, Including Commercial and Multifamily  
Residential. The service charge for all classes other than single-family

residences will be based on the number of ESUs. The actual measured impervious area of each individual site will be divided by two thousand six hundred square feet to determine the number of ESUs of the individual site. The computed rate shall not be less than that for one ESU. The surface water utility service rate for these customers shall be ~~seventeen dollars and ninety-nine~~ eighteen dollars and forty-four cents per each ESU.

(3) Late Fees. All fees and charges arising under this chapter which are past due or delinquent shall be charged a late fee of eight percent per annum.

Section 2. Effective date for new rates: For 2019, the monthly rates established in this ordinance shall go into effect and become the rates to be charged as of January 1, 2019. For 2020, the monthly rates established in this ordinance shall go into effect and become the rates to be charged as of January 1, 2020.

Section 3. The surface water utility rates set forth in KMC 15.56.020, which is amended by this ordinance, shall remain in force and effect until the rates set forth in this ordinance go into effect.

Section 4. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance, or the application of the provision to other persons or circumstances is not affected.

Section 5. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

Passed by majority vote of the Kirkland City Council in open meetings this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

Signed in authentication thereof this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Amy Walen, Mayor

Attest:

\_\_\_\_\_  
Kathi Anderson, City Clerk

Approved as to Form:

---

Kevin Raymond, City Attorney

ORDINANCE O-4661

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO DOMESTIC WATER SYSTEM CUSTOMER RATES FOR 2019 AND 2020 AND AMENDING SECTION 15.24.020 OF THE KIRKLAND MUNICIPAL CODE.

The City Council of the City of Kirkland do ordain as follows:

Section 1. Table 15.24.020 of Section 15.24.020 of the Kirkland Municipal Code, as last amended by Ordinance 4534, which establishes the monthly water charge required to be paid to the City by customers of the Kirkland Water System, is further amended to read as follows:

Table 15.24.020

Customer Class	Rate	<del>2017</del> 2019	<del>2018</del> 2020
a. Single-family residential			
(1) Basic charge (includes 200 cubic feet of water consumed)	<del>\$20.36</del>	<u>20.97</u>	<u>21.57</u>
PLUS			
(2) Water consumption charge - 201 cubic feet to 1,200 cubic feet	<del>\$4.88</del>	<u>5.03</u>	<u>5.17</u>
PLUS			
(3) Water consumption charge - over 1,200 cubic feet	<del>\$6.42</del>	<u>6.61</u>	<u>6.80</u>
b. All other customers, including commercial and multifamily residential			
	Meter Size (inches)		
(1) Basic charge per size of meter	5/8 x 3/4	\$16.21	16.21
	1	\$27.88	27.88
	1-1/2	\$44.31	44.31
	2	\$71.07	71.07
	3	\$201.86	201.86
	4	\$278.83	278.83
	5	\$360.52	360.52
	6	\$477.33	477.33



8	\$710.97	710.97	710.97
---	----------	--------	--------

PLUS

(2) Water consumption charge	\$4.90	4.90	4.90
	per 100 cubic feet of water consumed		

PLUS

(3) Sprinkler consumption charge	<del>\$6.50</del>	<u>7.15</u>	<u>7.87</u>
	per 100 cubic feet of water consumed		

Section 2. Effective date for new rates: For 2019, the monthly service and consumption rates for water customers established in this ordinance shall go into effect and become the rates to be charged as of December 1, 2018; provided, however, that the monthly rates for water customers billed on the City of Kirkland billing cycles number 2, number 4, and number 5 shall go into effect January 1, 2019. For 2020, the monthly service and consumption rates for water customers established in this ordinance shall go into effect and become the rates to be charged as of December 1, 2019; provided, however, that the monthly rates for water customers billed on the City of Kirkland billing cycles number 2, number 4, and number 5 shall go into effect January 1, 2020.

Section 3. The water rates set forth in KMC 15.24.020, which is amended by this ordinance, shall remain in force and effect until the rates set forth in this ordinance go into effect.

Section 4. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance, or the application of the provision to other persons or circumstances is not affected.

Section 5. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication pursuant to Section 1.08.017, Kirkland Municipal Code in the summary form attached to the original of this ordinance and by this reference approved by the City Council.

Passed by majority vote of the Kirkland City Council in open meeting this \_\_\_\_ day of \_\_\_\_\_, 2018.

Signed in authentication thereof this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Amy Walen, Mayor

Attest:

\_\_\_\_\_  
Kathi Anderson, City Clerk

Approved as to Form:

\_\_\_\_\_  
Kevin Raymond, City Attorney

PUBLICATION SUMMARY  
OF ORDINANCE NO. O-4661

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO DOMESTIC WATER SYSTEM CUSTOMER RATES FOR 2019 AND 2020 AND AMENDING SECTION 15.24.020 OF THE KIRKLAND MUNICIPAL CODE.

SECTION 1. Amends Section 15.24.020 of the Kirkland Municipal Code related to monthly water charges.

SECTIONS 2 - 3. Provides an effective date for the rates.

SECTION 4. Provides a severability clause for the ordinance.

SECTION 5. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code and establishes the effective date as five days after publication of summary.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

I certify that the foregoing is a summary of Ordinance \_\_\_\_\_ approved by the Kirkland City Council for summary publication.

\_\_\_\_\_  
Kathi Anderson, City Clerk

ORDINANCE O-4662

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO SANITARY SEWER SYSTEM CUSTOMER RATES FOR 2019 AND 2020 AND AMENDING SECTION 15.24.070 OF THE KIRKLAND MUNICIPAL CODE.

The City Council of the City of Kirkland do ordain as follows:

Section 1. Table 15.24.070 of Section 15.24.070 of the Kirkland Municipal Code, as last amended by Ordinance 4535, which establishes the monthly sewer charge required to be paid to the City by customers of the Kirkland Sewer System, is further amended to read as follows:

**Table 15.24.070 (Effective 2019)**

<b>Customer Class</b>	<b>Rate</b>
a. Single-family residential	
Basic charge	<del>\$58.85</del> <u>60.87</u> for first 300 cubic feet of average winter water consumption ("AWWC").
PLUS	
Consumption charge	<del>\$4.88</del> <u>5.18</u> per 100 cubic feet of AWWC beyond first 300 cubic feet.
b. Multifamily residential and commercial	
Basic charge	<del>\$59.30</del> <u>60.05</u> for first 600 cubic feet of water consumed.
PLUS	
Consumption charge	<del>\$9.90</del> <u>10.05</u> per 100 cubic feet of water consumed beyond first 600 cubic feet.
c. In special cases, single-family residents will be billed according to the following policies:	

<b>Special Case</b>	<b>Sewer Rate Policy</b>
New homes	Billed only basic charge until use is established.
Changes in property ownership	Billed only basic charge until use is established.
Changes in tenancy	Billed only basic charge until use is established.
Non-water customers	Billed at system average.
Leak adjustments	Billed per adjusted winter volume. City will factor water leak adjustment into calculation for sewer rate

**Table 15.24.070 (Effective 2020)**

<b>Customer Class</b>	<b>Rate</b>
a. Single-family residential	
Basic charge	<del>\$60.87</del> <u>61.80</u> for first 300 cubic feet of average winter water consumption ("AWWC").
PLUS	
Consumption charge	<del>\$5.18</del> <u>5.49</u> per 100 cubic feet of AWWC beyond first 300 cubic feet.
b. Multifamily residential and commercial	
Basic charge	<del>\$60.05</del> <u>60.05</u> for first 600 cubic feet of water consumed.
PLUS	
Consumption charge	<del>\$10.05</del> <u>10.05</u> per 100 cubic feet of water consumed beyond first 600 cubic feet.
c. In special cases, single-family residents will be billed according to the following policies:	

<b>Special Case</b>	<b>Sewer Rate Policy</b>
New homes	Billed only basic charge until use is established.
Changes in property ownership	Billed only basic charge until use is established.
Changes in tenancy	Billed only basic charge until use is established.
Non-water customers	Billed at system average.
Leak adjustments	Billed per adjusted winter volume. City will factor water leak adjustment into calculation for sewer rate

9           Section 2. Effective date for new rates: For 2019, the monthly  
10 service and consumption rates for sewer customers established in this  
11 ordinance shall go into effect and become the rates to be charged as of  
12 December 1, 2018; provided that, the monthly rates for sewer  
13 customers billed on the City of Kirkland billing cycles number 2, number  
14 4, and number 5 shall go into effect January 1, 2019. For 2020, the  
15 monthly service and consumption rates for sewer customers established  
16 in this ordinance shall go into effect and become the rates to be charged  
17 as of December 1, 2019; provided that, the monthly rates for sewer  
18 customers billed on the City of Kirkland billing cycles number 2, number  
19 4, and number 5 shall go into effect January 1, 2020.

20  
21           Section 3. The sewer rates set forth in KMC 15.24.070, which is  
22 amended by this ordinance, shall remain in force and effect until the  
23 rates set forth in this ordinance go into effect.

24  
25       Section 4. If any provision of this ordinance or its application to  
26 any person or circumstance is held invalid, the remainder of the  
27 ordinance, or the application of the provision to other persons or  
28 circumstances is not affected.

29  
30       Section 5. This ordinance shall be in force and effect five days  
31 from and after its passage by the Kirkland City Council and publication  
32 pursuant to Section 1.08.017, Kirkland Municipal Code in the summary  
33 form attached to the original of this ordinance and by this reference  
34 approved by the City Council.

35  
36       Passed by majority vote of the Kirkland City Council in open  
37 meeting this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

38  
39       Signed in authentication thereof this \_\_\_\_\_ day of  
40 \_\_\_\_\_, 2018.

\_\_\_\_\_  
Amy Walen, Mayor

Attest:

\_\_\_\_\_  
Kathi Anderson, City Clerk

Approved as to Form:

\_\_\_\_\_  
Kevin Raymond, City Attorney

PUBLICATION SUMMARY  
OF ORDINANCE NO. O-4662

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO SANITARY SEWER SYSTEM CUSTOMER RATES FOR 2019 AND 2020 AND AMENDING SECTION 15.24.070 OF THE KIRKLAND MUNICIPAL CODE.

SECTION 1. Amends Section 15.24.070 of the Kirkland Municipal Code related to monthly sewer charges.

SECTIONS 2 - 3. Provides an effective date for the rates.

SECTION 4. Provides a severability clause for the ordinance.

SECTION 5. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code and establishes the effective date as five days after publication of summary.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

I certify that the foregoing is a summary of Ordinance \_\_\_\_\_ approved by the Kirkland City Council for summary publication.

\_\_\_\_\_  
Kathi Anderson, City Clerk



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

---

**MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** Janice Coogan, Senior Planner  
Joan Lieberman-Brill, AICP, Senior Planner  
Adam Weinstein, AICP, Deputy Planning Director

**Date:** September 20, 2018

**Subject:** Rose Hill and Bridle Trails Neighborhood Plans Land Use Study Areas for Requests for Rezones and Code Amendments, File Number CAM18-00082#12

**Staff Recommendation**

That City Council review and comment on the proposed land use study areas associated with the draft Rose Hill and Bridle Trails Neighborhood Plans and evaluate the Planning Commission's recommendation on which ones should move forward to the public hearing in October. The land use study areas are proposals either initiated by property owners or city staff for a change in Comprehensive Plan land use designation, rezone or code amendment. Staff also requests direction on City study area #10, which was not developed in time to be included in the Planning Commission's list of study areas considered at their September 13 study session. Study area #10 (see pg. 10 of the memo) would change zoning in NRH 5 and NRH 6 to encourage new, neighborhood-compatible mixed use multifamily/office and stand-alone high density housing in the North Rose Hill Business District. The overarching intent of the amendments should be to promote the vision described in the neighborhood plans, along with other city policy objectives.

Staff would like direction from the City Council on the following questions:

- a. *Does the Council agree with the study areas that have been recommended not to go forward for further study? If not, which proposals should proceed?*
- b. *Does the Council agree with the Planning Commission's recommendation for the requests/proposals for further study and advancement to the public hearing other than those for RH 1-A/B RHBD Regional Center(Costco site) and the Lee Johnson Auto Dealership? If not, which proposals should proceed?*
- c. *Does the Council feel that the staff strategies for the Costco site and the Lee Johnson Auto Dealership sufficiently address Council concerns? Or does Council wish staff to consider alternative strategies and timelines for considering those properties?*
- d. *Does the Council support further study on proposed changes to NRH 5 and NRH 6 (Study area #10)?*
- e. *Does the Council need additional information in order to make decisions?*



## **Background**

### Draft Neighborhood Plans

On September 18, 2018, the City Council received a briefing on the status of the Rose Hill and Bridle Trails Neighborhood Plan process and provided comments on the first draft of both Plans in order for staff to proceed with the second drafts. Several of the Council's comments addressed the study areas and information that would be helpful in the future consideration of these proposals. Staff addresses several of these comments later in this memorandum.

### Requests for land use, rezone and code amendments associated with the Neighborhood Plans

#### *Overview*

As part of the neighborhood planning process, citizen requests to potentially change the land use/zoning/Zoning Code regulations were accepted for study. Staff proposals that could further the vision of the neighborhood plans were also identified by staff. Several of the requests include expanded study areas beyond the boundaries of the initial request, in an effort to support the adopted Housing Strategy Plan and City Council directive that the neighborhood plans identify opportunity sites for additional housing, mixed use housing/commercial uses, and transit oriented development (TOD). Attachment 1 contains a vicinity map showing the location and a description of each request or study area. Attachment 4 contains the letters or emails from citizens requesting a land use/zoning/code amendment.

Each of the ten requests (eight in Rose Hill and two in Bridle Trails) are being reviewed in the context of the aspirational vision statement for both neighborhoods, looking 20 years in the future. The reviews are based on community, working group (i.e., small groups of neighborhood residents tasked with reviewing interim drafts of the plans and helping staff reconcile competing objectives), Planning Commission and Houghton Community Council input. The requests are also being reviewed for transit access, housing diversity, walkability potential, compatibility with adjacent uses, and other issues. Finally, staff recommends that unanimous property owner support for the requested change is important for the amendments to move forward, since most of the study areas are relatively small in size.

On September 13, the Planning Commission provided direction to staff on which land use/rezone/code amendment requests they support to move forward for further study to the public hearing and those that should be eliminated, with the exception of study area #10. Study area #10 has recently been added to this list of study areas as a zoning amendment proposal to implement proposed Rose Hill policies RH 50 and RH 51 in the first draft of the Rose Hill Plan. Similar to the other study areas, staff sent courtesy notifications to property owners and/or Home Owner Associations in the study area.

#### *Analysis*

The ten study areas have been evaluated by staff and a recommendation is provided below to either proceed to public hearing or for the request to be eliminated from study during the plan update process. If the proposal is recommended to proceed, staff has also identified the recommended study area. A study area is the area where the request will be studied. The analysis supporting each recommendation is shown in Attachment 2 - Neighborhood Plan Update Land Use Change Request Criteria and Evaluation Matrix. *Note: the matrix does not*

*reflect recent public comments from property owners within or near the study areas we have received after the September 13 Planning Commission packet distribution.*

### Key Issues

1. From a high level policy perspective, staff suggests the Planning Commission and City Council weigh the benefits and the potential outcomes of these amendment requests and determine whether the City should focus on intensifying uses within existing mixed-use/commercial districts and/or on areas at the periphery of these districts (where community concern about land use compatibility issues may be greater). The key objective of either approach would be to promote a diversity of housing types, meet the new Housing Strategy Plan goals, provide employment opportunities close to transit access, and advance the land use and transportation goals of the City, and other City Council goals.

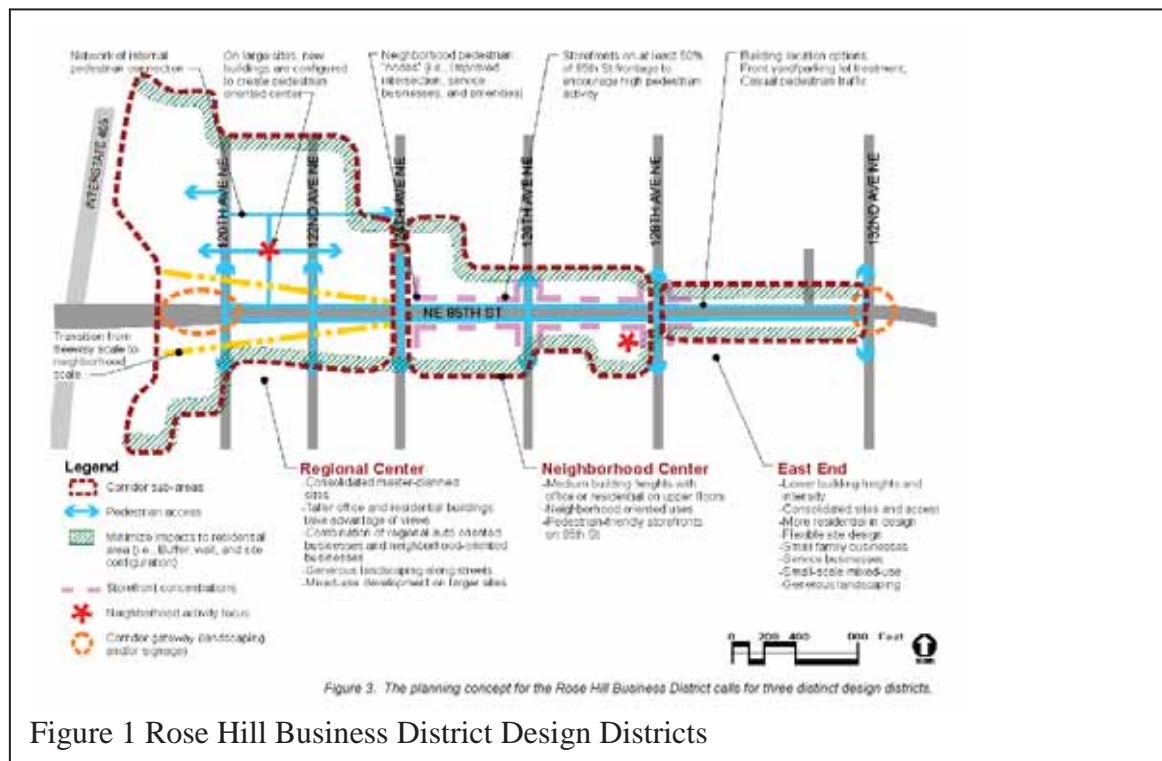


Figure 1 Rose Hill Business District Design Districts

2. Proposed housing policies in both the Rose Hill and Bridle Trails draft plans address strategies other than rezones to address “missing middle” housing, or housing that is more affordable to first time home buyers, young families, and seniors wishing to age in place. These policies encourage cottage, duplex and triplex development in low density areas near the business districts and encourage Accessory Dwelling Units (ADUs) throughout both neighborhoods. Rather than expanding multifamily or mixed commercial/residential zones on the perimeter of the Neighborhood Center or East End of the Rose Hill Business District (see Figure 1 above), the City Council may wish to focus on implementing policies with new more flexible Zoning Code requirements aimed at creating more incentives to stimulate

building affordable-by-design housing types. Staff is currently working on zoning concepts to implement these policies.

Staff recommends focusing limited city resources on those rezone and zoning amendment requests in the Bridle Trails shopping center, North Rose Hill Business District, and the Regional Center portion of the Rose Hill Business District, generally west of 124<sup>th</sup> Avenue NE, where there is greater capacity for affordable housing units and commercial floor area, and where employment opportunities can leverage utilizing the new Sound Transit Station on I-405 at the NE 85<sup>th</sup> Street Interchange (See Figure 1 above). This approach would more effectively link land use changes with existing and planned infrastructure.

#### *Evaluation Criteria*

In evaluating and preparing the staff recommendations for each study area, staff considered the following criteria (see Attachment 2):

- Consistency with the draft vision statements for each neighborhood
- Compatibility with adjacent uses
- Redevelopment potential in the area and the presence of new development
- Environmental constraints (landslide hazards, streams, and wetlands)
- Location within 10 minute walking distance to grocery store, jobs or other services
- Existing or planned transit with 15 minute or less headways
- Meet goals of Housing Strategy Plan
- Consistency with the Comprehensive Plan ([KZC 140.25](#))
- Changes to sales tax revenue or jobs
- Unanimous property owner support within study area

#### *Planning Commission Recommendation*

The following land use study areas are organized into two groups: 1) those that the Planning Commission recommends move forward to the public hearing and 2) those that they recommend should not move forward to public hearing. A staff recommendation on each request is included. See Attachment 1 for a description of the request. See Attachment 2 for evaluation criteria and the evaluation matrix for the requests. **Yes** indicates that staff believes the evaluation criterion is met; **no** means the criterion is not met. There was only one area where staff and the Planning Commission had differing recommendations (#4 Morgan study area). The Planning Commission has not weighed in on #10 (City study area).

#### *Proceed to Public Hearing - On September 13, 2018 Planning Commission recommended to advance to Public Hearing the following requests:*

The numbered requests below are keyed to those in Attachment 1 and 2. See Attachment 4 for citizen or organization requests for land use change).

1. *Lake Washington Institute of Technology*  
(see Attachment 1, page 1)

Staff recommends advancing this proposal, because eight out of ten evaluation criteria are met. See matrix (Attachment 2 page 1).

a. Allow market rate housing on campus:

Underutilized areas of the campus provide opportunities for work force and student housing that meet the Housing Strategy Goals, could reduce commuter vehicle trips, and benefit from good bus access. Existing vegetative buffering around the campus perimeter would screen development from off-site viewpoints.



Existing North Rose Hill Neighborhood Plan policies for LWIT limit the type of housing allowed on campus to affordable housing. Affordable housing is a defined term<sup>1</sup>, which applies only to housing meeting specified income eligibility standards. While typically commanding lower rents, campus housing types such as dormitories would not necessarily meet the strict definition of affordable housing.

The proposal would allow a range of housing affordability rather than limiting it to solely affordable housing. Proposed policy RH 50 in the first draft of the Plan clarifies that in addition to defined affordable units, campus housing available to a range of incomes and that is *more affordable than standard multifamily units* is also appropriate. That change would provide LWIT more flexibility when a revised master plan is proposed.

- b. Allow limited campus expansion into the Natural Greenbelt Protection Easement This request is supported by staff only if during the master plan process it is determined that the underutilized surface parking lot areas have been prioritized for redevelopment, and only minimal encroachment into the steep slope area is allowed, subject to environmental analysis. Proposed policies RH 51 and RH 52 in draft 1 of the Rose Hill Plan support this request.

---

<sup>1</sup> The KZC defines affordable units as the following:

1. An owner-occupied dwelling unit reserved for occupancy by eligible households and affordable to households whose household annual income does not exceed the following percent of the King County median household income, adjusted for household size, as determined by the United States Department of Housing and Urban Development (HUD), and no more than 30 percent of the monthly household income is paid for monthly housing expenses (mortgage and mortgage insurance, property taxes, property insurance and homeowners' dues):
  - a. Eighty percent [median income] in the CBD 5A, RH, TL, HENC2, and PLA 5C zoning districts; or
  - b. One hundred percent [median income] in density limited zoning districts.
2. A renter-occupied dwelling unit reserved for occupancy by eligible households and affordable to households whose household annual income does not exceed 50 percent of the King County median household income, adjusted for household size, as determined by HUD, and no more than 30 percent of the monthly household income is paid for monthly housing expenses (rent and an appropriate utility allowance).



Planning Commission recommendation: Supports the request. The Commission requested an opinion from the City Attorney's office and the LWIT if the type of housing to be developed can be restricted to staff, faculty and students. LWIT is considering housing primarily for the purpose of housing students, staff or faculty, but may also consider other public sector tenants through partnerships. LWIT's response to these questions is included in Attachment 5 to this memorandum. The City Attorney's office confirms that the City can likely limit housing to that related to students and staff of the institute.

5. *RH 1-A/B RHBD Regional Center near Transit Station (see Attachment 1, page 5)*

Staff recommends advancing the study of this City proposal to increase building height/density to support future redevelopment of RH 1 A and 1 B into a transit oriented development providing increased market-rate and affordable housing, and jobs near the future Sound Transit Station on I-405 and increased transit service on NE 85<sup>th</sup> St. It meets all ten of the evaluation criteria (see Attachment 2, page 6). Specifically, the proposal is consistent with the neighborhood vision, existing zoning, and Design Guidelines, the majority of land uses surrounding RH 1-A/B are commercial, there is further development potential in the study area, and there is potential for increased sales tax generation, assuming a continued presence of a big box retailer on the site. The current concept is to require that any redevelopment of the site set aside a minimum square footage of big box retail uses to ensure protection of existing high sales tax-generating uses on the site. Height comparisons are provided in Attachment 3.



Planning Commission recommendation: Agrees with staff recommendation, but requested additional coordination with Costco.

City Council comments: During the City Council briefing on September 18, the Council provided preliminary direction on what information they would like when considering this proposal in the future. Several Council members requested that they be provided an economic analysis to determine what impact the proposal would have on the City's sales tax base. As noted above, the current concept would involve a minimum big box square footage set aside for the site that would be established in the site's new zoning regulations. This set aside would be roughly equivalent to the existing Costco, meaning that an equivalent sized big box commercial use would be required to be included in any site redevelopment. This resembles the approach is used in the Houghton Everest Neighborhood Center HENC 1 zone. New policies would need to be added to the Rose Hill Business District section of the

Rose Hill Plan to reflect this approach. In 2019, follow-up Zoning Code amendments would be prepared.

6. *Lee Johnson Auto Dealership RH 2A-2C (see Attachment 1, page 6)*

Staff recommends advancing the study of the short term proposal to increase the maximum building height by 8 feet, to 75 feet (in a limited area of the site) to support future transit oriented development providing additional market-rate housing stock, affordable housing, jobs near the future Sound Transit Station on I-405 and increased transit service on NE 85<sup>th</sup> Street. Staff recommends establishing a policy for requiring a master plan through the design review process for building heights exceeding what is now allowed. With any additional height, staff supports height modulation as now required, increased affordable housing and LEED Building requirements to provide public benefits for the height increase, and increase of lot coverage and provision of open space consistent with other proposed requests in RHBD zones in the Regional



The Council also expressed concern about the potential bulk and mass impact the proposal would have on surrounding land uses, and requested a massing study in order to evaluate what impact there would be if the site were to be redeveloped. Staff has contacted the applicant to request that they provide a visual representation (e.g., conceptual bulk and massing) comparing the existing permitted maximum building envelope to the requested one. Although these may not be available at the City Council October 2 briefing, they will be forwarded to the City Council for consideration when they are submitted to staff.

*7. Madison Development RH-3 (see Attachment 1, page 8)*

Staff recommends advancing the study of the requested Zoning Code amendments to public hearing, specifically to increase lot coverage to 100%, and allow an increase in height (by 8 feet) to 75 foot building heights, and reduced parking contingent on parking analysis justification. The proposal meets all ten of the evaluation criteria (see Matrix Attachment 2 page 9). Height comparisons are provided in Attachment 3.

Planning Commission  
recommendation: Agree with staff recommendation.



City Council Comments: Similar to the site compatibility concerns regarding the Lee Johnson site in study area #6 above, the Council also expressed concern about the potential bulk and mass impact the proposal could have on surrounding land uses. They requested a massing study in order to evaluate what impact there would be if the site were to be redeveloped with the increased lot coverage and height that is requested by the applicant. Staff has contacted Madison Development to request that they provide a visual representation comparing the existing permitted maximum building envelope to the requested one. If these visual comparisons are not available for the City Council October 2 briefing, they will be forwarded to the City Council for consideration.



*9. Bridle Trails Shopping Center (see Attachment 1, page 11)*

The applicant proposed a height of 6 stories (see Attachment 4). Staff recommends that this proposal proceed to public hearing, but recommends a maximum of 5 stories (similar to recent rezoning efforts in Finn Hill neighborhood center). In order to meet the vision for the redevelopment of the shopping center to be a community gathering place with high quality shops and services, staff recommends that the current 30 foot height limit be increased, with a tiered height approach from 2 - 5 stories with upper story step backs and other requirements. The proposal meets nine out of 10 evaluation criteria (see Attachment 2, page 11). Various building heights are provided in Attachment 3 for comparison purposes. Higher density at the site would also support future Bus Rapid Transit planned to serve Bridle Trails shopping center by 2040.



Planning Commission recommendation: Agrees with staff recommendation to proceed to hearing for more discussion. Planning Commission and staff have received many public comments opposed to increasing the height to 5-6 stories (although a few comments strongly endorse the concept, or urge more density than recommended by staff). Planning Commission acknowledged this concern and asked staff to explore how a range of height of 30 feet to 5 stories could work so the building massing is lower on the north, east and west sides of the subject property so it would be in scale with the surrounding residential neighborhoods, neighborhood businesses and Snyder's Corner open space.

City Council comments: During the City Council briefing on September 18 the Council provided preliminary direction on what information they would like when considering this proposal. Some Council members were interested in exploring options to retain legislative authority to approve a future master plan proposal for the site. Staff suggests an approach similar to that included in the Everest Neighborhood Plan for the Houghton Shopping Center. There, an additional 2 stories of height (to equal a total of 5 stories) may be authorized by a Master Plan, which is approved by the City Council after a full legislative process with opportunities for public participation. Elements that the Master Plan must contain would be noted in the Neighborhood Plan policies for Bridle Trails Shopping Center. If this approach were taken, instead of rezoning this study area as part of the Bridle Trails Neighborhood Plan update process (i.e., in early 2019), that step would occur at a future date through this legislative process, with heights as now allowed under current zoning remaining until that time. This approach would also allow additional public review of the specific plan for the shopping center, outside the neighborhood plan update process.



Proposal identified after September 13  
Planning Commission Study Session:

*10. NRH 5 and NRH 6 (see Attachment  
1 page 13)*

Staff recommends that study area #10 advance to a public hearing. The first draft of the Rose Hill Plan contains new Policies RH 21 and RH 22, which encourage new, neighborhood-compatible mixed use multifamily/office and stand-alone high density housing in the North Rose Hill Business District. The intent of these new policies is to incentivize the future transition of retail uses related to vehicle storage and sales and stand-alone office to either mixed use or stand-alone

housing, with a modest height increase that is compatible with surrounding housing, and to make height regulations consistent across both zones. The implementation of these policies requires an amendment to the NRH 5 and NRH 6 zoning regulations to increase the allowable height to 35 feet in NRH 5 and from either 30 feet for housing or 33 feet for mixed use multifamily/office, to 35 feet in NRH 6. Since this is a voluntary incentive, it would allow existing uses to continue. The car storage and sales use would continue to be an allowed use in the RH 5 zone as would stand-alone office uses in both NRH 5 and 6 zones. The zoning amendments necessary to implement the new policies would be completed in 2019.



The study area is located in the North Rose Hill Business District (NRHBD) in North Rose Hill. Policy objectives for the NRHBD carried forward to the first draft of the Rose Hill Plan include locating more regionally focused goods and services and mixed housing with greater building heights closest to the freeway interchange at 116<sup>th</sup> Street and I-405, west of 124<sup>th</sup> Avenue NE to mirror development in the Totem Lake Business District across the street, and promoting a more local neighborhood commercial focus and lower heights and density in the remainder of the district. Within the four parcel study area east of Slater Avenue NE, three parcels are developed with stand-alone offices. The fourth parcel contains two uses: several units of the Ridgewood Village Condominium complex and car storage, which is leased to the Ford/Hyundai of Kirkland car dealership across Slater Avenue NE by the Ridgewood Village Homeowners Association. Surrounding the study area are high density condominium complexes east of Slater, and to the south a business park, containing wholesale and manufacturing uses carried over from previous industrial zoning and retail enterprises. Properties to the west lie within the Totem Lake Business District and are developed with car dealerships and other commercial uses.

The proposal meets eight of the 10 evaluation criteria (see Attachment 2, page 12). The proposal supports the NRHBD vision, promotes the 10 minutes neighborhood concept near transit and Totem Lake businesses, supports the Housing Strategy Plan by encouraging housing near the Lake Washington Institute of Technology, and would result in heights not substantially taller than surrounding multifamily uses that have existing 30 foot height limits. Emails or letters to the property owners within the study area have been sent explaining the proposal and advising of the October 25 public hearing. Mailed public notices will be sent to all property owners and residents within 300 feet of the study area prior to the public hearing. As of September 19, an email from Mary Lou Walen, Ridgewood Village Condominium Homeowners Association Board President, representing one of the parcels located in the NRH 5 study area, states neither opposition nor support of the proposal but does not object to further study (see Attachment 6).

No Planning Commission recommendation has been made on this City initiated proposal. Staff has notified the Planning Commission that this City proposal is added to the list of study areas that may advance to public hearing on October 25.

*Planning Commission recommended not to advance to Public Hearing the following study areas:*

The following is a summary of the land use study areas the Planning Commission recommended not proceed to public hearing. See Attachment 1 for the information about each study area and Attachment 2 for reasons supporting for the staff recommendation. The [September 13, 2018 - Part 1](#) and [Part 2](#) Planning Commission meeting packet also goes into more detail about the staff recommendation for each study area.

2. *City initiated RH-8 study area north of NE 84<sup>th</sup> ST/132<sup>nd</sup> Ave NE (see Attachment 1, page 2)*

Planning Commission recommendation: Planning Commission agreed with the staff recommendation not to move forward with this proposal because of its distance from the Regional Center portion of the business district, the presence of newer housing stock within the study area, the low number of affordable housing units that would be created, neighborhood policies discouraging expansion of commercial uses into low density areas, traffic impacts on dead-end NE 84<sup>th</sup> Street, and property owner opposition within and outside the study area.



3. *Jin or expanded study area north of NE 85<sup>th</sup> ST/124<sup>th</sup> Ave NE (see Attachment 1 page 3)*

Planning Commission recommendation:  
Planning Commission agreed with the staff recommendation that the study area does not meet a majority of the evaluation criteria, and that the location is outside the Regional Center with low potential for affordable housing, there is property opposition within the area and commercial zoning could have adverse impacts on adjacent residential property.



4. *Morgan request for three properties (8241, 8249, 8251 122<sup>nd</sup> Ave NE) and Velozo property at 8245 122<sup>nd</sup> Ave NE outlined in red or expanded study area outlined in blue between 122<sup>nd</sup> Ave NE and 124<sup>th</sup> Ave NE and north of Kirkland Cemetery south of NE 85<sup>th</sup> Street request for rezone to commercial or higher density residential (see Attachment 1, page 4)*

Staff recommended that a revised expanded study area advance to public hearing (see Attachment 2 and map on right). Sharon Velozo did not give consent to include her property in Morgan's request and opposes the zoning change. In addition, three of the five property owners in the revised staff recommended study area below do not support the request (8230, 8232, 8234 122<sup>nd</sup> Ave NE).





Planning Commission recommendation:

The Planning Commission disagreed with staff to proceed to hearing. The Commission believed it is very similar to the Jin request and does not support continuing to public hearing. Rezoning a small number of parcels would not significantly increase the amount of affordable housing benefits. In addition, the rezones are far from achieving unanimous property owner support.

Staff Recommended Study Area



8. Daniel Weise request to rezone three parcels in Bridle Trails south of NE 64<sup>th</sup> ST from RSX 35 to RSX 7.2 (see Attachment 1, page 10)



Planning Commission recommendation: Planning Commission agreed with the staff recommendation not to proceed with this request in order to preserve RSX 35 sized lots capable of keeping horses, consistent with zoning to the south and east that supports the policies in the Bridle Trails Neighborhood Plan. The proposal does not meet eight of the ten evaluation criteria (see Attachment 2, page 10) and would be inconsistent with the vision for the Bridle Trails neighborhood.

*Eden Ekubit request at 12822 NE 85<sup>th</sup> Street in the RH8 zone to allow increased height, reduced setbacks and reduced parking (received after July 26 Planning Commission Study Session).*

Planning Commission recommendation: Planning Commission agreed with the staff recommendation not to advance this proposal to a hearing. The RH-8 zone already allows an increase in height from 30 to 35 feet, if a minimum lot area of 18,000 square feet is achieved. There is no compelling reason to study this proposal further, given the limited benefit to the community that would result from this request.



#### *Public Outreach for Land Use, Rezone, Code Amendment Requests*

On September 4, prior to the September 13 Planning Commission study session, staff sent a courtesy notice to all Kirkland residents/tenants and all property owners for properties both in and outside Kirkland's jurisdiction, that are within each study area as well as within 300 feet of each property or study area informing them of the meeting, its purpose, participation opportunities and project schedule. Also, staff sent a letter to each study area property owner informing them that their property is located in an area the City is studying for a change in land use, zoning or code amendment related to the neighborhood plan update project, and in addition to the notice described above, provided existing and proposed land use/zoning information, and the applicant justification for request. Email announcements were distributed informing of the upcoming meeting schedule.

#### *Public Comments*

Public comments received by noon on September 18, 2018 are enclosed (Attachment 7). Comments received after distribution of this meeting packet will be forwarded to the City Council either prior to or at the meeting.

#### **Next Steps**

##### Integration of requests into Second Draft of Neighborhood Plans

Once the City Council provides direction on which requests should proceed for further study, staff will incorporate revised policies (if any) into the second draft Plans. Along with the second draft of each Plan, staff is seeking to provide visual studies to evaluate proposed building height or other code amendment changes. State Environmental Policy Act (SEPA) analysis for those proposals will also be completed. The land use and zoning maps will also be revised to reflect the proposed rezones. Per Zoning Code requirements, public notice signs will be installed on or near the properties proposed for rezones. Public notices will be mailed to property owners and residents within 300 feet of each study area prior to the public hearing.

The Planning Commission and Houghton Community Council will consider all proposed changes to the Rose Hill and Bridle Trails Neighborhood Plans and public comment at the public hearings in October and make a recommendation to the City Council. The City Council makes the final decision to approve, deny or conditionally approve amendment requests.

Although associated zoning amendments to implement these requests would typically also be considered at the public hearings, because of the ambitious schedule for Neighborhood Plan adoption (December 2018), staff anticipates that necessary implementing regulations will follow in early 2019.

**Upcoming Meeting Schedule:**

- October 22, 2018 – Public hearing with Houghton Community Council on Bridle Trails Plan
- October 25, 2018 - Public hearing with Planning Commission and Houghton Community Council: Rose Hill and Bridle Trails Plans and rezone study areas
- November *date TBD* - Planning Commission deliberation on recommendation *as needed*
- November 20, 2018 - City Council briefing
- December 11, 2018 - City Council adoption
- January 28, 2019 - Houghton Community Council final action on Bridle Trails Plan

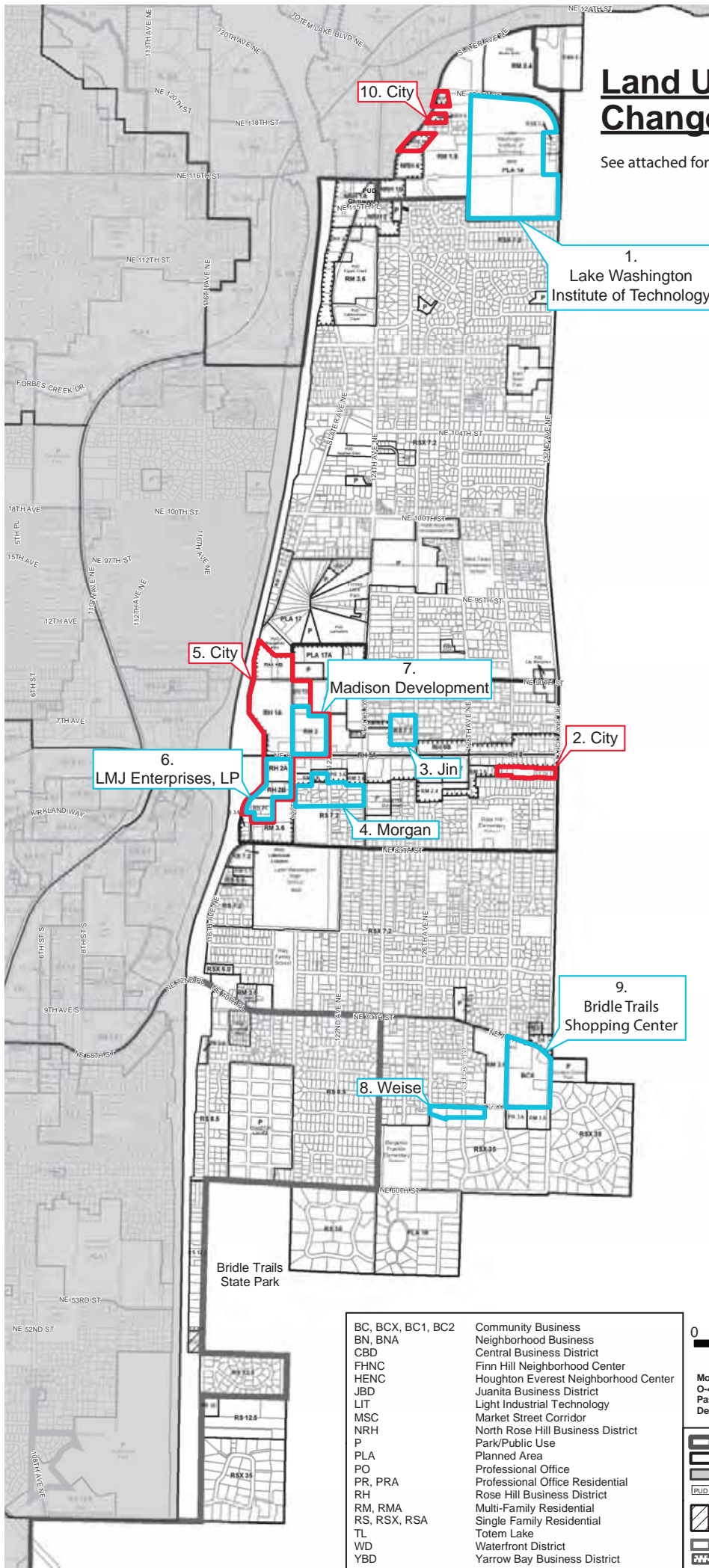
**Attachments:**

1. Land Use Zoning Change Study Areas Map and Descriptions
2. Land Use Change Request Criteria and Evaluation Matrix
3. Building Heights Comparison
4. Citizen emails/letters requesting land use changes
5. LWIT email dated 9-18-2018
6. Mary Lou Walen NRH 5 email dated 9-19-2018
7. Public comments received as of September 18, 2018
8. John McCullough with McCullough Hill Leary letter dated 9-13-2018

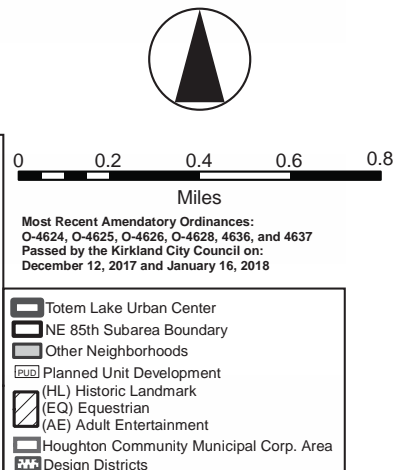


# Land Use Zoning Change Study Areas

See attached for more information



BC, BCX, BC1, BC2	Community Business
BN, BNA	Neighborhood Business
CBD	Central Business District
FNHC	Finn Hill Neighborhood Center
HENC	Houghton Everest Neighborhood Center
JBD	Juanita Business District
LIT	Light Industrial Technology
MSC	Market Street Corridor
NRH	North Rose Hill Business District
P	Park/Public Use
PLA	Planned Area
PO	Professional Office
PR, PRA	Professional Office Residential
RH	Rose Hill Business District
RM, RMA	Multi-Family Residential
RS, RSX, RSA	Single Family Residential
TL	Totem Lake
WD	Waterfront District
YBD	Yarrow Bay Business District




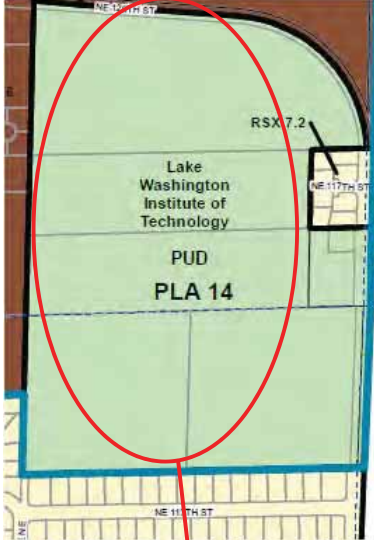





**Property owner and City requests for land use/zoning change by Neighborhood- Revised 9/18/2018**

**Notes:**

1. Sites with additional development potential are outlined in blue; vacant parcels are outlined in pink.
2. Sites with additional development potential are defined as non-residential parcels with land value greater to or equal to 50% of improvement value, or residential parcels with sufficient land area to accommodate additional units based on the underlying zoning.

North Rose Hill Neighborhood	Aerial Map	Zoning	Further Developable/Vacant
<p><b>1. Applicant: Lake Washington Institute of Technology</b></p> <p><b>Requests:</b></p> <ol style="list-style-type: none"> <li>1. Expand existing or future master plan improvements into existing Natural Greenbelt Protection Easement along western slope.</li> <li>2. Allow market rate housing in addition to affordable housing.(see April 23 email)</li> </ol> <p><b>Issues:</b></p> <ul style="list-style-type: none"> <li>• Should this slope area be designated a wildlife corridor or visual amenity in addition to critical area?</li> <li>• Should future development be prohibited in existing NGPE?</li> </ul> <p><b>Existing NRH Plan Policies:</b></p> <ul style="list-style-type: none"> <li>• Only pedestrian/bike connections allowed in NGPE area.</li> <li>• Only affordable housing allowed.</li> </ul> <p><b>Existing Land Use/Zoning: Institutions/Planned Area 14</b></p> <p><b>Environmental Constraints:</b> Stream and High Landslide Susceptibility area</p> <p><b>Options:</b></p> <ol style="list-style-type: none"> <li>A. Retain existing policies.</li> <li>B. Revise housing policy to encourage both market rate and affordable housing.</li> <li>C. Designate NGPE area to preserve the tree canopy for wildlife corridor and woodland in addition to geologic hazard areas with revised master plan.</li> <li>D. Allow the master plan process to determine a minimum allowable encroachment into the NGPE after first utilizing the redevelopment potential in the existing surface parking lot; subject to environmental review analysis.</li> </ol> <p><b>Preliminary Staff Recommendation:</b> B, C and D.</p>	 <p>NGPE area</p>	 <p>Study Area</p>	 <p>Study Area</p>

**NE 85<sup>th</sup> ST Subarea****2. Applicant: City**

Requests: Increase density and/or commercial capacity on existing larger underdeveloped sites within Rose Hill Business District commercial corridor or expand boundaries of District.

Justification: Increase housing opportunity sites and opportunities for smaller-scale commercial uses to implement the 10 minute neighborhood and adopted Housing Strategy Plan.

Issue: Determine if there is interest in changing land use designations to expand commercial uses or rezone to higher density within existing business district boundary or expanding district at perimeter.

**Study Area:**

South perimeter of East End (128<sup>th</sup> to 132<sup>nd</sup>) - behind RH8, east of RM 3.6 zone, and north of NE 84<sup>th</sup> St.

**Zoning Options:**

- A. No Change - Retain Low Density RS 7.2
- A. Rezone to Mixed Use Limited Commercial/Multifamily
- B. Rezone to Mixed Use Office/Multifamily
- C. Rezone to Multifamily

Preliminary Staff Recommendation: None at this time (additional study needed).

**Aerial Map**


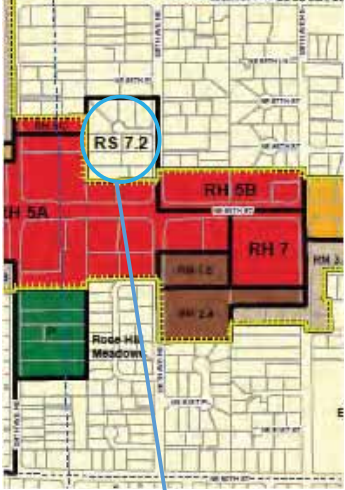

Study Area

**Zoning**



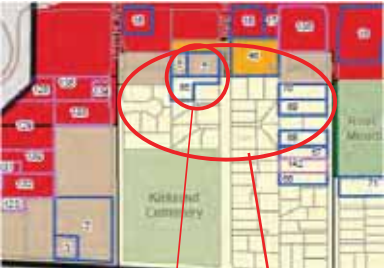
Study Area

**Further Developable/Vacant:**


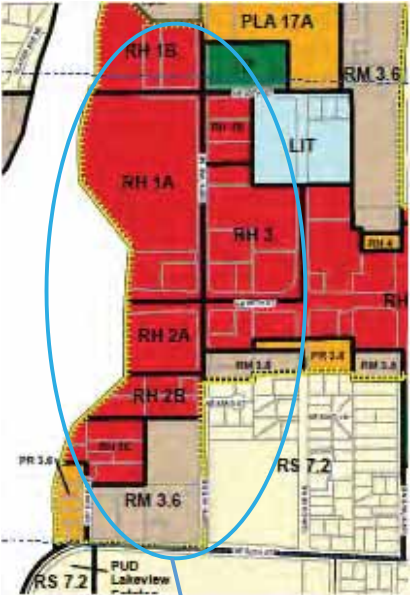

Study Area

NE 85 <sup>th</sup> St Subarea	Aerial Map	Zoning	Further Developable/Vacant
<p><b>3. Applicant: Jin</b></p> <p>Request: Rezone property owned by applicant to mixed use commercial/multifamily or higher density residential. Expand to 4 lots within the RS 7.2 zone.</p> <p>Justification - increase density to provide more affordable housing and expand retail uses near NE 85<sup>th</sup> St commercial corridor, Sound Transit BRT station on lots with homes built in the 1960's (see June 4 email).</p> <p>Location - 8527 126<sup>th</sup> Avenue NE (PIN 123310-0879) Existing Zoning/Land use: RS 7.2 min. lot size/Low Density Residential 6 du/acre</p> <p>Study Area Options:</p> <p>A. Jin's request of 4 properties in RS 7.2 zone, including his lot: 8519 - 10,400 s.f. 8523 - 19,200 s.f. 8525 - 15,600 s.f. 8527 - 14,000 s.f.</p> <p>B. Expand study area to include all 11 properties in RS 7.2, including those in Option A: 8535 - 6,482 s.f. 12503 - 10,400 s.f. 12507 - 20,016 s.f. 12500 - 17,500 s.f. 12506 - 16,930 s.f. 12514 - 15,281 s.f. 8707 - 16,033 s.f.</p> <p>Zoning Options:</p> <p>A. No Change - retain Low Density RS 7.2 B. Rezone to Commercial C. Rezone to Mixed Use Limited Commercial/Multifamily D. Rezone to Multifamily     o High     o Medium</p> <p>Preliminary Staff Recommendation: None at this time (additional study needed).</p>	 <p>A. Jin's request</p> <p>B. Expanded Study Area</p>	 <p>Study Area</p>	 <p>Study Area</p>


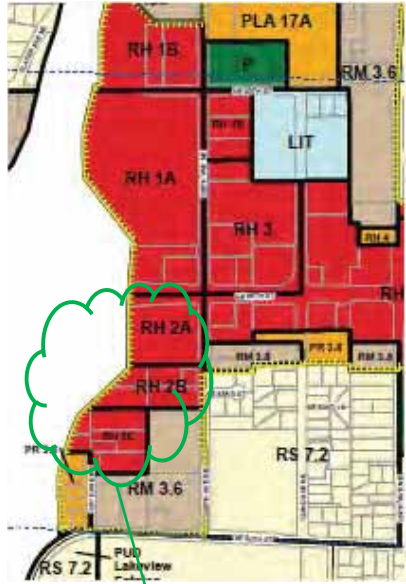



NE 85 <sup>th</sup> ST Subarea	Aerial Map	Zoning	Further Developable/Vacant
<p><b>4. Applicant: Martin and Sharon Morgan</b></p> <p>Morgan's Request: Rezone four parcels to commercial zone or higher residential density. Sharon and Martin Morgan own 3 out of the four parcels (8241, 8249, 8251 122<sup>nd</sup> Ave NE). Sharon Vellozo owns the property at 8245 122<sup>nd</sup> Ave NE.</p> <p>Applicant Justification - increase density and intensity of uses near Sound Transit station; maintain single family uses in other areas of neighborhood (see May 1 email).</p> <p>Location/Existing Zoning/Land Use:</p> <p>Two of Morgan parcels are zoned RM 3.6 at 8249 122<sup>nd</sup> Ave NE (PIN 123310-0275) and 8251 122<sup>nd</sup> Ave NE (PIN 123310-0276) Medium Density. One parcel of Morgan's and Sharon Vellozo's property are zoned Low Density- single family RS 7.2 at 8241 122<sup>nd</sup> Ave NE (PIN 123310-0270) and 8245 122<sup>nd</sup> Ave NE (PIN 123310-0271) respectively.</p> <p>Parcel sizes:  8251-10,506 s.f.  8249 - 20,735 s.f.  8245 - 19,085 s.f.  8241 - 12,150 s.f.</p> <p>Study Area Options:  A. 4 lots owned by Morgans/Vellozo  B. Expand study area to RS 7.2 zoned properties between 120<sup>th</sup> Ave NE and 124<sup>th</sup> Ave NE, north of the cemetery (see City proposal above).</p> <p>Land Use/Zoning Options:  A. No Change - retain medium and low density RM 3.6 and RS 7.2  B. Rezone to Commercial  C. Rezone to Mixed Use Commercial/Multifamily  D. Rezone to Multifamily <ul style="list-style-type: none"> <li>o High</li> <li>o Medium</li> </ul> </p>	 <p>A. Morgans' Request</p> <p>B. Expanded Study Area</p>	 <p>A</p> <p>B</p>	 <p>A</p> <p>B</p>

<p>Preliminary Staff Recommendation: None at this time, but not in support of rezoning to commercial.</p>			
---	--	--	--


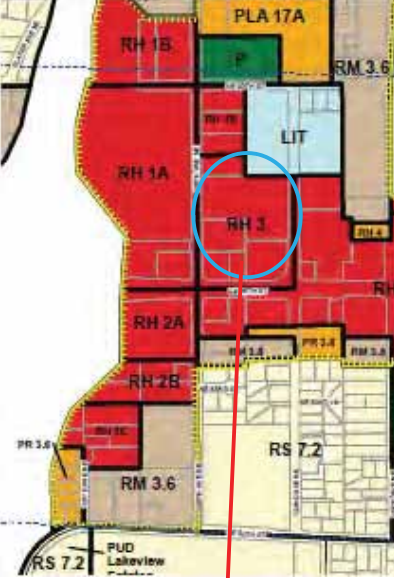
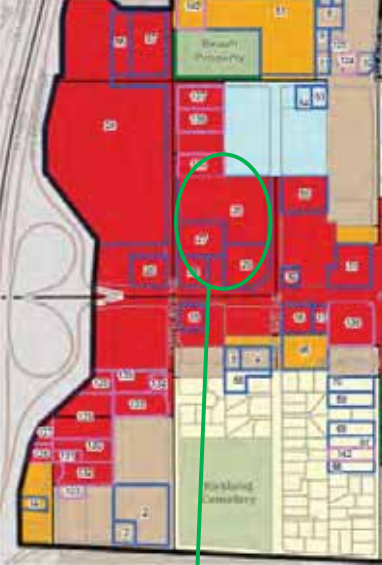
NE 85 <sup>th</sup> ST Subarea	Aerial Map	Zoning	Further Developable/Vacant
<p><b>5. Applicant: City</b></p> <p>Request: Consider increased density and intensity of land uses within the existing RHBD Regional Center zones closest to the future Sound Transit Station at NE 85<sup>th</sup>/I-405 interchange and Bus Rapid Transit along NE 85<sup>th</sup> ST.</p> <p>Issue: Are land use changes needed in RHBD Regional Center to take advantage of proximity to BRT Station and future BRT along NE 85<sup>th</sup> for Transit Oriented Development?</p> <p>Existing RH 1A, 1B, 2A, 2B, 2C, RH3 zoning already allows a mix of commercial and residential uses and building height of 5-6 stories. Issues to study include: is additional height needed, increases in lot coverage, mix of uses to encourage retention of office space and jobs, and other code changes to accommodate the urban density envisioned by the original Rose Hill Business District plan, zoning, and to support future transit investments.</p> <p>Existing Land Use: Commercial</p> <p>Land Use/Zoning Options:</p> <p>A. No Change - retain current zoning standards.</p> <p>B. Revisit zoning regulations to increase height in locations now allowing a maximum 67' height limit, increase lot coverage in locations now allowing 80% to 90% or 100%, evaluate mix of uses and ground floor use restrictions.</p> <p>Preliminary Staff Recommendation: None at this time (additional study needed).</p>	 <p>RH 1A, 1B, 2A 2B, RH3 Study Area</p>	 <p>RH 1A, 1B, 2A 2B, RH3 Study Area</p>	 <p>RH 1A, 1B, 2A 2B, RH3 Study Area</p>




NE 85 <sup>th</sup> ST Subarea	Aerial Map	Zoning	Further Developable/Vacant
<p><b>6. Applicant: LMJ Enterprises, LP (Lee Johnson car dealership site)</b></p> <p>Contact: John McCullough with McCullough Hill Leary, PS</p> <p>Requests: Consider increased density and height within existing RH2A, B and C zones for both short and long term development.</p> <ol style="list-style-type: none"> <li>1. Short term: zoning changes allowing height increase to 75' across entire site, for residential over ground floor commercial.</li> <li>2. Future Master Plan for consolidated site development of more than 5 acres phased over 10 +/- years with 160' height (15 stories) for residential and commercial.</li> </ol> <p>Applicant Justification: Increase height and density because of location near BRT station/regional trans. corridor and capacity of site to make sizeable contributions to housing and commercial capacity (see July 6 email).</p> <p>Issue: Should additional height or density be approved, both in short and long term, in recognition of TOD opportunity adjacent to planned Sound Transit BRT station and future BRT along NE 85th?</p> <p>Existing RH 2A, 2B, 2C, zoning allows a mix of commercial and residential uses with building heights of 4-6 stories (maximum 67') generally transitioning with topography of site. No density limit, except in RH 2C, (12 du/acre).</p> <p>Existing Land Use: Commercial</p> <p>Land Use/Zoning Options:</p> <p>Short term:</p> <ol style="list-style-type: none"> <li>A. No change - retain current height and density standards.</li> <li>B. Increase height limit for mixed use residential/commercial uses across entire site to 75'.</li> <li>C. Increase height in locations now allowing a maximum 67' height limit.</li> <li>D. Increase density in locations now allowing maximum of 12 du/acre to unlimited density.</li> </ol> <p>Long Term:</p> <ol style="list-style-type: none"> <li>A. Wait until next cycle of Neighborhood Plan update to consider proposal.</li> </ol>	 <p>Car Dealership Property Study Area</p>	 <p>Car Dealership Property Study Area</p>	 <p>Car Dealership Property Study Area</p>


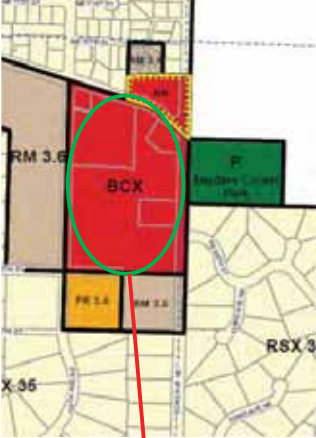

<p>B. During this update, establish policy for Master Plan process now for RH 2A, B, C. for some minimum number of acres.</p> <p>C. During this update, draft policy to establish in the future height limits/density and mix of uses/connections/open space/design guidelines.</p> <p>Preliminary Staff Recommendation:</p> <ul style="list-style-type: none"><li>• None at this time for changes to height or density for either short or long term proposals (additional study needed).</li></ul> <p>Short term proposal:</p> <ul style="list-style-type: none"><li>• If a change to height and density is allowed, refine as necessary, design guidelines for all new, expanded or remodeled commercial, multifamily or mixed use buildings.</li></ul> <p>Long term:</p> <ul style="list-style-type: none"><li>• Establish policies to develop a master plan for future long term development of TOD at this site for a minimum acreage that involves Rose Hill residents.</li><li>• Establish policies to refine as necessary, design guidelines for all new, expanded or remodeled commercial, multifamily or mixed use buildings.</li></ul>			
--	--	--	--




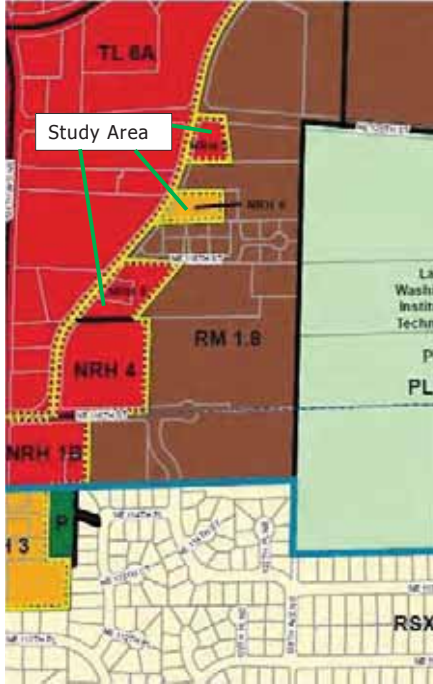

NE 85 <sup>th</sup> ST Subarea	Aerial Map	Zoning	Further Developable/Vacant
<p><b>7. Madison Development request for RH 3 code amendments</b></p> <p>Contact: Jim Gallagher, Principal with Madison Development</p> <p>Requests: Madison Development requests code amendments to RH 3 zone (Petco site at NE 85<sup>th</sup> ST and 120-122<sup>nd</sup> Ave NE) to change:</p> <ul style="list-style-type: none"> <li>• maximum lot coverage from 80% to 100% (while providing open space plazas and gardens into the design),</li> <li>• increase building height by eight feet (from 67' to 75') to allow for decorative parapets, residential roof amenity spaces, open railings, landscape planters,</li> <li>• reduce the required parking ratio for residential and retail uses.</li> </ul> <p>The proposed mixed use residential (market and affordable housing)/commercial project is currently going through the Design Review Process with the Design Review Board and requesting these minor code changes will allow them to achieve the desired vision and development goals for the site.</p> <p>The reduced parking ratio request may be able to be achieved administratively through the allowed parking modification or shared parking provisions in the Zoning Code without a code amendment (See July 13, 2018 letter). Applicant is preparing a parking study.</p> <p>Applicant Justification: The lot coverage and height requests would allow the project to meet the intent and vision for the RH-3 zoning and Design Guidelines to achieve an urban mixed use residential/commercial, transit oriented project near the new Sound Transit Station at the NE 85<sup>th</sup> ST/I-405 Interchange.</p> <p>Five Parcels: 123850-0110, 0115, 0125, 0135, 0140</p> <p>Issue: The 80% lot coverage may have been an oversight when transferring the old BCX suburban commercial zoning requirements to the more urban mixed use RH 3 zoning in 2006. The unusual existing grade changes of the site sloping from the higher point at NE 85<sup>th</sup> ST to the lower parking lot below, make it challenging</p>	 <p>RH 3 Study Area</p>	 <p>RH 3 Study Area</p>	 <p>RH 3 Study Area</p>

<p>for the applicant to meet the way the code requires maximum building height to be calculated.</p> <p>Existing RH 3 zone allows a mix of commercial and residential uses with building heights of 67' above average building elevation along the north side of the zone with a maximum of 45' above NE 85<sup>th</sup> ST.</p> <p>Maximum lot coverage is 80%.</p> <p>Parking code requirements depend on the type of commercial use (retail, office, or restaurant). For residential uses parking requirements are based on number of bedrooms. For a studio (1.2 per unit) or 1.3 for 1 bedroom to 1.8 per 3 or more bedrooms plus visitor parking.</p> <p>Existing Land Use: One story mixed commercial</p> <p>Land Use/Zoning Options:</p> <ul style="list-style-type: none"> <li>A. No change retain current height, lot coverage and parking standards.</li> <li>B. Increase building height limit for mixed use residential/commercial uses to 75' and lot coverage to 100%.</li> </ul> <p>Preliminary Staff Recommendation:</p> <p>Support approving code amendments to increase maximum lot coverage to 100%; building height to 75' above average building elevation consistent with other higher density commercial areas. Staff supports the concept of shared or reduced parking arrangement between the commercial and residential uses given the location near the future transit facilities provided the mix of tenants and results of a parking analysis.</p>			
--	--	--	--

Bridle Trails Neighborhood	Aerial Map	Zoning	Further Developable/Vacant
<p><b>8. Applicant: Daniel Weise</b></p> <p>Request: Change land use from LDR 1 to LDR 5 for 3 properties around Silver Spurs Ranch at 6422 128<sup>th</sup> Ave NE (PIN 1241500340), 6425 128<sup>th</sup> Ave NE (PIN 1241500345), 6424 126<sup>th</sup> Ave NE (PIN 1241500351) (see March 26, 2018 email).</p> <p>Applicant Justification - increase density because these lots gain access from NE 65<sup>th</sup> ST, and therefore have more in common with RS 7.2 zone rather than with the rest of Silver Spurs, which receives access from NE 60<sup>th</sup> ST.</p> <p>Issue: Would this request compromise the equestrian vision for this neighborhood?</p> <p>Existing Land Use: Low Density single family Existing Zoning: RSX 35</p> <p>Parcel Sizes: 6422 - 45,738 s.f. 6424 - 35,741 s.f. 6425 - 35,711 s.f.</p> <p>Study Area: 3 lots including the Weise property, all outside the Silver Spurs Ranch Development.</p> <p>Land Use/Zoning Options: A. No Change -Retain LDR 1 RSX 35 zoning B. Rezone to LDR 5 RSX 7.2</p> <p>Preliminary Staff Recommendation: No change in order to preserve equestrian uses.</p>	 <p>Study Area</p>	 <p>Study Area</p>	 <p>Study Area</p>

Bridle Trails Neighborhood	Aerial Map	Zoning	Further Developable/Vacant
<p><b>9. Applicant: Bridle Trails Shopping Center</b></p> <p>Contacts: Don Wells with Tech City Bowl, and Richard Schoebel with ROIC, Tom Parsons and Glen Scheiber with The Holland Group</p> <p>Requests:</p> <ul style="list-style-type: none"> <li>• Increase building height to 65 feet and higher to increase mixed use density for both Tech City Bowl and Bridle Trails shopping center properties, and allow for rooftop open space amenities (see June 28 2018 letter).</li> <li>• Allow residential flexibility on ground floor. Affordable housing at max 20% of residential units.</li> <li>• Flexibility in parking standards. See written proposal.</li> </ul> <p>Existing Neighborhood Plan policies support developing a plan for future development of the commercial center that involves both South Rose Hill and Bridle Trails residents.</p> <p>Establish new design guidelines for the commercial center for all new, expanded or remodeled commercial, multifamily or mixed use buildings.</p> <p>Study Issues:</p> <ul style="list-style-type: none"> <li>○ How extensive should the master plan be?</li> <li>○ Minimum lot size consolidation?</li> <li>○ Are the existing performance standards in plan adequate or need revising?</li> <li>○ Increase building height to what?</li> <li>○ Add affordable housing requirement</li> <li>○ Currently no design review is required in BCX- Should this be changed?</li> </ul> <p>Land Use/Zoning Options:</p> <p>A. Keep existing BCX zoning</p> <p>B. Establish BT Neighborhood Center Zoning including an increase in building height</p> <p>Preliminary Staff Recommendation: Some range of height/density increase, and associated zoning code amendments.</p>	 <p>Study Area</p>	 <p>Study Area</p>	 <p>Study Area</p>



North Rose Hill Neighborhood	Aerial Map	Zoning	Further Developable
<p><b>10. Applicant: City</b></p> <p>Request: Consider modest increased height within the existing NRHBD North Rose Hill Business District Zones NRH-5 (5 feet increase) and NRH-6 (2-5 feet increase) to incentivize the future redevelopment of car storage areas and single-use office areas into mixed-use neighborhood or stand-alone housing, compatible with surrounding housing.</p> <p>Issue: Is height incentive desired to encourage transition to more compatible mixed use office/multifamily or housing in area close to the Lake WA Institute of Technology within the Totem Lake Urban Center?</p> <p>Existing NRH zoning allows maximum building height 30' above average building elevation in both NRH 5 and NRH 6, except in NRH 6, where 33' is allowed if redeveloped as mixed use office/multifamily (to allow for 13 foot office floor plate). Issues to study include: is additional height desired to encourage transition of existing stand-alone offices and car storage, to accommodate the land uses envisioned by the updated Rose Hill Plan and to support Housing Strategy Plan. While a building height of 60' or greater would be more likely to support redevelopment in this area, the modest height increase proposed here would make the development of 3-story mixed-use buildings more feasible, and be sensitive to neighbor concerns about building height.</p> <p>Existing Land Use/Zoning: Commercial NRH 5 Office NRH 6</p> <p>Land Use/Zoning Options:</p> <ul style="list-style-type: none"> <li>A. No Change - retain current zoning standards.</li> <li>B. Revise zoning regulations to increase height by 5 feet in NRH 5 zone and 2-5 feet in NRH 6 zone for housing or mixed use office multifamily uses.</li> </ul> <p>Preliminary Staff Recommendation: Option B.</p>			

Neighborhood Plan Update Land Use Change Request Criteria and Evaluation -9/20/2018

The following matrix evaluates each land use study area and how the proposed rezone or code amendment proposal meets (Yes) or does not meet (No).

