



CITY OF KIRKLAND
Planning and Building Department
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MEMORANDUM

To: City of Kirkland Hearing Examiner

From: Sean LeRoy, Project Planner

Adam Weinstein, AICP
Planning and Building Director

Date: January 7, 2019

Subject: Zhu Short Plat Approval Appeal Hearing
SUB15-02156

Hearing Date and Place: **January 14, 2020 7pm**
City Hall Council Chambers
123 Fifth Avenue, Kirkland

I. INTRODUCTION

A. Appellants (see Enclosure 1):

1. Robert and Deborah Knetzger, owners of 7235 NE 116th Street, Kirkland, WA 98034
2. Tim and Leslie Tinti, owners of 11652 72nd Place NE, Kirkland, WA 98034
3. Barbara and Richard Oberg, owners of 7104 NE 118th Street, Kirkland, WA 98034
4. Jan Riley Carroll, 11632 73rd Place NE, Kirkland, WA 98034
5. Zach Strehlo, owner of 7231 NE 118th Street, Kirkland, WA 98034
6. Paula Bates, owner of 7303 NE 116th Street, Kirkland, WA 98034
7. Sarah and Paul Shilling, owners of 7230 NE 116th Street, Kirkland, WA 98034
8. Seth and Britney Cysewski, owners of 7225 NE 116th Street, Kirkland, WA 98034
9. Grant Santee, owner of 7220 NE 116th Street, Kirkland, WA 98034
10. Bill Smith, owner of 11535 Holmes Point Drive NE, Kirkland, WA 98034
11. Art Turock and Haley Ashland, owners of 11534 Holmes Point Drive NE, Kirkland, WA 98034

- B. Actions Being Appealed:** The Planning Director's decision to approve a proposed seven (7) lot short plat, approved on August 9, 2019; City of Kirkland file number SUB15-02156 (see Enclosure 2). Appeal of this action is allowed under Kirkland Zoning Code (KZC) 145.60.

- C. **Summary of Issues Raised in Appeal Letter:** The appellants dispute the approval of the applicant's short plat application. The key issues include tree retention requirements and compliance with the Holmes Point Overlay standards under KZC 70 and 95, development within geologically hazardous areas (KZC 85), and required public improvements (KZC 110) (see Enclosure 1).

II. RULES FOR THE APPEAL HEARING AND DECISION

Conduct the appeal hearing on January 14, 2020. Take oral testimony and argument from parties entitled to participate in the appeal as defined in Kirkland Zoning Code (KZC) Section 145.70. Based on the findings and conclusions of the Hearing Examiner, the Hearing Examiner shall either:

- Affirm the decision being appealed;
- Reverse the decision being appealed; or
- Modify the decision being appealed.

The decision by the Hearing Examiner is the final decision of the City.

III. HEARING SCOPE AND CONSIDERATIONS

The appeal will be an open record appeal hearing. The scope of the appeal is limited to the specific elements of the Planning Director's decision disputed in the letter of appeal, and the Hearing Examiner may only consider comments, testimony and arguments on these specific elements. Per KZC 145.95, the person filing the appeal has the responsibility of convincing the Hearing Examiner that the Planning Director made an incorrect decision.

IV. BACKGROUND & SITE DESCRIPTION

- A. **Site Location:** 11530 Holmes Point Drive NE (see Attachment 1 in Enclosure 2).
- B. **Zoning and Land Use:** The subject property is presently zoned RSA 4, as of January 16, 2018, allowing four (4) units per acre. At the time the project was submitted and vested as a complete development application, the subject property was zoned RSA 6, allowing six (6) units per acre.
- C. **Proposal:** The proposal is to subdivide a 66,125 square foot parcel into seven (7) parcels, ranging in size from 5,609 (net) square feet to 8,427 (net) square feet, within the RSA 6 Zone and Holmes Point Overlay. Access to the subject property is proposed from NE 116th Street, with individual lots being served by a proposed 20-foot wide ingress and egress easement, with 12-feet of pavement, rolled curb and a proposed 4-foot public walk-way. The site contains an existing single-family residence to be removed prior to the recording of the short plat.

- D. **Planning Director Decision:** The Planning Director issued his decision on August 9, 2019 as "Approval with Conditions" (see Enclosure 2).
- E. **Appeal Submitted:** Per Kirkland Zoning Code 145.60.2 appeals were required to be received within 14 days of the date of distribution, or by September 3, 2019. The appellants submitted their appeals on September 3, 2019, before the close of the business day and within the 14-day appeal period. Section V., below, lists the specific matters raised by the appellants, followed by a staff response.

V. STAFF ANALYSIS OF ISSUES RAISED IN APPEAL

KZC 145.80 requires that staff prepare an analysis of the specific elements of the Planning Director's decision disputed in the letter of appeal. The appellant letters can be found as Enclosure 1. Below, staff has provided a summary of the issues raised by the appellants, followed by a response.

A. Tree Retention and Protected Natural Areas

- 1. **The vesting of the project under a "Phased Tree Plan" review, should only apply to the first submittal. The subsequent revision, which included a new hammerhead turn-around, reduction in the number of lots from eight (8) to (7) and changes to the lot configurations, should be reviewed as an Integrated Development Plan (IDP).**

Staff Response: The issue raised by the appellants is related to the adoption of tree review procedures in the Holmes Point Overlay (HPO). In 2017, the Kirkland City Council approved a moratorium ordinance (O-4584 – July 18, 2017) lasting sixty days, requiring all HPO short subdivision applications to be reviewed through an Integrated Development Plan (IDP). An IDP review process is a term used administratively for the *comprehensive* tree plan review option outlined in KZC Chapter 95.30. The moratorium ordinance was then subsequently extended by Ordinance O-4601 (September 5, 2017), and finally codified in KZC 70, under Ordinance O-4619 (November 27, 2017).

The applicant submitted his short plat application on October 22, 2015. After addressing several deficiencies in the quality of the submittal, the application was deemed complete on January 18, 2017. A comment period subsequently ensued which ran from January 18, 2017 to February 13, 2017. Several public comments were received and are included as Attachment 5a in Enclosure 2.

After the original comment period had lapsed and prior to the City's formal review, the applicant revised the proposal to eliminate access from Holmes Point Drive NE and to reduce the number of lots created from eight (8) to seven (7). Based on this modification, the City reopened the

public comment period, which ran from February 14, 2018 to March 12, 2018.

At no time did the applicant withdraw his application. As a result, the application remained vested under the codes in place at the time the City issued a Determination of Completeness, which was January 18, 2017.

The City's Holmes Point Overlay code (KZC 70) in effect at the time of permit completeness did not require applicants to submit an Integrated Development Plan as part of the short plat application (see Enclosure 3). Therefore, the City reviewed and approved the proposal as a Phased Tree Plan review under KZC 95.30.6 – Tree Retention Associated with Development Activity, Phased Review.

Despite the project being reviewed as a phased tree retention plan, the applicant was required to meet the standards for the Holmes Point Overlay (KZC 70), including lot coverage and vegetative standards for the Protected Natural Area. A full analysis of KZC Chapter 70 is found on pages 11-14 Enclosure 2.

2. The City should provide better assurances, including bonds, that the City will enforce the conditions of the tree plan, so as to ensure tree retention.

Staff Response: The short plat approval includes the necessary conditions to ensure full compliance with all relevant codes, including, but not limited to, those codes regulating tree retention and required inspections from pre-construction to occupancy (see Section V.B and Attachment 3 – Development Standards of Enclosure 2). At each stage of the development process, the City shall monitor tree retention, including an inspection prior to development (see KZC 70.15.7) and an inspection prior to permit close-out (see KZC 70.15.8).

The City is also authorized to pursue enforcement, compliance and penalties, if necessary, pursuant to KMC 1.12 – Code Enforcement. When the City determines that a violation has occurred, fines may be assessed by the City as part of a Notice of Civil Violation, and penalties levied as a result of a decision of the Hearing Examiner, fines as stipulated in KMC 1.12.100 and restoration (see KMC 1.12.100.(d).(1)).

KMC 22.32.070 – Maintenance Bonds, does provide the City with the authority to bond for the required improvements under this title. However, KMC 22.32 states that "The City may require a maintenance bond requiring any of the improvements or landscaping installed or maintained under this title." This section does not provide the City with authority to require a bond to ensure that tree retention occurs.

3. **The approved plans call for removal of 37 of 57 trees, subject to conditions. This should be reviewed by the Department of Ecology, pursuant to RCW 43.21C.110.**

Staff Response: RCW 43.21C.110 relates to environmental review under the Washington State Environmental Policy Act. Pursuant to WAC 197-11-800(6)(d) – Categorical Exemptions, short subdivisions, defined in Kirkland’s Municipal Code chapter 22.08.220 as the division of land into nine (9) or fewer lots, are exempt from environmental review.

The City has not approved removal of any trees under the short plat, as is routinely the case with short plat approval, regardless of whether they are in the Holmes Point Overlay. Tree retention will continue to be reviewed at each phase of development, as stated in the staff report in Section V.B (see Enclosure 2), and enforced if violations to the approved set of plans occur.

4. **The developer should not be allowed to “divide” the PNA into smaller lots.**

Staff Response: The code under which the project was vested requires a Protected Natural Area (PNA) on each created lot, encompassing a minimum of 25% of the gross lot area. This, and lot coverage and site alteration standards for property within the Holmes Point Overlay, are included in KZC section 70.15 (see Enclosure 3). The standards are explicitly related to each individual building lot. Pursuant to KZC 70.15.3.c, at least 25% of the total lot area shall be designated as a Protected Natural Area (PNA), in a location that requires the least alteration of existing native vegetation. The applicant’s design plans submitted with the short plat application complied with these restrictions (see page 23 of Enclosure 2) even if they are not contiguous.

B. Public Improvements, Traffic and Safety

1. **The City’s conditions and modification allowance to the improvements in NE 116th Street, create a safety hazard, by allowing cars to drive faster. Also, widening the street to 20-feet will reduce the amount of area for pedestrians. The City should require the applicant to construct sidewalks on at least one side of NE 116th Street.**

Staff Response: Based upon the classification of NE 116th Street – a Neighborhood Access type road – the present width of the street pavement, 10-feet, is substandard. The City’s Public Works Department, pursuant to KZC 110.25.3, can require the applicant to improve NE 116th Street, widening it to 20 feet, from the subject property to the existing

improved street (76th Place NE), approximately 600 lineal feet (see Enclosure 5).

It is the City's position that widening the road to 20-feet, the minimum standard, will help vehicular circulation and access, including for emergency services. The City does not have the authority to require half street improvements from the subject property to the intersection of NE 116th Street and 76th Place NE.

KZC 70.15.5.a (2016), allows the Planning Official to require improvements to be modified to minimize site disturbance and impacts. Therefore, under the short plat review, the City granted a modification, along the 122 feet of property frontage on NE 116th Street, to the requirements to provide sidewalks, curb and gutter and a landscape strip, in order to help preserve existing mature vegetation.

2. The City should require an analysis to evaluate the effect of increased traffic along the roads which will have increased traffic.

Staff Response: The City uses the environmental review threshold under SEPA to determine if traffic impacts from development must be reviewed.

Pursuant to the Washington Administrative Code (WAC) Chapter 197-11-800(6)(d) and KMC 24.02.060 – Categorical Exemptions and KMC 25.08.10.(5), Concurrency Exemptions, traffic concurrency and traffic impact analysis and concurrency analysis are not required for subdivisions creating nine (9) or fewer lots, unless such construction is estimated to result in forty (40) or more person trips. It is anticipated that the proposed development will generate less than 20 person trips.

3. The City should not allow construction until the full evaluation of the Holmes Point Drive corridor study is complete.

Staff Response: The Holmes Point Corridor study is a widescale transportation planning study to address some known engineering issues, explore non-motorized transportation options, and examine parking alternatives near O.O. Denny Park. Additionally, the study aims to develop street standards specifically for the Holmes Point area that would help fulfill the purposes of the Holmes Point Overlay Zone. The study is anticipated to commence in 2020.

As a condition of approval, the applicant is required to widen the pavement in Holmes Point Drive such that the new face of curb on the development side of the street is 17 feet from the existing yellow lane striping, and install curb, gutter and a 5-foot sidewalk along the frontage (see page 43 of Enclosure 2). Should the project begin full design and

construction prior to the completion of Holmes Point Drive corridor study, the City's Public Works Department is amenable to a payment in-lieu or a performance bond, to allow the developer to install improvements to Holmes Point Drive after the study is complete.

4. The traffic control plan should require a temporary access road from Holmes Point Drive during construction, to prevent cars from backing onto and down NE 116th Street.

Staff Response: The Public Works Department will require a traffic control plan (TCP) to be submitted with the grading permit and will review the plan for compliance with City standards prior to construction activity. The applicant's TCP will account for other development projects in the area with concurrent construction schedules. In addition, a temporary construction access road from Holmes Point Drive may be required by the City, if identified as a necessity by the Public Works transportation engineer.

C. Development in Geologically Hazardous Areas

1. The City's approval lacks clarity regarding roles and procedures governing development in geologically hazardous areas, such as when peer review occurs and whose judgement prevails if there is a difference of opinion between the applicant's consultant and the peer reviewer.

Staff Response: The City's staff report indicates the various geotechnical procedures the developer must follow as the project progresses. Conditions specific to development in geotechnically hazardous areas are listed on page 3 of Enclosure 2. An analysis of the applicant's proposal and compliance with the City's geohazard code (KZC 85) is found on pages 14 and 15 of Enclosure 2. To summarize, during the next phase of development, the applicant shall provide the City a revised geotechnical report and fund an account for a peer review to be completed by the City's geotechnical consultant. The applicant's revised geotechnical report shall address the basic reporting requirements found in KZC 85.15, including but not limited to: a description of how the proposed development will or will not affect slope stability, and seismic hazards on the subject property and other potentially impacted properties; identification of existing areas of fill or groundwater, if present; and results of qualitative slope stability analysis. Recommendations which result from peer review will be addressed in a revised geotechnical report (or supplement to the original report).

2. **Safety concerns due to a known high landslide hazard zone, potential negative impacts to properties down-slope and lack of an erosion control plan.**

Staff Response: A high landslide hazard is identified along the property's frontage along Holmes Point Drive due to the location of an existing embankment along the street (see page 117 of Enclosure 3). As noted above, an updated geotechnical report will need to be submitted prior to any development on the site addressing the nature of this hazard and any recommendations for safe construction on the property.

The applicant, as part of his proposal, included a Temporary Erosion and Sedimentation Control plan completed by Litchfield Engineering (see Enclosure 4). Pursuant to Kirkland Municipal Code 29.20 and 29.24, the City has authority to both limit the amount of grading and stockpiling of materials, and condition the grading permit appropriately so as to mitigate impacts.

3. **The City should alert adjacent down-slope home owners of the hold harmless agreement, associated with the subject property, and allow for adjacent homeowners' input on the applicant's engineering plan for erosion control.**

Staff Response: The hold harmless agreement, required by the City and included as Attachment 10 in Enclosure 2, runs with the subject property, and is a covenant between the owner and the City, indemnifying the City against damages which may arise from the development. Development documents, including erosion control plans, are viewable at City Hall.

4. **For a geotechnical evaluation to occur on the adjacent property to the west (11534 Holmes Point Drive NE, Kirkland, WA 98034 – Turock), access must be granted across the subject property, where the owner of 11534 Holmes Point Drive NE, has an existing easement from the front property line of the subject property to his parcel.**

Staff Response: During the review of the applicant's short plat proposal, staff had conversations with some of the appellants regarding geotechnical review on, or for parcels adjacent to the subject property. Staff stated any neighbor is free, at their expense, to hire a geotechnical consultant, to study his or her own property. As the owner of 11534 Holmes Point Drive NE (Turock) already has an easement across the subject property, any consultant he hires would have legal access to his property.

5. **A geotechnical report *or* peer review done before construction isn't sufficient to assess the threat of damage to adjacent properties during actual construction.**

A proper assessment requires a geotechnical engineer to put sensor and strain gauges to detect any movement in the soil and house foundation prior to and during the entire construction period. If not, the applicant should be required to pay for both the initial geotechnical study and the ongoing monitoring by a geotechnical engineering firm selected by the owners of any adjacent homes.

Staff Response: The applicant will submit a geotechnical report with the grading permit and update the report, as needed, for each building permit. The code requirements for geotechnical reporting are found in KZC 85.15.3.a and include "a description of how the proposed development will or will not affect slope stability, surface and subsurface drainage, erosion, and seismic hazards on the subject property, and other potentially impacted properties."

As previously conditioned under the staff report, the City will require peer review of the applicant's geotechnical report, where the methodologies, findings, conclusions and conditions of the report will be evaluated. Conditions could include monitoring of adjacent properties during construction. For requirements regarding peer review see KZC 85.22.

D. Miscellaneous Development Matters

- 1. Because the developer/applicant specializes in construction on a much smaller scale, orchestrating a project of this scale will last probably for years. The longer the construction period, the greater the chance of soil movement after substantial tree removal.**

Staff Response: Development timelines are unknown at this juncture. Subsequent permits will be subject to imposed timelines for both issuance and construction completion. Land surface modification permits are required to be completed within the timeframe allowed for short plat recording (five (5) years from the date of approval) or, for recorded short plats, when all required improvements have been installed. They are subject to specific measures designed to mitigate impacts, including but not limited to implementation of the geotechnical report, implementation of erosion control measures and specific work windows for soil management (see KMC 29.24 – Conditions of Approval – LSM). Building permit applications, once submitted are required to be issued eighteen (18) months from the submittal date, and the work approved under the permit is required to be completed within two (2) years from the issuance date.

