

Tony Leavitt

From: Brian Eckert
Sent: Friday, August 10, 2018 9:16 AM
To: Tony Leavitt
Subject: FW: "huge" apartment complex on 85th @ 132nd

FYI – DRV18-00312, Continental Divide

Brian Eckert | Assistant Planner
Planning & Building Department
City of Kirkland
p: 425.587.3258

Planning Counter hours: 8:00 am – 5:00 pm Monday-Friday; 10:30 am – 5:00 pm Wednesdays only. Located in City Hall at 123 Fifth Avenue, Kirkland, WA 98033.

From: Rex Rempel [mailto:rexr.msw@gmail.com]
Sent: Friday, August 10, 2018 9:03 AM
To: PlanningInfo; Amy Walen; Jay Arnold; Tom Neir; Penny Sweet; Toby Nixon; Dave Asher; Jon Pascal
Subject: "huge" apartment complex on 85th @ 132nd

Good morning,

On my commute I see signs at this corner, warning us of an impending 134 apartment complex. Good. We need more housing in Kirkland. More housing will lead to more affordable housing, if we have enough of it. Blocking such construction is merely self-serving for those who already have homes and can afford to live here.

We need to take care of our people, which includes offering them places to live.

Besides, building upwards (in so far as 4 stories is up) prevents urban sprawl, and protects the livability of our area.

And this location is on transportation routes, within walking distance of grocery stores and schools. In other words, perfect to reduce the number of vehicles.

Please support this project. I have no stake in the matter, other than what's good for Kirkland.

Thank you.
Rex Rempel
(living and working in Kirkland)

Rex Rempel, LICSW
Social worker, educator, licensed supervisor and consultant
RexR.MSW@gmail.com
(206) 639-5625

Tony Leavitt

From: Joan Lieberman-Brill
Sent: Monday, August 27, 2018 11:37 AM
To: 'Regina Ball'
Cc: Tony Leavitt
Subject: RE: Subject: Continental Divide Planned Apartment on 8thSt and 132nd Avelso

Hello,

My husband, daughter and I am writing to express my concern regarding the negative impact the Continental Divide project will have on traffic flow at 85th St. and 132nd Ave. Rush-hour back-ups already extend for more than a mile. The intersection is very tight and does not adequately accommodate turning traffic. Also, a 3 – 4 story apartment complex is incongruous with the residential nature of North Rose Hill. This is not the best space for a project of this size in the neighborhood.

I would like us to be listed as persons of record by expressing my concerns regarding this project.

Cheers Regina and Steve and Sofie Ball
13238 ne 97th st
Redmond WA 98052

(206) 790-4125
www.reginaball.com

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August 22, 2018

Re: Continental Divide Mixed Use Project
85th and 132/131 Avenues NW.

To All Concerned at: Kirkland City Mayor's Office, Kirkland City Council, Kirkland Transportation,
Kirkland Planning and Kirkland Design Review Board

Once again, I am writing to everyone, to express my concern and opposition to the current plans to develop the above referenced property as presented. I was able to attend the July 2nd meeting but due to my extensive business travel out of country, makes it difficult for me to be present at each and every meeting.

As we all know, development is encouraged in our growing community. We do need well planned projects and infrastructure. However, it now appears that growth is now impacting the quality of lives in many smaller communities. It has come to my attention that even the Seattle Times in editorial and the business sections, are raising these concerns that neighborhoods once having the charm and livability, are now turning into mega projects of glass, lower standard exteriors, design and intense density.

In the North Rose Hill area that includes residents in both the City of Kirkland and the City of Redmond, these structure types are better suited to the proximity of 85th and I405 and both downtown areas – NOT at the corner of primarily single-family homes and a less-dense population base. The Continental Divide Mixed Use Project, as currently planned, will have serious impact to this corridor between the above-mentioned quadrants.

- Although retail/office on 85th makes sense and designed similar to other nearby structures, the addition of 134 residential units will seriously impact an already dismal traffic problem.
- The zoning code only describes for retail/commercial on the first floor and this project has residential also on the first floor. Not to code and increases density and congestion. It is a departure from Kirkland Zoning Code without following the appropriate process.
- Although I live in The Pointe and do not have solar impact, I stand with the property owners who have invested in the purchase of their homes and those who have or wish to solarize them. It has been an effort, made by the City of Kirkland to encourage homeowners to make sizable investments going to solar.
- The site impact is also in question by many in the community. Setbacks, green space, privacy issues, appropriate number of parking spaces, garbage collection and access are all in need of a redesign and reduction of the number of residential units.
- For residents in The Pointe, it is currently a traffic hazard to exit our PUD and will only get worse unless proper studies and density reduction is addressed. A right-hand turn lane southbound and on to 85th is needed.

In addition to the above stated, there were many questions left unanswered and still of concern in a letter dated July 18, 2018 to the City of Kirkland. I sent it via email with a hard copy hand-delivered to City Hall.

I urge the City of Kirkland to consider all impacts and concerns by the Rose Hill Community and keep our neighborhood, on both sides of the Continental Divide, a desirable and safe place to live.

Sincerely,

Michele Westmorland

Michele Westmorland
The Pointe
8612 – 133rd Avenue NE
Redmond, WA 98052

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,
Sandeep Singhal - Chair ssinghal@kirklandwa.gov
Tony Leavitt - 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 108th ST between Slater Ave NE and 123rd Ave NE
2. Portions of NE 105th PI between 129th Ave NE and 132nd Ave NE
3. NE 103rd PI between 132nd Ave NE and existing cul de sac end
4. NE 101ST P. between 131st PI and 132nd Ave NE
5. 125TH Ave NE between NE 94th ST and NE 95th ST
6. 130TH Ave NE between NE 87th ST and NE 94th ST
7. NE 91ST ST between 130th Ave NE and 132nd Ave NE
8. Portions of NE 90th ST between 128th Ave NE and 132nd Ave NE

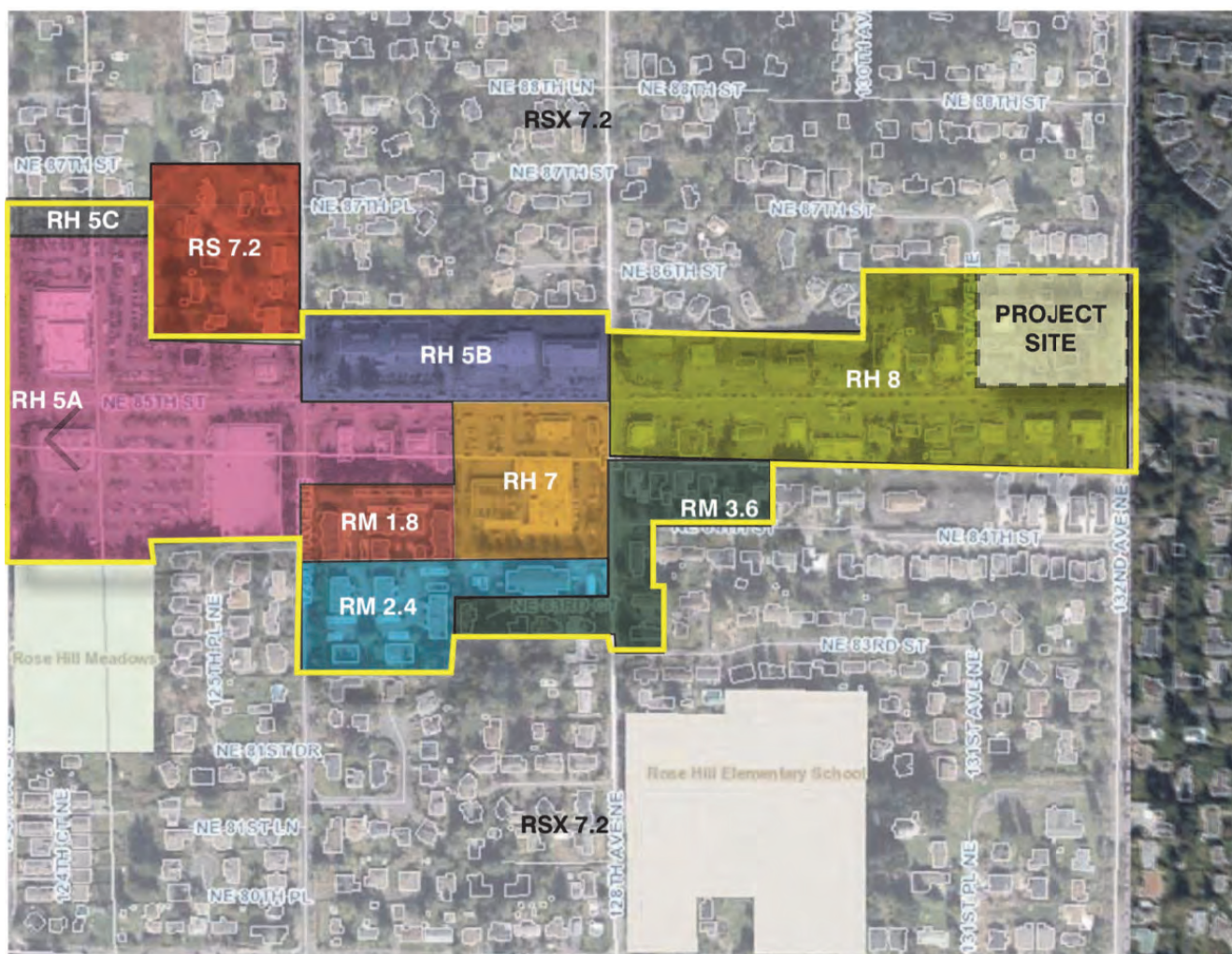
MARIE FROMM AND CONNIE ERONSON

12861 NE 88TH ST, KIRKLAND, WA

This development, with the significant traffic will add to an already over congested NE 85th Street and 132nd Ave would have a profound negative effect on the homeowners in the area, including Marie Fromm and Connie Eronson, homeowners of 12861 NE 88th St, Kirkland, WA. Our home is the yellow area indicated on the official King County GIS survey maps reproduced below.



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

Tony Leavitt

From: H. Goertz <hgg@outlook.com>
Sent: Tuesday, August 21, 2018 3:10 PM
To: Tony Leavitt; Joan Lieberman-Brill
Subject: RE: Continental Divide Planned Apartment on 8thSt and 132nd Avelso

I share these concerns and would like to be added to the interested parties mail list for the Rose Hill, Bridle Trails Plan and NE 85th Street Subarea update project.

Thank you

Hans Goertz
13025 NE 100th St.
Kirkland, WA 98033

From: Margi Goertz <margig@outlook.com>
Sent: Monday, August 20, 2018 10:07 PM
To: tleavitt@kirklandwa.gov; jbrill@kirklandwa.gov
Cc: Hans Goertz <hansgo@microsoft.com>
Subject: Continental Divide Planned Apartment on 8thSt and 132nd Avelso

I am writing to express my concern regarding the negative impact the Continental Divide project will have on traffic flow at 85th St. and 132nd Ave. Rush-hour back-ups already extend for more than a mile. The intersection is very tight and does not adequately accommodate turning traffic. Also, a 3 – 4 story apartment complex is incongruous with the residential nature of North Rose Hill.

I would like to be listed as a person of record by expressing my concerns regarding this project.

Margaret Goertz
13025 NE 100th St.
Kirkland, WA 98033
425 830 5142

Tony Leavitt

From: Margi Goertz <margig@outlook.com>
Sent: Monday, August 20, 2018 10:07 PM
To: Tony Leavitt; Joan Lieberman-Brill
Cc: Hans Goertz
Subject: Continental Divide Planned Apartment on 8thSt and 132nd Avelso

I am writing to express my concern regarding the negative impact the Continental Divide project will have on traffic flow at 85th St. and 132nd Ave. Rush-hour back-ups already extend for more than a mile. The intersection is very tight and does not adequately accommodate turning traffic. Also, a 3 – 4 story apartment complex is incongruous with the residential nature of North Rose Hill.

I would like to be listed as a person of record by expressing my concerns regarding this project.

Margaret Goertz
13025 NE 100th St.
Kirkland, WA 98033
425 830 5142

Tony Leavitt

From: Roger Wright <wright.roger15@gmail.com>
Sent: Monday, August 20, 2018 2:43 PM
To: Tony Leavitt
Subject: Re: Continental Divide Traffic Study Question

Thank you Tony. I trust that you will ensure the project will follow the code to the letter.

That being said, I was reading the Minutes from the July 2, 2018 DRB meeting and noticed another code that the current Continental Divide Plan is in violation of, and it is quite significant and I believe should be addressed sooner rather than later. Section VI) A) states the following:

"Permitted Uses: Retail, office, and residential (stacked dwelling units) are allowed in this zone. Residential may not be located on the ground floor of a structure.

Staff Comment: The applicant is proposing ground floor commercial space along NE 85 th Street and stacked residential units behind. Staff is working on a zoning code interpretation that would allow a residential use and associated parking on the ground floor along 131 st Avenue NE and 132 nd Avenue NE based on the fact these street are residential in nature and do not support retail."

It is good that the Staff recognizes the elevation of 85th as "ground level," as that is the definition of it in the KZC. However, this project should not be allowed to have residential at that level, and it currently does. I realize the comment states that the staff is working on finding an exception to this rule, but I, along with all of my neighbors in the area (particularly along 131st st), would beg you to not make an exception on this point for the project. I know you do not have to legally do this, but if you were to take a poll of all of the neighbors in the area as to whether they would prefer residential vs. commercial on the entire ground floor, you will find overwhelming support for commercial.