ATTACHMENT 2

<div> <div>Evaluation Criteria</div> <div>→</div> </div> <div> <div>Land Use Study Area</div> <div>↓</div> </div>	Consistent with vision statement?	Compatible with adjacent uses?	Redevelopment potential in the area?	Lack of environment constraints (streams, wetlands)	Promote 10-minute neighborhoods?	Close to existing/planned bus lines with 15-minute or better service?	Meets goals of Housing Strategy Plan?	Consistent with Comprehensive Plan?	Economic benefits?	Unanimous property owner support?
<p><b>1. Lake Washington Intsitute Technology (LWIT) (North Rose Hill)</b> Request: Add residential units for students and staff on campus master plan</p> <p>Study Options:</p> <p>A. Retain existing policies.</p> <p>B. Revise housing policy to encourage both market rate and affordable housing.</p> <p>C. Designate NGPE area to preserve the tree canopy for wildlife corridor and woodland in addition to geologic hazard areas with revised master plan.</p> <p>D. Allow the master plan process to determine a minimum allowable encroachment into the NGPE after first utilizing the redevelopment potential in the existing surface parking lot; subject to environmental review analysis.</p> <p><u>Staff recommendation:</u> Support B, C and D. Support change to revise master plan to allow market rate, student, or staff housing on campus. Allow only minimul encroachment into NGPE.</p>	<p><b>YES</b> -Underutilized areas of the Campus provide opportunities for work force and student housing on campus.</p> <p>-Adding residential uses would transform campus from a commuter school to all hours living environment.</p>	<p><b>YES</b> Heavy vegetative buffer blocks view from adjacent homes, minimizing visual impacts.</p>	<p><b>YES</b> Campus has underutlized portions of site. Subject to existing or revised master plan (current master plan expires in 2020)</p>	<p><b>YES</b> If development is focused on the existing area occupied by surface parking lots</p>	<p><b>NO</b> However, the establish ment of a pedestrian connectio n to the Totem Lake District would promote this criterion.</p>	<p><b>YES</b> -Existing bus route 238 services provides service on 132<sup>nd</sup> Ave NE. -By 2025 more frequent service connection to transit centers: Downtown Kirkland, Totem Lake, Redmond, Kenmore, Bothell</p>	<p><b>YES</b> Could increase affordable housing</p>	<p><b>YES</b> The proposal would promote Comprehensive Plan goals related to affordable housing, connectivitya nd economic development .</p>	<p><b>YES</b> Allows live/work options; reduces commute hour school impacts. May increase sales tax within Kirkand</p>	N/A

The following matrix evaluates each land use study area and how the proposed rezone or code amendment proposal meets (Yes) or does not meet (No).

ATTACHMENT 2

[illegible]

Neighborhood Plan Update Land Use Change Request Criteria and Evaluation -9/20/2018

The following matrix evaluates each land use study area and how the proposed rezone or code amendment proposal meets (Yes) or does not meet (No).

ATTACHMENT 2

<div> <div> Evaluation Criteria </div> <div> Land Use Study Area </div> </div>	Consistent with vision statement ?	Compatible with adjacent uses?	Redevelopment potential in the area?	Lack of environment constraints (streams, wetlands)	Promote 10-minute neighborhoods?	Close to existing/planned bus lines with 15-minute or better service?	Meets goals of Housing Strategy Plan?	Consistent with Comprehensive Plan?	Economic benefits?	Unanimous property owner support?
<p><b>3. Jin or expanded study area (City) (North Rose Hill)</b> Request: Rezone parcels from RS 7.2 to RM or commercial zoning.</p> <p>Study Areas:</p> <ul style="list-style-type: none"> <li>Jin's request (1 parcel built 1960 and 3 in 1968)</li> <li>City expanded study to north 7 additional parcels in RS 7.2 to include 11 total parcels. 5 parcels built in 1983; 1 parcel in 1949)</li> </ul> <p>Study Options:</p> <p>A. No Change - retain Low Density RS 7.2 Jin's 4 parcels, potential for 8 lots Expanded study area: 14 lots Total both study areas if redeveloped: 22 lots (net 11 additional lots)</p> <p>B. Rezone to Commercial RH 5A or RH 5B: Jin's 4 parcels: 17,760 sf commercial and 11,840 sf office Expanded study area: 30,792 sf commercial and 20,528 sf gfa office</p> <p>C. Rezone to Office RH 8: Jin's 4 parcels: 38,480 sf gfa office Expanded area: 66,717 sf gfa office</p> <p>D. Rezone to Multifamily High density RM 1.8: Jin's area: 33 units or Expanded area: 57 units Total 106 units (includes 16 bonus) (7.9 affordable units). A net increase of 84 housing units compared to A above.</p> <p>Medium density RM 3.6: Jin's area: 19 units or Expanded area: 31 units. Total 54 units (includes 8 bonus units) (4.5 affordable units). A net increase in 32 housing units compared to A above.</p> <p><u>Staff recommendation:</u> Keep existing zoning. Do not support rezone of Jin parcels or expanded study area. Although close to shops, services and future transit station, older housing stock (1960-1980's) and shown as further development potential under existing zoning, there is property owner opposition and low potential for substantially increasing the supply of housing. If rezoned to commercial there would be high impact on adjacent properties.</p>	<p><b>YES</b> Located within walking distance of future transit station and services.</p>	<p><b>NO</b> -Surrounding uses to the east and north are low density. -Staff have received complaints in the past of commercial employees parking on residential side street (126<sup>th</sup> Ave NE). -Moderate impact if rezoned to multifamily</p>	<p><b>YES</b> -Jin's study area four lots were built in the 1960's. -Expanded study area properties to the north were built in 1983.</p>	<p><b>YES</b> No mapped streams/wetlands</p>	<p><b>YES</b> Smaller lots in this location are close to shops and services promoted by the 10 minute neighborhood concept</p>	<p><b>YES</b> -4 blocks away from future NE 85<sup>th</sup> ST/I-405 transit station -Bus Rapid Ride on NE 85<sup>th</sup> ST by 2025.</p>	<p><b>NO</b> If rezoned to multi-family 5-8 potential affordable housing units is minimal.</p>	<p><b>NO</b> Potential impacts of rezone options on adjacent properties outway benefits.</p>	<p><b>YES</b> If rezoned to commercial could allow expansion of adjacent commercial properties and increase small amount of jobs.</p>	<p><b>NO and YES</b> One property owner within the study area opposes and did not give consent: -Elwell (8525 126<sup>th</sup> Ave NE). -One property owner outside study area: -Susan Davis (no address)  Two emails of support: -one owner is within the study area: -Lysen (8523 126<sup>th</sup> Ave NE) -one outside study area: -Lamoureux (8720 126<sup>th</sup> Ave NE)</p>



Neighborhood Plan Update Land Use Change Request Criteria and Evaluation -9/20/2018

The following matrix evaluates each land use study area and how the proposed rezone or code amendment proposal meets (Yes) or does not meet (No).

ATTACHMENT 2

<div> <div> Evaluation Criteria </div> <div> Land Use Study Area </div> </div>	Consistent with vision statement?	Compatible with adjacent uses?	Redevelopment potential in the area?	Lack of environment constraints (streams, wetlands)	Promote 10-minute neighborhoods?	Close to existing/planned bus lines with 15-minute or better service?	Meets goals of Housing Strategy Plan?	Consistent with Comprehensive Plan?	Economic benefits?	Unanimous property owner support?
<p><b>4. Morgan or expanded study area (City) (South Rose Hill)</b> Request: Rezone parcels from RS 7.2 to RM or commercial zoning.</p> <p>Study areas:</p> <ul style="list-style-type: none"> <li>4 lots owned by Morgan family (1 parcel built in 1949, 1 parcel built in 1935, 2 built in 1960's)</li> <li>Expanded study area to RS 7.2 zoned properties between 120<sup>th</sup> Ave NE and 124<sup>th</sup> Ave NE, north of the cemetery (see City proposed expanded study area above). (15 parcels built in prior to 1960's; 3 parcels built in 1970's; 12 built newer than 1970's)</li> </ul> <p>Study Options:</p> <p>A. No Change - retain parcels that are medium and low density RM 3.6 and RS 7.2 Morgan: Potential for 13 lots/units Expanded study area: 55 lots (net 21 lots from existing)</p> <p>B. Rezone to Office RH 8 Morgan: 40,609 sf gfa office Expanded study area: 255,234 sf gfa limited retail/office</p> <p>C. Rezone to Mixed Use Commercial/Multifamily PR 3.6 Morgan: 28,114 sf gfa office; 1.12 units (no affordable units) Expanded study area: 176,700 sf gfa office; 7 units (.7 affordable units)</p> <p>D. Rezone to Multifamily High density RM 1.8: Morgan: 35 units plus 7 bonus = 42 units (3.5 affordable units) Expanded study area: 218 units plus 42 bonus= 260 units (21 affordable units) Medium density RM 3.6: Morgan: 17 plus 3 bonus=20 units (1.7 affordable units) Expanded study area: 109 units plus 22 bonus= 131 units (10.9 affordable units)</p> <p><u>Staff recommendation:</u> Do not support Option B rezoning to commercial for either Morgan's lots or expanded study area. Support rezoning Morgan's parcels to RM 3.6 and a smaller expanded area described below:</p> <ul style="list-style-type: none"> <li>Morgan parcels: Maintain 2 Morgan parcels that are RM 3.6 (8251, 8249 122<sup>nd</sup> Ave NE). Rezone two Morgan parcels to the south that are RS 7.2 to RM 3.6. (Three out of the four parcels are further developable).</li> </ul>	<p><b>YES</b> -Location within walking distance of future transit station at NE 85th ST/I-405. -If residential, more compact housing on perimeter of Regional Center of Rose Hill District near future transit station</p>	<p><b>YES</b> Mix of old and newer development.</p>	<p><b>YES</b> Homes are older (1949-1960's, late 1990's) within study area except three built 2000, 2016, 2017).</p>	<p><b>YES</b> No mapped critical areas.</p>	<p><b>YES</b> Because of the location within walking distance of NE 85<sup>th</sup> ST and transit services supports the goals of the 10 minute neighborhood concept.</p>	<p><b>YES</b> 1-2 blocks away from future NE 85<sup>th</sup> ST/I-405 transit station.</p>	<p><b>YES</b> Could result in increased density to provide compact housing and more affordable housing (10-21 units depending on number of parcels rezoned)</p>	<p><b>YES</b></p>	<p><b>NO</b></p>	<p><b>YES</b>  2 property owners in expanded study area along 124<sup>th</sup> Ave support a change to commercial or MF: -Mock( 8231 124<sup>th</sup> Ave NE) or RM 3.6 -Kaiser(8239 124<sup>th</sup> Ave NE)  3 property owners in expanded study area oppose the rezones: -Sanford (8050 122<sup>nd</sup> Ave NE) -Mahoney (8054 122<sup>nd</sup> Ave NE), -Murrah (8211 122<sup>nd</sup> Ave NE)</p>

Neighborhood Plan Update Land Use Change Request Criteria and Evaluation -9/20/2018

The following matrix evaluates each land use study area and how the proposed rezone or code amendment proposal meets (Yes) or does not meet (No).

ATTACHMENT 2

<div><ul style="list-style-type: none"><li>• Support rezoning 3 parcels across the street to east (8230, 8232, 8234 122<sup>nd</sup> Ave NE; built in 1967; further developable potential based on land to improvement value) from RS 7.2 to RM 3.6</li><li>• Support rezoning 2 parcels at 8239 and 8231 124<sup>th</sup> Ave NE from RS 7.2 to RM 3.6 (Kaiser/Mock support change; built in 1960; show further developable due to size of parcel; RM 3.6 zoning to the north)</li></ul><p>Medium density zoning along edge of business district is consistent with other areas as a transition use between commercial and low density single family zoning. Supports added affordable housing within walking distance of transit and services.</p></div>									
--	--	--	--	--	--	--	--	--	--

Neighborhood Plan Update Land Use Change Request Criteria and Evaluation -9/20/2018

The following matrix evaluates each land use study area and how the proposed rezone or code amendment proposal meets (Yes) or does not meet (No).

ATTACHMENT 2

Evaluation Criteria Land Use Study Area	Consistent with vision statement?	Compatible with adjacent uses?	Redevelopment potential in the area?	Lack of environment constraints (streams, wetlands)	Promote 10-minute neighborhoods?	Close to existing/planned bus lines with 15-minute or better service?	Meets goals of Housing Strategy Plan?	Consistent with Comprehensive Plan?	Economic benefits?	Unanimous property owner support?
<p><b>5. RH 1-A/B RHBD Regional Center near Transit Station (City initiated study) (North Rose Hill)</b></p> <p>Study area RH 1-A-B zone (Includes Costco, vehicle gas stations, office building located north of NE 85<sup>th</sup> ST/I-405 Interchange) increased density and building height to support future Sound Transit Station. <i>See analysis for Lee Johnson and RH 3 in Regional Center below</i></p> <p>Study Options:</p> <p>A. No Change - retain current zoning standards: allows mixed use residential, large retail, office. Maximum building height is 67' above average building elevation. Existing RH 1A/1B potential: Total commercial or office: 1,068,972 sf gfa Residential: 852 units (85.2 affordable housing units)</p> <p>B. Increase building height to 75' above average building elevation same as Study Area 6 below.</p> <p><u>Staff recommendation:</u> Support increase in building height/density to support future redevelopment into a transit oriented development providing increased housing, affordable housing, jobs near future Sound Transit Station on I-405 and increased transit service on NE 85<sup>th</sup> ST.</p>	<p><b>YES</b></p> <p>-Vision, existing zoning and Design Guidelines promote more intensive uses in Regional Center near freeway interchange and transit access. -Future Sound Transit Station would further support mixed use higher density development .</p>	<p><b>YES</b></p> <p>-Majority of surrounding uses are commercial. -South of RH 2A-C is a mix of low density and medium density residential uses.</p>	<p><b>YES</b></p> <p>All existing uses are underutilized per current zoning; mostly surface parking lots surrounding the uses.</p>	<p><b>YES</b></p> <p>West of Costco property in RH 1B contains a wetland. Impacts to this wetland area could be mitigated.</p>	<p><b>YES</b></p> <p>Within walking distance of all zones are shops, services, transit.</p>	<p><b>YES</b></p> <p>Within walking distance of future Sound Transit Station at NE 85<sup>th</sup> ST/I-405.</p>	<p><b>YES</b></p> <p>If mixed use residential/commercial opportunity for increased affordable housing near transit stops, and services.</p>	<p><b>YES</b></p> <p>Redevelopment of site would be in the Regional Center area of the Rose Hill Business District where larger mixed use development close to transit and freeway is envisioned and supported by land use and transportation policies.</p>	<p><b>YES</b></p> <p>-If redeveloped to residential or even mixed use commercial could increase sales tax revenue. -If Costco store is redeveloped there would be a decrease in sales tax revenue and jobs.</p>	<p><b>YES</b></p>

<div> <div> Evaluation Criteria </div> <div> Land Use Study Area </div> </div>	Consistent with vision statement?	Compatible with adjacent uses?	Redevelopment potential in the area?	Lack of environment constraints (streams, wetlands)	Promote 10-minute neighborhoods?	Close to existing/planned bus lines with 15-minute or better service?	Meets goals of Housing Strategy Plan?	Consistent with Comprehensive Plan?	Economic benefits?	Unanimous property owner support?
<p><b>6. Lee Johnson Auto Dealership RH 2A-2C (South Rose Hill)</b> Request: Increase height to 75' or 160' (15 stories), unlimited density</p> <p>Study Options:</p> <p>A. No change - retain current height and density standards. Current maximum building height: RH 2A= 67' ABE RH 2B= 55' ABE RH 2C= 35' ABE Max Density in RH 2C is RM 3.6 elsewhere none. Max lot coverage is 80% Existing RH2A, 2B, 2C estimated potential: Total commercial or office: 485,044 sf gross floor area (gfa) Potential residential: 387 units plus bonus units of 77= 464 total units (38.7 affordable housing units)</p> <p>B. Increase height limit for mixed use residential/commercial uses across entire site to 75' (one story increase): Total estimated potential commercial or office: 1,068,972 sf gfa. Residential units: 474 units (40 affordable housing units)</p> <p>C. Increase height in locations now allowing a maximum 67' height limit. Increase density in locations now allowing maximum of 12 du/acre to unlimited density.</p> <p>Long Term:</p> <p>A. Wait until next cycle of Neighborhood Plan update to consider proposal.</p> <p>B. During this update, establish policy for Master Plan process now for RH 2A, B, C. for some minimum number of acres. Draft policy to establish in the future height limits/density and mix of uses/connections/open space/design guidelines. 150' (5 -8 additional office or residential stories): Potential office at 5 additional stories=2,137,944 sf gfa office Residential potential: (8 units per floor x 8 floors=916 units plus 183 bonus units or total of 1,099 units increase lot coverage from 80% to 100%</p> <p><u>Staff recommendation:</u> -Do not support 160' in building height. Wait until next cycle of Plan update and ST station is constructed. Support the following changes requiring a master plan through design review process: -In RH 2A increase maximum building height from existing 67' ABE to 75' ABE</p>	<p><b>YES</b></p> <p>-Vision statement envisions a walkable, transit-oriented pedestrian village around the NE 85<sup>th</sup> ST/I-405 transit hub.</p> <p>-Under existing or proposed zoning there is an opportunity to provide Transit Oriented Development with additional housing or jobs near the NE 85<sup>th</sup> ST/I-405 Sound Transit Station.</p>	<p><b>YES</b></p> <p>-For a 75' tall building across entire site.</p> <p>-Surrounding uses are commercial uses, freeway to the west. The design of any future redevelopment option should modulate the architectural mass adjacent to residential uses.</p> <p>-NO for 160' tall building across entire site because of potential impact on adjacent residential uses to the south and east.</p>	<p><b>YES</b></p> <p>Existing surface parking lot for auto dealership could be considered underutilized given location near future transit station and I-405 interchange.</p>	<p><b>YES</b></p> <p>No mapped stream or wetland</p>	<p><b>YES</b></p> <p>Within walking distance of all zones are shops, services, transit.</p>	<p><b>YES</b></p> <p>Within walking distance of future Sound Transit Station at NE 85<sup>th</sup>/I-405.</p>	<p><b>YES</b></p> <p>Potential for increase in affordable housing units near transit station.</p>	<p><b>YES</b></p> <p>The proposal would promote Comprehensive Plan goals related to affordable housing, connectivity and economic development</p>	<p><b>YES</b></p> <p>If auto dealership leaves (would reduce sales tax revenue to City).</p>	<p><b>YES</b></p>

Neighborhood Plan Update Land Use Change Request Criteria and Evaluation -9/20/2018  
The following matrix evaluates each land use study area and how the proposed rezone or code amendment proposal meets (Yes) or does not meet (No).



ATTACHMENT 2

-In RH 2B, 2C keep height same. -No limit on residential density in any of the zones. -Require 20% affordable housing units similar to YBD 1 requirements. -Require LEED building requirements -Change lot coverage to 100% -Some minimum amount of public open space										
--	--	--	--	--	--	--	--	--	--	--

Neighborhood Plan Update Land Use Change Request Criteria and Evaluation -9/20/2018

The following matrix evaluates each land use study area and how the proposed rezone or code amendment proposal meets (Yes) or does not meet (No).



ATTACHMENT 2

<div> <div>Evaluation Criteria</div> <div>  </div> </div> <div> <div>Land Use Study Area</div> <div>  </div> </div>	Consistent with vision statement?	Compatible with adjacent uses?	Redevelopment potential in the area?	Lack of environment constraints (streams, wetlands)	Promote 10-minute neighborhoods?	Close to existing/planned bus lines with 15-minute or better service?	Meets goals of Housing Strategy Plan?	Consistent with Comprehensive Plan?	Economic benefits?	Unanimous property owner support?
<p><b>7. Madison Development in RH-3 (North Rose Hill)</b> Request: Increase height by 8', increase lot coverage from 80% - 100%, reduce required parking ratio. The additional height is needed because of the way the maximum building height calculations are measured and dramatic changes in topography between the public right of way and property line and across the site.</p> <p>Current development proposal under existing zoning: -200,000 gross floor area (gfa) retail use -740 residential units (within four buildings with 5-6 levels) (74 affordable housing units).</p> <p>Study Options: A. No change retain current 67' height, 80% lot coverage and parking standards. B. Increase building height limit for mixed use residential/commercial uses to 75' and lot coverage to 100%.</p> <p><u>Staff Recommendation:</u> Support code amendments to: -increase maximum lot coverage to 100%. -increase building height to 75' above average building elevation consistent with other higher density commercial areas. 8 feet additional height will be negligible. -the concept of shared or reduced parking arrangement between the commercial and residential uses given the location near the future transit facilities provided the mix of tenants and results of a parking analysis. Zoning code amendments to be completed in 2019.</p>	<p><b>YES</b> -Under existing or proposed zoning there is an opportunity to provide Transit Oriented Development with additional housing or jobs near the NE 85<sup>th</sup> ST/I-405 Sound Transit Station. -Proposed development is consistent with the vision in the Design Guidelines for the Rose Hill Business District.</p>	<p><b>YES</b> -8 feet of additional height would have a negligible effect. -Development proposal will provide public open spaces and landscaping throughout site. -A mix of uses could support a reduced rate of parking if supported by a parking study. -Surrounding uses are commercial.</p>	<p><b>YES</b> Underutilized property given existing zoning.</p>	<p><b>YES</b> A piped underground stream crosses the site (not required to daylight stream).</p>	<p><b>YES</b> Proposed development will provide housing, shops and services within walking distance of neighborhoods and transit.</p>	<p><b>YES</b> Within walking distance of Sound Transit Station at NE 85<sup>th</sup> ST/I-405.</p>	<p><b>YES</b> Increase in estimated 740 residential units and 74 affordable housing units.</p>	<p><b>YES</b> The proposed development is consistent with the vision for the Rose Hill Business District and compact mixed land uses</p>	<p><b>YES</b> Both jobs and sales tax revenue</p>	<p><b>No</b> comments received</p>

Neighborhood Plan Update Land Use Change Request Criteria and Evaluation -9/20/2018

The following matrix evaluates each land use study area and how the proposed rezone or code amendment proposal meets (Yes) or does not meet (No).

ATTACHMENT 2

<div> <div>Evaluation Criteria</div> <div>  </div> </div> <div> <div>Land Use Study Area</div> <div>  </div> </div>	Consistent with vision statement?	Compatible with adjacent uses?	Redevelopment potential in the area?	Lack of environment constraints (streams, wetlands)	Promote 10-minute neighborhoods?	Close to existing/planned bus lines with 15-minute or better service?	Meets goals of Housing Strategy Plan?	Consistent with Comprehensive Plan?	Economic benefits?	Unanimous property owner support?
<p><b>8. Daniel Weise (Bridle Trails)</b> Request: Move zoning district line to rezone three parcels from RSX 35 to RSX 7.2</p> <p>Study Options:</p> <p>A. No Change -Retain LDR 1 RSX 35 zoning No additional lots permitted under current zoning. RSX 35 requires a 10,000 sf area for a paddock.</p> <p>B. Rezone to LDR 5 RSX 7.2 If rezoned, potential for total of 16 lots.</p> <p><u>Staff recommendation:</u> No change in zoning order to preserve RSX 35 sized lots capable of keeping horses consistent with zoning to the south and east.</p>	<p><b>NO</b></p> <p>-Reduces equestrian lots if rezoned to smaller lots. -Maintaining the equestrian community character of the neighborhood is very important to the residents.</p>	<p><b>NO</b></p> <p>-Rezone would change the character of the area by allowing smaller lots without paddock areas. -Rezoning those 3 lots would reduce the number of lots capable of keeping horses and change the equestrian character of the area.</p>	<p><b>NO</b></p> <p>Very few lots capable of redevelopment because of the parcel sizes and minimum lot size requirement of 35,000 sf and requirement for a 10,000 sq. ft. paddock area.</p>	<p><b>NO</b></p> <p>No mapped streams or wetlands on parcels.</p>	<p><b>YES</b></p> <p>Parcels are located within walking distance of shopping area but rezoning to smaller lots goes against policy support for maintaining large lots for equestrian use.</p>	<p><b>NO</b></p> <p>Not located within walking distance of transit service on NE 70<sup>th</sup> or 132<sup>nd</sup> Ave NE</p>	<p><b>NO</b></p> <p>Smaller lots would not meaningfully expand the City's stock of more affordable housing units.</p>	<p><b>YES</b></p> <p>Rezoning would allow for more compact housing opportunities but probably not considered affordable housing.</p>	<p><b>NO</b></p>	<p>One of the property owners of the 3 lots is opposed to rezone (did not give consent): -Hay 6424 126<sup>th</sup> Ave NE).</p> <p>Two emails received from people outside the study area oppose rezone: -Plut (17 Bridlewood Circle) -Michelle Claassen (no address given on 128<sup>th</sup> Ave NE)</p>

Neighborhood Plan Update Land Use Change Request Criteria and Evaluation -9/20/2018

The following matrix evaluates each land use study area and how the proposed rezone or code amendment proposal meets (Yes) or does not meet (No).

ATTACHMENT 2

<div> <div> Evaluation Criteria </div> <div> Land Use Study Area </div> </div>	Consistent with vision statement?	Compatible with adjacent uses?	Redevelopment potential in the area?	Lack of environment constraints (streams, wetlands)	Promote 10-minute neighborhoods?	Close to existing/planned bus lines with 15-minute or better service?	Meets goals of Housing Strategy Plan?	Consistent with Comprehensive Plan?	Economic benefits?	Unanimous property owner support?
<p><b>9. Bridle Trails Shopping Center (Bridle Trails)</b> Request: Increase building height from 30' (two stories) to 65' (6 stories) to allow redevelopment of shopping center into mixed use commercial/housing. Allow housing on ground floor.</p> <p>Study Options: A. Keep existing BCX zoning with building height 30' above existing average building elevation (ABE) For all properties on the subject property (shopping center and Tech City Bowl) under existing zoning there is a potential for 135,794 sf gross floor area (gfa) commercial and 598 residential units (59 affordable housing) B. Establish BT Neighborhood Center Zoning including an increase in building height to 65'; allow housing on ground floor. For 5 stories estimated redevelopment potential: 108,635 sf gfa commercial 108,635 office Residential: 1,197 units (100 affordable)</p> <p><u>Staff Recommendation:</u> Support an increase in building height to 5 stories in order to support higher-quality retail at center and increased transit service, which are major community objectives for the area. Have a tiered approach to building height and form across entire subject property that is compatible with existing 3 story multi-family uses to the east and south perimeters that is RM 3.6 zoning; 30' ABE height limit. Could consider a 55' maximum building height (15' ground floor commercial with 4 stories of residential above (or commercial) (allow increased height for decorative parapets or peaked roofs, mechanical units; as allowed in other commercial zones) similar to NRH 1A zoning (allows 5 stories: 4 stories residential over 1 story commercial) or recently adopted FHNC zoning where zoning allows 55' height, requires some level of property aggregation, grocery store, area for public open space, upper story step back modulation requirements above two stories, greater affordable housing requirements (20% instead of 10%) and green building LEED requirements. The details of the zoning regulations would be developed in 2019.</p>	<p><b>YES</b> Future redevelopment of the shopping center is a shared vision in the draft vision statement as a community gathering place for local quality shops and services.</p>	<p><b>YES</b> If buildings step up from lower height areas around perimeter of property to be more compatible with 2-3 story residential and commercial uses surrounding the property and across the street.</p>	<p><b>YES</b> Existing uses: One story Shopping Center (built in 1980) and one story Tech City Bowl bowling alley (built in 1957)</p>	<p><b>YES</b> No mapped wetlands or streams.</p>	<p><b>YES</b> Redevelopment of the site into a mixed use residential commercial neighborhood focus project promotes the 10 minute neighborhood concept for surrounding residents.</p>	<p><b>YES</b> -Bus route 245 provides service along NE 70<sup>th</sup> ST to Redmond-Kirkland. -By 2025 more frequent service connection to transit centers: Downtown Kirkland, Totem Lake, Redmond, Kenmore, Bothell</p>	<p><b>YES</b> Redevelopment would increase affordable housing opportunities.</p>	<p><b>YES</b> New zoning for future redevelopment would be consistent with the land use, housing, and transportation policies to encourage mixed use development.</p>	<p><b>YES</b> Redevelopment would allow for increase in jobs and could support higher-quality retail establishments in shopping center.</p>	<p><b>NO</b> As of 8/20/18: 14 people have submitted comments opposed to 60'+ height  One person supports increased height and mixed use at the shopping center (Michelle Plesko)</p>



Neighborhood Plan Update Land Use Change Request Criteria and Evaluation -9/20/2018

The following matrix evaluates each land use study area and how the proposed rezone or code amendment proposal meets (Yes) or does not meet (No).

ATTACHMENT 2

<div> <div>Evaluation Criteria</div> <div>→</div> </div> <div> <div>Land Use Study Area</div> <div>↓</div> </div>	Consistent with vision statement?	Compatible with adjacent uses?	Redevelopment potential in the area?	Lack of environment constraints (streams, wetlands)	Promote 10-minute neighborhoods?	Close to existing/planned bus lines with 15-minute or better service?	Meets goals of Housing Strategy Plan?	Consistent with Comprehensive Plan?	Economic benefits?	Unanimous property owner support?
<p><b>10.City - NRH 5 and NRH 6 Zones</b>  Study area NRH 5 and NRH 6 zones on the east side of Slater in North Rose Hill Business District. Includes car storage area and office in support of car dealership, Ridgewood Village condominiums, Slater Park Building including a veterinary office, and an office building located on the corner of Slater Ave NE and NE 120<sup>th</sup> St. -Increase building height by 2-5 feet to incentivize transition to housing or mixed use office/multifamily and make height limit consistent in both zones, in support of the adopted Housing Strategies, and vision for NRH business district. Continue to allow car related retail and storage. Provides more desirable floor plate in NRH 5 (would allow 13 foot high office use)</p> <p>Study Options:  A. No Change - retain current zoning standards: 30 feet above average building elevation for all uses, except in NRH 6, 33 feet above average building elevation for a mixed use office/multifamily use.  B. Increase building height to 35' above average building elevation for housing and mixed use office and housing.</p> <p><u>Staff recommendation:</u>  Support modest increase in building height, compatible with surrounding multifamily housing, to support future redevelopment into stand-alone multifamily or mixed use office/multifamily development providing housing, affordable housing in the Totem Lake Urban Center close to the Lake WA Institute of Technology and in support of the existing goal and proposed policy for North Rose Hill Business District to ensure type of commercial uses compatible with mixed use residential /commercial focus. Design Guidelines encourage parking lots in less visible areas, and limit commercial uses to those compatible with the residential focus of the NRHBD.</p>	<p><b>YES</b>  Future redevelopment of the North Rose Hill Neighborhood Center would be complementary to the Totem Lake Business District, would promote walkability, and could generate new gathering spaces in the neighborhood.</p>	<p><b>YES</b>  Housing uses and mixed use office and housing would be visually compatible with surrounding housing. 35' buildings would not be substantially taller than surrounding multifamily development that has height limit of 30 feet.</p>	<p><b>YES</b>  Existing uses with redevelopment potential: In NRH 5 zone-office at corner of NE 120<sup>th</sup> and Slater (built in 1958) and in southern NRH 5 zone house converted to office in support of car dealership (built in 1914) where land values are &gt; than 50% of improvement value.</p> <p>In NRH 6 zone - Existing office use, including veterinary hospital (built in 1981) where land values are &gt;than 50% of improvement value.</p>	<p><b>YES</b>  No mapped wetlands or streams.</p>	<p><b>YES</b>  Redevelopment of the site into a housing or mixed use residential focus promotes the 10 minute neighborhood concept near transit and Totem Lake business es.</p>	<p><b>YES</b>  -Bus route 235 provides service along 124<sup>th</sup> Avenue NE from Bellevue to Totem Lake and to S Kirkland and Downtown Kirkland transit centers. 238 provides service along NE 120<sup>th</sup> St to Kirkland/Woodinville and to transit centers Kingsgate and Brickyard Road. -By 2025 more frequent service connection to transit centers is anticipated: Downtown Kirkland, Totem Lake, Redmond, Kenmore, Bothell</p>	<p><b>YES</b>  Redevelopment would increase housing of all types near Lake WA Institute of Technology (Housing already permitted use but proposal could facilitate redevelopment with mixed uses or stand-alone housing.) Impacts on overall affordable housing supply would likely be minimal due to limited redevelopment opportunities.</p>	<p><b>YES</b>  New zoning for future redevelopment would be consistent with land use, housing, and transportation policies to encourage mixed use development and housing.</p>	<p><b>NO</b>  Redevelopment could displace car dealership car storage, or encourage more efficient car storage configurations.</p>	<p><b>NO</b>  comment received from NRH 5 Ridgewood Village Condos HOA president. No comments received from other three property owners in study area.</p> <p>Public notice will be sent prior to public hearing to all owners and residents within 300 feet of study area.</p>

## **Building Height Comparisons**

*Rose Hill/Bridle Trails Plan Update Project*

### **3 Stories**



**Boulevard Condominiums**  
**355 Kirkland Avenue**  
**Kirkland, WA**

### **4 Stories**



**Heathman Hotel**  
**220 Kirkland Avenue**  
**Kirkland, WA**

### **5 Stories**



**Bank of America**  
**101 Kirkland Avenue**  
**Kirkland, WA**

67 Feet



**Salix at Juanita Village**  
**9736 NE 119<sup>th</sup> Way**  
**Kirkland, WA**

75 Feet



**Kirkland Urban**  
**6<sup>th</sup> Street and Central Way**  
**Kirkland, WA**

150 Feet



**EvergreenHealth Medical Center**  
**12040 NE 128<sup>th</sup> Street**  
**Kirkland, WA**

**Joan Lieberman-Brill**

---

**From:** Eden Ekubit <edenekubit@yahoo.com>  
**Sent:** Wednesday, August 22, 2018 4:49 PM  
**To:** Joan Lieberman-Brill; Janice Coogan  
**Subject:** Zoning

Hi Joan and Janice

It is good to see you at open house and sorry you didn't get my email but here's my request for my property at 12822 NE 85 Kirkland WA 98033 -To be commercial zoning

- taller building to allow 3 story building 35 feet

- reduce set back

-minimize parking stall requirement

Thank you so much for your help.

Best regards

The cave craft beer and smoke

12822 NE 85TH Kirkland WA 98033

Tel 425 242 0294

[Www.cavecraftbeer.com](http://www.cavecraftbeer.com)





11605 132nd Avenue NE Kirkland, Washington 98034  
 p: (425) 739-8100 f: (425) 739-8298 [LWTech.edu](http://LWTech.edu)

April 23, 2018

Joan Lieberman-Brill  
 Senior Planner  
 Planning & Building Department  
 City of Kirkland  
 123 57<sup>th</sup> Ave.  
 Kirkland, WA 98033-6189



Dear Joan:

It was a pleasure to meet with you last week to discuss the Lake Washington Institute of Technology's future plans regarding possible housing and how our planning efforts coordinate with the City's long term planning.

Housing for students and/or employees has been a consideration of the College for some time. In 2011, the College conducted a feasibility study on housing. This effort was reviewed with the City's Planning Department (Eric Shield and Tony Leavitt) and we were informed that the College has the right to construct on-campus housing in any location the approved College Master Plan permits.

As a result, it was our understanding that the City considers on-campus housing to be a natural outgrowth of LWTech's educational mission, and thus permitted outright under the campus' zoning classification. Development would require a formal amendment of the existing Master Plan, a process that would be expected to take six months to complete.

However, given the limited footprint the College currently has, and per our conversation, we are going to pursue the possibility of some form of development of the existing greenbelt located immediately west of the campus. We fully understand the potential limits to any development and will certainly discuss with you the outcome of our environmental assessment.

In summary, long-term future facility and space planning for Lake Washington Institute of Technology does include the possibility of student/employee housing and would request this be included in any planning considerations for the City for the North Rose Hill area.

We would be glad to provide any additional information regarding LWTech's future plans. Please let me know if there are any questions.

Thank you for your consideration.

Sincerely,

A handwritten signature in dark ink, appearing to read "Dr. Amy Morrison Goings".

Dr. Amy Morrison Goings  
 President

**Joan Lieberman-Brill**

---

**From:** Jin <kensou@gmail.com>  
**Sent:** Monday, June 04, 2018 1:11 PM  
**To:** Joan Lieberman-Brill  
**Cc:** kayleenilan@hotmail.com; Janice Coogan; Adam Weinstein; David Wolbrecht; Sean LeRoy  
**Subject:** Re: Planning of NE 85th St Subarea  
**Attachments:** image001.png

Hi Joan/Adam,

It was great talking to you on Saturday, it was a very informative workshop! Adam asked me to send a written submission of my suggestions so please consider this email my formal submission.

As I mentioned, I live at 8527 126th Ave NE. The 4 lots in this community have original houses (1960s) and are directly north to the commercial zone on NE 85th St. Because of the age of the houses, if the city wishes to reshape/rezone this "transitional" area, this particular block would be a great candidate for further development. Around this particular area, there are a few new constructions - all of which are SFH of around ~3200-3300 sqft. Directly east of my property, DGR Development is almost finished with 4 new residences ([SUB16-02513](#), and [SUB16-02514](#)). A couple of houses north of that, Merit Homes is starting the application for 3 new residences ([LLA16-03092](#), [SUB16-03093](#)). It seems every new construction pretty much tries to maximize their FAR to be as close to 50% as possible. For this area, houses of this size translate to a sell price at (current) market prices of around ~\$1.5-\$1.6 million. Without any changes/rezoning, I imagine any further investment by developers in this block would consist of houses in the 3300-3500 range, decreasing affordability for a block that has great accessibility: Safeway and Walgreens across NE 85th St, Costco a few blocks away, a number of coffee shops, a number of different restaurants all within a 5-minute walk, a child care center across the street ([Kiddy Academy](#)) and less than 5 minutes from 405. With the proposed Rose Hill Mixed Use project just a few blocks west of this block and the Public Transit plans on 405, this area will only become more vibrant.

Because of the reasons above, I think increasing density in this "transition" area would benefit the community in the long term. A mixed-use zoning change would not only provide affordable living (apartments/condos) in an accessible zone but also add additional space for further retail. If mixed-use is deemed as not necessary for this block, changing it to a medium density zone would allow developers to pack more (smaller) houses in these lots - most likely a set of town homes, which would be much more affordable than current new construction SFH in the area.

For example, [my lot](#) is 14,000 sqft but of the easement that provides access to my 3 neighbors and because the access easement does not count towards lot size (is this something that I could apply for an exception?), my lot is effectively around 10,000 sqft (for the purposes of subdivision). This means only a single home can be built on this lot (with a fairly large yard though!). My neighbor to the south has the same predicament: their lot is 10,400 sqft which means it also does not meet minimum size requirements for subdivision.

When I talked to Adam, I mentioned to him I'd also chat with my neighbors about this. I'll ask them to submit their thoughts, if they have any.

Thanks for your time!  
 Jin

On Thu, May 10, 2018 at 1:22 PM Joan Lieberman-Brill <[JLiebermanBrill@kirklandwa.gov](mailto:JLiebermanBrill@kirklandwa.gov)> wrote:

Hi Jen,

We will be considering candidate transition areas bordering the existing Rose Hill Business District, but don't yet know where these will be.

We will be exploring this topic at the Saturday, June 2 public workshop that will be held at the Lake Washington Institute of Technology from 11-2. At that time we will receive feedback from workshop attendees on a draft vision statement for the combined Rose Hill neighborhoods/NE 85<sup>th</sup> St. Subarea and a separate vision statement for the Bridle Trails neighborhood.

We will also have exercises to find out where along the commercial corridor there are desired locations for increased housing density. The City Council has given strong direction to study increasing opportunities for housing in strategic areas to address the need for more housing and affordable housing, during neighborhood plan updates. You will have an opportunity to suggest locations where you think it would be appropriate at the workshop.

We look forward to seeing you on June 2<sup>nd</sup>.

Sincerely,

Joan Lieberman-Brill, AICP

Senior Planner

Kirkland Planning & Building Department

425-587-3254

[jbrill@kirklandwa.gov](mailto:jbrill@kirklandwa.gov)

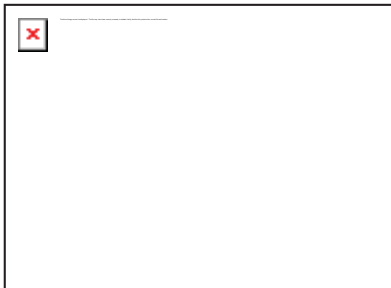
*Mon – Thus*

From: Jin [mailto:[kensou@gmail.com](mailto:kensou@gmail.com)]  
Sent: Thursday, May 10, 2018 1:09 AM  
To: [kayleenilan@hotmail.com](mailto:kayleenilan@hotmail.com); Joan Lieberman-Brill  
Subject: Planning of NE 85th St Subarea

Hi Joan/Kaylee,

I just learned about the ongoing planning for the Rose Hill area. I was reading through document <http://www.kirklandwa.gov/Assets/Planning/Planning+PDFs/Planning+Commission/North+South+Rose+Hill+26+Bridle+Trails+Neighborhood+Plan+Update+Memo+with+Attachments+WEB+-+CAM18-00082.pdf> and I had a couple of questions regarding the NE 85th St Subarea.

I live at **8527 126th Ave NE** which lies just north of the RH 5A area. This block is currently zoned as RS 7.2



Reading the planning update, it sounds like there's a desire to revisit the land-use of the areas along the 85th corridor. Would my property fall under this "transitional area"? If so, do you have any information to share regarding what kind of changes the planning department is considering?

Thanks,

Jin

NOTICE: This e-mail account is part of the public domain. Any correspondence and attachments, including personal information, sent to and from the City of Kirkland are subject to the Washington State Public Records Act, Chapter 42.56 RCW, and may be subject to disclosure to a third party requestor, regardless of any claim of confidentiality or privilege asserted by an external party.



**Joan Lieberman-Brill**

---

**From:** Martin Morgan <martinmorgan77@gmail.com>  
**Sent:** Tuesday, May 01, 2018 12:35 AM  
**To:** Joan Lieberman-Brill; Janice Coogan  
**Subject:** Land use request

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

Hello,

I would like to request the following properties located in South Rose Hill within the NE 85th St Subarea. Be zoned to allow for commercial use.

The properties are commonly Known as:

8241 122nd Ave. NE  
8245 122nd Ave. NE  
8249 122nd Ave. NE  
8251 122nd Ave. NE

Thank you,  
Martin Morgan  
425-443-1988

**Joan Lieberman-Brill**

---

**From:** Sharon Morgan <emgardens88@yahoo.com>  
**Sent:** Tuesday, May 01, 2018 10:11 AM  
**To:** Janice Coogan; Joan Lieberman-Brill  
**Subject:** South Rose Hill Neighborhood Update Plan

Hello,

As a property owner on 122nd Ave NE in the South Rose Hill neighborhood, I would like to see much higher density, including expanded commercial, between 120th Ave NE and 124th Ave NE north of the Kirkland Cemetary to NE 85th Street. This would create a more walkable, multi-modal area to take advantage of the upcoming BRT on the 85th/405 street overpass and would help maintain the single family residential feel in the rest of the neighborhood from NE 80th Street south by concentrating the density along NE 85th Street.

Thank you!  
Sharon Morgan

## McCULLOUGH HILL LEARY, PS

---

July 6, 2018

VIA ELECTRONIC MAIL

Joan Lieberman-Brill, AICP  
Senior Planner  
Planning & Building Department  
City of Kirkland  
123 5<sup>th</sup> Avenue  
Kirkland, Washington 98033-6189

Re: Rose Hill Neighborhood Plan Update

Dear Joan:

We are writing on behalf of LMJ Enterprises, LP, owner of the property located at the southeast quadrant of the I-405 interchange at NE 85<sup>th</sup> Street (the "Property"). A vicinity map and relevant Property information are attached to this letter. The Property comprises zones 2A, 2B and 2C in the Rose Hill Business District in the Kirkland Zoning Code (the "Code").

Earlier this year, the City initiated a process to update the Rose Hill Neighborhood Plan, within which the Property is located. We are writing to request that as part of the Plan Update, the City consider certain changes to the Code to provide for some limited additional height and density for the Property. In addition, with the upcoming Sound Transit Rapid Ride station to be located at the adjacent interchange, we believe it is timely to consider a process for future transit-oriented development (TOD) of the Property. Our suggestions are set forth in the attached memorandum.

The Property is uniquely located to support such potential redevelopment. It is located at the intersection of an interstate highway and a major arterial. The future Sound Transit facility will connect it directly to the regional high-capacity transit system. The Property is of sufficient size to accommodate a meaningful mixed-use development while at the same time providing appropriate scale transitions to neighboring sites to the south.

As our regional light rail and high-capacity transit network builds out across the Puget Sound area, it is critical for cities to make smart use of well-located sites like this one to provide for future residential and job growth. Sites like this that can accommodate urban density need to be zoned for it, both to make good use of our investment in rail and to reduce redevelopment pressure on

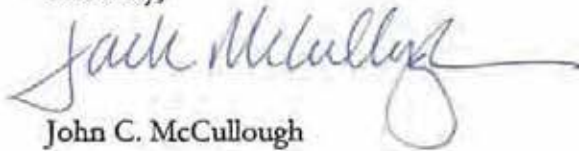
July 6, 2018  
Page 2 of 2

valuable single-family neighborhoods. Once a site is redeveloped, it is removed from our land use inventory for generations. Thus, it is important to get the density equation right today.

For this reason, we are making recommendations both for some modest immediate increases in height and density for the site, to bring those heights in line with prevailing development patterns on similar sites in the region. But we are also recommending adopting special overlay provisions that will create a process to consider an urban TOD proposal at this location, so that this potential opportunity is not lost.

We appreciate your consideration of these suggestions and we look forward to participating in the Plan Update process in the months ahead.

Sincerely,

A handwritten signature in dark ink, appearing to read "John C. McCullough", with a long, sweeping horizontal line extending to the right.

John C. McCullough

JM:ldc

cc: Tod Johnson

# LEE JOHNSON CHEVROLET PROPERTY

Attachment 4

Principal Address: 11845 NE 85th St, Kirkland, WA 98033



**Lee Johnson Chevrolet Property  
I-405 & NE 85<sup>th</sup> Street**

*Zoning Recommendations  
July 2018*

**Key Site Characteristics**

- Large site adjacent to I-405 (9.7 acres)
- Limited land use compatibility issues
- Superior access to I-405 and arterial system
- Adjacent to future regional high-capacity transit station

**Objectives**

- Implement transit-oriented development (TOD) zoning
- Provide for short-term and long-term redevelopment options
- Coordinate building heights with building code allowances for mixed-use projects

**Proposal**

**1. Increase Heights Consistent with market and code allowances**

- Increase heights from 67'/45'/33' (north/middle/south) to 75' across entire site; site planning can address transition issues
- This height matches building code allowances. 75' equates to "5 over 2" construction
- 5-over-2 multifamily projects (75') are common in urban markets throughout the region (see attached examples)
- This height increase allows for more housing, more efficient development in the short term
- These changes would roughly allow for an additional 400 units (+/-) of new housing, beyond the approximately 800 units that current zoning might support

**2. Provide for TOD Overlay Zoning**

- Create a new overlay zone in the Code, available only for sites larger than 5 acres, located on a major arterial within ¼ mile of a high-capacity transit station
- Sites within the overlay can use existing zoning or opt to seek Master Plan approval under the overlay
- Master Plan application would be reviewed per Chapter 142 of the Zoning Code



- Master Plan includes site plan, open space/landscaping plan, circulation plan, access plan, impact mitigation and phasing plan over 10 +/- years (long enough to accommodate more than one development cycle, in case a recession intervenes)
- TOD Overlay allows 160' heights for residential office/retail (see examples of 160'-tall buildings)
- Mix of uses would be determined by the market, but must include some neighborhood-serving retail uses
- Final City Council approval is by Development Agreement, which would govern public benefits, mitigation and project phasing/vesting
- A predominantly residential project under this overlay could produce 2400 units, though a mixed-use scenario with more office, hotel and retail would reduce this number

## Examples of 75-foot mixed use apartment buildings

### AXLE APARTMENTS

Interbay, Seattle  
Lennar Multifamily



### THE WHITAKER APARTMENTS

West Seattle  
Lennar Multifamily Communities





**AVA CAPITOL HILL**

Capitol Hill, Seattle

AvalonBay Communities



**MODERA CAPITOL HILL**

Capitol Hill, Seattle

Mill Creek Residential



### SPRING DISTRICT APARTMENTS

Bellevue, Washington  
Security Properties



### MODA APARTMENTS

Belltown, Seattle  
Equity Residential





## Examples of 160-foot buildings

### **Coppins Well Apartments**

First Hill, Seattle

Holland Development



### **1001 Minor Avenue Apartments**

First Hill, Seattle

Holland Development



**The Danforth Apartments**

Madison & Broadway, Seattle  
Columbia Pacific



**300 Terry Avenue N. Hotel**

South Lake Union, Seattle  
Stanford Hotels



**Google Buildings** (Podium office + residential tower)  
South Lake Union, Seattle  
Vulcan



**Alto Apartments**  
Belltown, Seattle  
Harbor Urban





**Urban Union**

South Lake Union, Seattle

Schnitzer West



**Polyclinic on Madison**

First Hill, Seattle

HAL Real Estate



# McCULLOUGH HILL LEARY, PS

---

September 13, 2018

VIA ELECTRONIC MAIL

Planning Commission  
City of Kirkland  
123 5<sup>th</sup> Avenue  
Kirkland, Washington 98033-6189

Re: Rose Hill Neighborhood Plan Update

Dear Planning Commission Members:

We are writing on behalf of LMJ Enterprises, LP, owner of the property located at the southeast quadrant of the I-405 interchange at NE 85<sup>th</sup> Street (the "Property"). The Property comprises zones 2A, 2B and 2C in the Rose Hill Business District in the Kirkland Zoning Code (the "Code").

In July, we presented suggestions to the Planning Commission regarding further refinements to the zoning proposal for the Property. This has been carried forward as #6 in your staff report to the Planning Commission dated August 4, 2018 (the "Staff Report"). We have had an opportunity to review the Staff Report and wanted to offer the following comments:

- We strongly endorse the recommendation to allow this proposal to proceed to public hearing.
  - It is important that the additional height apply to a large enough portion of the site to make a real density difference.
  - We also believe that the lot coverage and parking requirements for the site need to be addressed.
- For the longer-term proposal (160' heights), we suggest that waiting until the transit station is complete to consider this proposal may be too late. Planning, permitting and construction of a major project takes 5 years at least. That is close to the time window within which the transit station will be complete. Market interest in more substantial development of the site will begin before the transit center opens, not afterward. It is important to create the vision now, or else the site may just be developed as wood-frame 75' product. At that point, the higher density alternative is lost.

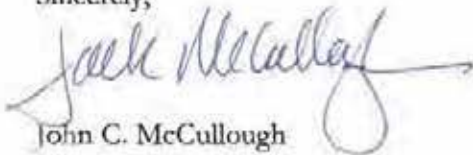
September 13, 2018

Page 2 of 2

- Our proposal would create a path to a higher density plan now, but the path would not be certain. It would be enough to attract interest – serious interest – in the plan now, before lower-density options take over. But by involving the City Council in final decision-making, continuing high levels of City scrutiny would be assured.

We appreciate the opportunity to provide these comments and we look forward to the public hearing.

Sincerely,

A handwritten signature in dark ink, appearing to read "John C. McCullough", with a stylized flourish at the end.