2. **The Notice of Decision doesn't offer assurances for repair or compensation to adjacent properties for damages to trees, decorative boulders, shrubbery, or driveway extensions caused by construction. The applicant should be responsible to pay for damages in the event that a tree being removed should strike an adjacent property.**

Staff Response: Subsequent permits will be conditioned to ensure compliance with relevant City codes found within the City's Municipal and Zoning Codes, such as KZC 95.30.4.b.(2) and KMC 29.24.010.(d) and (e) – Tree Retention Plan Components, including tree protection for off-site trees with overhanging driplines. Damages, should they occur, to adjacent private properties may constitute a civil violation and would need to be pursued by the involved parties.

3. **There is no specification regarding who is considered the owner/declarant authorized to sign the "Geologically Hazardous Areas Covenant".**

Staff Response: The Geologically Hazardous Covenant listed as Attachment 10 in Enclosure 2, makes clear that it is the owner who is required to sign. However, under a Power of Attorney, authority may be granted for another individual to sign on the owner's behalf. KZC 85.45, in addressing liability incurred through work performed under a development permit, states that "the *applicant* shall enter into an agreement with the City, which runs with the property...indemnifying the City for any damage resulting from development activity on the subject property." KZC 05.10.040 defines applicant as "A person who applies for any permit or approval to do anything governed by this code and who is the owner of the subject property, the authorized agent of the owner, or the City."

4. **Does the developer need to inform potential home buyers of the presence of a geologically hazardous area?**

Staff Response: As noted in the staff report on page 3 (see Section I.B.6), and on pages 14 and 15 (see Section IV.C) of Enclosure 2, pursuant to KZC 85.50 the "the applicant shall record, on the title of the property, a notice stating that the property is potentially located in a geologically hazardous area." The document shall be recorded by King County and ride with the subject property's title, so that future owners will be informed of the potential of a geologically hazardous area.

VI. STAFF RECOMMENDATION

Pursuant to KZC 145.95, the appellants have the responsibility of convincing the Hearing Examiner that the Planning Director made an incorrect decision. The

appellants have submitted their letters explaining the rationale for the appeal. However, the letters fail to articulate why the City has made an incorrect decision. Therefore, Staff recommends the Hearing Examiner uphold the Planning Director's decision for approval with conditions.

VII. ENCLOSURES

Enclosure 1 – Letters of Appeal Dated September 3, 2019

Enclosure 2 – Zhu Short Plat Approval with Attachments

Enclosure 3 – Holmes Point Overlay KZC 70 (January 2017)

Enclosure 4 – Temporary Erosion and Sediment Control Plan completed by Litchfield Engineering

Enclosure 5 – Aerial Depicting Lineal Distance from Subject Property to Intersection of NE 116th Street and 76th Place NE

Adam Weinstein

Director Planning and Building Department

City of Kirkland 123 5th Avenue, Kirkland WA 98033

September 1, 2019



Dear Mr. Weinstein,

We are writing to appeal the decision on Holmes Point Short Plat SUB15-02156. As residents of the affected neighborhood we are still concerned that the added conditions will not result in a safe or desirable outcome. We see remaining issues with trees, traffic, and safety.

We appreciate the efforts and thought on this from the Planning and Building Department. It's important to note that the special HPO provides some leeway and discretion for modification and exemptions, and they have used this in the Notice of Decision. We're asking for consideration to further refine and improve the conditions.

It is imperative for the city to maintain some low density areas to protect the priorities that Kirkland residents have noted in response to the 2016 Biennial Residents Survey in 2016. With high density housing going in all around us, several projects in progress on Finn Hill and Juanita, the last two areas with high density trees are Holmes Point and Forbes Creek. Without these two areas protected, Kirkland loses appeal for current and future residents. The overlay that protects Holmes Point's foliage also protects Kirkland from becoming overcrowded. The alteration of this land, from one home to multiple, is a major action approved by the city that affects the quality of the environment and is subject to the Department of Ecology's review.

The increase in housing density in Kirkland has not contributed to the reduction in housing costs and the Holmes Point area has no easy access to public transportation or highways. Therefore, it is not a solution to legislation that describes the need for more housing in Washington. In fact, the increase in traffic on Juanita Drive has contributed to more challenges for residents in daily life and brings up many safety concerns. Until the city has an effective plan and takes steps in improving the current traffic flow in and out of these areas limited in access to just one road, Juanita Drive, and the dangers that exist due to this, the need to restrict land development should be in the right of the people most affected and who hold the best interest of the city at heart. This is why Holmes Point remains such an important area of Kirkland and needs to be preserved.

We'll reference specific parts of the Decision (*in italics*), followed by our concerns.

Concerning **trees**, we are happy to see that the conditions (page 3 B.1) call for a new tree retention plan with compliance to KZC 70, in keeping with the HPO intent. This development site is the perfect example of why the HPO exists in the first place: it has a large stand of significant trees on a geo-hazardous site, and is served by a single lane, non-standard road.

The application and permit that provides vesting for phased tree review should be allowed only for the **complete** original plan as first filed. The second plan, with revisions made later with a completely different design for access roads, hammer head turn-around, number of lots, and configuration of lots was **not completed** until after the time of the new regulations. The later plan should be evaluated by the regulations in effect when THAT plan was finally completed and re-submitted.

Regarding the general issue of ensuring compliance with the final tree retention plan (what ever it may turn out to be) we've been assured by Sean LeRoy that the CoK will agree to:

- Review plan set at each phase for compliance
- Site visits prior to permit issuance (for each stage) for fencing and PNA designation, etc
- Regular site visits either by myself (Sean LeRoy), or public works during construction
- Enforcement team deployed for code violations

That process is good in theory, but in reality we've seen recent developments in our neighborhood that had properly identified trees fenced-off in protected areas during various phases of work. Then suddenly the previously protected trees disappear. Here are some actual examples of this in our neighborhood.

(Intentional page break, see photos on next page)



This is BEFORE new construction on Holmes Point Drive near OO Denny Park. Note the two large trees to the right of the driveway...



This is DURING construction. The trees are sequestered, saving some significant trees. Nice!



This is AFTER:

Oops! what happened? The two LARGE trees are destroyed. A little shrub is the replacement.



Here's another at 73rd Ave NE:

Before...



During construction: significant clearing for driveways and foundation, widening 73rd Ave, etc. with trees to be retained around the perimeter, sequestered by the chain link fence....



Later, a significant number of trees inside the protected area are topped (poorly) and destroyed.

There should be better assurances this time that the tree retention plan is enforce in a way that's practical for the city, easy to implement, and truly ensures tree retention.

The Notice of Decision Attachment 3 says on page 5:

KZC 95.50.3 Maintenance of Preserved Grove The applicant shall provide a legal instrument acceptable to the city ensuring the preservation in perpetuity of approved groves of trees to be retained.

And

KMC 22.32.080 Performance Bonds In lieu of installing all the required improvements and components of part of a plat or short plat, the applicant may propose to post a bond or submit evidence that an adequate security device has been submitted and accepted by the service provider (City of Kirkland and Northshore Utility District), for a period of one year to ensure the completion of these requirements within one year of plat/short plat approval.

What is the legal instrument for this development that would ensure the protection of the retained trees/groves? We'd like to see the City require at least a performance bond during construction be put up by the developers. It would be refundable only AFTER final tree inspection. That way the city doesn't have to do multiple inspections at various phases of construction, and also eliminating the possible repeat of the above "disappearing trees" scenario. Many of these trees are 100 years old and well over 100 feet tall. Together as a stand they provide mutual protection during windstorms. They can't be easily replaced after being destroyed.

Although there is no specific City code or HPO standard for this, we're still concerned about the large reduction in wind sail area by taking out most of the large trees (approved plan removes 37 of 57 trees, subject to conditions). It is the duty of the Department of Ecology according to RCW 43.21C.110 to approve major actions significantly affecting the quality of the environment. This lot is on a bluff facing west to Lake Washington. Removing most of the trees will mean the remaining trees on the next wooded lot to the east will then bear the brunt of the wind and storms from the west, increasing the risk of falling trees. And looking ahead, any development of the next door lot to the east at 7225 NE 116th St, and the further reduction of tree stand there, will only further increase the wind sail risk to the far fewer remaining trees on the next lot over to the east (7235 NE 116th). Has this increased risk been evaluated? Can the developer (and future developers) be required to also indemnify the city for this potential risk? (as they are required to do for geotechnical risk). The loss of the HPO tree canopy will be by a death by a thousand cuts. The loss of a life (or property) requires only a single falling tree in a storm. We don't have a specific recommendation here, only to say the Planning and Building Department should continue to evaluate the

revised plans for maximum tree retention (as was done to possibly save six additional trees by suggesting revisions to the turn-around and sidewalk on the site).

The Decision requires a new tree retention/grove plan. Based on the current info of proposed remaining from the arborist's report (Attachment 4) the tree schedule shows a final total tree credit of 128. Back of envelope calculations show that with a 150 credits/per acre requirement, a 1.5 acre development requires 225 tree credits. Perhaps the developer will reduce the number of homes (as he did before) and so increase the number of retained significant trees.

It is also very important at this time to enter in this appeal the aspect of the application and interpretation of KZC 70/HPO. The Director has required the applicant to comply with KZC 70 as a condition. The developer should not interpret this to allow subdividing the PNA for the entire lot into smaller lots, each with their own tiny and thus ineffective bits of individual PNAs. That faulty interpretation would NOT provide the ecological value that the HPO intends and provides for when properly applied. Again, we appeal to the Director to use the variation and discretion granted him to be used for the benefit of the tree retention, and thus not to allow over-development.

Decision V.D.2 Right of way improvements

Conclusion: The application meets the criteria for a modification of the right of way improvements required for NE 116th ST. Pursuant KZC 110.70.3.b and KZC 70.15.5.b the modification is justified because it will minimize the disturbance to topology and soil and maximize tree retention while providing the minimum improvements necessary to serve the site and surrounding properties.

The city has granted modifications of code to the proposed improvements on 116th St. In short, the current SINGLE LANE NE 116th St would be widened by adding tapering wedges of new pavement on both sides in order to get to a final total width of 20 feet. The City is making an exemption to 110.10 and 110.25 by not requiring the otherwise required sidewalks, curbs, parking, gutters, storm water collection, and landscape strips. The proposal as shown on sheet 3 of 9 Site Improvement Plan creates a nonstandard road that because it is a compromise "solution" will actually be WORSE than the existing single lane NE 116th St.

Why worse? **Safety.**

Currently as a single lane NE 116th Street actually serves more as an ALLEY as described in KCZ 110.20 ("Public right-of-way providing service access to adjacent uses.") Because it is an un-lit **single lane**, drivers MUST drive slowly and attentively to accommodate on-coming cars, pedestrians (there is no

sidewalk), delivery trucks, cars entering from blind driveways, curve at 72nd PL NE, intersection at 73rd PL NE, etc. Drivers must slow down, pull over and wait for oncoming traffic. This requires drivers to go slowly and attentively for their own safety, and so benefiting everyone at the same time.

Twice a day many parents and schoolchildren who live on NE 116th St and the surrounding area of the neighborhoods of 72 PL NE, & 3rd PI NE and beyond, walk back and forth on the road to the school bus stop at the intersection of NE 116th ST and 76th PI NE/Holmes Point Drive. Now cars must go slowly as described above. A wider road with no sidewalks would encourage faster speeds and be more dangerous. The current single lane, one car-at-a-time nature of NE 116th also allows a place for parents and kids waiting at the bus stop. During inclement weather there is room at the corner for a few waiting parents' cars. The proposed paving will reduce this.

Widening NE 116th St to 20 feet will lose the built-in safety aspect of a single lane: instead cars and trucks will go faster and there will be full time, two-way traffic. HPO says:

"KZC 70.15.5.b. New public or private road improvements shall be the minimum necessary to serve the development on the site in accordance with Chapter 110 KZC. The City shall consider granting modifications to the road standards to further minimize site disturbance, consistent with pedestrian and traffic safety, and the other purposes of the road standards"

The proposed improvements and the Decision's conditions are inconsistent with pedestrian and traffic safety!

The proposed improvements require the clearing of even more significant trees, which are not shown in the Site Improvement Plan nor accounted for in the tree retention plan. The proposed improvements and modifications are also inconsistent with minimizing site disturbance.

Since KZC 70.15.5.b provides leeway and flexibility for modifying standards. Perhaps with more thought and imagination there could be a much better solution? A new design with wider pavement, but only in selected areas could be safer than the present street or what has been proposed. That would also allow more trees to be retained than paving to 20 feet along the entire length. Thoughtfully-designed pedestrian paths on the shoulder could provide more safety for pedestrians and still fit in with existing nature of the neighborhood. Cleverly located and specially designed street lighting would be much safer AND in keeping with the nature of the neighborhood (different than regular KZC street lighting, but again, this variance would be allowed by KZC 70.15.5b). An improved school bus stop corner could be included. In short, a better design is needed and the building department should require the developer to do more

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than just knock down trees, add paving to the edges—and then walk away. The consensus of neighbors on NE 116th St who will have to live with the results is that the modifications as shown (per KZC 110) result in a road plan that no one likes, not the people who wanted sidewalks nor the people who didn't. More planning is needed.

The people living next to NE 116th St./72nd Pl. NE and 76th Pl. NE [Holmes Pt. Dr.] have already reported and complained about the high and fast traffic along Holmes Point Road. There needs to be an evaluation of the affect of increased traffic along the roads which will have increased traffic, by doing a traffic count (such as with pneumatic tubes). Without this evaluation, recommendations about possible road solutions are premature. Any amendments that these evaluations suggest should be done before the project is approved.

We request that construction not be allow as submitted to be permitted until the full evaluation of Holmes Point Drive is completed. The corridor study is being scheduled because there is already a known risk associated with the traffic of Holmes Point Drive. Planning prior to additional housing built in the area would allow the city to better require the appropriate safety measures to be taken at the expense of the developers rather than the tax payers. Adding sidewalks from the corner of 116th St. to the intersection of Holmes Point Drive and Juanita Drive can be better funded by any further development when a plan is in place. This safety feature would remove risk to students who choose to walk to school. It also provides the ability of the residents to reduce traffic during school drop off and pick up hours.

There are also two dangerous intersections connected to this project: 76th Pl. NE [Holmes Pt. Dr.] and NE 116th St. and 73rd Pl. NE and NE 116th St.

This intersection is already known to be a hazard, with people speeding up and down it on a regular basis. Because of the speed often driven on Holmes Point Drive (76th Place NE), it is dangerous to pull out onto Holmes Pt. Dr. from NE 116th St. (and many other places). It is dangerous because of the incredible speeds traveled along this road, but also because it has significant visual barriers, which need to be documented and addressed. This road needs to be evaluated to assess the increased traffic count before this project proceeds.

Just last year, a car was overturned as it collided with a guardrail on Holmes Point Drive in front of this lot.

Despite the short distance of these roads, the local residents feel the number of cars and the speed of the cars has increased with increasing populations. As stated below, these roads also need to be evaluated for increased traffic count. This intersection is also dangerous and has significant visual barriers, which also need to be documented and evaluated.

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The Decision mentions a TCP for construction, circulation and safety. 30 or more households along NE 72nd PL NE and 73rd PI NE with cars and pedestrians feed into the intersection at 76th PL NE /Holmes Point Road (some their ONLY access to Holmes Point Drive). The reality is adding more construction traffic there is dangerous.

Here is a recent photo showing the intersection of NE 116th and 73rd PL NE. Pedestrians, kids coming to/from the bus stop, neighbors getting mail, people walking dogs, car traffic and added to that, giant construction and delivery trucks must share limited road space. Surely allowing heavy construction equipment to share this road space without an inevitable accident.



This construction material delivery vehicle was forced to back up along the entire length of NE 116th St—that is over 300 feet—in an attempt to navigate back to Holmes Point Dr. There already have been multiple complaints of damage to property along NE 116th St due to construction vehicles from other nearby projects.

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The TCP must require a temporary access road during construction. Relocating access for large graders, construction cranes, cement trucks, delivery vehicles, etc. via Holmes Point Road/76th PI NE would be safer for pedestrians, cars, and property than using NE 116th St.

It's important to note one big advantage to requiring construction access from Holmes Point Drive: most of the homes on NE 116th St, 72 PL NE, 73 PI NE, Ne 118th St, --about 30 homes in all—are on dead end streets with access provided only by NE 116th St. Construction and delivery vehicles to the site will impact these home owners with no other route. With construction access instead on Holmes Point, these residents will have the same in and out access they now use, without being trapped by a dead end road. This better serves the larger neighborhood. We challenge the staff response on page 7, 2.b. We think construction access from Holmes Point would cause LESS disturbance for the larger neighborhood. The required Traffic Control Plan (page 10 6.a) should evaluate this.