So the question I pose is, will you stick to the code as it is written which will make all of the neighbors (all tax paying Kirkland residents) happy, or make yet another zoning amendment for a well off developer trying to maximize his profits on the project?

Thank you for your time,
Roger

On Thu, Jul 19, 2018 at 2:07 PM, Tony Leavitt <TLeavitt@kirklandwa.gov> wrote:

Roger,

The City will review the parking requirements as part of the building permit and ensure that the project meets the City's requirements for parking. I will point out the error in the report to the engineer and have him address. Parking is not an appealable item as it's a code requirement.

In regards to parking garage access, if the put any guest parking in the garage it will need to be accessible to all guests. Public Works Staff will review a final design as part of the building permit.

Thanks.

Tony Leavitt, Senior Planner

City of Kirkland Planning and Building Department

[123 5th Avenue, Kirkland, WA 98033](#)

Phone: 425.587.3253

Fax: 425.587.3232

tleavitt@kirklandwa.gov

Work Hours:

M, T, TH, F: 6:30am to 3:30pm

W: 6:30am to 1:00pm

“Kirkland Maps” makes property information searches fast and easy.

GIS mapping system now available to public at <http://maps.kirklandwa.gov>

From: Roger Wright [mailto:wright.roger15@gmail.com]

Sent: Thursday, July 19, 2018 2:01 PM

To: Tony Leavitt

Subject: Continental Divide Traffic Study Question

Hi Tony,

I just reviewed the Traffic Study for the Continental Divide project and I have a few questions I was hoping you could answer, or you could point me in the right direction. First off, unlike most of my emotional neighbors, I am supportive of the project, however, I do want to ensure traffic/parking has as minimal impact as possible.

1) In the study (attached), section 7.1, it states that the Total Required Parking is 193 and the project will have 201 stalls. However, when you add up the amounts to get to the 193, the math is wrong and the total required is actually 210, which exceeds the planned parking. (168 Resident + 17 Guest + 25 Office = 210). Therefore, I would like to file an appeal. How do I go about doing that? Also, I noticed in section 5.74.070 of the Kirkland Municipal Code that there is no Fee Amount for Code Enforcement Hearings. Would this fall into that category?

2) In the design review meeting, the architect of the Project stated that the Garage parking would be gated and only accessed by residential tenants. In the Traffic Study, they included these parking stalls

for the Residential and Guest Parking. From the cities perspective, can you have "Guest Parking" in a closed off garage? If that is the case, then I am okay with the decision - however, from a practical matter, I do not see how guests will be able to access the garage.

Thank you in advance for your time,

Roger Wright

425-220-9304

[Preview attachment Traffic Study.pdf](#)



[Traffic Study.pdf](#)

[4.1 MB](#)

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Tony Leavitt

From: Dan Xu <xudanusa12345@gmail.com>
Sent: Friday, August 10, 2018 7:13 PM
To: Tony Leavitt
Subject: Permit No. DRV18-00312

Hello Tony,

We are the owners of 8539 132nd Ave NE. We have emailed you last month regarding to the **Permit No. DRV18-00312**.

We have joined the DRB meeting, and worried about privacy and daylight issues. However, the developer only increased the distance between building and our property from 15 foot to 34 foot. They did not give response about suggestions regarding decreasing the height of the building, deleting the balconies, decreasing the amount and size of windows, etc.

Even though they increase the distance to 34 foot, such huge building will totally change the current low density, natural and quiet living condition. In addition, it will severely impact our day lighting. The most important thing is we are going to lose our privacy. Our life will be exposed to so many people. Even though, there are some trees between the building and our property, it will not change anything. We will not feel safe anymore.

We did not know the existence of **Permit No. DRV18-00312** when we purchased this house. We regret to purchase this house after knowing **Permit No. DRV18-00312** recently. This permit has given us a lot of psychological stress. Hence, we have to write this letter in order to express our strong disagreement about **Permit No. DRV18-00312**. We hope you can understand our feelings and positions. Thanks!

Best regards,

Guangchang Xu & Dan Xu
8539 132nd Ave NE
Kirkland, WA 98033
Email: xudanusa12345@gmail.com

Tony Leavitt

From: Jeremy McMahan
Sent: Wednesday, August 15, 2018 2:30 PM
To: Tony Leavitt
Subject: FW: Stop the Continental divide project.

-----Original Message-----

From: Stephanie Croll
Sent: Wednesday, August 15, 2018 12:53 PM
To: Adam Weinstein; Jeremy McMahan
Subject: FW: Stop the Continental divide project.

FYI

Thank you,
Stephanie Croll
Sr. Assistant City Attorney
City of Kirkland

-----Original Message-----

From: Mike Sandberg [mailto:mike587@comcast.net]
Sent: Wednesday, August 15, 2018 12:51 PM
To: Stephanie Croll
Subject: Stop the Continental divide project.

Hi Stephanie my name is Mike Sandberg I am a property owner in the city of Kirkland Washington .

I would like to voice my concerns of the continental divide project and the massive traffic jam implications that will stem from it's being built. Beyond the traffic concerns there is a laundry list of reasons that this project should not go forth as it is currently proposed.

The current plan is far from the original plan of a two-story complex with retail commercial shops occupying the entire the first floor. This was a bait and switch by the developer.

There is no access to 131st St. that will not cause a huge traffic problem by the residence that already live there.

There is no loading zone in their plans to facilitate moving trucks for the residence of the apartments that they propose to build.

I could go on and on and on but I will cut this short and just say that I am adamantly against this development as it is proposed to the city at this time.

Sincerely, Mike Sandberg

Mike
Sent from my iPhone

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Tony Leavitt

From: Erik Carlson <erik.carlson86@gmail.com>
Sent: Tuesday, August 14, 2018 4:50 PM
To: Tony Leavitt
Subject: Proposed Rose Hill Neighborhood Changes at 85th and 132nd

Hello Tony,

My name is Erik Carlson, I live in the Rose Hill area and I want to reach out to you in regard to the proposed NE 85th St Neighborhood Plans as myself and my neighborhood will be significantly affected.

There are plans to build a large scale apartment complex on the corner of NE 85th and 132nd, on the formally 'City Church' and now 'Churchome' side. This alone will provide a significant load to the community of Kirkland as there is no traffic congestion support for this already highly used intersection. The traffic currently requires an officer directing it every Sunday due to those attending 'Churchome' services. This would add hundreds of vehicles requiring turn in and out of at one of the busiest intersections on Rose Hill.

To ease this, the proposal outlines modifications to the residential streets to connect NE 87th to NE 88th, and NE 90th, on all three directions. This would create a single residential road off of 85th to go directly to the 'Churchome' parking lot. Creating an extremely high traffic route through residential streets, some only allowing for a single lane due to property ownership. The impact that this would have on the community is only negative. Streets that have always been known in the neighborhood to be safe for kids to play in due to the lack of through traffic would be completely gone.

I live on NE 88th St and the proposed through street runs directly in front of my door. The forest vegetation in our area that used to be everywhere has been largely cleared due to house expansions. There are very small pockets of actual trees left. The street that they want to put in front of our door will remove one of those entirely.

Please take an interest in this development and see the effects that it will have on the community that currently lives there. I am welcome to Kirkland expanding but it should be to grow our community, it should not be this invasive. I feel that this will hurt Kirkland and I hope that you do too. I look forward to participating in our system by being there for every meeting to share my voice with the rest of the community.

Thank you so much for taking the time and consideration with reading this.

Sincerely,
Erik Carlson
425 281 6046

Tony Leavitt

From: Joan Lieberman-Brill
Sent: Tuesday, August 14, 2018 8:54 AM
To: 'Comcast'
Cc: Tony Leavitt
Subject: RE: 132nd & 85th st.

Hi Mike,

I believe you are referring to the Continental Divide project on the north west corner of 132nd Avenue NE and NE 85th Street. I'm forwarding this comment to Tony Leavitt, the planner handling that project.

If instead you are interested in the Neighborhood Plan update process currently being undertaken for the 85th Street Subarea, in which this project is located, along with the North Rose Hill, South Rose Hill and Bridle Trails Neighborhoods, I encourage you follow this [link](#) to find out more information and sign up to be a subscriber to the project listserve to receive updates on the project.

Sincerely,

Joan Lieberman-Brill, AICP
Senior Planner
Kirkland Planning & Building Department
425-587-3254
jbrill@kirklandwa.gov
Mon – Thus

-----Original Message-----

From: Comcast [mailto:mike587@comcast.net]
Sent: Monday, August 13, 2018 10:03 PM
To: Joan Lieberman-Brill
Subject: 132nd & 85th st.

Please do not rezone this area for the overbearing obnoxious apt building that is proposed to be built there. I know it will overload this already crowded intersection.

Regards, Mike Sandberg.

Sent from my iPad

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Tony Leavitt

From: Lani Riday <laniriday@gmail.com>
Sent: Monday, August 13, 2018 1:39 PM
To: Tony Leavitt
Subject: Giant apartment complex/traffic

Mr. Leavitt,

I live on NE 88th Street, and a neighbor informed me that there were plans to run a road through the “school trail” in order to accommodate additional traffic.

The apartment complex itself I wish would not be built. The traffic and possible parking issues are even more concerning to me. Having another road appear out of the forest has me extremely upset. We’ve lived here over 30 years and picked this street for its dead-end status.

Please re-think this whole mess. I have a neighbor who lives next to the trail, who has lived here since 1956; I’m afraid news of this possible road truly might kill him.

Know that neighbors are extremely unhappy about this project.

Lani Riday
Laniriday@gmail.com

Tony Leavitt

From: Junyan Lin <junyan_lin@hotmail.com>
Sent: Monday, August 06, 2018 2:44 PM
To: Tony Leavitt
Subject: DRV18-00312

Hello Tony,

I'm writing to raise my concern over the privacy protection issues with DRV18-00312.

Rose hill design guidelines

(<https://www.kirklandwa.gov/Assets/Planning/Planning+PDFs/Rose+Hill+Design+Guidelines.pdf>) clearly stated that

5.d. Site and orient multi-story buildings to minimize impacts to adjacent single family residents. For example, if a multistory building is located near a single family property, provide landscaping elements and/or minimize windows and openings to protect the privacy of adjacent homes. Another consideration is to increase upper level building setbacks.

However, the current design of the continental divide project doesn't meet the requirements. While I appreciated builder's effort to put in a 30 ft landscape buffer and reduce number of balconies, I don't believe current design enough to protect the privacy. Below is the "North context elevation" picture provided by the builder (page 66 of

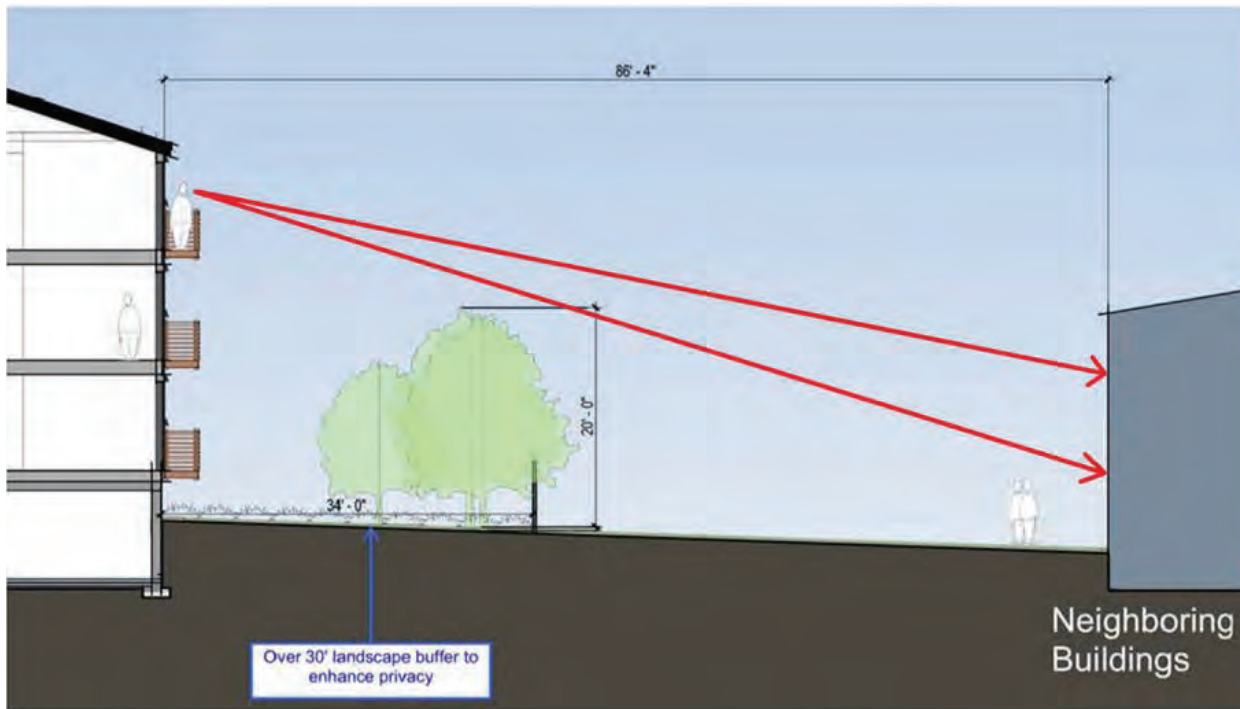
<https://www.kirklandwa.gov/Assets/Planning/Planning+PDFs/Design+Review+Board/Continental+Divide+DRB+Meeting+Packet+08062018+-+DRV18-00312.pdf>). There are still good amount of windows AND balconies directly facing adjacent homes.