John C. McCullough

JM:dc

cc: Tod Johnson  
Joan Lieberman-Brill, AICP  
Janice Coogan





141 Front Street North  
Issaquah, WA 98027

T: 425.889.9501  
[www.mdgllc.net](http://www.mdgllc.net)

July 13, 2018

Janice Coogan  
City Planner  
City of Kirkland Planning and Building Department  
123 5<sup>th</sup> Ave  
Kirkland, WA 98033

Dear Ms Coogan:

We are writing to you as the developer of five parcels making up the RH 3 zone located at 12040 NE 85<sup>th</sup> Street. The King County parcel numbers for the property are as follows:

- 1238500110
- 1238500115
- 1238500125
- 1238500135
- 1238500140

This transit oriented development will be adjacent to the future I-405 BRT station and will provide over 200,000 square feet of retail including grocery, drug store and fitness center. Above the retail and underground parking structure, there will be four 5-6 level residential buildings totaling approximately 740 residential units with 10% being designated as affordable housing.

The design team and ourselves are excited about our design for this project, and optimistic on how it will contribute to transforming the Rose Hill Corridor District into a vibrant 24-hour neighborhood. Our vision is not only to provide retail and restaurants, health club, and apartment homes, but to create a place where people will truly want to congregate, visit, and enjoy the public spaces. We envision a place for residents to meet friends and family, to enjoy the surroundings and services, and for visitors to enjoy the plazas and gardens. In addition to the public amenities at ground level, we plan to provide residential amenities on the rooftops. This will include exterior plazas with generous landscaping providing opportunities for casual seating and barbecues. To successfully provide these pedestrian public spaces as well as the rooftop amenities areas, the design team is proposing two zoning code amendments for the Rose Hill 3 zone.

July 13, 2018

Page 2

MADISON

As part of the Rose Hill 3 Neighborhood Plan update process, we would like the City of Kirkland to consider the following code amendments to help achieve a vibrant urban mixed-use project:

Increase Lot Coverage of the RH3 Zone to 100%

With the construction of the I-405 BRT station at NE 85<sup>th</sup> St, we believe Kirkland will benefit from transit oriented developments such as ours. With almost 800 residential units including low income housing, our Rose Hill development will bring urban density with retail anchors that can support the daily needs of its residents and the surrounding communities. For providing this density, our project will be providing a large public plaza and vegetated hill climb to serve as a public gathering space. We believe these elements will be valuable public amenities and serve as the heart of this future urban neighborhood.

Examples of higher density include Totem Lake, Yarrow Bay, and the Central Business District. In Totem Lake (TL 1B) lot coverage of 85% can be increased by providing superior landscaping on lower portions of structures or rooftop, visual and pedestrian access to public gardens, or other approaches that provide for usable green space (KMC 55.15.050.5.b). The Central Business District (CDB 8) allows 100% lot coverage along Central Way. Here the stacked residential is supported by retail and restaurant attractions that will make this business corridor a highlight of Kirkland's urban living. Lastly, Yarrow Bay (YBD 1) allows for 100% lot coverage next to the South Kirkland Park and Ride. Here Kirkland Crossing and Velocity Apartments create a high-density transit oriented development which provides the public with a landscaped plaza connection through the site.

Increase the Allowable Height Limit from 67'-0" to 75'-0"

We propose that the RH3 zoning regulations be modified to increase the overall building height by 8'-0" to allow for decorative parapets, roof plaza paving systems, open railings, and landscape planters. This increase to the allowable height would not increase the number of floors but instead allow for increased flexibility of architectural forms at the roof line. Roof modulation afforded by varying parapet heights enhances the building elevations by supporting the exterior design composition and providing visual interest from the surrounding community. Lastly, the quality and feasibility of roof top amenity areas will be dependent upon design elements such as plaza paving, opening railings and planters. Rooftop amenity areas will allow tenants to relax and barbeque in a



July 13, 2018

Page 3

park like setting while enjoying the surrounding views which is a hallmark of desirable residential buildings.

Decrease the required parking for Residential

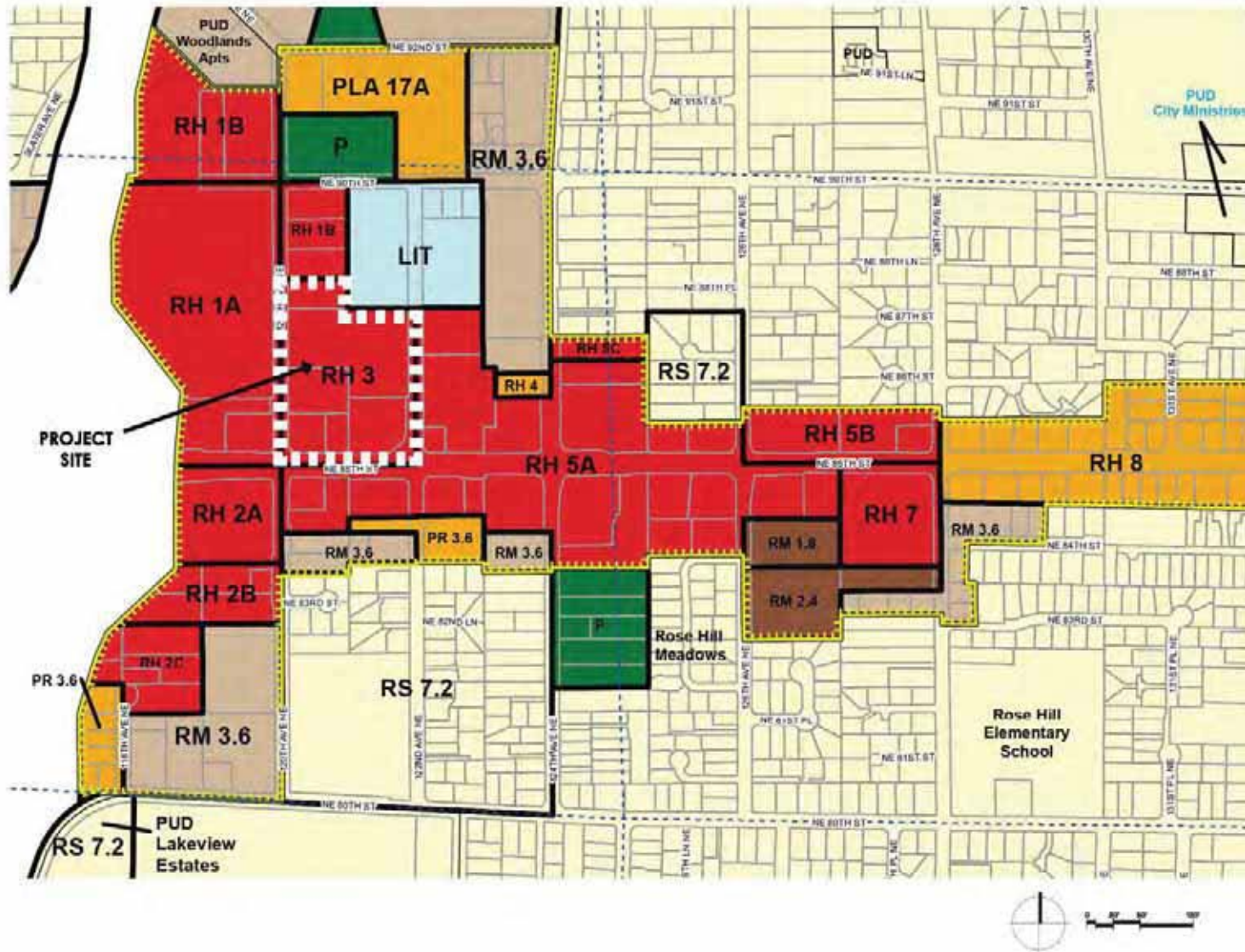
We propose that the RH3 zoning regulations be modified to decrease the parking requirements for mixed use developments containing multi-family residential use and retail uses. The land-use portion of the Kirkland comprehensive plan lists the importance of new innovative developments and changing household needs. We believe there will be a major reduction in car ownership as a result of car sharing services and expanding mass transit. The proximity of the planned new I-405 BRT station will provide a direct connection with downtown Bellevue which will make Seattle and other employment centers accessible via light rail. The BRT station makes our project a transit oriented development, and most all jurisdictions reduce the parking requirements for Transit oriented development. Specifically, the Kirkland comprehensive plan policy LU – 3.7 States that a reduction in parking requirements should be considered for walkable areas with convenient shops services and good transit service. The design team and project developer foresee the realistic parking demand to be lower than the parking requirements currently applicable to the RH3 zone. We have asked our traffic consultant to prepare a parking study that will forecast the parking demand for the RH3 zone. We will share that study with you as soon as it is finished. In the meantime, we request that you begin the amendment process holding open the exact parking ratios that will apply to the RH3 zone.

We hope that the City of Kirkland will support these modifications to the RH3 zoning regulations. The proposed revisions are consistent with many of the policies in the Kirkland Comprehensive Plan related to Community Character, Climate Change, Land Use (especially Land Use/Transportation Linkages), and the NE 85<sup>th</sup> Street Subarea. Policy NE85-3.5 provides for utilizing zoning incentives or other techniques to encourage commercial redevelopment in the Subarea. The requested amendments do precisely that as they will enable us to provide the City with a marquee project at the doorstep to its new rapid transit station. Thank you for your consideration.

Sincerely,



Jim Gallagher  
Principal



## ZONING CODE

### SECTION 53.32 - GENERAL REGULATIONS

- Refer to Chapter 1 KZC to determine what other provisions of this code may apply to the subject property.
- Within required front yards, canopies and similar entry features may encroach; provided, that the total horizontal dimensions of such elements may not exceed 25 percent of the length of the structure.
- Individual retail uses in this zone are limited to a maximum gross floor area of 65,000 square feet.
- At least 50 percent of the total gross floor area located on the ground floor of all structures on the subject property must contain retail establishments, restaurants, taverns, hotels or motels. These uses shall be oriented to NE 85th Street, a major pedestrian sidewalk, a through block pedestrian pathway or an internal pathway.
- The ground floor of all structures on the subject property shall be a minimum of 15 feet in height. This requirement does not apply to:
  - The following uses: Vehicle service stations, automotive service centers, private lodges or clubs, attached or stacked dwelling units, churches, schools, day-care centers, mini-schools or mini-day-care centers, assisted living facilities, convalescent centers or nursing homes, public utilities, government facilities or community facilities.
  - Parking Garages.
  - Additions to existing nonconforming development where the planning official determines it is not feasible.
- The Public Works Official shall approve the number, location and characteristics of driveways on NE 85th Street in accordance with the driveway and right distance policies contained in the Public Works Pre-approved Plans manual. Taking into consideration the characteristics of this corridor, the Public Works official may:
  - Require access from side streets; and/or
  - Encourage properties to share driveways, circulation and parking areas; and/or
  - Restrict access to right turn in and out; or
  - Prohibit access altogether along NE 85th Street.
- Some development standards or design regulations may be modified as part of the design review process. See Chapters 92 and 142 KZC for requirements.
- Access for drive-through facilities must be approved by the Public Works official. See KZC 105.96 for requirements.
- A through-block pedestrian pathway shall be installed pursuant to the through-block pathway standards in KZC 105.19; see Plate 34k:
  - Along the north portion of the zone to make an east-to-west pedestrian connection between 124th Avenue NE and 120th Avenue NE as designated in the Comprehensive Plan; and
  - Connecting the north end of the zone to NE 85th Street.
- For lighting requirements associated with development, see KZC 115.85(2).





- 1 U-Haul
- 2 Costco
- 3 76 Gas Station
- 4 Avio Office Building
- 5 Arris Building
- 6 Mercury's Coffee
- 7 Rose Hill Plaza
- 8 McDonalds
- 9 Honda of Kirkland
- 10 Taco Time
- 11 Starbucks
- 12 Walgreens
- 13 Safeway
- 14 Lee Johnson Mazda
- 15 Kirkland Retail & Car Center
- 16 Kirkland Court
- 17 Jiffy Lube
- 18 Jonesco Business Park
- 19 Rose Hill Presbyterian Church

#### Transit

-  Kirkland Way Park & Ride
-  Primary Transit Network
-  Secondary Transit Network
-  Planned Bus Rapid Transit Route
-  Bus Stop



CONCEPTUAL SITE PLAN & AERIAL PERSPECTIVES





**Janice Coogan**

---

**From:** Daniel Weise <daniel@weises.org>  
**Sent:** Monday, March 26, 2018 1:31 PM  
**To:** Janice Coogan  
**Cc:** Daniel Weise  
**Subject:** Redoing of comprehensive plan for Bridle Trails (and 3 related neighborhoods)

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

Janice,

My family got the postcard for the upcoming neighborhood meeting. Unfortunately, I cannot make that meeting. I was looking at the existing comprehensive plan for Bridle Trails at <http://www.codepublishing.com/WA/Kirkland/cgi/NewSmartCompile.pl?path=html/KirklandCP15C/KirklandCP15C.html>. I assume that this is the existing comprehensive plan and not the proposed one.

I'm writing about the part of the plan that says

---

***Bridlewood Circle, Silver Spurs Ranch, and Bridle View should remain at a very low residential density.***

---

Bridlewood Circle, Silver Spurs Ranch, and Bridle View areas should remain very low density (one dwelling unit per acre) with private stable facilities permitted on these large lots.

Of particular interest to me is the definition of "Silver Spurs Ranch", which has historical anomalies associated with it. In particular, the 3 properties along its northern edge (as defined by Figure BT-3) 6422 128<sup>th</sup> Ave NE, 6425 128<sup>th</sup> Ave NE, and 6424 126<sup>th</sup> Ave NE, are not really part of Silver Spurs because they cannot be accessed from NE 60<sup>th</sup>, they must be accessed from NE 70<sup>th</sup>. Including them in the LDR 1 zoning of Silver Spurs makes no sense, they should be included in the LDR 5 of the properties to their north and east. You can see this zoning change was done to create 12509 NE 65<sup>th</sup> and 12512 NE 65<sup>th</sup> abutting Kent Sullivan's on the north (6407 126<sup>th</sup> Ave NE). (If my memory is correct, Kent carved these northern lots off of the property he used to build his own house.)

What process should I follow to ensure that any comprehensive plan no longer places these properties within Silver Spurs, thereby making it much easier to short plat these properties in the future as LDR5? We need to be increasing the density of housing in Kirkland to help keep housing affordable. Undoing this mistake of history is one way to improve density.

Daniel Weise  
 Silver Spurs Resident  
 12810 NE 64<sup>th</sup> St.  
 Owner, 6422 128<sup>th</sup> Ave NE.

PS, I have chatted with the owner of 6425 128<sup>th</sup> Ave NE many times over the years and know of his interest in building more units than currently allowed. I have no idea the druthers of the owner of the 3<sup>rd</sup> lot, but as that lot is not nearly as buildable as the other two, I wouldn't be surprised if that owner is not interested in this idea.

June 28, 2018

Janice Coogan  
Senior Planner  
City of Kirkland Planning and Building Department  
123 Fifth Avenue, Kirkland WA 98033

**RE: Bridle Trails Neighborhood Plan Update**

Dear Janice:

We are writing to you as the owners of the Tech Bowl (Totem Bowl) and Bridle Trails Shopping Center (ROIC).

As part of the Bridle Trails Neighborhood Plan update process, we would like the City of Kirkland to consider changes to the Zoning Code to allow higher density residential, and a mix of commercial and retail uses at the Bridle Trails Shopping Center and Tech Bowl properties.

They include the following addresses and parcel numbers.

**Totem Bowl**

Address: 13033 NE 70<sup>th</sup> Place & 13005 NE 70<sup>th</sup> Place – Kirkland, WA  
Parcel Numbers: 124150-0265, 124150-0276, 124150-0277

**Bridle Trails Shopping Center**

Address: 6501 132<sup>nd</sup> Ave NE – Kirkland, WA  
Parcel Number: 124150-0310

We believe the following standards would be important elements to achieve a successful vibrant redevelopment of the collective properties in the future:

- Increase of overall height limits to 65 feet to facilitate midrise mixed-use buildings;
- Use modulation, upper building setbacks and material changes to breakdown overall scale.
- Allow for residential amenities on the rooftop of mixed use buildings, which may exceed the suggested height limit of 65 feet.
- Increased flexibility to meet retail/commercial uses at ground floor.
- Allow residential uses at ground floor of buildings.
- Participation in affordable housing at a maximum of 20% of all residential units at an



Bridle Trails Neighborhood Plan Update

June 28, 2018

Page 2

affordability level at 80% AMI defined by King County MFTE guidelines.

- Flexibility in minimum parking requirements for mixed use developments.
- Encourage pedestrian oriented environment by use of wider sidewalks and small plazas at the street level that allow retail uses to spill out and activate.

We think the City of Kirkland should support these changes in zoning for this area, as this is the logical place to encourage increased density while preserving the existing scale and character of the surrounding single-family neighborhoods. These changes will provide the economic catalyst to change the current one level commercial environment into a neighborhood village that better serves this area and encourages a vibrant pedestrian experience.

Thank you for consideration the proposed changes.

Sincerely,



Don Wells

Totem Bowl and Investment Inc.



Richard Schoebel

Chief Operating Officer

Retail Opportunity Investments Corp. (ROIC)

## Joan Lieberman-Brill

---

**From:** Goings, Amy <Amy.Goings@lwtech.edu>  
**Sent:** Tuesday, September 18, 2018 2:44 PM  
**To:** Joan Lieberman-Brill; Thomas, Bill  
**Subject:** RE: Rose Hill Neighborhood Plan

Thank you Joan,

I apologize but at this short of notice, we are not able to attend the meeting this evening. I'll look at the future meeting dates.

If this question should arise in future meetings, here is our answer: should the College receive funding to develop employee and/or student housing we are primarily intending for this housing to be for our employees and/ or students. We may consider other public sector employees should the need/partnership arise. Again, we have no such funding at this time to building such employee or student housing. However, at this time we would like the option to construct such housing as the City is reviewing the Rose Hill plan.

Thank you again Joan,  
 Amy

Dr. Amy Morrison Goings | President



Office of the President | West Building 301  
 11605 132nd Avenue NE | Kirkland, WA 98034  
 T: (425) 739-8200 | amy.goings@lwtech.edu  
[www.LWTech.edu](http://www.LWTech.edu) | @LWTechPrez

---

**From:** Joan Lieberman-Brill [mailto:JLiebermanBrill@kirklandwa.gov]  
**Sent:** Tuesday, September 18, 2018 2:08 PM  
**To:** Goings, Amy <Amy.Goings@lwtech.edu>; Thomas, Bill <Bill.Thomas@lwtech.edu>  
**Subject:** FW: Rose Hill Neighborhood Plan  
**Importance:** High

Hi Thomas and Amy,

I wanted to follow-up with you on the September 13 Planning Commission Study Session regarding the Commission's questions and comments on the requested policy change by LWIT to allow market rate in addition to affordable housing and to allow encroachment into the greenbelt easement on the west side of your campus. First of all, they recommended that your proposal proceed to public hearing on October 25.

However, Commissioners had questions regarding both the Institute's intentions for developing housing on campus and to whom the housing would be targeted. I had forwarded the email from Thomas to the Commission that is referred to below on September 6<sup>th</sup>. Nevertheless, the Planning Commission was not clear on your future intentions, and I

recommend that you clarify further, as I understand it, that you have no immediate plans and would like the flexibility to determine whether you want to solely accommodate students and staff or open the housing up to the broader community in the future, that there are state funding challenges regarding incorporating housing (of any kind) into a new master plan when the current one expires, and that your future timeframe for adding housing to your campus, should funding become available, is not known at this time.

They also had questions for the City staff regarding whether there is any legal requirement that would prevent policies being included in the Rose Hill Neighborhood Plan that would limit housing to student/staff campus housing. The City Attorney's office believes that some amount of restriction would be legal and is continuing to research this issue. In the meantime I would suggest that you look into this on your end so there is agreement between your sources and the City's determination on this question.

I would encourage you to attend the upcoming City Council public meeting tonight, and the City Council October 2 public meeting and Planning Commission October 25 public hearing to be available to provide the City Council and the Planning Commission information should they have questions (either the same questions or additional).

The purpose of the Sept 18<sup>th</sup> meeting (tonight) is to review the draft Plans for Rose Hill (including policies addressing LWIT) and Bridle Trails. Please follow this [link](#) to the first draft of the Rose Hill Plan and go to page 12, which contain all the policies for LWIT. The housing policy is RH-50 and the expansion into greenbelt is RH 51. You may view the staff memorandum that will be considered by the City Council tonight by following this [link](#). The agenda can be viewed by following this [link](#).

The purpose of the October 2 City Council meeting is to get concurrence from the City Council on the Planning Commission's (PC's) recommendations (made at the PC's September 13 study session), on which of the requests to change land use designations or policies /zoning/ or development regulations should advance to public hearing. No decision will be made on the actual request. The staff memo will be available on the [City Council website](#) on Friday, September 28.

The City Council meetings start at 7:30 PM in the Council Chambers.  
The Planning Commission meetings start at 7:00 in Council Chambers.

Sincerely

Joan Lieberman-Brill, AICP  
Senior Planner  
Kirkland Planning & Building Department  
425-587-3254  
[jbrill@kirklandwa.gov](mailto:jbrill@kirklandwa.gov)  
*Mon – Thus*

---

**From:** Joan Lieberman-Brill  
**Sent:** Wednesday, September 05, 2018 11:11 AM  
**To:** 'Thomas, Bill' <[Bill.Thomas@lwtech.edu](mailto:Bill.Thomas@lwtech.edu)>  
**Cc:** Goings, Amy <[Amy.Goings@lwtech.edu](mailto:Amy.Goings@lwtech.edu)>; Janice Coogan <[JCoogan@kirklandwa.gov](mailto:JCoogan@kirklandwa.gov)>; Adam Weinstein <[AWeinstein@kirklandwa.gov](mailto:AWeinstein@kirklandwa.gov)>  
**Subject:** RE: Rose Hill Neighborhood Plan

Hi Thomas,

Thanks for the response. I will forward it to the Planning Commission since it is too late to include in the Meeting Packet prepared for the Planning Commission meeting on September 13. The meeting packet will be available on the [Planning Commission webpage](#) by Friday September 7th. At the meeting staff will be asking for direction on which requests for land use change, rezone, or code amendment associated with the Rose Hill Neighborhood Plan and Bridle Trails Neighborhood Plan should move forward to the public hearing. I do encourage you to attend that meeting at 7 pm in the Council Chambers at City Hall (123 5<sup>th</sup> Avenue) to provide oral support for your proposal.

Sincerely,

Joan Lieberman-Brill, AICP  
Senior Planner  
Kirkland Planning & Building Department  
425-587-3254  
[jbrill@kirklandwa.gov](mailto:jbrill@kirklandwa.gov)  
*Mon – Thus*

---

**From:** Thomas, Bill [<mailto:Bill.Thomas@lwtech.edu>]  
**Sent:** Tuesday, September 04, 2018 3:42 PM  
**To:** Joan Lieberman-Brill  
**Cc:** Goings, Amy  
**Subject:** Rose Hill Neighborhood Plan

Joan, the position of Lake Washington Institute of Technology regarding potential housing on campus remains the same as we outlined in the attached letter. This is only under consideration at this point by the College and would be part of a longer term facilities plan. There are no immediate short-term plans by the College for housing on campus nor an immediate request by the College to change zoning regulations. While our long term plans for housing would be primarily intended to address housing for our employees and students, there could be consideration given to others depending on partnerships and funding. But, at this early point, Lake Washington recognizes that any effort for housing on campus is going to require a significant number of years and funding support not currently available by the College.

I hope this helps clarify the College's thoughts on housing on our campus. Please let me know if you have any questions.

Thank you.

**Bill Thomas**  
Vice President, Administrative Services  
Lake Washington Institute of Technology  
11605 132<sup>nd</sup> Avenue NE  
Kirkland, WA 98034  
[bill.thomas@lwtech.edu](mailto:bill.thomas@lwtech.edu)  
425.739.8201

**From:** Joan Lieberman-Brill  
**Sent:** Tuesday, August 21, 2018 10:33 AM  
**To:** 'amy.goings@lwtech.edu'  
**Subject:** LWIT Request for Rose Hill Neighborhood Plan policy change

Hi Amy,

The update of the Rose Hill Neighborhood Plan is moving forward with a Planning Commission meeting scheduled for September 13 on the land use/rezone/zoning regulation or policy change requests initiated by stakeholders or staff proposals, in order to provide a preliminary recommendation on which ones move forward to public hearing in October. These requests were introduced to the Planning Commission in July. I'm not sure if you have been following this update – here is a link to the [Planning Commission](#) website to view the staff memo that was considered at the July 26 Planning Commission study session when all requests were introduced, along with the first draft of the Rose Hill and Bridle Trails Plans. Scroll down to “Meeting Information” for July 26 and you may download the meeting packet Part 1, 2, and 3.

At that study session they provided feedback and had a few questions on the requested changes and draft Rose Hill and Bridle Trails plans. Regarding LWIT, they asked for more information about your interest in providing student or staff housing. They wondered generally if there could be any way to restrict tenants to students or staff, which is a question planning staff may explore. In the meantime it would be helpful to confirm if your intention is to limit housing only to those who either attend or work at LWIT and their families. **Please respond by August 28 so I can respond to the Planning Commission in a staff memo I'm preparing for the September 13 meeting.**

I would also encourage you to attend the upcoming September 13 meeting to follow the discussion on your amendment request. The meeting will begin at 7:00 PM and is held in the Council Chamber at City Hall. If it isn't possible to attend, you can view the meeting live by going to the [Planning Commission Meetings Online](#) website. The staff memorandum that will be considered by the Planning Commission will be available for viewing on September 7, the Friday prior to the meeting, by following this link to the [Planning Commission](#) website and scrolling down to “Meeting Information” for that date.

Please let me know if you have questions.

Sincerely,

Joan Lieberman-Brill, AICP  
Senior Planner  
Kirkland Planning & Building Department  
425-587-3254  
[jbrill@kirklandwa.gov](mailto:jbrill@kirklandwa.gov)  
*Mon – Thus*

**NOTICE:** This e-mail account is part of the public domain. Any correspondence and attachments, including personal information, sent to and from the City of Kirkland are subject to the Washington State Public Records Act, Chapter 42.56 RCW, and may be subject to disclosure to a third party requestor, regardless of any claim of confidentiality or privilege asserted by an external party.

**Joan Lieberman-Brill**

---

**From:** Mary Lou Walen <mlwalen@gmail.com>  
**Sent:** Wednesday, September 19, 2018 9:07 AM  
**To:** Joan Lieberman-Brill  
**Subject:** Re: Kirkland proposal to change land use policy at car storage site at 11680 Slater Avenue (adjoining Ridgewood Village Condominium)

Good morning,

At the September 17, 2018 Board Meeting Monday evening, After lengthy discussion and a determination that they wanted to look at the issue more thoroughly including attending any open meetings on the issue, the RVHOA Board decided to send the following message:

*We will not oppose the "update the North Rose Hill Neighborhood Plan and consideration of new policies for property near or adjoining the Ridgewood Village Condominium".*

Please let me know if this will work for your needs at present.

Thank you for your communicaitons - you are very thorough, efficient & appreciated. Mary Lou

On Sun, Sep 16, 2018 at 8:58 PM Joan Lieberman-Brill <[JLiebermanBrill@kirklandwa.gov](mailto:JLiebermanBrill@kirklandwa.gov)> wrote:

Dear Mr. Walen

I left a message for you today and am following up with this email. (Mary Lou Walen provided me your email address.)

I'm contacting you to inform you of a proposal by the City of Kirkland to update the North Rose Hill Neighborhood Plan and to consider new policies for property across the street from your car dealership along Slater Avenue NE, where you have a car storage lot adjoining the Ridgewood Condominiums. The proposed policies are for the North Rose Hill Business District (NRH) 5 and 6 zones, located along Slater Avenue NE in the North Rose Hill Neighborhood. The map below shows where these two zones are located.

One of the RH5 zones is your property where car storage is located adjoining the Ridgewood Village property. The proposal for the NRH 5 zone is to promote the conversion of retail uses related to vehicle

storage and sales to mixed use office/multifamily or high density stand-alone housing by allowing a modest height increase as an incentive. The idea is to consider changing the height limit from 30 to 35 feet as an incentive to convert to a use more compatible with the surrounding housing. We understand that there is no active proposal to redevelop your property or change the use, but this policy may encourage conversion to more compatible uses in the future. If the zoning amendments move forward, the car storage use would remain until a change is proposed by either you or the property owners at the Ridgewood Village. A similar policy is being proposed for the NRH 6 zone where the Animal Hospital is located, to promote either office/multifamily or stand-alone housing by allowing a height increase as an incentive. Again the idea is to increase the height by 5 feet to provide an incentive for transition from stand-alone office to housing or mixed use office and housing, and to match the height being proposed in NRH 5.

As background, this proposal is part of the North Rose Hill, South Rose Hill, Bridle Trails and NE 85<sup>th</sup> Street Subarea Plan update project that the City is undertaking, to plan how these neighborhoods will shape growth over the next 20 years. The City Council has directed that the update process for these plans be combined and that we consider creating one Rose Hill Plan for the North Rose Hill, South Rose Hill Neighborhoods and 85<sup>th</sup> Street Subarea while promoting and recognizing each neighborhood's unique character. So far there has been support for combining these plans. The Bridle Trails neighborhood plan will remain a stand-alone plan in recognition of its unique equestrian character.

A first draft of the Rose Hill Neighborhood Plan (and Bridle Trails Plan) are located on the website. The draft policies are on page 6 and 7 of the Rose Hill Plan as Policies RH 21 and RH 22.

The new plans, including these policies for NRH 5 and NRH 6 will be considered at a Planning Commission public hearing on October 25<sup>th</sup>. A notice will be sent to you prior to the hearing. You are encouraged to provide written comments to the Planning Commission. You are also encouraged to attend the hearing where you may provide oral or written comments. The Planning Commission will consider the staff recommendation and all public comment and make a recommendation to the City Council. The City Council will make the final decision on the Plan updates, including the policies for NRH 5 and 6 zones in December 2018.

If these policies are approved by the City Council in December, a follow-up Zoning Code amendment to implement the policies would be accomplished in 2019.

Please give me a call soon at 425-587-3254 so I can bring you up to speed regarding this project and answer any questions you may have on the proposed policy changes being considered. I work Monday through Thursday.

Sincerely,

Joan Lieberman-Brill, AICP

Senior Planner

Kirkland Planning & Building Department

425-587-3254

[jbrill@kirklandwa.gov](mailto:jbrill@kirklandwa.gov)

*Mon – Thus*

NOTICE: This e-mail account is part of the public domain. Any correspondence and attachments, including personal information, sent to and from the City of Kirkland are subject to the Washington State Public Records Act, Chapter 42.56 RCW, and may be subject to disclosure to a third party requestor, regardless of any claim of confidentiality or privilege asserted by an external party.



**Joan Lieberman-Brill**

---

**Subject:** support for zoning updates

**From:** Aimee Voelz [<mailto:avoelz@yahoo.com>]  
**Sent:** Friday, September 14, 2018 1:49 PM  
**To:** Tony Leavitt <[TLeavitt@kirklandwa.gov](mailto:TLeavitt@kirklandwa.gov)>; Planning Commissioners  
<[PlanningCommissioners@kirklandwa.gov](mailto:PlanningCommissioners@kirklandwa.gov)>  
**Subject:** support for zoning updates

Hi Tony and Planning Commissioners,

I'm writing in support of the proposed zoning changes to South Rose Hill and Bridle Trails. I support building heights of 5 stories in these areas, the ability for developers to build rooftop amenities and outdoor space for residents, and zero lot lines where needed to make efficient use of the properties (similar to downtown Kirkland).

I believe these changes are necessary to support the inevitable growth in Kirkland and appreciate that density is planned for areas that can support mixed use, including the Bridle Trails shopping area and Rosehill. The Rosehill proximity to the future BRT station is smart and thoughtful way to prepare for the future of the NE 85th St corridor. I also appreciate that Kirkland's mandatory inclusionary housing policy means that these developments will create 10% affordable housing units.

I hope that the decision makers at the city will take into account that people opposed to growth in Kirkland tend to show up more loudly and in greater numbers than those of us who are supportive.

Thanks for considering my input.

Aimee Voelz  
Kirkland resident since 1997

NOTICE: This e-mail account is part of the public domain. Any correspondence and attachments, including personal information, sent to and from the City of Kirkland are subject to the Washington State Public Records Act, Chapter 42.56 RCW, and may be subject to disclosure to a third party requestor, regardless of any claim of confidentiality or privilege asserted by an external party.

**Joan Lieberman-Brill**

---

**From:** Ajit V <ajv4321@ymail.com>  
**Sent:** Wednesday, September 12, 2018 11:40 PM  
**To:** Joan Lieberman-Brill  
**Cc:** Ajit V  
**Subject:** Rose Hill neighborhood plan update - land use zoning change study area #2

Dear Joan,

I own a single-family home at 13125 NE 84<sup>th</sup> ST in Kirkland, which is right across the Land Use zoning change study area #2 proposed by the city as part of the Rose Hill neighborhood plan update. I am opposed to making any changes to the zoning for the study area #2. Please retain the current zoning of RS 7.2 for this area.

Even though it is close to the busy NE 85<sup>th</sup> ST, the NE 84<sup>th</sup> ST is really a quiet neighborhood street. If the study area #2 zoning is changed from its current RS 7.2 to commercial or high density multi-family, that would severely change the NE 84<sup>th</sup> ST. Given the proposal of 134 unit apartment complex in North Rose Hill at the intersection of NE 85<sup>th</sup> ST and 132<sup>nd</sup> Ave NE, I am worried that similar structure may get proposed right in front of my home. In addition to significant traffic, it will also impact the house prices for my home and the other 11 houses in the Harmon Ridge development that are on the south side of NE 84<sup>th</sup> ST across the study area.

The eastern side of the study area #2 already has 7 new construction single family homes which were built around 2014/2015. Why change the zoning within 3-4 years of permitting new SFH construction? It seems less likely that those lots will be redeveloped soon. Hence, the city's proposal of changing its zoning may not result in any development in accordance with City's intention

Thanks,

Ajit Varangaonkar

**Joan Lieberman-Brill**

---

**From:** Curtis Fleck <cleefleck78@gmail.com>  
**Sent:** Thursday, September 13, 2018 2:51 PM  
**To:** Planning Commissioners; Joan Lieberman-Brill  
**Subject:** Rose Hill/Lee Johnson proposal

Dear Planning Commissioners,

I am on the Board at a Rose Hill neighborhood association, Overlook Village. Although considered a condo association, we are a quiet community of 11 freestanding homes which offer affordable housing in a very expensive Eastside market. Since we share a fence with their property, I am writing to express concern about Lee Johnson's proposal to increase the height and density limits on their property. Concerns include increased noise and traffic although there could be others depending on Lee Johnson's plans. We will already be feeling the effects of the New Bethlehem Project's permanent shelter when it opens as our property shares a fence with that location, too.

Since I am unable to attend tonight's meeting, I felt I should make my concerns known before I can attend the meeting in October.

Thank you.

Sincerely,

Alice Fleck

8020 118th CT NE

Kirkland, WA 98033

**From:** Alice Prince  
**To:** [Planning Commissioners](#); [Janice Coogan](#); [Adam Weinstein](#)  
**Subject:** Opposed to re zone of Bridle Trails shopping center  
**Date:** Tuesday, August 21, 2018 7:40:21 PM

---

I am adamantly opposed to the Bridle Trails Neighborhood Plan - Policy BT 7 - changing the current building height at the Bridle Trails Shopping Center from 30 feet to 60+ feet including mixed use and higher density. This change would significantly change the character of our equestrian neighborhood which the City of Kirkland agreed to help preserve.

Please amend Policy BT-7 in the Bridle Trails community plan by deleting any reference to changing the current height restriction for buildings in the Bridle Trails shopping center.

Thank you,

Alice F. Prince  
6021 136th Ave. NE  
Kirkland, WA. 98033

Phone: 425-883-8501  
email: [afprince42@aol.com](mailto:afprince42@aol.com)

**From:** [Adam Weinstein](#)  
**To:** [Janice Coogan](#)  
**Subject:** FW: Rezone of Bridle Trails Shopping Center  
**Date:** Tuesday, September 18, 2018 7:45:52 PM

---

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

From: Barbara Featherstone [<mailto:bwareidaho@gmail.com>]  
Sent: Thursday, September 13, 2018 12:04 AM  
To: Adam Weinstein <[AWeinstein@kirklandwa.gov](mailto:AWeinstein@kirklandwa.gov)>  
Subject: Rezone of Bridle Trails Shopping Center

It is with a great deal of respect that I write to thank you for all your efforts to try and guide the preservation of our special neighborhoods through all the turbulence forced

upon them by outside factors.

The Seattle area certainly needs help and infrastructure to accomidate the huge population growth brought about by mega corporations overwhelming our inadequate

resources. On the other hand, it is not necessarily the duty of our special communities and neighborhoods to bear this burden at great cost to our own hard earned

environment.

I don't know how long you have lived here, but my family moved to Bridle View in 1985. We raised our children here, supported our local schools and a few years ago

under the leadership of Don and Alice Prince helped form and finance the Bridle trails Park Foundation which most certainly saved this inner city gem for future

generations to enjoy.

It is therefore with a clear conscience that I ask that you deny the the up zone request being proposed for the Bridle Trails Shopping area. You and I both know that the

motive is purely PROFIT. I am pretty sure that the proponents of this up zone have no intention of ever living in the proposed apartments or dealing with the daily traffic

and crowds this proposal would bring to this small neighborhood. Several of our old-line stores, restaurants and shops have already been forced out by huge rent and lease

increases. Our city is changing, but it is not the responsibility of Kirkland to sacrifice it's own stable, established neighborhoods to line outside developers' pockets.

Thanks so very much for your informed decision.

Sincerely,

Barbara Featherstone  
13330 NE 61st ST  
Kirkland WA. 98033  
206-915-8949

NOTICE: This e-mail account is part of the public domain. Any correspondence and attachments, including personal information, sent to and from the City of Kirkland are subject to the Washington State Public Records Act, Chapter 42.56 RCW, and may be subject to disclosure to a third party requestor, regardless of any claim of confidentiality or privilege asserted by an external party.

**From:** betsy Lewis  
**To:** [jlieberman-brill@kirklandw.gov](mailto:jlieberman-brill@kirklandw.gov); [Janice Coogan](#)  
**Cc:** [Rodney Rutherford](#)  
**Subject:** Comments on Bridle Trails Neighborhood Plan  
**Date:** Tuesday, September 11, 2018 11:38:54 AM

---

Hello,

Thank you for the opportunity to participate in the Neighborhood Plan process.

Here are my comment:

Density: Permit multi-story mixed use development at certain perimeter locations, specifically on the south side of N.E. 85th Street and at the current Bride Trails Shopping Center site. I can't say how many stories would be permitted at these locations. height restrictions would vary by location and topography. At Bridle Trails, the proposed six-story rezone is out of scale, in my opinion. Density can also be achieved by encouraging ADU's on larger lots. ADU's could take the form of developing a basement into an ADU, adding a story to an existing residence, or an addition to an existing house. I have stayed in a very attractive ADU in North Portland, which is a separate structure from the main house. This ADU fits the older neighborhood perfectly. It seems to me that the Design Review Board plays a key role in encouraging creative development that adds housing density in such a way to provide affordable housing. Creative means to accomplish increasing the inventory of affordable housing exist and should be encouraged. Cohousing and cottages are examples that foster a sense of community, too. Creativity and fitting such development into the character of our treed neighborhood are key.

Bridle Trails Shopping Center site: as mentioned above, I believe a six story building is too tall for this site. I believe that site development should preserve and enhance the provision of "10 minute services" for the neighborhood, to which area residents can walk, bus or bicycle. Small businesses, a full-service grocery, a drug store, hardware store, dry cleaner, postal sub-station, shoe repair are services and often walk to from my home. Better use can be made of the site than currently exists, especially the environmentally-unfriendly sea of asphalt that is the parking lot. Development of this site should include frontage of some neighborhood services on 30th Avenue N.E. to serve bicyclists, residents of the existing apartments on the west side of 130th, and to take advantage of the public pathway that connects 130th with the Bridle View neighborhood.

Walking: I am a big fan of the City's public pathways and hope they are expanded. I can walk from my home to the Bridle Trails Shopping Center on public pathways. It is my favorite thing about living here.

Equestrian Orientation: Bridle Trails State Park is the jewel in our crown. However, it cannot thrive in a vacuum. Rodney Rutherford brought forward an idea to encourage equestrian-oriented smaller housing units on lots that have sewer service so that those who cannot afford a mini-mansion can enjoy and support the Park and equestrian activities on lots that are large enough to accommodate horses. I would also like to see the equestrian zoning overlay be expanded to the few remaining equestrian properties south and west of Bridle Trails Park.

Snyder's Corner: This site is under-utilized as a Park. I observe it being used mainly for emergency services training. It would be an excellent site for an off-leash dog park and take

pressure off of Bridle Trails Park being used as an off-leash park, which discourages walkers and equestrian use. Since it is not large enough for much parking, it would encourage walking to get there.

Sincerely,

Betsy Lewis  
12014 N.E. 65th Street  
Kirkland 98033



**From:** Betz Bernhard  
**To:** [Janice Coogan](#); [Planning Commissioners](#)  
**Subject:** Oppose six story height for Bridle Trails Shopping Center  
**Date:** Saturday, September 08, 2018 10:28:56 AM

---

September 8, 2018

Dear Janice,

I strongly oppose allowing developers to build a six story building at the Bridle Trails shopping center. A three story height restriction is much more in keeping with the surrounding neighborhood. Three stories should be the maximum with no added height allowance for complying with various exceptions. . Mixed use development does make sense to me and will help businesses that reflect the needs of our neighborhood prosper.

Hopefully ROIC will lease to a better grocery store than Grocery Store Outlet and the Dollar Store which have, in my opinion, degraded our shopping center. I have not patronized these stores since they opened.

Sincerely,  
Betz Bernhard

10 Bridlewood Circle  
Kirkland, WA 98033

Sent from [Outlook](#)

**From:** Bhanu Purohit  
**To:** [Planning Commissioners](#); [Eric Shields](#); [Janice Coogan](#); [Adam Weinstein](#)  
**Subject:** Bridle View, Bridle Trails resident - opposed to Bridle Trails Neighborhood Plan - Policy BT 7  
**Date:** Monday, August 13, 2018 9:16:22 AM

---

Greetings,

We reside in Bridle View at 13206 NE 66th St Kirkland and as immediately the first house on 132nd and 66th (start of Bridle View), we are very strong opposed to Bridle Trails Neighborhood Plan - Policy BT7 - changing the current building height at the Bridle Trails Shopping Center from 30 feet to 60+ feet including mixed use and higher density.

This change would significantly change the character of our equestrian neighborhood and increase already congested traffic and resulting pollution on the intersection.

The city would be well served by instead focusing on how to improve the current services provided to Bridle View, make Snyder Park more beautiful and useful for the residents and add city sewer to the Bridle View neighborhood.

Thanks,

Bhanu & Sarika  
Residents of 13206 NE 66th St, Kirkland, WA, 98033 (Bridle View)

**From:** [Adam Weinstein](#)  
**To:** [Janice Coogan](#)  
**Subject:** FW: Bridle Trails Neighborhood plan  
**Date:** Tuesday, September 18, 2018 7:53:05 PM

---

**From:** Bill Anderson [mailto:bill@btkm.com]  
**Sent:** Tuesday, September 11, 2018 10:04 AM  
**To:** Planning Commissioners <PlanningCommissioners@kirklandwa.gov>  
**Subject:** Bridle Trails Neighborhood plan

Dear Members of the Planning Commission,  
I would like to present my concerns for a couple of the proposed changes to the Bridle Trails Neighborhood Plan under consideration.

First, Item 9. I believe that the proposal for a height limit of five stories is too much out of character for the neighborhood. The heights of the apartments bordering the property as well as the mixed use across NE 70<sup>th</sup> is two stories. I believe that this parcel should adhere to that limit to stay in character. This commercial zone should remain as the sole commercial center primarily for the neighborhood. A large center would become more of a destination for transient patrons and customers and so would increase traffic within the neighborhood. I also believe that allowing rooftop use would bring excess noise to the surrounding quieter residential areas.

Second, Item 8. The Bridle Trails Equestrian overlay was adopted to preserve the unique character of the large lot, equestrian community that is Silver Spurs. Allowing this rezone will begin the erosion of that special area as I believe that once some properties are allowed higher density that eventually more and more will be approved. We the residents worked long with city planners to create this special area and we believe strongly that it should remain intact as it is.

Thank you for your consideration,  
William Anderson  
12920 NE 64<sup>th</sup> Street  
Kirkland, WA 98033

NOTICE: This e-mail account is part of the public domain. Any correspondence and attachments, including personal information, sent to and from the City of Kirkland are subject to the Washington State Public Records Act, Chapter 42.56 RCW, and may be subject to disclosure to a third party requestor, regardless of any claim of confidentiality or privilege asserted by an external party.

**From:** [Adam Weinstein](#)  
**To:** [Janice Coogan](#)  
**Subject:** FW: Proposed ROIC re-development of Bridle Trails Shopping Center  
**Date:** Tuesday, September 18, 2018 8:01:51 PM

---

**From:** Bruce Patterson [mailto:[alenebruce@gmail.com](mailto:alenebruce@gmail.com)]  
**Sent:** Friday, September 7, 2018 4:06 PM  
**To:** Planning Commissioners <[PlanningCommissioners@kirklandwa.gov](mailto:PlanningCommissioners@kirklandwa.gov)>  
**Subject:** Proposed ROIC re-development of Bridle Trails Shopping Center

Dear Commissioners,

We are writing to strongly oppose the proposed re-development of the Bridle Trails Shopping Center.

The character of the Bridle Trails community would be negatively impacted by the size and scope of this project. This is an equestrian community of single family homes and a unique lifestyle whose focus has always been preserving the aesthetic of a quiet oasis of trees and wildlife habitat in an area facing the ever-increasing pressure of population growth and the demands which accompany it.

The N.E. 70th Street corridor between Kirkland and Redmond has become increasingly busy and congested, especially during the morning and evening rush hours. We see this in the long lines of cars and the increasing number of commuters who use the smaller side streets to try and bypass the congestion on N.E. 70th, which directly and adversely impacts those neighborhoods. We see this on N.E. 60th every day as it impacts the morning arrivals of kids and parents at Ben Franklin Elementary and creates long lines at the intersections at both ends of N.E. 60th. North and southbound traffic on 132nd N.E., to and from Bellevue through Kirkland, has also contributed to the long lines of cars passing through the N.E. 70th/132nd N.E. intersection. The proposed development of a mixed use and apartment complex will only exacerbate the congestion on both of these streets, especially at the N.E. 70th/132 N.E. intersection.

Another mixed use and apartment development in this area is redundant, given that three of the four corners of N.E. 70th and 132 N.E. are already mixed use sites. One includes the existing apartments behind the former Red Apple market and another has apartments above the businesses on the northeast corner of the N.E. 70th/132nd N.E. intersection. These businesses and apartments have served the community well and are in balance and scale with the low profile aesthetic which complements with the area. The impact of a 65 plus foot apartment complex would visually intrusive and totally out of character with our neighborhood. The increased density and traffic which this project would generate directly contradicts the resident's interests in preserving what has been a traditionally low density, single family, neighborhood. The City and the commuting population are far better served by increasing density along major, multiple lane, transit routes, as the Madison Development Group has presented, rather than allowing out-of-scale developments to negatively impact the character and unique qualities of our smaller residential neighborhoods.

We have lived in Bridle Trails for more than thirty years and moved here because we had horses and, in large part, because of Kirkland's commitment to honor and preserve the

integrity of the diverse neighborhoods which form the character of our City. We hope the City Council and City planners will continue to honor this commitment.

Respectfully submitted,

Bruce and Alene Patterson  
6 Bridlewood Circle  
Kirkland, WA

NOTICE: This e-mail account is part of the public domain. Any correspondence and attachments, including personal information, sent to and from the City of Kirkland are subject to the Washington State Public Records Act, Chapter 42.56 RCW, and may be subject to disclosure to a third party requestor, regardless of any claim of confidentiality or privilege asserted by an external party.

**From:** jdpluscp1@aol.com  
**To:** [Planning Commissioners](#); [Janice Coogan](#); [Adam Weinstein](#)  
**Cc:** [joann.pearson@live.com](mailto:joann.pearson@live.com)  
**Subject:** Opposition to Bridle Trails Shopping Center rezoning to 60 Feet. Policy BT 7  
**Date:** Monday, September 10, 2018 9:07:05 AM

---

Dear Kirkland Planning Commission,

I am traveling this week so I am unable to attend your Kirkland zoning meeting. However, I am opposed to Policy BT 7. You SHOULD NOT change the heights at the Bridle Trails Shopping Center to 60 feet. It may be good for City Taxes and good for corporations or family wealth of a few, but it is BAD for the citizens of the neighborhood. Bridle Trails is an equestrian neighborhood and has a community feel. I have first hand knowledge of the traffic and other issues that affect the neighborhood as I have a horse property and live on 132nd Ave NE.

I realize Kirkland likes density. But even your decision years ago to allow smaller lot sizes has affected the community. More traffic on 132nd Ave NE, more danger for kids as they walk and ride bikes, more noise pollution and more garbage trucks in serving the high density small lots. Whenever density is increased it leads to LESS OF A NEIGHBORHOOD and more issues that never get resolved.

**I am strongly opposed to Bridle Trails Neighborhood Plan - Policy BT 7 - changing the current building height at the Bridle Trails Shopping Center from 30 feet to 60+ feet including mixed use and higher density. This would significantly change the character of our equestrian neighborhood. It would result in more traffic, less horses, less community, more safety issues, more noise, more pollution and overall be detrimental to citizens.**

**Please do not make this change as it will have long lasting historic NEGATIVE affects on the Bridle Trails community neighborhood. Listen to the community and think about the NEGATIVE long term affects on citizens of Bridle Trails.**

Best regards,

Chris Pearson  
13210 NE 61st Street  
Kirkland, WA 98033

From: CHRIS LONOWSKI  
To: [Janice Coogan](#)  
Subject: Rezoning  
Date: Tuesday, August 07, 2018 1:48:06 PM

---

**Re-Zoning Request for Bridle Trails Shopping Center**

**Please help stop or significantly reduce this plan and any other up zoning plans that have gotten out of control in the opinion of most of the public that lives in or near Bridle Trails Bellevue, and going east to the crossroads. Politicians and developers are not listening to the public. There's some misguided objectives from our elected officials and staff at Bellevue that seem to think maximum tax revenue and maximum growth is how to judge success. You really need to listen to the public. No one. And I mean no one I speak with thinks that the spring green, the Sears Overlake plan or the growth at Crossroads or along this corridor is going to improve the quality of life for the people that live here.**

**Thank you for listening to one person's opinion.**

[Sent from Yahoo Mail on Android](#)

**From:** jdpluscp1@aol.com  
**To:** [Planning Commissioners](#); [Eric Shields](#); [Janice Coogan](#); [Adam Weinstein](#)  
**Subject:** Bridle Trails Comprehensive Plan: Against Bridle Trails Neighborhood Plan Policy BT 7  
**Date:** Monday, August 13, 2018 8:49:28 AM

---

Dear City of Kirkland Planning and City of Kirkland Council,

Recently I was saddened and disheartened that the City of Kirkland was interested in changing the soul and character of the Bridle Trails neighborhood. This is an equestrian neighborhood that embraces a community feel with large lots with horses, lots of animals and a State Park.

I currently live on 132nd Avenue on an equestrian horse acre and the traffic has increased significantly the past 15 years due to the higher density that has been allowed by the City of Kirkland over the past 15 years in the surrounding areas. The City has not protected the residents at all that live close to the State Park, Tennis Club or shopping area. By increasing the height and density near the shopping center, the entire feel, character and soul of this neighborhood would be changed. Traffic would increase to unbearable levels. 132nd and NE 70th Street already have 1000's of cars, dump trucks, vehicles traveling to the dump, etc. If the shopping center increases traffic, it will make the area UNSAFE for children, animals, horses and families.

**I am strongly OPPOSED to the Bridle Trails Neighborhood Plan - Policy BT 7 - changing the current building height at the Bridle Trails Shopping Center from 30 feet to 60+ feet including mixed use and higher density. This change would significantly change the character of our equestrian neighborhood.**

**Please do NOT change our neighborhood!**

**Please email me if you have any questions.**

**Best regards,**

**Chris Pearson**

**13210 NE 61st Street  
Kirkland, WA 98033**



**From:** Christine Wertheimer  
**To:** [Janice Coogan](#)  
**Subject:** Bridle Trails Shopping Center Rezoning Proposal  
**Date:** Thursday, September 13, 2018 7:08:26 PM

---

Hello - I am writing to voice my grave concern about the proposed 5-6 story redevelopment of the Bridle Trails Shopping Center.

I feel this level of density is wildly out of scope of our predominantly single family neighborhood. The proposed development, even if placed in DOWNTOWN Kirkland, would rank as one of the largest and densest uses of land in the actual urban core.

Bridle Trails Shopping Center is not near downtown Kirkland. It is located in a decidedly and purposefully quiet residential area bordered to the south, east, and southwest by a State Park and numerous acre-sized single family parcels, some of which still retain the equine character of the original neighborhood. People still own and ride horses here. The Rose Hill area north of 70th is single family with smaller lot sizes. There are a few apartments, condos, and adult family homes located right next to the shopping center.

The infrastructure of the neighborhood cannot stand the numbers of people and cars such a development would bring. I live on 134th Ave NE and cringe at the thought of all those additional people speeding past my house to get to their apartments or condos. The intersection of 132nd and Old Redmond Road/NE 70th Street would need to be rebuilt to handle the capacity. The Bridle Trails Shopping Center is not well served by transit. Density of the kind proposed by the owners of the shopping center needs to be close to a major transit hub. As the Seattle Times reported recently, the transportation planners are looking to put a major transit hub at 85th and 405, and this is the kind of development that would be a much better fit for that particular area. 85th has density and commercial zoning from 132nd all the way down to downtown.

The owner of the Bridle Trails Shopping Center, ROIC, is a huge company that aims to make a ton of money by building projects like this. They are motivated by profit and have little sense of the neighborhood and its people. They have raised rents for their tenants repeatedly, driving some out of business. They have begrudgingly and minimally maintained the shopping center. They want national chain stores in there instead of local, because they can charge more for rent. Perhaps all of this is part of a long con so they can build bigger. Bridle Trails Shopping Center is kind of a dump, to be honest. The answer to that, however, is not to tear it down and build a 5 or 6 story mixed use development. That is the scale of something you would build downtown, not smack in the middle of a single family neighborhood. Focusing and directing increased density on bustling 85th would be an intelligent move. Increase density, grow, add to your tax coffers, but don't do it haphazardly.

The City of Kirkland can and should say no to this proposal. The city is supposed to serve its residents and neighbors and listen to their concerns. Residents ought to matter more to a City Council than a mega-corporation's greedy plans. Make ROIC come back with a better plan, a smaller plan, a plan that takes into account the neighborhood and its residents.

Thank you. I wish I could have come to the meeting tonight, I'm sure it will be well attended.

Christine Wertheimer

Sent from my iPad

**Joan Lieberman-Brill**

---

**From:** Andi Levin <andi.levin@gmail.com>  
**Sent:** Saturday, July 28, 2018 8:25 PM  
**To:** Joan Lieberman-Brill  
**Subject:** I am sooo incredibly against a new high density housing zoning variance on 132nd & 85th

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

Kirkland's high zoning/short platting greed is destroying the South Rose Hill neighborhood; traffic is horrible on 132nd from Microsoft to Totem Lake; and 85th already loud and over used.

Please please do not continue to allow short plats and high density housing in this neighborhood. Kirkland's policy is disasterous. I have bought my house here in 1998 and city policy is literally destroying the quality of life here.

--

Cheers,

/andi

Andi Levin  
[\(415\) 462-4490](tel:(415)462-4490)

**Joan Lieberman-Brill**

---

**From:** Andi Levin <andi.levin@gmail.com>  
**Sent:** Monday, July 30, 2018 10:41 AM  
**To:** Joan Lieberman-Brill  
**Subject:** Re: I am sooo incredibly against a new high density housing zoning variance on 132nd & 85th

thank you. I'm also equally against changing the zoning for the Bridle Trails Shopping mall to high density housing as well. All of the streets (NE 70th/Old Redmond Road and 132nd Ave NE are \*one lane each way."

Kirkland's policy of shortplating just about every lot requested has created traffic hell in this area - first because the contractors block the roads for weeks on end to connect to the main sewer lines, etc. for, bring in building cranes, etc.

This is made worse by WSDOT's high cost HOV lanes on 405 and 520; as a result literally thousands of people use 132nd, NE 80th St., 140th Ave. NE, and NE 70th as high traffic commuter back roads to Microsoft etc. - and they are all single lanes on each side, not built to carry what should be 405 and 520 traffic.

I bought my house 20 years ago because it was in a residential area - NOT because I wanted to live in an overcrowded high density mess without adequate road infrastructure to support it.

Thank you.

On Mon, Jul 30, 2018 at 10:34 AM Joan Lieberman-Brill <[JLiebermanBrill@kirklandwa.gov](mailto:JLiebermanBrill@kirklandwa.gov)> wrote:

Thank you Andi,

Your comment will be transmitted to the Planning Commission and City Council during this process.

Sincerely,

Joan Lieberman-Brill, AICP

Senior Planner

Kirkland Planning & Building Department

425-587-3254

[jbrill@kirklandwa.gov](mailto:jbrill@kirklandwa.gov)

*Mon – Thus*

**From:** Andi Levin [mailto:[andi.levin@gmail.com](mailto:andi.levin@gmail.com)]

**Sent:** Saturday, July 28, 2018 8:25 PM

**To:** Joan Lieberman-Brill

**Subject:** I am sooo incredibly against a new high density housing zoning variance on 132nd & 85th

Kirkland's high zoning/short platting greed is destroying the South Rose Hill neighborhood; traffic is horrible on 132nd from Microsoft to Totem Lake; and 85th already loud and over used.

Please please do not continue to allow short plats and high density housing in this neighborhood. Kirkland's policy is disastrous. I have bought my house here in 1998 and city policy is literally destroying the quality of life here.

--

Cheers,

/andi

Andi Levin

**(415) 462-4490**

NOTICE: This e-mail account is part of the public domain. Any correspondence and attachments, including personal information, sent to and from the City of Kirkland are subject to the Washington State Public Records Act, Chapter 42.56 RCW, and may be subject to disclosure to a third party requestor, regardless of any claim of confidentiality or privilege asserted by an external party.

--

Cheers,

/andi

Andi Levin  
[\(415\) 462-4490](tel:(415)462-4490)

**Joan Lieberman-Brill**

---

**From:** Angela Vaitkus <angela.vaitkus@gmail.com>  
**Sent:** Monday, August 06, 2018 11:37 AM  
**To:** Joan Lieberman-Brill  
**Subject:** Land use zoning change question

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

Hi Joan,  
I live in North Rose Hill and have concerns/questions about the "Land Use Zoning Change Study", mostly concerning the "NE 85th St Subarea" 3. Applicant: Jin.

- What is the timing of this potential study and zoning change?
- Is it on the agenda at the Design Review Board tonight, August 6th?

Thank you in advance for your help.

Best,

Angela Vaitkus

**From:** Bill Anderson  
**To:** [Janice Coogan](#)  
**Subject:** Bridle Trails Plan  
**Date:** Sunday, July 29, 2018 12:21:52 AM

---

Ms .Coogan,

I am writing concerning proposed changes to the zoning of the Bridle Trails shopping center. I have some major concerns about the requests.

The request to increase maximum building height to 65 feet is grossly out of scale with the area and neighboring communities. This parcel is surrounded by low density and low rise properties. Buildings of 65 feet would adversely disrupt the architectural character of the neighborhood.

Modifying existing parking standards with an increase in density is a bad idea in this area due to traffic and transit concerns. The area is served by only two connecting arterials, both of which are a single lane only. West bound NE 70<sup>th</sup> has been known to back up past 148<sup>th</sup> Avenue NE at the evening rush hour. Additional traffic will further strain these roads. Also, if inadequate parking is provided there is no alternative for parking or access. There is little street parking for overflow and the area is poorly served by public transit, requiring visitors and residents to drive.

This part of Kirkland, with its equestrian and rural character, is a unique and special neighborhood of the city. Any future development of this property within it must not detract from what makes this neighborhood so special.

Thank you,  
- Bill Anderson  
12920 NE 64<sup>th</sup>  
Kirkland, WA 98033

**Joan Lieberman-Brill**

---

**From:** Brendan Mahoney <mahoneybs@gmail.com>  
**Sent:** Monday, August 06, 2018 4:02 PM  
**To:** Joan Lieberman-Brill; Planning Commissioners  
**Cc:** Courtney Rosellini  
**Subject:** South Rose Hill Plan- Resident

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

Hi Joan:

We are Brendan & Courtney Mahoney and live in South Rose Hill at 8054 122nd Ave NE. We've recently become aware of an application for rezone of our residential street by Martin and Sharon Morgan to allow increased density and mixed-use. This application for rezone would have a direct impact on us, as this application is for the area directly North and adjacent to our home off of 122nd Ave. We are very concerned about this proposal and against it because of safety, traffic, and parking issues on an already overcrowded and overused street.