Without appropriate evaluations first, even the design recommended for the driveway and hammerhead turn-around are premature. This evaluation and design work should be added as additional conditions before proceeding.

We further note that the Decision in V.D.d.3 quotes reasons for modifications per KZC 110.70.3 :

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(3) If the City and a neighborhood has agreed upon a modified standard for a particular street

We're asking for the conditions to also include a plan to get the **neighborhood** to review and **agree** the revised plan for improvement on NE 116th St.

Also regarding **safety**, this area is known for being in a high hazard zone for landslides. Given this, it is odd that there is not yet a plan for erosion control provided in this report. The civil engineering plans for erosion control are key to whether this project can safely move forward. The project is on a bluff overhanging a mountain area, in a slide zone (both within and below this project). If any of this area slides, it could slide into the road below and the houses below. The City and developers cannot be allowed to put other people's properties at risk, and the engineers need to provide a thorough plan for erosion control. The City has added the condition that the developer indemnify the City against all risks and that any future home owners shall be informed and subsequently be required to accept hold harmless indemnifications (Attachments 10 and 11). It is only fair that the owners of the houses below this development should also have the risks and this plan for serial indemnifications explained to them, and they should have input on the engineering plans for the erosion control.

All this means adding more conditions to be met before proceeding.

We appeal the decision and conditions for NE 116th St improvements as shown in the notice and for the plan for Holmes Point Short Plat SUB15-02156.

Thanks for your consideration,



Robert and Deborah Knetzger

7235 NE 116th Street , Kirkland WA 98034

neotoybo@comcast.net debknetz@comcast.net

cc: Kirkland Mayor Penny Sweet

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We, the undersigned, add our support and agree to join in this letter of appeal. We are entitled to do so as we have previously submitted written comments to the planning director. Our previous letters are included in Attachment 5 of the Notice of Decision. Please include us in all further notifications, hearings, and decisions. We assert our rights to continue to participate in this appeal process.

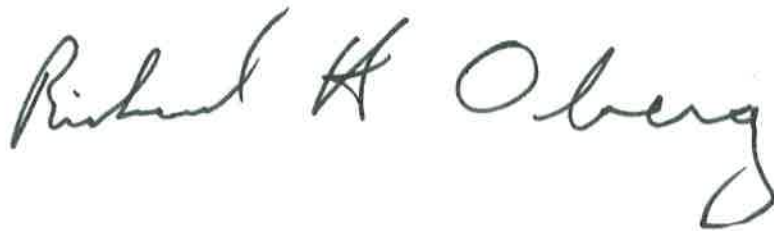


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(via email)

Seth and Britney Cysewski

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(via email)

Grant Santee

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Letter of Appeal of Kirkland Notice of Decision for Holmes Point Short Plat Sub 15-02156

Adam Weinstein, Director Planning and Building Department, City of Kirkland, 123 5th avenue, Kirkland, WA 98033

September 2, 2019

Dear Mr Weinstein,

I'm writing to appeal the decision on Holmes Point Short Plat SUB15-02156. As a resident of this neighborhood since 1995, I have concerns about interpretations of the code, and facts not being taken into account, which increases the potential for damage to neighboring properties in a Landslide Hazard Area.

I'll reference to specific parts of the Decision (*in italics*) in conjunction with my specific concerns.

Art Turock and Haley Ashland, 11534 Holmes Point Drive NE, Kirkland, WA. 425-814-3038

Concern 1: Geohazards in a Landslide Hazard Area

The Notice of Decision offers two primary sections about Geohazard concerns

First, Under Public Notice and Comments, p. 9, point 5..

Geohazard concerns:

Public Comment: Potential of slide during, or as a result of development and City should require new geotechnical report with subsequent permits

Here's the relevant portion of Staff Response:

The short plat will be required to update the geotechnical report as part of the grading permit, to meet the standards of the current code, revised in 2018. (see Section V.C).

The applicant's geotechnical engineer will provide a new report which complies with KZC Chapter 85. The report will indicate existing conditions on the subject property and provide detailed construction techniques to maintain slope stabilities and avoid harmful effects of development on-site as well as to adjacent properties. Neighbors wishing to obtain further geotechnical feedback and insight specific to their property, should consider hiring a geotechnical engineer to perform the desired work.

Second, Under Development Regulations, p.14 -15 Geographically Hazardous Area includes these requirements cited in the staff response:

(2) Requirement of peer review for projects that would disturb land located in a high landslide hazard area. Peer review shall be performed by either a Washington State geotechnical engineer or licensed in Washington State engineering geologist.

(3) Prior to permit issuance, the applicant is required to enter into a hold harmless agreement with the City indemnifying the City for any damage resulting from development activity.

(4) Prior to final inspection, the applicant is required to record a notice of Geological Hazard, informing future owners the property is located in a geologically hazardous area.

My specific Geohazard concerns:

In reading these two sections covering Geographically Hazardous Area, there is lack of clarity about roles and procedures which can lead to faulty, unsafe construction. For example:

1. There are 3 potential engineering assessments of the Geographically Hazardous Area:

- Applicant's geotechnical engineer
- Peer review
- Neighbors' geotechnical engineer

In the case of differing risk analysis and/or solutions to mitigate risk, which engineer's professional judgment gets followed by the City, and ultimately, the developer? On what basis is that decision made?

2: There is no indication when the peer review occurs in the permit process. Does it occur before the applicant's geotechnical engineer does a report or after? The Notice of Decision only specifies that the applicant provide funds necessary for a third party peer review prior to issuing a development permit.

To ensure public safety, both the peer review and study by any geotech engineer hired by neighbors should be submitted to City officials before any construction commences.

3: Besides being responsible for filing a notice of geological hazard area with the City, does the developer need to inform potential home buyers of this condition? Or are future home buyers left to be accountable for researching these documents themselves?

The applicant's role in informing potential homeowners should be clearly spelled out. Is it just filing papers with the City or making the information explicit in marketing

and sales documents? Do all of the eventual homeowners sign a formal document, like Attachment 11, Notice of Geologically Hazardous Area.

4. In order to implement the staff's recommendation for neighbors to hire their own Geotech engineers to study the hazardous conditions, the applicant must agree to provide access to the property at 11530 Holmes Point Drive.

Since I declined to support /Sensible Builder's original plan to use my easement for Holmes Point Drive access for their original 8-lot residential community, there's no guarantee they will approve my geotechnical engineer to have access to the property to conduct a geotechnical study.

To make the staff's recommendation viable, the applicant must be required to approve requests by neighboring properties to do geotech studies.

5. A geotech report or peer review done before construction even begins isn't sufficient to assess the threat of damage to the foundations of adjacent homes during actual construction (in a Geographically Hazardous Area).

A proper assessment requires a geotech engineer to put sensor and strain gauges to detect any movement in the soil and house foundation prior to and during the entire construction period.

If the applicant's geotech engineer doesn't put in sensor and strain gauges, the applicant should be required to pay for both the initial geotech study and the ongoing monitoring by a geotech engineering firm selected by the owners of any adjacent homes.

6: Sensible Builders LLC specializes in single family homes, remodeling, and additions, not projects of the scale in this proposal. According to BuildZoom's analysis, permits issued over the last 4 years show mostly work on home addition projects. This project at 11530 Holmes Point Drive is a brand new residential development and roadway construction project requiring subcontractors to do the entire scope of work. Orchestrating the sequence of subcontractors in a Kirkland area undergoing rapid new home development will increase the length of this project probably for years. The longer the construction period, there's greater chance of soil movement in a rainy climate after substantial tree removal.

7. The Notice of Decision doesn't offer assurances for repair or compensation to adjacent properties for damages to trees, decorative boulders, shrubbery, or driveway extensions caused by construction. In addition, if a tree being removed should strike an adjacent property during the construction period, the applicant should be responsible to pay for damages.

Concern 2: Unclear identification of property owner who is legally liable for damages to neighboring properties caused by this construction.

1. City Exemption from “Geologically Hazardous Areas Covenant”

p. 65, in Staff Report part 2

Declarant hereby declares and agrees as follows:

1. Declarant is the owner of the real property described below and incorporated herein by reference, which is the "property" referred to herein.
2. Declarant agrees to defend, indemnify, and hold the City of Kirkland harmless from all loss, including claim made therefore, which the City may incur as a result of any landslide or seismic activity occurring on the property and for any loss including any claim made therefore resulting from soil disturbance on the "property" in connection with the construction of improvements, including but not limited to storm water retention and foundations. "Loss" as used herein means loss including claims made therefore from injury or damage incurred on or off the "property," together with reasonable expenses including attorneys' fees for investigation and defense of such claim.

There is no specification who is the owner/"declarant" authorized to sign this document. On page 1 of the Notice of Decision, Jerry Zhu is listed with the title, "owner." In fact, Jerry Zhu is the applicant for this proposal, and the owner of Sensible Builder, LLC. The actual owner of the property at 11530 Holmes Point Drive NE is Zhang Hulen, who lives in China. His name should appear in this Notice of Decision and future documents as the owner. Specifically, Zhang Hulen is the Declarant in the Geologically Hazardous Covenant.

There must be clear accountability to name the proper individual who is legally responsible for damages to neighboring homes in this construction occurring in a geographically hazardous zone.

2. There is no provision to specify consequences if the property owner, Zhang Hulen, decides to terminate the project before completion of new homes. The property could potentially be left in a condition where trees have been moved, the original 3,000 square foot house demolished, in a geographically hazardous zone.

Concern 3: Failure to follow the Holmes Point Overlay regulations regarding PNA for the subdivision and retaining trees.

There is a clear discrepancy between the intention of PNA regulations and the actual practice by developers and enforced by the City of Kirkland.

The intent of the regulation is for the occasion when a developer built on say, a 2 acre parcel, a PNA of half an acre would be set aside which would have ecological value.

In actual practice, the City of Kirkland allows developers to phase identifying the PNA so that if the 2 acres is divided into 7 lots, there may be a PNA for each lot, which could produce 7 small sectors of PNA's with little ecological value.

I request the applicant be required to designate a PNA for the entire plat.

More specific to this project....Protected Natural Areas only a few feet wide are placed homes only 10 feet apart. Other PNAs are only one foot wide -- extremely thin "stripes" running down the side of a house. "Contiguous" areas are joined by the slimmest of geometric connectors.

The arborist report mentions suspicious PNAs: *"The PNA on lot 5 which is 5' wide and immediately adjacent to the structure is recommended to be rejected due to its **lack of available space to meet the minimum vegetation conditions** of the protected natural area"*. Given many parts of the proposed PNAs will also fail the "available space" test, they require alteration.

In the proposed PNA configuration, property owners will have isolated trees beside their house, raising the potential for root damage to their building's foundation. They may also find these isolated trees ugly. Whatever the motivation, the City laws allow home owners to cut down one tree in a given year.

Once again, I request the applicant be required to designate a PNA for the entire plat.

Besides having regulations on the books, there is the issue of enforcing regulations, especially around the preservation of mature trees. Unfortunately, the ordinances are not being followed by developers and enforced by the City, especially with respect to protecting mature trees. Rather than repeating the pattern of past failure, strong measures are clearly necessary, such as requiring developers pay assurance fees.

p. 9, Pt 4, HPO and Community Standards, a staff response to a public comment;

The City does not have the authority to require assurance fees to ensure compliance with the standards of the HPO. However, the plans once approved, will comply with the HPO development standards, in addition to other relevant sections of the zoning code.

- Where is the legal statute that restricts the City from having authority to require assurance fees? Or is this a norm that's developed among the staff over the years so it's unconsciously adhered to as if it were law?

11530 Holmes Point Drive sits at the gateway to Holmes Point, at the precise location where cars, bikers, and walkers experience the juxtaposition of big trees and Lake Washington. Continuing to misinterpret the PNA regulations will destroy this vivid expression of community character.

Concern 4: Traffic concerns during construction

p. 9 Staff response _The applicant has proposed a temporary construction entrance from NE 116th Street, in the same location as the proposed access easement. The applicant's proposal does not connect the access easement to Holmes Point Drive NE. Therefore, if construction access were required by the City to be taken from Holmes Point Drive NE, more site disturbance would occur above that which is proposed.

I concur with the staff response and add this point. The applicant can't use the property's existing access on Holmes Point Drive NE that includes my easement as a construction entrance in any fashion that interferes with my usage.

Concern 5: Sidewalks for safety on 116th Ave NE.

Staff Response: To ensure compliance with the requirements of KZC 70.15.5.b, sidewalks along NE 116th Street are not being recommended by the City. See Section V.E for frontage improvement modification.

The staff response does not include the comments of neighbors in favor of sidewalks along NE 116th Street. With extra car traffic from the 7 new homes, plus two lanes of traffic (instead of the usual one lane residents are accustomed to), there are increased safety risks, especially for children.

I recommend including sidewalks on at least one side of 116th Ave NE.



CITY OF KIRKLAND

Planning and Building Department
123 5th Avenue, Kirkland, WA 98033
425.587.3600 - www.kirklandwa.gov

CITY OF KIRKLAND NOTICE OF DECISION

AUGUST 20, 2019

Permit application: Holmes Point Short Plat, File Number [SUB15-02156](#)
Location: [11530 Holmes Point Drive NE](#) (see Attachment 1)
Applicant: Jerry Zhu, owner

Project description: Subdivide a 66,125 square foot parcel into seven (7) parcels, ranging in size from 5,609 (net) square feet to 8,427 (net) square feet, within the RSA 6 Zone and Holmes Point Overlay. Access to the subject property is proposed from NE 116th Street, with individual lots being served by a proposed 20-foot wide ingress and egress easement, with 12-feet of pavement, rolled curb and a proposed 4-foot public walk-way (see Attachment 2).

The project, determined to be complete on January 18, 2017, is vested under the Codes in place at that time. Subsequent to the **project's vesting**, the following sections of the zoning code were amended:

- The Holmes Point Overlay code (KZC 70) and Tree Management code (KZC 95) – November 27, 2017;
- Geologically Hazardous Areas code (KZC 85) – June 25, 2018
- Zoning Designation for the property (RSA 6 to RSA 4) – January 16, 2018

These code changes, as they apply the proposal, are discussed in Section V of this staff report.

Decisions Included: Short Plat Process I, Planning Director Decision
Project Planner: Sean LeRoy
Department Decision: Approval with Conditions

Adam Weinstein, Director
Planning and Building Department

Decision Date: August 9, 2019
Appeal Deadline: September 3, 2019

Affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation.

How to Appeal: Only the applicant or those persons who previously submitted written comments or information to the Planning Director are entitled to appeal this decision. A party who signed a petition may not appeal unless such a party also submitted independent written comments or information. An appeal must be in writing and delivered, along with fees set by ordinance, to the Planning Department by 5:00 p.m., September 3, 2019. For information about how to appeal, contact the Planning Department at (425) 587-3600. An appeal of this project decision would be heard by the Hearing Examiner.

Comment to City Council: If you do not file an appeal, but would like to express concerns about policies or regulations used in making this decision or about the decision making process, you may submit comments to citycouncil@kirklandwa.gov. Expressing your concerns in this way will not affect the decision on this application, but will enable the City Council to consider changes to policies, regulations or procedures that could affect future applications.

CONDITIONS OF APPROVAL

- A. This application is subject to the applicable requirements contained in the Kirkland Municipal Code, Zoning Code, and Building and Fire Code. Attachment 3, Development Standards, is provided in this report to familiarize the applicant with some of these development regulations. This attachment references current regulations and does not include all of the additional regulations. It is the responsibility of the applicant to ensure compliance with the various provisions contained in these ordinances. When a condition of approval conflicts with a development regulation in Attachment 3, the condition of approval shall be followed.
- B. As part of the application for a Land Surface Modification Permit, the applicant shall:
1. Indicate the final PNA on each lot, demonstrating compliance with the standards of KZC 70 (see Conclusion V.B.2.a.(1)).
 2. Submit a revised geotechnical report which complies with the 2018 version of KZC 85 and identifies and types the slopes as defined by the code (see Conclusion V.B.2.a.(2)).
 3. Identify the location of groves proposed to be retained, on the basis of final location of all improvements and record a grove protection easement (see Conclusion V.B.2.a.(3)).
 4. Provide the City the funds necessary for a third-party peer review of the revised report (see Conclusion V.C.2.b.(1)).
 5. Record a Geologically Hazardous Area Covenant on the subject property (see Conclusion V.C.2.b.(2)).
 6. Record a Notice of Geologically Hazardous Area (see Conclusion V.C.2.b.(3)).
 7. Provide in the plan set a revised turn-around which complies with Public Works Pre-Approved Plan CK-R.16 (see Conclusion V.E.2.b)).
 8. Include provisions for a public access walkway which results in the preservation of trees #61 and #63 (see Conclusion V.F.2).
- C. As part of the application for a Building Permit the applicant shall submit:
1. Include in the plan set, the final lot coverage calculations (see Conclusion V.B.2.b.(1)).
 2. The location of the PNAs and of environmental fencing in accordance with KZC 70.15.7.a (see Conclusion V.B.2.b.(2)).
- D. Prior to the final inspection of each building permit the applicant shall provide:
1. A final as-built landscape plan (see Conclusion V.B.2.c.(1)).
 2. A PNA protection easement, in a form approved by the City Attorney and to be **recorded by the King County Recorder's Office (see Conclusion V.B.2.c.(2))**.