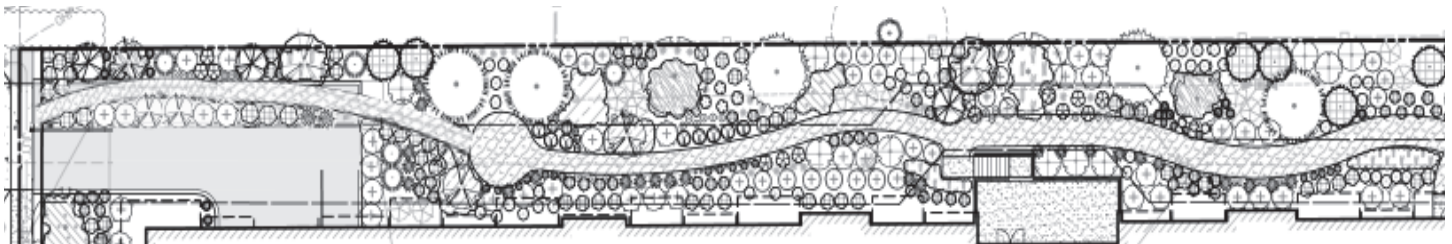
And in terms of landscape buffer, there are several issues:

- Below is the "landscape buffer" picture provided by the builder (page 68 of <https://www.kirklandwa.gov/Assets/Planning/Planning+PDFs/Design+Review+Board/Continental+Divide+DRB+Meeting+Packet+08062018+-+DRV18-00312.pdf>). Even with 20 ft tall tree, the top level

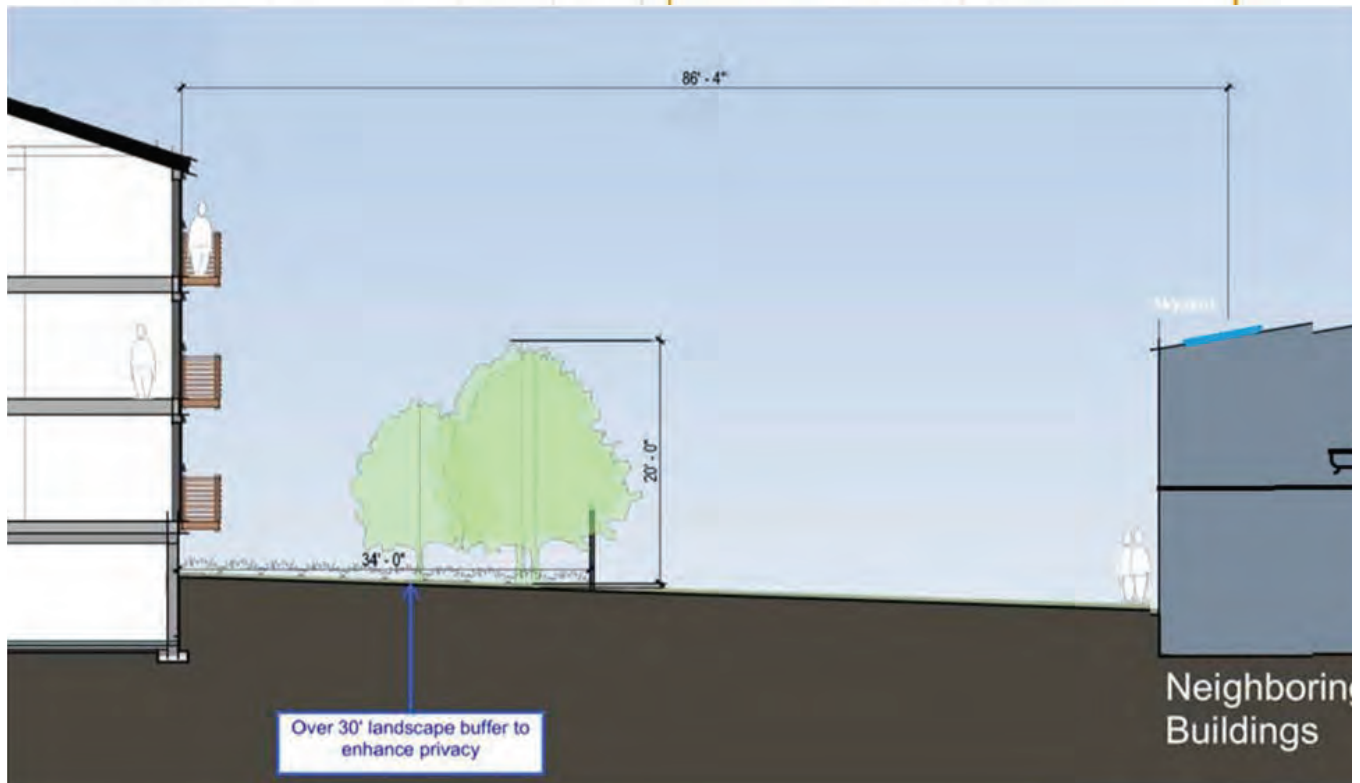
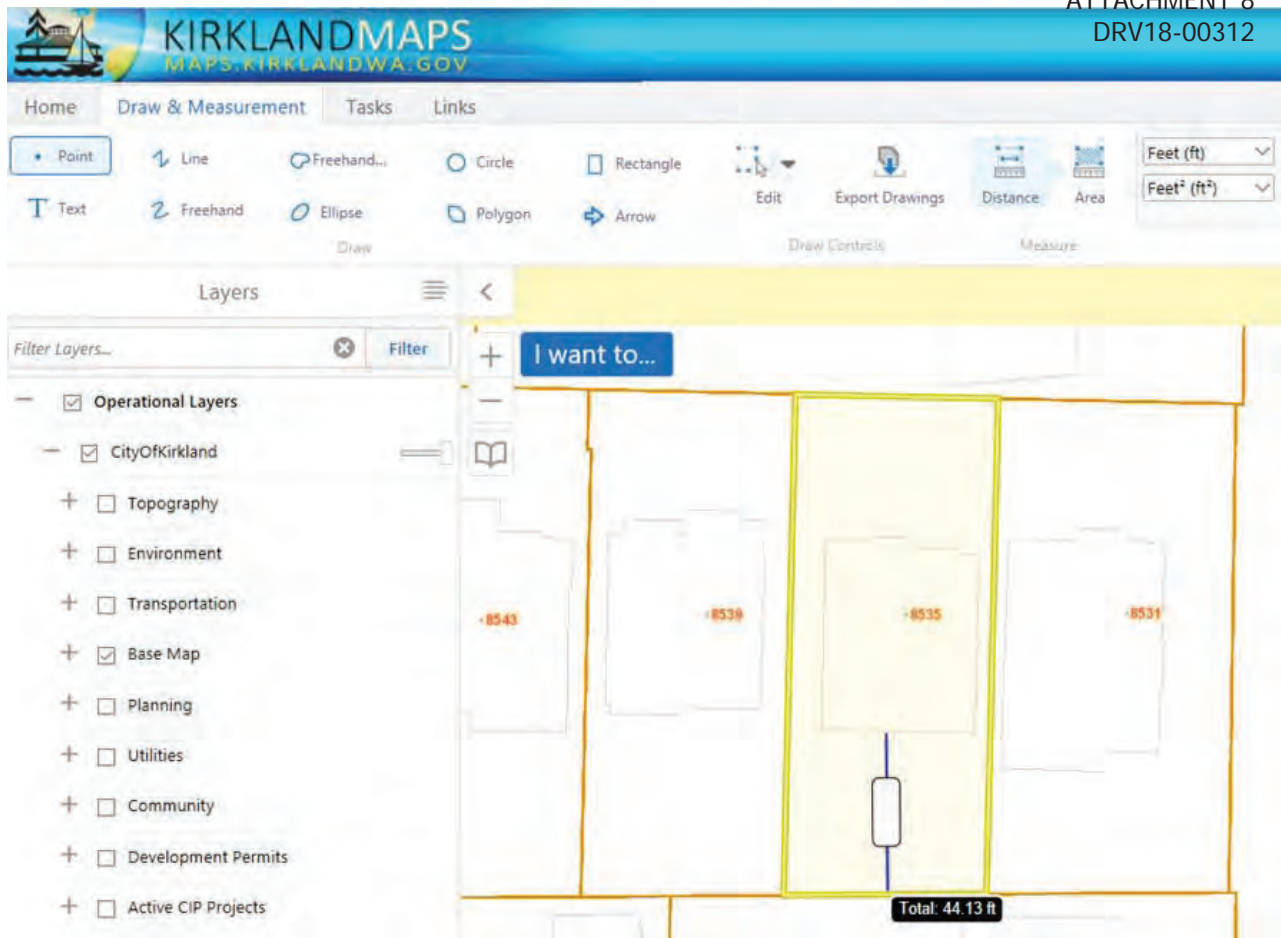
residences of the continental divide have unobscured views into both 1st and 2nd floors of adjacent homes.



- Trees take time to grow to 20 ft tall. Let's say the initial height of the trees are 6 ft (normal height for newly planted trees) and every year they grow 3 ft (very fast growing trees). It will take about 5 years for the trees to grow to 20 ft height. So for the first 5 years or so, almost all residents in that building has clear views in to our house.
- Current landscape design doesn't seem to be able to provide privacy throughout the north side of the site. There are lots of gaps between big/tall trees.



- Deciduous trees (e.g. maple) can provide no privacy in winter time. Therefore evergreen trees must be planted along the north side.
- According to Kirkland maps, my house (8535 132nd Ave NE) is actually about 44 ft away from the property line, which is 8 ft closer then what was showing in the picture above. I have skylight on the roof (in my bathroom!). The top floor residents of continent divide likely will have a nice view looking into my bath tub and shower!



Therefore, the current design is not compliant with design guideline 5.d that DRB should not approve it.

Best regards,
Junyan Lin
8535 132nd Ave NE
Kirkland WA 98033

Tony Leavitt

From: Y Fan <yuan.fan@hotmail.com>
Sent: Monday, August 06, 2018 11:59 AM
To: Tony Leavitt
Subject: Permit # DRV18-00312 - 85th & 132nd Project Public Comment

Hi Tony

My name is Yuan Fan, I live in 13217 NE 92nd Way. I have extreme concerns about this project which will encompass 134 new apartments approximately plus some retail stores in 4-story building. The density of a project with this excessive size is out of place in the North Rose Hill neighborhood.

I didn't see how the city will solve the server traffic impact & environment impact that this huge project will bring to the neighbor hood. I also don't see how the city can approve such a high building in the area where are most single family houses. I would suggest that board members come to the site to see the already terrible traffic during morning and evening rush hour in both 132nd Ave NE and 85th ST. I ask that you to hear the concerns of the people living this area and deny the request of this project.

Thank you for your time.

-Yuan Fan
425-829-1327
yuan.fan@hotmail.com

Tony Leavitt

From: S. Davis <spicker76@yahoo.com>
Sent: Friday, July 27, 2018 12:38 PM
To: Tony Leavitt
Subject: Re: Updated Continental Divide Packet for 8/6 meeting

Hi Tony,
I would like to comment on this design and state my concerns.

I do not think the developer should get the 10 setback is required along NE 85th Street. The applicant has requested the following minor variations: 8.167 foot encroachment for the standalone commercial building. 1.5 foot encroachment for the main building. Approximately 575 square feet of total setback encroachment.

The zoning is for Residential may not be located on the ground floor of a structure. This design is showing residential on the ground floor. I think code should be followed. This area does support retail it is a mixed use development site, this is the zoning. The developer should not get any special variances. The current design does not support retail because the developer has decided not to follow cod and is building apartments where retail should be located and has not put in enough space for parking.

The developer has a zoning code to follow and they should not be able to deviate from the generous code they currently have on this site. They should redesign to make sure the code is followed.city o

Staff Comment: The applicant is proposing ground floor commercial space along NE 85 th Street and stacked residential units behind. Staff is working on a zoning code interpretation that would allow a residential use and associated parking on the ground floor along 131 st Avenue NE and 132 nd Avenue NE based on the fact these street are residential in nature and do not support retail.

What does this staff comment mean? The site was rezoned to RH8 because it can support office, retail and mixed use.

Susan

Tony Leavitt

From: Reid Borsuk <reid.borsuk@gmail.com>
Sent: Sunday, August 05, 2018 10:58 PM
To: Tony Leavitt
Subject: Aug 6th DRB meeting for Permit No. DRV18-00312

We are disheartened to see Merit Homes flagrantly ignore the Design Review Board requests of July 2nd.

Balconies & windows

Despite clear guidance to decrease the privacy impact on neighboring properties, Merit Homes continue to place balconies facing single family homes to the north, in direct contradiction with the Design review board feedback of three members.

The design regulations state “minimize windows and openings to protect the privacy of adjacent homes”, but between the July 2nd and August 6th submissions, the number of windows on the proposed structure dramatically *increased* from 224 to 329.

Height

The builder continues to claim a 5 foot height bonus for “peaked roofs” but instead installs specifically privacy violating mono-plane style roofs. This allows them to place windows well above standard height limits.

KCZ 115.60.2 (d) provides that “If a structure [...] has a peaked roof, **the peak may extend** [...] Five (5) feet, if the slope of the roof is equal to or greater than three (3) feet vertical to 12 feet horizontal.” (em added), and a peaked roof is clearly defined as “a roof of two or more slopes rising to a ridge”.

Merit Homes must not be allowed to build with an unearned height bonus for buildings with solely peaked roofs above the 35-foot limit.

Modulation on North façade

While the Design Review Board requested additional vertical and horizontal modulation of the North and East facades, Merit Homes only added one peaked roof -> flat roof transition, still insufficient to meet the design guidelines and requiring a variance for building bulk (KZC 92.30.3). Additionally, the DRB packet is missing an east elevation rendering. That’s clearly not what the DRB asked for.