Our home is on 122nd Ave across from the Kirkland Cemetery, which is an already extremely busy and crowded street. During the day, 122nd Ave is completely lined with parked cars on both sides of the street from 85th all the way to 80th. This is mainly because of employee cars of the businesses at the corner of 85th and 122nd (i.e. Weldon Barber, Dominos, Nail spas, Starbucks, etc.) who are not allowed to park in their own parking lot due to company policy (to allow room for customers to park), and so they are forced to park along 122nd Ave. Lake Washington HS students also park on 122nd Ave during the school months making the congestion on this street even worse. These two groups of cars have already caused issues for us with both the Post Office (parked cars routinely block our mailbox), as well as with Waste Management (our trash cans are also routinely blocked by vehicles). This has resulted in missed mail (our post man informed us he does not have to stop if our mail box is blocked) and missed trash services when the trash trucks cannot access our trash cans.

Having so many cars parked on 122nd on both sides of the street does not allow for two lanes of traffic to pass by one another in opposite directions in the center of 122nd, where as you know, there are no designated driving lanes. The center and side painted lanes quickly disappear South of 85th and North of 80th with no street lines in the middle. This routinely results in vehicles traveling on one side of the road having to pull over to allow vehicles traveling in the other direction to pass, before being able to continue on in their original direction. This has caused a major safety issue for us, as it is very difficult to see down 122nd Ave in either direction for oncoming traffic when pulling out of our driveway, as the field of view is often blocked by parked cars right up to our driveway. We've almost been in multiple accidents from cars speeding in excess of the 25mph speed limit on 122nd Ave that we could not see due to parked cars blocking our view in both directions when exiting our driveway.

Speeding is an epidemic on 122nd Ave. The painted lettering on the street (25mph & dash marks) do little to slow down traffic on our street, something that speed bumps would do a better job controlling. We have a 15 month old daughter and our next door neighbor has a 17 month old son, and the uncontrolled speed of many people on 122nd Ave is extremely unnerving to both of our families and our neighbors as we walk our dogs and children to the nearby parks.



Rezoning the area North of the Kirkland Cemetery on 122nd Ave for commercial buildings and building height of 5-6 stories will only result in increased traffic, parking issues, and additional safety concerns for what we thought was a family friendly and safe residential neighborhood. We moved from the busy and overcrowded streets of Ballard in Seattle to South Rose hill for a safer and quieter residential community.

We would also ask that you add "areas South of 85th" to Policy RH 23.

Please consider our family and those of our neighbors, and don't rezone our residential street into a high density 5 story or higher mixed-use area.

Best,

Brendan & Courtney Mahoney  
8054 122nd Ave NE, Kirkland 98033  
(425) 765-2350  
[mahoneybs@gmail.com](mailto:mahoneybs@gmail.com)

**Joan Lieberman-Brill**

---

**From:** Camille Lamoureux <camilleebob@hotmail.com>  
**Sent:** Friday, August 10, 2018 8:46 AM  
**To:** Joan Lieberman-Brill  
**Cc:** jimlamo@outlook.com  
**Subject:** notices regarding Jin Request for 126th Avenue NE development

Hello Ms. Brill,

I've seen notices from Susan Davis regarding the Jin request for rezoning for a mixed-use 5-story land use near our home. My husband and I live at 8720 126<sup>th</sup> Ave NE. I wanted to let you know that I am very happy that higher density housing is being added to Kirkland, as long as there is ample lower-income housing included in the projects. Housing costs are absurd. I understand that some of these projects must be in "my backyard." For a society to truly be happy and work smoothly, we all need to make sacrifices. And frankly, I'm hopeful that bringing in a larger housing complex might bring some very beneficial things to my neighborhood such as fun restaurants, stores, services, more sidewalks, and better public transportation options while chasing out unwanted businesses such as the pawn shop and palm reader as well as derelict and abandoned buildings.

However, I think 5 stories is excessive for our neighborhood (blocking views and sunshine), and I'm concerned that ample infrastructure adjustments are not being included in the development plans such as new green spaces, pedestrian access paths, traffic mitigation plans, etc. Traffic on 85<sup>th</sup> is already awful. The traffic lights need to be smart to keep traffic flowing. Right now it is nearly always backed up so that we are unable get out from our own street and must go to the light at 128<sup>th</sup> to do so. I imagine having a large influx of new cars entering 85<sup>th</sup> here will be further compound the issue. The light rail is not coming to 85<sup>th</sup>. If it were, I wouldn't be as concerned.

In any case, I wanted to let you know we homeowners are not all opposed to these new developments. I just want to make sure many of them are low-income housing, and that concerns of current residents are addressed such as providing ample public green space, pedestrian access, and traffic and public transportation improvements.

Thanks for your time and consideration,  
Camille and Jim Lamoureux

*Consider donating to my fundraising ride in [BikeMS](#) supporting the National Multiple Sclerosis Society today!*

**Joan Lieberman-Brill**

---

**From:** John Weale <jweale@gmail.com>  
**Sent:** Monday, July 30, 2018 6:45 PM  
**To:** Joan Lieberman-Brill  
**Subject:** I support some higher density zoning in Rose Hill

Hello,

I am a South Rose Hill resident who has been hearing a great deal about proposed upzoning along 85th and, to a lesser degree, 70th (the Techcity Bowl/Bridle Trails shopping plot). While I do have concerns about traffic and school crowding, I support intelligent upzoning to allow more multi-resident housing in our city. The coming rapid bus station at 405 and 85th should grow into an asset that supports greater density, and 70th could accommodate a small increase in traffic (and perhaps Houghton Park and Ride could become useful again).

I would like to see more apartments since they tend to be inherently more affordable - regardless of The Affordable Housing Programs, a 500SF one bedroom will always be more likely to be affordable for a teacher just out of college than a stand alone house on a quarter acre of land (that a builder will bid up to a half-million just as a tear down). Kirkland has enough million dollar single family homes.

Regards,

John Weale  
7526 126th AVE NE  
Kirkland, WA, 98028

**Joan Lieberman-Brill**

---

**From:** kiversontpt@aol.com  
**Sent:** Sunday, August 05, 2018 5:40 PM  
**To:** Joan Lieberman-Brill  
**Subject:** Continental Divide project----132nd Ave and 85th street

Hi Ms. Lieberman.

I have been a North Rose Hill resident for 50+ years and I fail to see how this project was zone changed, and will dominate the area in it's massive size. I really think the city needs to understand that we are not against housing, we need housing, especially affordable housing. The plan and the builder will not have this affordable at all. And they will say that it will have 10% of the units as affordable but that means of the median income, which on the eastside, is \$96,000 to \$102,000. That is not affordable for a large majority of people searching for a home.

132nd Ave has become the alternate 405 freeway as has 124th Ave. Accessing and leaving this property will be a total nightmare for all. It does not fit into any reasonable neighborhood quality assurance.

I missed the startup of the neighborhood plan update, but will certainly try and be available for the rest of the public input. The city needs to pay attention to it's residents and plan to enhance the quality rather than destroy it.

Regards,  
Kathy Iverson

**Joan Lieberman-Brill**

---

**From:** Luke Lysen <Luke@TheFlightAcademy.com>  
**Sent:** Wednesday, July 25, 2018 9:41 PM  
**To:** Joan Lieberman-Brill  
**Cc:** Zhang Jin  
**Subject:** North Rose Hill Subarea-Jin proposal

Hello Joan,

I hope that this note finds you well.

My wife Jennifer and I own the property and home at 8523 126th Ave NE Kirkland WA 98033. We have owned the property 2005. I am writing to express our support of the re-zone change to the land. We would like to see the property rezoned to Commercial or Mixed Use Limited Commercial/Multi Family or High Multifamily.

The property's proximity to the existing commercial properties on 85th st (Ford Dealership and Mobile Gas Station) would seem to make it a natural for an up zone. Adding the ability to have more walkable retail options near North Rose Hill and/or more multifamily housing options for our growing community is something that I support.

A change in zoning would allow the land to be used in a different way to help provide options to accommodate the growth of our city.

Best regards,

Luke Lysen  
206-334-0642

---

MARIE FROMM AND CONNIE ERONSON

12861 NE 88TH ST, KIRKLAND, WA

# Objections to CONTINENTAL DIVIDE MIXED USE – DRV18-00312 and ROSE HILL NEIGHBORHOOD PLAN DRAFT (7-17-18)

Prepared for: Kirkland City Council Planning Commission

[planningcommissioners@kirklandwa.gov](mailto:planningcommissioners@kirklandwa.gov),

Sandeep Singhal - Chair [ssinghal@kirklandwa.gov](mailto:ssinghal@kirklandwa.gov)

Tony Leavitt - [tleavitt@kirklandwa.gov](mailto:tleavitt@kirklandwa.gov)

Prepared by: Marie Fromm

August 21, 2018

---

## COMMENTS ON THE CONTINENTAL DIVIDE MIXED USE – DRV18-00312 AND ROSE HILL NEIGHBORHOOD PLAN DRAFT (7-17-18)

### introduction

We recently became aware of these proposals that has significant impact on our home, located at 12861 NE 88th St, Kirkland, WA.

### Issues

The North Rose Hill Street Connection Plan Map in the “ROSE HILL NEIGHBORHOOD PLAN DRAFT (7-17-18)” lists connecting a number of streets to support the CONTINENTAL DIVIDE MIXED USE – DRV18-00312 project, which adds 133 high density units to a residential neighborhood. Note Page 16 of the plan draft. Of particular concern is the 130TH Ave NE between NE 87th ST and NE 94th ST connector.

***Staff Note: Staff will update the map and list to reflect completion status.***

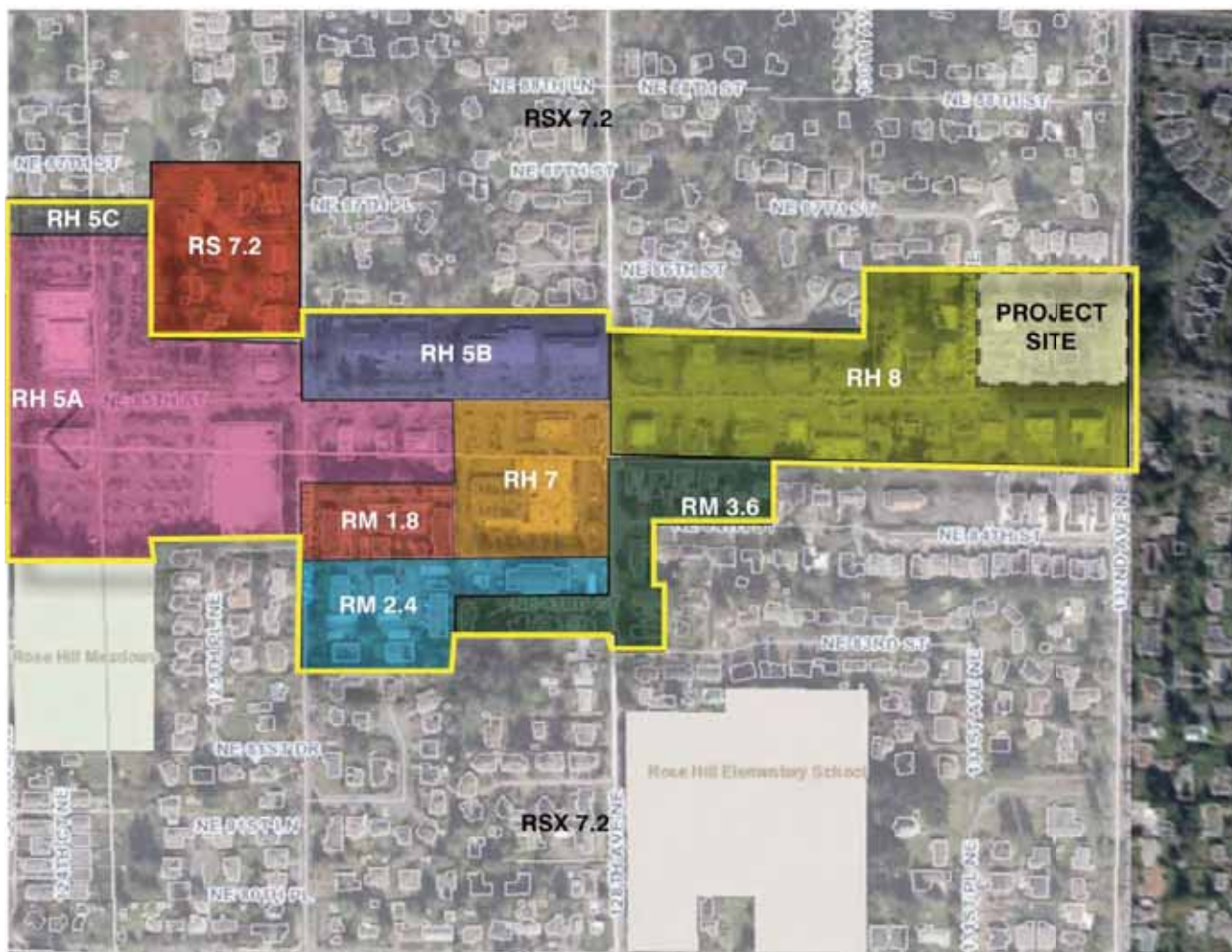
#### Table NRH-1: North Rose Hill Street Connection Plan Description List

1. NE 108<sup>th</sup> ST between Slater Ave NE and 123<sup>rd</sup> Ave NE
2. Portions of NE 105<sup>th</sup> PI between 129<sup>th</sup> Ave NE and 132<sup>nd</sup> Ave NE
3. NE 103<sup>rd</sup> PI between 132<sup>nd</sup> Ave NE and existing cul de sac end
4. NE 101ST P. between 131<sup>st</sup> PI and 132<sup>nd</sup> Ave NE
5. 125TH Ave NE between NE 94<sup>th</sup> ST and NE 95<sup>th</sup> ST
6. 130TH Ave NE between NE 87<sup>th</sup> ST and NE 94<sup>th</sup> ST
7. NE 91ST ST between 130<sup>th</sup> Ave NE and 132<sup>nd</sup> Ave NE
8. Portions of NE 90<sup>th</sup> ST between 128<sup>th</sup> Ave NE and 132<sup>nd</sup> Ave NE





The zoning maps list our home as zones RSX 7.2. Pursuing the Continental Divide project and the most recent street connection plan adding connection #6: 130TH Ave NE between NE 87th ST and NE 94th ST will burden the homeowners in the RSX 7.2 zoned area with enormous additional traffic attempting to bypass the severely congested 124th, 128th and 132nd Ave, which would produce idling exhaust fumes and increased danger to children and pedestrians on workday commute times and Sundays when the City Church draws hundreds of cars to the area. This is an unreasonable intrusion in a quiet neighborhood that today only services local traffic and has connecting trails used by pedestrians and bicycles.



In the most recent Kirkland Liquefaction / Mudslide potential maps (2018 City Initiated Comprehensive Plan Amendments, File Number CAM18-00363) the development of creating a connecting roadway at 130TH Ave NE between NE 87th ST and NE 94th ST will increase require removal of all major trees and increase the 30 degree grade of our property. Increasing steepness in a wetland drainage area dramatically increase the risk of a slide on our property. This action would effectively change our property designation from "moderate" landslide risk to "high" landslide risk. This will also increase the danger of a slide and damage to the home of our closest downhill neighbor, located at 12923 NE 88th St, as well as the other homeowners further down the hill.

See <https://www.kirklandwa.gov/Assets/Planning/Planning+PDFs/Planning+Commission/2018+City+Initiated+Comprehensive+Plan+Amendments+PC+08232018+Packet+WEB+->

[+CAM18-00363\\_Part3.pdf](#) p45



The street drains for 87th Street NE drain out onto our property, to the south of our home, and our property was recently designated a critical wetland drainage area. Building the 130th Av NE connector would increase the grade and water draining onto our property and onto the home downhill, 12923 NE 88th St, leading to additional flooding and mudslide potential. Building a road on a wetland is contrary to Resolution 2017-2: Chapter 90 KZC Amendments (Critical Area Ordinance/Wetlands, Streams, Fish and Wildlife Conservation Areas, Minor Lakes and Frequently Flooded Areas) and related minor code amendments (CAM15-01832) <https://www.kirklandwa.gov/Assets/Planning/Planning+PDFs/Houghton+Community+Council/Chapter+90+HCC+Meeting+Packet+01262017+-+CAM15-01832.pdf>

Kirkland's Tree study report; "Internship Project Findings Related to Tree Code Efficacy, Kirkland Zoning Code Chapter 95, File Number CAM18-00408" <https://www.kirklandwa.gov/Assets/Planning/Planning+PDFs/Planning+Commission/Tree+Research+Presentation+Staff+Report+with+Attachments+08092018+PC+Meeting+WEB.pdf> finds that tree code loopholes are consistently being exploited, contrary to the stated goal of enhancing Kirkland's urban forest to achieve an overall healthy, sustainable 40 percent tree canopy cover citywide over time. Much of the area surrounding our home to the North and South have been developed, and developers have exploited the current lax Kirkland tree canopy regulation and have eliminated almost all 100% major tree cover of the neighborhood in those developed areas. The developer to the South of our property "accidentally" damaged then removed the major trees that were required to be retained on the developed property, and the developer subsequently replanted Arborvitae to meet replacement requirements but never watered them, letting them die. I have enclosed a picture adjacent to our property where the 130th Av NE connector would be built to connect 130TH Ave NE between NE 87th ST and NE 94th ST. Constructing this connector roadway would require removal of all of the major trees to the east of our home, the loss of which would eliminate wind buffer and lead to the loss of all of the major trees on our property. The construction of the roadway and loss of these trees and root systems would greatly increase soil erosion and mudslide potential on our property, and all the properties below us.



### Solution

For these reasons we object to both the CONTINENTAL DIVIDE MIXED USE – DRV18-00312 project and the street connection plan supporting this project in the “ROSE HILL NEIGHBORHOOD PLAN DRAFT (7-17-18)” which details connector #6: 130TH Ave NE between NE 87th ST and NE 94th ST.

Signed: Marie Fromm and Connie Eronson

12861 NE 88th St, Kirkland, WA

---



**From:** Mary Yax [<mailto:maryyax@cbbain.com>]  
**Sent:** Sunday, August 12, 2018 10:42 PM  
**To:** City Council; Tony Leavitt; Eric Shields; Adam Weinstein  
**Subject:** Continental Divide - Merit Homes

I would like to request that the City Council not approve any changes to the RH8 zoning for Rose Hill. As you know, Merit Homes is proposing a large mixed use project on NE 85th Street. It is a looming apartment building with only 7% commercial/office space. It is out of character, size, and design to the existing neighborhood. The other three corners of the same intersection will never have anything taller than a 2 story building. This project greatly effects our lives, our privacy, our traffic congestion. We are being imposed on enough. Merit Homes knows what the code was and is. We do not need a "builder friendly" code change. We need to see the City of Kirkland to stand up for its neighborhoods and the residents living in them.

The Planning Department has proposed a change in the code to allow residential units on the ground level. We would appreciate no change in zoning. We believe that Merit Homes should not be allowed to put residential units on the ground level as present code dictates.

We would appreciate less apartments and more office/commercial space. Please enforce the present codes on this project.

**Mary Yax**  
**206-612-8722**  
**The Pointe, Rose Hill**

NOTICE: This e-mail account is part of the public domain. Any correspondence and attachments, including personal information, sent to and from the City of Kirkland are subject to the Washington State Public Records Act, Chapter 42.56 RCW, and may be subject to disclosure to a third party requestor, regardless of any claim of confidentiality or privilege asserted by an external party.

**From:** Michelle Plesko [<mailto:michelle.plesko@outlook.com>]

**Sent:** Wednesday, July 25, 2018 8:40 PM

**To:** Planning Commissioners

**Subject:** Bridle Trails shopping center

I support increased height limits and mixed-use zoning at the Bridle Trails shopping center. This is because I like having businesses within walking distance, and we are more likely to retain them if there are more people in the neighborhood. I also believe that people of all incomes should have the opportunity to live in this neighborhood, near jobs and transit, and walking and biking distance to schools, churches and other daily needs. This is a neighborhood with transportation options, where one can live well with minimal driving.

I also support zoning for more housing within the 10-minute walkshed of the shopping center, particularly the apartment complexes nearby, and the single family zones across 70<sup>th</sup>.

Michelle Plesko  
Bridle Trails

**Joan Lieberman-Brill**

---

**From:** Mike E. <geddismap@yahoo.com>  
**Sent:** Sunday, August 05, 2018 9:25 PM  
**To:** Joan Lieberman-Brill  
**Subject:** Re: RE: Regarding 8525 126th Ave. NE Neighborhood Notice

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

Hi Joan,

Our main questions are:

How can someone else ask to have our property considered for a rezone without our consent?

The day we met our new neighbor Jin (8527 126th Ave. NE) a couple of weeks ago, he did speak with us about possibly rezoning the properties in the future, but we did not know that it had been submitted until we got a notice on our door from Susan Davis.

If the four properties were considered to be rezoned by the city, how does this affect our property taxes?

If it is rezoned to commercial or high density residential will my property tax go up even if the property never gets developed?

Most of the homes around us are rentals, so most of the owners probably don't have a vested interest in the neighborhood.. We have owned this home for 22 years, and aren't looking to sell any time soon.

Please call my wife Vickie Elwell at her work tomorrow.  
425-519-6522

Thank you,

Mike Elwell  
8525 126th Ave. NE  
Kirkland, WA 98033

On Thursday, August 2, 2018, 5:36:22 PM PDT, Joan Lieberman-Brill <JLiebermanBrill@kirklandwa.gov> wrote:

Hi Mike and Vickie,

Thank you for both of your emails. I've been in meetings all day and will get back to you on Monday. Please provide your phone # and let me know when on Monday I can call. I'm here after 10 am. If you aren't available I can instead email a response.

Sincerely,

**Joan Lieberman-Brill, AICP**

Senior Planner

Kirkland Planning & Building Department

425-587-3254

[jbrill@kirklandwa.gov](mailto:jbrill@kirklandwa.gov)

*Mon – Thus*

---

**From:** Mike E. [mailto:geddismap@yahoo.com]  
**Sent:** Thursday, August 02, 2018 10:21 AM  
**To:** Joan Lieberman-Brill  
**Subject:** Regarding 8525 126th Ave. NE Neighborhood Notice

This is regarding the first e-mail I sent.

The neighborhood notice I received on my door says Jin requested 4 properties for rezone.

A person named Jin purchased the home last November at 8527 126th Ave. NE... This is the only home he owns on the block. The Notice says Jin's request of 4 properties for rezone. 8519 (rental) owned by Fred Naslund, 8523 (rental) owned by Luke Lysen, 8525 owned by ME, and 8527 owned by Jin...

I wonder how Jin could request my property as a rezone without my consent?

Thank you for any information.

Michael and Vickie Elwell



8525 126th Ave. NE

Kirkland, WA 98033

NOTICE: This e-mail account is part of the public domain. Any correspondence and attachments, including personal information, sent to and from the City of Kirkland are subject to the Washington State Public Records Act, Chapter 42.56 RCW, and may be subject to disclosure to a third party requestor, regardless of any claim of confidentiality or privilege asserted by an external party.

**Joan Lieberman-Brill**

---

**From:** Mike Sandberg <mike587@comcast.net>  
**Sent:** Thursday, August 09, 2018 5:01 PM  
**To:** Joan Lieberman-Brill  
**Subject:** 85th st re-zone

Please DoNot Rezone any property on NE 85th. From 405 east to 132nd. It will dramatically change my neighborhood for the worse.

Mike  
Sent from my iPhone

**Joan Lieberman-Brill**

---

**From:** Molly Murrah <molly@mollymurrah.com>  
**Sent:** Wednesday, August 15, 2018 9:21 PM  
**To:** Joan Lieberman-Brill; Planning Commissioners  
**Subject:** South Rose Hill zoning request

Ms. Brill:

I am writing to register my disapproval for a rezoning request in my neighborhood. I own my home at 8211-122nd Ave NE next to the Kirkland Cemetery. Evidently Martin and Sharon Morgan have requested rezoning of their properties so that they will become mixed use, 5 story properties. I am very much opposed to this rezoning.

Kirkland is already compliant with the Growth Management with zoning as it is now, but it has already become almost impossible to peacefully live and drive in this neighborhood. **PLEASE DO NOT ALLOW THINGS TO GET WORSE.** There have been several times I have had to sit at the end of 122nd Ave NE through multiple traffic lights because, with all the backed up cars, I couldn't pull out onto 85th. And several times I have had to remain at the light on 85th Street unable to turn onto 122nd because of the impossible Starbucks traffic. (Whoever approved the drive in location at that Starbucks should have their heads examined. The congestion drivers cause waiting to get into the Starbucks lot is continual and horrible!)

Those of us who live in this neighborhood already have to deal with so many cars parked on the street we can't see to get out of our driveways, and our mailboxes are often blocked. As a self-employed person working out of my home, this is untenable. Add to that the insane number of road construction sites all over the area, leaving my house to go **ANYWHERE** has become a total nightmare. With hundreds, even thousands, of new residents, I can't imagine what this area will be like.

Our current Neighborhood Comprehensive plan (Policy RH 23) says to maintain low-density detached residential housing as the primary land use north of 85th. **This should include areas south of 85th as well.**

My neighbors and I gather often and talk about what is happening to South Rose Hill. We feel ignored by the city of Kirkland in terms of anyone in city government caring about us as its citizens. Instead, we think the only thing Kirkland cares about is growing tax revenues. **The entire city government seems incredibly GREEDY** to us and it's hard to describe how disappointed we are in the people who are supposed to represent us and our interests.

I have lived in Kirkland since 1982, but if things continue in this vein, I can guarantee you I won't be living here much longer. Of course, the city probably won't care - it will simply allow 10 people to replace me thus giving you even more revenue - but eventually this deterioration of the quality of life in Kirkland will haunt you all.

**Molly Murrah**  
[molly@mollymurrah.com](mailto:molly@mollymurrah.com)  
[www.mollymurrah.com](http://www.mollymurrah.com)

When you change the way you look at things, the things you look at change.  
 –Max Planck



**Joan Lieberman-Brill**

---

**From:** Olivia A <okayall@outlook.com>  
**Sent:** Friday, August 10, 2018 11:33 AM  
**To:** Joan Lieberman-Brill; Janice Coogan; Adam Weinstein  
**Subject:** Fw: Public Comment for Rose Hill/Bridle Trails Comprehensive Plan

NOTE: Email for Planning Commission on this page bounces back: [https://www.kirklandwa.gov/depart/planning/Boards\\_and\\_Commissions/Planning\\_Commission.htm](https://www.kirklandwa.gov/depart/planning/Boards_and_Commissions/Planning_Commission.htm)

-----  
 Hello Planning Staff,

I am a homeowner who lives at 8402 132nd Ave NE in Redmond, which is across 132nd Ave NE from Kirkland. Because I am across the street, the zoning plans of Kirkland affect my neighborhood and my family. Your commission is considering several projects that concern me.

Please note that according to Redmond, my home is zoned as R-4 Single-Family Urban Residential. According to their 2030 Zoning Plan, it will remain this zoning code through 2030.

Definition of this zoning code here: <http://online.encodeplus.com/regs/redmond-wa/doc-viewer.aspx?secid=1071#secid-1071>

Redmond 2030 Zoning Plan Map: <http://www.redmond.gov/common/pages/UserFile.aspx?fileId=162352>

## **2. Applicant: City**

The study area for this application is further south from the intersection of 132nd and 85th than my house. An office/retail building is directly across the street from my house. So if the single family homes in this study area become businesses or high density apartment buildings, my home will be much more isolated from the neighborhood. The Kirkland side of the street would become very unlike the single family homes that surround our property on the Redmond side. Also, the homes on the east end of the study area were built in 2014, which seems like an extremely short time to have allowed homes to be built just to rezone them. Areas with much older homes that are in poor condition seem like better candidates for rezoning.

I suggest:

- Zoning option A (No Change - Retain Low Density RS 7.2).

## **9. Applicant: Bridle Trails Shopping Center**

The current strip mall is appropriate and convenient for the neighborhood. The applicant wants 65 feet of height in a neighborhood where nothing for a mile (and perhaps miles) is that tall. The subject property, The Bridle Trails Shopping Center, has recently had new renovations such as the Dairy Queen changed to a Chase Bank and the Red Apple Market changed to a Grocery Outlet. It seems unfair and inappropriate to allow these businesses to invest months of renovation just to rezone and demolish the structures. The Redmond 2030 Zoning Map (link above) shows the mixed use building on the northeast corner of 70th and 132nd is not going to be rezoned. It is 3 stories with the first floor being retail, the second being apartments, and only on the

west side the 3rd floor is apartments. The scale of the building is surrounded by parking spaces and a pedestrian-friendly bridge at the corner. Bridle Trails Apartments (to the west) is made up of 2-story separated buildings. Across 132nd is an undeveloped park, single family residences, and streets to winding cul-de-sacs. Redmond doesn't plan to match the scale of this project and it will be completely inappropriate now and well into the future.

I suggest:

- No flexibility for residences on the ground floor. It is to the benefit of apartment residents and businesses not to be mingled on the first floor.
- No rooftop open space amenities because they are detrimental to neighborhood noise levels.
- Allow flexibility in parking standards as long as exceptions are not based on fantasies of the majority of people riding bikes, using public transit, and walking in the future.
- A height of 2 stories would be an appropriate maximum based on the neighboring apartment buildings.

Sincerely,  
Olivia Ahna  
8402 132nd Ave NE

**Joan Lieberman-Brill**

---

**From:** Paul Isenburg <paul.isenburg@gmail.com>  
**Sent:** Friday, August 10, 2018 2:49 PM  
**To:** Joan Lieberman-Brill  
**Cc:** Planning Commissioners  
**Subject:** Rose Hill Rezone Plan??

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

Hi Joan, I've been out of town and came home to see a notice from some neighbors that Kirkland is looking to rezone some of Rose Hill. I own 2 homes on NE 84<sup>th</sup> that it appears would be affected by this proposal. I'm curious if you can share with me what the "plan" or proposals being considered would be. There is rumor that part of this would include connecting NE 84<sup>th</sup> St from 128<sup>th</sup> Ave to 132<sup>nd</sup> Ave. My wife and I would object greatly to this as living on a dead end street is the reason we've bought the homes we own. Our hope is to retire soon and move from our 2 story home to the rambler we bought next door.

I'm not sure what the timing is for meetings, disclosures, decision making but I'd appreciate being kept in the loop on how follow or participate in any future decisions about our street and the area around us.

Any information you can share with me or input on websites where more information can be seen would be appreciated.

Paul Isenburg  
206-948-5885

**Joan Lieberman-Brill**

---

**From:** Roger Wright <wright.roger15@gmail.com>  
**Sent:** Monday, September 10, 2018 2:13 PM  
**To:** City Council; Kurt Triplett; Planning Commissioners; Joan Lieberman-Brill; Adam Weinstein; Design Review Board; Tony Leavitt  
**Subject:** Concern Regarding New Developments  
  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Kirkland City Council Members, Planning Commission, and Design Review Board,

My family lives in the house at 12924 Ne 87th St, Kirkland, WA 98033, which is near the subject property for the Continental Divide Mixed Use project. I have serious concerns about the process that led to this project and I request your help in mitigating the detrimental effects of this project before it is built. This same process is happening again as the Planning Commission is making the 20-year Comprehensive Plan for our neighborhood (Rose Hill/Bridle Trails) and hopes to wrap it up by the end of 2018. I believe the notification process does not reach enough people and the methods of publicizing the plan are unfair and insufficient. Please review the notification standards the Planning Commission must use to notify the public.

Currently the City of Kirkland does the following to notify the community about rezone proposals:

- Posting notice on public notice sign boards surrounding the rezone property, on all adjacent streets
- Posting notice on the City's website
- Publishing notice in the Seattle Times
- Posting notice on official notification boards at City Hall

Please consider adding the following:

- On plan maps, especially those shown to the public, change the misleading term "office" in the legend to better reflect the code description. I suggest mixed-use, mixed-use high-density residential, or commercial high-density residential.
- Notify the community sooner and multiple times to make sure new residents are notified. I suggest every 6 months.
- Notify by mail. Small signs posted at busy intersections are insufficient.



- Notify a larger radius around proposed rezoning areas. Redmond and Bellevue send notifications to a 500 ft radius, while Kirkland sends to just a 300 ft radius.
- Add a public notice sign to each lot on which a building will be developed. One sign in front of three lots makes it seem as if only one will be developed.

Specifically about the Continental Divide Project, I have concerns about the severe change this project could mean to our neighborhood. The developer has a building permit but the design has not been approved. Please do all that is within the Kirkland City Council's power to address my concerns before the Design Review Board approves the design on September 17th.

#### Violations of zoning codes and the Comprehensive Plan:

- The description of the project states it is “a four story mixed use building” however the NE 85th St Subarea Plan limits buildings to three stories by stating, “providing incentives including increased building heights up to three stories” (Policy NE85-4.8). This project cannot have four stories if the limit is three stories. If there is a conflict between zoning codes the most restrictive of these apply (KZC 170.50).
- This project includes residential units on the ground floor, but the Zone Use Chart for the zone where this project is located (RH-8) states that stacked dwelling units “may not be located on the ground floor of a structure” (KZC 53.84 Zone RH8 Use Zone Chart .050 Stacked Dwelling Units). This violation should not be ignored and no exceptions should be granted.
- The description of the project states, “A single story commercial building will be located near NE 85th Street” however the NE 85th St Subarea Plan prohibits such buildings by stating, “Discourage single story retail buildings” (Policy NE85-4.8).

Notice to the community: I believe the notice given by the City of Kirkland was insufficient. Kirkland notifies too late in the process and notifies fewer neighbors than other nearby cities. Maps and notices use the misleading term "Office" for businesses and/or high-density apartments. In very late June 2018, a public notice sign went up at the corner of 85th/Redmond Way and 132nd Ave NE and we received a notice about a July 2nd Design Review Meeting. This was the very first time I heard about this project. There were no other notices sent since December 2015 (two-and-a-half years). The notices sent in December 2015 were from an old list that wasn't updated to include homeowners who bought homes directly adjacent to the project in the previous six months. Even still, none of longtime homeowners who lived within 300 feet of this project knew about the changes that would so severely impact their properties. Please consider overhauling the entire process for notifying the community about zoning, public comment periods, and public meetings.

Jarring transition between houses and huge complex: If this project is approved as-is a towering wall of over 200 windows and balconies will overlook single-family homes, leaving some homes in shadow all winter. This horseshoe-shaped project has adjoining walls between residential units and commercial spaces. These both violate the city's land use policy to “create effective transitions between commercial areas and surrounding residential neighborhoods” (Policy LU-5.1 Urban Design).

**Safety:** Bicyclists, joggers, and walkers could be endangered by the busy garage entrances. One of these garage entrances is next to a school bus stop and along schoolchildren's walking routes. Current neighbors on dead-end 131st and along 132nd already have trouble accessing their homes and this project adds busy driveways to both streets. The nearby megachurch traffic already requires a police officer to direct Sunday traffic at the intersection for this project.

**Less parking than required:** The developer claims their parking spaces will be used by businesses during the day and as guest parking at night, however dual use parking spaces not allowed by code. Surrounding streets have almost no street parking and new fire hydrants required because of this project mean even less parking. More parked cars on narrow 131st means less emergency access.

**Family atmosphere:** I am concerned about the family-oriented neighborhood we have now changing into big apartment complexes with studio apartments. New residents in this project will find themselves in an area with minimal bus service, very few businesses catering to them, and a steep hill bordered by forested ravines. The pedestrians in our neighborhood tend to be neighbors walking their dogs, retirees on a walk, commuters taking the bus to Redmond, and children going to and from school. I'm concerned that the young people attracted to this complex are not going to find the convenient amenities they want and 134 units of new people will change the character of our residential area.

**Garbage collection:** The dumpster for entire building is collected next to a neighbor's one-story home. When the garbage truck backs up into the driveway for collection, it will block access to one of only two entrances for the whole apartment complex. That seems inconvenient and even dangerous for that many people to be down to one entrance.

**No moving truck loading zone:** Studio apartments are for young people whose lives are ever-changing. This project has no loading zone for a moving truck. Just as with garbage collection, if a moving truck blocks either driveway, residents are down to one way in or out. If moving trucks choose to stop on 132nd, they will be impacting an already clogged intersection. If the moving truck parks on 131st, it will impact a dead-end street already overwhelmed by nearby businesses using their street to park.

**No play area or open spaces for children:** Children who live in this apartment complex will have no options for playing outside. The nearest public park is a 13-minute 0.7 mile walk almost entirely along busy 85th Street. The current proposal for this apartment complex doesn't include any playground equipment or even an open grassy area for children. The center courtyard will be a parking lot, which cannot be safe a play area.

**Businesses that the community will frequent:** With just 7% of the square footage for businesses, this project can just barely be considered mixed use. The developer's plan is to use the retail space for their own corporate

office and a property management company, leaving one space for a business that the community may actually use.

Quality of life: Only because of neighborhood outcry, the city wrote an FAQ document about this project. In response to our concerns about our quality of life, the city replied, “The City does not have a metric for quality of life.” The developer has no incentive to preserve our quality of life and the city says there is no metric for it. My neighbors and I are on the cusp of losing the quality of life in our neighborhood. It will come in the form of towering walls of windows, noisy apartments, busy driveways choking gridlocked intersections, loss of solar access all winter, children with nowhere to play, moving trucks and garbage trucks blocking roads, and so many people crammed into a once-quiet neighborhood. All of this on streets lined with modest houses and homeowners who were not given the chance to prevent it.

I am seeking the following solutions and intervention on the City Council’s part:

- This development should not be granted a permit. The development needs to decrease the size to three stories and replace residential units with retail on the ground floor, per the zoning code and Comprehensive Plan.
- The upcoming Design Review Board meeting on September 17th should be cancelled, because the developer has not complied with zoning code and the Design Review Board should not approve a design that violates zoning code.
- Please re-examine the unlimited density in the RH-8 zone abutting residential. Adjust it to reflect the neighborhood plan and land use goals that are part of the comprehensive plan.
- In December 2015, the developer used a Citizen Amendment Request to change 6 parcels that were zoned residential to "Office." This is a misleading term because it did not communicate the possibility of high-density residential units next to single family homes. The zoning code description should reflect the term “office” or terms like “High-density Residential” and “Mixed Use” should be used so the community is not misled again.
- Please completely overhaul and modernize the notification process. The current process relies on community members being highly involved in local government through reading newspapers, reading city newsletters, visiting city websites, subscribing to city update email lists, and even physically visiting city hall to read notice boards.

Please do not set a precedent by allowing this huge, out-of-place development in our neighborhood that clearly conflicts with Kirkland’s zoning codes and Comprehensive Plan. Please do what is in the power of the Kirkland City Council to help our neighborhood keep its current family atmosphere, the traffic flow of those passing through, the safety of our children, and our quality of life. We are counting on you to hear us and make the vital changes necessary before the Continental Divide project is built.

Sincerely,

Roger Wright

12924 NE 87th St, Kirkland, WA 98033

Attachment 7

**Joan Lieberman-Brill**

---

**From:** Sarah Sanford <equinefansarah@gmail.com>  
**Sent:** Wednesday, August 08, 2018 8:47 PM  
**To:** Joan Lieberman-Brill; Planning Commissioners  
**Subject:** South Rose Hill Zoning - Resident feedback

Dear Ms. Brill,

I am writing to you in your capacity as the planner for Rose Hill. It has come to my attention that an application for a rezone by Martin and Sharon Morgan, involving 122<sup>nd</sup> Ave NE, as part of a larger effort impacting areas north of the NE 85<sup>th</sup> commercial area and east of 120<sup>th</sup> Ave NE. As you know, current zoning calls for low density detached residential housing as the primary land use in this area. The city is currently compliant with the Growth Management act through 2035. The application apparently requests rezoning to allow increased density including building heights of up to 5-6 stories in this area.

My residence is located at 8050 122<sup>nd</sup> Ave NE, directly across from the Kirkland Cemetery. I have lived here since May of 2014. Since I moved in, I have seen constantly increasing traffic along 122<sup>nd</sup> Ave NE, with a distressing frequency of significant speeding, as drivers consistently try to avoid traffic on NE 85<sup>th</sup>. Despite posted speed limit signs, drivers tear up and down the street. Complicating the situation is that employees of the businesses of the commercial strip mall on NE 85<sup>th</sup> regularly park on both sides of 122<sup>nd</sup> Ave NE. During the school year, students from Lake Washington High School also park on 122<sup>nd</sup> Ave NE. The street is not wide enough to accommodate parking on both sides and two lanes of traffic. Thus, it frequently feels like my neighborhood street is the site of continual games of "chicken" to see who is going to have to stop and pull into a drive way or squeeze over to allow the opposing traffic to pass. The icing on the cake comes when cars entering and exiting Starbucks and the commercial mall fronting NE 85<sup>th</sup> OFTEN block the intersection of 122<sup>nd</sup> Ave NE and NE 85<sup>th</sup>. This ends up irritating drivers, resulting in reckless and dangerous actions.

In addition, the parking up and down 122<sup>nd</sup> Ave NE often comes right up to the edge of my driveway. This significantly decreases visibility in trying to exit my driveway, sometimes pulling out onto the street is met with having to avoid a speeding car going up or down the street....and frequently a less than cordial sign from the speeding drivers because they had to slow a bit to avoid hitting me. In addition, those parking on the street often block the mailboxes and the garbage cans....I'm sure you are aware that neither the postal workers nor waste management people need to service my residence if they can't easily access mailboxes or garbage cans. I have had more than one instance when my garbage cans were not emptied.

I am an avid walker, and regularly take my dog out for walks. It is getting harder and harder to walk without having to dodge aggressive drivers. My once-quiet neighborhood is becoming far from walker-friendly. As well, there are several families with small children living on 122<sup>nd</sup> Ave NE. Pets have been hit and killed. Needless to say, that is tragedy enough.

Rezoning to allow higher density development as has been requested would aggravate traffic and safety concerns, and parking-related problems significantly. I therefore respectfully request current zoning be maintained, and that current residents be clearly supported by Kirkland planning efforts. As well, I would like to see that areas South of NE 85<sup>th</sup> be added to Policy RH23. Lastly, I would like to request notification when this issue is to be addressed by the planning commission and city council.

Thank you for your consideration.

Sarah J. Sanford  
 8050 122<sup>nd</sup> Ave NE  
 Kirkland, WA 98033

425.324.7268  
Equinefansarah@gmail.com

## Joan Lieberman-Brill

---

**From:** S. Davis <spicker76@yahoo.com>  
**Sent:** Thursday, September 06, 2018 8:30 AM  
**To:** Adam Weinstein; Joan Lieberman-Brill  
**Subject:** rezones with RH 8 listed

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

Hi Adam and Joan,

"Rezone to office RH 8 zone. (KZC Chapter 53) RH8 zone uses allowed with Design Review: office, school, and daycare, size limited retail, restaurants, entertainment, cultural, recreation, banks, multifamily. \*Maximum building height is 30', with parcels consolidated to 18,000 sq. ft. allowed 35' with conditions."

I think this sentence needs to be addressed, it is not capturing the "unlimited density" which is not stated, as well as other concerns, plus the RH8 neighborhood plan and the zoning code and land use really needs to be looked at.

<https://www.kirklandwa.gov/Assets/Planning/Planning+PDFs/Land+Use+Study+Areas.pdf>

Susan

Susan Davis spicker76@yahoo.com Have a GREAT day! : )

**Joan Lieberman-Brill**

---

**From:** Susan Davis <susandavis@live.com>  
**Sent:** Tuesday, August 07, 2018 1:37 PM  
**To:** Joan Lieberman-Brill  
**Cc:** Kaylie Duffy  
**Subject:** RE: FW: rezone study of my property by city and not notified?

This Jin request did not have the consent of a property owner. That does not seem right. And all of the other property owners who have no clue for the city initiated rezones unless they dig for the info or care to go to the boring and rather developer focused meetings. Our city policy needs to change on this. TAX PAYING and Voting RESIDENTS are getting the short end of the stick. Why be involved in a comprehensive plan and spend the time when the city is constantly making exceptions in the name of affordable housing. What about the people who do not qualify for affordable housing (missing middle, we need more triplexes, or townhomes), or low income people on a 3 yr wait list for this mystical affordable housing. And what about the homeless? If anything the county should purchase already built older apartments on a good transit route, and turn them into affordable housing, The city should require 20% affordable for 25 yrs (instead of 10% for 50 yrs) so the area gets over the growth pains. For the homeless get more temporary housing, use a public Building at night when it is not being used. Get the Salt house family center built ASAP, expedite all of the required city permits! Encourage more churches to house the homeless, give Marys Place and Sophias Way more money that the city is spending on the CKC or the tax money paid by developers. The city should tell King County don't spend \$190 million of the tourist tax to remodel Safeco Field. Spend only \$50 m and use the rest to purchase apartments and make them 100% affordable. There are many larger more effective ways to create affordable housing. Then a huge apartment right next to residential with 13 affordable units has such a small positive impact for affordable housing and a big negative impact on the neighborhood. I would be happy and supportive of rezones if the city/County stepped up and purchased apartments with our tax dollars or/and built a large apartment with our tax dollars with bonds or increased sales tax that were 100% affordable. Susan

On Aug 6, 2018 4:55 PM, Joan Lieberman-Brill <JLiebermanBrill@kirklandwa.gov> wrote:

Hi Susan,

We are reviewing all the requests, it's likely that some won't be pursued, and we'll notify property owners and surrounding residents well in advance of the City Council decision on any rezoning's.

Sincerely,

Joan Lieberman-Brill, AICP

Senior Planner



Kirkland Planning & Building Department

425-587-3254

[jbrill@kirklandwa.gov](mailto:jbrill@kirklandwa.gov)

*Mon – Thus*

---

**From:** Susan Davis [<mailto:susandavis@live.com>]  
**Sent:** Monday, August 06, 2018 3:49 PM  
**To:** Kaylie Duffy  
**Cc:** Joan Lieberman-Brill  
**Subject:** Re: FW: rezone study of my property by city and not notified?

Joan, how could this happen? I would think Jin should have to sign a legal affidavit and get all the property owner's to sign one as well to prove that the owner home that is listed does indeed want the rezone. Another policy to add.

On Aug 6, 2018 3:17 PM, Kaylie Duffy <[KDuffy@kirklandwa.gov](mailto:KDuffy@kirklandwa.gov)> wrote:

Hi Susan,

Joan (cc'd) can provide you with more information regarding the potential rezone request you are referencing.

Have a nice day!

-Kaylie

---

**From:** Susan Davis [<mailto:susandavis@live.com>]  
**Sent:** Monday, August 06, 2018 2:46 PM  
**To:** Kaylie Duffy  
**Subject:** Re: FW: rezone study of my property by city and not notified?

The person contacted Joan.

I think in general the planning dept needs to contact all parcels in the possible rezoning study areas ASAP. It is not fair and you will get a lot of push back I think that is why the planning dept and city council are deciding not to notify the affected parcels now instead of 2 weeks before a public hearing.

On Aug 6, 2018 2:33 PM, Kaylie Duffy <[KDuffy@kirklandwa.gov](mailto:KDuffy@kirklandwa.gov)> wrote:

Hi Susan,

Which properties are you referencing? Once I know which parcels you're talking about, I can pass on your feedback to the appropriate senior planner.

Thanks for voicing your concerns.

Best,  
Kaylie

---

**From:** Susan Davis [<mailto:susandavis@live.com>]  
**Sent:** Monday, August 06, 2018 2:25 PM  
**To:** Kaylie Duffy  
**Subject:** RE: rezoning study of my property by city and not notified?

I think they should notify as soon as they have the planning dept do a study. It doesn't make sense and many property owners do not want a rezoning. The city should send a letter asap. They are wasting everybody's time esp if all of the owners in a city initiates rezoning study say no. Also the JIN request is it considered a CAR? He did not get all 4 property owners permission and the other 7 extended study parcels should be contacted ASAP.

On Aug 6, 2018 2:14 PM, Kaylie Duffy <[KDuffy@kirklandwa.gov](mailto:KDuffy@kirklandwa.gov)> wrote:

Hi Susan,

Yes, the City would have to notify the property owner if the City initiates a rezoning.

Best,  
Kaylie

---

**From:** Susan Davis [<mailto:susandavis@live.com>]  
**Sent:** Monday, August 06, 2018 2:01 PM  
**To:** Kaylie Duffy  
**Subject:** RE: rezone study of my property by city and not notified?

Does the city have to notify the property owner if the city initiates a rezone. I would think as soon as a rezone is initiated by the city they should send letters that same week not wait until 2 weeks before public hearing.

On Aug 6, 2018 1:37 PM, Kaylie Duffy <[KDuffy@kirklandwa.gov](mailto:KDuffy@kirklandwa.gov)> wrote:

Hi Susan,

Good afternoon! The City of Kirkland is required to provide notice for rezone proposals at least 14 days prior to the public hearing in these ways: Posting notice on public notice sign boards surrounding the rezone property, on all adjacent streets; Posting notice on the City's website; Publishing notice in the Seattle Times; Posting notice on official notification boards at City Hall .

As a courtesy , Kirkland also sends notice at least 14 days prior to the public hearing to all Kirkland residents /tenants and property owners for properties both in and outside Kirkland's jurisdiction , that are within 300 feet of the property to be rezoned. Notice is also sent to all interested parties that have requested notice or submitted comments. In addition, the City typically conducts other outreach for zoning efforts that extends well beyond mandatory requirements. Other outreach includes attendance at neighborhood association meetings, community workshops, and community events; email and paper newsletters; and surveys.

In the case of a Citizen Amendment Request for a specific site where the property owner is not making the request, the applicant must notify the property owner in writing of the request. You can learn more about the process [here](#).

Please let me know if you need any additional information.

Sincerely,

**Kaylie Duffy** | Assistant Planner

Planning & Building Department

City of Kirkland

p: 425.587.3228

---

**From:** Susan Davis [<mailto:SusanDavis@live.com>]  
**Sent:** Monday, August 06, 2018 10:44 AM  
**To:** PlanningInfo  
**Subject:** rezone study of my property by city and not notified?

HI Does the city rezone property without notifying the land owner (residential) before they start a study on should this property be rezoned either city initiated or a neighbor (who did not get my permission) then they include my property without my knowledge? Please let me know

Susan

Sent from [Mail](#) for Windows 10

NOTICE: This e-mail account is part of the public domain. Any correspondence and attachments, including personal information, sent to and from the City of Kirkland are subject to the Washington State Public Records Act, Chapter 42.56 RCW, and may be subject to disclosure to a third party requestor, regardless of any claim of confidentiality or privilege asserted by an external party.



**Joan Lieberman-Brill**

---

**From:** S. Davis <spicker76@yahoo.com>  
**Sent:** Friday, July 27, 2018 11:04 AM  
**To:** Planning Commissioners; City Council; Kurt Triplett; Adam Weinstein; Joan Lieberman-Brill; David Wolbrecht; jicpruitt@gmail.com; bill@area425.com; KirklandAllianceKAN@gmail.com; carnegiema@frontier.com; chris.kagen@gmail.com  
**Subject:** North and South Rose Hill Plan Updates Feedback  
**Attachments:** zoningcompare.docx  
  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hello Planning Commission, City Council, Kirkland Alliance of Neighborhoods, Kurt, David, Adam and Joan,

I attended the planning commission mtg last night. I would like to comment further on these projects since we did not have a public comment after the city presented the rezone requests. I understand that citizens need to get involved in order to comment on a neighborhood plan. I was at the mtg and will be at future meetings! I now understand the impact that these decisions make on our community and I will make the time to educate others on these changes. I believe that it was a developer focused meeting last night because of all of the requested rezones and because the developers showed up!

I keep hearing about affordable housing. We require 10% but it is never mentioned the developer gets 2 bonus units for every affordable unit. This is definitely a win for the developer. Redmond and Bellevue only give one bonus unit. I think it should only be one unit. What is the background on 2 bonus units?

As you know from my comments last night I want more involvement from the residents. I am sure the city would also like more involvement and I think we can get more involvement if the city changed their policies relating to giving public notice. We can use the best practices of other nearby cities. Give the residents a required (not courtesy) notice of a rezone, major project within 500 ft of all the parcels that might be rezoned. Please change from 15 days to 21 or even 30 days ahead of time to send the letter and post the boards. Explain in the letter/flyer the current zoning vs. proposed zoning. People can see the details like 7.2 vs RH8 matrix (see attached file) - which was made by the planning dept for the city council to summarize the changes. Can we please add this matrix to the notice? "Too office" really does not describe what it happening. It is very difficult to understand zoning changes. I would like to see how we can work with the city council to make these changes. I have been told the city council would have to make code changes.

City Council and Kurt,

I need to understand the most recent GMA plan for the housing created by neighborhood and how many housing units we told the state we would create over the next 10 or more years. I cannot find this information anywhere. I only found out dated information. Do we really need these proposed rezones for the GMA? I think we need to slow down making so many zoning changes especially since we have limited bus transportation options until 2024, and our roads are already very

crowded. The 85th corridor just underwent renovations and still does not properly handle all of the traffic. We will have more issues once it take 2 or more years to re-do the 85th /405 interchange.

My feed back on the Comprehensive plan changes.

Even though it specifically states in our neighborhood plan the following. Why do we have these policies when we do not follow them?

Policy RH 23 : **Maintain low - density detached residential housing** as the primary land use in the areas north of the NE 85th Street commercial area, east of 124th Avenue NE, south of the commercial area and east of 120th Avenue NE.

Policy RH 24 : Encourage the efficient use of larger lots north and south of the NE 85 th ST corridor at the maximum densities allowed by the **underlying** zoning.

Thank you for encouraging other forms of tiny homes so people can have more flexibility with adding housing in an established neighborhood. I think the city needs to encourage more residential suites (like Arete) in these proposed high density projects.

The six rezones that I have concerns. - link to the summary info

[https://www.kirklandwa.gov/Assets/Planning/Planning+PDFs/Planning+Commission/North\\_South+Rose+Hill+--+Bridle+Trails+Neighborhood+Plan+Update+PC+Meeting+Packet+7\\_26\\_18+--+CAM18-00082+WEB\\_Part2.pdf](https://www.kirklandwa.gov/Assets/Planning/Planning+PDFs/Planning+Commission/North_South+Rose+Hill+--+Bridle+Trails+Neighborhood+Plan+Update+PC+Meeting+Packet+7_26_18+--+CAM18-00082+WEB_Part2.pdf)

1. JIN Request: Rezone 11 7.2 SF homes to mixed use commercial/ multifamily or higher density residential. **This does not match our policies for this area. The intersection at 126/85 does not support a high density land use. I do not think any of these parcels should be rezoned.**

2.Applicant:City

Requests: Increase density and/or commercial capacity on existing larger underdeveloped sites within Rose Hill Business District commercial corridor or expand boundaries of District. Study Area: South perimeter of East End (128th to 132nd) - behind RH8, east of RM 3.6 zone, and north of NE 84th St

**I do not support this rezone. There are enough high density housing projects in the pipeline near 85th/405 and we need to maintain residential zoning. I would be open to allowing more density for residential homes like the project directly south of 128/132 (behins First Tech Credit Union) which created residential homes at a higher density. Or adding town homes. I think the opportunity for home ownership should be increased.**

3.Madison Development request for RH 3 code amendments. Now they have proposed at 740 apartments they want 100% lot coverage instead of 80%, less required parking and almost 10 extra ft for building height. **It should stay at 80%, the applicant knew the zoning and they should work with what they have. This area is different from Totem Lake development with look, feel, location and we should not have changes to this zoning. The parking requirement being lowered seems reasonable. If they add 100 residential suites to their 740 apartment mix I would be open to a higher lot coverage.**

4. Applicant:City

Request: Consider increased density and intensity of land uses within the existing RHBD Regional Center zones closest to the future Sound Transit Station at NE 85th/I-405 interchange and Bus Rapid Transit along NE 85th ST. **I do not support this. I need more information on the city's GMA plan and how we are meeting density increases in the whole city.**

5. Applicant: Martin and Sharon Morgan

Request: Rezone four parcels owned by applicant to commercial zone or higher residential density. **I only support the 4 lots being rezoned. This area also has many fairly new SF homes and I do not support expanding the rezone past these 4 lots.**

6. Lee Johnson rezone. **I do not support this rezone.**

We need to deal with the current high density parcels that are already zoned to see if the 85th corridor is a viable area for huge developments. I think the city council is convinced that people will take the BRT at 85th. and traffic will not be added to 85th. This bus is only going to come more frequently, the Seattle commute will still be long on the bus. It will be a 2 plus seat ride to downtown Seattle as all of the buses will get kicked out of the tunnel within the year. Buses from Kirkland will have to stop at the UW rail station and riders will transfer to the rail. I ride the bus to Pioneer Square Seattle for work. The bus gets stuck in traffic like all of the single occupancy vehicles. Now a BRT on 405 will be merging onto 520 from the far left lane of 405 with no HOV lanes to get onto 520. Then the bus usually goes slow over 520 as traffic gets backed up. There is not an HOV exit off of 520 to the UW rail station that I am aware of so this bus will be sitting in traffic with the single occupancy vehicles to get the riders to their second seat on the rail.

Could I please get my questions answered?

Thank you for your time.

Susan

Susan Davis spicker76@yahoo.com Have a GREAT day! : )



	<b>RSX 7.2 (Study Area and to north)</b>	<b>RH 8 (to south and west)</b>
<b>Max Density</b>	Single family, 7,200 s.f. min. lot size (6 units/acre)	Unlimited density, stacked units above the ground floor
<b>Setbacks front/side/rear</b>	20'/5'min, 15' total/10'	10' adjacent to NE 85 <sup>th</sup> St., otherwise 20' /0'/15'
<b>Lot Coverage</b>	50%	70%
<b>Affordable Housing Required?</b>	No	No
<b>Height</b>	30 feet above average building elevation (ABE)	30 feet above ABE*
<b>Design Review</b>	No	Yes, ADR**
<b>NRH Plan &amp; NE 85<sup>th</sup> St. Subarea Plan Policy Direction</b>	<b>North Rose Hill Plan</b> Goal NRH 8 – Promote and retain the residential character of the	<b>North Rose Hill Plan</b> Policy NRH 8.2 - Locate new commercial development in the business districts at the north and south boundaries of the NRH neighborhood in order to prevent commercial encroachment.

## Joan Lieberman-Brill

---

**From:** S. Davis <spicker76@yahoo.com>  
**Sent:** Monday, July 30, 2018 11:18 AM  
**To:** Joan Lieberman-Brill; Planning Commissioners  
**Subject:** North and South Ropse Hill Neighborhood plans feedback

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

Hi Planning Commission and Joan,

I would like a copy of the draft plan known as attachment 1 included in the part 1 of the July 26 mtg with the marked up version showing the changes that the planning department has made on the policies.

I believe that the below policies should NOT be changed. except that "south of 85th all the way to 132 Ave NE" needs to be included in Rh 23 policy as the area is also mainly low density established residential and should not be rezoned into a high density mixed use.

"Policy RH 23: Maintain low- density detached residential housing as the primary land use in the areas north of the NE 85th Street commercial area, east of 124th Avenue NE, south of the commercial area and east of 120th Avenue NE."

"Policy RH 24: Encourage the efficient use of larger lots north and south of the NE 85 th ST corridor at the maximum densities allowed by the **underlying** zoning."

"Policy RH 42 : On the north and south boundaries of the Rose Hill District, allow multifamily residential uses at a density of 12 units per acre. Allow a greater density if affordable housing is a component of the development."

I also believe "Commercial development should not be permitted to spread beyond the existing NE 85th Street commercial area into adjacent residential areas" on page 9 should not be changed.

I think drive-through windows need to be limited in the Rh 7 and 8 areas and not removed from the plan. The height needs to stay at 30 ft.and not go to 35ft. listed on page 6 and 7 on the draft. The commercial/mixed use buildings will be next to residential that can only go to 30 ft and most existing homes are much shorter than 30 ft. And if they qualify for the affordable housing incentive they will get another 5 ft (?) so they will now be 40 ft tall if the plan is changed and towering over a residential area.

Additionally at the July 26 planning commission mtg the packet also included a file that was edited by Rodney Rutherford and Martin Morgan. How are there comments getting or not getting incorporated. It appears that Rodney and Martin want to rezone and over develop the area south of 85th and east of 124 the AVE where they own residential homes (conflict of interest?). I do not believe their comments should replace our existing neighborhood plans for the Rh23 and RH 24 as well as a few other revisions they recommend. They are not professionals and they have a financial

interest in the area they are trying to change to more commercial development by rezoning the residential area they live in.