II. SITE AND NEIGHBORHOOD CONTEXT

Zoning District	At the time the project was determined complete and, thereby vested, (January 18, 2017), the subject property was zoned RSA 6. Presently the property is zoned RSA 4, after a code revision in January of 2018
Comprehensive Plan Designation	Low Density Residential with 6 dwelling units per acre
Property Size	66,125 square feet (1.51 acres)
Current Land Use	Single Family Residential; Property contains a single-family residence and other associated improvements, which will be removed prior to the recording of the proposed short plat, since a proposed lot line would traverse a section of the existing home.
Proposed Lot Sizes	Lot 1: 7,771 SF (Gross) / 5,858 SF (Net) Lot 2: 7,320 SF (Gross) / 5,705 SF (Net) Lot 3: 8,846 SF (Gross) / 6,713 SF (Net) Lot 4: 16,015 SF (Gross) / 5,609 SF (Net) Lot 5: 7,970 SF (Gross) / 7,372 SF (Net) Lot 6: 6,956 SF (Gross) / 6,474 SF (Net) Lot7: 10,752 SF (Gross) / 8,427 SF (Net) *Net excludes dedication and vehicular access easements or tracts.
Lot Size Compliance	All lots meet the minimum size of 5,100 square feet in the RSA 6 zone as established by the Zoning Code.
Density Compliance for RSA Zones	The maximum number of units allowed on the subject property is 9.11 units; the proposal for 7 units complies with the limitation.
Terrain	The property slopes across the property from a low point of approximately 168' at the location of the existing driveway on Holmes Point Drive NE to approximately 223' at the existing gravel driveway entrance off of NE 116 th Street. The City's Geologically Hazardous Areas map locate the subject property in a Moderate and High Landslide potential area (see Section V.C – Geologically Hazardous Areas for facts and conclusions).
Trees	There are fifty-seven (57) significant trees on the site, all but three (3) of which are viable. Attachment 4 shows the location, tree number and general health of the trees, as assessed by the applicant's arborist. The applicant is

	proposing phased review of the short plat pursuant to KZC 95.30.6.a. In the City's review of the applicant's tree plan , the City identified five (5) groves on site: on the north, northeast, south and southwest (see Section V.B). See Attachment 3, Development Standards, for information on the City's review of the arborist report, as well as tree preservation requirements.
Access	The original proposal of eight (8) lots included access to the newly created lots from Holmes Point Drive NE. Subsequent to this original submittal, the applicant revised the proposal, reducing the number of lots from eight (8) lots to seven (7), and proposing to take access off of NE 116 th Street, with no vehicular connection to Holmes Point Drive NE. The existing easement located on the subject property for the benefit of 11534 NE 116 th Street, will be retained.
Neighboring Zoning and Development	
• North	RSA 4; NE 116 th Street; single-family residential homes
• South	RSA 4; Holmes Point Drive; single-family residential homes
• East	RSA 4; single-family residential homes
• West	RSA 4; single-family residential homes

III. PUBLIC NOTICE AND COMMENT

- A. **The applicant's original proposal of an 8-lot short plat** was received by the City on October 22, 2015 and deemed complete January 18, 2017. The public comment period ran from January 18, 2017 to February 13, 2017. Comments were received from the public during that time (see Attachment 5a).

The applicant, subsequent to the original comment period, and **prior to the City's** review, revised his original proposal, reducing the number of proposed new lots from eight (8) to seven (7), and changing proposed access from Holmes Point Drive NE to NE 116th Street. The City received the revised proposal on January 18, 2018.

As the applicant's revision to the plans included a change in access and in the number of proposed lots, the City reopened the public comment period include mailing, posting and publishing. The second comment period ran from February 14, 2018 to March 12, 2018, during which time the City received 12 public comments (see Attachment 5). Below is a summary of the comments received during the second comment period, organized by topic, followed by a staff response.

1. Procedural Concerns

- a. Public Comment: Why was no public meeting required as part of this land use proposal?

Staff Response: *This application is subject to the standards of Chapter 145 KZC – **Process I. The City's Process I approval process does not** require a public meeting. It does allow, however, for public comment after the permit has been deemed complete. The decision – made by the City Planning Director – is followed by an appeal process, whereby,*

*interested parties who submitted comments to the Planning Department during the open **comment period**, are permitted to appeal the Director's decision. Appeals are heard by a Hearing Examiner.*

2. Proposed Access, Right-of-way Improvements and Safety

a. NE 116th Street

Public Comment: Reservations raised over allowing access off NE 116th Street for the following reasons:

- o Tree removal due to required public improvements
- o Increased traffic volumes, safety and change in neighborhood character.

Staff Response: *The City of Kirkland will require the following minimal improvements to NE 116th Street:*

- o Widen the right-of-way: *Widen the street to 12 feet from the centerline of NE 116th Street; Provide a minimum of 20 feet of paving along property frontage for safe ingress and egress.*
- o Modify standard right-of-way improvements: ***The City's Public Works Department** is recommending a modification to eliminate the typically required sidewalk and landscape strip in accordance with KZC 110.70.3, and in-lieu of this, require a 7-foot wide shoulder (see Section V.D below).*

*Installing these improvements will provide necessary improvements to properly and safely convey vehicles and minimize tree and vegetation removal. Full review of these improvements will be considered under **the City's review of the applicant's land surface modification permit.***

Public Comment: The developer should underground overhead utilities on NE 116th Street

Staff Response: *Consistent with all other short plats recorded in the City of Kirkland, undergrounding of off-site/frontage transmission lines should be deferred with a Local Improvement District (LID) No Protest Agreement. The intent is to establish a congruent strategy to undergrounding transmission lines along City of Kirkland streets in the future.*

Public Comment: Sidewalks should not be installed along NE 116th Street.

Staff Response: *To ensure compliance with the requirements of KZC 70.15.5.b, sidewalks along NE 116th Street are not being recommended by the City. See Section V.E for frontage improvement modifications.*

b. Holmes Point Drive NE

Public Comment: Safety along and required improvements on Holmes Point Drive NE

Public Comment: All construction access should be limited to Holmes Point Drive.

Staff Response: The applicant has proposed a temporary construction entrance from NE 116th Street, in the same location as the proposed **access easement**. **The applicant's proposal does not connect the access easement to Holmes Point Drive NE.** Therefore, if construction access were required by the City to be taken from Holmes Point Drive NE, more site disturbance would occur above that which is proposed.

Public Comment: Widening Holmes Point Drive may not improve safety and will require a retaining wall.

Staff Response: If typical standards were applied, the applicant would be required to widen Holmes Point Drive to 17' **from road centerline to face of the curb**, providing an 11-foot wide drive lane and a 6-foot wide shoulder.

However, the City is in the process of scheduling a corridor study of Holmes Point Drive, in which consideration will be given to the appropriate nature and extent of improvements to address neighborhood concerns such as safety, traffic and circulation.

If the proposed short plat begins design and construction prior to the completion of the study, the Public Works Department may consider a payment in-lieu of installing the improvements, or a performance bond to allow the improvements to be installed after the study is complete

It is anticipated, therefore, that safety will be enhanced for residents, and the surrounding neighborhood, as a whole. See Attachment 3.

3. Tree Management and Excessive Removal

a. Public Comment: The development will result in excessive tree removal

Staff Response: The applicant is pursuing a subdivision of his property **under the "Phased Tree Plan" provisions of the City's Zoning Code**, meaning that tree retention and removal will be considered in three stages, outlined as follows:

Short Plat Review: Trees will be evaluated by the City for their health and viability and typed according to their retention value (High, Moderate, Low) as defined in KZC 95.10.13. Initial review will also occur of the proposed locations of Protected Natural Areas (PNAs). Groves of trees present on the subject property will also be identified. Trees are not permitted to be removed as part of any short plat proposal.

Land Surface Modification: The following items are typically reviewed under an LSM submittal – proposed location of utilities, public improvements and road placement; proposed location of PNAs; proposed retention and removal of trees; positioning of protective fencing and field techniques to ensure preservation of trees not directly impacted by installation of improvements.

Building Permits: Structures are reviewed for compliance with the Zoning Code, as relates to single-family residential. Tree retention, removal and the location of final PNAs are determined and memorialized at or prior to final inspection.

Trees will only be removed if necessary to place improvements, public and private, as part of either the grading permit and/or subsequent building permits. During all phases of the development process, City officials conduct site inspections to ensure location of tree fencing and tree retention conditions are adhered to by the developer. Each lot must maintain both a prescribed tree density credit and comply with the Protected Natural Area (PNA) requirements.

- b. **Public Comment:** Why was the proposal not reviewed as an Integrated Development Plan (IDP)?

***Staff Response:** The proposed short plat, submitted on October 22, 2015, was deemed complete on January 18, 2017. The proposal was vested under the 2017 Kirkland Zoning Code (Chapter 70) which allowed the applicant to choose either an IDP or a "Phased" tree plan. As all the required improvements were not known at the time of submittal, the applicant proposed a phased review of the tree plan.*

***The City's Holmes Point Overlay code was** amended in the summer of 2017, to require all subdivisions and short subdivisions in the Holmes Point Overlay to provide "a comprehensive review of Tree Retention Plans as outlined in Chapter 95.30.2-5 KZC, including the location of the required PNA." **Phased review of Tree Retention Plans** are no longer permitted, unless projects were vested before the new code provisions came into effect.*

Despite the fact that changes were made to the proposal after the HPO code update in 2017, including eliminating access from Holmes Point Drive NE and reducing the number of proposed lots from eight (8) to (7). the applicant did not withdraw his permit, and, thus, did not lose his vesting.

4. HPO and Community Standards

- a. **Public Comment:** Preservation of the community's character and upholding of Holmes Point Overlay standards of KZC 70

Staff Response:** The underlying zoning at the time the project was deemed complete (January 18, 2017) was RSA 6, allowing 6 units per acre. With a lot size of 66,125 square feet (1.51 acres), the applicant is developing the parcel below the permitted density of nine (9) units. The applicant also proposes to meet the minimum lot size standard of 5,100 square feet, in addition to complying with restrictions imposed by the **City's code on lot coverage, open space and protected native areas.

*As part of the 2011 annexation, the City adopted the existing Holmes Point community standards, previously agreed upon by the Finn Hill neighborhood and King County. Presently known formally as the **"Holmes Point Overlay", these standards and analysis of how the project complies is contained in Section V.B.***

During each phase of development and for each related building permit, the applicant will be responsible for adhering to and meeting the standards found in KZC 70. The Planning Department will follow the standards prescribed in Chapter 70 for site inspections, permit review, issuance and enforcement, if and when applicable.

5. Geohazard Concerns

- a. Public Comment: Potential of slide during, or as a result of development and City should require new geotechnical report with subsequent permits

Staff Response: In compliance with the code in effect at the time of permit completeness, a preliminary geotechnical analysis was included with the short plat application. The preliminary geotechnical report, completed by Robert Pride, provided basic construction techniques for foundations, stormwater management and recommendations for future review of the building plans and on-site analysis during construction.

The short plat will be required to update the geotechnical report as part of the grading permit, to meet the standards of the current code, revised in 2018. (see Section V.C).

The applicant's geotechnical engineer will provide a new report which complies with KZC Chapter 85. The report will indicate existing conditions on the subject property and provide detailed construction techniques to maintain slope stabilities and avoid harmful effects of development on-site as well as to adjacent properties. Neighbors wishing to obtain further geotechnical feedback and insight specific to their property, should consider hiring a geotechnical engineer to perform the desired work.

- b. Public Comment: The City should hold builders accountable to prevent landslides during construction and long-term erosion. The City should require:

- o *A plan which depicts the exact disposition of each tree*
- o *A new arborist report showing compliance with HPO standards*
- o ***Pay a "sizeable compliance assurance fee" to comply with HPO***
- o *On-site inspections to observe compliance*

Staff Response: Revised plans and arborist reports will be submitted with the grading permit and subsequent building permits. These plans will clearly outline which trees are proposed for retention and which for removal. The City will use the standards found in the zoning code (including Chapter 70 – HPO and KZC 95 – Tree Management and Required Landscaping) to make determinations of trees required for retention and those permitted to be removed.

The City does not have the authority to require assurance fees to ensure compliance with the standards of the HPO. However, the plans once approved, will comply with the HPO development standards, in addition to other relevant sections of the zoning code. Regular site inspections by City officials will ensure regular and continued compliance and consistency.

6. Traffic Concerns at Nearby Intersections

- a. Public Comment: How will traffic be handled at the convergence of 73rd Place NE and NE 116th Street, and again at 76th Place NE and NE 116th Street?

*Staff Response: As part of the subsequent development cycle, the applicant will include, on an as-needed basis, a traffic control plan (TCP) to appropriately manage construction traffic, circulation and safety. The **applicant's contractor** will **coordinate with the City's Public Works Department** for the necessary inspections and/or any additional steps necessary to control and direct traffic while development occurs.*

7. Storm Water Management

a. Public Comment: Where will storm water be directed?

Staff Response: Attachment 3 includes the required storm improvements and special conditions, summarized as:

- o *Prior to the LSM (grading) permit submittal, complete direct discharge analysis.*
- o *Provide a separate storm drain connection to each lot for conveyance purposes.*
- o *NE 116th Street - Provide collection, conveyance and flow control for storm drainage on NE 116th **Street; install 12" public storm drain** to convey runoff from NE 116th toward the site, to the detention system, before releasing to the drainage system on Holmes Point Drive.*
- o *Holmes Point Drive NE – The City has plans to upgrade the storm water outfall downstream of the project, extending the main from 11834 to 11656 Holmes Point Drive. Current outfall systems in Holmes Point Drive NE are not suitable for connection. Thus, the applicant is required to continue the storm main extension from the front of property 11656 Holmes Point Drive NE **through Short Plat's frontage.***
- o *Prior to recording of short plat and issuance of the LSM, the CIP project involving the upgrading of the outfall storm extension must commence (slated for 2019).*

b. Public Comment: To ensure proper management of storm water, the City should:

- o *Require studies which determine the cumulative impact of permeable soil loss, including pollution perpetuated by the water runoff*
- o *Require builder to pay for new pipes or construction to manage storm water*
- o *Delay construction until the storm water management system complies with Department of Ecology guidelines*

*Staff Response: In evaluating development proposals, the City requires compliance with the 2016 King County Surface Water Manual. The applicant is responsible to secure any permitting required by the **Department of Ecology, as necessary. The applicant's complete storm water plan** will be reviewed under the grading permit.*

IV. CRITERIA FOR SHORT PLAT APPROVAL

- A. Facts: Municipal Code section 22.20.140 states that the Planning Director may approve a short subdivision only if:
1. There are adequate provisions for open spaces, drainage ways, rights-of-way, easements, water supplies, sanitary waste, power service, parks, playgrounds, and schools; and
 2. It will serve the public use and interest and is consistent with the public health, safety, and welfare. The Planning and Building Director shall be guided by the policy and standards and may exercise the powers and authority set forth in RCW 58.17.
- Zoning Code section 145.45 states that the Planning and Building Director may approve a short subdivision only if:
3. It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and
 4. It is consistent with the public health, safety, and welfare.
- B. Conclusions: The proposal complies with Municipal Code section 22.20.140 and Zoning Code section 145.45. It is consistent with the Comprehensive Plan. With the recommended conditions of approval, it is consistent with the Zoning Code and Subdivision regulations and there are adequate provisions for open spaces, drainage ways, rights-of-way, easements, water supplies, sanitary waste, power service, parks, playgrounds, and schools. It will serve the public use and interest and is consistent with the public health, safety, and welfare because it will add housing stock to the City of Kirkland in a manner that is consistent with applicable development regulations.

V. DEVELOPMENT REGULATIONS

- A. The following is a review, in a checklist format, of compliance with the design requirements for subdivisions found in KMC 22.28. All lots comply with the minimum lot sizes for this zone.

Complies as proposed	Complies as conditioned	Code Section
KMC 22.28.050 – Lots - Dimensions		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Lots are shaped for reasonable use and development
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Minimum lot width is 15' where abutting right-of-way, access easement, or tract

- B. Holmes Point Overlay Compliance – KZC 70

1. Facts:
 - a. All new parcels located within the Holmes Point Overlay are required to comply with the development standards found in KZC 70.
 - b. As stated **above, the applicant's** short plat proposal is vested under KZC 70 (2017), based upon a completeness date of January 18, 2017.

- c. The applicant has chosen the phased tree review pursuant to KZC 95.30. Under phased review, the location of all improvements are not known at the time of short plat approval. The City identified five (5) **groves in their review of the applicant's tree plan.**
- d. The following section lists the applicable development standards of KZC 70, followed by a staff response:

- (1) Lot Coverage – The following chart articulates the maximum lot coverage allowed, dependent upon lot size

Lot Size	Maximum Lot Coverage
Less than 6,500 sf	2,600 sf
6,501 sf to 9,000 sf	2,600 sf plus 28% of lot area over 6,500 sf
9,001 sf or greater	3,300 sf plus 10% of the lot area over 9,000 sf
Developed, cleared or altered lots	5% of the total lot area, not to exceed 750 sf

Staff Response: The final lot coverage calculations shall be verified with each building permit.