Landscape Plan Accuracy

The provided landscape plan on page 69 represents the net building shape as it was on July 2nd and does not match the new building shape proposed at this meeting. This is most obvious along the north façade where there are now two cutouts instead of the one present on the landscape plan, in addition to a different building footprint modulation. This makes it impossible to ensure accuracy and compliance with the legally required landscape buffers.

Landscape encroachment

They have not removed the 131st access street encroachment on the required 15-foot landscape buffer, nor have they requested a variance for that. Merit Homes can’t just encroach upon a legally required buffer without a variance.

Further, design guideline 21 states that developer must “locate and design service and storage areas to minimize impacts on the pedestrian environment and adjacent uses.” Encroaching on a required buffer is counter to that guideline.

A variance must not be granted, as this is required as a *noise abatement buffer*. Concrete structures channel and amplify noise and a parking garage exit directly facing the receivers of noise pollution; *instead* of a noise abatement landscape buffer is counter to the requirement that variances “not have any substantial detrimental effect on nearby properties and the City or the neighborhood.”

“15 ft setback”

In addition, the Merit Homes claim that the required building setback is only 15 feet and they are building at 32 feet is misleading. A building of this size could only be built at a 30-foot distance due to its size and shape. They are doing the bare minimum that is legally required, and do not deserve special dispensation for that. A smaller building at 15 feet of setback is less impactful than a large one at 30.

Solar Studies

The “Existing Condition” solar studies are inconsistent with the “proposed” solar studies, they project several existing trees with very low foliage density as having 100% coverage. In addition, the “Existing” conditions include additional trees that are not being removed by the developer. The “proposed” picture crops those trees and drops their shadow from the rendering. This leads to a substantially misleading picture that adds sun to the “proposed” side.

With a substantially different input area of affect, the solar studies cannot be used to compare previous and new solar conditions.

Blank wall treatment

Merit homes ignored the request to add blank wall treatment to parking garage walls.

It is clear that Merit Homes is attempting to ignore the Design Review Board requests in order to build a structure prioritized to profit and not unity and conformance with the North Rose Hill civic identity. You must remain strong and reject these half-measures of compliance.

Reid Borsuk & Sarah Yao

Tony Leavitt

From: Olivia A <okayall@outlook.com>
Sent: Sunday, August 05, 2018 9:49 PM
To: Tony Leavitt
Subject: Continental Divide Mixed Use 85th & 132nd Project Public Comment (Permit No. DRV18-00312)
Attachments: Design Review Board_Continental Divide_Style Examples_Olivia Ahna_20180803_compressed.docx

City of Kirkland
Tony Leavitt, Senior Planner

My husband and I own the house at 8402 132nd Ave NE in Redmond, which is diagonally across the intersection of 85th/Redmond Way and 132nd Ave NE from the subject property for the Continental Divide Mixed Use project. We bought our home in July 2016 and only received notice about the project in late June 2018.

I have concerns about the severe change this project could mean to our neighborhood. Some of them fall under the authority of the Design Review Board. Please do all that is within the Design Review Board's power to address our concerns and those of our neighbors.

Notice to the community:

While I believe the notice given by the City of Kirkland was insufficient, I am taking that up with other commissions and officials. Regarding the Design Review Board, if the notice about the Design Review Board Meeting on July 2nd was earlier, I would have benefited from more time to absorb the news, do research, and plan to attend the meeting. Please consider notifying the community sooner (weeks or months sooner) about upcoming meetings.

Family atmosphere:

My husband and I are concerned about the family-oriented neighborhood we have now changing into big apartment complexes with studio apartments. I'm not sure how many students and single people are looking for an area with minimal bus service, very few businesses catering to them, and a steep hill bordered by forested ravines. The pedestrians near our house 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.

Balconies:

The developer wants an exception for having balconies encroaching onto the buffers to neighboring homes and the street. I think covered balconies that are set into the building would be more useful to the apartment occupants and more pleasing from the street.

Style and Color Choices:

I believe the style of this building should blend into the neighborhood aesthetic and follow the style trends that are popular in the newly constructed homes surrounding it. The urban, industrial, multi-colored style of this planned apartment complex is not typical of the homes nearby. The newly constructed homes are following Northwest Craftsman, Farmhouse, Traditional, and Northwest Contemporary style trends. The Northwest Contemporary style is being used most by the developer of this project, Merit Homes, when they build single family homes. Even still, the color choices for Merit Homes' single family homes are more subdued and sophisticated. Please see the attachment for examples of color choices made by Merit Homes and styles of newly constructed homes sold in since 2015 within 1/3 mile from the subject property.

I think the following would help the aesthetics of this project:

- Hip roof: Casts less of a shadow onto neighbors and fits the Northwest Craftsman style.
- Farmhouse style: Evokes the equestrian heritage of adjacent Bridle Trails. Could include gooseneck light fixtures, horizontal shiplap-like siding, wrap-around porches, white and neutral colors, black framed multi-paned windows, and cross buck horse fencing.
- Craftsman details: Gable brackets, cedar shake accents, dormer windows, tapered pillars.
- Stacked bay windows: Would help break up the facade. Apartment seekers would probably enjoy the architectural detail. A recently built apartment complex in downtown Redmond has them and it helps make it look more desirable and less basic.
- Arched windows: Quite a few of the new construction in the area includes these and they add visual interest.

Please do what is in the power of the Design Review Board to help our neighborhood keep its current family atmosphere, the flow of people passing through, the safety of our children, and our quality of life. Please help maintain the character of Kirkland (and Redmond across the street) through sophisticated color choices and popular design details. We are counting on you to hear us and make the vital changes necessary.

Olivia and Chris Ahna
8402 132nd Ave NE
Redmond, WA 98052

Style Examples

Merit Homes Color Choices



Style Examples

Homes constructed since 2015 within 1/3 mile of subject property

Northwest Craftsman



7931 125th Ln NE



8718 124th Ave NE



13414 NE 80th St



12423 NE 80th St



8722 124th Ave NE



8728 124th Ave NE



8012 131st PI NE



8210 131st Ave NE



12722 NE 69th Dr



12404 NE 90th St

Farmhouse



12614 NE 80th St

Traditional



13414 NE 80th St



7809 126th Ave NE



7717 127th Pl NE



7722 127th Pl NE



13424 NE 80th St

Northwest Contemporary

(Excluding those made by Merit Homes)



8738 126th Ave NE



11707 NE 78th Ct



7803 126th Ave NE

Tony Leavitt

From: sj_chow@yahoo.com
Sent: Friday, July 20, 2018 10:47 PM
To: Tony Leavitt
Subject: Fw: Permit No. DRV18-00312

Hello Tony,

This is regarding Permit No. DRV18-00312 for the proposal of redevelopment at 8505 132nd Ave NE. I am concerned about the impact that redeveloping this site to provide 134 units of homes and commercial/office space would have to the traffic along 132nd Ave NE and the impact to the neighborhood schools (Twain Elementary, Rose Hill Middle School and Lake Washington High School).

The traffic along 132nd Ave NE is already very congested in the peak morning commute and afternoon commute hours. Many people use 132nd Ave NE as an arterial road to get from Redmond/Bellevue to Juanita and it is very difficult to make a left turn from one of the east/west streets onto 132nd Ave NE as there is almost no break in traffic at all. I live along this corridor and if I am heading home from Costco, instead of taking the shortest route home (via NE 100th St) I must take a long way home (and add to traffic on NE 85th St) since the left turn from NE 100th St to 132nd Ave NE is so difficult. Traffic is also very busy on Sunday mornings due to the large amount of Churchhome church traffic.

As I understand it, Twain Elementary is already completely full and using 2 portable classrooms. There's already a large development planned at the Petco site which seems to fall in the current Twain boundary. Where will all of the kids go? There is a severe lack of services in the area for childcare (0-5), aftercare (elementary aged) and classroom spaces for children. I have read that LWSD does not have any plans for new elementary schools in the area.

Thank you for your consideration.

Stephanie Chow

Tony Leavitt

From: jholms@comcast.net
Sent: Tuesday, July 10, 2018 10:11 AM
To: Tony Leavitt
Subject: Permit No., DRV18-00312

I am requesting at this time to become a party of record for this permit. I would like to receive any and all notifications of public hearings and any other pertinent information on this permit.

I reside at The Pointe which is directly across the street from this project. This project is huge and does not fit into the design of the neighborhood.

I am especially interest in the traffic issues for this project which would also be part of the design.

Thank you. Please contact me by email if you need further information.

Jennifer Holms
8723 132nd PI NE
Redmond WA 98052
jholms@comcast.net

July 6, 2018

City of Kirkland
Planning and Building Department
123 Fifth Avenue
Kirkland, WA 98033

Re: Multi-Use Complex
NW Corner of 85th Street & 132nd Avenue NE

To Whom It May Concern:

I am writing this letter on behalf of myself and my neighbors owning property at The Pointe and within the Rose Hill Community. This project should not be approved as presented in the Design & Review Board meeting on July 2, 2018. Below are bullet points of many issues that should be considered by all departments that have the decision-making segments.

General Concerns:

- Technically, The Pointe is within the City of Redmond. However, only those in the PUD received notice per the 300-foot rule for notification. Every property owner within The Pointe will be impacted and should be included in notification and have the ability to express opinions.
- Although most residents in the quadrant in question have desires to see this property developed in a way that benefits the community, the plan presented to the Design Board came as a shock in the scope and scale. It was expected to have commercial buildings on the frontage of 85th. However, the addition of the 134 residential units was not properly disclosed during the rezoning phase.

Design and Materials:

- It is distressing enough to see the "Merit" style small residential units pop up all throughout the Rose Hill area. They are not a pleasing design and completely out of the realm of a more classic Pacific Northwest style. There are other low lot line buildings that have been done that integrate better visually. A couple examples (addresses are linked to street map) are: [8818 – 132nd Avenue NE](#), [13116 NE 90th Street](#), [13110 – 85th Street commercial building](#).
- The "Merit" style does not have longevity. In 10 years, it is my opinion that it will be much less desirable and become more of an eye-sore.
- Materials used might be cost effective for the developer but look cheap and without thought as to color, texture, and appeal.
- Roof lines and wall designs are harsh and do not fit the neighborhood.
- This project will NOT enhance property values but will cause a decline to those owning properties closest to this massive project.
- The 132nd Avenue design looms large over street and appeal. Now at 4 stories, this is out of scope for the community. Note that there are NO buildings in this height range and levels from

I-405 East to downtown Redmond. Height on building and condos are due to land elevation/sloping/hillside. Parking level, which shows more concrete than material more pleasing is completely unacceptable. Not to mention that a grated garage door entrance was "snuck" into the design. See below in traffic and impact.

Traffic and Density:

- Homeowners in The Pointe and homeowners in the Rose Hill area are already experiencing serious traffic problems due to new development and increased residential land use via acquisition of larger parcels broken up into small-lot projects.
- Business and residential density in Redmond and Kirkland/I-405 have caused traffic jams and potential hazards on 85th. This surprise high density project at the NW corner will only intensify and create more problems.
- Homeowners are suspect that the density of this project has been a bait and switch plan to increase overall return on investment and income stream. Are the residents to pay the price in their property values to the benefit of the developer? 134 units plus commercial is far too dense and large. There are no buildings of this magnitude in the Rose Hill Area and is completely out of place.
- The parking spaces in the design does not support the project. This will force some residents, commercial use and visitors to park elsewhere. The impact to The Point is problematic with our visitor parking pads but the residents on the 131st Avenue NE will be blocked in as they have only one way in and out of the area.
- A conservative estimate of 1000+ addition car trips per day in and out of the project will create even more issues to the already problematic traffic issues to the intersection. Even on Sunday, when a neighborhood is expected to have less traffic and be quieter, the church on 132nd causes such heavy traffic that for the last few years, a traffic cop has been needed at the intersection. A thorough traffic study needs to take place.

In the personal response by the property developer in the July 2, 2018 meeting, it was stated that this project would be the "gateway" to the Rose Hill area and provide benefit via more residential with some of the units in the affordable housing category. As a homeowner, I want facts, not fiction. Is the developer bottom line more important than the aesthetics, traffic impact and visual appeal to the neighborhood?

Respectfully,



Michele Westmorland
8612 – 133rd Avenue NE
Redmond, WA 98052
The Pointe
Ph: 425-896-8113

Tony Leavitt

From: Greg <gregoryheino@gmail.com>
Sent: Wednesday, July 18, 2018 1:18 PM
To: Tony Leavitt
Subject: Traffic and DRV18-00312 at 132nd and 85th

Hello Mr. Leavitt,

I read through the planning document regarding the apartment building on 85th and 132nd (<https://www.kirklandwa.gov/Assets/Planning/Planning+PDFs/Design+Review+Board/Continental+Divide+Mixed+Use+Project+DRB+Meeting+Packet+07022018+-+DRV18-00312.pdf>) and I did not find much of anything specific regarding traffic impact of the units on the neighborhood.

Is that in a separate document, did I miss the section, or is that not a part of this process?

Thanks,
Greg Heino
9421 130th AVE NE
Kirkland, WA
98033

Tony Leavitt

From: Lingjun Fu <hit881023@gmail.com>
Sent: Monday, July 02, 2018 8:45 PM
To: Tony Leavitt
Subject: concerns about proposed project is on the corner of NE 85th and 132nd Avenue NE

To whom it may concern,

I'm writing to express my concern about the new proposed project as a current resident in this neighborhood. We have had so much new constructions in this area and the traffic has been quite heavy. Please avoid this kind of proposals to add huge amount of traffic and disturb the peace.