Thank you in advance for considering my input.  
Susan

Susan Davis spicker76@yahoo.com Have a GREAT day! : )

**Joan Lieberman-Brill**

---

**From:** Tolga Tekin <tolga.tekin@gmail.com>  
**Sent:** Wednesday, August 15, 2018 9:50 AM  
**To:** Joan Lieberman-Brill  
**Subject:** Kirkland

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

Hi Ms Lieberman,

There are lots of families with small kids in our neighborhood (60th and 116th ave ne) There is no playground where kids can play during school hours. There is nothing that brings our community together. If you have small kids (and no car), there are hardly anything to walk to in this area or sidewalks as well. The Bridal Trails is great for equestrians but there is nothing there for the kids. As a community with small kids, we would rather see a playground in our neighborhood instead of transfer station. The transfer station is making our roads unsafe. Trucks coming out of the station do not always watch for pedestrians. The community is in the process of collecting signature in this regards.

Thank you for your attention in this regards

Regards,  
Tolga

From: Virginia Kaiser

To: Jarvis Coogan

City of Kirkland

Rose Hill Neighborhood Plan - 724-18

I would like the City to consider rezoning my property to medium density 3 M 3.6.

The eleven townhouses next to me are what people want. They prefer what not to live in apartments, they also want small yards and not spending their weekend doing yardwork.

124<sup>th</sup> Ave has a great park, sidewalks, Safeway, Walgreens and other stores. It is also on a bus route and near the entrance of 405. Also walking distance to Rose Hill grade school and Lake Washington High School.

Virginia Kaiser

8239 124<sup>th</sup> Ave. NE.

Kirkland, WA - 98033-8018

ph - 425-822-3278

IP NO 122336038609

Sorry I do not have Email

**Joan Lieberman-Brill**

---

**From:** Yvonne Markgraf Stoehr <ylmarkgraf@outlook.com>  
**Sent:** Monday, August 13, 2018 3:06 PM  
**To:** Joan Lieberman-Brill; Glenn Peterson; Mathew Pruitt; Sandeep Singhal; John Tymczyszyn; Carter Bagg; Colleen Cullen; Angela Rozmyn  
**Cc:** A Ron; Tony Leavitt  
**Subject:** Proposed road changes for accommodating influx of drivers from Continental Divide apartment building development

Hello Kirkland City Planners,

I has come to my attention, through information and action gathered by my immediate neighbors of the community bounded by 132<sup>nd</sup> Ave NE, NE 88<sup>th</sup> Street, NE 90<sup>th</sup> Street that you are planning to, or discussing following through with a plan, to connect 130<sup>th</sup> Ave NE, NE 88<sup>th</sup> Street and NE 90<sup>th</sup> to the main thoroughfare of 132<sup>nd</sup> and connect 128<sup>th</sup> Ave NE – creating a main thoroughfare there as well. I have to oppose this suggested plan as it greatly affects the peaceful enjoyment of my neighborhood and will dramatically decrease the safety of the children and animals that use this neighborhood to walk through, as an option to stay off of the busy 132<sup>nd</sup> Ave NE thoroughfare.

As I see it, a more sound and proven method of accommodating additional traffic volumes while maintaining flow and reducing congestion is by converting existing, over-busy stop lights into roundabouts at state highway 908. The lights at 132<sup>nd</sup> & 85<sup>th</sup>, 128<sup>th</sup> and 85<sup>th</sup> and 124<sup>th</sup> and 85<sup>th</sup> would better served by the conversion to roundabouts. Those would leverage existing streets, with sidewalks and two way traffic, without requiring taking possession of private lands and building new road throughways. The cost savings of conversion at existing main intersections, rather than creating entirely new road infrastructure seems like a very solid reason to truly explore this possibility. I would hate to have my neighborhood overrun with traffic, have our limited street parking taken away and have my tax dollars going to buying up and developing private lands that currently protect our environment from noise and traffic pollution, in addition to providing us with safe, walkable areas in our increasingly crowded city area.

I know I speak on the behalf of all of my family and neighbors when I say none of us want our quiet subdivision to become a main thoroughfare area for commuters avoiding traffic on 132<sup>nd</sup> and highway 908. We all purchased homes here knowing it is situated in a dead end neighborhood and it's a big reason for our choice to buy here. While I am in support of measured growth with safe accommodation to ease growing pains, I don't feel that our neighborhood should be required to bear the brunt of the impacts from the new apartment development especially when we have existing roads already built that can be used more wisely.

Sincerely,

Yvonne Markgraf Stoehr  
 (206)250-4254 tel

**Joan Lieberman-Brill**

---

**From:** Lingjun Fu <hit881023@gmail.com>  
**Sent:** Wednesday, August 01, 2018 4:55 PM  
**To:** Joan Lieberman-Brill; Planning Commissioners  
**Cc:** XIANWEN SHEN  
**Subject:** STRONG opposed to the rezone request of NE 85th St Subarea

To whom it may concern,

I am writing to express my SUPER SUPER concern about the city request on page 3 of the following doc. I am currently a resident in this rezone area (13108 NE 84th ST).

I purchased this house in 2018 April as I love it's a dead end street with peaceful environment. We have been fighting with the new Merit project in 85th & 132nd. Now we have to face another rezone challenge. I wonder what's the motivation of the government to do this as no developer has submitted this request. I am STRONGLY opposed to this proposal and request you to reach out to residents in this area asking for their comments. I'm pretty sure NO ONE would say yes to this awful rezone request. Please loop me in the future meetings on this rezone request. I'm super worried that Kirkland will become another Seattle in the near future...

[https://www.kirklandwa.gov/Assets/Planning/Planning+PDFs/Planning+Commission/North\\_South+Rose+Hill+-+Bridle+Trails+Neighborhood+Plan+Update+PC+Meeting+Packet+7\\_26\\_18+-+CAM18-00082+WEB\\_Part2.pdf](https://www.kirklandwa.gov/Assets/Planning/Planning+PDFs/Planning+Commission/North_South+Rose+Hill+-+Bridle+Trails+Neighborhood+Plan+Update+PC+Meeting+Packet+7_26_18+-+CAM18-00082+WEB_Part2.pdf)

Thanks,  
Lingjun

**Joan Lieberman-Brill**

---

**From:** Dan Hay <dan@isoutsource.com>  
**Sent:** Monday, July 30, 2018 4:37 PM  
**To:** Joan Lieberman-Brill  
**Cc:** pam\_hay@hotmail.com  
**Subject:** Rezoning attempt for our property

Hi Joan, I understand you are the contact person for the city regarding the attempt to rezone a number of properties in Bridle Trails that border 65<sup>th</sup> St. Pam and I are the owners of 6424 126<sup>th</sup> Ave NE and we would like to express our desire that the properties not be rezoned. We purchased the property a few years back after living in the neighborhood for 13 years and the main attractiveness to us was the horse property zoning and the fact that there would be no increase in density. I am not sure why our house/lot is included in this request as we have no desire to see the zoning changed and would like to see the neighboring lots remain the same as well. I would also like to point out that there is an error in the email sent by Dan Weise that states access to all of the properties is from the NE 70<sup>th</sup> street. Our house is not accessible from NE 70<sup>th</sup> St other than our barn. Our front door and garage can only be accessed off of NE 60<sup>th</sup> St. Please let us know how we can engage in this process and what the status and timing is for a decision.

Thanks

Dan Hay  
425-822-8285 (home)  
206-660-4664 (cell)



**Joan Lieberman-Brill**

---

**From:** Curtis Brown <curtisb@live.com>  
**Sent:** Tuesday, September 11, 2018 11:44 PM  
**To:** Joan Lieberman-Brill; Janice Coogan  
**Subject:** Property owners on 118th Ave NE strong opposition to Lee Johnston's rezoning proposals

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

Spruce Villas HOA and other homeowners of 118th are adamantly opposed to the request of Lee Johnston Chevrolet request to increase his property height to 75' across his whole property and to his even more damaging (and massively unaligned with any Kirkland community vision statements) request to be allowed to build a 160'. The latter may simply be an absurd request to make his 75' request seem like a reasonable compromise but it is unnecessary and Tod Johnston's recent deceptive communication with our homeowners have highlighted he knows this is bad for everyone but them, a Lee Johnston opportunistic cash grab to be paid for by all North & South Rose Hill homeowners.

Having learned of the massive increase in units (and resulting cars) late last week and gotten additional specifics on Tuesday night, we are still scrambling to understand the impact and all the requests being made to Kirkland. As such the concerns and technical detail I've included here are notably incomplete at the moment. We also have not yet been able to make all the surrounding communities aware of the massive requests but all that we have reached including all homeowners on 118th and our neighboring association on 80th are opposed to both Lee Johnston's requests. To the rest of the proposals, they are working to understand the rest and what the impact as whole could mean. Given the vehement feedback so far, we will likely be adding all the surrounding homeowners in the next week or two once we have made them aware of Lee Johnston's two rezoning requests.

Our initial concerns about Lee Johnston's proposal are:

- The 1200 (and especially the 2400) unit proposal it would massively increase already often gridlocked traffic on 85th and all the adjoining roads, especially 70th, 80th, 116th and 120th. This is in addition to the thousands of other units being considered along and around 85th and in addition to all the additional traffic going to the new units going into downtown Kirkland. Nowhere in any of the proposals are there any specifics for how roads would be expanded or other solutions would be provided for that many additional commuters, the vast majority of which would have cars and use them. Additional risk on 80th and 120th given the school zones and this increase in unconcerned, likely frustrated drivers trying to bypass 85th.

- They would also unquestionably push to use 118th as a main entrance and exit as 85th and 120th entrances they have now would be woefully inadequate. Our cul-de-sac that has been a boon to the families that have been and are currently being raised here would be much more dangerous and clogged with cars coming and going and trying to via for the few street parking places.

- His proposal would literally blot out the sun for Spruce Villas and our neighbor. Where our view is now trees (that were planted to block the view into the car lot) and sky, we would have a wall of people looking into our homes.

- As the Kirkland police chief highlighted in Tuesday's meeting, more people means more crime and this would mean an incredible mass of people being added on our front doorstep and in the area in a short amount of time. Also, as highlighted, there is no budget or plan to match Kirkland PD's growth with the massive number of new units. We would bear the brunt of additional crime while Lee Johnston enjoys the profits.

- Tod Johnston has begun acting unethically which highlights this request is bad for everyone but them. Up to now, Tod has been a good neighbor and has always reached out to let us know of what they are planning and worked with us where we might be affected. After he bought 8026 at the beginning of 2017 we met to discuss what he was planning and made agreements as to what they would. In the last year he has done none of what he said he would and when asked last year and again a few days ago he deferred to his admin as 'she knows what is going on with it' though we have never heard anything from his admin either. We now know he has been working on this proposal, indicating he specifically lied and kept this from us, likely to get it pushed through before we even know it was proposed. It is unethical and a good indication that he knows this is an opportunistic cash grab that will destroy our quality of life and the value of our homes.

To the rest of the proposals we have concerns as to the "hockey stick" size of the growth of the proposals being considered and the fact that they are being considered before Kirkland has determined how the massive increase in traffic from the immediate residents will be handled. Kirkland also has 'ideas' not plans for how traffic going to and from the rapid bus transit stop from the surrounding community will be handled or where they will park.

Our belief is that growth needs to be handled in a controlled manner with plans in place to handle it. The massive number of units being considered now is a 'land grab' for folks leveraging discussion around the BRT but it is not a plan. We would like to see only a few of these being considered this year and all the rest be deferred pending analysis and a concrete plan around how to handle the impact of the large increase in people from traffic to school capacity.

Regards,  
Curtis Brown  
President, Spruce Villas Owners Association  
206-579-9988

**From:** Damien Caro  
**To:** [Janice Cooper](#); [Planning Commissioners](#); [Adam Weinstein](#); [Eric Shields](#)  
**Cc:** [Erika Vilches](#)  
**Subject:** Comments regarding the plan for Bridle Trails land use change requests  
**Date:** Thursday, September 13, 2018 3:57:00 PM

---

Good afternoon,

It has been brought to my attention by my neighbors that you are making a proposal to change the zoning regarding the Bridle Trails Shopping Center. My wife and I live in the neighborhood, and we see ourselves impacted by those proposed changes.

We understand that evolution is needed and that the city wants to develop this area however we are strongly against the proposal that will authorize the construction of 5-6 stories buildings in the area of the Bridle Trails shopping center. This is very disproportionate to the rest of the neighborhood that is low density and mostly single family houses. Having a 6 stories building in the place of the shopping center is going against the reason why people have bought homes there with no added benefits for the current or future residents.

This proposed change will also bring a lot of new cars in a neighborhood that does not have the infrastructures (roads, public transportation, etc.) to support this extra traffic. Coming from Europe with larger and much older cities, I can assess that the densification of an area works from a development point of view where there is already a good infrastructure in place. Trying to spread the densification across the city only bring problems and higher maintenance costs since you need to maintain expensive infrastructure in more places.

The most logical approach would be to keep a maximum height of 2-3 stories as it is across the street for the Bridle Trails shopping center until it is **actually** reached. The current use of the shopping center is only one level, why supporting such a big change so fast ?! Let's have the shopping center reach its maximum capacity before allowing a disaster in this residential neighborhood.

Thank you for reading and best regards,  
Damien Caro & Erika Vilches

This is the document that I used for my comments above.

[https://www.kirklandwa.gov/Assets/Planning/Planning+PDFs/Planning+Commission/North+South+Rose+Hill++Bridle+Trails+Neighborhood+Plan+Update+09132018+PC+Meeting+Packet++CAM18-00082+No+4WEB\\_Part1.pdf](https://www.kirklandwa.gov/Assets/Planning/Planning+PDFs/Planning+Commission/North+South+Rose+Hill++Bridle+Trails+Neighborhood+Plan+Update+09132018+PC+Meeting+Packet++CAM18-00082+No+4WEB_Part1.pdf)

**From:** [Adam Weinstein](#)  
**To:** [Janice Coogan](#)  
**Cc:** [Joan Lieberman-Brill](#)  
**Subject:** FW: NE 85th and Bridle Trails  
**Date:** Tuesday, September 18, 2018 10:13:03 PM

---

**From:** Dan Ryan [mailto:dan.ryan@gmail.com]  
**Sent:** Tuesday, September 18, 2018 10:40 AM  
**To:** City Council <citycouncil@kirklandwa.gov>  
**Cc:** Planning Commissioners <PlanningCommissioners@kirklandwa.gov>  
**Subject:** NE 85th and Bridle Trails

You have a great opportunity to expand the zoning on NE 85th and in Bridle Trails to create new neighborhood centers.

So it's important to not be timid. Bridle Trails, with the right supportive regulations, is ripe for redevelopment. NE 85th is already showing signs of life in the small area where the zoning allows dense construction. It can do a great deal more.

Be expansive on NE 85th. Don't restrict the rezones to a two-block circle around the freeway. Do, of course, include Costco, as it is within easy walking distance. Some on the Planning Commission are concerned about sales tax implications, but this site is too close to the BRT station to be excluded from potential redevelopment.

Look to widen the area where redevelopment is possible. The most cost-effective new housing is at the fire-code maximum for wood frame over concrete construction. That's six stories. Rose Hill rents won't make greater heights pencil, but lesser height limits increase the cost of housing and make it less likely too. Success in regenerating this neighborhood isn't an island of great height, it's lots of six-story buildings. Extend the footprint far enough back from 85th for developers to create quiet interior streets and publicly accessible spaces. People want to live away from the highway and the 5-lane arterial, so don't push all the development opportunity up against the traffic fumes.

Include properties further up the hill. All of the RH 5 zones can support mixed use at densities comparable to the Madison properties. Everywhere that is within walking distance of the BRT station should be considered for 75' heights. Most of 85th is within walking distance. It's also a near-term frequent transit corridor. Stopping at the RH 1-3 zones sets the bar far too low.

Allow the requested greater heights for Madison and Lee Johnson. The 75' heights will gain them a lot of flexibility, and consequently more housing.

At Bridle Trails, support enough density to support under-grounding the parking, and creating interior streets. Too low a height limit will just get you a slightly higher set of buildings around the parking lot. It won't be an attractive development at three stories, and it won't support very much housing. Take a look at the Lake Hills Village experience as a measure of what development looks like when it just pencils, but at too low a density to be an attractive or commercially successful neighborhood center.

<https://www.facebook.com/groups/LiveableKirkland/permalink/1475387805896823/>

Bridle Trails is still a successful strip mall, but it's perceptibly in decline. Involve commercial consultants and ensure all scenarios presented to the public are commercially viable. Don't let the preservationists kill redevelopment with over-the-top regulatory requirements.

Several of you supported the BRT station on NE 85th. I didn't. I thought the city would never allow the sort of development where it would make sense. I would be happy to be proven wrong on this. The Planning Commission needs clearer direction that they need to prioritize finding ways to make this work.

Thank you for your work.

Dan Ryan

425.260.9441

NOTICE: This e-mail account is part of the public domain. Any correspondence and attachments, including personal information, sent to and from the City of Kirkland are subject to the Washington State Public Records Act, Chapter 42.56 RCW, and may be subject to disclosure to a third party requestor, regardless of any claim of confidentiality or privilege asserted by an external party.

**From:** [City Council](#)  
**To:** [Adam Weinstein](#)  
**Cc:** [Janice Coogan](#)  
**Subject:** FW: BT-7  
**Date:** Friday, September 14, 2018 3:26:35 PM

---

Hi Adam,

If a response is warranted, please respond within five business days.

Thank you.

Jeannie McGivern  
City Manager's Office  
City of Kirkland  
123 5<sup>th</sup> Avenue  
Kirkland, WA 98033  
[jmcgivern@kirklandwa.gov](mailto:jmcgivern@kirklandwa.gov)  
(425) 587-3016



Subscribe to [This Week in Kirkland](#) and receive brief, timely news and notices about City-sponsored events.

Tourism Website: [www.explorekirkland.com](http://www.explorekirkland.com)

Tourism Facebook Page: [www.facebook.com/explorekirkland](https://www.facebook.com/explorekirkland)

---

**From:** David Bielak [mailto:drbielak@icloud.com]  
**Sent:** Friday, September 14, 2018 2:33 PM  
**To:** City Council <citycouncil@kirklandwa.gov>  
**Subject:** BT-7

*I applaud Policy BT-7 in the draft Bridle Trails Comprehensive Plan which encourages the increase in height of the Bridle Trails shopping center. Please keep the words in this policy ..."with an increase of height to 5-6 stories." Any height increase will help beautify the dumpy two story structures and will most likely produce better shopping choices vs. massage parlors.*

NOTICE: This e-mail account is part of the public domain. Any correspondence and attachments, including personal information, sent to and from the City of Kirkland are subject to the Washington State Public Records Act, Chapter 42.56 RCW, and may be subject to disclosure to a third party requestor, regardless of any claim of confidentiality or privilege asserted by an external party.

**From:** David Fandel  
**To:** [Janice Coogan](#); [Planning Commissioners](#)  
**Subject:** Bridle Trails Shopping Center  
**Date:** Wednesday, September 12, 2018 9:49:25 PM

---

My suspicion is you will get a lot of anti messages from the NIMBY element of the Bridle Trails area.

I live on the south edge of Bridle Trails (in Bellevue), and I have no problem with a 4-5 story development here – however I think you should make sure any rezone comes with developer givebacks of some kinds to reduce traffic impacts. Not sure if you can – but it seems to me you should be getting Metro involved as well.

Dave Fandel



**From:** Deepak Dhawan  
**To:** [PlanningCommissioners@kirklandwa.gov](mailto:PlanningCommissioners@kirklandwa.gov); [Joan Lieberman-Brill](#); [Adam Weinstein](#); [Janice Coogan](#)  
**Cc:** ["Nona Dhawan"](#)  
**Subject:** Resident Homeowner Objection to Rezone of Bridle Trails shopping center  
**Date:** Wednesday, September 12, 2018 5:57:31 PM

---

Dear Sir/Madam & Kirkland Planning Commission:

We, Deepak & Nona Dhawan, are current homeowners at 6318 135<sup>th</sup> Ave NE, Kirkland, WA 98033 and have lived in this home, neighborhood and community for the past 18 years. Needless to say, this area is very dear to us and holds many fond memories of watching our children grow up and of forming enduring friendships with our neighbors. We fell in love with our home and the neighborhood when we moved from Los Angeles, CA in the year 2000. This neighborhood was almost perfect for all members of our family, and has remained as such for the past two decades.

The purpose for writing this note is to register our VERY STRONG OBJECTION to the proposed changes being considered by the city in our neighborhood. The significant changes proposed, especially the change in height restrictions, will indelibly alter the essence of this very precious neighborhood and community. We have watched silently as the tri-city local governments and councils have rapidly altered the landscape around us, not necessarily a positive development. Please give due consideration to the voice of those amongst us who prefer a different outcome than the one proposed. Thank you.

Respectfully,

Deepak & Nona Dhawan  
Home: 425.869.7123

**From:** Diane Ginthner  
**To:** [Janice Coogan](#)  
**Subject:** Bridle trails rezone  
**Date:** Sunday, July 29, 2018 6:09:50 PM

---

I am a resident of the Bridle trails neighborhood. I am also a realtor and understand the need for housing in Kirkland. However the proposal to rezone the Bridle Trails shopping center is something I am opposed to. We currently have overcrowding on our streets. I am not opposed to the current zoning and adding multifamily to the area. We are a unique neighborhood that encourages equestrian activities. The added the traffic and congestion would have an negative impact on this unique area. Lets think twice about saving this area of Kirkland that is so unique.

*Diane Ginthner*  
*'Specializing in Results'*  
*Managing Broker*  
*Windermere Capitol Hill*  
*206 940 8908*

From: Don Prince [mailto:DFPSeattle@aol.com]

Sent: Wednesday, September 12, 2018 4:14 PM

To: 'PlanningCommissioners@kirklandwa.gov' <PlanningCommssioners@kirklandwa.gov>; 'aweinstein@kirklandwa.gov' <aweinstein@kirklandwa.gov>; 'jcoogan@kirklandwa.gov' <jcoogan@kirklandwa.gov>; 'jbrill@kirklandwa.cgov' <jbrill@kirklandwa.cgov>

Subject: Rebuttal to the criteria used for proposed rezone of the Bridle Trails shopping center

The criteria being used to evaluate rezoning requests by the City of Kirkland seems very biased towards supporting increased density and economic growth. Applying this criteria to a rural, equestrian based neighborhood seems totally out of place, but I will offer a rebuttal to each of the criteria the City is attempting to use for the proposed rezone of the Bridle Trails neighborhood market. My rebuttals are brief in order to minimize the reader's time.

The 10 criteria Kirkland Planning Dept has used to support their rezone recommendation:

1. Consistent with vision statement?

(YES - Future redevelopment of the shopping center is a shared vision in the draft vision statement as a community gathering place for local quality shops and services)

**REBUTTAL: - *The Bridle Trails Shopping Center should, and already does, serve and support the adjacent neighborhood (same as the Houghton shopping center plan adopted on 12/12/17). There is no requirement to raise the height of buildings to fulfill this vision.***

2. Compatible with adjacent uses?

(YES - If buildings step up from lower height areas around perimeter of property to be more compatible with 2-3 story residential and commercial uses surrounding the property and across the street)

**REBUTTAL: - *The Bridle Trails neighborhood is primarily a rural area of single family homes and horse properties. None of the adjacent buildings are 65 feet high. Increasing the height of buildings beyond currently allowed is incompatible with the surrounding neighborhood.***

3. Redevelopment potential in the area?

(YES - Existing uses: One story Shopping Center (built in 1980) and one story Tech City Bowl bowling alley (built in 1957))

**REBUTTAL: - *The Bridle Trails neighborhood is primarily a rural, single family homes and horse properties.***

- As Kirkland City Manager Triplett stated recently regarding 'bigger anchors', "It will change people's perception – after the first building goes

in, people start to imagine another and developers and property owners move in."

*The basic equestrian nature of our BRIDLE TRAILS neighborhood will disappear!*

4. Lack of environment constraints (streams, wetlands)?

(YES - No mapped wetlands or streams)

**REBUTTAL:** *Snyder Corner, across the street from the Bridle Trails shopping center, has a large water retention pond critical to handling drainage and runoff issues in order to minimize the amount of water flowing through Bridle Trails neighborhoods to the south. A history of law suits and complaints continue to require Kirkland to address and reduce this problem.*

5. Promote 10 minute neighborhoods?

(YES Redevelopment of the site into a mixed use residential commercial neighborhood focus project promotes the 10 minute neighborhood concept for surrounding residents.)

**REBUTTAL:** *Developing a mixed use facility of the proposed size is totally out of character for the Bridle Trails neighborhood.* *Currently "walkers" account for less than .05% of the users of the shopping center. This will not dramatically change by increasing the height of buildings in the shopping center.*

6. Close to existing/planned bus lines with 15-minute or better service?

(YES - Bus route 245 provides service along NE 70th ST to Redmond-Kirkland. -By 2025 more frequent service connection to transit centers: Downtown Kirkland, Totem Lake, Redmond, Kenmore, Bothel)

**REBUTTAL:** *You don't need to build a large, mix use complex which would be totally out of character for the Bridle Trails neighborhood to accomplish this goal.* *And who knows what happens if the major bus terminal proposed at 85<sup>th</sup> and 405 ever gets built. Even the traffic engineers have serious reservations about that project.*

7. Meets goals of Housing Strategy Plan?

(YES - Redevelopment would increase affordable housing opportunities.)

**REBUTTAL:** *The current BCX zoning permits 598 living units (59 affordable). There is no need to double this number in this neighborhood. There are plans for major affordable housing in Kirkland along 85<sup>th</sup> and in Totem Lake which meets and exceeds Kirkland's GMA targets.*

8. Consistent with Comprehensive Plan?

(YES - New zoning for future redevelopment would be consistent with the land use, housing, and transportation policies to encourage mixed use development)

**REBUTTAL:** *The VISION of the Comprehensive Plan for our Bridle Trails neighborhood should be: primarily serve the adjacent neighborhood – a rural, equestrian based community of single family homes.*

*Urban creep sets in - dramatically changing the nature of this neighborhood.*

- *The Houghton shopping center, (a subset of the Bridle Trails Neighborhood) rejected attempts to increase building heights to 65 feet in Dec. 2017:*

[https://www.kirklandwa.gov/Assets/City+Council/Council+Packets/121217/10c\\_UnfinishedBusiness.pdf](https://www.kirklandwa.gov/Assets/City+Council/Council+Packets/121217/10c_UnfinishedBusiness.pdf)

**9. Economic benefits?**

(YES - Redevelopment would allow for increase in jobs and could support higher quality retail establishments in shopping center.)

**REBUTTAL:** *Economic benefits for who? The developer? The City?*  
*There would be NO ECONOMIC BENEFITS FOR THE BRIDLE TRAILS neighborhood.*

*This amounts to a complete change to the nature of the Bridle Trails neighborhood!*

**10. Unanimous property owner support?**

(NO - As of 8/20/18: 14 people have submitted comments opposed to 60'+ height)

**COMMENT:** *As of 9/12/18, 30 people have submitted comments OPPOSED to 60" + height.*

One person supports this proposal -

## Joan Lieberman-Brill

---

**From:** Don Prince <DFPSeattle@aol.com>  
**Sent:** Thursday, September 13, 2018 4:12 PM  
**To:** Planning Commissioners; Joan Lieberman-Brill  
**Subject:** Rebuttal to the criteria used to evaluate Bridle Trails shopping center rezone

The criteria being used to evaluate rezoning requests by the City of Kirkland seems very biased towards supporting increased density and economic growth. Applying this criteria to a rural, equestrian based neighborhood seems totally out of place, but I will offer a rebuttal to each of the criteria the City is attempting to use for the proposed rezone of the Bridle Trails neighborhood market.

The 10 criteria Kirkland Planning Dept has used to support their rezone recommendation:

### 1. Consistent with vision statement?

(YES - Future redevelopment of the shopping center is a shared vision in the draft vision statement as a community gathering place for local quality shops and services)

**REBUTTAL: -** *The Bridle Trails Neighborhood "Vision Statement" states: "The low-density residential character of the neighborhood should be maintained." Even the current "draft" of an updated Comp Plan states: "For the residential area east of I-405, the policy direction is to maintain the low density residential quality of the neighborhood."*

*There is no requirement to raise the height of buildings to fulfill this vision.*

### 2. Compatible with adjacent uses?

(YES - If buildings step up from lower height areas around perimeter of property to be more compatible with 2-3 story residential and commercial uses surrounding the property and across the street)

**REBUTTAL: -** *The Bridle Trails neighborhood, adjacent to the shopping center, is primarily a rural, single family home and horse properties. None of the adjacent buildings are 65 feet high. Increasing the height of buildings beyond currently allowed is incompatible with the surrounding neighborhood.*

### 3. Redevelopment potential in the area?

(YES - Existing uses: One story Shopping Center (built in 1980) and one story Tech City Bowl bowling alley (built in 1957))

**REBUTTAL: -** *The existing zoning for the shopping center permits ample development of commercial and residential units.*

- Kirkland City Manager Kurt Triplett stated recently regarding 'larger buildings', "It will change people's perception – after the first building goes in, people start to imagine another and developers and property owners move in."

*Increasing the building height at the shopping center will be a slippery slope and, over time, the basic equestrian nature of our BRIDLE TRAILS neighborhood will disappear!*

4. Lack of environment constraints (streams, wetlands)?

(YES - No mapped wetlands or streams)

**REBUTTAL:** *Snyder's Corner, across the street from the Bridle Trails shopping center, has a large water retention pond critical to handling drainage and runoff issues in order to minimize the amount of water flowing through Bridle Trails neighborhoods to the south. A history of law suits and complaints continue to require Kirkland to address and reduce this problem.*

5. Promote 10 minute neighborhoods?

(YES Redevelopment of the site into a mixed use residential commercial neighborhood focus project promotes the 10 minute neighborhood concept for surrounding residents.)

**REBUTTAL:** *If the City's goal is to increase density to achieve this criteria, it is totally inconsistent with the "Vision" for our neighborhood. The proposed rezone might increase density but would be totally out of character for the Bridle Trails neighborhood.*

6. Close to existing/planned bus lines with 15-minute or better service?

(YES - Bus route 245 provides service along NE 70th ST to Redmond-Kirkland. -By 2025 more frequent service connection to transit centers: Downtown Kirkland, Totem Lake, Redmond, Kenmore, Bothel)

**REBUTTAL:** *You don't need to build a large mixed use complex, which would be totally out of character for the Bridle Trails neighborhood, to accomplish this goal. And who knows what happens if the major bus terminal proposed at 85<sup>th</sup> and 405 ever gets built. Even the traffic engineers have serious reservations about that project.*

7. Meets goals of Housing Strategy Plan?

(YES - Redevelopment would increase affordable housing opportunities.)

**REBUTTAL:** *The current BCX zoning permits 598 living units (59 affordable). There is no need to double this number in this neighborhood.*

*Furthermore, there are plans for major affordable housing in Kirkland along 85<sup>th</sup> and in Totem Lake which meets and exceeds Kirkland's GMA targets.*

8. Consistent with Comprehensive Plan?

(YES - New zoning for future redevelopment would be consistent with the land use, housing, and transportation policies to encourage mixed use development)

**REBUTTAL:** *The VISION of the Comprehensive Plan for our Bridle Trails neighborhood includes the following statement:*

*“Due to the equestrian nature of the area, development in the vicinity should be limited to low-density equestrian-oriented residential.” And the current zoning permits mixed-use development on a scale consistent with the Comp Plan.*

- *By the way - the Houghton shopping center, (part of the Bridle Trails Neighborhood) rejected attempts to increase building heights to 65 feet in Dec. 2017:*

[https://www.kirklandwa.gov/Assets/City+Council/Council+Packets/121217/10c\\_UnfinishedBusiness.pdf](https://www.kirklandwa.gov/Assets/City+Council/Council+Packets/121217/10c_UnfinishedBusiness.pdf)

#### 9. Economic benefits?

(YES - Redevelopment would allow for increase in jobs and could support higher quality retail establishments in shopping center.)

**REBUTTAL:** *Economic benefits for who? The developer? The City?*

*There would be NO ECONOMIC BENEFITS FOR THE BRIDLE TRAILS neighborhood.*

*This amounts to a complete change to the nature of the Bridle Trails neighborhood!*

#### 10. Unanimous property owner support?

(NO - As of 8/20/18: 14 people have submitted comments opposed to 60' + height)

**COMMENT:** *As of 9/13/18, 34 people have submitted comments opposed to 60' + height.*

One person supports this proposal -

**I urge you to reject the proposed rezone of the Bridle Trails shopping center**

Don Prince

6021 – 136<sup>th</sup> Ave NE

Kirkland, WA 98033



**From:** tishanddon@aol.com  
**To:** [Planning Commissioners](#)  
**Cc:** [Janice Coogan](#)  
**Subject:** Bridle Trails Neighborhood Plan Update  
**Date:** Thursday, September 13, 2018 2:45:07 PM

---

From: Don W. Davis - 2 Bridlewood Circle - Kirkland, WA 98033 - 425-822-3439

My family has resided here for fifty five years, and are totally opposed to the proposed zoning changes to the Bridle Trails Neighborhood Plan Update. Bridle Trails Park is a unique asset to the area. We believe the current zoning and character surrounding Bridle Trails Park should not be changed.

1. To allow increased density in Silver Spurs is to open the door for further increases in the future.
2. To allow construction to six stories with apartments and commercial space in bridle trails shopping center is ridiculous. The impact to traffic, schools, and general congestion would be huge. We do not want to become downtown Kirkland.

The developers who propose these zoning changes are the ones who benefit financially. Should these changes be approved, they should be required to pay for substantial mitigation for their contribution to the increased demand for city services, utilities, schools, etc.

Don W. Davis

**From:** Don Prince  
**To:** [Planning Commissioners](#)  
**Cc:** [Janice Coogan](#); [Adam Weinstein](#)  
**Subject:** Opposed to re zone of Bridle Trails shopping center  
**Date:** Sunday, August 12, 2018 6:55:36 PM

---

I am strongly opposed to Bridle Trails Neighborhood Plan - Policy BT 7 - changing the current building height at the Bridle Trails Shopping Center from 30 feet to 60+ feet including mixed use and higher density. This change would significantly change the character of our equestrian neighborhood.

-

Please amend Policy BT-7 in the Bridle Trails community plan by deleting any reference to changing the current height restriction for buildings in the Bridle Trails shopping center.

-

Thank you

Don Prince  
6021 – 136<sup>th</sup> Ave NR  
Kirkland

From: Don Prince  
 To: [PlanningCommissioners@kirklandwa.gov](mailto:PlanningCommissioners@kirklandwa.gov); Adam Weinstein; Janice Coogan; jbrill@kirklandwa.gov  
 Subject: Rebuttal to the criteria used for proposed rezone of the Bridle Trails shopping center  
 Date: Wednesday, September 12, 2018 4:13:43 PM

---

The criteria being used to evaluate rezoning requests by the City of Kirkland seems very biased towards supporting increased density and economic growth. Applying this criteria to a rural, equestrian based neighborhood seems totally out of place, but I will offer a rebuttal to each of the criteria the City is attempting to use for the proposed rezone of the Bridle Trails neighborhood market. My rebuttals are brief in order to minimize the reader's time.

**The 10 criteria Kirkland Planning Dept has used to support their rezone recommendation:**

-

**1. Consistent with vision statement?**

(YES - Future redevelopment of the shopping center is a shared vision in the draft vision statement as a community gathering place for local quality shops and services)

**REBUTTAL: - *The Bridle Trails Shopping Center should, and already does, serve and support the adjacent neighborhood (same as the Houghton shopping center plan adopted on 12/12/17). There is no requirement to raise the height of buildings to fulfill this vision.***

**2. Compatible with adjacent uses?**

(YES - If buildings step up from lower height areas around perimeter of property to be more compatible with 2-3 story residential and commercial uses surrounding the property and across the street)

**REBUTTAL: - *The Bridle Trails neighborhood is primarily a rural area of single family homes and horse properties. None of the adjacent buildings are 65 feet high. Increasing the height of buildings beyond currently allowed is incompatible with the surrounding neighborhood.***

**3. Redevelopment potential in the area?**

(YES - Existing uses: One story Shopping Center (built in 1980) and one story Tech City Bowl bowling alley (built in 1957))

**REBUTTAL: - *The Bridle Trails neighborhood is primarily a rural, single family homes and horse properties.***

- As Kirkland City Manager Triplett stated recently regarding 'bigger anchors', "It will change people's perception – after the first building goes in, people start to imagine another and developers and property owners move in."

***The basic equestrian nature of our BRIDLE TRAILS neighborhood will disappear!***

**4. Lack of environment constraints (streams, wetlands)?**

(YES - No mapped wetlands or streams)

**REBUTTAL: *Snyder Corner, across the street from the Bridle Trails shopping center, has a large water retention pond critical to handling drainage and runoff issues in order to minimize the amount of water flowing through Bridle Trails neighborhoods to the south. A history of law suits and complaints continue to require Kirkland to address and reduce this problem.***

**5. Promote 10 minute neighborhoods?**

(YES Redevelopment of the site into a mixed use residential commercial neighborhood focus project promotes the 10 minute neighborhood concept for surrounding residents.)

**REBUTTAL:** *Developing a mixed use facility of the proposed size is totally out of character for the Bridle Trails neighborhood. Currently “walkers” account for less than .05% of the users of the shopping center. This will not dramatically change by increasing the height of buildings in the shopping center.*

**6. Close to existing/planned bus lines with 15-minute or better service?**

(YES - Bus route 245 provides service along NE 70th ST to Redmond-Kirkland. -By 2025 more frequent service connection to transit centers: Downtown Kirkland, Totem Lake, Redmond, Kenmore, Bothel)

**REBUTTAL:** *You don’t need to build a large, mix use complex which would be totally out of character for the Bridle Trails neighborhood to accomplish this goal. And who knows what happens if the major bus terminal proposed at 85<sup>th</sup> and 405 ever gets built. Even the traffic engineers have serious reservations about that project.*

**7. Meets goals of Housing Strategy Plan?**

(YES - Redevelopment would increase affordable housing opportunities.)

**REBUTTAL:** *The current BCX zoning permits 598 living units (59 affordable). There is no need to double this number in this neighborhood.*

*There are plans for major affordable housing in Kirkland along 85<sup>th</sup> and in Totem Lake which meets and exceeds Kirkland’s GMA targets.*

**8. Consistent with Comprehensive Plan?**

(YES - New zoning for future redevelopment would be consistent with the land use, housing, and transportation policies to encourage mixed use development)

**REBUTTAL:** *The VISION of the Comprehensive Plan for our Bridle Trails neighborhood should be: primarily serve the adjacent neighborhood – a rural, equestrian based community of single family homes.*

*Urban creep sets in - dramatically changing the nature of this neighborhood.*

- *The Houghton shopping center, (a subset of the Bridle Trails Neighborhood) rejected attempts to increase building heights to 65 feet in Dec. 2017:*

[https://www.kirklandwa.gov/Assets/City+Council/Council+Packets/121217/10c\\_UnfinishedBusiness.pdf](https://www.kirklandwa.gov/Assets/City+Council/Council+Packets/121217/10c_UnfinishedBusiness.pdf)

**9. Economic benefits?**

(YES - Redevelopment would allow for increase in jobs and could support higher quality retail establishments in shopping center.)

**REBUTTAL:** *Economic benefits for who? The developer? The City?*

*There would be NO ECONOMIC BENEFITS FOR THE BRIDLE TRAILS neighborhood.*

*This amounts to a complete change to the nature of the Bridle Trails neighborhood!*

**10. Unanimous property owner support?**

(NO - As of 8/20/18: 14 people have submitted comments opposed to 60'+ height)

**COMMENT:** *As of 9/12/18, **30** people have submitted comments OPPOSED to 60" + height.*

One person supports this proposal -

-

**From:** Don Prince  
**To:** [Janice Coogan](#); [Joan Lieberman-Brill](#); [Kirkland City Council](#)  
**Subject:** Fwd: Criteria used to evaluate rezone of Bridle Trails shopping center  
**Date:** Thursday, September 13, 2018 2:33:18 PM

---

Sent from my iPhone

Begin forwarded message:

**From:** Carolyn Adams <[cac.architect@comcast.net](mailto:cac.architect@comcast.net)>  
**Date:** September 13, 2018 at 1:38:54 PM PDT  
**To:** Bhanu Purohit <[bhanu274@gmail.com](mailto:bhanu274@gmail.com)>  
**Cc:** Mark Plesko <[plesko@outlook.com](mailto:plesko@outlook.com)>, Joann Pearson  
 <[joann.pearson@live.com](mailto:joann.pearson@live.com)>, Donald & Alice Prince <[DFPSeattle@aol.com](mailto:DFPSeattle@aol.com)>, Bill  
 Gurrad <[wggurraddds@comcast.net](mailto:wggurraddds@comcast.net)>, Anne Corley  
 <[anne@corleycompany.com](mailto:anne@corleycompany.com)>, Bill Dolan <[wbdolan@outlook.com](mailto:wbdolan@outlook.com)>, Kim Meyer  
 <[kim-meyer@live.com](mailto:kim-meyer@live.com)>, Natalia Dvorak <[natalia.dvorak@gmail.com](mailto:natalia.dvorak@gmail.com)>, Michael  
 Golitz <[golitzma@aol.com](mailto:golitzma@aol.com)>, Jill Pierson <[jillpierson@hotmail.com](mailto:jillpierson@hotmail.com)>, Chris  
 Pearson <[jdppluscp1@aol.com](mailto:jdppluscp1@aol.com)>, Teresa Prekaski <[prekaski7@aol.com](mailto:prekaski7@aol.com)>, Amy  
 Rosser <[kokopellix@hotmail.com](mailto:kokopellix@hotmail.com)>, Christy Zylstra  
 <[christyzylstra@gmail.com](mailto:christyzylstra@gmail.com)>, Hui Dai <[ravenswoodwa@gmail.com](mailto:ravenswoodwa@gmail.com)>, Rena  
 Peterson <[rena@renapeterson.us](mailto:rena@renapeterson.us)>, Tyler & Kathy Carper <[ahkat@hotmail.com](mailto:ahkat@hotmail.com)>,  
 "hgribskov@hotmail.com" <[hgribskov@hotmail.com](mailto:hgribskov@hotmail.com)>, Wray & Barbara  
 Featherstone <[fxidaho@aol.com](mailto:fxidaho@aol.com)>, Stephanie DiJulio <[mrsdijulio@gmail.com](mailto:mrsdijulio@gmail.com)>,  
 Sean McAteer <[sean\\_mcateer@hotmail.com](mailto:sean_mcateer@hotmail.com)>, Deb & Frank Pampiks  
 <[debandfrank@comcast.net](mailto:debandfrank@comcast.net)>, Chris Tott <[christott@comcast.net](mailto:christott@comcast.net)>, Allan & Mary  
 Donley <[vandamme.donley@gmail.com](mailto:vandamme.donley@gmail.com)>, Jeff Allen <[jeffallen@live.com](mailto:jeffallen@live.com)>, Jon  
 Conklin <[conklinjd@comcast.net](mailto:conklinjd@comcast.net)>, Rick & Rennie Carlson  
 <[rickrennie48@comcast.net](mailto:rickrennie48@comcast.net)>, Bill Ginthner <[billginthner@yahoo.com](mailto:billginthner@yahoo.com)>, Don  
 Kaufman <[donk@mimish.org](mailto:donk@mimish.org)>, Melissa Cook <[macookcorp@outlook.com](mailto:macookcorp@outlook.com)>,  
 Jennifer Donahue <[jennifer@dodu.us](mailto:jennifer@dodu.us)>, Scott & Kim Skorupa  
 <[kimskorupa@msn.com](mailto:kimskorupa@msn.com)>, Bill Bistriz <[billbis24@yahoo.com](mailto:billbis24@yahoo.com)>, Mark Corley  
 <[mark\\_corley@hotmail.com](mailto:mark_corley@hotmail.com)>, Katharine Hunt <[kathy.hunt@outlook.com](mailto:kathy.hunt@outlook.com)>,  
 April Petersen <[miss\\_aprilp@yahoo.com](mailto:miss_aprilp@yahoo.com)>, Michelle Plesko  
 <[michelle.plesko@outlook.com](mailto:michelle.plesko@outlook.com)>, Steve Allison <[skalliso@gmail.com](mailto:skalliso@gmail.com)>, Becky  
 Hastings <[hastingsbh@aol.com](mailto:hastingsbh@aol.com)>, Alice Prince <[afprince42@aol.com](mailto:afprince42@aol.com)>, Ben  
 Zylstra <[bzylstra@renaware.com](mailto:bzylstra@renaware.com)>, Chris DiJulio <[cdijuliojr@gmail.com](mailto:cdijuliojr@gmail.com)>,  
 Debbie Tott <[debbietott@comcast.net](mailto:debbietott@comcast.net)>, Patty Allen  
 <[pattyallen28@hotmail.com](mailto:pattyallen28@hotmail.com)>, Sheilagh Conklin <[sheilaghc@comcast.net](mailto:sheilaghc@comcast.net)>,  
 Diane Ginthner <[ginthner@windermere.com](mailto:ginthner@windermere.com)>, Mehri Kaufman  
 <[nursemehri@gmail.com](mailto:nursemehri@gmail.com)>, Steve Donahue <[steve@dodu.us](mailto:steve@dodu.us)>, Sarika Calla  
 Purohit <[sacalla@microsoft.com](mailto:sacalla@microsoft.com)>, Dave & Laurie Fulton  
 <[laurief.davidf@frontier.com](mailto:laurief.davidf@frontier.com)>, Harley Davidson <[madhman@comcast.net](mailto:madhman@comcast.net)>,  
 Mary Ann Joy <[maryannjoy@hotmail.com](mailto:maryannjoy@hotmail.com)>, David Bielak  
 <[drbielak@icloud.com](mailto:drbielak@icloud.com)>, Scott Thompson <[scott@scottandjessica.com](mailto:scott@scottandjessica.com)>, Pete &  
 Olga Lymberis <[lymberis@msn.com](mailto:lymberis@msn.com)>, Dave Fulton <[daveweb543@gmail.com](mailto:daveweb543@gmail.com)>,  
 Lyle & Kay Matznick <[lyle.matznick@frontier.com](mailto:lyle.matznick@frontier.com)>, Vera Karakash  
 <[verakarakash@comcast.net](mailto:verakarakash@comcast.net)>, Megan Davidson

<[megan.davidson@propelinsurance.com](mailto:megan.davidson@propelinsurance.com)>, Michael & Janka Hobbs  
<[mjct\\_hobbs@msn.com](mailto:mjct_hobbs@msn.com)>, Brian Keegan <[brianakeegan@gmail.com](mailto:brianakeegan@gmail.com)>, Roopa &  
Murli Satagopan <[roopab@hotmail.com](mailto:roopab@hotmail.com)>, George Joy  
<[georgejoy@hotmail.com](mailto:georgejoy@hotmail.com)>, Shannon Rome <[s.rome3@frontier.com](mailto:s.rome3@frontier.com)>, Nona  
Dhawan <[ndhawan@comcast.net](mailto:ndhawan@comcast.net)>, Jessica Thompson  
<[thompson.j.4@hotmail.com](mailto:thompson.j.4@hotmail.com)>, Valerie Winslow <[vwprc@aol.com](mailto:vwprc@aol.com)>  
**Subject: Re: Criteria used to evaluate rezone of Bridle Trails shopping  
center**

Hello All,

While I have recently moved to Seattle, I certainly oppose this project. This development, and others like it, which have sprung up all over Kirkland and Redmond, are part of the reason I have moved. My daughter and I came to Kirkland because of the unique and amazing horse environment, the quality of the neighborhood, its proximity to Seattle and East Side destinations, as well as its natural beauty.

This project, and others like it, detract from all of the above. I am not opposed to the urban lifestyle; in fact I've moved into it, IN THE CITY.

Fast growing metropolises—Bellevue is a prime example—provide some urban amenities but lack the heart and soul of a “good” city. Kirkland, unfortunately, has fallen victim to this uninspired urban development pattern.

The reasons for the rezone are complex. Essentially, though, urban growth is mandated throughout the state in order to quell sprawl. There is no easy solution.

But, without protecting the unique character of exceptions neighborhoods—such as Bridle Trails—the entire inner east side rapidly becoming a vast, homogeneous, traffic snarl.

Thanks, Carolyn Adams

On Sep 11, 2018, at 6:05 PM, Bhanu Purohit  
<[bhanu274@gmail.com](mailto:bhanu274@gmail.com)> wrote:

Something for everyone to think about:

Have you stood on 132nd and Old Redmond Way intersection and visualized what a 6 story building would look like at the planned location.

It will look very out of place and an eye sore - in my opinion. And since I live on 132nd directly and would be closest to such a building, I would be directly impacted with such a change to the skyline.

From what I have observed, high height buildings are restricted to

certain areas - specially areas near transit centers (Totem Lake) and downtown (Kirkland and Redmond). This location does not fit either criteria and certainly is not a location for a transit center.

On a related note - the bowling alley is a great gathering and social place for entire Kirkland and Redmond. They would all hate to lose that to a 6 story (majority) residential project.

I understand that everyone is entitled to their own opinion and visualization of a neighborhood.

Thanks,

Bhanu

On Tuesday, September 11, 2018, Mark Plesko  
<[plesko@outlook.com](mailto:plesko@outlook.com)> wrote:

I believe that these concerns are overstated here.

1. More specifically, we lost Red Apple because rents are overall rising and the customer base could not rise along with it. Part of this is that no one lives in the shopping center. Part of this is that most of the BT/SRH area does not permit much additional housing either. We now have businesses with smaller footprints and different business models, and our neighborhood (in my opinion) has now suffered because of it.
2. If it is economically feasible, why are the developers telling the city that it isn't? More telling, why are they remodeling the single story space, and why did permits show up last year for a new drive-through instead of 30 foot redevelopment? Why aren't the owners jumping at the chance to redevelop at Houghton's constrained limits? It seems like a bit of an assumption that it will become profitable in the next years, especially if the neighborhood wants that development to include higher quality retail with higher building costs. On the other hand, we do see redevelopment occurring at the 5-6 story size.
3. This is an oversimplification of traffic. Yes, those people will travel. Some of them will drive (and note: the more parking that the city requires, the more cars and driving that they will do). Some of them will travel by other means. We are centrally located on the eastside and it's quite possible to live without driving everywhere. 132<sup>nd</sup> and 70<sup>th</sup> are full of people driving through our neighborhood today. They



choose to do so because the capacity is there and better for them than using 520/405/85<sup>th</sup>/etc. If we widen it, it will be more attractive and more of them will choose it over those other roads. If we add local traffic or prioritize walking in the neighborhood, it will make the cut-through less appealing and some of it will go back to the other roads. We have roads in a convenient location, so they are going to be used by people. I'd rather them be neighbors. I'd rather reach a critical mass of people to have better bus service and better biking and walking accommodations.

4. It's not reasonable to just brush off the problems as "larger dynamic economic factors". Yes, there are things that we don't control like the existence of lots of jobs. No, by itself a single development does not magically solve everything. But demand has been growing rapidly, and supply has not been keeping up because each small area like Houghton and Bridle Trails is refusing to add 1,100 units each. If you have enough neighborhoods with 1,100 units, then you actually impact the regional supply and can start to look at any other problems.

Not "consistent or compatible" is subjective, so if you don't like the idea of other people living nearby, then I'm not going to convince you otherwise. I personally don't find a huge parking lot to be consistent with anything around it either. I would find a good grocery store to be much more compatible. I selfishly like the idea of growth in the shopping center being enough to support good businesses there so that we can have nice stuff next to our low density neighborhood.

5. I'm not sure what you're arguing against here. While it is still part of the community, the shopping center is a lesser part of my life than it used to be.
6. Kirkland is far behind the county in growth, and the county as a whole isn't keeping up as evidenced by the sprawl outside of it. I would be happy to dig up the data on this if you would like to see it. Downtown Kirkland isn't even a regional growth center (Totem Lake is). If the current residential growth is leading to a scarcity, then how will rejecting more housing help?

Best,

Mark Plesko

---

**From:** Joann Pearson <[joann.pearson@live.com](mailto:joann.pearson@live.com)>  
**Sent:** Tuesday, September 11, 2018 3:07 PM  
**To:** Mark Plesko <[plesko@outlook.com](mailto:plesko@outlook.com)>; Don Prince  
 <[DFPSeattle@aol.com](mailto:DFPSeattle@aol.com)>; 'Bill Gurrad'  
 <[wggurraddds@comcast.net](mailto:wggurraddds@comcast.net)>; 'Anne Corley'  
 <[anne@corleycompany.com](mailto:anne@corleycompany.com)>; 'Carolyn Adams'  
 <[cac.architect@comcast.net](mailto:cac.architect@comcast.net)>; 'Bill Dolan'  
 <[wbdolan@outlook.com](mailto:wbdolan@outlook.com)>; 'Kim Meyer' <[kim-meyer@live.com](mailto:kim-meyer@live.com)>;  
 'Natalia Dvorak' <[natalia.dvorak@gmail.com](mailto:natalia.dvorak@gmail.com)>; 'Michael Golitz'  
 <[golitzma@aol.com](mailto:golitzma@aol.com)>; 'Don Prince' <[dfpseattle@aol.com](mailto:dfpseattle@aol.com)>; 'Jill  
 Pierson' <[jillpierson@hotmail.com](mailto:jillpierson@hotmail.com)>; 'Chris Pearson'  
 <[jdpluscp1@aol.com](mailto:jdpluscp1@aol.com)>; 'Teresa Prekaski' <[prekaski7@aol.com](mailto:prekaski7@aol.com)>;  
 'Amy Rosser' <[kokopellix@hotmail.com](mailto:kokopellix@hotmail.com)>; 'Christy Zylstra'  
 <[christyzylstra@gmail.com](mailto:christyzylstra@gmail.com)>; 'Hui Dai'  
 <[ravenswoodwa@gmail.com](mailto:ravenswoodwa@gmail.com)>; 'Rena Peterson'  
 <[rena@renapeterson.us](mailto:rena@renapeterson.us)>; 'Tyler & Kathy Carper'  
 <[ahkat@hotmail.com](mailto:ahkat@hotmail.com)>; [hgribskov@hotmail.com](mailto:hgribskov@hotmail.com); 'Wray & Barbra  
 Featherstone' <[fxidaho@aol.com](mailto:fxidaho@aol.com)>; 'Stephanie DiJulio'  
 <[mrsdijulio@gmail.com](mailto:mrsdijulio@gmail.com)>; 'Sean McAteer'  
 <[sean\\_mcateer@hotmail.com](mailto:sean_mcateer@hotmail.com)>; 'Deb & Frank Pampiks'  
 <[debandfrank@comcast.net](mailto:debandfrank@comcast.net)>; 'Chris Tott'  
 <[christott@comcast.net](mailto:christott@comcast.net)>; 'Allan & Mary Donley'  
 <[vandamme.donley@gmail.com](mailto:vandamme.donley@gmail.com)>; 'Jeff Allen'  
 <[jeffallen@live.com](mailto:jeffallen@live.com)>; 'Jon Conklin' <[conklinjd@comcast.net](mailto:conklinjd@comcast.net)>;  
 'Rick & Rennie Carlson' <[rickrennie48@comcast.net](mailto:rickrennie48@comcast.net)>; 'Bill  
 Ginthner' <[billginthner@yahoo.com](mailto:billginthner@yahoo.com)>; 'Don Kaufman'  
 <[donk@mimish.org](mailto:donk@mimish.org)>; 'Melissa Cook'  
 <[macookcorp@outlook.com](mailto:macookcorp@outlook.com)>; 'Jennifer Donahue'  
 <[jennifer@dodu.us](mailto:jennifer@dodu.us)>; 'Scott & Kim Skorupa'  
 <[kimskorupa@msn.com](mailto:kimskorupa@msn.com)>; 'Bill Bistriz' <[billbis24@yahoo.com](mailto:billbis24@yahoo.com)>;  
 'Bhanu Purohit' <[bhanu274@gmail.com](mailto:bhanu274@gmail.com)>; 'Mark Corley'  
 <[mark\\_corley@hotmail.com](mailto:mark_corley@hotmail.com)>; 'Katharine Hunt'  
 <[kathy.hunt@outlook.com](mailto:kathy.hunt@outlook.com)>; 'April Petersen'  
 <[miss\\_aprilp@yahoo.com](mailto:miss_aprilp@yahoo.com)>; 'Michelle Plesko'  
 <[michelle.plesko@outlook.com](mailto:michelle.plesko@outlook.com)>; 'Steve Allison'  
 <[skalliso@gmail.com](mailto:skalliso@gmail.com)>; 'Rebecca Hastings'  
 <[hastingsbh@aol.com](mailto:hastingsbh@aol.com)>; 'Alice Prince' <[afprince42@aol.com](mailto:afprince42@aol.com)>;  
 'Ben Zylstra' <[bzylstra@renaware.com](mailto:bzylstra@renaware.com)>; 'Chris DiJulio'  
 <[cdijuliojr@gmail.com](mailto:cdijuliojr@gmail.com)>; 'Debbie Tott' <[debbietott@comcast.net](mailto:debbietott@comcast.net)>;  
 'Patty Allen' <[pattyallen28@hotmail.com](mailto:pattyallen28@hotmail.com)>; 'Sheilagh Conklin'  
 <[sheilaghc@comcast.net](mailto:sheilaghc@comcast.net)>; 'Diane Ginthner'  
 <[ginthner@windermere.com](mailto:ginthner@windermere.com)>; 'Mehri Kaufman'  
 <[nursemeihri@gmail.com](mailto:nursemeihri@gmail.com)>; 'Steve Donahue' <[steve@dodu.us](mailto:steve@dodu.us)>;  
 'Sarika Calla Purohit' <[sacalla@microsoft.com](mailto:sacalla@microsoft.com)>; 'Dave & Laurie  
 Fulton' <[laurief.davidf@frontier.com](mailto:laurief.davidf@frontier.com)>; 'Harley Davidson'  
 <[madhman@comcast.net](mailto:madhman@comcast.net)>; 'Mary Ann Joy'  
 <[maryannjoy@hotmail.com](mailto:maryannjoy@hotmail.com)>; 'David Bielak'  
 <[drbielak@icloud.com](mailto:drbielak@icloud.com)>; 'Scott Thompson'  
 <[scott@scottandjessica.com](mailto:scott@scottandjessica.com)>; 'Pete & Olga Lymberis'  
 <[lymberis@msn.com](mailto:lymberis@msn.com)>; 'Dave Fulton' <[daveweb543@gmail.com](mailto:daveweb543@gmail.com)>;

'Lyle & Kay Matznick' <[lyle.matznick@frontier.com](mailto:lyle.matznick@frontier.com)>; 'Vera Karakash' <[verakarakash@comcast.net](mailto:verakarakash@comcast.net)>; 'Megan Davidson' <[megan.davidson@propelinsurance.com](mailto:megan.davidson@propelinsurance.com)>; 'Michael & Janka Hobbs' <[mjct\\_hobbs@msn.com](mailto:mjct_hobbs@msn.com)>; 'Brian Keegan' <[brianakeegan@gmail.com](mailto:brianakeegan@gmail.com)>; 'Roopa & Murli Satagopan' <[roopab@hotmail.com](mailto:roopab@hotmail.com)>; 'George Joy ' <[georgejoy@hotmail.com](mailto:georgejoy@hotmail.com)>; 'Shannon Rome' <[s.rome3@frontier.com](mailto:s.rome3@frontier.com)>; 'Nona Dhawan' <[ndhawan@comcast.net](mailto:ndhawan@comcast.net)>; 'Jessica Thompson' <[thompson.j.4@hotmail.com](mailto:thompson.j.4@hotmail.com)>; 'Valerie Winslow' <[vwprc@aol.com](mailto:vwprc@aol.com)>

**Subject:** RE: Criteria used to evaluate rezone of Bridle Trails shopping center

The rezoning issue has given us all a lot to think about and we should consider the pros and cons of the rezoning issue carefully. Rezoning would impact our Bridle Trails neighborhood forever.

Some of the reasons I'm concerned over rezoning the bridle trails shopping center to build 60+ feet, 6 story with over 1,100 new residential units and retail include the following:

- 1) We didn't lose Red Apple and Dairy Queen because of the lack of this proposal for rezoning.
- 2) The current 30 foot zoning allows 598 new residential units plus retail. It is economically feasible already. As real estate prices increase over the next 5 years it becomes even more profitable.
- 3) Traffic will increase exponentially if this is approved.

The traffic north and south, east and west will only get worse with over 1,100 units. It will introduce more traffic from residents, their families, friends, service vehicles, work commutes, etc.

1,100 new residents will be driving to work. There is no business district close or walkable to bridle trails shopping center. There will be more cars on the road by allowing this rezoning.