- (2) Minimum Vegetation Conditions in the PNA:
- Tree density to be 150 tree credits per acre as described in KZC 95.33
 - Shrubs predominantly 36 inches high, covering at least 60% of the PNA
 - Living groundcovers covering at least 60% of the PNA
 - KZC 70.15.4.b.(1) identifies when deficiencies in the existing native plantings must be improved through supplemental plantings. Vegetation deficiencies shall comply with KZC 70.15.3.b.2 and/or 3.
 - Planting standards, techniques, prohibited vegetation and provision of landscape plans shall comply with KZC 70.15.3.b.(4)-(7).

Staff Response: The applicant's plan set includes proposed designation of PNAs for each lot within the subdivision, each one being a minimum of 25% of the lot area.

- (3) The applicant shall submit a Tree Retention Plan as required under KZC 95.30.

Staff Response: The applicant's tree plan, as submitted with subdivision submittal, was reviewed and evaluated by the City's Urban Forester. The City's determination of variability and health of all significant trees can be found in Attachment 3.

- (4) Site Inspections – The Planning and Building Department shall conduct site inspections prior to approving any site alteration or development on parcels within the Holmes Point Overlay.

Staff Response: Site inspections will occur regularly at each subsequent phase of development, grading permit and building permits.

- (5) Tree and Landscape Maintenance Requirements

- PNAs shall be retained in perpetuity.
- All significant trees in the remaining 75% of the lot shall be retained in perpetuity, and tree removal will be allowed only for hazardous and nuisance trees pursuant to KZC 95.23.5.d.

Staff Response: Future development permits will be conditioned in a manner which meets or exceeds the standards listed in this section. Individual PNAs will be finalized with each building permit.

- (6) Pervious areas not located in geologically hazardous areas shall be maintained as open space, except for the exclusions listed in KZC 70.15.9.a-e.

Staff Response: Future building permits will be conditioned appropriately to require perpetual maintenance of pervious open spaces, not located in geologically hazardous areas.

- (7) Conformance with this (HP) suffix condition shall not relieve an applicant from conforming to any other applicable provisions of the Zoning Code and Subdivision Ordinance.

Staff Response: Future development permits will be reviewed in light of relevant zoning and municipal code standards to ensure compliance.

2. Conclusions:

- a. All lots should comply with the HPO requirements found in KZC 70 when application is made for subsequent land surface modification or building permits. Prior to the issuance of the land surface modification permit and each subsequent building permit, the applicant should:
- (1) Indicate the final PNA on each lot, demonstrating compliance with the standards of KZC 70.
 - (2) Provide a revised Geotechnical Report, as needed, in compliance with the updated Geologically Hazardous Areas code (KZC 85).
 - (3) Identify the location of groves proposed to be retained, on the basis of final location of all improvements and record a

Preserved Grove Covenant, assuming the groves are not encompassed within a designated PNA (see Attachment 6).

- b. As part of each building permit submittal, the applicant should indicate in the plan set:
 - (1) The final lot coverage calculations.
 - (2) The location of the PNAs and of environmental fencing in accordance with KZC 70.15.7.a.
- c. Prior to the final inspection of each building permit, the applicant should provide:
 - (1) A final as-built landscape plan
 - (2) A recorded Holmes Point PNA protection easement, in a form approved by the City Attorney, to be recorded by the King **County Recorder's Office (see Attachment 7).**

C. Geologically Hazardous Areas

- 1. Facts: Chapter 85 of the Kirkland Zoning Code requires a geotechnical report when property that includes a Landslide Hazard area is proposed to be developed.
 - a. The site has a continuous slope from a low point of 118 feet on the southwest property line, abutting Holmes Point Drive NE to the high point of 172 feet at the north property line which abuts NE 116th Street.
The City's Geologically Hazardous Areas map, adopted in 2018, after the application was determined to be complete, identifies a Moderate and High Landslide potential on the subject property (see Attachment 8).
 - b. A geotechnical report prepared by Associated Earth Sciences, Incorporated (AESI), dated August 18, 2016, was submitted with the short plat application (see Attachment 9). The report, in addition to identifying the subsurface conditions and a preliminary assessment of geological hazards they presently exist, includes recommendations and requirements to follow for the future development of access and structures on the site.
 - c. **The applicant's short plat, deemed complete on January 18, 2017, was vested under the City's Geologically Hazardous Areas code (KZC 85) in effect at the time of completeness.** KZC 85 was subsequently revised in 2018, to include the following changes which apply to the proposed development:
 - (1) New requirements for reporting, including quantitative slope stability analysis for projects within a horizontal distance of a high landslide hazard area, equal to the height of the slope within the high landslide area, or within 50 feet, whichever is greater.
 - (2) Requirement of peer review for projects that would disturb land located in a high landslide hazard area. Peer review shall be

performed by either a Washington State geotechnical engineer or licensed in Washington State engineering geologist.

- (3) Prior to permit issuance, the applicant is required to enter into a hold harmless agreement with the City indemnifying the City for any damage resulting from development activity.
- (4) Prior to final inspection, the applicant is required to record a notice of Geological Hazard, informing future owners the property is located in a geologically hazardous area.

2. Conclusions:

- a. Prior to the issuance of any development permit, the applicant shall:
 - (1) Provide a report which meets the standards of KZC 85.15.3 and 4.
 - (2) Provide the City the funds necessary for a third-party peer review of the revised report.
 - (3) Record a Hold Harmless Agreement in the form of the Geologically Hazardous Areas Covenant (see Attachment 10).
 - (4) Record a Notice of Geologically Hazardous Area (see Attachment 11).

D. Right-of-Way Improvement Modification

- 1. Facts: Municipal Code section 22.28.090 requires the applicant to comply with the requirements of Chapter 110 of the Zoning Code with respect to dedication and improvement of adjacent right-of-way (see Attachment 3).
 - a. Zoning Code Chapter 110 establishes right-of-way improvement requirements based on the street classification. The subject property abuts two rights-of-way: NE 116th Street (a Neighborhood Access-type street) to the north and Holmes Point Drive NE (a Collector-type street) to the south.
 - b. Sections 110.10 and 110.25 require the applicant to make half-street improvements in rights-of-way abutting the subject property.
 - (1) Section 110.30 establishes that a Neighborhood Access street, like NE 116th Street, must be improved with:
 - (1) 20 feet of pavement width located within 30-45 feet of right-of-way width
 - (2) Parking on one side
 - (3) Curb, gutter, storm water collection and conveyance systems
 - (4) 4.5-foot wide landscape strip, and
 - (5) 5-foot wide sidewalks on both sides of the street

- (2) Section 110.40 establishes that a Collector, like Holmes Point Drive NE, street be improved with:
 - (1) Right-of-way width of 60 feet
 - (2) Two vehicle lanes
 - (3) Two Class II 5-foot bicycle lanes
 - (4) Vehicle parking on both sides of the street
 - (5) Curb, gutter, storm water collection and conveyance system
 - (6) A 4.5-foot wide landscape strip
 - (7) 5-foot wide sidewalks required on both sides of the street
- c. KZC section 110.70 establishes the authority of the City to require or grant a modification, deferment, or waiver of normal right-of-way requirements.
- d. KZC section 110.70.3 states that the City may grant a modification to the nature or extent of required improvements, for any of the following reasons:
 - (1) If the improvement as required would not match the existing improvements.
 - (2) If unusual topographic or physical conditions preclude the construction of the improvements as required.
 - (3) If the City and a neighborhood has agreed upon a modified standard for a particular street (see the Public Works Pre-Approved Plans and Policies Notebook for a description of the Neighborhood Access Street Improvement Modification and Waiver Process).
- e. KZC section 70.15.5.b states that new public or private road improvements shall be the minimum necessary to the serve the development on the site in accordance with Chapter 110 KZC. The City shall consider granting modifications to the road standards to further minimize site disturbance, consistent with pedestrian and traffic safety, and the other purposes of the road standards.
- f. NE 116th Street is located on the north side of the property. Currently NE 116th Street is improved with asphalt ranging in width along the property frontage from approximately 25.5' to 11.5'
- g. **The City's Public Works Department is** recommending NE 116th Street to be widened to 20 feet at the property frontage, continuing east to 76th Place NE. Pursuant to KZC 70.15.5.b, new public or private road improvements shall be the minimum necessary to serve the development. To achieve the objective, the Public Works Department recommends granting a modification not requiring new sidewalk, curb and gutter and landscaping strips along NE 116th Street.

2. Conclusion: The application meets the criteria for a modification of the right-of-way improvement requirements for NE 116th Street. Pursuant to KZC 110.70.3.b and KZC 70.15.5.b, the modification is justified because it will minimize disturbance to topography and soil and serve to maximize tree retention while providing the minimum improvements necessary to serve the site and surrounding properties.

E. Vehicular Access Tracts

1. Facts:

- a. Municipal Code Sections 22.28.110 and 22.28.130 establish that if vehicular access within the plat is provided by means other than rights-of-way, the plat must establish easements or tracts, compliant with Zoning Code Section 105.10, which will provide the legal right of access to each of the lots served.
- b. Zoning Code Section 105.10 establishes the dimensional standards for vehicular access easements or tracts, based upon the number of lots served.

A dwelling unit that meets the following criteria shall not be counted as **"served dwelling unit" on a vehicular access easement or tract:**

- (1) The dwelling unit is on a lot that abuts and has vehicular access rights to the improved public right-of-way that joins the vehicular access easement; and
 - (2) The Fire Department determines that the fire apparatus can service the lot containing the dwelling unit from the abutting improved public right-of-way.
- c. **Based upon the zoning Code's definition of a "served dwelling unit", only two (2) lots, proposed Lots 2 and 3, are considered served by the proposed easement.**
 - d. KZC 105.10.1.a states that easements or tracts which serve one to four lots must be 21 feet wide and contain a paved drivable surface 16 feet in width, where a Fire Department access road is not required.
 - e. The proposed access easement includes a 28-foot by 90-foot vehicular turn around on west side of the subject property, designed to fire access road standards. **The City's Urban Forester has identified two (2) high retention value trees (#46 and #102), which would be detrimentally impacted by the proposed 28' by 90' turnaround.**
 - f. **The City's Fire Department has reviewed the applicant's plan and due to fire truck access restrictions, the applicant is required to install code compliant fire sprinkler systems in all homes. Therefore, a Fire Department access road is not required.**
 - g. KZC Section 105.103.3.a – Modifications – states that the City may grant a modification to KZC Section 105.10 if it is demonstrated that the following criteria have been met:
 - (1) The modification will not affect the ability to provide any police, fire, emergency medical, or other essential services, and
 - (2) One of the following requirements is met: the modification is

necessary because of a preexisting physical condition; or the modification will produce a site design superior to that which would result from adherence to adopted standard.

- h. The applicant is proposing a modification to the dimensional standards of KZC 105.10. The plans include a 20-foot wide access easement, with 12 feet of pavement, 2 feet of rolled curb on either side of the drive aisle, and a 4-foot wide public pedestrian walkway.
- i. **The City of Kirkland Fire Department has reviewed the applicant's** proposal and determined that the proposed modification will not affect the ability to provide emergency services to the site (see Attachment 3, Fire Department Development Standards).
- j. **The Public Works Department recommends approval of the applicant's** proposal and modification request (see Attachment 3, Public Work Development Standards). Chapter 70.15.5.b of the Kirkland Zoning Code states that new private road improvements shall be the minimum necessary to serve the development, and the City shall consider granting modifications to the typical road standards in achieve this requirement.

2. Conclusions:

- a. **The applicant's vehicular access tract complies with the modification** criteria listed in KZC 105.103.3.a and serves to meet the intent of KZC 70.15.5.b.
 - (1) Emergency services will not be impeded by a reduction in the drive aisle. Each lot is accessible from the access easement and served by a standard residential driveway. It is anticipated that the front façade will face the access easement and include an entrance and address visible from the easement and/or driveway.
 - (2) The 20-foot easement as proposed keeps site disturbance at a minimum, while providing the necessary improvements to all proposed residences for vehicular access. Keeping the width of the access easement to a minimum will also promote tree retention along the east property line.
- b. As part of the LSM permit the applicant should provide plans which depicts a reduced turn around, designed to the standards found in Public Works Pre-Approved Plan CK-R.16 (see Attachment 12), and retention of trees #46 and #102.

F. Public Pedestrian Walkways

1. Facts:

- a. KMC 22.28.170 states that the City may require the applicant to install pedestrian walkways in any of the following circumstances:
 - (1) If a walkway is indicated as appropriate in the comprehensive plan;
 - (2) If the walkway is reasonably necessary to provide efficient pedestrian access to a designated activity center of the city, or
 - (3) Midblock pedestrian access may be required if blocks are unusually long.

- b. The City may require the applicant to provide pedestrian walkways for use on the subject property when blocks defined by public rights-of-way, are unusually long (KZC 105.19).
 - c. The subject property fronts both Holmes Point Drive on the west and south and NE 116th Street on the north. The block, which includes the subject property, is defined by the intersections of 76th Place NE and NE 116th Street and NE 118th Street and Holmes Point Drive on the northwest. The block exceeds 4,000 lineal feet.
 - d. The applicant has proposed a 4-foot wide internal sidewalk along the west and north side of the **plat's** access easement, widening to 5-feet from the terminus of the access easement to the north side of Holmes Point Drive NE.
 - e. Pursuant to KZC 105.19.2, the applicant is required to install public pedestrian walkways pursuant to the following standards:
 - (1) Pedestrian access shall be provided by means of dedicated rights-of-way, tracts **or easements at the City's option**
 - (2) The width of the access easement and the walkway material and width shall be determined by the Public Works Pre-Approved Plans
 - f. **The City's Urban Forester identified two high retention value trees (#'s 61 and 63) which are immediately adjacent to the east side of the pedestrian walkway, prior to it connecting to Holmes Point Drive NE.**
 - g. **The applicant's proposal has been reviewed and approved by the City's Public Works department.**
2. Conclusion: The applicant complies with this requirement. Prior to the issuance of the grading permit, the applicant shall provide a design of the pedestrian **walkway which allows for protection and retention of tree #'s 61 and 63.**

VII. SUBSEQUENT MODIFICATIONS

Modifications to the approval may be requested and reviewed pursuant to the applicable modification procedures and criteria in effect at the time of the requested modification.

VIII. SHORT PLAT DOCUMENTS – RECORDATION – TIME LIMIT (KMC 22.20.370)

The short plat must be recorded with King County within five (5) years of the date of approval or the decision becomes void; provided, however, that in the event judicial review is initiated, the running of the five (5) years is tolled for any period of time during which a court order in said judicial review proceeding prohibits the recording of the short plat.

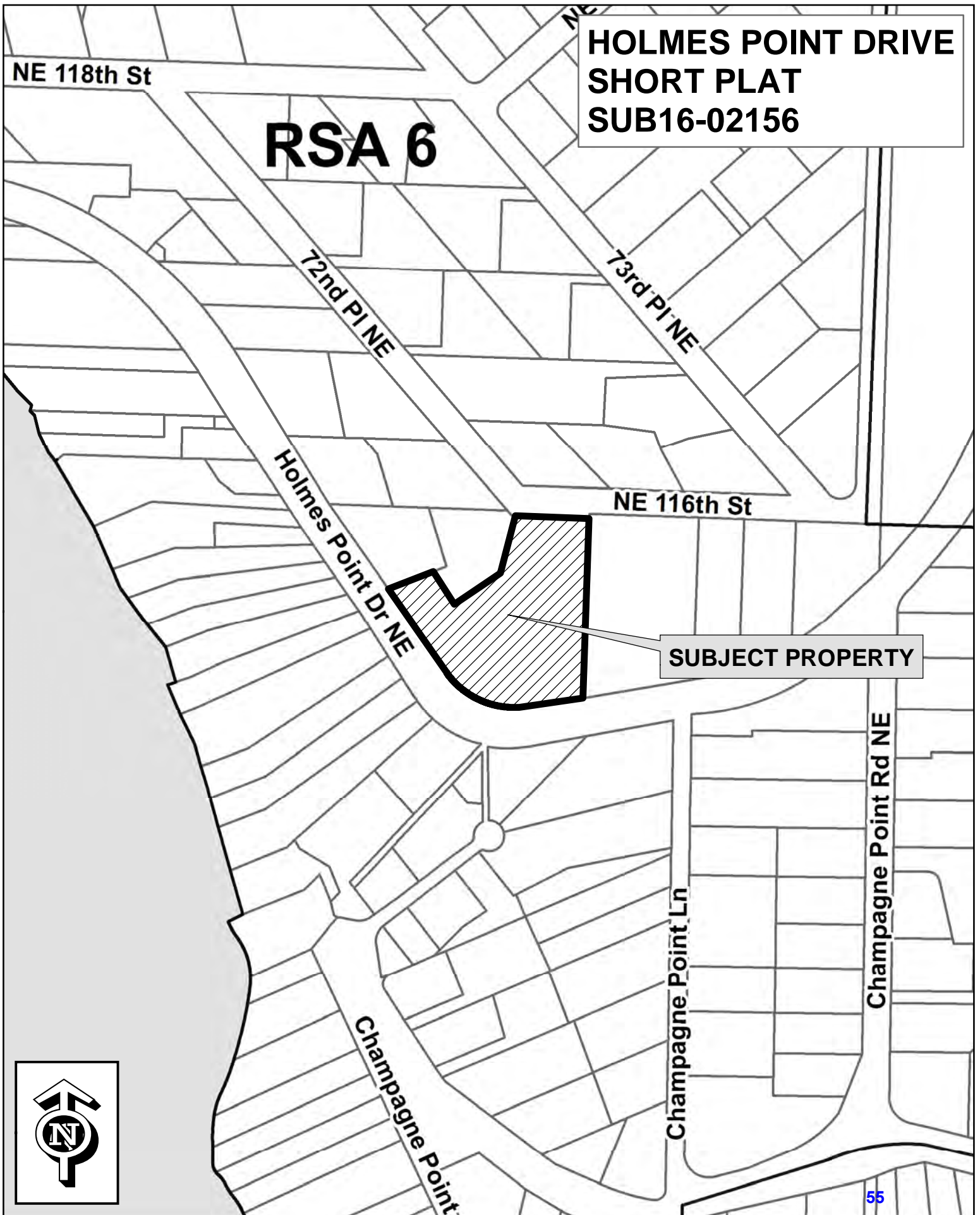
IX. APPENDICES

Attachments 1 through 12 are attached.