Thanks,
Lingjun

Tony Leavitt

From: Marjorie Anton <marjorieanton@icloud.com>
Sent: Monday, July 02, 2018 7:32 PM
To: Tony Leavitt
Subject: Merit Project

I live in The Pointe in Redmond (81 units) located on the corner of 132nd and 85thNE. It is almost impossible to make a left turn out of our street as it is now. Most of the time we have to turn right and circle back to 85th. Ridiculous. Who planned that? Do reps from Redmond AND Kirkland make these plans?

I read about this at 7:15pm so meeting is already underway.

Is it possible to have your team available to talk to our homeowners?

Sent from my iPhone
Margie Anton

Tony Leavitt

From: Lanelle Cababat-Martin <lanelle@apmortgage.com>
Sent: Monday, July 02, 2018 7:28 PM
To: Tony Leavitt
Subject: New mixed use building on 132nd and 85th

Importance: High

We request that the City of Kirkland reconsider allowing a large 2-4-story, 180 unit+ building on the corner of 85th and 132nd. I live off of 132nd north of Churchome (was City Church) and have 2 young sons. We moved to Rose Hill in 2005 and fell in love with the community. That community seems to be vanishing before our eyes! We no longer live in "that community" due to the excessive building of homes stacked on one-another and the traffic has quadrupled x 10! Where will these people park? There is not enough traffic flow at that intersection to allow even 10 homes on that corner. Very unsafe and super congested intersection.

We are literally afraid every time our children walk to school across 132nd and they can no longer ride their bikes safely on that road due to so much traffic. We can't even get out of the street onto 132nd without waiting for a long while for a safe break in the traffic flow. The light on 85th/132nd is always backed up and especially during the week. As I attempted to drive to a meeting in Redmond that used to take me 11 minutes flat – now takes me a good 18-20 minutes due to sitting at several traffic lights on that specific corner!

The other day I imagined how convenient it would be for us if the City would lengthen the right turn lane off 132nd onto 85th street or add another turn lane on the corner there for the CURRENT BAD TRAFFIC SITUATION. Now to hear it could be even worse??!! I simply cannot imagine it worse! A business on that corner of any sort, much less an entire building would be a very low desirable home location. Merit homes sounds like a "big money" builder!! Do they really need to ruin our great community for the sake of the big dollar and what about City of Kirkland! Are they going to allow this? Aren't the new fees for the use of parks, the parking fees throughout the city ie by USbank – etc, and property tax dollars enough?

Please hear our voices, this is getting a bit out of control! We deserve to remain in a city more like Medina...where the very wealthy want to live. Nice homes, nice, safe community, small town feel, not congested, desirable living. This town is much to small for these tall buildings. It changes who you attract here to include those who can afford to live here and pay taxes. Also, those who can contribute to the revenue of the City and the businesses. Someone on a neighborhood post today said the City of Kirkland is turning this City into the slums, once the potential dwellers of that building cannot afford to live in that building, HUD will have those units converted into low income, which often tends to lack maintenance, etc. Hmmm...now I understand what they were referring to...about slums...and fast!

Hopeful,
Lanelle Martin
Cell: 206.498.4905

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Tony Leavitt

From: Lynn Peterson <petersoncraig@msn.com>
Sent: Monday, July 02, 2018 7:14 PM
To: Tony Leavitt
Subject: 132nd & 85th Streets Kirkland

Please note my objection to a 4-story multi-use building on the corner of 85th and 132nd Streets.

The traffic currently is horrible, especially during certain hours. The accidents on this corner are numerous. Adding more to this corner will only add more congestion and more accidents.

This seems like horrible planning on Kirkland's part.

Lynn Peterson

Tony Leavitt

From: Patty Emerson <pearlsandcrystals@yahoo.com>
Sent: Monday, July 02, 2018 6:47 PM
To: Tony Leavitt
Cc: David Emerson
Subject: Merit Homes Project Rose Hill

Dear Tony Leavitt:

We are opposed to Merit Homes building the four-story commercial/residential building on the corner of NE 85th St and 132nd Ave NE for two reasons.

1) Inadequate infrastructure. NE 85th St is already congested throughout the day. It used to only be gridlocked during rush hour, now it is congested almost all day. Adding a 134 unit apartment complex to the corner of NE 85th St and 132nd Ave NE is only going to make matters worse.

2) Unqualified builder. Merit Homes is currently unable to safely manage all of their construction projects so it would be very dangerous for them to take on such a large project. We currently live next to one of their construction sites and have first-hand experience of their unsafe building practices. Here is a list of the things Merit Homes has done so far.

-Failure to keep a clean construction site from day one. There was garbage all over the job site that ended up on the surrounding neighbors' property because they did not have a dumpster on site for weeks. They got dumpsters after neighbors complained about the garbage. After they got the dumpsters, they said they would be emptied out every week. Sometimes it is weeks before they are emptied so garbage over flows and ends up everywhere.

-Failure to notify residents that electricity would be cut. None of the neighbors were notified that electricity would be cut while they installed a new transformer.

-Struck a gas line causing gas to pour into the air for about 30 minutes. The gas line they struck was about 10 feet from our home. We could hear the gas rushing into the air from inside our home. Everyone was afraid there would be an explosion.

Given these issues by Merit Homes, it would be a disaster for them to build a four story commercial/residential building. We felt the need to speak up because we do not want anyone harmed because of this proposed project. Merit Homes has clearly demonstrated that they do not care about the community.

Please keep this information confidential because we are concerned about retaliation.

Sincerely,
Patty & David Emerson

Tony Leavitt

From: Casey Hedglin <chedglin28@gmail.com>
Sent: Monday, July 02, 2018 6:05 PM
To: Tony Leavitt
Subject: Merit Homes File#DRV18-00312

Hi Tony,

I'm contacting you regarding file #DRV18-00312, which is currently being reviewed for development. I have lived in Rose Hill my entire 39 years of life and must tell you that I am absolutely against this project. The obscene amount of traffic and congestion it will undoubtedly add to 132nd, NE 85th and the surrounding streets is beyond what we tax-paying neighbors are able and willing to deal with. I was diagnosed with a brain tumor 2 years ago and now must uproot my children and the only home they know because we can no longer afford to live here. And that is in part due to the HUGE LACK of affordable housing in Kirkland. Mark and Merit Homes are consistently adding to that problem and if you allow this project to move forward as-is, you are acting in a severely negligent, greedy, selfish and irresponsible manner. You are helping to push out REAL people with REAL families who work REAL hard to pay REAL taxes and it's gotten us nowhere. You are helping destroy the very home that WE have built and loved and provided for all these years so that people like you and Mark could have a place to work and live. I don't know if or how long you've lived in Kirkland, but I have spent my entire life here and am beyond saddened to see what our city is allowing. I have known Mark from Merit for many years. In fact, I cheered him on as he grew his business. A decision I now regret. Unfortunately, he's let his greed lead him in life and I just hope you choose not to do the same. Please say NO to this development.

Best regards,

Casey Hedglin

Tony Leavitt

From: Jennifer Hayles <joonuper@gmail.com>
Sent: Monday, July 02, 2018 4:11 PM
To: Tony Leavitt
Subject: Merit Homes Property Proposal on Rose Hill

My name is Jennifer Hayles and I am a Kirkland resident living off of 132nd. My daily commute takes me down 132nd, turning right onto NE 85th street and I am VERY concerned about the property being planned by Merit Homes on that corner. A massive, 4 story building with retail space and 134 residential units is going to impact an already overburdened and unsafe intersection in a massive way. The back up from all directions of that intersection already stretches for miles during rush hour. Cramming more people into a smaller area appears to be the way city planning thinks Kirkland should grow - allow massive construction companies come from far and wide to tear down one perfectly good small family home, to replace it with 2 or 3 enormous, unaffordable monoliths, to the benefit of no one but the construction companies, and the permit offices.

Kirkland is a small town. No one who lives in Kirkland wants it to be a massive, sprawling, population dense urban landscape. The only people who want Kirkland to become that are the people looking to profit from it. The growth is becoming out of control and unmanageable. The streets and stop lights aren't being upgraded to handle the impact of this population density. Where will the people living in this building park? I can't imagine you truly believe that 3 bedroom apartments necessitate less than 2 vehicles per residence? With the kind of public transportation (or lack thereof) in place here? The noise pollution is becoming excessive. Is there a plan in place to leave ANY single story, small family residences in tact in Kirkland? Is any attention being paid to the increasing vacancy rates of apartments in Seattle? What is the City of Kirkland going to say to its residents if you build too many million dollar houses and ridiculously priced apartments and condos vs number of people who want to live in an expensive, gridlocked, charmless city? After spending years inconveniencing them and making them put up with the noise and the traffic.

The construction companies (particularly Merit Homes, who you are already allowing to build dozens of homes along 132nd) do little to nothing to ease the burden on our community. Daily there are workers parking to capacity in residential neighborhoods, where they arrive early in the morning, smoke, leave garbage and food on the sidewalks, swear loudly, enter and leave the roadway unsafely, move heavy equipment without using flaggers or even warning other drivers that a backhoe is about to enter the roadway, sit there for a good long while, then back slowly in somewhere else. Their dump trucks and cranes destroy the streets. They park on the sidewalks. Why are we allowing companies that care so little about the community of Kirkland, and the future of our town, to profit off of it?

I do not approve of the project going up on the corner of 132nd and NE 85th, and would like to know what I can do to make sure my concerns are voiced to the appropriate people.

Kindly,
Jennifer Hayles

Tony Leavitt

From: Cindy Hogan <cjhogan@live.com>
Sent: Monday, July 02, 2018 3:46 PM
To: Tony Leavitt
Subject: Kirkland Developement

I would like to go on record against the Merit building proposal on 85th and 132nd. I use these roads for commuting to work and already face backups on 132nd at 4:15pm!! I did the survey for the City of Kirkland some time back and expressed disappointment in the over development of residential houses and the destruction of great starter homes in the area. We now have million dollar tract homes thanks to Merit. Affordable housing is gone for my children!

Regards,

Cindy Hogan
36 year resident of Kirkland

10703 127th Ave NE

Tony Leavitt

From: Mike Monsos <flyman219@outlook.com>
Sent: Monday, July 02, 2018 3:46 PM
To: Tony Leavitt
Subject: RE: Continental Divide Mixed Use DRV18-00312

To: Tony Leavitt
Subject: Continental Divide Mixed Use DRV18-00312

I am a home owner here at The Pointe, my name is Michael Monsos, my address is 8602 134th Ct NE Redmond WA 98052. My Email address is flyman219@outlook.com We have lived here at The Pointe since 2005. I am very concerned at the scope of this project and it's impacts on our neighborhood.

I have several concerns of the proposed building under review, some of which I will state here .

1. A four story building is out of scale to this area's architecture. The overall size of this building seems far beyond anything else in the area. Going from six single family detached homes to a 134 unit Apartment Complex is quite a stretch. This density is far more than anything in this area.
2. 134 units would most likely add 200 or more round trips to the already troublesome corner of NE85th and 132nd Ave NE (married couples, shared rentals, two car requirements). It is already a challenge to try to enter or leave The Pointe most any time of the day due to the excessive traffic on 132nd Ave NE we experience already.
3. Unless there is a light added to the intersection at 131st Ave NE and NE 85th residents who need to go to Redmond will need to exit the property via the eastside egress driveway, to 132nd AVE NE southbound to try to make it to the left turn lane. 132nd Ave NE at NE 85th is already backed up for blocks southbound in the mornings with commuters. Adding another 134 housing units with a garage egress about 100' north of this intersection will not only be a problem but dangerous as residents try to push into already heavy traffic stopped by the light.
4. If this is kept a pet friendly rental property, the closest place to "walk the dog" on grass and in a park like residential setting is "The Pointe". I do see they are planning a small area for pet walking but nothing near what 134 units would require. I'd rather not see our neighborhood become the preferred "nice" dog walking trails
5. In addition to the residential generated traffic there will be commercial traffic generated by the offices on the first level to add to the congestion of this area.

6. I do realize the property will be developed but I hope that it will be done to a more appropriate scale having less impact on the already poor traffic conditions, neighboring views, property values and impacts of non-resident dog walkers on our neighborhood's common areas.

Michael Monsos
8602 134th Ct NE
Redmond, WA 98052
"The Pointe"

Tony Leavitt

From: Junyan Lin <junyan_lin@hotmail.com>
Sent: Monday, July 02, 2018 12:13 PM
To: Tony Leavitt
Subject: Re: DRV18-00312

Hello Tony,

My original email was meant to request more detailed information regarding to Permit DRV18-00312. However I didn't receive any response. I was surprised when a neighbor showed me that my email has been included as public comments in the latest document he found online. I want to clarify here, my original email didn't include all my comments regarding to this project, because at that time, I didn't have enough information of this project. And thanks to my great neighbors I now have more understanding of what is planned. So here I'm writing to provide more feedback regarding to Permit DRV18-00312.

While I appreciate City and Merit Homes' effort to clean up the corner of 85th St and 132nd Ave and adding a welcoming entry for Kirkland, the current design of this project is not appropriate for this neighborhood.