132nd Ave and 70th aren't expected to be expanded.

- 4) Allowing the rezoning of our small bridle trails shopping center to over 1,100 residential units will not solve the housing issues in Kirkland, Bellevue, Redmond or Seattle. There are larger dynamic economic factors influencing housing. Also, this rezoning is not consistent or compatible with the surrounding homes and buildings in our neighborhood.

5) The shopping center is already part of the community. It doesn't need rezoning to 6-story and over 1,100 units to stay a part of our neighborhood.

6) Kirkland has had progressive density in the appropriate downtown and business areas for years. It hasn't and won't solve the real estate scarcity and increasing housing costs.

Best regards,  
Joann Pearson

On Sep 11, 2018 11:52 AM, Mark Plesko <[plesko@outlook.com](mailto:plesko@outlook.com)> wrote:

There are many possible benefits to a rezone of our commercial area: the return of a good grocery store, a more inclusive community, and more. These won't happen with the current zoning limit of 3 stories.

We recently lost the Red Apple Market and now have much a lower quality option. The entire region is growing, and we live in a very desirable area, so housing demand is significantly up. Since the entire Bridle Trails/South Rose Hill area has essentially retained the same zoning - and therefore the same housing supply - this has led to large demographic changes in the neighborhood. This has led to the large number of teardowns and, according to the Red Apple owners, less demand for a neighborhood grocery store. Having more people increases our chances of having higher quality retail in our shopping area, and it is likely that the demographics of the residents in such a development would support that as well.

Several years ago, we lost Metro route 265 and its direct service to Seattle. We are rather fortunate with our current population to currently have the 245 with its 15-minute service. The 245 is unlikely to go away, but there will be increasing pressure to serve other areas. To maintain, or hopefully improve, its service level, we need more riders.

The region's growth has led to an incredible housing shortage, marked by huge increases in living costs and sprawled development to the north, east, and south. This has been forced by a lack of

housing across the region, starting with Seattle but also including places like Houghton and our neighborhood. Kirkland's desire to be a welcoming and inclusive community is effectively blocked by a lack of housing options. We are losing police officers because they can't live nearby. Teachers are forced to live far away, and so on. Despite developments such as Kirkland Urban and Totem Lake, Kirkland lags behind most of the region. Not only is there an Affordable Housing shortage, but there is a lack of affordable housing even for the middle class. I'm constantly talking to people that I would love to have as neighbors who are turned away by Kirkland's market. This rezone is one way that we can both contribute to solving this problem as well as strengthen our community.

The main concern with development is the effect on traffic. However, the status quo, both locally and in the region, is the major contributor to traffic. 70th and 132nd are alternate routes for commutes such as Microsoft to north Kirkland, Bothell, and even beyond. A main cause of traffic is people living far from their destinations in car-dependent areas. Many of the people who can't live in our neighborhood center will be the ones driving down 70th. Grocery Outlet's business model is dependent on people from a wide area making multiple stops to do their grocery shopping. We have traffic because we've forced it on ourselves. New development, of course, isn't a magic solution that makes that traffic go away, but local traffic does tend to displace cut-through traffic, and having more people that are closer together enables more options such as walking, biking, and transit, which give us alternatives to being stuck in traffic.

It is an odd thing that we have these shortages while the current 2-3 story zoned potential sits unused. Feedback from developers seems to indicate that the costs of construction generally don't work out at this height, which is why we don't see so many mixed-use 3-story buildings and haven't seen any activity on the Houghton parcels. This is especially true when we make demands for large retail spaces (like that needed for a grocery store), community space, infrastructure improvements, and so on. These are good things, and they can be worth including in a plan, but they can't happen unless the overall project is worth doing.

For those that would like to see these additions in our community, whether it is a grocery store, better bus service, or something else entirely, please send your support to the planning commission and include the amenities that you would like to see.

Mark Plesko

---

**From:** Joann Pearson <[joann.pearson@live.com](mailto:joann.pearson@live.com)>  
**Sent:** Monday, September 10, 2018 5:43 PM  
**To:** Don Prince <[DFPSeattle@aol.com](mailto:DFPSeattle@aol.com)>; 'Bill Gurrad' <[wggurraddds@comcast.net](mailto:wggurraddds@comcast.net)>; 'Anne Corley' <[anne@corleycompany.com](mailto:anne@corleycompany.com)>; 'Carolyn Adams' <[cac.architect@comcast.net](mailto:cac.architect@comcast.net)>; 'Bill Dolan' <[wbdolan@outlook.com](mailto:wbdolan@outlook.com)>; 'Kim Meyer' <[kim-meyer@live.com](mailto:kim-meyer@live.com)>; 'Mark Plesko' <[plesko@outlook.com](mailto:plesko@outlook.com)>; 'Natalia Dvorak' <[natalia.dvorak@gmail.com](mailto:natalia.dvorak@gmail.com)>; 'Michael Golitz' <[golitzma@aol.com](mailto:golitzma@aol.com)>; 'Don Prince' <[dfpseattle@aol.com](mailto:dfpseattle@aol.com)>; 'Jill Pierson' <[jillpierson@hotmail.com](mailto:jillpierson@hotmail.com)>; 'Chris Pearson' <[jdpluscp1@aol.com](mailto:jdpluscp1@aol.com)>; 'Teresa Prekaski' <[prekaski7@aol.com](mailto:prekaski7@aol.com)>; 'Amy Rosser' <[kokopellix@hotmail.com](mailto:kokopellix@hotmail.com)>; 'Christy Zylstra' <[christyzylstra@gmail.com](mailto:christyzylstra@gmail.com)>; 'Hui Dai' <[ravenswoodwa@gmail.com](mailto:ravenswoodwa@gmail.com)>; 'Rena Peterson' <[rena@renapeterson.us](mailto:rena@renapeterson.us)>; 'Tyler & Kathy Carper' <[ahkat@hotmail.com](mailto:ahkat@hotmail.com)>; [hgribskov@hotmail.com](mailto:hgribskov@hotmail.com); 'Wray & Barbra Featherstone' <[fxidaho@aol.com](mailto:fxidaho@aol.com)>; 'Stephanie DiJulio' <[mrsdijulio@gmail.com](mailto:mrsdijulio@gmail.com)>; 'Sean McAteer' <[sean\\_mcateer@hotmail.com](mailto:sean_mcateer@hotmail.com)>; 'Deb & Frank Pampiks' <[debandfrank@comcast.net](mailto:debandfrank@comcast.net)>; 'Chris Tott' <[christott@comcast.net](mailto:christott@comcast.net)>; 'Allan & Mary Donley' <[vandamme.donley@gmail.com](mailto:vandamme.donley@gmail.com)>; 'Jeff Allen' <[jeffallen@live.com](mailto:jeffallen@live.com)>; 'Jon Conklin' <[conklinjd@comcast.net](mailto:conklinjd@comcast.net)>; 'Rick & Rennie Carlson' <[rickrennie48@comcast.net](mailto:rickrennie48@comcast.net)>; 'Bill Ginthner' <[billginthner@yahoo.com](mailto:billginthner@yahoo.com)>; 'Don Kaufman' <[donk@mimish.org](mailto:donk@mimish.org)>; 'Melissa Cook' <[macookcorp@outlook.com](mailto:macookcorp@outlook.com)>; 'Jennifer Donahue' <[jennifer@dodu.us](mailto:jennifer@dodu.us)>; 'Scott & Kim Skorupa' <[kimskorupa@msn.com](mailto:kimskorupa@msn.com)>; 'Bill Bistriz' <[billbis24@yahoo.com](mailto:billbis24@yahoo.com)>; 'Bhanu Purohit' <[bhanu274@gmail.com](mailto:bhanu274@gmail.com)>; 'Mark Corley' <[mark\\_corley@hotmail.com](mailto:mark_corley@hotmail.com)>; 'Katharine Hunt' <[kathy.hunt@outlook.com](mailto:kathy.hunt@outlook.com)>; 'April Petersen' <[miss\\_aprilp@yahoo.com](mailto:miss_aprilp@yahoo.com)>; 'Michelle Plesko' <[michelle.plesko@outlook.com](mailto:michelle.plesko@outlook.com)>; 'Steve Allison' <[skalliso@gmail.com](mailto:skalliso@gmail.com)>; 'Rebecca Hastings' <[hastingsbh@aol.com](mailto:hastingsbh@aol.com)>; 'Alice Prince' <[afprince42@aol.com](mailto:afprince42@aol.com)>; 'Ben Zylstra' <[bzylstra@renaware.com](mailto:bzylstra@renaware.com)>; 'Chris DiJulio' <[cdijuliojr@gmail.com](mailto:cdijuliojr@gmail.com)>; 'Debbie Tott' <[debbietott@comcast.net](mailto:debbietott@comcast.net)>; 'Patty Allen' <[pattyallen28@hotmail.com](mailto:pattyallen28@hotmail.com)>; 'Sheilagh Conklin' <[sheilaghc@comcast.net](mailto:sheilaghc@comcast.net)>; 'Diane Ginthner' <[ginthner@windermere.com](mailto:ginthner@windermere.com)>; 'Mehri Kaufman' <[nursemeihri@gmail.com](mailto:nursemeihri@gmail.com)>; 'Steve Donahue' <[steve@dodu.us](mailto:steve@dodu.us)>;



'Sarika Calla Purohit' <[sacalla@microsoft.com](mailto:sacalla@microsoft.com)>; 'Dave & Laurie Fulton' <[laurief.davidf@frontier.com](mailto:laurief.davidf@frontier.com)>; 'Harley Davidson' <[madhman@comcast.net](mailto:madhman@comcast.net)>; 'Mary Ann Joy' <[maryannjoy@hotmail.com](mailto:maryannjoy@hotmail.com)>; 'David Bielak' <[drbielak@icloud.com](mailto:drbielak@icloud.com)>; 'Scott Thompson' <[scott@scottandjessica.com](mailto:scott@scottandjessica.com)>; 'Pete & Olga Lymberis' <[lymberis@msn.com](mailto:lymberis@msn.com)>; 'Dave Fulton' <[daveweb543@gmail.com](mailto:daveweb543@gmail.com)>; 'Lyle & Kay Matznick' <[lyle.matznick@frontier.com](mailto:lyle.matznick@frontier.com)>; 'Vera Karakash' <[verakarakash@comcast.net](mailto:verakarakash@comcast.net)>; 'Megan Davidson' <[megan.davidson@propelinsurance.com](mailto:megan.davidson@propelinsurance.com)>; 'Michael & Janka Hobbs' <[mjct\\_hobbs@msn.com](mailto:mjct_hobbs@msn.com)>; 'Brian Keegan' <[brianakeegan@gmail.com](mailto:brianakeegan@gmail.com)>; 'Roopa & Murli Satagopan' <[roopab@hotmail.com](mailto:roopab@hotmail.com)>; 'George Joy ' <[georgejoy@hotmail.com](mailto:georgejoy@hotmail.com)>; 'Shannon Rome' <[s.rome3@frontier.com](mailto:s.rome3@frontier.com)>; 'Nona Dhawan' <[ndhawan@comcast.net](mailto:ndhawan@comcast.net)>; 'Jessica Thompson' <[thompson.j.4@hotmail.com](mailto:thompson.j.4@hotmail.com)>; 'Valerie Winslow' <[vwprc@aol.com](mailto:vwprc@aol.com)>

**Subject:** Re: Criteria used to evaluate rezone of Bridle Trails shopping center

Hi Don, thank you for sending this summary. I hadn't realized that the 60+ foot zoning change could include 1,197 new residential units as well as commercial space.

The current 30' zoning already has tremendous redevelopment potential without any zoning changes. It allows for 598 residential units and somewhat larger commercial space than the rezoning.

I appreciate your keeping us informed!  
Best regards,  
Joann Pearson

On Sep 10, 2018 11:48 AM, Don Prince <[DFPSeattle@aol.com](mailto:DFPSeattle@aol.com)> wrote:

Attached is a copy of the page in the Kirkland Planning Commission packet I referred to in my other email that summarizes the criteria used to “support” a rezone of the Bridle Trails shopping center.

If you can attend the Planning Commission mtg this Thursday at 7pm and willing to take 3 minutes to speak, please address one or more of these criteria.

I'd love to hear from you if you have a rebuttal to any (or all) of these criteria so we could make a list of why we're opposed to this rezone – and we could send these counter arguments to everyone before the meeting.

Thank you for your support

Don Prince



**From:** [City Council](#)  
**To:** [Adam Weinstein](#)  
**Cc:** [Janice Coogan](#)  
**Subject:** FW: Change to Policy BT-7 in the Draft Bridle Trails Comprehensive Plan  
**Date:** Monday, September 17, 2018 4:11:07 PM

---

Adam,

If a response to this e-mail is warranted, please reply in five business days.

Thank you.

Jeannie McGivern  
City Manager's Office  
City of Kirkland  
123 5<sup>th</sup> Avenue  
Kirkland, WA 98033  
[jmcgivern@kirklandwa.gov](mailto:jmcgivern@kirklandwa.gov)  
(425) 587-3016



Subscribe to [This Week in Kirkland](#) and receive brief, timely news and notices about City-sponsored events.

Tourism Website: [www.explorekirkland.com](http://www.explorekirkland.com)

Tourism Facebook Page: [www.facebook.com/explorekirkland](https://www.facebook.com/explorekirkland)

---

**From:** Don Prince [mailto:DFPSeattle@aol.com]

**Sent:** Friday, September 14, 2018 4:11 PM

**To:** Amy Walen <AWalen@kirklandwa.gov>; Jay Arnold <JArnold@kirklandwa.gov>; Tom Neir <TNeir@kirklandwa.gov>; Penny Sweet <PSweet@kirklandwa.gov>; Toby Nixon <TNixon@kirklandwa.gov>; Dave Asher <DAsher@kirklandwa.gov>; Jon Pascal <JPascal@kirklandwa.gov>

**Cc:** City Council <citycouncil@kirklandwa.gov>

**Subject:** RE: Change to Policy BT-7 in the Draft Bridle Trails Comprehensive Plan

On Tuesday, as you review the policies that are being used to update the Bridle Trails Comprehensive Plan, I urge you to modify Policy BT-7 which, as currently written, specifies a rezone to increase the height of the Bridle Trails shopping center.

The draft wording for policy BT-7 states:

“Policy BT-7 for the Bridle Trails shopping center has been revised to support future redevelopment of the center into an active, walkable, transit supportive, mixed use neighborhood center, with an increase in building height to 5-6 stories”

**This is not a policy – it dictates a rezone as part of the objective.**

The current BCX zoning serves our rural, equestrian oriented neighborhood very well. Any height increase is not compatible with our neighborhood nor necessary to support the primary objective of BT-7.

*Please delete the words in this policy ...“with an increase of height to 5-6 stories.”*

Thank you

Don Prince

6021 – 136<sup>th</sup> Ave NE

Kirkland, WA 98033

NOTICE: This e-mail account is part of the public domain. Any correspondence and attachments, including personal information, sent to and from the City of Kirkland are subject to the Washington State Public Records Act, Chapter 42.56 RCW, and may be subject to disclosure to a third party requestor, regardless of any claim of confidentiality or privilege asserted by an external party.

**From:** Don Prince  
**To:** [Houghton Council](#)  
**Cc:** [Janice Coogan](#); [Adam Weinstein](#)  
**Subject:** Please drop your support of Policy BT-7 within the draft Bridle Trails Neighborhood comprehensive plan  
**Date:** Sunday, August 12, 2018 7:01:21 PM

---

When you review the next update to the Bridle Trails Neighborhood Plan, or proposed re-zones in the Bridle Trails community, PLEASE drop your support of Policy BT-7 – increasing the height of buildings in the Bridle Trails shopping center from 30 feet to 60+ feet.

Just one year ago Houghton citizens turned out in large numbers to reject a effort to increase the height and size of buildings within the Houghton Shopping Center. The citizens want to preserve the nature of that portion of the Bridle Trails neighborhood – as do we who live close to the Bridle Trails shopping center.

**As stated in Kirkland’s draft Bridle Trails neighborhood plan, Policy BT 1**  
***“Retain and preserve the low density residential and equestrian character of the neighborhood while accommodating compact new housing opportunities where consistent with equestrian use.”***

Your neighbors living closest to the Bridle Trails shopping center are the very ones who “preserve the equestrian character” of Bridle Trails.

**Increasing the height of buildings in the shopping center from 30 feet to 60+ feet will change the very equestrian character of the Bridle Trails neighborhood!**

**If residents in the Houghton area objected to height increases of the Houghton Shopping center, why would you support this change in the Bridle Trails shopping center?**

**Please drop your support of Policy BT-7.**

**Don Prince**

**Resident of Bridle Trails**

**Past President, Bridle Trails Park Foundation**

**From:** [Adam Weinstein](#)  
**To:** [Janice Coogan](#); [Joan Lieberman-Brill](#)  
**Subject:** FW: Please help us change Policy BT-7 in the Draft Bridle Trails Comprehensive Plan  
**Date:** Monday, September 17, 2018 9:23:32 PM

---

**From:** Don Prince [mailto:DFPSeattle@aol.com]  
**Sent:** Saturday, September 15, 2018 11:25 AM  
**To:** Houghton Council <houghtoncouncil@kirklandwa.gov>; Rick Whitney <RWhitney@kirklandwa.gov>; John Kappler <JKappler@kirklandwa.gov>; Bill Goggins <BGoggins@kirklandwa.gov>; Betsy Pringle <BPringle@kirklandwa.gov>; Kelli CurtisHCC <KCurtisHCC@kirklandwa.gov>; Neal Black <NBlack@kirklandwa.gov>; Brian Gawthrop <BGawthrop@kirklandwa.gov>  
**Cc:** 'Wray & Barbra Featherstone' <fxidaho@aol.com>; 'Lyle' <lyle.matznick@frontier.com>; 'laurief.davidf' <laurief.davidf@frontier.com>; 'Bill Gurrad' <wggurraddds@comcast.net>; 'Chris Pearson' <jdpluscp1@aol.com>; 'Bhanu Purohit' <bhanu274@gmail.com>; 'Mary Ann Joy' <maryannjoy@hotmail.com>  
**Subject:** Please help us change Policy BT-7 in the Draft Bridle Trails Comprehensive Plan

On Tuesday, the Kirkland City Council will review the policies that are being used to update the Bridle Trails Comprehensive Plan. Please help us modify Policy BT-7 which, as currently written, specifies a rezone to increase in height of the Bridle Trails shopping center to 5-6 stories, the same issue you rejected last year for the Houghton shopping center.

The current draft wording for policy BT-7 states:

**"Policy BT-7 for the Bridle Trails shopping center has been revised to support future redevelopment of the center into an active, walkable, transit supportive, mixed use neighborhood center, with an increase in building height to 5-6 stories"**

**This is not a policy – it dictates an expected result – a rezone,**

Many Bridle Trails neighborhood residents, including those living within the Houghton jurisdiction east of I-405, have written letters to the Kirkland Planning Commission, and spoke at last Thursday's planning meeting, stating opposition to a specific rezone request. The Planning Commission was being asked to approve further study but only agreed to do so in fear the Kirkland City Council would send it back to them given the current wording in policy BT-7.

**The Houghton Community Council has a vote on the Bridle Trails Neighborhood Comprehensive Plan so we urge you to voice your opposition to BT-7 as currently written. (Even if there is not enough time prior to Tuesday's Kirkland City Council meeting to send a message from the Houghton Council, each of you could do so.)**

- *Please send a message to the Kirkland City Council and ask them to delete the words in this policy ... "with an increase of height to 5-6 stories."*
- [citycouncil@kirklandwa.gov](mailto:citycouncil@kirklandwa.gov)

The current Bridle Trails shopping center BCX zoning serves our rural, equestrian oriented neighborhood. Any height increase is not necessary to support the primary objective of BT-7.

On behalf of the many Bridle Trails residents living east of I-405, **we thank you for your help in getting policy BT-7 changed.**

Don Prince

6021-136<sup>th</sup> Ave NE

Kirkland, WA 98033

NOTICE: This e-mail account is part of the public domain. Any correspondence and attachments, including personal information, sent to and from the City of Kirkland are subject to the Washington State Public Records Act, Chapter 42.56 RCW, and may be subject to disclosure to a third party requestor, regardless of any claim of confidentiality or privilege asserted by an external party.

**Joan Lieberman-Brill**

---

**From:** Eden Ekubit <edenekubit@yahoo.com>  
**Sent:** Wednesday, August 22, 2018 4:49 PM  
**To:** Joan Lieberman-Brill; Janice Coogan  
**Subject:** Zoning

Hi Joan and Janice

It is good to see you at open house and sorry you didn't get my email but here's my request for my property at 12822 NE 85 Kirkland WA 98033 -To be commercial zoning

- taller building to allow 3 story building 35 feet

- reduce set back

-minimize parking stall requirement

Thank you so much for your help.

Best regards

The cave craft beer and smoke

12822 NE 85TH Kirkland WA 98033

Tel 425 242 0294

[Www.cavecraftbeer.com](http://www.cavecraftbeer.com)

**From:** Eric Michelman  
**To:** [Janice Coogan](#); [Planning Commissioners](#)  
**Subject:** Bridle Trails Shopping Center re-zoning?  
**Date:** Wednesday, September 05, 2018 5:46:35 PM

---

Hi Janice,

As a Bridle Trails resident, I just heard about the proposed re-zoning of the Bridle Trails Shopping Center to allow 6 story buildings. I think this is a terrible idea! This is a quiet residential neighborhood. There's nothing like that here. And undoubtedly it would spread over time. This isn't downtown Kirkland or Redmond or Bellevue!

Let me strongly urge you to keep the current height limits in our neighborhood.

There's also talk of generally increased commercial and housing density around (in place of?) the shopping center and bowling alley. Something consistent with the neighborhood character sounds fine, but please let's not have visions of a "downtown Bridle Trails" sprouting out in the middle of our quiet residential neighborhood.

I'm new at this, so I don't know the right questions to ask or things to say. If there are ways to get involved, like meetings to attend, documents to provide feedback on, etc please send me links to them.

Thank you for your consideration.

Eric Michelman

**From:** [Adam Weinstein](#)  
**To:** [Joan Lieberman-Brill](#); [Janice Coogan](#)  
**Subject:** FW: Bridle Trails- ROIC Development  
**Date:** Monday, September 17, 2018 9:22:51 PM

---

---

**From:** Eric Burke [mailto:[eburke@econobox.com](mailto:eburke@econobox.com)]  
**Sent:** Saturday, September 15, 2018 6:27 PM  
**To:** Planning Commissioners <[PlanningCommissioners@kirklandwa.gov](mailto:PlanningCommissioners@kirklandwa.gov)>  
**Subject:** Bridle Trails- ROIC Development

I am very concerned with this plan going into this neighborhood. There is already apartment/condo's right next door to this new development plan and our local schools are at capacity as is. I am against this plan and the thought of it being 4-5 stories is alarming.

Concerned neighbor,

Eric Burke

206-849-7898

NOTICE: This e-mail account is part of the public domain. Any correspondence and attachments, including personal information, sent to and from the City of Kirkland are subject to the Washington State Public Records Act, Chapter 42.56 RCW, and may be subject to disclosure to a third party requestor, regardless of any claim of confidentiality or privilege asserted by an external party.



To: Kirkland Planning Commission

Received 7/24/18  
23 July 2018

Subject: Rezoning properties at 8231 124<sup>th</sup> Ave NE and 8239 124<sup>th</sup> Ave NE, Kirkland 98033

Request that the planning commission of Kirkland consider rezoning the properties from RS 7.2 to Medium density multifamily (RM 3.6). Two sixty year old houses currently occupy these respective lots. The property just to the north is zoned medium density while the property south of 8231 124<sup>th</sup> Ave NE is zoned RS 7.2.

The park to the east of 124<sup>th</sup> would give future residents a recreational area along with a playground for children. The two lots together would enable a developer to design an optimal medium lot community.

Erich Mock

A handwritten signature in dark ink, appearing to read "Erich Mock", is written over a faint, light-colored circular stamp that contains some illegible text.

To: City of Kirkland, Planning and building department

6 August 5, 2018

Subject: Rezoning update: 8231 124<sup>th</sup> Ave NE, Kirkland Wa, 98033



I recently composed a letter to the board requesting that my property be reevaluated for a zoning change. After attending the planning meeting at city hall in Kirkland I would like to amend my initial recommendation. Due to the significant changes to the area around 85<sup>th</sup>, I would like to see the area changed to commercial use.

The development of the bus rapid transit center located within a ten minute walk from this property would be ideal for commercial use. Safeway and Walgreens are located very close to this area and the beautiful park on the east side of 124<sup>th</sup> provides open space for walking and family activities.

The future changes which will enhance public transportation to this area of Kirkland will enable an increase in zoning density,

Sincerely

A handwritten signature in black ink that appears to read "Erich Mock".

Erich Mock

**From:** [Adam Weinstein](#)  
**To:** [Janice Coogan](#)  
**Subject:** FW: Regarding Bridle Trails Shopping Mall / Tech City Bowling Rezoning Application  
**Date:** Tuesday, September 18, 2018 7:47:05 PM

---

---

**From:** Evelyn Peeper [mailto:[evelynpeeper@hotmail.com](mailto:evelynpeeper@hotmail.com)]  
**Sent:** Tuesday, September 11, 2018 3:21 PM  
**To:** Planning Commissioners <[PlanningCommissioners@kirklandwa.gov](mailto:PlanningCommissioners@kirklandwa.gov)>  
**Subject:** Regarding Bridle Trails Shopping Mall / Tech City Bowling Rezoning Application

Hello –

I live on 6415 125<sup>th</sup> Ave, a bit west of this proposed rezone/development plan. I wanted to confirm there is an open meeting on Thursday September 13<sup>th</sup> and its location and time ?

My greatest concern regarding rezoning and building at Bridle Trails shopping (corner of 132<sup>nd</sup> and 70<sup>th</sup>) is traffic. I have children that commute to Rosehill MS by bike every day. I frequently bike with them noting the heavy commuter traffic on 70<sup>th</sup> St NE and 132<sup>nd</sup> Ave NE. Even with the awesome flashing pedestrian light by Pagliacci's (thank you!), cars do not always stop and slow down. I know the City of Kirkland is promoting biking and walking instead of driving. If we are going to increase density here than the City must address the traffic. We can not count on or assume most new residents will not be driving. Will more flashing cross walks be added to 70<sup>th</sup> and 132<sup>nd</sup> be added? A pedestrian light is needed at 120<sup>th</sup> Ave by the High School and Holy Family. Will the speed limit be dropped? Will traffic lights be added? If we want this to remain a family centric community, then planning for the additional traffic is critical.

Another safety concern is while developing is occurring, how will the traffic and congestion of all the heavy equipment be managed? The project in front of the middle school last spring was well managed but still very tricky with students coming and going. The construction crews and developers need to be held accountable for their impact on the community and our safety.

Thank you for considering my comments,  
Evelyn Bundesmann  
425-753-8312

NOTICE: This e-mail account is part of the public domain. Any correspondence and attachments, including personal information, sent to and from the City of Kirkland are subject to the Washington State Public Records Act, Chapter 42.56 RCW, and may be subject to disclosure to a third party requestor, regardless of any claim of confidentiality or privilege

asserted by an external party.

**From:** Evelyn Peeper  
**To:** [Planning Commissioners](#); [Janice Coogan](#)  
**Subject:** Opposition to moving Bridle Trails Shopping Center rezoning forward  
**Date:** Saturday, September 15, 2018 2:12:41 PM

---

Dear Planning Commissioners and Ms. Coogan –

I attended Thursday night's Planning Meeting. It was the first City meeting I've attended aside from the school shooting/safety meeting last fall. It was an educational experience seeing how our city operated. I was appreciative to how much time the commissioners allowed for audience comments. Thank you. You hear the but coming, right?

I was happy to hear Commissioner Carter Bragg and John Tymczyszyn originally proposed to not move forward with the Bridle Trails / Tech City development. But then the commissioners rolled back and moved the study along while failing to ask the Planners to address many of the concerns raised by the community earlier.

Looking at the Planning evaluation criteria, 'Yes' is listed where I believe 'No' is a more accurate answer:

1. Compatible with adjacent uses: Glenn Peterson felt 6 stories was too much but 5 stories was possible. Where in Kirkland is there a single family zone where 5 stories of apartments/condo/ retail reside? From the planners, there is a one such area in Juanita Village but it does not border directly with single family homes. Even Downtown Kirkland currently only has 4 story buildings and one 5 story building in construction. Five stories is excessive for this neighborhood. I could support 3-4 stories, four stories max especially if they are tiered as discussed. We have apartments and condos east of the BT Shopping center that are 3 stories to the east. These structures blend well with the community with their tree coverage and green space. Since Bridle Trails shopping is already commercial, a large structure would really stand out.
2. Lack of Environmental constraints: We don't have the wetlands or streams but we are an equestrian neighborhood and border on Bridle Trails State Park. We have high equestrian, foot and bike traffic. The integrity of the equestrian paths are very important to our community.
3. The 10 minute neighborhood and 15 minute bus lines: The commissioners did not proceed on the Jin or Morgan developments due to lack of land owner support and distance from the Regional transit zone. Bridle Trails is even further from the Regional zone and does not have a direct bus route to 85<sup>th</sup> Street. If you google routes, the best way to travel to 85<sup>th</sup> and 120<sup>th</sup> is walking 1.6 miles. How does this plan fit with the 15 minute commute?

Let's go back to the notes regarding the possible addition of 598 units with the current BCX zoning or 1,197 units with the 65' building height (from attachment 2 of RHBT85). Adding 598 units will be a strain on our roads. Even if 50% of owners use the bus to Redmond or Kirkland, that still brings 250 cars traveling on 70<sup>th</sup> / Old Redmond Way and 132<sup>nd</sup> Ave. These roads are hazardous for middle schoolers and walkers crossing with our current commuter traffic. How will it be when you add this density? And the requested 65' would be 1,197 units. The area cannot absorb this safely on our roads. If you cap at 5 stories as Glenn Peterson suggested, that is still 993 units (5/6 of 1197).

As I have previously stated, this is a family neighborhood. I look for my government to keep the roads safe for walking, horses, bike riding and cars. Many families here ride their bikes to work,

school, parks and to the BT shopping center. We cross 70<sup>th</sup> and 132<sup>nd</sup> Ave to visit with school and team friends. Bridle Trails does not look like downtown Kirkland, Juanita Village area or 85<sup>th</sup> St corridor. I can endorse adding housing per the existing BCX zoning. Having mixed housing and affordable housing is great. But those that want this new housing want a livable community not clogged with traffic and the inability to bike around safely. Finally, many community members asked about school capacity for all these units. Ben Franklin, Ben Rush, Rosehill Elementary schools are bursting. Rosehill Middle school has 1000+ students.

In my mind, other unanswered questions are looking at how much commuter traffic is already on 70<sup>th</sup> St. Are we going to grow this street to look like 85<sup>th</sup>? I feel we need to look for ways to route commuters to 85<sup>th</sup> street not 70<sup>th</sup>. Increasing traffic on 70<sup>th</sup> St will cut our community even further, creating small community islands penned in by traffic.

Finally, I ask why does the community of Bridle Trails/South Rose Hill have to provide ROIC with more density to create more shoppers? ROIC made a business decision to terminate two strong community establishments (Dairy Queen and Red Apple) in favor of new renters at a higher rental rate. The business owners need to figure out their business not the City or the community. If they had worked with the community, they may have found ways to achieve higher rents and remain favorable to the community. Both Dairy Queen and Red Apple had strong community ties and drew neighbors into the BT shopping center. It is yet to be seen if the new establishments will draw as many customers. But again, the neighborhood does not need to increase density to help these businesses.

Thank you,  
Evelyn Bundesmann  
6415 125<sup>th</sup> Ave NE  
Kirkland, WA 98033

**From:** Frank & Debra Pampiks  
**To:** [Planning Commissioners](#); [Janice Coogan](#); [Adam Weinstein](#)  
**Subject:** Re-zone Bridle Trails Shopping Center  
**Date:** Monday, September 10, 2018 3:57:21 PM

---

I am strongly opposed to Bridle Trails Neighborhood Pan - Policy BT7 changing the current building height at the Bridle Trails Shopping Center from 30 feet to 60+ feet including mixed use & higher density. This would significantly change the character & safety of our neighborhood.  
Debra Pampiks

Sent from my iPhone  
Deb Pampiks

**From:** [Adam Weinstein](#)  
**To:** [Janice Coogan](#); [Joan Lieberman-Brill](#)  
**Subject:** FW: Comments on ROIC--Bridle Trails proposed development  
**Date:** Monday, September 17, 2018 9:21:22 PM

---

---

**From:** Gary Penitsch [mailto:garypen1@aol.com]  
**Sent:** Monday, September 17, 2018 8:40 AM  
**To:** Planning Commissioners <PlanningCommissioners@kirklandwa.gov>  
**Subject:** Comments on ROIC--Bridle Trails proposed development

Hello,

I am very concerned that Kirkland is "out of control" with development. It has been less than 20 years that the downtown Kirkland core area has gone from a small, quaint, sleepy type town to a "mega city". Everywhere one looks in downtown Kirkland, you see nothing but 5-6 story buildings. I understand that "that is progress". But by allowing this development to creep into other neighborhoods, is poor long-range planning. In 1990, King County adopted the Growth Management Plan, in which cities would now absorb most of the growth and not the County. As a result, King County downzoned all of the land in the rural areas from one acre minimum lots to 5-acre minimum lots. Since then, very few zoning changes have occurred in the County as King County is "preserving" this rural land for future generations. The City of Kirkland should be doing the same thing. Let's keep the dense development in the downtown core and let's allow the Houghton, Rose Hill, Bridle Trails, Norkirk, Highlands and Totem Lake neighborhoods alone. Keep the development in the downtown core where it belongs. There is still plenty of land available in the downtown core to accommodate additional development. In 20-30 years, let's see where Kirkland is at with development. Maybe the downtown core will need to be expanded, but not today!

Thank you!

Gary Penitsch  
Coldwell Banker Bain  
206-799-6101

NOTICE: This e-mail account is part of the public domain. Any correspondence and attachments, including personal information, sent to and from the City of Kirkland are subject to the Washington State Public Records Act, Chapter 42.56 RCW, and may be subject to disclosure to a third party requestor, regardless of any claim of confidentiality or privilege asserted by an external party.



**From:** Geoff Freeman  
**To:** [Planning Commissioners](#); [Janice Coogan](#); [Joan Lieberman-Brill](#)  
**Cc:** [Rita Millen \(verte731@gmail.com\)](#); [crutherford@gmail.com](#); [rodneyr@gmail.com](#)  
**Subject:** Comments on the requested Morgan rezone  
**Date:** Monday, September 10, 2018 10:45:04 AM

---

Hi Commissioners,

Thank you for reaching out for public input regarding the rezone request initiated by Martin Morgan. My wife Rita and I live in the area effected by this request at 8221 122<sup>nd</sup> Ave NE. I strongly support the push for higher density housing, especially near planned transit hubs. I spent much of my young adult life in Portland, and I witnessed first hand the transformative power of mass transit coupled with intelligent public planning. Everywhere the max line (the Portland light rail system) went, neighborhoods were revitalized.

Regarding the options available for the Morgan rezone, I am opposed to rezoning this area as Commercial. There are already areas zoned Commercial, that, if I am not mistaken, are underutilized. Rather than building more office spaces that will not be filled up, we should be looking for ways to increase available housing in our area. In principle I like the idea of Mixed Use Commercial/Multifamily, but it seems that the area just along 85<sup>th</sup> would make much more sense for this option. The strip mall on the SW corner of 122<sup>nd</sup> Ave NE and NE 85<sup>th</sup> St is a great example of a location that could be rezoned as mixed use before building in the Morgan area. My other concern with putting commercial or mixed use zoning in this location is the potential for increasing traffic on 122<sup>nd</sup>. This street already has significant problems with people using it as both a parking lot and as an arterial between Starbucks and the High School. A good step to consider along with this rezoning would be both traffic calming measures and the installation of bike lanes along the length of 122<sup>nd</sup>.

Thank you for your consideration!

Geoff Freeman  
503-860-3011  
8221 122<sup>nd</sup> Ave NE  
Kirkland WA 98033

**From:** Diane Ginthner  
**To:** [Janice Coogan](#)  
**Subject:** Bridle Trails Neighborhood Plan  
**Date:** Sunday, August 12, 2018 6:25:29 PM

---

I am strongly opposed to Bridle Trails Neighborhood Plan - Policy BT 7 - changing the current building height at the Bridle Trails Shopping Center from 30 feet to 60+ feet including mixed use and higher density. This change would significantly change the character of our equestrian neighborhood”

*Diane Ginthner  
'Specializing in Results'  
Managing Broker  
Windermere Capitol Hill  
206 940 8908*

**From:** Gwen B  
**To:** [Janice Coogan](#)  
**Cc:** [Planning Commissioners](#)  
**Subject:** Fwd: Pls email.  
**Date:** Thursday, September 13, 2018 6:35:30 PM

---

The proposed plan for “downtown bridle trails” high-rise is out of place in our neighborhood. We lived in Kirkland (near MetroMart) for 5 years prior to moving to Bridle Trails, and do not believe this proposed project is a good idea at all. We do not need broader shopping, and the location is not good for a 5 or 6 story housing. Thank you, Gwen Bernacki

**From:** Sheli Hadari  
**To:** [Janice Coogan](#)  
**Subject:** Rezoning  
**Date:** Monday, July 30, 2018 10:36:05 PM

---

Hi

I am a resident of Bridle Trails Bellevue and I oppose the rezoning of the bridle trails shopping center.

Sheli Hadari

September 12, 2018

To: Sr. Planner Joan Lieberman-Brill and Planning Commission

City of Kirkland  
123 5<sup>th</sup> Avenue  
Kirkland, WA 98033

Re: **South Rose Hill Neighborhood Plan Update and Land Use or Zoning Change File CAM18-00082 #2**

Dear Planning Commission and Senior Planner Joan Lieberman-Brill,

We, residents of 12222 NE 82<sup>nd</sup> LN Kirkland WA, are writing in response to the proposed study for the re-zoning of the Rose Hill Neighborhood area, in particular area “4- Morgan”. We have been homeowners since year 2000. Once a quiet street, 122<sup>nd</sup> Ave has become overrun by cars trying to bypass 85<sup>th</sup> traffic. Traffic from Lake Washington High School, and local businesses such as Starbucks at the corner of 85<sup>th</sup> & 122<sup>nd</sup> have increased traffic to a dangerous level. Starbucks drive-thru customers often block 122<sup>nd</sup>, and at times back-up onto 85<sup>th</sup> street. Local businesses commonly park on the side of street which effectively transforms 122<sup>nd</sup> into a one-way street, making it necessary to yield to the nearest open shoulder to allow two cars to pass one another.

Collectively these conditions are making this street dangerous to approach from our driveways due to limited visibility caused by cars parked on both shoulders. It is a matter of time before a serious accident or casualty occurs.

Regarding the area number “4 – Morgan” on the list of proposed re-zoning to office or multi-family residential our concerns include:

**Traffic and Parking issues along 122<sup>nd</sup> Ave NE between NE 85<sup>th</sup> and NE 80<sup>th</sup> Streets**

- This street (122<sup>nd</sup> Ave) has reached maximum capacity and further congestion will exacerbate the dangers this causes.
- Adding commercial business or multi-family units will increase traffic flow, and thereby intensify those conditions noted above.

**Our recommendation** is to maintain the current zoning of these properties:

- The City to maintain low-density residential housing as the primary land use in the areas south of the current commercial zoning along NE 85<sup>th</sup> Street, east of 120<sup>th</sup> Avenue NE.

**Public Walkway along NE 82<sup>nd</sup> Lane**

We and our adjacent neighbors are also concerned about pedestrians using our **private lane**, NE 82<sup>nd</sup> Lane, which functions as a shared driveway. When backing our cars out of our garages, it is difficult to see pedestrians who walk across easements and in NE 82<sup>nd</sup> Lane. Sometimes joggers, children, and/or dogs run outside our line of vision and sometimes distracted mothers

are inadvertently pushing strollers into our car paths. We are concerned about safety, for ourselves and for pedestrians who are walking/jogging in NE 82nd Lane.

**We recommend:**

If the City is determined to keep the pedestrian walkway by using easements on private land, the City needs to address safety concerns by constructing and **maintain** a walkway for pedestrians to keep pedestrians from walking/running in NE 82nd Lane, which is a shared driveway. At a minimum, signage should be added at both ends of NE 82nd Lane encouraging pedestrians to stay on the pavement and to be aware of reversing vehicles. We strongly feel that by using private street City should make this street public and maintain it as all other public streets.

Sincerely,

Irina Sinitsyna and Don Holman, residents of 12222 NE 82<sup>nd</sup> LN, Kirkland WA 98033

Phone: 206.372.4947

Email: izzinitsyna@gmail.com

**From:** [Adam Weinstein](#)  
**To:** [Janice Coogan](#)  
**Subject:** FW: Proposed Bridle Trails shopping center expansion  
**Date:** Tuesday, September 18, 2018 7:44:47 PM

---

---

**From:** jack hirsch [mailto:jackhh1@hotmail.com]  
**Sent:** Thursday, September 13, 2018 8:59 AM  
**To:** Planning Commissioners <PlanningCommissioners@kirklandwa.gov>  
**Subject:** Proposed Bridle Trails shopping center expansion

I live in Bridle Trails and have been here for 25 years. The shopping center has had alot of turn over with many shops going out of business because of low volume. There is barely enough business to keep most shops viable and certainly not enough for additional shops. If the locals want more shopping, they go to Kirkland, Redmond, or Bellevue.



Virus-free. [www.avg.com](http://www.avg.com)

NOTICE: This e-mail account is part of the public domain. Any correspondence and attachments, including personal information, sent to and from the City of Kirkland are subject to the Washington State Public Records Act, Chapter 42.56 RCW, and may be subject to disclosure to a third party requestor, regardless of any claim of confidentiality or privilege asserted by an external party.

# McCULLOUGH HILL LEARY, PS

---

September 13, 2018

VIA ELECTRONIC MAIL

Planning Commission  
City of Kirkland  
123 5<sup>th</sup> Avenue  
Kirkland, Washington 98033-6189

Re: Rose Hill Neighborhood Plan Update

Dear Planning Commission Members:

We are writing on behalf of LMJ Enterprises, LP, owner of the property located at the southeast quadrant of the I-405 interchange at NE 85<sup>th</sup> Street (the "Property"). The Property comprises zones 2A, 2B and 2C in the Rose Hill Business District in the Kirkland Zoning Code (the "Code").

In July, we presented suggestions to the Planning Commission regarding further refinements to the zoning proposal for the Property. This has been carried forward as #6 in your staff report to the Planning Commission dated August 4, 2018 (the "Staff Report"). We have had an opportunity to review the Staff Report and wanted to offer the following comments:

- We strongly endorse the recommendation to allow this proposal to proceed to public hearing.
  - It is important that the additional height apply to a large enough portion of the site to make a real density difference.
  - We also believe that the lot coverage and parking requirements for the site need to be addressed.
- For the longer-term proposal (160' heights), we suggest that waiting until the transit station is complete to consider this proposal may be too late. Planning, permitting and construction of a major project takes 5 years at least. That is close to the time window within which the transit station will be complete. Market interest in more substantial development of the site will begin before the transit center opens, not afterward. It is important to create the vision now, or else the site may just be developed as wood-frame 75' product. At that point, the higher density alternative is lost.



September 13, 2018

Page 2 of 2

- Our proposal would create a path to a higher density plan now, but the path would not be certain. It would be enough to attract interest – serious interest – in the plan now, before lower-density options take over. But by involving the City Council in final decision-making, continuing high levels of City scrutiny would be assured.

We appreciate the opportunity to provide these comments and we look forward to the public hearing.

Sincerely,

A handwritten signature in dark ink, appearing to read "John C. McCullough", with a stylized flourish at the end.

John C. McCullough

JM:dc

cc: Tod Johnson  
Joan Lieberman-Brill, AICP  
Janice Coogan

**From:** [Adam Weinstein](#)  
**To:** [Janice Coogan](#)  
**Subject:** FW: Bridle Trails Shopping Center Rezone  
**Date:** Tuesday, September 18, 2018 7:44:08 PM

---

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

From: Janka and Michael Hobbs [[mailto:MJCT\\_Hobbs@msn.com](mailto:MJCT_Hobbs@msn.com)]  
Sent: Thursday, September 13, 2018 1:41 PM  
To: Planning Commissioners <[PlanningCommissioners@kirklandwa.gov](mailto:PlanningCommissioners@kirklandwa.gov)>  
Subject: Bridle Trails Shopping Center Rezone

Dear Kirkland Planning Commissioners,

We are strongly opposed to allowing Bridle Trails Shopping Center to build out to a five story behemoth. The existing zoning allows for residential housing over retail; perhaps give them a variance for two floors of residential, for a total of three.

The neighborhood is primarily residential/semi-rural. The tallest building in the area is three stories; most are single story residences.

The only people who will benefit from having a high rise stare down at us (and add more glare to our night skies) are the developers of this project.

Plopping an urban high rise development into the middle of the equestrian oriented Bridle Trails neighborhood makes no sense. We are a full mile from the 85th Street corridor. 132nd Avenue and 70th Street are already over capacity at rush hour. Promising us "expanded bus service by 2025 (Maybe)" will not solve these problems. I don't think the term "ten minute neighborhood" was intended to mean "it takes ten minutes before you can turn onto the arterial."

The demand for more affordable housing can be met within the existing zoning, which allows for residential over retail space.

Thank you,

Jana and Michael Hobbs  
13506 NE 66th St  
Kirkland, WA 98033

NOTICE: This e-mail account is part of the public domain. Any correspondence and attachments, including personal information, sent to and from the City of Kirkland are subject to the Washington State Public Records Act, Chapter 42.56 RCW, and may be subject to disclosure to a third party requestor, regardless of any claim of confidentiality or privilege asserted by an external party.

**From:** Jason Hanleybrown  
**To:** [Janice Coogan](#); [Planning Commissioners](#)  
**Subject:** Bridle Trails 5-6 story mixed use building in Bridle Trails Shopping Center  
**Date:** Tuesday, September 18, 2018 2:59:28 PM

---

Hello,

I wanted to write to object to approving rezoning of the shopping center at Bridle Trails. This is a residential neighborhood with traffic issues and a 5 story building is not only out of place, it is bad for the infrastructure and bad for other residents.

We strongly object to you approving rezoning.

We live in Bridle Trails.

Thank you,  
Fay and Jason Hanleybrown

**From:** [Adam Weinstein](#)  
**To:** [Janice Coogan](#); [Joan Lieberman-Brill](#)  
**Subject:** FW: Bridle Trails Shopping Center code amendment  
**Date:** Monday, September 17, 2018 9:19:17 PM

---

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

From: Jeanette Simecek [<mailto:jetsimecek@comcast.net>]  
Sent: Monday, September 17, 2018 4:08 PM  
To: Planning Commissioners <[PlanningCommissioners@kirklandwa.gov](mailto:PlanningCommissioners@kirklandwa.gov)>  
Subject: Bridle Trails Shopping Center code amendment

Hello Commissioners,

I recently attended the SRH/BT NA meeting on Sept. 11th and your meeting on Sept. 13th and since not everyone can speak at these meetings, it was suggested that we write to you to speak of our personal position on this matter.

I have been a resident of Bridle Trails for 53 years. Yes, really. And in that time, having served 15 years in the Lake Washington School District PTSA in various positions, as well as a board member, VP and President of the SRH/BT NA, I feel that I understand what this neighborhood wants and deserves.

It's not that we don't want ANY growth, we just want it more controlled, so as to not destroy the VERY REASONS we all love to live here for. Many of those reasons are dwindling away every day.

I see that the shopping center is struggling and my neighbors and I are MORE THAN DISGUSTED with the loss of Red Apple for such a low-end "grocery" store. I use that word loosely. We realize changes need to be made. Most of us agree that adding 2 or 3 stories on top of the center for housing makes sense.

Our frustration is the amount of SHEER GREED in this town and all the developers that just will not stop until every square inch of dirt has a building on it.

We highly suggest that you hold a public meeting at Ben Franklin with preliminary project ideas/drawings and let us have some input in this enormous change coming to us.

I've been here since BEFORE the center was built and I remember the shock of the neighbors back then. We could live with the 3 stories above the ground story, making 4 total, but still so many unanswered questions about parking and cars and traffic that I hope you take a long time to really investigate this plan and imagine that YOU LIVE right next door to it and see how YOU would feel with the proposed 6 stories next door.

I believe that there are much better placements of 6 story units right along the south side of NE 85th St, with those small outdated strip mall business and old small homes that have been turned into businesses. It makes much more sense to knock those down and build up from there where the streets can handle the loads, not really, and the land is already zoned for that.

Keep the high density, tall buildings out of our immediate neighborhood.

That's my 2 cents on that and thanks for reading.

Sincerely,

Jeanette Simecek  
12015 NE 61st St  
Kirkland, WA 98033  
425.828.6808

NOTICE: This e-mail account is part of the public domain. Any correspondence and attachments, including personal information, sent to and from the City of Kirkland are subject to the Washington State Public Records Act, Chapter 42.56 RCW, and may be subject to disclosure to a third party requestor, regardless of any claim of confidentiality or privilege asserted by an external party.

**From:** Jeff Evans  
**To:** [Janice Coogan](#)  
**Subject:** Rezone proposals  
**Date:** Monday, September 10, 2018 6:47:43 PM

---

Ms. Coogan,

Re Daniel Weise's rezone proposal in Silver Spurs: Daniel is a friend, but I think the neighborhood will be better off if the zoning remains as it is. Silver Spurs is kind of a green belt; people from the surrounding areas like to stroll down the pleasant gravel road. While Daniel's place is on the northern edge it overlaps Bill Anderson's lot and could start pressure to break up the rest of the place.

Thanks,

Jeff Evans  
6162 128th Ave NE

**From:** Jennifer Duemler Donahue  
**To:** [Janice Coogan](#)  
**Subject:** Opposed to Bridle Trails Neighborhood Plan Policy PT 7  
**Date:** Wednesday, September 12, 2018 11:17:32 PM

---

I'm writing to express my strong opposition to the Bridle Trails Neighborhood Plan - Policy BT 7 - changing the current building height at the Bridle Trails Shopping Center from 30 feet to 60+ feet, including mixed use and higher density development. I feel this would significantly change the character of our equestrian neighborhood. I specifically oppose the plan policy change for the following reasons:

- 1) Consistency with the vision statement. There is absolutely no guarantee that increasing the density and adding 1197 residential units would attract "local quality shops and services". In fact, as we experienced when Red Apple Market left the shopping center, neither the community nor the local government has any say over what retail outlets property owners seek. There is nothing about the current shopping center (nor the currently allowed 30' elevation development and 598 residential units) which is incompatible with the draft vision statement.
- 2) Compatibility with adjacent uses. The proposed increased density development is absolutely not compatible with adjacent uses. We live in a low-density equestrian community. People keep and ride horses. There is no way in which the additional density and the resulting traffic and noise is in any way compatible with this residential neighborhood. This is not downtown Redmond or downtown Kirkland. It is a neighborhood.
- 3) Increase in "affordable" housing (per housing strategy plan). The current zoning allows for 598 residential units with 59 marked as affordable housing. Doubling the total allowable residential units only adds 40 additional affordable housing units. Doubling the allowable residential density to add only forty additional affordable units isn't in any way worth the disruption and cost to the neighborhood.
- 4) Unanimous property owner support - absolutely not. I haven't spoken with any current neighborhood resident (or commercial tenant of the current shopping center) who supports this proposal.
- 5) The support for this proposal focuses on the "economic" benefits of the plan. However, it is ignoring the detriments that accompany this population density. Traffic on NE 70th and even 132nd is already horrendous. It shouldn't take me 20-30 minutes to drive from downtown Redmond to my home in Bridle Trails, yet it regularly does. And this is not downtown Seattle, Kirkland, Bellevue or Redmond. People drive cars. They drive cars to and from work. They drive cars to take children to sports practices, to go to the doctor, to get to mass transit centers. You will be adding thousands of cars to an already congested area. I have seen no evidence or report by the city on how they will address this issue. Choosing to "believe" that people will magically begin using mass transit is naive at best, and in reality, simply irresponsible. Furthermore, a development of this density will also be adding hundreds of children to the local schools, which are already using portable classrooms because they have exceeded capacity. I understand that developers are required to pay the education impact fees. However, those fees are not enough. And there is a significant lag time between when developers pay those fees and schools can receive and use those fees to actually address overcrowding that development of this scale causes.

As representatives of the the Bridle Trails community you serve, I strongly urge you to reject Neighborhood Plan Policy change PT 7.

Thank you,  
 Jennifer Donahue

**From:** Jill Pierson  
**To:** [Planning Commissioners](#); [Janice Coogan](#); [Adam Weinstein](#)  
**Subject:** Bridle Trails Rezoning Plans for Bridle Trails Shopping Center  
**Date:** Monday, September 10, 2018 12:11:33 PM

---

To whom It may Concern:

"I am strongly opposed to Bridle Trails Neighborhood Plan - Policy BT 7 - changing the current building height at the Bridle Trails Shopping Center from 30 feet to 60+ feet including mixed use and higher density. This would significantly change the character of our equestrian neighborhood". It would bring increased traffic as well. We like our neighborhood the way it is.

There is a school nearby that my child attends the traffic is already busy and we do not need more development, but less. I like the shopping center the way it is. It provides everything that residents and homeowners need in this area. We do not need more development.

Thank you for your consideration  
Jill Pierson



**From:** [Adam Weinstein](#)  
**To:** [Janice Coogan](#)  
**Subject:** FW: Comments on Rezone proposals for study areas 8 and 9  
**Date:** Tuesday, September 18, 2018 7:48:49 PM

---

**From:** Jim Erckmann [mailto:jim.erckmann2@gmail.com]  
**Sent:** Tuesday, September 11, 2018 4:54 PM  
**To:** Planning Commissioners <PlanningCommissioners@kirklandwa.gov>  
**Subject:** Comments on Rezone proposals for study areas 8 and 9

Planning Commissioners:

I am opposed to the rezone proposals for Study Area 8 (Daniel Weise) and Study Area 9 (Bridle Trails Shopping Center) for reasons given below.

### **Study Area 9 (Bridle Trails Shopping Center)**

I am in favor of the idea of mixed use of the shopping center that would include apartments and affordable housing along with retail commercial use, but I am opposed to the proposed increase in building height to 65' for both Tech City Bowl and Bridle Trails shopping center properties. Six-story buildings would be completely out of scale with the existing development in the neighborhood and would threaten the quality of life in this low-density, equestrian friendly area. The Existing BCX zoning (Option A) would allow a building height of 30 feet above existing average building elevation. Planning staff have determined that the current BCX zoning would allow 135,794 sf gross floor area commercial and 598 residential units (59 affordable). That level of residential development would serve to support the business in the shopping center without jeopardizing the quality of life in this equestrian-focused neighborhood. One to two floors of residences above the ground-level retail would be an appropriate level of development.

The request (Option B) to increase building height to 65' would result in a severe clash of scale with the surrounding neighborhood, much of which is single family residential, with some nearby properties supporting horses. The proposed reduction in commercial space by about 27,000 sf would reduce the primary function of the shopping center in order to add far too many residential units for this neighborhood. This is not a reasonable trade-off.

I disagree with the staff recommendations and the scoring for several criteria in the criteria matrix. (1) I do not agree that this proposal is consistent with the vision statement in the neighborhood plan, and I think the majority of those participating in the planning process would not support the proposed height increase and reduction of retail space. (2) I do not think the height increase is compatible with adjacent or nearby uses, which include single family residences and horse properties. (3) I note that nearly all comments received so far oppose the height increase.

In short, the existing zoning allows a reasonable level of commercial and residential use. Early in the neighborhood planning process, City of Kirkland planners said that existing zoning was sufficient to meet projected growth in the area. Thus, there is no need for the rezone, and the shopping center is not the place to accommodate this much residential growth. If building height is increased, it should be no higher than needed to accommodate one level of retail

(ground floor) and two levels of residential above.

**Study Area 8 (Daniel Weise)**

I oppose the rezone of the three subject properties (Option B) from LDR 1 RSX 35 to LDR 5 RSX 7.2. The subject properties are on the edge of the Silver Spurs neighborhood, which is one of the few remaining neighborhoods in Kirkland with residential lots that can accommodate horses. From the beginning, the development of the Bridle Trails neighborhood took place with a focus on Bridle Trails State Park, because of the equestrian use of the park. The loss of several more properties that could keep horses would undermine the well-being of this very special park. There is no compelling reason for the rezone, and it would be inconsistent with the vision for the Bridle Trails Neighborhood. Please keep the existing zoning (Option A).

Thank you for considering my comments.

Jim Erckmann  
26 Bridlewood Circle  
Kirkland, WA 98033  
425-827-6595

NOTICE: This e-mail account is part of the public domain. Any correspondence and attachments, including personal information, sent to and from the City of Kirkland are subject to the Washington State Public Records Act, Chapter 42.56 RCW, and may be subject to disclosure to a third party requestor, regardless of any claim of confidentiality or privilege asserted by an external party.

**From:** [Adam Weinstein](#)  
**To:** [Joan Lieberman-Brill](#); [Janice Coogan](#)  
**Subject:** FW: Bridle Trails Center Plan  
**Date:** Monday, September 17, 2018 9:27:48 PM

---

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

From: Jim & Linda Hoff [<mailto:jnlhoff48@gmail.com>]  
Sent: Friday, September 14, 2018 12:25 PM  
To: Planning Commissioners <[PlanningCommissioners@kirklandwa.gov](mailto:PlanningCommissioners@kirklandwa.gov)>  
Subject: Bridle Trails Center Plan

I write in support of a plan to develop the BT shopping area into a well planned mini urban center. I am in favor of a plan for a multi-use facility that incorporates retail businesses, service and professional businesses, and apartment home living. I would require it to be walker and biker friendly with underground parking and interior open spaces with very limited vehicle access. In terms of the height limits I would limit the height along NE 70 to six stories where the slope is greatest moving down to five stories as you approach 132 Ave NE. The remainder of the development would be a mixed height of four and five stores on about a fifty fifty ratio on the space. I would also consider having 130th Ave not be an ally like access, but more of a parking and inviting open plaza to the whole facility.

I have lived in the Rosehill area since 1963 and I have watched suburban sprawl take over this entire area without an effective plan that incorporated a vision of what to do with an increasing population. I see this as a true opportunity for the future and a major step that might stop the current infill we see happening especially in the South Rosehill area. This opportunity might be the most realistic way to save more of the single family homes on decent sized lots that so many people want to keep in our area.

In closing I want the planning commission to have the courage to be futurist in thinking in spite of the mostly emotional outpouring of feelings against a major change for the future. I say this from the position of a nearly 79 year old man who knows we need to deal with the future now and I will not be the beneficiary of the future planning results.

James Hoff  
12830 NE 73rd St.  
Kirkland, Wa. 98033  
425-828-6868  
[Jnlhoff@msn.com](mailto:Jnlhoff@msn.com)

Sent from my iPhone

NOTICE: This e-mail account is part of the public domain. Any correspondence and attachments, including personal information, sent to and from the City of Kirkland are subject to the Washington State Public Records Act, Chapter 42.56 RCW, and may be subject to disclosure to a third party requestor, regardless of any claim of confidentiality or privilege asserted by an external party.

**From:** Joann Pearson  
**To:** [Planning Commissioners](#); [Janice Coogan](#); [Adam Weinstein](#)  
**Subject:** Strongly opposed: Bridle Trails Neighborhood Plan - Policy BT 7  
**Date:** Monday, September 10, 2018 6:01:51 PM

---

Kirkland Planning Commissioners,

I am strongly opposed to Bridle Trails Neighborhood Plan - Policy BT 7 - changing the current building height at the Bridle Trails Shopping Center from 30 feet to 60+ feet including mixed use and higher density. This would significantly change the character of our equestrian neighborhood.

The bridle trails shopping center is literally in the middle of a neighborhood. Increasing the zoning height may further enrich the owners and developers but it will not enrich our neighborhood.

Also, it is NOT consistent or compatible with the surrounding homes, buildings and neighborhood. The current 30 feet, 2-story zoning is consistent with adjacent use. A change to 60+ feet, 6 story (or 55 foot, 5 story) zoning is NOT consistent with adjacent use.

Positioning a zoning change to 60+ feet as similar or compatible to the adjacent small developments across the street or the neighborhood is false. Has anyone in planning even driven in our neighborhood?

Also, is there any understanding of the current traffic and the layout of streets and neighborhood? Is there any understanding of the impact of this change? I live in the Bridleview neighborhood across the street from the bridle trails shopping center. I currently have trouble exiting our neighborhood during morning and evening rush hour due to high volume traffic. What will be the impact of this zoning change that could allow 1,197 new residential units and commercial space. The current zoning already allows for 598 new residential units and commercial space.