1. Vicinity Map
2. Plans
3. Development Standards
4. Tree Plan
5. Public Comments Received During Second Comment Period (February 14, 2018 – March 12, 2018)
- 5a. Public Comments Received During First Comment Period (January 18, 2017 – February 13, 2017)
6. Preserved Grove Covenant
7. Holmes Point Overlay Zone Protected Natural Area Easement
8. City of Kirkland Geologically Hazardous Areas Map
9. Geotechnical Report, Completed by Robert Pride, dated April 24, 2015
10. Geologically Hazardous Covenant
11. Notice of Geologically Hazardous Area
12. City of Kirkland Pre-Approved Plan CK-R.16 – Typical Vehicle Turn-Around (Street Less than 200')

X. PARTIES OF RECORD

Applicant: Jerry Zhu, owner
Parties of Record
Planning and Building Department
Department of Public Works



**HOLMES POINT DRIVE
SHORT PLAT
SUB16-02156**

RSA 6

SUBJECT PROPERTY

Champagne Point Rd NE

Champagne Point Ln

Champagne Point

72nd Pl NE

73rd Pl NE

NE 118th St

NE 116th St

Holmes Point Dr NE



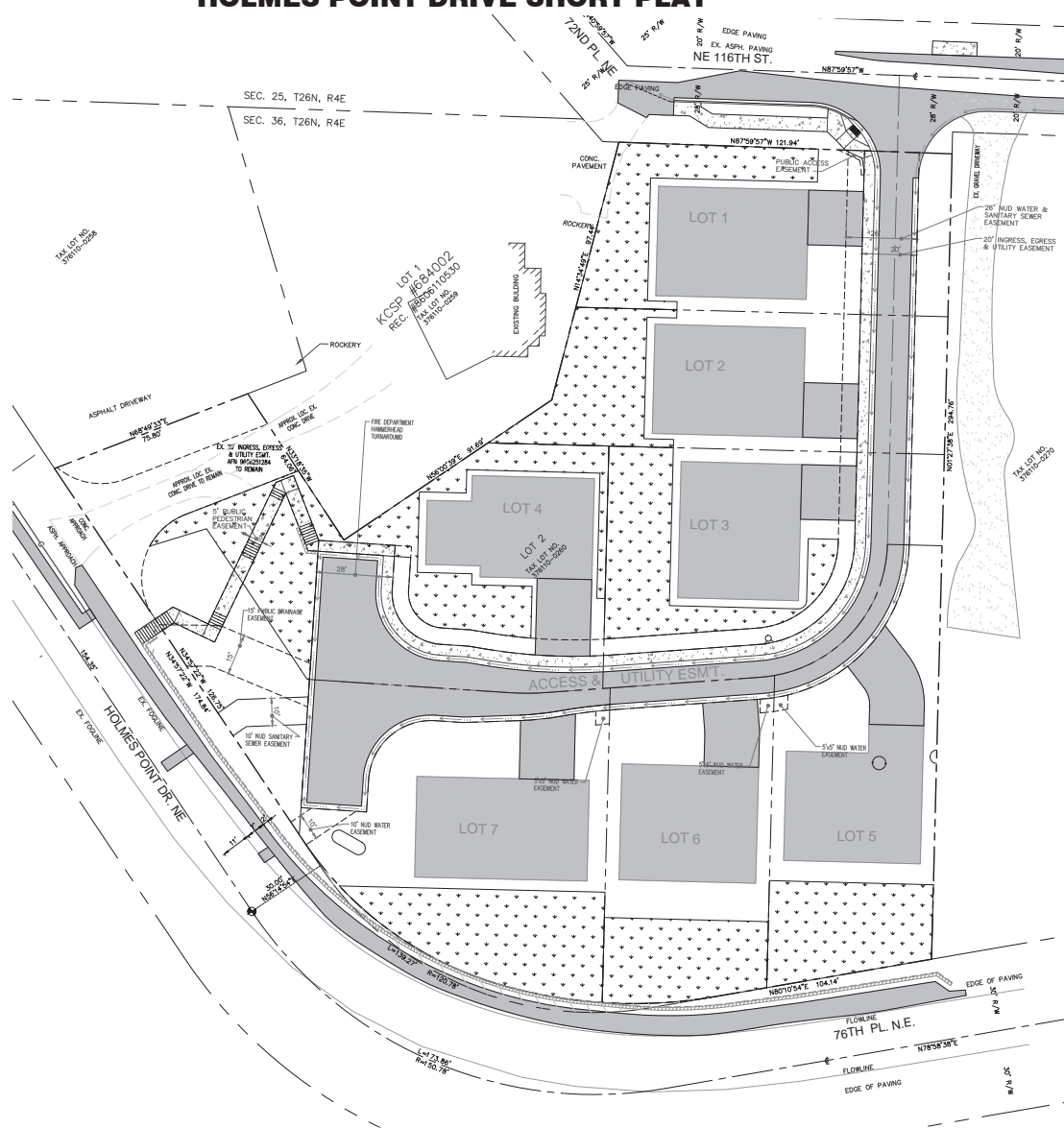
PORTION OF NW 1/4 OF SECTION 36, TOWNSHIP 26N, RANGE 4E, WM
HOLMES POINT DRIVE SHORT PLAT

LOT SIZE	MAXIMUM LOT COVERAGE
LESS THAN 6,500 SF SF	2,600 SF
6,501 SF TO 9,000 SF	1,830 SF
9,001 SF OR GREATER	2,211 SF

PROTECTED NATIVE AREA (PNA) CALCULATIONS				
LOT NO.	LOT AREA (GROSS)	LOT AREA (NET)	PNA REQD. (% OF GROSS)	PNA PROPOSED
1	7,771 SF	5,858 SF	1,943 SF	1,944 SF
2	7,320 SF	5,705 SF	1,830 SF	1,835 SF
3	8,846 SF	6,713 SF	2,211 SF	2,213 SF
4	16,015 SF	5,609 SF	4,004 SF	4,005 SF
5	7,970 SF	7,372 SF	1,993 SF	1,993 SF
6	6,956 SF	6,474 SF	1,739 SF	1,740 SF
7	10,752 SF	8,427 SF	2,688 SF	2,688 SF
TOTAL	65,630 SF	46,272 SF	16,408 SF	16,418 SF

PROTECTED NATIVE AREA DESIGNATED FOR EACH LOT IS COMPLYING

 PROPOSED CONTIGUOUS PROTECTED
NATIVE AREA (PNA) – 16,418 SF



PROJECT REF: _____

THESE PLANS ARE APPROVED FOR
CONFORMANCE WITH THE CITY OF KIRKLAND'S
ENGINEERING REQUIREMENTS.

APPROVED BY: _____

DATE APPROVED: _____

[illegible]

NOTES

DATE _____

CHKD BY

D'N'

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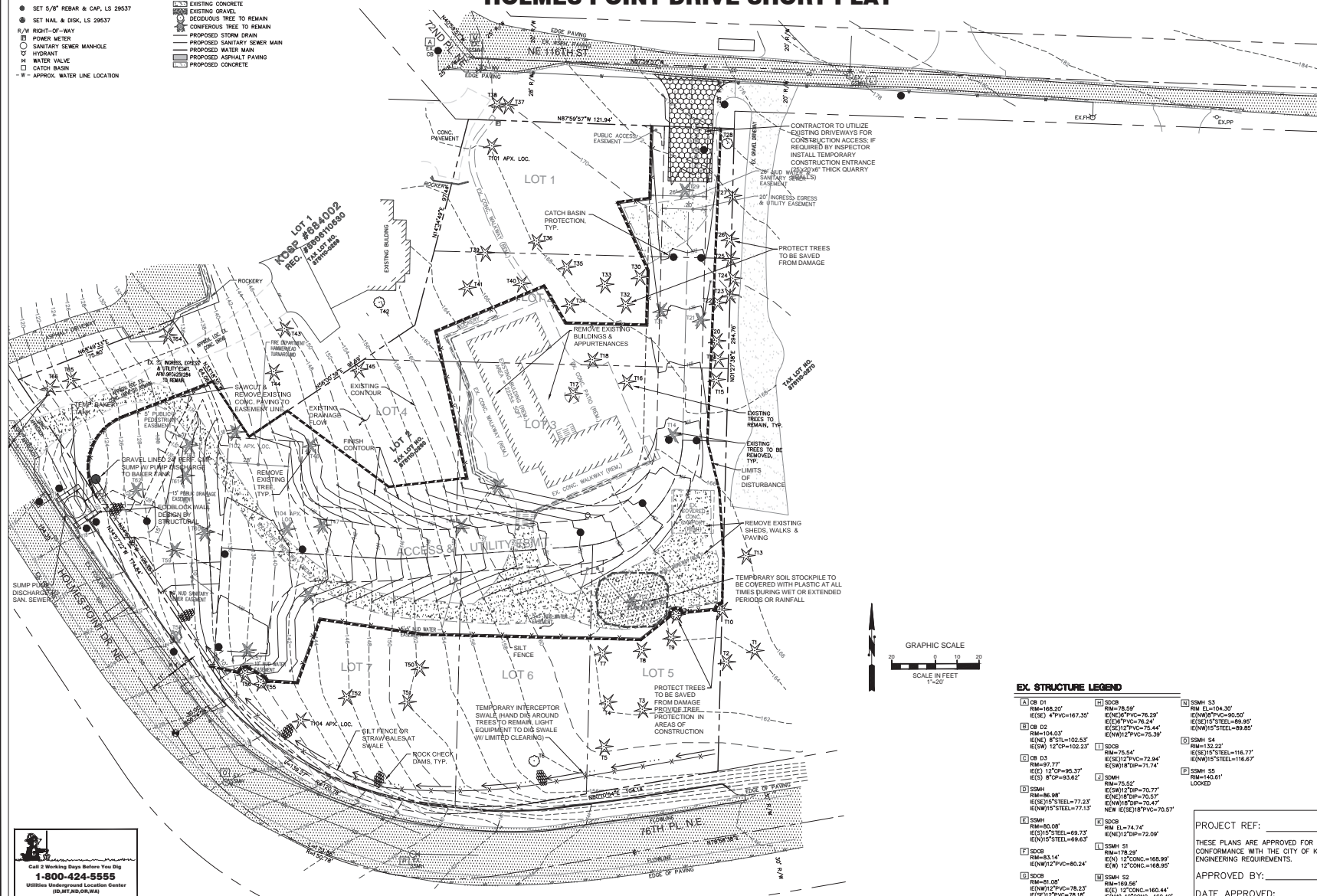
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LEGEND

● FOUND CONC. MON. IN CASE, W/NAI
○ FOUND 5/8" REBAR, AS SHOWN
● SET 5/8" REBAR & CAP, LS 29537
● SET NAIL & DISK, LS 29537

R/W RIGHT-OF-WAY
□ POWER METER
□ SANITARY SEWER MANHOLE
◇ HYDRANT
M WATER VALVE
□ CATCH BASIN
- W - APPROX. WATER LINE LOCATION

- S - APPROX. SANITARY SEWER LINE LOCATION
 - SD - APPROX. STORM DRAIN LINE LOCATION
 EXISTING ASPHALT PAVING
 EXISTING CONCRETE
 EXISTING GRAVEL
 DECIDUOUS TREE TO REMAIN
 CONIFEROUS TREE TO REMAIN
 PROPOSED STORM DRAIN
 PROPOSED SANITARY SEWER MAIN
 PROPOSED WATER MAIN
 PROPOSED ASPHALT PAVING
 PROPOSED CONCRETE



A	CR 01 RM=168.20° IE(SE) Δ PVC=167.35°	H	SPCB RM=168.20° IE(E)NE IE(W)SE IE(NW)
B	CR 02 RM=104.03° IE(NE) Δ STL=102.53° IE(SW) Δ STL=102.23°	I	SPCB RM=168.20° IE(E)NE IE(W)SE IE(NW)
C	CR 03 RM=109.77° IE(E) Δ CP=95.37° IE(S) Δ CP=93.62°	J	SMH RM=90.98° IE(E)NE IE(W)SE IE(NW)
D	SMH RM=90.98° IE(E)NE Δ STL=77.23° IE(NW) Δ STL=77.13°	K	SPCB RM=168.20° IE(E)NE IE(W)SE IE(NW)
E	SMH RM=80.08° IE(S) Δ STL=69.73° IE(N) Δ STL=69.63°	L	SMH RM=80.08° IE(E)NE IE(W)SE IE(NW)
F	SPCB RM=83.14° IE(NW) Δ PVC=80.24°	M	SMH RM=80.08° IE(E)NE IE(W)SE IE(NW)
G	SPCB RM=81.08° IE(E)NE Δ PVC=78.23° IE(SE) Δ PVC=78.18°		

THESE PLANS ARE APPROVED FOR
CONFORMANCE WITH THE CITY OF KIRKLAND'S
ENGINEERING REQUIREMENTS.

DATE APPROVED:



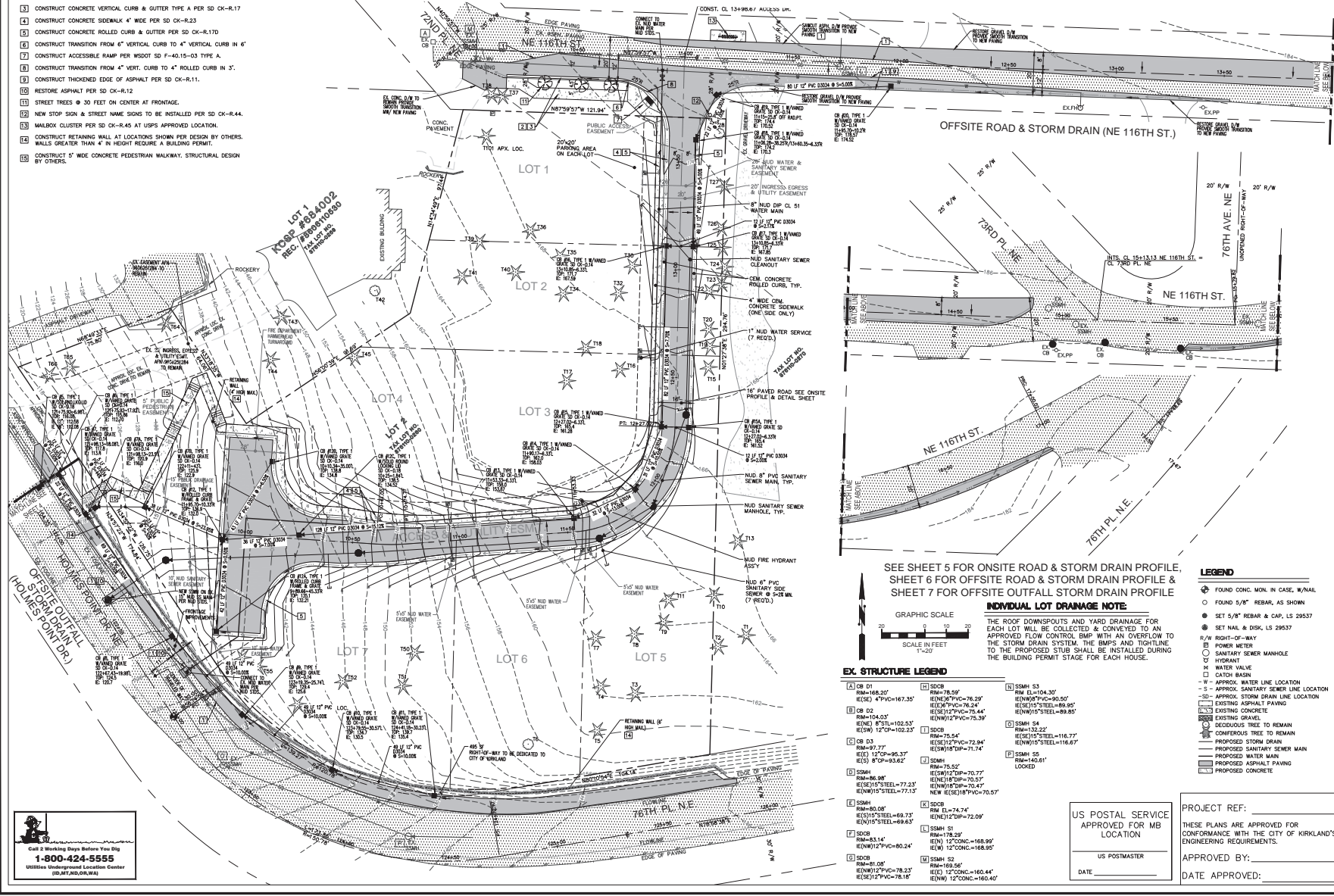
**TESC PLAN
HOLMES POINT DRIVE SHORT PLAT
KIRKLAND, WASHINGTON**
EDDY 7411

SHEET
2 of 8

SITE IMPROVEMENT NOTES

1. SAWCUT LINE TO BE A MINIMUM OF 1" OFF EXISTING EDGE OF PAVEMENT. MATCH NEW PAVING TO EXISTING & PROPOSED IMPROVEMENTS.
2. CONSTRUCT CONCRETE SIDEWALK 5' WIDE W/ PLANTER STRIP PER SD OK-R-23
3. CONSTRUCT CONCRETE VERTICAL CURB & GUTTER TYPE A PER SD OK-R-17
4. CONSTRUCT CONCRETE SIDEWALK 4' WIDE PER SD OK-R-23
5. CONSTRUCT CONCRETE ROLLED CURB & GUTTER PER SD OK-R-17D
6. CONSTRUCT TRANSITION FROM 6" VERTICAL CURB TO 4" VERTICAL CURB IN 6'
7. CONSTRUCT ACCESSIBLE RAMP PER WSDOT SD F-40.15-03 TYPE A.
8. CONSTRUCT TRANSITION FROM 4" VERT. CURB TO 4" ROLLED CURB IN 3'.
9. CONSTRUCT THICKENED EDGE OF ASPHALT PER SD OK-R-11.
10. RESTORE ASPHALT PER SD OK-R-12
11. STREET TREES @ 30 FEET ON CENTER AT FRONTAGE.
12. NEW STOP SIGN & STREET NAME SIGNS TO BE INSTALLED PER SD OK-R-44.
13. MAILBOX CLUSTER PER SD OK-R-45 AT USPS APPROVED LOCATION.
14. CONSTRUCT RETAINING WALL AT LOCATIONS SHOWN PER DESIGN BY OTHERS. WALLS GREATER THAN 4' IN HEIGHT REQUIRE A BUILDING PERMIT.
15. CONSTRUCT 5' WIDE CONCRETE PEDESTRIAN WALKWAY. STRUCTURAL DESIGN BY OTHERS.