- Mass of this building is out of place and not aesthetically pleasing: Throughout the whole rose hill neighborhood are 1-2 story tall single family houses and similar size business buildings. The proposed building is over 400 feet above sea level, over 240 feet long along 132nd Ave and the north side is over 300 feet long, which is gigantic comparing everything else. Our neighborhood is quiet, low density residential area that is very welcoming for families. Dropping a monstrous building in the middle of this area is going to damage the charm of our neighborhood. I believe the design for the project should consider how well it fit into its surrounding environment.
- This neighborhood is not capable to handle the density of proposed population: Again, this area is full of single family houses today. Adding 130+ families is going to dramatically increase the population. Traffic on 85th, 131st and 132nd is already overloaded today. Every morning, 132nd Ave is so packed that I have to wait for someone being nice and letting me squeeze in. Sometimes I can't not get into the left turn lane on 132nd at all that I was forced to go south and try to get around. Also I've talked to one neighbor who is a teacher at our elementary school and confirmed that our school is not capable to accommodate the increase.
- The current design severely violates my privacy: according to my neighbor's estimation, the building is 50 feet tall from our point of view(consider the elevation differences). And there are tons of windows and balconies (!) placed on the north side of the building, directly looking at my house. This is absolutely outrageous. When I bought this house, it was in the middle of a quiet low density low height residential area. In merely 3 years, it's going to be put up for exhibition and 130+ families are going to be invited (by setting up the windows and balconies) to monitor my daily life. This is not acceptable. I understand that the current design puts a green belt between the building and the houses to its north, and I appreciate the effort, but given how tall the building is and how close it's to our houses, the green belt (especially for the first 5 years or so) can provide very limited protection to our privacy in reality.
- The current design takes away important sunlight access from my house: According to the sun study, my backyard and my house will have almost no sunlight in winter time. I can't emphasis enough on how important sunlight is to my garden and my health considering the long gloomy Seattle winter.

- The placement of pet relief and trash stage area is too close to nearby residential area DRV18-00312 because the odor, noise and pest issues to the nearby neighbors.
- Dozens of invaluable mature trees will be destroyed: I believe city and people of Kirkland will agree with me how invaluable those tall healthy mature trees currently standing on the site of this project are. They're here way before us, provide homes to small animals and protect/improve the surrounding environment for decades. We sure can plant more trees but they're not comparable to the existing ones, not for a few decades.

Therefore I urge City of Kirkland and Merit homes to reconsider the design of this mixed use project: Reduce the overall mass, height and density of this project; on the north side of the building, eliminate the balconies, reduce the amount of windows and angle them away from existing residents; relocate the pet relief and trash staging area, try best to preserve significant trees, plant more taller trees (especially along the north side) and protect the overall environment of our neighborhood.

Thank you,
Junyan Lin
8535 132nd Ave NE
Kirkland WA 98033

From: Junyan Lin <junyan_lin@hotmail.com>
Sent: Tuesday, June 19, 2018 5:51 PM
To: tleavitt@kirklandwa.gov
Subject: DRV18-00312

Hello Mr Leavitt,

My name is Junyan Lin. I'm the home owner of 8535 132nd Ave NE Kirkland WA 98033, which is directly to the north of project DRV18-00312. I'd like to get more information about this project, as detailed as possible.

I'm very concerned about the proposal.

1. We have mostly single family houses around this area. Adding 133 residential units is a very significant increase to the residential population. What is the plan to update infrastructure including traffic, school, etc to support the new families? The traffic is already very bad at the 85th St/132nd Ave intersection in the morning, especially Sundays.
2. There are quite a few beautiful old trees on the lot of DRV18-00312, which is a huge bonus for the overall environment of this area. I noticed that a couple of trees have already been removed around the corner of 85th St and 132nd Ave last year. How many more trees are going to be removed? It took so much time for trees to grow to this big. And we have all sorts of birds and squirrels living on those trees. Please be considerate, save the trees and protect our environment.
3. A much taller building right behind my house could potentially a big threat to my privacy. I have skylights in the bathroom! This was never a concern when all surrounded houses are about the same height.

Looking forward to more information for this project. And if possible, would you please keep me updated on the subject? Thank you so much for your time.

Best regards,

Tony Leavitt

From: Laura Hmelo <laurahmelo@gmail.com>
Sent: Monday, July 02, 2018 11:54 AM
To: Tony Leavitt
Subject: No to Merit Homes Structure at 132nd Ave NE/NE 85th

Dear Mr. Leavitt,

I am writing to express my concern about the Merit Homes multi-story building being proposed for the corner of NE 85th and 132nd Avenue NE. 132nd Ave NE can not handle the additional influx of cars from a multi-story office complex. I live on 132nd, and over the last several years my commute time has doubled- all due to existing traffic growth on 132nd. I am also concerned because I have small children and 132nd is becoming a real hazard for children and families with the increased traffic. Please consider existing residents before allowing a commercial multi-story space, or any multi-story space, on that corner.

Thank you,

Laura Hmelo

Laura Hmelo, Ph.D.
<https://www.linkedin.com/in/laurahmelo/>

Tony Leavitt

From: 峰头浪尖 <1049541168@qq.com>
Sent: Sunday, July 01, 2018 11:22 PM
To: Tony Leavitt
Subject: DRV18-00312

Gailian Qin

8531 132nd ave ne

Kirkland, WA 98033

1049541168@qq.com

Hello Tony,

I'm the owner of 8531 132nd ave ne. Since my English is not very good, I can only briefly explain the inconvenience caused to my family by DRV18-00312:

- 📍 **Traffic:** The current traffic on 132nd Ave is already quite busy. I drive my children to school every morning, and it takes us several minutes to just turn into 132nd and then 85th Street. With 130+ families moving in, and their garage exit right next to us, the morning traffic jam on 132nd Ave is going to be way worse and significantly impact our daily commute.
- 📄 📍 **Privacy:** The planned building is not only too close to my property, too tall, but also has many windows and balconies directly facing my house. My whole family feels that they will be under the supervision of hundreds of people 24/7 and have no privacy at all. This puts huge pressure on us, especially my teenage children.
- 📄 📍 **Sunlight:** With the construction of this building, we will have almost no sunlight in winter time in the backyard, which will not only be harmful to our plants, but also seriously impacts our physical and mental health. Sun exposure is extremely important in Seattle's long and gloomy winter. The south-facing sunny backyard was a huge reason I bought this property.
- 📄 📍 **Environmental impact:** The unreasonable density of this project can cause significant impact to the surrounding environment, including air, noise, electromagnetic radiation and other pollution, that affects our daily lives.
- 📄 📍 **School:** I have school age children. Adding 130+ more families to our already overcrowded schools is a huge concern.

⌚📄 Property value: The air, sound, and electromagnetic radiation pollution and damage to natural environment caused by the construction of this building and the 130+ families will reduce value of our property. CERCLA, issued by the US Congress in 1980, requires real estate developers to compensate us.

Gailian Qin

Tony Leavitt

From: Lori Constable <lfconstable@hotmail.com>
Sent: Sunday, July 01, 2018 10:48 PM
To: Tony Leavitt
Subject: Merit Homes Project Rose Hill

Hello Mr. Leavitt,

I just heard about Merit Homes Design Review for the proposed project on 132nd Ave NE/ NE 85 St. Is this review open to the public? I am very concerned about such a huge building going up in this location. Traffic is already a nightmare at high commute times at that intersection. Many mornings traffic is backed up to NE 100th St, or even farther north. So many new homes have already been built on 132nd Ave and traffic is increasingly worsening.

Thanks for your response.

Lori Constable
13320 NE 117th Way
98052
425-739-0308

Tony Leavitt

From: Stacy Piedmonte <stacypiedmonte@gmail.com>
Sent: Sunday, July 01, 2018 10:38 PM
To: Tony Leavitt
Subject: Merit Homes Four Story Building in Rose Hill

Dear Tony,

I hope that you are considering all of the concerns from people in the area regarding the proposed Merit Homes project on 132nd and 85th. From what I have read, it seems like the project will only add further congestion to the area without considering the impact. I hope you are looking at the FULL impact of this project, as well as any others to this community.

Sincerely,
Stacy Piedmonte

Tony Leavitt

From: Mary Yax <maryyax@cbbain.com>
Sent: Sunday, July 01, 2018 9:27 PM
To: Tony Leavitt
Subject: DRV18-00312

Tony,

Regretfully I will be unable to attend the public meeting on July 2nd regarding Merit Homes project.

I would like to be on record that the Public Notice contained a significant omission as to the traffic configuration for this project. This in turn misled neighbors to believe this project would not effect the heavy traffic on 132nd Avenue NE. I brought this omission to your attention on the morning of June 28th. The City has taken no effort to correct this omission and the handouts that folks can get on site are still incorrect as of the evening of July 1, 2018.

Also in Section III SITE it is stated that the properties east of the subject project are zoned multifamily. This is not correct. The 80 residences directly east of this project are zoned R5 - single family urban.

Mary Yax
206-612-8722
8624 133rd Avenue NE Redmond, WA

Tony Leavitt

From: Qianru Deng <qrdeng@gmail.com>
Sent: Sunday, July 01, 2018 7:35 PM
To: Tony Leavitt
Cc: ypy
Subject: Permit No. DRV18-00312 - Appeal Continental Divide Mixed Use

Hi Tony,

This is Qianru Deng, a resident and property owner at North Rose Hill (13013 NE 87th St). My husband and I learned about the planned development of 8 lots near 85th St & 132nd Ave (Permit No. DRV18-00312). I am sending my comments to you as I won't be able to attend the public meeting on 7/2. Our representatives, Yuan Gao and James Liu, will be attending the meeting for us.

As residents near the subject 8 lots, we strongly appeal the City of Kirkland **not to proceed** with this development, for the following reasons:

1. Personally, this will affect our property value and traffic on 131st Ave.
2. The adjacent neighborhood (on 131st and 132nd Ave) is a highly residential neighborhood. Four of the eight lots proposed to be developed used to be RSX 7.2 (Residential); however, all four got rezoned to RH 8 (Office) in 2014/2015. As residents in this area, we were never aware of this rezoning, nor given a chance to provide any feedbacks. Now that we started digging up historic information, the application/approval for amending zoning surfaced ([link](#)). According to this document, the applicant, at the time of application, only requested re-zoning of two properties they owned at the time: 8520 131st Ave NE and 8519 132nd Ave NE. Kirkland Department of Planning & Community Development, however, appeared to have expanded the study area to include four more properties (8519, 8526, 8527 131st Ave NE & 8525 132nd Ave NE) and ended up amending the zoning of these four properties from RSX7.2 to RH8 as well. I don't believe the owners of these four properties were listed as applicants for this zoning amendment, and I am not even sure if they were made aware of the re-zoning or offered a chance to protest the re-zoning. Following the re-zoning, the City also amended the zoning code (Section 53.82) to target this development in 2015. **I question the legitimacy of the zoning amendment, and would like to better understand the procedures of how this zoning amendment got approved.**
3. **The construction and permanent traffic brought by this development will be a nightmare for us existing residents, especially the two child care facilities near the site of proposed development** (one at 8535 131st Ave NE, and the other at 13111 NE 85th St). The proposed development sounds like a large, multi-year construction project, the construction traffic of which will largely impact the safety & operation of these two child care facilities. Not to mention that, after the development, the proposed garage entrance will be right across street from the driveway of the facility on 131st Ave, and (with 134 residential units) the traffic volume via 131st Ave NE will be significantly higher, which will permanently impact the operation of this child care. Also, the mere increase in traffic volume will make it a nightmare for all the residents on 87th st and 131st Ave (both are dead-end streets) to get in and out. For other neighbors in the area, the crossroad section at 85th St & 132nd Ave is already congested and simply cannot handle any significant increase in traffic volume.
4. With an addition of 130+ residential units, does the City's infrastructure (water, sewer, telecommunication, power, etc) have sufficient capacity to support this development? What would the development do to the already established residents?

I understand that the City's wants to develop this gateway area, but due to the makeup and residential nature of the neighborhood, the subject area does not appear to be a good candidate for such a large commercial development project. The development will much negatively impact our lives as existing residents. Please consider rejecting the permit and not to proceed with the proposed development.

Thank you!

Qianru Deng
13013 NE 87th St
Kirkland, WA 98033

Guangchang Xu & Dan Xu

8539 132nd Ave NE

Kirkland, WA 98033

Email: txtong@gmail.com

Permit No. DRV18-00312

Hello Tony,

We are the owners of 8539 132nd Ave NE. We purchased this property in June 2015. The reasons we choose to buy a house here are: 1) not too many people live here so that we have privacy; 2) there are a lot of tall trees, and environment is natural and quiet. However, the development of **Permit No. DRV18-00312** will severely impact our original intention. Please allow us to list some questions, concerns and suggestion below:

- We concern about education because we have a 3-year-old grandson. After the increase of more than 100 households, is it possible for schools around here to make sure all the kids can get into the schools and also make sure they get the same quality of education as before?
- 132nd Ave has already been a very busy road during rush hours. After adding more than 100 households, there must be a serious traffic problem near this area. So, we are wondering if there is any solution to deal with poor traffic.
- The north balconies and windows of this 4-story apartment are facing directly to our backyard and house. It will severely affect our privacy, which will make our life inconvenient. We strongly require that the side facing our property should not have any balconies, and the windows should be small and as less as possible. In addition, there should be tall big trees between the new building and our properties to make sure everyone's privacy.
- The 4-story building will affect our day lighting severely. Especially during the winter, our backyard cannot get sunlight. This will affect the growth of plant, and affect our grandson to play outside. Therefore, we recommend: 1) the new

apartment should be built as far as possible from our yard. 2) The side of new building near our house should be built 2 stories, and the side near 85th St can be built 4 stories.

- The planning of this apartment put the pet and garbage area near our house side. The noise and bad smell, and possible bugs and mice will impact our living environment a lot. Therefore, we require that to properly settle the pet and garbage area to other place.
- We love tall and big trees, so we recommend keeping the original trees as many as possible, and plan to build more green area.