Additionally, the Bridle Trails Shopping Center (Bridle Trails) Request and the planning recommendation is incredibly misleading. One glaring issue is that the property can be redeveloped within the current 30 foot zoning and meet ALL the 10 criteria Kirkland Planning Dept has used to support the rezone recommendation. There is already enormous redevelopment potential within the current zoning.

Please respect our neighborhood and community and do not make this zoning change.

Best regards,  
Joann Pearson

**From:** [Adam Weinstein](#)  
**To:** [Janice Coogan](#)  
**Subject:** FW: I support housing, so I support prudent upzoning for higher density  
**Date:** Tuesday, September 18, 2018 8:00:15 PM

---

**From:** John Weale [mailto:jweale@gmail.com]  
**Sent:** Sunday, September 9, 2018 12:07 AM  
**To:** Planning Commissioners <PlanningCommissioners@kirklandwa.gov>  
**Subject:** I support housing, so I support prudent upzoning for higher density

Hello,

I am a South Rose Hill resident who has been hearing a great deal about proposed upzoning along 85th and at the TechCity Bowl/Bridle Trails shopping center.

I would like to see more apartments in our city since they tend to be inherently more affordable - a 500SF one bedroom will always be more affordable than a stand alone home. In addition, the coming 405 rapid bus transit stop is an excellent opportunity to provide transit-oriented housing.

In the last 5 years, the cost of a house in this area has literally doubled. It would be nice if a teacher just out of college could consider living in our community rather than having to commute in to our schools, and that will never happen if the modern modestly priced home options - multi-story apartments - are banned by outdated zoning. The zoning changes described

at <https://www.kirklandwa.gov/Assets/Planning/Planning+PDFs/Land+Use+Study+Areas.pdf> all appear worth further study. (Although I am skeptical of the Weise property proposal #8 - we have enough million dollar homes on 7200 SF lots - but still worth a study.)

Regards,

John Weale  
7526 126th AVE NE  
Kirkland, WA, 98028

NOTICE: This e-mail account is part of the public domain. Any correspondence and attachments, including personal information, sent to and from the City of Kirkland are subject to the Washington State Public Records Act, Chapter 42.56 RCW, and may be subject to disclosure to a third party requestor, regardless of any claim of confidentiality or privilege asserted by an external party.

**Joan Lieberman-Brill**

---

**From:** Jordan Mandel <jordan.mandel@gmail.com>  
**Sent:** Thursday, September 13, 2018 4:57 PM  
**To:** Planning Commissioners; Joan Lieberman-Brill  
**Subject:** North/South Rose Hill & Bridle Trails Neighborhood Plan Update CAM18-00082

Dear Kirkland Planning Commission,

Thank you for including the community in the current and upcoming re-zoning discussion. We are residents of the South Rose Hill community and our property, located at 8234 122nd Ave NE, is within the expanded "Morgan" study area, on south side of 85th street. We have reviewed the proposed zoning changes and we have two main comments: 1) we do not support commercial zoning in the expanded Morgan area, but 2) we are open to modest density increases if they are joined with likewise improvements to traffic flow.

The Commission's recommendation of RM 3.6 multi-family residential is a reasonable balance that increases density without upending the residential characteristics of the area. While we are not opposed to increasing the density of surrounding properties (modestly), we are not interested in including our property in the proposed rezoning study. And again, we want to reiterate that we are opposed to commercial zoning in the study area.

Finally, we'd like to emphasize that we are concerned about traffic congestion and the parking along 122nd Ave NE. With increased traffic we will also see an even greater amount of gridlock at the intersections of 85th and 122nd NE. We'd like to see better traffic-flow solutions for vehicles travelling both north & south bound on 122nd Ave NE, intersecting with 85th. For example, we would like to see dedicated left-turn lights or traffic circles and other measures. Combined with the new residential developments north of 85th Street (in the Petco/Tuesday Morning shopping area), the proposed re-zone will exacerbate this issue. The rezoning plans should also address how to solve for increased parking demand along 122nd Ave NE.

Thank you for your consideration,

Jordan Mandel-Iaia & Diana Choksey  
8234 122nd Ave NE  
Kirkland, WA 98033

**From:** Julie Painley  
**To:** [Joan Lieberman-Brill](#); [Janice Coogan](#)  
**Subject:** Bridle Trails and S. Rose Hill comments  
**Date:** Monday, September 10, 2018 10:09:08 AM

---

Dear Ms. Brill and Ms. Coogan,

I've read over the neighborhood plans you are responsible for and would like to add my comments. We've lived in the South Rose Hill area since 1996, first in Kirkland for four years, and for the last 18, just over the line in Redmond, next to Grasslawn Park. The boundaries have always been fluid in this area, and your plans for Kirkland affect everyone in the west side of Redmond, as well. The neighborhood's character is defined in, as the combining of your plans acknowledges, a shared interest in the neighborhood's identity and future.

The Bridle Trails redevelopment issue is a very sensitive topic to residents, as you know. It's a great concern to us that the residential flavor of the Bridle Trails/South Rose Hill neighborhood is changing rapidly with approval of the multi-family development off of 85th.

The Kirkland area is rapidly coming to resemble Seattle with its mix of in-fill and older remodeled homes and apartments/condos and all the inherent traffic and public safety concerns that go along with it. School density is already at capacity at Rose Hill Elementary and Ben Franklin Elementary, as well as Rose Hill Middle School, which, as you know, were rebuilt a decade ago using ill-fated population projections; portables on the elementary school sites attest to the poor planning by the school district. The developers don't support any of the additional costs incurred by stretching the schools' capacities even further. It's time to push back on the assumption that greater density is where we're headed at any cost to our neighborhood's livability and quality of public schools.

Allowing multi-family mixed-use development of Bridle Trails Shopping Center is a huge mistake that will change the nature of these neighborhoods for generations to come. ROIC was able to oust Red Apple and Dairy Queen without the attendant public outrage having any effect. "It's just business." But when it comes to zoning changes, the citizens are beyond outraged at the presumption that the city has the right to approve an encroachment like a multi-story mixed use urban development project in the heart of the neighborhood. The increase in traffic alone will affect walkability and the change the feel of the neighborhood to an urban center rather than the quiet residential neighborhood it is.

I hope you will be very careful in your review and find the right reasons to deny taking the redefinition of our neighborhood deeper than has already been allowed. You don't owe the developers anything. They'll move on to their next economic opportunity if you stand up to them. And the citizens will be very grateful for your courage in doing so. We don't want to become another Seattle.

Sincerely,  
Julie Painley  
6901 143rd Ct NE  
Redmond, WA 98052



August 6, 2018

City of Kirkland  
Planning Department  
123 Fifth Avenue  
Kirkland, Washington 98033



Attn: Janice Coogan

Re: Bridle Trails Subarea  
Bridle Trails Shopping Center

Dear Ms. Coogan:

I live in the Bridle Trails area of Kirkland. I am concerned about the plans for the Bridle Trails Shopping Center. I understand the owners desire to change the zoning to allow buildings to go to five or six stories. The Bridle Trails area is primarily low density, single family residences, many of which have room for horses. There is a rural feel to the area. Allowing buildings to go to five or six stories is out of character for the area and should not be allowed. I would support allowing Bridle Trails Shopping Center to go to two or three stories, but five or six stories does not fit in with the area.

Thank you for considering my comments.

Very truly yours,

A handwritten signature in black ink that reads "Karen Hall".

Karen Hall  
6104 123<sup>rd</sup> Avenue Northeast  
Kirkland, WA 98033  
[klhall@ymail.com](mailto:klhall@ymail.com)  
425-739-0751



**From:** [Adam Weinstein](#)  
**To:** [Janice Coogan](#); [Joan Lieberman-Brill](#)  
**Subject:** FW: Planning Commission study on proposed land use/zoning/code amendment change requests (in Rose Hill and Bridle Trails)  
**Date:** Monday, September 17, 2018 9:24:26 PM

---

---

**From:** Katherine Morris [mailto:katherinesuemorris@gmail.com]  
**Sent:** Friday, September 14, 2018 6:12 PM  
**To:** Planning Commissioners <PlanningCommissioners@kirklandwa.gov>  
**Subject:** Planning Commission study on proposed land use/zoning/code amendment change requests (in Rose Hill and Bridle Trails)

Dear Planning Commission,

I've been a home owner in South Rose Hill for about 14 years and I regret that the quality of life will reach a new low with your zoning plans.

We do not need more traffic, we do not need more apartments, we do not need more construction, and we do not need more crime.

What are you thinking?

Respectfully,  
Katherine Morris

NOTICE: This e-mail account is part of the public domain. Any correspondence and attachments, including personal information, sent to and from the City of Kirkland are subject to the Washington State Public Records Act, Chapter 42.56 RCW, and may be subject to disclosure to a third party requestor, regardless of any claim of confidentiality or privilege asserted by an external party.

**From:** [City Council](#)  
**To:** [Adam Weinstein](#)  
**Cc:** [Janice Coogan](#)  
**Subject:** FW: Objection to Policy BT-7 - Bridle Trails Comprehensive Plan  
**Date:** Monday, September 17, 2018 4:19:54 PM

---

Adam,

If a response is warranted, please respond within five business days.

Thank you.

Jeannie McGivern  
City Manager's Office  
City of Kirkland  
123 5<sup>th</sup> Avenue  
Kirkland, WA 98033  
[jmcgivern@kirklandwa.gov](mailto:jmcgivern@kirklandwa.gov)  
(425) 587-3016



Subscribe to [This Week in Kirkland](#) and receive brief, timely news and notices about City-sponsored events.

Tourism Website: [www.explorekirkland.com](http://www.explorekirkland.com)

Tourism Facebook Page: [www.facebook.com/explorekirkland](https://www.facebook.com/explorekirkland)

---

**From:** Kat ^\_^ [mailto:ahkat@hotmail.com]  
**Sent:** Saturday, September 15, 2018 9:57 PM  
**To:** City Council <citycouncil@kirklandwa.gov>  
**Subject:** Objection to Policy BT-7 - Bridle Trails Comprehensive Plan

Hi,

I want to email you to let you know that I object to Policy BT-7 in the draft Bridle Trails Comprehensive Plan. This policy encourages the increase in height of the Bridle Trails shopping center. Please delete the words in this policy ..."with an increase of height to 5-6 stories."

The current zoning serves our rural, equestrian oriented neighborhood. Any height increase is not necessary and will not be supported by the

residents!! It is going to be an eye sore, and with no infrastructure for traffic growth, it will hurt this community driving housing value down.

I STRONGLY oppose to this!

Thanks,  
Kathy Carper  
Kirkland, WA

NOTICE: This e-mail account is part of the public domain. Any correspondence and attachments, including personal information, sent to and from the City of Kirkland are subject to the Washington State Public Records Act, Chapter 42.56 RCW, and may be subject to disclosure to a third party requestor, regardless of any claim of confidentiality or privilege asserted by an external party.

**From:** Kat ^\_^  
**To:** [Eric Shields](#); [Janice Coogan](#); [Adam Weinstein](#); [Planning Commissioners](#)  
**Date:** Sunday, August 12, 2018 6:40:34 PM

---

I am strongly opposed to Bridle Trails Neighborhood Plan - Policy BT 7 - changing the current building height at the Bridle Trails Shopping Center from 30 feet to 60+ feet including mixed use and higher density. This change would significantly change the character of our equestrian neighborhood.

This is a LOW density neighbourhood. We do not have any building over 2 stories tall, building anything higher is an eye sore and changes the density of the neighbor hood.

Thank you for listening.

Thanks,

[Kathy Kam](#)

**Joan Lieberman-Brill**

---

**From:** kbrown@claro.net.do  
**Sent:** Thursday, September 13, 2018 4:55 PM  
**To:** Planning Commissioners; Joan Lieberman-Brill  
**Subject:** Lee Johnson Property

Dear Planning Commissioners,

I own a unit in Overlook Village, a complex of 11 free-standing, two-story homes which shares a property line with the Lee Johnson Property. We recently became aware of Lee Johnson's proposal to increase the height and density limits on its property. This comes on the heels of learning of the proposed New Bethlehem Project's permanent shelter, with which we share another property line. We are reeling from all of these proposed changes, and fear the negative effects they would have on our quiet, residential neighborhood. The increased noise, traffic and tall/large buildings would greatly impact the quality of life in our community. Perhaps height and density limits could be slightly raised on the portion of the parcels directly abutting 85<sup>th</sup> street, but they should not be so raised on the parcels or portions thereof that are located further south and uphill.

Unfortunately, I am unable to attend tonight's meeting, and am thus writing this letter. We respectfully ask that you bear in mind our concerns at tonight's hearing.

Thank you,  
Kellee Brown  
8022 118th CT NE  
Kirkland, WA 98033

**From:** [Adam Weinstein](#)  
**To:** [Janice Coogan](#)  
**Subject:** FW: Update to Bridle Trails Comprehensive Plan  
**Date:** Tuesday, September 18, 2018 7:54:57 PM

---

---

**From:** Kent Sullivan [mailto:kent@sosufamily.net]  
**Sent:** Monday, September 10, 2018 11:20 PM  
**To:** Planning Commissioners <PlanningCommissioners@kirklandwa.gov>  
**Cc:** 'Julie Solon' <julie@sosufamily.net>  
**Subject:** Update to Bridle Trails Comprehensive Plan

Greetings,

I spoke with Janice Coogan today. Regretfully I will be out of town during your meeting on September 13. Here are a few comments to consider:

I live at 6407 126<sup>th</sup> Ave. NE, two blocks west of Daniel Weise. If I recall correctly, our property (which is three separate, adjacent parcels of varying shapes and sizes) is zoned R7.2 and is nearly two acres total, but we intentionally chose to develop it with just one house and two outbuildings. Our property is across 126<sup>th</sup> Ave. NE from two properties that are one house per "horse acre" (not sure of zoning designation), and our front entrance faces 126<sup>th</sup> Ave. NE.

As can be seen, with the choice Julie and I made 15 years ago, there is a consistent change in density at NE 65<sup>th</sup> St., between 125<sup>th</sup> Ave. NE and 128<sup>th</sup> Ave. NE. I strongly support that consistency be preserved, with the one-house-per acre (or so) density south of NE 65<sup>th</sup> St.

Of note is that 126<sup>th</sup> Ave. NE also breaks at NE 65<sup>th</sup> St. and is unimproved from there south to where NE 64<sup>th</sup> St. would be. 128<sup>th</sup> Ave. NE does essentially the same thing, nearer NE 64<sup>th</sup> St. I would think that if the allowable houses-per-acre were increased for lots between NE 64<sup>th</sup> St. and NE 65<sup>th</sup> St., and numerous houses were built, N-S connectivity would need to be created on 126<sup>th</sup> Ave. NE and 128<sup>th</sup> Ave. NE, which is in direct conflict with decades of Bridle Trails residents' wishes, due to the very-likely increase in cut-through traffic, especially at the beginning and end of work days.

I also understand that Mr. Weise has asserted that allowing more houses per acre would increase the number of affordable units of housing in this area. I suppose "affordable" could be a relative term, but I don't think that is the spirit of the word. Any such houses in R7.2 zoning in this area are fetching well over \$1 million dollars these days; with several in the \$1.5 million range. That does not strike me as affordable.

Thanks for listening,

--Kent

NOTICE: This e-mail account is part of the public domain. Any correspondence and attachments, including personal information, sent to and from the City of Kirkland are subject to the Washington State Public Records Act, Chapter 42.56 RCW, and may be subject to disclosure to a third party requestor, regardless of any claim of confidentiality or privilege asserted by an external party.



**Joan Lieberman-Brill**

---

**From:** Kevin Yoshimura <kevinyoshimura@yahoo.com>  
**Sent:** Wednesday, September 12, 2018 2:52 PM  
**To:** Joan Lieberman-Brill  
**Subject:** Rose Hill development Plan

Hi, I would like to protest and complain about the way this notice was presented. The plan for the development of the Lee Johnson dealership is much too large of a development and would decrease the quality of life and impact traffic in a very bad and detrimental way. Plus, the last minute presentation of this information in conjunction with the meetings was very shady and immoral.

cc. King5,Kiro7,Komo4



**From:** [Adam Weinstein](#)  
**To:** [Joan Lieberman-Brill](#); [Janice Coogan](#)  
**Subject:** FW: Bridle Trails rezoning plan  
**Date:** Monday, September 17, 2018 9:28:32 PM

---

**From:** Laurel Westall [mailto:[laurelaw2@gmail.com](mailto:laurelaw2@gmail.com)]  
**Sent:** Friday, September 14, 2018 9:59 AM  
**To:** Planning Commissioners <[PlanningCommissioners@kirklandwa.gov](mailto:PlanningCommissioners@kirklandwa.gov)>  
**Subject:** Bridle Trails rezoning plan

To whom it may concern, It seems that most all of what I read and hear from people surrounding the Bridle Trails shopping center is about their concerns regarding the negative impact on the area/neighborhoods and that they are strongly opposed to it. The latest news reported from the neighborhood planning meeting was that the rezoning of the area to allow the construction of a six story complex is "moving ahead". Since I also strongly oppose these plans, I'm wondering what it would actually take to stop this from happening. Is there a measurement of some kind? Is a petition signed by a certain number of people necessary? Or, is this really just a case, because it's the law that you allow people to give their opinions, that those very people are wasting their breath and those with the big money will have their way? I was recently called for a survey for my opinion rating the Kirkland planning commission. My basic response was neutral to somewhat negative. As I watch the proceedings in this case and hear about some others I have definitely been pushed to completely negative side. Sincerely, Laurel Westall

NOTICE: This e-mail account is part of the public domain. Any correspondence and attachments, including personal information, sent to and from the City of Kirkland are subject to the Washington State Public Records Act, Chapter 42.56 RCW, and may be subject to disclosure to a third party requestor, regardless of any claim of confidentiality or privilege asserted by an external party.

## Joan Lieberman-Brill

---

**From:** Laurie Boyd <laurie91@gmail.com>  
**Sent:** Thursday, September 13, 2018 12:03 PM  
**To:** Planning Commissioners; Joan Lieberman-Brill  
**Subject:** North/South Rose Hill & Bridle Trails Neighborhood Plan Update CAM 18-00082

Hello Kirkland Planning Commission,

Thank you for drawing our attention to the proposed rezoning on our street - 122nd Avenue NE (Morgan) - and for informing us of the expanded study which now includes our home and property at 8232 122nd Ave NE (expanded study area). We would like to attend this evening's meeting, unfortunately it takes place at the same time we're attending curriculum night for two of our children at Rose Hill Elementary, so we will attempt to convey our opinions and recommendations regarding these proposals via email.

It seems to us that the main goal of the Kirkland City Council, Planning Commission and Bridle Trails/South Rose Hill Neighborhood Association is to find pockets within our neighborhoods where 'missing middle housing' can be found, walkability and access to the new rapid transit center is maximized and the housing shortage is solved. We are in favor of change - we know it is inevitable especially in the throes of booming growth. However, we are hoping to maintain (and hopefully) enhance the way of life for current residents at the same time.

What attracted us to South Rose Hill back in 2002 when we purchased our home was the easy access to many amenities - near I-405, restaurants, coffee shops, shopping, groceries, all within walking distance - not to mention the fact that our future children would be able to walk or bike to all three area schools (elementary, middle and high school). We chose our home based on the good-sized lot with a large enough backyard for family and neighborhood gatherings and it has gotten great use over the past 16 years. We chose to live in Kirkland, a suburb, because we'd have the conveniences of an urban core nearby without the nuisances (to us) that come from living within an urban core.

The Morgan proposal, to allow high density, commercial properties to be built within our residential neighborhood, feels like an encroachment of the urban core into our already-established residential area. We are glad to see the city is also opposed to extending the commercial boundaries outside of the existing ones at this site - we agree this would alter the neighborhood unnecessarily. Our preference would be to keep commercial/residential mixed use for the already under-developed commercial areas in the South Rose Hill/North Rose Hill neighborhoods - both within walking distance from the new rapid transit center and the many amenities 85th Street businesses offer.

It is our understanding that the Petco shopping plaza on 122nd Avenue NE and 85th Street is slated for this type of building - high density residential/commercial mixed use. Has any consideration been given to the properties north of the current plaza? It would seem to me that a redevelopment of that entire area - 85th to 90th with mixed use/high-to-medium density/multifamily/middle housing - would be more desirable than moving high density/mixed use/multifamily to an already established residential space.

The same might be considered for the Mercury Coffee shopping plaza on the east side of 122nd Avenue between 85th and 90th Streets. Walkability to shops, restaurants and other amenities. Easy access to the freeway and rapid transit, walkability to local schools and churches, etc. Or the Honda dealership lot on 85th Street and 124th Ave NE. Could these properties, which meet the goals of the Council and Planning Commission, be better alternatives?

If the Morgan properties are rezoned, we'd be in favor of medium density (no more than 12 units per acre, as we understand it) multi-family development. Duplex or triplex configuration, we think could work well in this area - it still gives the look and feel of single family residential, which aligns well with the rest of the street and with 2 of the 4 properties on that site that are already zoned as such. It would solve for additional housing; walkway access from this

development through to 120th and on to the rapid transit center could be part of the development; and an increase in traffic and parking (already an issue on 122nd) wouldn't be as overwhelming for our current infrastructure as a high-density development would be. Having said that, any additional development of multi-family housing would require better parking and speed enforcement on our street. Speed enforcement will also help encourage walking within the neighborhood core.

In addition to the Morgan proposal, our property is flanked by a similar proposal in the expanded study area along 124th Avenue NE. We would be in favor of rezoning for multi-family dwellings similar to what we've described above (multiplexes) to solve for the problems previously mentioned in this note. We also believe that if our neighbors are in favor of making changes to the zoning of their properties, they should be allowed to pursue this, however it our preference that our property be omitted from the study. It is our intention to continue raising our three children in our home in South Rose Hill.

In short, we are in favor of new housing options for our growing community and understand the importance of accessibility to public transportation and walkable communities. We also know our community already offers this to its current residents, albeit we could use some improvements. We are not in favor of high-density, commercial (urban core) development within our suburban communities and established neighborhoods, but would instead like to see more mixed use along the current commercial corridors that meet the same goals of walkability, easy access, etc. Lastly, when it comes to our home and land, we are opposed to rezoning at this time and would ask that we be left out of the expanded study suggesting instead the planning commission look at alternative locations that also meet their goals.

Thank you for your consideration,

~Jon and Laurie Boyd  
8232 122nd Avenue NE

Laurie Fulton  
13230 NE66th St.  
Kirkland, WA 98033

September 12, 2018

Attention: Ms. Janice Coogan and Kirkland Planning Commission Members

Dear Planning Commission Members,

**Reference: Bridle Trails Neighborhood Plan – Opposition to Rezone (Upzone) of the Bridle Trails Shopping Center Properties**

I am writing to express opposition to the proposed change in land use and zoning to increase building height beyond the current 3 story height limit (proposal is 60') and to almost double the number of proposed housing units to be permitted in the Bridle Trails Shopping Center located SW of the intersection of NE 70<sup>th</sup> and 132<sup>nd</sup> Ave NE. I live across the street (east) from the shopping center and in the winter can see the Bartells sign out my living room window. I have attached a photo from our driveway toward the shopping center.

As a good citizen, I participated in the first neighborhood visioning meeting at Lake Washington Technical College. The meeting was very well attended with at least a dozen full tables represented. The goals of everyone in attendance appeared to be very consistent - a modest density increase for some portions of the overall area and to continue the general feel of the area, which is treed, quiet and focused around Bridle Trails Park (Park), a forested recreational area south of the subject parcels. One person present was in favor of high rise developments out of 100+ people in attendance. I left the meeting feeling comfortable that the city planners got the message as to what the residents of the area want.

The next thing I know, I received a mailer (thank you for the outreach) saying that there is a proposal to put a 6-story development essentially next to our property, and our previously platted 53 unit development of Bridle View, where all properties are over ½ acre in size. As you know, this general area is where Bellevue, Redmond, and Kirkland all come together. South of the Park is low density residential developed plats (Bellevue). East of the park and subject property is low density residential property (Kirkland and Redmond). At the intersection itself on the north two sides are 2 story businesses that serve the community with some residential space above, and they have been successfully developed. There are two multi family developments immediately adjacent (south and west) to the subject parcels but they are the only multi family units in the vicinity.

My objections to this proposed zoning and land use change are as follows:

**Neighborhood Compatibility:**

I tried to think of a low density residential area that has an isolated set of 6 story buildings next to it and couldn't come up with one. It would be very out of place and inconsistent with the neighborhood. We understand the need for additional housing and the current zoning allows for a huge number (almost 600) of additional residential units on the subject properties, so change is not needed to accommodate approximately 2000 additional residents to our community.



September 12, 2018

Ms. Janice Coogan and Kirkland Planning Commission Members

Page 2 of 3

**Reference:** Bridle Trails Neighborhood Plan – Opposition to Rezone (Upzone) of the Bridle Trails Shopping Center Properties

**Traffic:**

The traffic is already jammed in this area and backed up significantly (many blocks) during rush hours in the morning and evening. This is before you add additional people to the mix. It takes a while in the morning and evening to get out of our neighborhood because there is no traffic signal. The already permitted development potential will increase this traffic significantly, and further density as proposed will be that much worse.

I suggest that a traffic study be performed to understand the current condition and the impacts of current and proposed zoning if this rezone proposal is not rejected at the planning commission meeting. This is not a transit hub where large developments might be appropriate without extremely significant impact to the community.

**Parking:**

When Red Apple Grocery was open, on weekends and evenings, it was hard to find a place to park in the parking lot. With the addition of a huge number of additional people, where will they park? Contrary to wishful thinking, they will not all take the bus, we have one bus line on 70<sup>th</sup>. I am opposed to a reduction in the standard number of parking stalls/unit for this development, as this is not an employment hub and people will still need to drive to work, for most jobs. I fear that the overflow will end up parking in our neighborhood, reducing the availability for resident and guest parking.

**Light Pollution/Privacy:**

As I mentioned, in the winter, we can see the Bartells sign out our living room window. Many more structures/stories/lights on will increase the light pollution in the neighborhood and allow many more people to be able to see into our house from across the street. This is not appropriate.

**Noise:**

The area we live in is currently very quiet. Many horses (who are spooked by noise) and animals/wildlife live here in addition to people. Coyotes are commonly seen walking down the road, and many other animals go to/from the park in the current condition. Adding the number of units in the proposed zoning change would significantly increase the noise level which would impact the wildlife in addition to a decreased quality of life for our neighborhood. Under no circumstances should any rooftop business be permitted. Decibel level should be restricted coming from any development, and doubling the number of permitted units will make noise much worse from cars, voices, music, etc.

**Safety:**

More traffic through the neighborhood in search of parking or a shortcut increases the likelihood of vehicle, pedestrian and domestic and wild animal collisions/injuries.

September 12, 2018

Ms. Janice Coogan and Kirkland Planning Commission Members

Page 3 of 3

Reference: Bridle Trails Neighborhood Plan – Opposition to Rezone (Upzone) of the Bridle Trails Shopping Center Properties

**Storm water:**

Low elevation portions of our neighborhood flood (I've seen 5-inches of standing water in the street) during significant storms and I know some people in the public works department are aware of this issue. This impacts adjacent neighborhoods as well. Stormwater detention from any potential development should be made to significantly reduce the impact to the downstream neighborhoods and preferably use green storm water/low impact development methods of disposal.

**Cost Effective Development:**

I have heard an argument from someone that development to 3 stories and almost 600 units as currently zoned is not financially feasible. This is false. Many 2 and 3 story developments are successfully developed in Bellevue, Redmond and Kirkland (some infill of 2 and 3 stories on 70<sup>th</sup> have recently been constructed). Any development on that parcel with almost 600 currently zoned units, with nice condominium prices typical of the area costing \$600,000 would yield over \$350,000,000 without the other income from businesses. This is before any rezone is contemplated. There are infrastructure improvements that will be required and building construction also costs money but there is huge potential for profit and income as currently zoned.

In conclusion, my neighbors and I hope that the Kirkland planning commission and City Council members consider the fit with the neighborhood over the financial interests of 2 or 3 property owners in considering the upzone/rezone request and not allow an isolated small area of 6 story buildings in an otherwise much less densely developed area. The CURRENT zoning already allows for significant development potential, should the owners be so inclined.

Thank you for your consideration.

Regards,



Laurie Fulton

Phone: 206 550 0380

Laurief.davidf@frontier.com

Attachment:

c. City Council Members





View from Driveway

Attachment 7







## Joan Lieberman-Brill

---

**From:** Joan Lieberman-Brill  
**Sent:** Thursday, September 06, 2018 9:19 AM  
**To:** Planning Commissioners  
**Cc:** Adam Weinstein; Janice Coogan  
**Subject:** FW: Rose Hill Neighborhood Plan  
**Attachments:** LWTech - City Housing Planning 4 23 18.pdf  
  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

### Planning Commissioners –

The following email from Lake Washington Institute of Technology responds to the question asked by the PC at your study session on July 26, when all requests for land use change/rezones and code amendment were introduced, regarding housing at the campus.

Sincerely,

Joan Lieberman-Brill, AICP  
 Senior Planner  
 Kirkland Planning & Building Department  
 425-587-3254  
[jbrill@kirklandwa.gov](mailto:jbrill@kirklandwa.gov)  
*Mon – Thus*

---

**From:** Thomas, Bill [<mailto:Bill.Thomas@lwtech.edu>]  
**Sent:** Tuesday, September 04, 2018 3:42 PM  
**To:** Joan Lieberman-Brill  
**Cc:** Goings, Amy  
**Subject:** Rose Hill Neighborhood Plan

Joan, the position of Lake Washington Institute of Technology regarding potential housing on campus remains the same as we outlined in the attached letter. This is only under consideration at this point by the College and would be part of a longer term facilities plan. There are no immediate short-term plans by the College for housing on campus nor an immediate request by the College to change zoning regulations. While our long term plans for housing would be primarily intended to address housing for our employees and students, there could be consideration given to others depending on partnerships and funding. But, at this early point, Lake Washington recognizes that any effort for housing on campus is going to require a significant number of years and funding support not currently available by the College.

I hope this helps clarify the College's thoughts on housing on our campus. Please let me know if you have any questions.

Thank you.

**Bill Thomas**  
 Vice President, Administrative Services  
 Lake Washington Institute of Technology

11605 132<sup>nd</sup> Avenue NE  
Kirkland, WA 98034  
[bill.thomas@lwtech.edu](mailto:bill.thomas@lwtech.edu)  
425.739.8201

**From:** Joan Lieberman-Brill  
**Sent:** Tuesday, August 21, 2018 10:33 AM  
**To:** 'amy.goings@lwtech.edu'  
**Subject:** LWIT Request for Rose Hill Neighborhood Plan policy change

Hi Amy,

The update of the Rose Hill Neighborhood Plan is moving forward with a Planning Commission meeting scheduled for September 13 on the land use/rezone/zoning regulation or policy change requests initiated by stakeholders or staff proposals, in order to provide a preliminary recommendation on which ones move forward to public hearing in October. These requests were introduced to the Planning Commission in July. I'm not sure if you have been following this update – here is a link to the [Planning Commission](#) website to view the staff memo that was considered at the July 26 Planning Commission study session when all requests were introduced, along with the first draft of the Rose Hill and Bridle Trails Plans. Scroll down to “Meeting Information” for July 26 and you may download the meeting packet Part 1, 2, and 3.

At that study session they provided feedback and had a few questions on the requested changes and draft Rose Hill and Bridle Trails plans. Regarding LWIT, they asked for more information about your interest in providing student or staff housing. They wondered generally if there could be any way to restrict tenants to students or staff, which is a question planning staff may explore. In the meantime it would be helpful to confirm if your intention is to limit housing only to those who either attend or work at LWIT and their families. **Please respond by August 28 so I can respond to the Planning Commission in a staff memo I'm preparing for the September 13 meeting.**

I would also encourage you to attend the upcoming September 13 meeting to follow the discussion on your amendment request. The meeting will begin at 7:00 PM and is held in the Council Chamber at City Hall. If it isn't possible to attend, you can view the meeting live by going to the [Planning Commission Meetings Online](#) website. The staff memorandum that will be considered by the Planning Commission will be available for viewing on September 7, the Friday prior to the meeting, by following this link to the [Planning Commission](#) website and scrolling down to “Meeting Information” for that date.

Please let me know if you have questions.

Sincerely,

Joan Lieberman-Brill, AICP  
Senior Planner  
Kirkland Planning & Building Department  
425-587-3254  
[jbrill@kirklandwa.gov](mailto:jbrill@kirklandwa.gov)  
*Mon – Thu*

**From:** Lyle  
**To:** [Planning Commissioners](#); [Janice Coogan](#); [Adam Weinstein](#)  
**Subject:** Re-Zone of Bridle Trails Shopping Center  
**Date:** Tuesday, September 11, 2018 9:38:57 PM

---

Greetings to Kirkland Planning Commissioners and Planners: Thanks for all you do. My name/address is Lyle Matznick 6627 134<sup>th</sup> Ave NE, Kirkland, WA 98033. I live in the Bridle View community directly east (across 132<sup>nd</sup> Ave NE) of the Bridle Trails Shopping Center. I have lived there for over 45 years (moved in before BTSC existed!). I have enjoyed shopping at BTSC stores/shops/... since their very beginning (I walk there more often than drive there). Recently it was a sad day/time when the Red Apple grocery store (a true friendly neighborhood gathering place) was forced to close because the property owner raised the rent way too much. Now we have a "second rate" grocery store in its place ...UGH!

GREED/GREED/GREED ... MORE profit/MORE profit/MORE profit is what this requested re-zone is all about. More the 20 commercial establishment already exist in BTSC and current zoning allows for almost 600 housing units. I know there is a demand for more housing and I would welcome these new neighbors. BUT ... I disagree with up-zoning to put more money in the pockets of the property owner and potential developer.

On another matter ... a six story building would stick-out like a sore thumb ... ALWAYS ... FOREVER!

Please keep the zoning as it is. Thank you, Lyle (425) 869-0465

**From:** [City Council](#)  
**To:** [Adam Weinstein](#)  
**Cc:** [Janice Coogan](#)  
**Subject:** FW: Continental Divide Mixed Project  
**Date:** Friday, September 14, 2018 3:32:35 PM

---

Hi Adam,

If a response is warranted, please respond within five days.

Thank you.

Jeannie McGivern  
City Manager's Office  
City of Kirkland  
123 5<sup>th</sup> Avenue  
Kirkland, WA 98033  
[jmcgivern@kirklandwa.gov](mailto:jmcgivern@kirklandwa.gov)  
(425) 587-3016



Subscribe to [This Week in Kirkland](#) and receive brief, timely news and notices about City-sponsored events.

Tourism Website: [www.explorekirkland.com](http://www.explorekirkland.com)

Tourism Facebook Page: [www.facebook.com/explorekirkland](https://www.facebook.com/explorekirkland)

---

**From:** cr8tive [mailto:cr8tive@frontier.com]

**Sent:** Friday, September 14, 2018 1:09 PM

**To:** City Council <citycouncil@kirklandwa.gov>; Amy Walen <AWalen@kirklandwa.gov>; Amy Bolen <ABolen@kirklandwa.gov>; Dave Asher <DAsher@kirklandwa.gov>; Jay Arnold <JArnold@kirklandwa.gov>; Jon Pascal <JPascal@kirklandwa.gov>; Penny Sweet <PSweet@kirklandwa.gov>; Tom Neir <TNeir@kirklandwa.gov>; Toby Nixon <TNixon@kirklandwa.gov>

**Subject:** Continental Divide Mixed Project

Dear Kirkland City Council Members,

I live at 8534 131st AVE NE, which borders the subject property for the Continental Divide Mixed Use project. I have **serious concerns** about the process that led to this project and I request your help in mitigating the **detrimental effects** of this project **before** it is built. This same process is happening again as the Planning Commission is making the 20-year Comprehensive Plan for our neighborhood (Rose Hill/Bridle Trails) and hopes to wrap it up by the end of 2018. I believe the notification process does not reach enough people and the methods of publicizing the plan are unfair and insufficient. Please review

the notification standards the Planning Commission must use to notify the public.

Currently the City of Kirkland does the following to notify the community about rezone proposals:

- Posting notice on public notice sign boards surrounding the rezone property, on all adjacent streets
- Posting notice on the City's website
- Publishing notice in the Seattle Times
- Posting notice on official notification boards at City Hall

Please consider adding the following:

- On plan maps, especially those shown to the public, use an **ACCURATE** definition to better reflect the code description. As in the Continental Divide project, the term "office" in the legend was **deceptive and misleading**. I suggest mixed-use, mixed-use high-density residential, or commercial high-density residential.
- Guarantee notification of neighbors bordering the property under consideration.
- Notify the community sooner and multiple times to make sure new residents are notified. I suggest every 6 months.
- Notify by mail. Small signs posted at busy intersections are insufficient.
- Notify a larger radius around proposed rezoning areas. Redmond and Bellevue send notifications to a 500 ft radius, while Kirkland sends to just a 300 ft radius.
- Notify all impacted parties regardless of distance if the radius encompasses some of the residents that live on a sole access point, i.e. Residents on a dead-end street or development that has only one access point. Only some of the residents in The Pointe and on 131st were notified even though this will significantly impact all residents in these neighborhoods.
- Add a public notice sign to **each lot** on which a building will be developed. One sign in front of three lots makes it seem as if only one will be developed.
- Public notice signs and **information needs to be updated with new dates and next steps information after each meeting**. Currently, the Continental Divide signs state the July 2 mtg. If residents were to look at this notice, they would think they missed the deadline even though the process is still under review.
- Put the sign in a conspicuous location when the property is a large lot. i.e. The notification sign on the east side of the Petco property is located past the driveway to the north. Very little traffic drives past this sign location. It should have been located to the south of the east driveway to attract attention. It seems like the plan is to attract as little attention as possible when sign placement is decided.

Specifically about the Continental Divide Project, I have concerns about the severe change this project could mean to our neighborhood. The developer has a building permit but the design has not been approved. **Please do all that is within the Kirkland City Council's power to address my concerns before the Design Review Board approves the design on September 17th.**

Violations of zoning codes and the Comprehensive Plan:

- The description of the project states it is "a four story mixed use building" however the NE 85th St Subarea Plan limits buildings to three stories by stating, "providing incentives including increased building

heights up to three stories” (**Policy NE85-4.8**). **This project cannot have four stories if the limit is three stories.** If there is a conflict between zoning codes the **most restrictive of these apply (KZC 170.50).**

- This project includes residential units on the ground floor, but the Zone Use Chart for the zone where this project is located (**RH-8**) **states that stacked dwelling units “may not be located on the ground floor of a structure” (KZC 53.84 Zone RH8 Use Zone Chart .050 Stacked Dwelling Units).** **This violation should not be ignored and no exceptions should be granted.**

- The description of the project states, “A single story commercial building will be located near NE 85th Street” however the NE 85th St Subarea Plan prohibits such buildings by stating, **“Discourage single story retail buildings” (Policy NE85-4.8).**

Notice to the community: I believe the notice given by the City of Kirkland was insufficient. Kirkland notifies too late in the process and notifies fewer neighbors than other nearby cities. Maps and notices use the misleading term “Office” for businesses and/or high-density apartments. In very late June 2018, a public notice sign went up at the corner of 85th/Redmond Way and 132nd Ave NE and we received a notice about a July 2nd Design Review Meeting. **This was the very first time I heard about this project.** There were no other notices sent since December 2015 (two-and-a-half years). The notices sent in December 2015 were from an old list that wasn’t updated to include homeowners who bought homes directly adjacent to the project in the previous six months. Even still, **none of longtime homeowners who lived within 300 feet of this project** knew about the changes that would so severely impact their properties. Please consider overhauling the entire process for notifying the community about zoning, public comment periods, and public meetings.

**Jarring transition between houses and huge complex:** If this project is approved as-is a towering wall of over 200 windows and balconies will overlook single-family homes, leaving some homes in shadow all winter. This horseshoe-shaped project has adjoining walls between residential units and commercial spaces. **These both violate the city’s land use policy to “create effective transitions between commercial areas and surrounding residential neighborhoods” (Policy LU-5.1 Urban Design).**

Safety: Bicyclists, joggers, and walkers could be endangered by the busy garage entrances. One of these garage entrances is next to a school bus stop and along schoolchildren's walking routes. **Current neighbors on dead-end 131st and along 132nd already have trouble accessing their homes and this project adds busy driveways to both streets.** The nearby megachurch traffic already requires a police officer to direct Sunday traffic at the intersection for this project.

Gateway feature: Much Design Review Committee time has been spend on adjusting the look and feel of the 85th/132nd corner. The city wants to encourage pedestrians and spending time in the gateway seating area of this project, however it is unsafe and will not be a popular place to sit and visit. The gateway design is too close to the intersection and doesn’t include pedestrian protection from the passing vehicles, which endangers any children who are in the gateway area. **We do not want to repeat the deadly accident that happened at a seating area at Redmond Town Center a few years back. This is not a destination for a leisurely cup of coffee and chatting with friends because it’s too close to the road, vehicles race by, semis loudly switch gears at the crest of the hill, and you will be breathing exhaust.**

Less parking than required: The developer claims their parking spaces will be used by businesses during the day and as guest parking at night, however dual use parking spaces not allowed by code. Surrounding streets have almost no street parking and new fire hydrants required because of this project mean even less parking. More parked cars on narrow 131st means less emergency access. **On a given day 5-10 vehicles are parked on 131st from local businesses, often blocking trash pickup and mail delivery. Often there is one way access due to cars on both sides of the road. I can't imagine how many extra vehicles will be in front of our homes with 134 apartment units.**

Family atmosphere: I am concerned about the family-oriented neighborhood we have now changing into



big apartment complexes with studio apartments. New residents in this project will find themselves in an area with minimal bus service, very few businesses catering to them, and a steep hill bordered by forested ravines. The pedestrians in our neighborhood tend to be neighbors walking their dogs, retirees on a walk, limited commuters taking the bus, and children going to and from school. I'm concerned that the young people attracted to this complex are not going to find the convenient amenities they want and 134 units of new people will change the character of our residential area. **The projects is not increasing services that will enhance the neighborhood and increase the walkability of the community, since there is no restaurant or gathering place proposed due to the lack of a grease trap in the plan. This was a misleading selling point!**

Garbage collection: The dumpster for entire building is collected next to **MY one-story home creating a great deal of noise and blocking my access to leave and enter my home.** When the garbage truck backs up into the driveway for collection, it will block access to one of only two entrances for the whole apartment complex. That seems inconvenient and even dangerous for that many people to be down to one entrance.

No moving truck loading zone: Studio apartments are for young people whose lives are ever-changing. This project has no loading zone for a moving truck. Just as with garbage collection, if a moving truck blocks either driveway, residents are down to one way in or out. If moving trucks choose to stop on 132nd, they will be impacting an already clogged intersection. If the moving truck parks on 131st, it will impact a dead-end street already overwhelmed by nearby businesses using their street to park.

No play area or open spaces for children: Children who live in this apartment complex will have no options for playing outside. The nearest public park is a 13-minute 0.7 mile walk almost entirely along busy 85th Street. The current proposal for this apartment complex doesn't include any playground equipment or even an open grassy area for children. The center courtyard will be a parking lot, which cannot be safe a play area. **The city's plan for adequate access to play areas/parks would not be met** with a development of this size at this location.

Businesses that the community will frequent: With just 7% of the square footage for businesses, this project can just barely be considered mixed use. The developer's plan is to use the retail space for their own corporate office and a property management company, leaving one space for a business that the community may actually use. **Again, misleading to the community that didn't oppose rezone in favor of walkable destination that enhances the community.**

Quality of life: Only because of neighborhood outcry, the city wrote an FAQ document about this project. In response to our concerns about our quality of life, the city replied, "The City does not have a metric for quality of life." The developer has no incentive to preserve our quality of life and the city says there is no metric for it. **My neighbors and I are on the cusp of losing the quality of life in our neighborhood. It will come in the form of towering walls of windows, noisy apartments, busy driveways choking gridlocked intersections, loss of solar access all winter, children with nowhere to play, moving trucks and garbage trucks blocking roads, and so many people crammed into a once-quiet neighborhood. All of this on streets lined with modest houses and homeowners who were not given the chance to prevent it.**

I am seeking the following solutions and intervention on the City Council's part:

- **This development should NOT be granted a permit.** The development needs to decrease the size to three stories and replace residential units with retail on the ground floor, **per the zoning code and Comprehensive Plan.**
- The upcoming **Design Review Board meeting on September 17th should be CANCELLED**, because the developer has not complied with zoning code and the Design Review Board should not approve a design that violates zoning code.
- Please re-examine the unlimited density in the RH-8 zone abutting residential. **Adjust it to reflect the**



**neighborhood plan and land use goals that are part of the comprehensive plan.**

- In December 2015, the developer used a Citizen Amendment Request to change 6 parcels that were zoned residential to "Office." This is a misleading term because it did not communicate the possibility of high-density residential units next to single family homes. **This project should be limited to OFFICE to match the description.** In the future, the zoning code description should reflect the term "office" or terms like "High-density Residential" and "Mixed Use" should be used so the community is not misled again.

- **Please completely overhaul and modernize the notification process.** The current process relies on community members being highly involved in local government through reading newspapers, reading city newsletters, visiting city websites, subscribing to city update email lists, and even physically visiting city hall to read notice boards.

**Please do not set a precedent by allowing this huge, out-of-place development in our neighborhood that clearly CONFLICTS with Kirkland's zoning codes and Comprehensive Plan.**

Please do what is in the power of the Kirkland City Council to **help our neighborhood keep its current family atmosphere**, the traffic flow of those passing through, the safety of our children, and our quality of life. We are counting on you to hear us and make the vital changes necessary before the Continental Divide project is built.

Sincerely,

Lynn Armstrong

8534 131st AVE NE

Kirkland, WA 98033

NOTICE: This e-mail account is part of the public domain. Any correspondence and attachments, including personal information, sent to and from the City of Kirkland are subject to the Washington State Public Records Act, Chapter 42.56 RCW, and may be subject to disclosure to a third party requestor, regardless of any claim of confidentiality or privilege asserted by an external party.

**From:** Mark Plesko  
**To:** [Planning Commissioners](#); [Eric Shields](#); [Janice Coogan](#); [Adam Weinstein](#)  
**Subject:** Bridle Trails shopping center  
**Date:** Wednesday, September 12, 2018 1:30:16 PM

---

I am writing in support of the potential Bridle Trails shopping center rezone. We need the rezone in order to encourage development that will help meet neighborhood and city goals. We have seen from Houghton and developer feedback for Bridle Trails that redevelopment won't happen with 30 foot limits.

We recently lost the Red Apple Market and now have much a lower quality option. The entire region is growing, and we live in a very desirable area, so housing demand is significantly up. Since the entire Bridle Trails/South Rose Hill area has essentially retained the same zoning - and therefore the same housing supply - this has led to large demographic changes in the neighborhood. This has led to the large number of teardowns and, according to the Red Apple owners, less demand for a neighborhood grocery store. Having more people increases our chances of having higher quality retail in our shopping area, and it is likely that the demographics of the residents in such a development would support that as well.

Several years ago, we lost Metro route 265 and its direct service to Seattle. We are rather fortunate with our current population to currently have the 245 with its 15-minute service. The 245 is unlikely to go away, but there will be increasing pressure to serve other areas. To maintain, or hopefully improve, its service level, we need more riders.

The region's growth has led to an incredible housing shortage, marked by huge increases in living costs and sprawled development to the north, east, and south. This has been forced by a lack of housing across the region, starting with Seattle but also including places like Houghton and our neighborhood. **Kirkland's desire to be a welcoming and inclusive community is effectively blocked by a lack of housing options.** We are losing police officers because they can't live nearby. Teachers are forced to live far away, and so on. Despite developments such as Kirkland Urban and Totem Lake, Kirkland lags behind most of the region. Not only is there an Affordable Housing shortage, but there is a lack of affordable housing even for the middle class. I'm constantly talking to people that I would love to have as neighbors who are turned away by Kirkland's market. This rezone is one way that we can both contribute to solving this problem as well as strengthen our community.

The main concern with development is the effect on traffic. However, the status quo, both locally and in the region, is the major contributor to traffic. 70th and 132nd are alternate routes for commutes such as Microsoft to north Kirkland, Bothell, and even beyond. A main cause of traffic is people living far from their destinations in car-dependent areas. Many of the people who can't live in our neighborhood center will be the ones driving down 70th. Grocery Outlet's business model is dependent on people from a wide area making multiple stops to do their grocery shopping. We have traffic because we've forced it on ourselves. New development, of course, isn't a magic solution that makes that traffic go away, but local traffic does tend to displace cut-through traffic, and **having more people that are closer together enables more options such as walking, biking, and transit**, which give us alternatives to being stuck in traffic.

It is an odd thing that we have these shortages while the current 2-3 story zoned potential sits unused. Feedback from developers seems to indicate that the costs of construction generally don't work out at this height, which is why we don't see so many mixed-use 3-story buildings and haven't seen any activity on the Houghton parcels. This is especially true when we make demands for large retail spaces (like that needed for a grocery store), community space, infrastructure improvements, and so on. These are good things, and they can be worth including in a plan, but they can't happen unless the overall project is worth doing.

I do not think that “equestrian character” should be a factor in the zoning process. My family is one of the few (only 10% of large lots by informal counts) that actually own horses anymore, and we would still be able to do so with this redevelopment. Market forces have turned the overall neighborhood into luxury large-lot housing, with remodels/reconstruction making some lots unusable for equestrian purposes. Obviously we like our situation, but prioritizing a handful of horses over 1,100 housing units is the wrong priority for an inclusive community.

Mark Plesko  
Bridle Trails

**Joan Lieberman-Brill**

---

**From:** Matt Sonneveld <matt.sonneveld@gmail.com>  
**Sent:** Monday, September 17, 2018 9:16 AM  
**To:** Joan Lieberman-Brill  
**Subject:** Re: link to the staff report for Sept. 13.

I am vehemently opposed to the rezoning proposal for the Morgan property and the extended area. I fail to see why the construction of a rapid transit station necessitates this rezoning.  
It would be better to create more parking space near the new rapid transit station

Matt Sonneveld  
8215 124th Avenue NE,  
Kirkland, WA 98033

On Tue, Sep 11, 2018 at 8:54 PM Joan Lieberman-Brill <[JLiebermanBrill@kirklandwa.gov](mailto:JLiebermanBrill@kirklandwa.gov)> wrote:

Hi Matt,

Here is the link to the staff memorandum [Part 1](#) and [Part 2](#) prepared for the Planning Commission meeting on September 13. The Morgan request is discussed on page 5-6 and page 11 of the packet. On page 11, a map shows the staff recommended study area that is recommended for advancement to the public hearing in October.

Joan Lieberman-Brill, AICP

Senior Planner

Kirkland Planning & Building Department

425-587-3254

[jbrill@kirklandwa.gov](mailto:jbrill@kirklandwa.gov)

*Mon – Thus*

NOTICE: This e-mail account is part of the public domain. Any correspondence and attachments, including personal information, sent to and from the City of Kirkland are subject to the Washington State Public Records Act, Chapter 42.56 RCW, and may be subject to disclosure to a third party requestor, regardless of any claim of confidentiality or privilege asserted by an external party.

**From:** Matt Moats [<mailto:moatsmjl@gmail.com>]  
**Sent:** Wednesday, September 05, 2018 9:07 PM  
**To:** PlanningInfo  
**Subject:** fraudulent zoning request

To whom it may concern,

reference:

[https://www.kirklandwa.gov/Assets/Planning/Planning+PDFs/Planning+Commission/North\\_South+Rose+Hill+-+Bridle+Trails+Neighborhood+Plan+Update+PC+Meeting+Packet+7\\_26\\_18+-+CAM18-00082+WEB\\_Part2.pdf](https://www.kirklandwa.gov/Assets/Planning/Planning+PDFs/Planning+Commission/North_South+Rose+Hill+-+Bridle+Trails+Neighborhood+Plan+Update+PC+Meeting+Packet+7_26_18+-+CAM18-00082+WEB_Part2.pdf)

It appears the neighbors of Sharon Velozo have attempted to get her property rezoned by indicating ownership of her plot of land.

The proposal written states:

"4 lots owned by morgans"

one of the properties listed is 8245 122nd ave ne. This property is owned by Sharon Velozo.

Ms. Velozo was never consulted in this, and does not wish to rezone the property. The morgans have been consulting developers from the area, and this is yet another attempt to profit off the surrounding properties.

We request that the proposal be audited for validity and if invalid, revoked. You can find Sharon Velozo's property listed under parcel pin 1233100271

-Matthew Moats

**Joan Lieberman-Brill**

---

**From:** Mayerber Carvalho Neto <mayerberneto@hotmail.com>  
**Sent:** Thursday, September 13, 2018 5:35 PM  
**To:** Planning Commissioners; Joan Lieberman-Brill  
**Subject:** Rose Hill/Lee Johnson proposal

Dear Planning Commissioners,

My name is Mayerber Carvalho Neto, owner of a unit at Overlook Village condos on 118TH CT NE.

I'm writing you to express concern about Lee Johnson's expansion proposal. Our community shares a fence with Lee Johnson. I'm particularly concerned about increased density and traffic due to this proposal.

We will be feeling the effects of the New Bethlehem Project's permanent shelter when it opens as our community too shares a fence with that location.

Sincerely,  
Mayerber and Paulina Carvalho  
8010 118th CT NE

**From:** Megan Davidson  
**To:** [PlanningCommissioners@kirklandwa.gov](mailto:PlanningCommissioners@kirklandwa.gov); [Eric Shields](#); [Janice Coogan](#); [Adam Weinstein](#)  
**Subject:** Bridle Trails community Comprehensive Plan  
**Date:** Monday, August 13, 2018 10:38:44 AM

---

Bridle Trails is the last bastion of a safe place to ride anywhere near Seattle. 15 years ago my husband, daughter and I moved to Kirkland to enjoy a very special, and hard-earned opportunity to live near Seattle, work, and have horses at our house. We are a two-person working family... As it is, increasing traffic on 132<sup>nd</sup> can be treacherous to riding horses to the park. Increasing density will make it even more so.

We do not want to be driven from our home because density creates more traffic, which makes it unsafe to ride in the area.

I am strongly opposed to Bridle Trails Neighborhood Plan - Policy BT 7 - changing the current building height at the Bridle Trails Shopping Center from 30 feet to 60+ feet including mixed use and higher density. This change would significantly change the character of our equestrian neighborhood.

Please consider having folks build somewhere else – not in the heart of a one-of-a-kind equestrian neighborhood and destroying something that can never be repaired.

**Megan Davidson**

Commercial Insurance  
Sales Executive  
Commercial Insurance  
601 Union Street, Suite 3400  
Seattle, WA 98101-1371  
206.262.4375 Direct  
206.954.0950 Mobile

*Unrelentingly Unconventional*

Propel's offices will close at noon on Fridays during the summer starting May 25th.

---

NOTICE: This communication including any attachments may contain privileged or confidential information. If you are not the intended recipient, or believe that you received this communication in error, please advise the sender immediately and delete or destroy the communication you received without copying or disclosing the contents. Thank you.

---



**From:** [Adam Weinstein](#)  
**To:** [Janice Coogan](#)  
**Subject:** FW: Zone of Bridle Trails Shopping center  
**Date:** Tuesday, September 18, 2018 8:03:10 PM

---

**From:** Mehri Kaufman [mailto:nursemehri@gmail.com]  
**Sent:** Friday, August 31, 2018 5:47 PM  
**To:** Planning Commissioners <PlanningCommissioners@kirklandwa.gov>  
**Subject:** Zone of Bridle Trails Shopping center

"I am strongly opposed to Bridle Trails Neighborhood Plan - Policy BT 7 - changing the current building height at the Bridle Trails Shopping Center from 30 feet to 60+ feet including mixed use and higher density. The traffic is already bad enough. We can not even get out of our neighborhood or get to our house during rush hours. It used to be only 116th Ave NE was backed up but now 132nd Ave NE is backed up for miles from Bellevue to Bridle View, where I live.

Also 70th place is already very busy during mornings and afternoons due to Microsoft and folks working in Redmond. This change will make this area impossible to get in and out.

Please please reconsider this zoning change.

Thank you very much,  
Mehri Kaufman

NOTICE: This e-mail account is part of the public domain. Any correspondence and attachments, including personal information, sent to and from the City of Kirkland are subject to the Washington State Public Records Act, Chapter 42.56 RCW, and may be subject to disclosure to a third party requestor, regardless of any claim of confidentiality or privilege asserted by an external party.

**From:** [City Council](#)  
**To:** [Adam Weinstein](#)  
**Cc:** [Janice Coogan](#)  
**Subject:** FW: Rezone - Bridle Trail Shopping center  
**Date:** Friday, September 14, 2018 3:26:07 PM

---

Hi Adam,

If a response is warranted, please respond within five business days.

Thank you.

Jeannie McGivern  
City Manager's Office  
City of Kirkland  
123 5<sup>th</sup> Avenue  
Kirkland, WA 98033  
[jmcgivern@kirklandwa.gov](mailto:jmcgivern@kirklandwa.gov)  
(425) 587-3016



Subscribe to [This Week in Kirkland](#) and receive brief, timely news and notices about City-sponsored events.

Tourism Website: [www.explorekirkland.com](http://www.explorekirkland.com)

Tourism Facebook Page: [www.facebook.com/explorekirkland](https://www.facebook.com/explorekirkland)

**From:** Mehri Kaufman [mailto:nursemehri@gmail.com]  
**Sent:** Friday, September 14, 2018 2:53 PM  
**To:** City Council <citycouncil@kirklandwa.gov>  
**Subject:** Rezone - Bridle Trail Shopping center

*Dear Councilmen,*

*I object to Policy BT-7 in the draft Bridle Trails Comprehensive Plan which encourages the increase in height of the Bridle Trails shopping center. Please delete the words in this policy ..."with an increase of height to 5-6 stories." The current zoning serves our rural, equestrian oriented neighborhood. Any height increase is not necessary and will not be supported by the residents. This will impact the traffic tremendously. It's already pretty backed up due to the increase of housing in Kirkland and Redmond.*

*Please consider our opinions in your decisions,  
Thank you so much,  
Mehri Kaufman (Bridle View resident)*

NOTICE: This e-mail account is part of the public domain. Any correspondence and attachments, including personal information, sent to and from the City of Kirkland are subject to the Washington State Public Records Act, Chapter 42.56 RCW, and may be subject to disclosure to a third party requestor, regardless of any claim of confidentiality or privilege asserted by an external party.

**From:** [Adam Weinstein](#)  
**To:** [Janice Coogan](#)  
**Subject:** FW: Feedback on Bridle Trails neighborhood proposal  
**Date:** Tuesday, September 18, 2018 7:57:16 PM  
**Attachments:** [image002.png](#)

---

**From:** Melissa Cook [mailto:macookcorp@outlook.com]  
**Sent:** Monday, September 10, 2018 12:37 PM  
**To:** Planning Commissioners <PlanningCommissioners@kirklandwa.gov>  
**Subject:** Feedback on Bridle Trails neighborhood proposal

Hello, my name is Melissa Cook and I live in the Bridleview neighborhood, across the street from the Bridle Trails Shopping Center. I previously lived in Bridlewood Circle for 20 years so I have lived nearby the shopping center and used it since 1990.

I do not support raising the current height restrictions at the Bridle Trails Shopping Center from 30 to 65 feet, allowing up to 5 or 6 stores as currently proposed. I believe that would significantly change the nature of the this equestrian and park-like rural neighborhood and dramatically increase traffic and noise in the area.

However, I am supportive of allowing 2 stories in the shopping center, which would enable more local shopping or housing choices.

Sincerely,

Melissa Cook  
6322 133<sup>rd</sup> Ave NE  
Kirkland WA 98033  
425-985-9142



Melissa A. Cook | M A Cook Corporation | [macookcorp@outlook.com](mailto:macookcorp@outlook.com) | 425-985-9142 | [www.melissacook.com](http://www.melissacook.com)



**NOTICE:** This e-mail account is part of the public domain. Any correspondence and attachments, including personal information, sent to and from the City of Kirkland are subject to the Washington State Public Records Act, Chapter 42.56 RCW, and may be subject to disclosure to a third party requestor, regardless of any claim of confidentiality or privilege asserted by an external party.