PORTION OF NW 1/4 OF SECTION 36, TOWNSHIP 26N, RANGE 4E, WM HOLMES POINT DRIVE SHORT PLAT



SEE SHEET 5 FOR ONSITE ROAD & STORM DRAIN PROFILE.
SHEET 6 FOR OFFSITE ROAD & STORM DRAIN PROFILE &
SHEET 7 FOR OFFSITE OUTFALL STORM DRAIN PROFILE

INDIVIDUAL LOT DRAINAGE NOTE

THE ROOF DOWNSPOUTS AND YARD DRAINAGE FOR EACH LOT WILL BE COLLECTED & CONVEYED TO AN APPROVED FLOW CONTROL BMP WITH AN OVERFLOW TO THE STORM DRAIN SYSTEM. THE BMPs AND TIGHTLINE TO THE PROPOSED STUB SHALL BE INSTALLED DURING THE BUILDING PERMIT STAGE FOR EACH HOUSE.

EX. STRUCTURE LEGEND

- | | | |
|--|--|--|
| <p>A) SDB RM=168.20' E(NE) 4°PVC=167.35' E(NE) 4°PVC=167.35' E(NE) 4°PVC=167.35'</p> <p>B) SDB RM=168.20' E(NE) 4°PVC=167.35' E(NE) 4°PVC=167.35' E(NE) 4°PVC=167.35'</p> <p>C) SDB RM=168.20' E(NE) 4°PVC=167.35' E(NE) 4°PVC=167.35' E(NE) 4°PVC=167.35'</p> <p>D) SDB RM=168.20' E(NE) 4°PVC=167.35' E(NE) 4°PVC=167.35' E(NE) 4°PVC=167.35'</p> <p>E) SDB RM=168.20' E(NE) 4°PVC=167.35' E(NE) 4°PVC=167.35' E(NE) 4°PVC=167.35'</p> | <p>F) SDB RM=168.20' E(NE) 4°PVC=167.35' E(NE) 4°PVC=167.35' E(NE) 4°PVC=167.35'</p> <p>G) SDB RM=168.20' E(NE) 4°PVC=167.35' E(NE) 4°PVC=167.35' E(NE) 4°PVC=167.35'</p> <p>H) SDB RM=168.20' E(NE) 4°PVC=167.35' E(NE) 4°PVC=167.35' E(NE) 4°PVC=167.35'</p> <p>I) SDB RM=168.20' E(NE) 4°PVC=167.35' E(NE) 4°PVC=167.35' E(NE) 4°PVC=167.35'</p> <p>J) SDB RM=168.20' E(NE) 4°PVC=167.35' E(NE) 4°PVC=167.35' E(NE) 4°PVC=167.35'</p> | <p>K) SDB RM=168.20' E(NE) 4°PVC=167.35' E(NE) 4°PVC=167.35' E(NE) 4°PVC=167.35'</p> <p>L) SDB RM=168.20' E(NE) 4°PVC=167.35' E(NE) 4°PVC=167.35' E(NE) 4°PVC=167.35'</p> <p>M) SDB RM=168.20' E(NE) 4°PVC=167.35' E(NE) 4°PVC=167.35' E(NE) 4°PVC=167.35'</p> <p>N) SDB RM=168.20' E(NE) 4°PVC=167.35' E(NE) 4°PVC=167.35' E(NE) 4°PVC=167.35'</p> <p>O) SDB RM=168.20' E(NE) 4°PVC=167.35' E(NE) 4°PVC=167.35' E(NE) 4°PVC=167.35'</p> |
|--|--|--|

- LEGEND**
- FOUND CONC. MON. IN CASE, W/AL
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 - PROPOSED WATER MAIN
 - PROPOSED ASPHALT PAVING
 - PROPOSED CONCRETE

US POSTAL SERVICE
APPROVED FOR MB
LOCATION

US POSTMASTER
DATE

PROJECT REF:
THESE PLANS ARE APPROVED FOR CONFORMANCE WITH THE CITY OF KIRKLAND'S ENGINEERING REQUIREMENTS.

APPROVED BY:
DATE APPROVED:



LITCHFIELD ENGINEERING
2540 1ST AVENUE NE
KIRKLAND, WA 98034
Tel: 425.824.0000
Fax: 425.824.0000

**SITE IMPROVEMENT PLAN
HOLMES POINT DRIVE SHORT PLAT
KIRKLAND, WASHINGTON**

**SHEET
3 of 9**

JOB No.



CITY OF KIRKLAND
Planning and Building Department
 123 5th Avenue, Kirkland, WA 98033
 425.587.3600 - www.kirklandwa.gov

SHORT PLAT DEVELOPMENT STANDARDS LIST

File: SUB15-02156

This application must comply with all applicable standards. The listing below outlines those standards in a typical development sequence.

KMC refers to Kirkland Municipal Code, KZC refers to Kirkland Zoning Code

TREE PLAN SUMMARY

KMC 22.28.210 & KZC 95.30 Significant Trees.

A Tree Retention Plan was submitted with the short plat. During the review of the short plat, all proposed improvements were unknown. Therefore, KZC Section 95.30 (6)(a) – Phased Review applies in regard to tree retention. There are 57 significant trees on the site, of which 54 are viable. These trees have been assessed by staff and the City's Arborist. They are identified by number in the following chart.

Significant Trees:	High Retention Value	Moderate Retention Value	Low Retention Value (V) – viable (NV) – not viable
3	X		
4	X		
5	X		
6		X	
7	X		
8	X		
9	X		
11	X		
12	X		
14		X	
15	X		
16		X	
17		X	
18		X	
19	X		
20	X		
21		X	
22	X		
23			NV
25	X		
26	X		
28	X		

29		X	
30	X		
31		X	
32			NV
33	X		
34	X		
35	X		
36	X		
39	X		
40	X		
41	X		
45	X		
46		X	
47		X	
48		X	
49		X	
50	X		
51		X	
52	X		
53		X	
55	X		
56			NV
57	X		
59	X		
60	X		
61	X		
62	X		
63	X		
64	X		
65	X		
66	X		
101		X	
102	X		
103	X		
104		X	

Subject Property:

Groves

There are five groves on site (see Figure 1 below). It is recommended due to the number of groves and their location, to refrain from recording them on the final short plat documents. Consideration for preservation of the groves should occur at each phase of the development at least through the grading permit. Subsequent plans should show all proposed improvements, such as the stormwater vault, and the applicant's arborist should revise the tree plan accordingly.

Conflicts between trees and utilities: Yes ☒ No ☐ The SW grove will need to be entirely removed in order to construct the storm water vault.

The arborist report is accurate although in examining tree #51 the weak attachment was not apparent. There has been recent branch failure including some indications of decay (*Neofusicoccum arbuti*) causing branch die-back but it does not appear extensive throughout the tree at this time.

Protected Natural Areas (PNAs)

For the most part the PNAs on the site appear to be reasonable given the future development. However, the PNA on Lot 5 is recommended under KZC 70.15.4The PNA on lot 5 which is 5' wide and immediately adjacent to the structure is recommended to be rejected due to its lack of available space to meet the minimum vegetation conditions of the protected natural area set forth in KZC 70.15 (4). The rest of the PNA's appear to be reasonable given the future development. The proposed PNA's contain a significant amount of noxious weeds but that is true of the edges throughout the parcel. One suggestion to improve the habitat value of the PNA's is to continue the PNA along the southwest property line of lot 4 and the drainage easement to promote mobility of large mammals along the road corridor, up and downslope, either towards the lake or OO Denny Park. See figure 2.

Adjacent Property:

Right-of-way or parks trees impacted: Yes ☒ No ☐ Discuss: Trees 37 and 38 are likely to be impacted by the development of lot 1 but this is unlikely to be detrimental if tree protection measures are maintained throughout the construction process.

Trees on adjoining property impacted: Yes ☒ No ☐ Discuss: Tree #2 and 24 are the neighbor's trees that are most likely to be detrimentally impacted by the development of this property. Tree #2 is likely to suffer because of the excavation for the house on lot 5 and tree #24 because of the driveway and utility trenching to its west.

Additional Notes from Arborist's Review:

1. Reduction of the hammerhead turnaround could save additional trees. Use retaining walls to eliminate the need for grading within these trees LOD's
#102 and #46 – 15' reduction on the north side
#55 – 5' reduction on the south side
2. When the public access stairs design is proposed, we will be requesting a stairway design that allows for retention of trees 61 and 63.
3. At the LSM stage we will need LOD's for the following trees: 55, 65, 66



No trees are to be removed with an approved short plat or subdivision permit. Based on the approved Tree Retention Plan, the applicant shall retain and protect all viable trees throughout the development of each single-family lot except for those trees allowed to be removed for the installation of the plat infrastructure improvements with an approved Land Surface Modification permit. Subsequent approval for tree removal is granted for the construction of the house and other associated site improvements with a required Building Permit. The Planning Official is authorized to require site plan alterations to retain High Retention value trees at each stage of the project. In addition to retaining viable trees, new trees may be required to meet the minimum tree density per KZC Section 95.33.

PRIOR TO RECORDING

KMC 22.20.362 Short Plat - Title Report. The applicant shall submit a title company certification which is not more than 30 calendar days old verifying ownership of the subject property on the date that the property owner(s) (as indicated in the report) sign(s) the short plat documents; containing a legal description of the entire parcel to be subdivided; describing any easements or restrictions affecting the property with a description, purpose and reference by auditor's file number and/or recording number; any encumbrances on the property; and any delinquent taxes or assessments on the property.

KMC 22.20.366 Short Plat - Lot Corners. The exterior short plat boundary and all interior lot corners shall be set by a registered land surveyor. If the applicant submits a bond for construction of short plat improvements and installation of permanent interior lot corners, the City may allow installation of temporary interior lot corners until the short plat improvements are completed.

KMC 22.20.390 Short Plat - Improvements. The owner shall complete or bond all required right-of-way, easement, utility and other similar improvements.

KMC 22.28.110-130 Vehicular Access Easements. Municipal Code sections 22.28.110 and 22.28.130 establish that if vehicular access within the plat is provided by means other than rights-of-way, the plat must establish easements or tracts, compliant with Zoning Code Section 105.10, which will provide the legal right of access to each of the lots served.

KZC 95.50.3 Maintenance of Preserved Grove. The applicant shall provide a legal instrument acceptable to the City ensuring the preservation in perpetuity of approved groves of trees to be retained.

KMC 22.32.010 Utility System Improvements. All utility system improvements must be designed and installed in accordance with all standards of the applicable serving utility.

KMC 22.32.020 Water System. The applicant shall install a system to provide potable water, adequate fire flow and all required fire-fighting infrastructure and appurtenances to each lot created.

KMC 22.32.030 Stormwater Control System. The applicant shall comply with the construction phase and permanent stormwater control requirements of the Municipal Code.

KMC 22.32.040 Sanitary Sewer System. The developer shall install a sanitary sewer system to serve each lot created.

KMC 22.32.050 Transmission Line Undergrounding. The applicant shall comply with the utility lines and appurtenances requirements of the Zoning Code.

KMC 22.32.080 Performance Bonds. In lieu of installing all required improvements and components as part of a plat or short plat, the applicant may propose to post a bond, or submit evidence that an adequate security device has been submitted and accepted by the service provider (City of Kirkland and/or Northshore Utility District), for a period of one year to ensure completion of these requirements within one year of plat/short plat approval.

LAND SURFACE MODIFICATION AND/OR BUILDING PERMIT REQUIREMENTS

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

KZC 85.45 Liability. The applicant shall enter into an agreement with the City, which runs with the property, in a form acceptable to the City Attorney, indemnifying the City for any damage resulting from development activity on the subject property which is related to the physical condition of the property (see Attachment 7).

KZC 95.35.2.b.(3)(b)i Tree Protection Techniques. A description and location of tree protection measures during construction for trees to be retained must be shown on demolition and grading plans.

KZC 95.34 Tree Protection. Prior to development activity or initiating tree removal on the site, vegetated areas and individual trees to be preserved shall be protected from potentially damaging activities. Protection measures for trees to be retained shall include (1) placing no construction material or equipment within the protected area of any tree to be retained; (2) providing a visible temporary

protective chain link fence at least 4 feet in height around the protected area of retained trees or groups of trees until the Planning Official authorizes their removal; (3) installing visible signs spaced no further apart than 15 feet along the protective fence stating "Tree Protection Area, Entrance Prohibited" with the City code enforcement phone number; (4) prohibiting excavation or compaction of earth or other damaging activities within the barriers unless approved by the Planning Official and supervised by a qualified professional; and (5) ensuring that approved landscaping in a protected zone shall be done with light machinery or by hand.

KZC 95.45 Tree Installation Standards. All supplemental trees to be planted shall conform to the Kirkland Plant List. All installation standards shall conform to Kirkland Zoning Code Section 95.45.

KZC 110.60.5 Street Trees. All trees planted in the right-of-way must be approved as to species by the City. All trees must be two inches in diameter at the time of planting as measured using the standards of the American Association of Nurserymen with a canopy that starts at least six feet above finished grade and does not obstruct any adjoining sidewalks or driving lanes.

KZC 95.52 Prohibited Vegetation. Plants listed as prohibited in the Kirkland Plant List shall not be planted in the City.

KZC 105.10 Vehicular Access Easements or Tracts. The access easement or tract shall be 20 feet wide and contain a paved surface 12 feet in width. The access easement or tract shall be screened from the adjacent property to the EAST with a minimum vegetation that will provide comparable screening to a five-foot fence within two years of planting; along the entire easement or tract outside the required front yard.

105.10.2 Pavement Setbacks. The paved surface in an access easement or tract shall be set back at least 5 feet from any adjacent property which does not receive access from that easement or tract. An access easement or tract that has a paved area greater than 10 feet in width must be screened from any adjacent property that does not receive access from it. Screening standards are outlined in this section.

KZC 105.19 Public Pedestrian Walkways. The height of solid (blocking visibility) fences along pedestrian pathways that are not directly adjacent a public or private street right-of-way shall be limited to 42 inches unless otherwise approved by the Planning or Public Works Directors. All new building structures shall be setback a minimum of five feet from any pedestrian access right-of-way, tract, or easement that is not directly adjacent a public or private street right-of-way. If in a design district, see section and Plate 34 for through block pathways standards.

KZC 105.47 Required Parking Pad. Except for garages accessed from an alley, garages serving detached dwelling units in low density zones shall provide a minimum 20-foot by 20-foot parking pad between the garage and the access easement, tract, or right-of-way providing access to the garage.

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

KZC 115.40 Fence Location. Fences over 6 feet in height may not be located in a required setback yard. A detached dwelling unit abutting a neighborhood access or collector street may not have a fence over 3.5 feet in height within the required front yard. No fence may be placed within a high waterline setback yard or within any portion of a north or south property line yard, which is coincident with the high waterline setback yard.