We do not oppose government and developer to develop properly. We hope the developer could solve any possible problem that will bother our life. Please consider our suggestion, and keep our natural, beautiful and quiet living environment. Thanks!

Sincerely,

Guangchang Xu & Dan Xu

July 1st, 2018

Tony Leavitt

From: Diana Moore <Diana@TheBestAgent4U.com>
Sent: Sunday, July 01, 2018 6:12 PM
To: Tony Leavitt
Subject: Permit No. DRV18-00312

Tony,

I am extremely concerned about this development on the corner of 131st & NE 85th st.

There is no way that this many people can enter & exit onto 131st st.

I live at 13022 NE 87th St, 4 houses down from this site and as it is....it is already extremely difficult most of the time, to get out of my neighborhood. There are already numerous cars from the commercial business just on the opposite corner (NW Animal Eye Clinic) that park on our "residential" street. They block the width of the street so that only one car can pass at a time.

Then, just trying to get across the intersection to turn left or right is already mind boggling with the amount of traffic. We only have 1 way to get out of our neighborhood. In an emergency the residents in our single family homes will be trapped!

Even when they redid the left turn area onto the street (from the re-paving)....I had sent an email to the city of Kirkland with suggestions on making it easier for us to turn left & quite the opposite was done. They added extra barriers to the left turn lane (132nd), making our left turn into the middle lane shorter. They did not paint a line on the opposite side of the middle lane making it impossible to tell how far out our cars are sticking out (especially with the glare when it is wet or at night). The only thing we can do now is make a sharp left into the middle lane & sit there & wait for traffic to clear, craning our necks (I have a bad neck as it is). I have almost been hit many times by a crazy road rage person wanting to turn left at the signal just speeding out of nowhere honking & looking like they will smash into me. Maybe you should have the Kirkland staff come & make left & right turns at all hours of the day? Then you will see that there is not any more space for more people especially the 500+ more people/autos this development will add.

We also need a left turn & right turn white line on the 131st side. Many people just drive up to the right side to turn left, leaving anyone wanting to turn right waiting for them to go.

And just try to turn left on a church day Sunday when cars are backed up in the middle lane way past our street, They do not leave a gap for us to turn out & just continually block the intersection signal after signal.

Now this development will not only leave us trapped in our neighborhood, it will also change our quality of life. More noise, more trash coming down our street, (which will end up directly in front of my house), more stray pets getting loose or dumped off, less sunshine, (the way the sun rises & sets here will be blocked by the 4 stories & we already have a moss problem), it will make our property values drop tremendously. As a single woman I need my property to be valuable because of my income. This could financially devastate me. I honestly do not see any positives for me or my neighborhood allowing this many people in a condensed development such as this, when there is only one way in & one way out!

I have also spoken to other neighbors here & I agree with everything that was sent to you by Lynn Armstrong. She is forced to be right next door to this awful, awful plan.

As well, this is the first I have heard of it, just this last week. It's like a dirty little secret the city has kept away from us so that the plan is already made without consideration to the neighborhood. Everybody on our streets should have been notified especially with the only one exit into or out of the neighborhood. It affects all of us, not just people 300 feet away.

I am against this development & it should be denied.

Warm Regards,

Diana Moore

Real Estate Broker
ASP - (Accredited Staging Professional)
CNE - (Certified Negotiation Expert)

ATTACHMENT 8
DRV18-00312

RSVP Real Estate

(425) 922-9940 Direct, (425) 822-9130 Fax
10900 NE 8th St.,
Suite 1000
BELLEVUE, WA 98004

Turn Your Dreams into an Address!



Tony Leavitt

From: Reid Borsuk <reid.borsuk@gmail.com>
Sent: Sunday, July 01, 2018 10:41 AM
To: Tony Leavitt; Design Review Board
Subject: In Re: Permit No. DRV18-00312 – “Continental Divide Mixed Use.”

Reid Borsuk & Sarah Yao

8543 132nd Ave NE

Kirkland, WA 98033

Email: reid.borsuk@gmail.com

We are the owners of 8543 132nd Ave NE, writing in regards to **Permit No. DRV18-00312** – “Continental Divide Mixed Use.” Our property shares a portion of the Subject Property’s northern boundary, the proposed structure would become our direct neighbor to our south.

While we understand the goals of the Rose Hill Business District and applaud the effort to bring more pedestrian oriented commercial business to East End 85th street frontage, we have substantial reservations about the height, proximity, and bulk of this proposed structure to our low density residential home. Additionally, the traffic impact to 132nd Ave NE should be highlighted.

Height

RH-8 zoning caps buildings at 35 feet in height when located 30 ft or further from a low-density property, this proposed structure is located 32 feet 4 inches from my property line. Unfortunately, this height is calculated as average building elevation and the subject property has a substantial north-south slope (10 ft total) as well as a smaller east-west slope. Both conspire to cause the elevation distance between our current ground floor and the top of the proposed structure to be a whopping 50 feet! (Current property elevation is 390 ft above sea level, proposed structure has highest point at 440.40 ft for a ‘5” Roof HT Bonus’)(See meeting packet page 26). This point of maximum elevation is also nearest the 5 homes.

Presumably this 5 foot bonus is being requested under KCZ 115.60.2 (d), this section allows that “If a structure [...] has a peaked roof, **the peak may extend** [...] Five (5) feet, if the slope of the roof is equal to or greater than three (3) feet vertical to 12 feet horizontal.” (em added)

Crucially, the elevations show many roofs that do not meet the definition of a peaked or gabled roof over the 435.40 traditional height limit. This includes the long flat roofs on the East Elevation at points C and H, and the shed/mono-plane style roofs throughout (see for ex. North Elevation, at points 12, 8, 5, and 3).

Additionally, features other than a roof peak and associated structural walls are being placed above the 435.40 limit, including the triangular windows at the top of the east elevation.

Further, the Sun Study published by Merit Homes suggests that our property, as well as the property of 4 other neighbors, will be shaded for the entire day at least at one point in the year (See meeting packet page 47), also as Attachment 3. Note that this was produced using the earlier, lower elevation. The rendering for the winter solstice, “December 21st” shows that our home will have the back yard and most of our windows entirely in shade from 10am-2pm and presumably the entire day. This is of particular concern to us as we have a small garden at the southernmost

edge of our property, closest to the proposed structure. Although sunlight is less in demand for plants in December, it's also then that it's at its most valuable with our limited Seattle sun.

We also empathize with our neighbor, Lynn Armstrong, whose solar panels may be occluded by the proposed structure.

We believe it is inappropriate to have such a tall structure located a short 32 feet 4 inches from single family homes. This proposed structure must adhere to roof shape requirements for "bonus" height and stop placing privacy violating windows above their height restriction. Additionally, the proposed structure should either be shortened at the northernmost edge in order to more appropriately blend in with the surrounding neighborhood or be positioned far further south with additional buffer elements softening the transition to normal height structures.

Proximity

KZC 92.10.4 provides that "Multi-story buildings on sites adjacent to a low-density zone in RHBD and TLBD shall be configured and designed to minimize privacy impacts on adjacent low density uses. For example, a development may meet this requirement by orienting upper floors towards the street and/or towards interior courtyards."

This proposed structure does the exact opposite, it features 3 stories of balconies facing the northern low-density residential neighborhood. It's inappropriate to have balconies located 34 ft above a neighboring property (our property at 390, level 3 balconies at 423.50) only 32 feet 4 inches away. That's over 45 degrees!

KZC 95.42 requires 15 foot wide landscape buffers for this proposed structure, and specifically states in KCZ 95.42.4 that "The applicant shall provide the required buffer along the entire common border between the subject property and the adjoining property."

Yet along the northern buffer zone the parking garage access driveway encroaches and eliminates this buffer by being only 7 feet 3 inches from the property line. Additionally, this driveway will channel and guide underground noise to neighboring properties due to the concrete parking garage walls. Lastly the developer has chosen to locate a trash staging area along this boundary, 7 feet 3 inches away (see meeting packet page 31), and this will have substantial noise and smell impact to neighboring low-density homes, including mine.

This structure must follow the Design Guidelines and not orient upper floors and balconies towards their low-density neighbors.

This structure must ensure that required landscaping buffer requirements are respected in their garage access placement.

We request that the garbage and recycling staging area be relocated to either the East or West property boundaries. We also request that a prohibition on locating air conditioners and other noise generating equipment along the proposed structure's northern façade and property line be imposed.

Bulk

The Rose Hill Business District Design Guidelines clearly state that in order to moderate bulk and mass of structures, no façade shall exceed 120 feet on any street or public open space (KZC 92.30.3). We believe the walking path and pet relief area proposed on subject property meets the definition of a public open space. On this border the proposed structure is a full 300 feet long and virtually flat in profile except for a few feet of depth variation.

Even if that path is not considered open space, the proposed structure is 245 feet, 3 inches long along 132nd Ave NE. It is 153 feet, 5 inches long along 131st Ave NE.

This structure should come into conformance with the well written Design Guidelines and break up the bulk of their structure. We believe that the request for a variance to KZC 92.30.3 must be denied as it does not fulfill the policy basis for the design guidelines and has substantial detrimental effect to 5 nearby properties, including my own.

Traffic

132nd Ave NE is currently a road at capacity during rush hours. For reference, our driveway is located on 132nd Ave NE immediately north of the structure's proposed 132nd garage entrance. It is already virtually impossible to turn left onto 132nd northbound during rush hour, and we can only even get into the left hand turn lane of 132nd by the grace of other drivers and generally are forced to travel straight on 132nd southbound and return to 85th via some other route.

We encourage the commission to consider easing access to the proposed structure via 131st. This would require giving the 131st and 85th intersection additional access, such as a coordinated light cycle with 132nd and 85th that permits people on 131st the time to make a protected turn. Restricting access to the 132nd Ave entrance during peak times is another option.

Re-zoning

Like all 4 other houses in my development and my neighbor Lynn Armstrong, I never received notice of the public comment period about the Re-zoning discussions for these lots on July 14th, 2015. Although I know that is the Planning Committees responsibility and not the responsibility of the Design Review Board, the zoning of my neighboring properties was a critical factor in my purchase decision and I researched that data prior to purchase.

All of these factors will have a substantial impact on the property values of the 5 neighbors to this proposed structure. This will be greater the closer the structure is forced against the property lines.

Summary of code issues

- This proposed structure must adhere to roof shape requirements (IE: eliminate flat & shed/mono-plane style roofs) above standard heights and stop placing privacy violating windows in the "bonus" height area.
- This proposed structure must follow the Design Guidelines and not orient upper floors and balconies towards their low-density neighbors.
- This proposed structure must ensure that required landscaping buffer requirements are respected in their garage access placement.
- The request for a variance to KZC 92.30.3 should be denied as it does not fulfill the policy basis for the design guidelines and has substantial detrimental effect to 5 nearby properties, including my own.

Summary of homeowner issues

- The proposed structure should either be shortened at the northernmost edge in order to more appropriately blend in with the surrounding neighborhood or be positioned far further south with additional buffer elements softening the transition to normal height structures.
- The garbage and recycling staging area should be relocated to either the East or West property boundaries.
- A prohibition on locating air conditioners and other noise generating equipment along the proposed structure's northern façade and property line should be imposed.
- We encourage the commission to consider easing access to the proposed structure via 131st or find alternative traffic mitigation strategies.

Reid Borsuk & Sarah Yao

Tony Leavitt

From: Gloria Bernard <gloriabernard214@aol.com>
Sent: Saturday, June 30, 2018 11:54 AM
To: Tony Leavitt
Subject: File No. DRV18-00312

City of Kirkland
Tony Leavitt, Senior Planner

Re: Permit #FRV18-00312, 85th and 132nd

Hello Tony,

I live at The Pointe along with 80 additional homeowners. Our community is located at the Northeast Corner of 85th and 132nd.

The 81 homeowners have been concerned for some time about the increased traffic on 132nd. It has been increasingly difficult to exit left out of our community because of our close location to 85th. Traffic can be backed up all the way from 85th to 100th along 132nd Street.

We request the board consider the following:

1. Widen 132nd Street along the property line of the new development past the "exit" out of The Pointe
2. Add a turn "Right" lane from 132nd St. onto 85th and have the lane extend past the "exit" out of The Pointe
3. Lengthen the turn "Left" lane past the "exit" out of The Pointe
4. Add Cross Hatches in the roadway preventing drivers from blocking the "exit" out of The Pointe.

Thank you including The Pointe homeowners concerns to the Design Review Board.

Gloria

Gloria Bernard, Board President
The Pointe HOA
Cell 425-765-2233
gloriabernard214@aol.com

Tony Leavitt

From: Joel Corley <joelcorley@gmail.com>
Sent: Friday, June 29, 2018 3:53 PM
To: Tony Leavitt
Subject: Permit # DRV18-00312 - 85th & 132nd Project Public Comment

Tony,

I am a homeowner in the area and my home is an easy walk to this proposed site. I just wanted to make a few comments about this project. Most of it pertains to traffic.