**From:** Michelle Claassen  
**To:** [Janice Coogan](#)  
**Subject:** Comments for Bridle Trails Neighborhood Plan  
**Date:** Friday, August 03, 2018 11:02:55 PM

---

Hi Janice-

I am a resident in the Bridle Trails Neighborhood (on 128th Ave NE) and was recently made aware of the Neighborhood Plan updates. I read through the First Draft - Bridle Trails Neighborhood Plan and was sent a link to the Neighborhood Plan Update Meeting Packet from 7/26/2018 and would like to provide the following comments:

In general, I would like to see LESS development. The character of the Bridle Trails neighborhood is based on the equestrian focused, larger lots that give the neighborhood a more rural feel while still living in a city. We have lived in Bridle Trails for nine years now and part of the calculus in choosing this neighborhood was the above mentioned character. We paid a premium to live in this type of a neighborhood and the rural feel that attracted us here is fading as more development is being allowed--and once development is allowed, it cannot be undone and returned to its historical roots and character. In addition, our streets and schools are already overcrowded and minimal effort is being made to alleviate these problems. Traffic on 70th Street has gotten progressively more congested since we moved here. It used to take only a few seconds to turn onto 70th Street and now it takes many minutes to catch a small break in traffic before we can even exit our neighborhood. Due to this increase in traffic, I no longer feel safe allowing my children to play in our front yard without vigilant supervision because of the speed and amount of cars traveling down our small neighborhood access street. My desires for LESS development holds true for the Rose Hill Neighborhoods as well, but since I do not reside in those neighborhoods, I will contain my comments to only Bridle Trails.

My specific comments to the Meeting Packet and Draft Neighborhood Plan are below:

*Comments on the Meeting Packet*

1. Item # 8 Applicant: Daniel Weise

I agree with the City's preliminary staff recommendation to NOT change the existing land use. This request contradicts Policy BT 1 in the neighborhood plan to maintain the equestrian neighborhood.

2. Item # 9 Applicant: Bridle Trails Shopping Center

-I do not agree with allowing an increase in building height at the Shopping Center. The neighborhood and streets are crowded enough. Allowing higher density would just aggravate the problem. This is supposed to be an equestrian oriented neighborhood with a small commercial shopping center, not a tall downtown style mixed use building.

-Residences should not be allowed on the ground floor. This center is a small NEIGHBORHOOD shopping center and should not be filled full of residential units, it should have the standard convenient businesses that for the most part currently occupy the center (grocery, drug store, hardware, gym...) and not be filled with more residences--especially on the ground floor.

-I did not have access to the written request for the flexibility in parking standards, but I'm assuming the builder is asking for a variance to provide less (or smaller) parking spaces than usually required. This is also something the City should not approve. While the dream of providing a walkable neighborhood shopping center that doesn't require much parking sounds lovely, it's not practical. There are plenty of people that live in the Bridle Trails Neighborhood that use the shopping center where it is not practical for them to walk to the grocery store.

Ample, convenient, and appropriately sized parking spaces need to be provided at the redeveloped center.

*Comments/Questions on the Draft Neighborhood Plan*

3. Policy BT 1, 2 and 5: Can you elaborate what is meant by compact housing opportunities and clustered cottages? How can the existing pattern of equestrian-oriented open space be retained if the open space is going to be occupied with clustered cottages and compact housing?

4. Policy BT 5: How close to the Shopping Center are the incentivized missing middle homes being proposed? There are already apartment complexes surrounding the Shopping Center. Is the proposal to increase this "incentivizing area" beyond the existing apartment complexes? Again, how do you maintain the equestrian character of the neighborhood by incentivizing MORE development. The largest part of what gives the neighborhood the equestrian character is the larger lots which allow for more open space and provides a more rural feel, even areas close to the shopping center.

5. Policy BT 7 "Actively promote the redevelopment of the Bridle Trails shopping center into an active, walkable, transit-supportive mixed use neighborhood center, including affordable housing" - I disagree with this policy as written. I do not believe that redevelopment of the center should be "actively promoted", it currently provides the core business types that the residents of this neighborhood need. Since apartments/condos will be the housing built at the center, how much more affordable do you need to require??

Thank you for the opportunity to provide comments and ask questions. If you have any follow up questions feel free to email me.

Michelle Claassen

Email received 9-12-2018

Joan, Janice, here are my comments on the proposed changes, as requested.

Best,

Michelle Plesko  
[Michelle.plesko@outlook.com](mailto:Michelle.plesko@outlook.com)

**85th:** The 85th Street corridor could be a real neighborhood if we let it. There's no reason that density needs to decrease as we move East. This is still a valuable location and desirable neighborhood. We can give more opportunities for people to live there and for businesses to serve the community. Even at the east end it should be at least neighborhood center level of density, and pedestrian-friendly. No parking lots fronting the street.

**LWIT housing:** Market-rate housing is entirely reasonable for this site. Building on the surface parking lots is also reasonable (and the parking should not be replaced). This is an opportunity to connect through the LWIT site, currently a barrier, especially to those on foot. There should be a connection to the Rose Hill Greenway from whatever housing is built there.

**Lee Johnson site:** should absolutely be something else. Right now it's a crater in the walkshed of the transit station. We need to consider parking requirements for this site. If there is too much parking, there will be too many cars trying to access the site - terrible for those walking or biking to transit station.

**Bridle Trails shopping center:** I support 6 stories of mixed-use pedestrian-oriented development and minimal developer requirements. Why? Because we have a housing shortage. 1000 units will not solve it, but we need many 1000 unit developments to make a dent in the shortage.

We especially have a housing shortage in Bridle Trails. There are many people who would like to live in this great location but there isn't space for them. It shouldn't be necessary to buy a house to live here. Every unit we decline to build in Bridle Trails means another family commuting through our neighborhood from Bothell.

If we want retail, we need the people to support it. Going from Red Apple to Grocery Outlet was a disappointing downgrade. 1000 households living on top of the grocery store means it is more likely to survive.

We have a great bus route in the 245. The more people that live along the route, the more likely we are to keep it and its reasonable service.

If people are concerned about traffic, the best way to combat this is to provide less parking. There are studies that show that more parking leads to more traffic. Building housing in accessible locations such as Bridle Trails means that people have transportation options. Giving people transportation options means that they will contribute much less to the traffic than if they lived in Bothell.

Three-story mixed use developments are nonexistent or disappointing. None of spaces in Kirkland that are zoned 3-story mixed use have been built. Early in the recent Houghton process, BERK consultants



concluded that 3-stories is unlikely to be built, and if it is, it will have a large surface parking lot - not what we usually have in mind for mixed-use. Lake Hills Shopping Center is an interesting cautionary tale: their new 3-story mixed-use development is an underperforming strip mall with a large surface parking lot, and a set of 3-story apartments. Also not what we have in mind. If we want appealing redevelopment, we need to give the developer more flexibility.

I also support the six stories as requested because there will be a battle in the neighborhood either way, and whatever is designed will get whittled down in Design Review. So let's give them enough to start with.

**Jin proposal:** is walking distance to many amenities. There should not be single family housing this close to this many amenities. It is way too valuable for that. If not rezoned for commercial, it should be rezoned to denser residential. If it's not rezoned, it will be redeveloped to larger newer more expensive single family housing and we'll lose the opportunity. We've seen this all over the city, and particularly in South Rose Hill and Bridle Trails.

**Daniel weise:** rezoning RSX 35 to RSX 7.2 does not add anything useful to the neighborhood. We can easily add that number of units by rezoning something closer to amenities.

**From:** Michelle Plesko [<mailto:michelle.plesko@outlook.com>]

**Sent:** Wednesday, July 25, 2018 8:40 PM

**To:** Planning Commissioners

**Subject:** Bridle Trails shopping center

I support increased height limits and mixed-use zoning at the Bridle Trails shopping center. This is because I like having businesses within walking distance, and we are more likely to retain them if there are more people in the neighborhood. I also believe that people of all incomes should have the opportunity to live in this neighborhood, near jobs and transit, and walking and biking distance to schools, churches and other daily needs. This is a neighborhood with transportation options, where one can live well with minimal driving.

I also support zoning for more housing within the 10-minute walkshed of the shopping center, particularly the apartment complexes nearby, and the single family zones across 70<sup>th</sup>.

Michelle Plesko  
Bridle Trails

**Joan Lieberman-Brill**

---

**From:** Mike Sandberg <mike587@comcast.net>  
**Sent:** Tuesday, September 04, 2018 12:02 PM  
**To:** Planning Commissioners; Joan Lieberman-Brill; Adam Weinstein; Kurt Triplett  
**Subject:** Public Comment on Neighborhood Plan and Continental Divide Project DRV18-00312

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

Dear Kirkland City Council Members,

My family lives in the house at 7012 116th ave NE which is near the subject property for the Continental Divide Mixed Use project. I have serious concerns about the process that led to this project and I request your help in mitigating the detrimental effects of this project before it is built. This same process is happening again as the Planning Commission is making the 20-year Comprehensive Plan for our neighborhood (Rose Hill/Bridle Trails) and hopes to wrap it up by the end of 2018. I believe the notification process does not reach enough people and the methods of publicizing the plan are unfair and insufficient. Please review the notification standards the Planning Commission must use to notify the public.

Currently the City of Kirkland does the following to notify the community about rezone proposals:

- Posting notice on public notice sign boards surrounding the rezone property, on all adjacent streets
- Posting notice on the City's website
- Publishing notice in the Seattle Times
- Posting notice on official notification boards at City Hall

Please consider adding the following:

- On plan maps, especially those shown to the public, change the misleading term "office" in the legend to better reflect the code description. I suggest mixed-use, mixed-use high-density residential, or commercial high-density residential.
- Notify the community sooner and multiple times to make sure new residents are notified. I suggest every 6 months.
- Notify by mail. Small signs posted at busy intersections are insufficient.
- Notify a larger radius around proposed rezoning areas. Redmond and Bellevue send notifications to a 500 ft radius, while Kirkland sends to just a 300 ft radius.

- Add a public notice sign to each lot on which a building will be developed. One sign in front of three lots makes it seem as if only one will be developed.

Specifically about the Continental Divide Project, I have concerns about the severe change this project could mean to our neighborhood. The developer has a building permit but the design has not been approved. Please do all that is within the Kirkland City Council's power to address my concerns before the Design Review Board approves the design on September 17th.

#### Violations of zoning codes and the Comprehensive Plan:

- The description of the project states it is "a four story mixed use building" however the NE 85th St Subarea Plan limits buildings to three stories by stating, "providing incentives including increased building heights up to three stories" (Policy NE85-4.8). This project cannot have four stories if the limit is three stories. If there is a conflict between zoning codes the most restrictive of these apply (KZC 170.50).
- This project includes residential units on the ground floor, but the Zone Use Chart for the zone where this project is located (RH-8) states that stacked dwelling units "may not be located on the ground floor of a structure" (KZC 53.84 Zone RH8 Use Zone Chart .050 Stacked Dwelling Units). This violation should not be ignored and no exceptions should be granted.
- The description of the project states, "A single story commercial building will be located near NE 85th Street" however the NE 85th St Subarea Plan prohibits such buildings by stating, "Discourage single story retail buildings" (Policy NE85-4.8).

Notice to the community: I believe the notice given by the City of Kirkland was insufficient. Kirkland notifies too late in the process and notifies fewer neighbors than other nearby cities. Maps and notices use the misleading term "Office" for businesses and/or high-density apartments. In very late June 2018, a public notice sign went up at the corner of 85th/Redmond Way and 132nd Ave NE and we received a notice about a July 2nd Design Review Meeting. This was the very first time I heard about this project. There were no other notices sent since December 2015 (two-and-a-half years). The notices sent in December 2015 were from an old list that wasn't updated to include homeowners who bought homes directly adjacent to the project in the previous six months. Even still, none of longtime homeowners who lived within 300 feet of this project knew about the changes that would so severely impact their properties. Please consider overhauling the entire process for notifying the community about zoning, public comment periods, and public meetings.

Jarring transition between houses and huge complex: If this project is approved as-is a towering wall of over 200 windows and balconies will overlook single-family homes, leaving some homes in shadow all winter. This horseshoe-shaped project has adjoining walls between residential units and commercial spaces. These both violate the city's land use policy to "create effective transitions between commercial areas and surrounding residential neighborhoods" (Policy LU-5.1 Urban Design).

**Safety:** Bicyclists, joggers, and walkers could be endangered by the busy garage entrances. One of these garage entrances is next to a school bus stop and along schoolchildren's walking routes. Current neighbors on dead-end 131st and along 132nd already have trouble accessing their homes and this project adds busy driveways to both streets. The nearby megachurch traffic already requires a police officer to direct Sunday traffic at the intersection for this project.

**Less parking than required:** The developer claims their parking spaces will be used by businesses during the day and as guest parking at night, however dual use parking spaces not allowed by code. Surrounding streets have almost no street parking and new fire hydrants required because of this project mean even less parking. More parked cars on narrow 131st means less emergency access.

**Family atmosphere:** I am concerned about the family-oriented neighborhood we have now changing into big apartment complexes with studio apartments. New residents in this project will find themselves in an area with minimal bus service, very few businesses catering to them, and a steep hill bordered by forested ravines. The pedestrians in our neighborhood tend to be neighbors walking their dogs, retirees on a walk, commuters taking the bus to Redmond, and children going to and from school. I'm concerned that the young people attracted to this complex are not going to find the convenient amenities they want and 134 units of new people will change the character of our residential area.

**Garbage collection:** The dumpster for entire building is collected next to a neighbor's one-story home. When the garbage truck backs up into the driveway for collection, it will block access to one of only two entrances for the whole apartment complex. That seems inconvenient and even dangerous for that many people to be down to one entrance.

**No moving truck loading zone:** Studio apartments are for young people whose lives are ever-changing. This project has no loading zone for a moving truck. Just as with garbage collection, if a moving truck blocks either driveway, residents are down to one way in or out. If moving trucks choose to stop on 132nd, they will be impacting an already clogged intersection. If the moving truck parks on 131st, it will impact a dead-end street already overwhelmed by nearby businesses using their street to park.

**No play area or open spaces for children:** Children who live in this apartment complex will have no options for playing outside. The nearest public park is a 13-minute 0.7 mile walk almost entirely along busy 85th Street. The current proposal for this apartment complex doesn't include any playground equipment or even an open grassy area for children. The center courtyard will be a parking lot, which cannot be safe a play area.

**Businesses that the community will frequent:** With just 7% of the square footage for businesses, this project can just barely be considered mixed use. The developer's plan is to use the retail space for their own corporate office and a property management company, leaving one space for a business that the community may actually use.

Quality of life: Only because of neighborhood outcry, the city wrote an FAQ document about this project. In response to our concerns about our quality of life, the city replied, “The City does not have a metric for quality of life.” The developer has no incentive to preserve our quality of life and the city says there is no metric for it. My neighbors and I are on the cusp of losing the quality of life in our neighborhood. It will come in the form of towering walls of windows, noisy apartments, busy driveways choking gridlocked intersections, loss of solar access all winter, children with nowhere to play, moving trucks and garbage trucks blocking roads, and so many people crammed into a once-quiet neighborhood. All of this on streets lined with modest houses and homeowners who were not given the chance to prevent it.

I am seeking the following solutions and intervention on the City Council’s part:

- This development should not be granted a permit. The development needs to decrease the size to three stories and replace residential units with retail on the ground floor, per the zoning code and Comprehensive Plan.
- The upcoming Design Review Board meeting on September 17th should be cancelled, because the developer has not complied with zoning code and the Design Review Board should not approve a design that violates zoning code.
- Please re-examine the unlimited density in the RH-8 zone abutting residential. Adjust it to reflect the neighborhood plan and land use goals that are part of the comprehensive plan.
- In December 2015, the developer used a Citizen Amendment Request to change 6 parcels that were zoned residential to "Office." This is a misleading term because it did not communicate the possibility of high-density residential units next to single family homes. The zoning code description should reflect the term “office” or terms like “High-density Residential” and “Mixed Use” should be used so the community is not misled again.
- Please completely overhaul and modernize the notification process. The current process relies on community members being highly involved in local government through reading newspapers, reading city newsletters, visiting city websites, subscribing to city update email lists, and even physically visiting city hall to read notice boards.

Please do not set a precedent by allowing this huge, out-of-place development in our neighborhood that clearly conflicts with Kirkland’s zoning codes and Comprehensive Plan. Please do what is in the power of the Kirkland City Council to help our neighborhood keep its current family atmosphere, the traffic flow of those passing through, the safety of our children, and our quality of life. We are counting on you to hear us and make the vital changes necessary before the Continental Divide project is built.

Sincerely,

Michael Sandberg



**From:** Mimi Stricker  
**To:** [Janice Coogan](#)  
**Subject:** Bridle Trails Shopping Center  
**Date:** Thursday, September 13, 2018 7:21:17 PM

---

Good Evening,

I am writing to give you some personal feedback on the Bridle Trails Shopping Center. It has come to my attention that a multiple story building with apartments and shopping is planned for that space. As a resident of Bridle Trails, I am opposed to higher density living in our VERY residential area. Many of us chose our homes because it was void of dense high rises and we enjoy the rural feel of our neighborhood.

I was unable to attend the meeting this evening as I'm attending my son's curriculum night, but I will continue to place attention and energy to fighting this proposal now and in the future.

Thank you,

Mimi Stricker  
Bridle Trails Resident



**Joan Lieberman-Brill**

---

**From:** Ming-Ting Sun <mts@uw.edu>  
**Sent:** Thursday, September 13, 2018 6:09 PM  
**To:** Joan Lieberman-Brill; Planning Commissioners  
**Cc:** Julie Sun  
**Subject:** Rose Hill/Lee Johnson Proposal

Dear Planning Commissioners,

I am a new owner at Rose Hill neighborhood, Overlook Village. We bought the property since it is in a quiet community of 11 freestanding homes which offer affordable housing in a very expensive Eastside market. Since our property is right next to Lee Johnson's lot separated by a fence, I am writing to express concerns about Lee Johnson's proposal to increase the height and density limits on their property. Concerns include increased noise and traffic as well as other possible issues depending on Lee Johnson's plans. We will already be feeling the effects of the New Bethlehem Project's permanent shelter when it opens as our property shares a fence with that location, too. Since I am unable to attend tonight's meeting, I felt I should make my concerns known before I can attend the meeting in October.

Sincerely,  
Ming-Ting Sun  
8038 118th CT NE  
Kirkland, WA 98033

**Joan Lieberman-Brill**

---

**From:** Nathan Iwamoto <nkiwamoto@gmail.com>  
**Sent:** Thursday, September 13, 2018 11:35 AM  
**To:** Planning Commissioners; Joan Lieberman-Brill  
**Subject:** North/South Rose Hill & Bridle Trails Neighborhood Plan Update - CAM18-00082

Greetings:

I am a South Rose Hill Resident and neighbor of Martin and Sharon Morgan. I understand that my residents at 8230 122nd Ave is included in the expanded study area with the Morgan's request to rezone parcels from RS 7.2 to RM or commercial zoning. I am not in favor of a rezoning to Office RH 8, Mixed Use Commercial PR 3.6 nor High density RM 1.8. I believe that any of these rezone options will not enhance the character of the South Rose Neighborhood and are already addressed in other areas of the neighborhood plan.

I do appreciate the complexity of planning for the future of South Rose Hill and addressing the needs of current and future residents. I understand that there is a vision to improve the diversity of housing types near an around the retail core. As I look at our neighborhood we already have some higher density housing and using this as a model I am not apposed to rezoning to allow developments like the properties at NE 84th Lane and 124th Ave NE. Thank you for you time and consideration.

Regards:

Nathan Iwamoto  
8230 122nd Ave NE  
Kirkland, WA 98033

**From:** Patrick Leewens  
**To:** [Janice Coogan](#)  
**Subject:** Bridle Trails Height Zone  
**Date:** Friday, September 07, 2018 4:21:27 PM

---

Janice,

The maximum height of the rezone being considered in Kirkland Bridle Trails Shopping Center needs to be no higher than three stories total. If parking is a concern it needs to be underground.

5 stories above ground is atrocious in this small community neighborhood where nothing even close to that exists. Nothing in any of those sections including the nearby portions of Bellevue and Redmond are anything over two stories.

Restrict the rezone of anything in the Bridle Trails neighborhoods to a growth of height allowed to three stories only.

Thank you,

Patrick Leewens

**LEEWENS CORPORATION** (425) 827-7667 ext 105 P.O. Box 2549 630 Seventh Ave Kirkland, WA  
98083 [pat@leewens.com](mailto:pat@leewens.com)

**From:** Pete Lymberis  
**To:** [Planning Commissioners](#); [Janice Coogan](#); [Adam Weinstein](#)  
**Cc:** [Pete Lymberis](#)  
**Subject:** Re-Zone of Bridle Trails Shopping center  
**Date:** Sunday, September 09, 2018 12:08:14 PM

---

Dear Planning Commissioners:

We are writing to formally state that we are strongly opposed to Bridle Trails Neighborhood Plan - Policy BT 7 - changing the current building height at the Bridle Trails Shopping Center from 30 feet to 60+ feet including mixed use and higher density for the following reasons:

1. This would significantly change the character of the equestrian neighborhood. There is an entire culture and businesses that are based on this character. Placing this type of density in Bridle Trails would harm the character, and small economy of this area.
2. Lack of infrastructure. The Existing Roads cannot support this density and traffic increase along with all of the other background traffic growth. Since, the implementation of the toll lanes on 405, NE 70<sup>th</sup> Street has become increasingly busy, noisy, and dangerous. The quality of life of the local residents has deteriorated because of this. Also, 132<sup>nd</sup> has increased in rush hour traffic, to the point where residents can no longer turn into our neighborhood.
  - a. Certainly a Traffic Engineer can make the argument that LOS for these roads can be met with some mitigation, but from a practical point of view it is a serious degradation that will not only impact residents, but also those who use this area as part of their daily life.
  - b. Look closely at the surrounding streets, and ask yourself what is the practical reality that road widening would occur without significant impact to existing homes. There is not enough right of way, and since the area is 100% developed there are no developers that will be available to make these improvements.
3. Vertical Scale. Midrise buildings in this area are significantly out of scale with the adjacent uses. All surrounding uses are single family, and no more than two stories.
4. Horizontal Scale: With the majority of adjacent uses on one acre lots, density of this scale provides no layering of density, or buffering, and intensity of living that is not compatible.
5. This location for this type of use is "out of place". Downtown the density makes sense, perhaps on 85<sup>th</sup> where there is commercial space and better infrastructure it makes sense. This location is simply not a good fit.

The future residents will also find themselves at odds with the access in and out. Upzoning the Shopping Center will cause negative public outcomes for both existing and future residents.

Certainly there is a better location for this increase in density. VOTE NO to increase heights.

Thank you,

Pete and Olga Lymberis  
13220 NE 66<sup>th</sup> Street

Kirkland, WA 98033

Lymberis@msn.com

**From:** Harry/Jane Plut  
**To:** [Janice Coogan](#)  
**Subject:** Potential rezones in Bridle Trails neighborhood  
**Date:** Thursday, August 09, 2018 4:37:47 PM

---

My family has been involved in the Bridle Trails neighborhood for many years, as part of the equestrian community. We lived in Seattle because my husband's medical practice was there, but we kept a horse at Central Pk. Stable and then rented a horse property. We moved here seven years ago when he retired. The horses have been, and continue to be a most important and unique activity here in Bridle Trails. The large lots are available for horse keeping, and the Park attracts many visitors for trail riding, horse shows, and nature walks. There is considerable traffic on both 116th and 132nd as drivers move to 405. We, along with many neighbors, are very opposed to any rezoning which includes a 6 story building, or smaller lots, both of which are incompatible with the nature of the Bridle Trails neighborhood.

Thank you for your consideration, Jane Plut

Dr. and Mrs. H.G. Plut  
17 Bridlewood Circle  
Kirkland, WA 98033

To: City of Kirkland Planning & Building Department

Regarding:  
6425 128th Ave NE  
Kirkland, WA 98033  
Tax ID 124150-0345-00

I am writing to confirm my support for changing the zoning on my property from RSX 35 to RSX 7.2 for the following reasons.

1. This property is NOT legally part of Silver Spurs Ranch Development. It belongs to Burke and Farrar's Kirkland Addition. And, I only have access from NE 70<sup>th</sup> street.
2. The building of the mega home, south of this property, has cut off access to the bridle horse trail that goes up to Bridle Trails Park.
3. The mega homes South and West of my property are at least twice the size of most homes and both have outbuildings with larger footprints than my home. One has a very large garage with a mother-in-law apartment above. There are no barns for Horses, but instead sports courts.
4. Having three homes put on this property would hardly look any different than what's been built on the adjacent properties.
5. Arguing that this is supposed to be an equestrian type property has become a dead issue for all practical purposes. I am sure if horses were boarded on my property that the neighbors would start to complain about the dust and flies and all the other things that come along with having horses.
6. From a personal perspective we would like to stay in our home here in Kirkland, but property taxes have severely cut into our fixed incomes. Selling off parts of this property would help pay those bills.

Thank you,

Robert W. Mix

**From:** Rodney Rutherford  
**To:** [Planning Commissioners](#)  
**Cc:** [Joan Lieberman-Brill](#); [Janice Coogan](#); [Adam Weinstein](#)  
**Subject:** suggestions for RH/BT neighborhood plans  
**Date:** Tuesday, September 11, 2018 10:21:23 AM

---

To the members of the Planning Commission,

Based on my experience with my neighbors in the NE 85th Street Subarea, as a leader in the South Rose Hill/Bridle Trails Neighborhood Association, as a member of the city's recent Housing Strategy Plan Advisory Group, and as a co-founder of [Liveable Kirkland](#) (but *not* representing any of these organizations in an official capacity for the purposes of this feedback), I offer the following suggestions to the recently [proposed Land Use Zoning changes](#) for the Rose Hill and Bridle Trails neighborhoods. (You may also find [the latest revision of my comments online](#), including some meta-comments from my neighbors.) I will start by summarizing my recommendations. Below that, I have detailed the specific comments for each proposal. Beyond the proposals, I offer a few additional suggestions to help our neighbors and the city achieve their stated objectives.

### Summary of most significant recommendations

1.  
To increase the availability of reasonably-sized homes within walking distance of amenities that meet people's routine needs (to minimize the need for additional vehicular infrastructure), I urge the adoption of the Housing Strategy Advisory Group's recommendation for **more housing within a 5-10 minute area of commercial zones**:
  - a.  
In these areas, we should specifically enable small multiplex developments to be either (a) built within the common exterior form of a single family house or (b) a cluster of smaller homes. In addition to townhomes, these duplexes, triplexes, fourplexes, and bungalow courts are an alternative to the traditional methods for increasing density of residential zones with abrupt edges between traditional single-family homes and larger multiplexes.
  - b.  
While existing rules do allow some duplexes, triplexes, and cottage villages, these rules are too restrictive and need to be relaxed so that their construction is more economically viable. In particular, I am calling for the elimination of restrictions beyond those which are applied to single family



homes in these areas, including:

- i. Location restrictions, specifically the prohibition of additional developments within a given radius, as this precludes the intention of the 10-minute neighborhood concept.
- ii. The unit size limits.
- iii. FAR limits.

2.

To enable the construction of more affordable market-rate homes, **reduce parking requirements in areas within a 5-minute walk of commercial zones**. Furthermore:

- a. To minimize contention of on-street parking in these areas (and especially near major public transit facilities), establish a street parking utilization target, and regularly monitor utilization to ensure that it is not exceeded. Adjust street parking regulations and *aggressively* enforce them to ensure adequate availability of street parking at all times.
- b. To establish transit as an economically-viable choice for in-city trips, developments which have benefited from reduced parking requirements shall provide free bus passes to their employees/residents, such as through King County Metro's ORCA Passport programs (for [multi-family](#) and [employers](#)). We should work with King County Metro to expand this program so that it may be used for multi-family housing with less than 20 units.

### Comments on specific proposals

1.

Lake Washington Institute of Technology: I agree with the staff recommendation for options B and C, and *especially* option D (to first focus redevelopment in existing parking lot areas).

2.

NE 85th Subarea/City

a.

To focus on transitioning 85th to a pedestrian-oriented commercial corridor, **focus new commercial development into the existing commercial-zoned area on 85th**, and not extending into the existing residential area.

- b. To provide more residents within the watershed of the commercial area, **broaden the residential rezone study area to include all areas within a 5 minute walk of the commercial areas**, specifically all properties between or adjoining NE 85th and 80th Streets (and possibly 90th Street).
- c. To realize the goals of the Housing Strategy Plan in a way that more cleanly integrates with the existing residential neighborhood, **allow development of small multiplexes** which present the exterior form and scale of a single family house. This is a great opportunity for the city to make “[missing middle housing](#)” viable, including duplexes, triplexes, fourplexes, and bungalow courts.
- d. To increase access to open space, **all residential developments should be encouraged (or required) to provide direct access to shared open space**, and include private gardens for some portion of these units. Requirements for shared open space could be relaxed for developments which are adjacent to public open space (i.e., parks or schools).
- e. To enable the construction of more affordable market-rate homes, **reduce parking requirements** in this area (as described above).
- f. To make streets safer for people of all ages in these areas, implement **traffic calming strategies on all residential streets where density is increased**. For example, replace parallel parking with angle-in parking on alternating sides of the street; see example [illustration](#).

- 3. NE 85th Subarea/Jin: See comments for #2/City, above, as this could maybe be adapted to some of the area between and adjacent to NE 85th and 90th Streets.
- 4. NE 85th Subarea/Morgan: See comments for #2/City, above. I agree with the planning department that commercial should be focused in existing areas, and

not extend into the residential area. Live/work lofts could be appropriate at 8249/8251, to transition between office and residential areas, across the street from existing office space.

5.

NE 85th Subarea/City (BRT station area):

a.

To take advantage of the planned Bus Rapid Transit (BRT) infrastructure investment, **aggressively increase housing and commercial capacity** in this area, especially within a 5-minute walk of the planned BRT station.

b.

To enable the construction of more affordable market-rate homes, **reduce parking requirements in this area** as described above.

6.

NE 85th Subarea/LMJ Enterprises: See comments for #5/City, above.

7.

NE 85th Subarea/Madison Development: See comments for #5/City, above. Also, the adjustments requested by the developer are reasonable and appropriate to ensure that this critical site can be adequately developed.

8.

Bridle Trails Neighborhood/Daniel Weise: The following adjustments to the proposal will effectively achieve more of the objectives listed in the decision matrix.

a.

To preserve equestrian land use while also creating more homes within the 5-minute walkshed of the Bridle Trails Shopping Center, I would recommend zoning this for multifamily equestrian. Crazy? Consider that not everyone who loves horses has a lot of money. To be honest, I expect that it's quite possible for equestrians to be both "house poor" and "horse poor"! Furthermore, these are some of the few equestrian-sized lots that include sewer lines nearby which enable it to support small-scale multifamily development. Therefore, this would be a perfect place for this sort of development. Focus these small multiplexes in the corner or edge of each property, retaining the bulk of the land for equestrian use.

b.

To illustrate this concept, here is an example: instead of a 5000 square foot mansion, each site could have a 5000-square foot 4-plex containing (for example) a 2000 sqft unit and three 1000 sqft units. This would make the equestrian lifestyle a more affordable choice for middle-class families, empty-nesters, and singles.

c.

Effect of these changes on the matrix: This adjustment would switch four of the 'NO' answers on the matrix to 'YES':

i.

Consistent with vision statement: Yes, by retaining equestrian character.

ii.

Compatible with adjacent uses: Yes, by retaining equestrian character and existing residential scale.

iii.

Redevelopment potential in the area: Yes, as this model allows for retaining the required paddock area and minimum lot sizes.

iv.

Meets goals of Housing Strategy Plan: Yes, by enabling the creation of 'missing middle housing' in this particularly unique area.

d.

Further factual corrections to the matrix:

i.

This site is [within a 6-minute walk of KCMetro route 245](#), which features 15-minute frequency through most of the day.

ii.

Lack of environmental constraints: Given the answer in the matrix ("No mapped streams or wetlands on parcels."), it seems this should have been noted as 'YES'.

9.

Bridle Trails Shopping Center. I think this is the most controversial of all the proposals, and I'm least sure about my ideas around it...but I figured I'd throw this out here and see if we can further develop some ideas to address the

neighborhood's concerns.

- a. To better achieve the 10-minute neighborhood concept, more effectively achieve the goals of the Housing Strategy Plan, and improve the economic viability of local businesses while reducing the need to further increase the allowed height at neighborhood centers, **allow more missing middle housing types** within a 5-minute walk of the Bridle Trails commercial areas.
- b. To provide a respectful transition between neighboring residences and this proposed development, the staff's recommendation looks like a good option. Here's another approach to consider: the development shall not exceed the height of existing adjacent residential building (including those across the street or alley) by more than 10 feet. The height of the development may increase by another 10 feet only where it is at least 100 feet from lower development, and only if shared open space is created on this site (according to some ratio to be determined by the planning department)...ideally featuring equestrian access and parking stalls. :)
- c. To ensure that neighborhood concerns are met while also enabling the development of a project that supports the needs of the neighborhood, I would recommend that the neighbors organize and reach out to the developers to figure out what is necessary for the project to be economically viable, what concessions the developers and neighbors are willing to offer, potentially including adjustments beyond the immediate site.

### **Additional suggestions**

1. To promote the 10-minute neighborhood concept and implement the Housing Strategy Plan, allow missing middle style homes (small-scale multifamily) **within a 5 minute walk of all commercial areas.**
2. To promote residential development in areas closest to existing commercial development while also protecting the most rural areas of our neighborhoods, allow **transfer of development rights (TDR)**, enabling underdeveloped sites to

sell their existing development rights to other sites within a 5 minute walk of commercial areas, so long as the donating site meets all (or maybe just two) of the following qualifications:

- a. Underdeveloped based on current land use and zoning.
- b. More than ½ mile from any commercial zone.
- c. Does not have adjacent sewer service.

3.

Neighborhood commercial: To meet the routine needs of residents in existing neighborhoods, which lack walkable access to businesses, create a **pilot program permitting a limited number of residential neighborhood businesses**. This would only be allowed where:

- a. The business is one of the following neighborhood-oriented types:
  - i. food: groceries, cafes, meal co-ops, food trucks
  - ii. recreation: gyms, pools, sport courts
  - iii. socialization: pubs, cafes, guest houses
  - iv. creation: maker spaces, rehearsal spaces, tool sheds/garages
  - v. care: child care, health care, senior care, pet care, salons
- b. The building maintains a primarily residential character.
- c. The site is at least a 15 minute walk from any existing commercial zoned

area.

- d. The site is on a thru street, with vehicular access on both ends.
- e. The business does not advertise this location outside a 15-minute walking radius.
- f. The business does not produce more exterior noise than would be normal for a residence.
- g. Some amount of street parking is readily available within a 1 minute walk.
- h. The business receives a limited-time license to operate (2 years, or maybe up to 4 years for certain low-risk/high-benefit types); further license renewal would be subject to feedback from neighbors.

Thank you for considering this feedback.

Rodney Rutherford  
8222 122nd Ave NE  
Kirkland, WA 98033  
+1-206-973-7579

September 11, 2018

Planning Commission and Senior Planner Joan Lieberman-Brill  
City of Kirkland  
123 5<sup>th</sup> Avenue  
Kirkland, WA 98033

Dear Planning Commission and Senior Planner Joan Lieberman-Brill,

**Re: South Rose Hill Neighborhood Plan Update  
and  
Land Use or Zoning Change File CAM18-00082 #2**

We are residents of the South Rose Hill Neighborhood since 1997. We reside in the 85<sup>th</sup> Street Subarea Plan, and are in the expanded study area (for the Martin and Sharon Morgan request to rezone four properties they own: from single family residential and medium density to commercial or higher residential density).

Our concerns include:

**1. Traffic and Parking issues along 122<sup>nd</sup> Ave NE between NE 85<sup>th</sup> and NE 80<sup>th</sup> Streets**

It is apparent that onsite parking is currently inadequate for businesses situated along NE 85<sup>th</sup> Street in the vicinity of 122<sup>nd</sup> Ave NE. This is shown by employees parking their vehicles offsite; they park on both sides of 122<sup>nd</sup> Ave NE, mostly towards NE 85<sup>th</sup> Street. With cars parked on both sides of the road, much of 122<sup>nd</sup> Ave NE, which is designated as a two-lane street, is restricted to one-lane traffic flow. 122<sup>nd</sup> Ave NE is not wide enough to accommodate two-lane traffic and cars parked on both shoulders. Compounding this problem is the backed-up Starbucks corner traffic that sometimes completely blocks 122<sup>nd</sup> Ave NE.

Problems associated with the forced, one-lane traffic flow on 122<sup>nd</sup> Ave NE include that it is often difficult and unsafe to turn into NE 82<sup>nd</sup> Lane from 122<sup>nd</sup> Ave NE to access our home; and likewise difficult and unsafe to turn from NE 82<sup>nd</sup> Lane into 122<sup>nd</sup> Ave NE. We and our neighbors can describe dangerous situations caused by these traffic problems. We are concerned about potential accidents and injury.

Rezoning to higher density would exacerbate the traffic and parking problems along 122<sup>nd</sup> Ave NE, and thus increase safety concerns.

**We recommend:**

- a. Parking along 122<sup>nd</sup> Ave NE between NE 85<sup>th</sup> Street and NE 80<sup>th</sup> Street be restricted to *one side of the road* to keep traffic flow in two lanes.
- b. Maintaining low-density residential zoning south of the current commercial zoning along NE 85<sup>th</sup> Street. Rezoning to higher commercial or residential density (as in the Morgan request) *should not be approved*.
- c. Traffic calming along 122<sup>nd</sup> Ave NE would help to *reduce speeding vehicles* and thus increase safety.
- d. Sidewalks *continued along both sides* of 122<sup>nd</sup> Ave NE for pedestrian safety.



## 2. Planning for Growth

Another exacerbating factor for traffic problems is the development planned along and north of NE 85th Street at the current commercial zoned site of Petco and surrounding businesses, between 120th Ave NE and 122nd Ave NE. This proposed development will likely generate significantly more traffic that will further impact traffic and parking issues along 122nd Ave NE between NE 85th Street and NE 80th Street.

We commend the City for planning ahead to accommodate the projected increase in population growth and the resulting need for increased residential and commercial density. However, increased density requires suitable infrastructure resources. 122<sup>nd</sup> Ave NE has limited capacity to handle traffic and parking for current use, and thus does not have the capacity for increased commercial and/or increased residential density access along its length.

### **We recommend:**

The City *maintains low-density residential housing* as the primary land use in the areas south of the current commercial zoning along NE 85th Street, east of 120th Avenue NE.

## 3. Public Walkway along NE 82nd Lane

We and our adjacent neighbors are concerned about pedestrians using our private lane, NE 82nd Lane, which functions as a shared driveway. When backing our cars out of our garages, it is difficult to see pedestrians who walk across easements and in NE 82nd Lane. Sometimes joggers, children, and/or dogs run outside our line of vision and sometimes distracted mothers are inadvertently pushing strollers into our car paths. We are concerned about safety, for ourselves and for pedestrians who are walking/jogging in NE 82nd Lane.

### **We recommend:**

If the City is determined to keep the pedestrian walkway by using easements on private land, the City needs to address safety concerns by *constructing a walkway for pedestrians* in a manner that keeps pedestrians from walking/running in NE 82nd Lane, which is a shared driveway. At a minimum, *signage should be added* at both ends of NE 82<sup>nd</sup> Lane encouraging pedestrians to stay on the pavement and to be aware of reversing vehicles.

We trust that you will seriously consider our concerns for the safety of residents and people using our neighborhood.

Sincerely,



Paul and Sharon Rodman  
12221 NE 82nd Lane  
Kirkland WA 98033

**Joan Lieberman-Brill**

---

**From:** Sharon Velozo <shar.velozo@hotmail.com>  
**Sent:** Tuesday, September 11, 2018 7:28 PM  
**To:** Planning Commissioners  
**Cc:** Joan Lieberman-Brill; Janice Coogan  
**Subject:** Rose Hill Neighborhood plan

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

To whom it may concern,

I, as the property owner of 8245 122<sup>nd</sup> ave NE, am opposed to the rezoning proposal requested by Martin and Sharon Morgan. The proposal lists four properties, mine being one of them.

The area south of 85<sup>th</sup> st. on 122<sup>nd</sup> ave NE needs to maintain a low density for a litany of reasons. The current infrastructure combined with stacked commercial zoning down 85<sup>th</sup> already leads to amounts of congestion that are not in line with that of a residential neighborhood.

The close proximity to multiple schools does not need heavier or higher speed traffic. Speeding is already a dangerous problem that has not been addressed on this street. It's seen by many commuters as a shortcut between many arterial streets of 85<sup>th</sup> and 405.

The current layout of businesses already cause parking problems, in addition to service disruption for things like mail delivery and waste management services.

Residents are attracted to the Rose Hill neighborhood for its appeal as a quieter, more aesthetically pleasing alternative to dense metropolitan neighborhoods. Proposals like the one made are not made by people who wish to live in the area, and they only benefit those looking to develop and move on.

I therefore request that the current zoning be kept in place, and that the area south of 85<sup>th</sup> street be added to regulations protecting this density.

Sincerely,  
Sharon Velozo

**From:** Sheli Hadari  
**To:** [Janice Coogan](#)  
**Subject:** Rezoning  
**Date:** Monday, July 30, 2018 10:36:05 PM

---

Hi

I am a resident of Bridle Trails Bellevue and I oppose the rezoning of the bridle trails shopping center.

Sheli Hadari

**From:** [Adam Weinstein](#)  
**To:** [Joan Lieberman-Brill](#); [Janice Coogan](#)  
**Subject:** FW: Development  
**Date:** Monday, September 17, 2018 9:23:55 PM

---

---

**From:** Shelly Bowman [mailto:shellybowman@hotmail.com]  
**Sent:** Friday, September 14, 2018 10:41 PM  
**To:** Planning Commissioners <PlanningCommissioners@kirklandwa.gov>  
**Cc:** Shelly Bowman <shellybowman@hotmail.com>  
**Subject:** Development

Hello,

I expect any new development in an Eastside City to have safe connected routes for people that bike and people that walk. Trees and park.space are mandatory-it's why we live here.

To develop for sheer profits vs creating a healthy vibrant place to live play and work for people, and a thriving sustainable environment is wrong, short-sited selfish behavior. If you love Detroit, it is there for all, but we want a better place.

We want PNW beautiful sustainable development with multi-mode commuting options. I sure hope you are capable of visionary work. A new tall box and car parking is not welcomed here.

Build condos, stop with all.the cheaply made apts.

Thank you,  
Shelly Bowman and Lizette Hedberg

Sent from my Verizon 4G LTE smartphone

NOTICE: This e-mail account is part of the public domain. Any correspondence and attachments, including personal information, sent to and from the City of Kirkland are subject to the Washington State Public Records Act, Chapter 42.56 RCW, and may be subject to disclosure to a third party requestor, regardless of any claim of confidentiality or privilege asserted by an external party.

**From:** Stephanie DiJulio  
**To:** [Janice Coogan](#)  
**Subject:** Bridle trails shopping center height modification objection  
**Date:** Wednesday, September 12, 2018 1:29:41 PM

---

Hello!

I am writing because I wanted to let you know that I am opposed to the Bridle Trails Center rezone allowing the shopping center to have a new height limit. A six story building would be so damaging to our area. NE70th would be so overcrowded with traffic and the local elementary school is already full! We do not want an additional 2000 residents living in that small shopping center space! The beauty of the bridle trails area is in the fact that the properties are spaced out nicely allowing for equestrian activity and a balanced population. We do not want everyone crammed in there! It will totally change the character of our neighborhood! Please do not allow this change to be made or for this height modification to be approved!

Thank you for your help,

Stephanie DiJulio

**From:** Steve Allison  
**To:** [Planning Commissioners](#); [Eric Shields](#); [Janice Coogan](#); [Adam Weinstein](#)  
**Date:** Sunday, August 12, 2018 9:45:26 PM

---

I am strongly opposed to Bridle Trails Neighborhood Plan - Policy BT 7 - changing the current building height at the Bridle Trails Shopping Center from 30 feet to 60+ feet including mixed use and higher density. This change would significantly change the character of our equestrian neighborhood.

**From:** Steve Donahue  
**To:** [PlanningCommissioners@kirklandwa.gov](mailto:PlanningCommissioners@kirklandwa.gov); [Adam Weinstein](#); [Janice Coogan](#); [jbrill@kirklandwa.gov](mailto:jbrill@kirklandwa.gov)  
**Subject:** Neighborhood Plan PT7 for Bridle Trails  
**Date:** Wednesday, September 12, 2018 11:44:21 PM

---

I'm writing to express my strong opposition to the Bridle Trails Neighborhood Plan - Policy BT 7.

This plan changes the current building height at the Bridle Trails Shopping Center from 30 feet to 60+ feet and includes mixed use and higher density development. I feel this would significantly change the character of our quiet equestrian neighborhood.

I strongly oppose the change for the following reasons:

- 1) Consistency with the vision statement. There is absolutely no guarantee that increasing the density and adding 1197 residential units would attract "local quality shops and services". In fact, as we experienced when Red Apple Market left the shopping center, neither the community nor the local government has any say over what retail outlets property owners seek. There is nothing about the current shopping center (nor the currently allowed 30' elevation development and 598 residential units) which is incompatible with the draft vision statement.
- 2) Compatibility with adjacent uses. The proposed increased density development is absolutely not compatible with adjacent uses. We live in a low-density equestrian community. People keep and ride horses. There is no way in which the additional density and the resulting traffic and noise is in any way compatible with this residential neighborhood. This is not downtown Redmond or downtown Kirkland. It is a neighborhood.
- 3) Increase in "affordable" housing (per housing strategy plan). The current zoning allows for 598 residential units with 59 marked as affordable housing. Doubling the total allowable residential units only adds 40 additional affordable housing units. Doubling the allowable residential density to add only forty additional affordable units isn't in any way worth the disruption and cost to the neighborhood.
- 4) Unanimous property owner support - absolutely not. Nobody I have talked to in my neighborhood thinks this is a good idea. Unanimous, in that sample size, is a disheartening claim.
- 5) The support for this proposal focuses on the "economic" benefits of the plan. However, it is ignoring the detriments that accompany this population density.
  - Traffic on NE 70th and even 132nd is already horrendous. It shouldn't take me 20-30 minutes to drive from downtown Redmond to my home in Bridle Trails, yet it regularly does. And this is not downtown Seattle, Kirkland, Bellevue or Redmond. People drive cars. They drive cars to and from work. They drive cars to take children to sports practices, to go to the doctor, to get to mass

transit centers. You will be adding thousands of cars to an already congested area. I have seen no evidence or report by the city on how they will address this issue. Choosing to “believe” that people will magically begin using mass transit is naive at best, and in reality, simply irresponsible.

- A development of this density will also be adding hundreds of children to the local schools, which are already using portable classrooms because they have exceeded capacity. I understand that developers are required to pay the education impact fees. However, those fees are not enough. And there is a significant lag time between when developers pay those fees and schools can receive and use those fees to actually address overcrowding that development of this scale causes.

As representatives of the the Bridle Trails community you serve, I can not urge you strongly enough to reject Neighborhood Plan Policy change PT 7.

Thank you,  
Steven Donahue  
6329 133RD AVE NE



**From:** [Adam Weinstein](#)  
**To:** [Janice Coogan](#)  
**Subject:** FW: Neighborhood plan updates - adds/deletes are not being tracked by the city  
**Date:** Tuesday, September 18, 2018 8:04:29 PM

---

**From:** S. Davis [mailto:spicker76@yahoo.com]

**Sent:** Sunday, September 2, 2018 10:13 AM

**To:** Adam Weinstein <AWeinstein@kirklandwa.gov>; Stephanie Croll <SCroll@kirklandwa.gov>; City Council <citycouncil@kirklandwa.gov>; Kurt Triplett <KTriplett@kirklandwa.gov>; Kevin Raymond <KRaymond@kirklandwa.gov>; Eric Shields <EShields@kirklandwa.gov>; Planning Commissioners <PlanningCommissioners@kirklandwa.gov>

**Subject:** Neighborhood plan updates - adds/deletes are not being tracked by the city

Hello City officials,

I would like to point out that we need the planning department to step up and fully disclose all of the changes they are making to the North Rose Hill, South Rosehill, 85th Sub Area and Bridle trails.

I think the city should be required to show in this 1st draft ALL OF THE CHANGES from the current plan. Kind of like when an agreed upon law is changed the people should see the changes, adds and deletes to the current law. These neighborhood plans which become part of laws for our GMA plan needs to have underlines to show what would be added to the law, or "strike-through" lines to show the parts of the law that would be removed

The city has decided to combine these 4 unique neighborhoods into one plan which many think is a bad idea. Especially since only a few neighborhood association people (heavy on south rose hill residents, Rodney Rutherford and Martin Morgan both out spoken and Martin has a rezone request in with the city) and the city planning department has taken to dramatically revising these neighborhood plans. <http://apps.leg.wa.gov/rcw/default.aspx?cite=36.70A.035>

I have reviewed to the best I could my neighborhood (North Rose Hill) and the 85th sub area) vs original plan. However it has taken me hours and I truly believe the city per the law needs to produce a document that states all of the changes from the current plan.

I asked Adam over a month ago about getting a copy of the draft plan submitted at the June 26 planning commission mtg and all of the tracked changes (edits, adds, deletes) as this can be done especially in MS WORD. I was told that since all of these plans were combined they did not track changes but will start tracking changes going forward of this new 1st draft plan.

They can copy in all of the existing plans into one MSWORD file and then make their

edits.

A second point regarding the Comprehensive Plan is the dozens of inconsistencies that will be created with the draft plan and the current agreed upon plan for over the past 20 yrs (esp Bridle Trails). There are major conflicts in the draft Neighborhood Plan for land use and I believe this needs to be documented. These plans are much more vague and I believe that this will then create even more areas of "interpretation" for the city planners when a developer wants to make a major change. In the long run this is a lose-lose situation for everybody especially current residents.

Comprehensive Planning is dictated by GMA. It necessarily requires broad public outreach and input. These current plans have been in place for years and dramatically changing them in one year does not seem right.

<http://mrsc.org/Home/Explore-Topics/Planning/General-Planning-and-Growth-Management/GMA-Plan-Development-Regulations-Updates.aspx>

Thank you for your time on this matter.

Susan Davis [spicker76@yahoo.com](mailto:spicker76@yahoo.com) Have a GREAT day! : )

NOTICE: This e-mail account is part of the public domain. Any correspondence and attachments, including personal information, sent to and from the City of Kirkland are subject to the Washington State Public Records Act, Chapter 42.56 RCW, and may be subject to disclosure to a third party requestor, regardless of any claim of confidentiality or privilege asserted by an external party.

**From:** [Adam Weinstein](#)  
**To:** [Janice Coogan](#); [Joan Lieberman-Brill](#)  
**Subject:** FW: schedule an individual meeting  
**Date:** Monday, September 17, 2018 9:29:26 PM

---

---

**From:** tjohnson@leejohnson.com [mailto:tjohnson@leejohnson.com]  
**Sent:** Thursday, September 13, 2018 4:59 PM  
**To:** Planning Commissioners <PlanningCommissioners@kirklandwa.gov>  
**Subject:** schedule an individual meeting

Hello Commissioners,

This is Tod Johnson from Lee Johnson Auto Family and LMJ Enterprises, LP owner of the Lee Johnson property. I know that you will be reviewing our site as a part of your overall recommendations to the City Council for the 20 year comprehensive plan review. You will be receiving a letter from Jack McCullough in reference to our site this evening. This letter outlines the desired outcome for our site. As a follow up to this letter, I'd like to schedule an individual meeting with each of you over the course of the next couple of weeks so that we can discuss this in greater detail. I appreciate everything you do in serving on this committee and I am sure that you all have busy lives outside of your service to the community so I will make my schedule as flexible as possible. You can reach me via e-mail at [tjohnson@leejohnson.com](mailto:tjohnson@leejohnson.com).

Thank you again and I look forward to meeting with each of you in the coming weeks.

Tod Johnson

**NOTICE:** This e-mail account is part of the public domain. Any correspondence and attachments, including personal information, sent to and from the City of Kirkland are subject to the Washington State Public Records Act, Chapter 42.56 RCW, and may be subject to disclosure to a third party requestor, regardless of any claim of confidentiality or privilege asserted by an external party.

To:

Janice Coogan

Senior Planner

425-587-3257

[jcoogan@kirklandwa.gov](mailto:jcoogan@kirklandwa.gov)

Terry Trimingham

Kirkland, WA

425-240-4500

ttrim02@yahoo.com

29 August 2018

Dear Ms. Coogan,

As a longtime resident in this area, I am very strongly opposed to Bridle Trails Neighborhood Plan - Policy BT 7 – to change the current building height at the Bridle Trails Shopping Center from 30 feet to 60+ feet including mixed use and higher density. This change would significantly change the character of our equestrian neighborhood.

I urge the commission to consider how exactly will taller buildings preserve the equestrian character of this area? Taller buildings block the sun and dwarf the trees. Also, taller buildings can easily spur changes to the boundaries of the commercial area, which will encroach on our neighborhood. WE LIKE THE NEIGHBORHOOD AS IT IS.

Allowing the taller buildings and the proposed re-development with housing will bring in a LOT MORE TRAFFIC into an area that already suffers from Google and Microsoft commuters.

What exactly is a "rooftop amenity", and how would one make this area better for ALL neighbors? No one that I know enjoys living in a fishbowl. As it is, our current neighborhood is changing from one-story ramblers to gigantic two-story monsters. Do you live next to something like that? I do. It is not pleasant. I would HATE to see the Bridle Trails Shopping Center turn into something like Juanita Village. That type of change does NOT support "maintaining the equestrian character" of the current neighborhood as stated in the new draft vision statement.

No one that I have spoken with wants a zoning change to the Bridle Trails shopping center.

There have already been zoning changes along the 85th street corridor in the Rose Hill/Bridle Trails area to accommodate high density, please, focus on that and do not ruin the Bridle Trails Shopping Center with more of the same.

Thanks to our current zoning, and along with the hard work of the equestrian community to protect and preserve what we have, our neighborhood is a jewel of a "rural" getaway.

Those of us that have lived in this neighborhood have been key in retaining and saving Bridle Trails State Park. The City of Kirkland directly benefits from our past efforts.

I would appreciate it if the City of Kirkland would support our current efforts by not allowing Policy BT 7 to move forward.

I am not alone. If you would like, I'm happy to provide a list of names and signatures that support my point of view.

Most Sincerely,

Terry Trimmingham

**From:** [City Council](#)  
**To:** [Adam Weinstein](#)  
**Cc:** [Janice Coogan](#)  
**Subject:** FW: Bridle Trails shopping center  
**Date:** Monday, September 17, 2018 4:16:27 PM

---

Adam,

If a response is warranted, please respond within five business days.

Thanks.

Jeannie McGivern  
City Manager's Office  
City of Kirkland  
123 5th Avenue  
Kirkland, WA 98033  
[jmcgivern@kirklandwa.gov](mailto:jmcgivern@kirklandwa.gov)  
(425) 587-3016

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

From: William Gurrad [<mailto:wggurraddds@comcast.net>]  
Sent: Saturday, September 15, 2018 7:09 PM  
To: City Council <[citycouncil@kirklandwa.gov](mailto:citycouncil@kirklandwa.gov)>  
Subject: Bridle Trails shopping center

It has been alarming to watch the planning committee ignore the neighborhood's voice on the subject of increasing height limits for the center. When the representative for tech city company stated that it was the city of Kirkland initiating an inquiry into them having any desire to redevelop their parcel in which they stated they had no plans but could look into that matter. Does the city council realize they are the people and need to listen to their voices as the council would not be in existence if it were not for the citizens. With all topography taken into concern and adjacent structures 3 stories is the maximum with topography taken into concern. Any structures above that height limit would not be conducive to neighborhood character and certainly require building a multi story parking garage to accommodate increased cars in the property. I believe in Kirkland and hope Kirkland is more important to you than simply increased housing which burdens the schools, city services, and transportation. The federal government does not know what is best for us, We Do. Thanks for your attention, Bill Gurrad Sent from my iPhone

NOTICE: This e-mail account is part of the public domain. Any correspondence and attachments, including personal information, sent to and from the City of Kirkland are subject to the Washington State Public Records Act, Chapter 42.56 RCW, and may be subject to disclosure to a third party requestor, regardless of any claim of confidentiality or privilege asserted by an external party.

**From:** [Adam Weinstein](#)  
**To:** [Janice Coogan](#)  
**Subject:** FW: proposed upzone of Bridle trails shopping center  
**Date:** Tuesday, September 18, 2018 7:46:22 PM

---

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

From: Wray Featherstone [<mailto:wfxidaho@gmail.com>]  
Sent: Wednesday, September 12, 2018 2:06 PM  
To: Planning Commissioners <[PlanningCommissioners@kirklandwa.gov](mailto:PlanningCommissioners@kirklandwa.gov)>  
Subject: proposed upzone of Bridle trails shopping center

Dear Commission members,

My family moved to Bridle View in August 1985. We loved the feeling of likeminded neighbors who had pride in and took care of their property.

We also loved the convenience of the Bridle View Shopping Center. It had a quality grocery store, postal substation, bank, and several small businesses and restaurants. economics and the need for higher profit margins have continued to change the character of this neighborhood treasure.

Many residents of the adjoining neighborhoods were also able to walk to the center and shop and take care of other errands. Sadly, 132nd Ave and NE 70th have now become arterials for the tremendously overloaded 405.

School children trying to reach the Ben Franklin school two blocks away are at risk every day. Stand at the corner of 132nd Ave and NE 61st ST and watch how many drivers don't even stop at the marked crosswalks. Parents have been forced to form carpools to drive the four or five blocks to school.

If the Houghton Neighborhood, which is closer to 405 and the South Kirkland Park and Ride, strongly opposed a similar up zone imagine our feeling. Adding six story buildings containing hundreds of apartments will further congest and destroy the neighborhood we now call home.

We all understand the goal of a project like this is purely profit despite unsupported statements to the contrary. It will further put pressure on already inadequate streets and sidewalks. This six story proposal WILL ADD NOTHING to the wellbeing of nearby residents. Let's call it what it is - A PROFIT DRIVEN PROPOSAL. I doubt that you will find any of the Principals living in these "affordable" units.

I don't know how long any of you have lived in Kirkland, but I know you are working against tremendous odds to build a great city. That being said, it is not your responsibility to clean up the mess huge corporations create as a byproduct of jobs. Please help us maintain a sense of community that allows us to feel that those of us who protected parks (insert Bridle Trails Park Foundation here) with our own hard earned money have some say in the survival of our own neighborhoods.

Sincerely,

Wray Featherstone  
13330NE 61st ST  
Kirkland, Wa. 98033  
425-883-4821

NOTICE: This e-mail account is part of the public domain. Any correspondence and attachments, including

personal information, sent to and from the City of Kirkland are subject to the Washington State Public Records Act, Chapter 42.56 RCW, and may be subject to disclosure to a third party requestor, regardless of any claim of confidentiality or privilege asserted by an external party.



# McCULLOUGH HILL LEARY, PS

---

September 13, 2018

VIA ELECTRONIC MAIL

Planning Commission  
City of Kirkland  
123 5<sup>th</sup> Avenue  
Kirkland, Washington 98033-6189

Re: Rose Hill Neighborhood Plan Update

Dear Planning Commission Members:

We are writing on behalf of LMJ Enterprises, LP, owner of the property located at the southeast quadrant of the I-405 interchange at NE 85<sup>th</sup> Street (the "Property"). The Property comprises zones 2A, 2B and 2C in the Rose Hill Business District in the Kirkland Zoning Code (the "Code").

In July, we presented suggestions to the Planning Commission regarding further refinements to the zoning proposal for the Property. This has been carried forward as #6 in your staff report to the Planning Commission dated August 4, 2018 (the "Staff Report"). We have had an opportunity to review the Staff Report and wanted to offer the following comments:

- We strongly endorse the recommendation to allow this proposal to proceed to public hearing.
  - It is important that the additional height apply to a large enough portion of the site to make a real density difference.
  - We also believe that the lot coverage and parking requirements for the site need to be addressed.
- For the longer-term proposal (160' heights), we suggest that waiting until the transit station is complete to consider this proposal may be too late. Planning, permitting and construction of a major project takes 5 years at least. That is close to the time window within which the transit station will be complete. Market interest in more substantial development of the site will begin before the transit center opens, not afterward. It is important to create the vision now, or else the site may just be developed as wood-frame 75' product. At that point, the higher density alternative is lost.

September 13, 2018

Page 2 of 2

- Our proposal would create a path to a higher density plan now, but the path would not be certain. It would be enough to attract interest – serious interest – in the plan now, before lower-density options take over. But by involving the City Council in final decision-making, continuing high levels of City scrutiny would be assured.

We appreciate the opportunity to provide these comments and we look forward to the public hearing.

Sincerely,

A handwritten signature in dark ink, appearing to read "John C. McCullough", with a stylized flourish at the end.

John C. McCullough

JM:ldc

cc: Tod Johnson  
Joan Lieberman-Brill, AICP  
Janice Coogan