- I think a multi-use development in this location could make for an interesting and beneficial improvement to the neighborhood if done well.
- I am sad to see so many more trees lost along this intersection. When I moved in it was much more heavily wooded and now only the trees in the green space surrounding The Pointe will remain.
- I have an impression from the drawings that the commercial spaces are rather small, which might limit its usefulness.
 - The apparent size would seem to appeal mostly small, professional businesses.
 - I wonder if the commercial spaces would be adequate as I would not want to see such a prominent location sit vacant or house businesses that are only marginally useful to the local residents.
 - Hopefully your department will take care to ensure a balance is achieved in this regard.
- I am most concerned about the additional traffic this development will create on 132nd Ave NE north of NE 85th St.
 - Heading south during rush hour in the morning traffic often backs up past Mark Twain Park and sometimes to Lake Washington Institute of Technology. Most of this traffic is turning left. Adding an exit that residents will use to attempt to enter this congestion seems quite problematic.
 - Taking a small amount of space from the corner to add a dedicated right turn lane could be helpful; but does not totally address the problem.
 - This intersection (132 Ave NE southbound) needs two left turn lanes as it stands today to accommodate existing traffic patterns. (Similar to 148th Ave NE northbound at Redmond Way.) These patterns will only be worsened by adding in excess of 133 new commuters plus the business traffic to the traffic flow.
 - Northbound becomes congested in the evenings as people return home from work, but southbound is still fairly heavy traffic.
 - If vehicles attempt to turn left from the northbound lane into this development, it will cause much more serious traffic backups along 85th going westbound.
 - Something needs to be done to encourage residents and visitors to take the 131st Ave NE entrance whenever possible. For instance, the 132nd Ave NE garage ramp could be marked as exit-only with left and right turn lanes out of the garage and requiring entrance from 131st Ave NE only. (Obviously not ideal, since southbound traffic does not present a problem here.)

Sincerely,

Joel Corley,
The Pointe Homeowner,
Bicycle Commuter and
Microsoft Engineer...

ATTACHMENT 8
DRV18-00312

Tony Leavitt

From: Richard <richard@readytext.com>
Sent: Friday, June 29, 2018 10:43 AM
To: Tony Leavitt
Subject: re: Permit No. DRV18-00312

Hello Tony – just a quick question regarding the proposal to build 134 residential units with parking via surface parking lot and a garage accessed from 131st Avenue NE and 132 Avenue NE.

Is there any plan to update the junction with 85th there to handle the additional traffic? Purely self-interest here as a resident in The Pointe just opposite, which is already almost impossible to leave in the mornings due to backed up traffic on 132nd and traffic turning into 1st 32nd from 85th.

Of course this is assuming traffic from the new development will be allowed to exit onto 132nd. If ony onto 85th it wouldn't be so much of an issue.

Lights, roundabout or something? If there are any plans I'd appreciate a pointer!

Thanks

■ Richard.

Tony Leavitt

From: Mary Yax <maryyax@cbbain.com>
Sent: Wednesday, June 27, 2018 10:04 AM
To: Tony Leavitt
Subject: Continental Divide Mixed Use DRV18-00312

I am a homeowner in The Pointe at 8624 133rd Avenue NE, Redmond, WA 98052. My mailing address is POB 268, Mercer Island, WA 98040. My email address is maryyax@cbbain.com and my phone is 206-612-8722. I received notice about the project. I have had concern for the amount of traffic being experienced on 132nd Avenue NE. It has become more and more difficult to exit my complex and head south on 132nd.

My questions and concerns are:

1. Additional traffic on NE 85th and also 132nd
2. Seeking mitigation for traffic at NE 87th and 132nd NE. My suggestion mark the roadway so that southbound traffic on 132nd does not block the exit from NE 87th. Most folks exiting my complex turn south on 132nd BUT then turn west on NE 85th, thus not impacting time waiting for southbound traffic on 132nd (of which most take turn lane and head east on NE 85th).
3. Size of commercial space? What type of business do you anticipate?
4. Size of residential units? Smallest size unit? Largest size unit? Will the units be rental or purchase? Expected rent? Expected asking price, if for sale? Any required qualifications or limits on residents in any of the units?
5. Parking lot for how many cars? Garage space for how many cars? How many parking spaces are allocated per unit?
6. Ingress and Egress for parking lot and garage from 131st Avenue NE ONLY?

Would appreciate answers to my questions. I found it very difficult to get on the computer site to review the permit and details. That is why the email. Also I want to be on any list that is being kept for additional information to be sent out to concerned neighbors. Thank you.

Mary Yax
206-612-8722
Coldwell Banker Bain

Tony Leavitt

From: cr8tive <cr8tive@frontier.com>
Sent: Tuesday, June 26, 2018 10:59 PM
To: Building Services; PlanningInfo; Amy Walen; Jay Arnold; Tom Neir; Penny Sweet; Toby Nixon; Dave Asher; Jon Pascal; City Council; Amy Bolen; Tony Leavitt
Subject: Permit # DRV18-00312 - 85th & 132nd Project Public Comment - follow up comments

Hello Tony, Mayor and City Council Members,
Thank you for this opportunity to voice my concerns with the Continental Divide proposal. I have added additional questions and concerns to my original email for the Public Comment meeting and hope they will be carefully considered prior to making a decision that could significantly impact our Rose Hill neighborhood.

Sincerely,
Lynn Armstrong

Jun 21 at 11:03 AM

Hello Tony,
I appreciate your time to answer my questions today. As a 24-year resident on this street, I have extreme concerns about this project and am unable to attend the July 2 meeting.

To recap, my questions and concerns, and additional ones, are listed below:

- When were the residential properties, specifically 8526 and 8520, rezoned from residential to commercial? I was aware of the plan for commercial on 85th, but was not aware that it advanced into our neighborhood. (2014-2015)
- What density were they rezoned to? (*no limit*)
- Have any other properties on our street been rezoned?
- Are other properties in our neighborhood able to be rezoned and subdivided?
- I and my neighbors did not receive any prior notice of this Design Review meeting or development plans for this property. The first we heard of it was the signage on the property. (*notices were send 6/18 to neighbors within 300 ft.*)
- The density of a project with this excessive size is out of place in the North Rose Hill neighborhood.
- As a teacher at Mark Twain Elementary, I am very aware of the current overcrowding issue and a project of this size will have a tremendous impact on this school.
- **As a participant in the Solarize Kirkland project, my investment in green energy will be completely or significantly impacted with a 4-story building 30ft from my property, and I am asking for solar access protection.**
- I am concerned about the intense odor and noise that will come from the pet relief area located next to my property.
- The noise from open windows (babies crying, occupants shouting, loud music/TVs, dogs barking...) and from vehicles (car alarms, delivery trucks, squealing tires, loud stereos and bass, revving engines,...) from a mixed use property will impact our quiet street.
- Upkeep of the property is an additional concerns since the City of Kirkland currently does not respond to property maintenance concerns of vehicles parked on front yards, vehicle storage on the street and trash cans out 24/7 at many of the rental properties in the area.
- Trash and rodent control is a concern since construction of large lots displaces the annoying critters. When 8531 132nd was developed, the rodents became a problem on my property.
- Since the 85th street upgrade and the addition of the double yellow line, it is difficult to turn north on to our street off of 85th. Morning and afternoon rush hour traffic makes it tremendously difficult to leave or enter 131st. Many times I have had to

turned west and go around the block to travel east to work. I can't imagine how we will access 85th or our neighborhood with the increase of 200+ cars for this multi-use project. On days that City Church/ChurchHome are in session, it is also difficult to get in or out of our street 131st, 85th and 132nd.

- With Northwest Animal Eye Specialists on the corner at 13020, our street has become increasingly congested with employee and customers parking down 131st and NE 87th St. Frequently, we cannot park in front of our own home while mail, fire hydrants, trash services are also blocked. I am concerned with the additional overflow parking that the 134 units will create.

I ask that you deny the request of the developer to build the Continental Divide mixed-use plan of 134 units that is excessive and out of place in the North Rose Hill neighborhood. It will have a terrible impact on the livability of my property and neighborhood.

Thank you for your time to consider and addressing these concerns.

Lynn Armstrong
8534 131 AVE NE
Kirkland WA 98033
425-301-4142
Cr8tive@frontier.com

cc Building_Services@kirklandwa.gov, PlanningInfo@kirklandwa.gov, awalen@kirklandwa.gov, jarnold@kirklandwa.gov, tneir@kirklandwa.gov, psweet@kirklandwa.gov, tnixon@kirklandwa.gov, dasher@kirklandwa.gov, jpascal@kirklandwa.gov, citycouncil@kirklandwa.gov, abolen@kirklandwa.gov

6/22/18

To: Kirkland Design Review Board

RE: Continental Divide Mixed Use DRV18-00312
8505 132nd Ave NE

From: Ron and Yvonne Stoehr
8805 130th Ave NE
Kirkland WA 98033



As a North Rose Hill resident whose residential access to 132nd Ave NE is between the megachurch and 85th, we are acutely aware of the traffic patterns at the corner of 85th Ave NE and 132nd Ave NE. In hopes to mitigate further congestion at the intersection and improved walkability, we would like the board to consider the following:

- Construction of a right turn lane when traveling south on 132nd Ave NE turning west onto 85th
- Lengthening the current right lane traveling south on 132nd at the 85th approach
- A westbound exit from the new construction directly onto 85th
- Continuation of a sidewalk from 132nd onto NE 88th St so our neighborhood residents can safely walk to the new businesses to be put in with the housing
- Family friendly retail and dining that will improve the neighborhood walk score

Thank You,
Ron & Yvonne Stoehr

Tony Leavitt

From: Hartnell Nancy <legs1st@gmail.com>
Sent: Sunday, June 24, 2018 1:47 AM
To: Tony Leavitt
Subject: Permit # DRV18-00312

Mr. Leavitt,

I am opposed to the approval of the project with the permit number listed in the subject line. Adding more congestion to 85th, adding more children to the schools in the area and the fact that Rose Hill is talking about the storm runoff all all things that will be impacted by another mega build.

Please keep me informed as to this project.

Mrs. Nancy Hartnell

Tony Leavitt

From: cr8tive <cr8tive@frontier.com>
Sent: Thursday, June 21, 2018 11:04 AM
To: Tony Leavitt
Subject: Permit # DRV18-00312 - 85th & 132nd Project Public Comment

Hello Tony,

I appreciate your time to answer my questions today. As a 22-year resident on this street, I have extreme concerns about this project and am unable to attend the July 2 meeting.

To recap, my questions and concerns include:

- When were the residential properties, specifically 8526 and 8520, rezoned from residential to commercial? I was aware of the plan for commercial on 85th, but was not aware that it advanced into our neighborhood.
 - What density were they rezoned to?
 - Have any other properties on our street been rezoned?
- Myself and my neighbors did not receive any prior notice of this Design Review meeting or development plans for this property.
- The density of a project with this excessive size is out of place in the North Rose Hill neighborhood.
- As a teacher at Mark Twain Elementary, I am very aware of the current overcrowding issue and a project of this size will have a tremendous impact on this school.
- As a participant in the Solarize Kirkland project, my investment in green energy will be significantly impacted with a 4-story building 30ft from my property.
- I am concerned about the intense odor and noise that will come from the pet relief area located next to my property.
- Upkeep of the property is an additional concerns since the City of Kirkland currently does not respond to property maintenance concerns of vehicles parked on front yards, vehicle storage on the street and trash cans out 24/7 of many of the rental properties in the area.
- Since the 85th street upgrade and the addition of the double yellow line, it is difficult to turn north on to our street off of 85th. Morning and afternoon rush hour traffic makes it tremendously difficult to leave or enter 131st. I can't imagine how we will access 85th or our neighborhood with the increase of 200+ cars for this multi-use project. On days that City Church/Church Home are in session, it is also difficult to get in or out of our street, 85th and 132nd.
- With Northwest Animal Eye Specialists on the corner at 13020, our street has become increasingly congested with employee and customers parking down 131st and NE 87th St. Frequently, we can't not park in front of our own home while mail and trash services are also blocked. I am concerned with the additional overflow parking that the 134 units will create.

Thank you for your time to address these concerns.

Lynn Armstrong
8534 131 AVE NE
Kirkland WA 98033
425-301-4142
Cr8tive@frontier.com

Tony Leavitt

From: S. Davis <spicker76@yahoo.com>
Sent: Thursday, June 21, 2018 10:14 AM
To: Tony Leavitt
Subject: Permit No. DRV18-00312

Hi, I am not in support. In 2014 this developed had 6 parcels changed from residential to RH 8 via a CAR. So of these 8 parcels, 6 were originally zoned RSx 7.2. Now they are want to change a office zoning max 30 ft in height to high density mixed use 4 story building!

I believe the city needs to understand the impact to the community and the area for traffic purposes.

Susan Davis
12923 NE 101st Place
4257390605

spicker76@yahoo.com Have a GREAT day! :)

Tony Leavitt

From: Junyan Lin <junyan_lin@hotmail.com>
Sent: Tuesday, June 19, 2018 5:51 PM
To: Tony Leavitt
Subject: DRV18-00312

Hello Mr Leavitt,

My name is Junyan Lin. I'm the home owner of 8535 132nd Ave NE Kirkland WA 98033, which is directly to the north of project DRV18-00312. I'd like to get more information about this project, as detailed as possible.

I'm very concerned about the proposal.

1. We have mostly single family houses around this area. Adding 133 residential units is a very significant increase to the residential population. What is the plan to update infrastructure including traffic, school, etc to support the new families? The traffic is already very bad at the 85th St/132nd Ave intersection in the morning, especially Sundays.
2. There are quite a few beautiful old trees on the lot of DRV18-00312, which is a huge bonus for the overall environment of this area. I noticed that a couple of trees have already been removed around the corner of 85th St and 132nd Ave last year. How many more trees are going to be removed? It took so much time for trees to grow to this big. And we have all sorts of birds and squirrels living on those trees. Please be considerate, save the trees and protect our environment.
3. A much taller building right behind my house could potentially be a big threat to my privacy. I have skylights in the bathroom! This was never a concern when all surrounding houses are about the same height.

Looking forward to more information for this project. And if possible, would you please keep me updated on the subject? Thank you so much for your time.

Best regards,
Junyan Lin