KZC 115.42 Floor Area Ratio (F.A.R.) Limits. Floor area for detached dwelling units is limited to a maximum floor area ratio in low density residential zones. See Use Zone charts for the maximum percentages allowed. This regulation does not apply within the disapproval jurisdiction of the Houghton Community Council.

KZC 115.43 Garage Requirements for Detached Dwelling Units in Low Density Zones. Detached dwelling units served by an open public alley, or an easement or tract serving as an alley, shall enter all garages from that alley. Whenever practicable, garage doors shall not be placed on the front façade of

the house. Side-entry garages shall minimize blank walls. For garages with garage doors on the front façade, increased setbacks apply, and the garage width shall not exceed 50% of the total width of the front façade. These regulations do not apply within the disapproval jurisdiction of the Houghton Community Council. Section 115.43 lists other exceptions to these requirements.

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

KZC 115.90 Calculating Lot Coverage. The total area of all structures and pavement and any other impervious surface on the subject property is limited to a maximum percentage of total lot area. See the Use Zone charts for maximum lot coverage percentages allowed. Section 115.90 lists exceptions to total lot coverage calculations. See Section 115.90 for a more detailed explanation of these exceptions.

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

KZC 115.115 Required Setback Yards. This section establishes what structures, improvements and activities may be within required setback yards as established for each use in each zone.

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

KZC 115.115.3.n Covered Entry Porches. In residential zones, covered entry porches on dwelling units may be located within 13 feet of the front property line if certain criteria in this section are met. This incentive is not effective within the disapproval jurisdiction of the Houghton Community Council.

KZC 115.115.3.o Garage Setbacks. In low density residential zones, garages meeting certain criteria in this section can be placed closer to the rear property line than is normally allowed in those zones.

KZC 115.115.3.p HVAC and Similar Equipment: These may be placed no closer than five feet of a side or rear property line, and shall not be located within a required front yard; provided, that HVAC equipment may be located in a storage shed approved pursuant to subsection (3)(m) of this section or a garage approved pursuant to subsection (3)(o)(2) of this section. All HVAC equipment shall be baffled, shielded, enclosed, or placed on the property in a manner that will ensure compliance with the noise provisions of KZC 115.95.

KZC 115.115.5.a Driveway Width and Setbacks. For a detached dwelling unit, a driveway and/or parking area shall not exceed 20 feet in width in any required front yard, and shall be separated from other hard surfaced areas located in the front yard by a 5-foot wide landscape strip. Driveways shall not be closer than 5 feet to any side property line unless certain standards are met.

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

KZC 145.22.2 Public Notice Signs. Within seven (7) calendar days after the end of the 21-day period following the City's final decision on the permit, the applicant shall remove all public notice signs.

PRIOR TO OCCUPANCY

KZC 95.50.2.b Tree Maintenance. For detached dwelling units, the applicant shall submit a 5-year tree maintenance agreement to the Planning Department to maintain all pre-existing trees designated for preservation and any supplemental trees required to be planted.

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

FIRE DEPARTMENT COMMENTS

Contact: Grace Steuart at 425-587-3660; or gsteuart@kirklandwa.gov

Due to access, a 13D sprinkler system is required to be installed throughout all houses (this includes Lot 1 which is on NE 116th, a substandard ROW). A separate permit is required from the Fire Department prior to installation. Submit three sets of plans, specifications and calculations for approval; or permit may be applied for on line at MyBuildingPermit.com. All plans shall be designed and stamped by a person holding a State of Washington Certificate of Competency. The systems shall be installed by a state licensed sprinkler contractor.

This project is in Northshore Utility District. Before submitting fire sprinkler plans to the Kirkland Fire Department, please contact NUD to discuss the requirements for backflow prevention for the type of system to be installed (i.e. standard 13D or flow-through/multipurpose).

The new hydrant on the site as well as the existing hydrant east of the property on NE 116th shall be equipped with 5" Storz fittings.

BUILDING DEPARTMENT CONDITIONS

Contact: Tom Jensen – tjensen@kirklandwa.gov

1. A geotechnical report is required to address commercial development activity. The report must be prepared by a Washington State licensed Professional Engineer. Recommendations contained within the report shall be incorporated into the design of the Short Plat and subsequent structures.
2. Prior to issuance of Building, Demolition or Landsurface Modification permit applicant must submit a proposed rat baiting program for review and approval. Kirkland Municipal Ordinance 9.04.040
3. A demolition permit is required for removal of existing structures.
4. Plumbing meter and service line shall be sized in accordance with the current UPC. We are currently using the 2012 edition.
5. Any vault or retaining wall will require a separate permit.
6. Building permits must comply with the International Building, Residential and Mechanical Codes and the Uniform Plumbing Code as adopted and amended by the State of Washington and the City of Kirkland. Kirkland currently has adopted the 2012 editions.
7. Structures must comply with International Energy Conservation Code as adopted and amended by the State of Washington. We are currently using the 2012 edition.
8. Kirkland reviews, issues and inspects all electrical permits in the city. Kirkland currently uses the 2014 Washington Cities Electrical Code chapters 1 and 3 as published by WABO.
9. Structures must be designed for seismic design category D, wind speed of 85 miles per hour and Exposure C if within 1500 feet of the shoreline of Lake Washington (Lot 1) or Exposure D if within 600 feet of the shoreline of Lake Washington (Lot 2 – Lot 6).

PUBLIC WORKS CONDITIONS

Permit #: SUB15-02156

Project Name: Holmes Point Drive Short Plat

Project Address: 11530 Holmes Point Drive

Date: (Revised) March 6, 2019

Public Works Staff Contacts

Tuan Phan, Development Engineer

Phone: 425-587-3843 / E-mail: tphan@kirklandwa.gov

General Conditions:

1. All public improvements associated with this project including street and utility improvements, must meet the City of Kirkland Public Works Pre-Approved Plans and Policies Manual. A Public Works Pre-Approved Plans and Policies manual can be purchased from the Public Works Department, or it may be retrieved from the Public Works Department's page at the City of Kirkland's web site.
 2. This project will be subject to Public Works Permit and Connection Fees. It is the applicant's responsibility to contact the Public Works Department by phone or in person to determine the fees. The applicant should anticipate the following fees:
 - o Water and Sewer connection fees are collected by Northshore Utility District
 - o Surface Water Connection Fees *
 - o Septic Tank Abandonment Inspection Fee
 - o Right-of-way Fee
 - o Review and Inspection Fee
 - o Building Permits associated with this proposed project will be subject to the traffic, park, and school impact fees per Chapter 27 of the Kirkland Municipal Code. The impact fees shall be paid prior to issuance of the Building Permit(s). Any existing buildings within this project which are demolished will receive a Traffic Impact Fee credit, Park Impact Fee Credit and School Impact Fee Credit. This credit will be applied to the first Building Permits that are applied for within the project. The credit amount for each demolished building will be equal to the most currently adopted Fee schedule.
- * Fee to be paid with the issuance of a Building Permit.
3. All street and utility improvements shall be permitted by obtaining a Land Surface Modification (LSM) Permit, including the required LSM Checklist.
 4. Submittal of Building Permits within a subdivision prior to recording:
 - Submittal and Issuance of a Building Permit with an existing legal building site prior to subdivision recording.
- A. Submittal - A Building Permit can be submitted prior to recording of the subdivision for each existing legal building site in the subject subdivision if one the following is met:
- I. A complete Building Permit shall include all the required utility and street improvement engineering for the legal building site; or,

II. A separate complete LSM Permit has been applied for prior to or at the same time that Building Permit is applied for that includes all of the required utility and street improvement engineering.

III. The Building Permit shall comply with applicable codes for that legal building site.

B. Issuance – The Building Permit will be reviewed and approved for issuance (the Building Department determines when the permit can be issued) by the Public Works Department if the following conditions are met:

I. The utility and street improvement engineering was reviewed with the Building Permit; or,

II. The LSM is approved before the Building Permit is issued; or,

III. The Development Engineer determines that the LSM review is substantially complete to allow the Building Permit issuance. In this case the Development Engineer may opt to add special conditions to the new Building Permit related to utility and street improvement engineering that must be completed prior to final inspection of the Building.

- Submittal of Building Permits within an Integrated Development Plan (IDP): If the subdivision is using the IDP process, the Building Permits for the new homes can only be submitted after the LSM Permit has been submitted, reviewed, and approved. Note: The application date of this short plat vested the project prior to the mandatory IDP requirement set by moratorium interim Ordinance 4584 that prohibits the City from accepting short plat and subdivision applications with phased tree retention review per KZC 95.30.6a. The applicant will need to meet all HPO requirements per KZC Chapter 70.

- Submittal of a Building Permit within a standard subdivision (non IDP): If the subdivision is not using the IDP process, the Building Permits for the new houses can be applied for after the subdivision is recorded and the LSM permit has been submitted, reviewed, and approved.

- Review of Expedited or Green Building Permits: A new single family Building Permit within a subdivision can only be applied for after the subdivision is recorded and will only be reviewed as an expedited or green building fast track if submitted electronically through MBP and the LSM permit has been submitted, reviewed, and approved.

5. Subdivision Performance and Maintenance Securities:

- The subdivision can be recorded in advance of installing all the required street and utility improvements by posting a performance security equal to 130% of the value of work. This security amount will be determined by using the City of Kirkland's Improvement Evaluation Packet (available in either Excel or PDF). Contact the Development Engineer assigned to this project to assist with this process.

- If a recording Performance Security has not yet been posted, then prior to issuance of the LSM Permit a standard right of way restoration security ranging from \$10,000.00 to 30,000.00 (value determined based on amount of ROW disruption) shall be posted with Public Works Department. This security will be held until the project has been completed.

- Prior to Final Inspection of the Land Surface Modification improvements, there will be a condition of the permit to establish a two year Maintenance security.

6. This project is exempt from concurrency review.

7. All civil engineering plans which are submitted in conjunction with a building, grading, or right-of-way permit must conform to the Public Works Policy G-7, Engineering Plan Requirements. This policy is contained in the Public Works Pre-Approved Plans and Policies manual.

8. All street improvements and underground utility improvements (storm, sewer, and water) must be designed by a Washington State Licensed Engineer; all drawings shall bear the engineers stamp.

9. All plans submitted in conjunction with a building, grading or right-of-way permit must have elevations which are based on the King County datum only (NAVD 88).

10. A completeness check meeting is required prior to submittal of any Building Permit applications.

11. The required tree plan shall include any significant tree in the public right-of-way along the property frontage.

12. All subdivision recording documents shall include the following language:

o Utility Maintenance: Each property owner shall be responsible for maintenance of the sanitary sewer, storm water stub, rain garden, permeable pavement, or any infiltration facilities (known as Low Impact Development) from the point of use on their own property to the point of connection in the City sanitary sewer main or storm water main. Any portion of a sanitary sewer, surface water stub, rain garden, permeable pavement, or any infiltration facilities, which jointly serves more than one property, shall be jointly maintained and repaired by the property owners sharing such stub. The joint use and maintenance shall “run with the land” and will be binding on all property owners within this subdivision, including their heirs, successors and assigns.

o Public Right-of-way Sidewalk and Vegetation Maintenance: Each property owner shall be responsible for keeping the sidewalk abutting the subject property clean and litter free. The property owner shall also be responsible for the maintenance of the vegetation within the abutting landscape strip. The maintenance shall “run with the land” and will be binding on all property owners within this subdivision, including their heirs, successors and assigns.

If the lots have on-site private storm water facilities, include this language on the subdivision recording document:

o Maintenance of On-site Private Stormwater Facilities: Each Lot within the Subdivision has a stormwater facility (infiltration trench, dry wells, dispersion systems, rain garden, and permeable pavement) which is designed to aid storm water flow control for the development. The stormwater facility within the property shall be owned, operated and maintained by the Owner. The City of Kirkland shall have the right to ingress and egress the Property for inspection of and to reasonable monitoring of the performance, operational flows, or defects of the stormwater/flow control facility.

If the City of Kirkland determines related maintenance or repair work of the stormwater facility is required, the City of Kirkland shall give notice to the Owner of the specific maintenance and/or repair work required. If the above required maintenance or repair is not completed within the time set by the City of Kirkland, the City of Kirkland may perform the required maintenance or repair, or contract with a private company capable of performing the stormwater facility maintenance or repair and the Owner will be required to reimburse the City for any such work performed.

The Owner is required to obtain written approval from the City of Kirkland prior to replacing, altering, modifying or maintaining the storm water facility.

If the project contains LID storm improvements that will be installed as a condition of the new home Building Permit, then include this condition on the Short Plat recording documents:

o Installation of Low Impact Development (LID) storm drainage improvements with Building Permits: All LID storm drainage features depicted on Sheet ____ of ____ of issued permit LSM1X-0XXXX shall be installed in conjunction with the construction of each new home on lots X to X. The LID improvements include, but are not limited to the rain gardens and the pervious driveways. The Building Permit for the new signal family home on lots X to X will not receive a final inspection until said LID improvements are installed. The pervious access road/Tract serving lots X and X shall be constructed or secured by a performance bond prior to recording of the short plat

Sanitary Sewer and Water System Conditions:

1. Northshore Utility District approval required for water and sewer service. A letter of sewer and water availability is required; call N.U.D at 425-398-4400.

Surface Water Conditions:

1. ADDED 9/11/2018: Per communications with the project's civil engineer / site designer in July – September 2018, the following surface water design and analysis requirements are

included for clarification, and memorialize the requirements in the City's Staff Report for the Short Plat application approval:

- The project must perform direct discharge analysis (capacity and backwater) as communicated to Keith Litchfield via email on 9/11/2018. Perform the analyses prior to LSM permit submittal.
- The City plans to upgrade the stormwater outfall downstream of this short plat. The project is in the engineering design phase. This short plat is planning to connect to the public drainage system utilizing this outfall. Therefore, the short plat cannot record and the LSM permit cannot be issued until the outfall upgrade project has started. The anticipated project start timeframe is June 2019.

2. Limited Vesting in 2009 King County Surface Water Design Manual. All projects vested as of December 31, 2016 are subject to the 2009 King County Surface Water Design Manual; provided that construction on the project must be started before January 1, 2022. If construction is not started before January 1, 2022, then the project shall comply with the most currently adopted Surface Water Design Manual, as required by the State Department of Ecology.

3. Provide temporary and permanent storm water control per the 2009 King County Surface Water Design Manual and the Kirkland Addendum (Policy D-10). See Policies D-2 and D-3 in the PW Pre-Approved Plans for drainage review information, or contact city of Kirkland Surface Water staff at (425) 587-3800 for help in determining drainage review requirements. Summarized below are the levels of drainage review based on site and project characteristics:

- Full Drainage Review
 - ☐ A full drainage review is required for any proposed project, new or redevelopment, that will:
 - ☐ Adds 5,000ft² or more of new impervious surface area or 10,000ft² or more of new plus replaced impervious surface area,
 - ☐ Propose 7,000ft² or more of new pervious surface or,
 - ☐ Be a redevelopment project on a single or multiple parcel site in which the total of new plus replaced impervious surface area is 5,000ft² or more and whose valuation of proposed improvements (including interior improvements but excluding required mitigation and frontage improvements) exceeds 50% of the assessed value of the existing site improvements.

4. Please address the following items in the submittal for the LSM:

- Revise calculations to account for all areas that bypass the vault as bypass.
- Show the locations of all vault accesses and associated access drives.

5. A preliminary drainage report (Technical Information Report) must be submitted with the subdivision application. This must include a downstream analysis for all projects (except for Basic and Simplified Drainage Review projects). Provide a level one off-site analysis per Core Requirement #2 of the KCSWDM.

6. This project is in a Level 1 Flow Control Area (Potential Direct Discharge), and is required to comply with core drainage requirements in the KCSWDM.

- a) To qualify for direct discharge, the applicant must demonstrate (at a minimum):
- The conveyance system between the project site and Lake Washington will be comprised of manmade conveyance elements and will be within public right-of-way or a public or private drainage easement, AND
 - The conveyance system will have adequate capacity per Core Requirement #4, Conveyance System, for the entire contributing drainage area, assuming build-out conditions to current zoning for the equivalent area portion and existing conditions for the remaining area;

b) If a stormwater detention system is required, this project may be designed to Level 1 flow control standards. Existing conditions may be used as the pre-developed condition. Calculations of the existing impervious surface area for modeling shall be in accordance with the formula described in the KCSWDM.

7. Evaluate the feasibility and applicability of dispersion, infiltration, and other stormwater Low Impact Development (LID) Best Management Practices (BMPs) per the KCSWDM. If feasible, stormwater LID BMPs are required to the maximum extent feasible. If LID BMPs are infeasible, pervious pavement cannot be used to reduce overall impervious lot coverage. The Private Maintenance Agreement will be recorded on all projects that construct a stormwater LID BMP or facility, per Policy D-7.

8. Soil information may be necessary for designing LID BMPs per the KCSWDM, and there are other reasons a soil report is necessary for a project (e.g., steep slopes, sensitive areas, etc.). Refer to Policy D-8 for details.

9. Special inspections may be required for LID BMPs on this project. Provide documentation of inspections by a licensed geotechnical professional that the BMP will function as designed.

10. If the project will create or replace more than 5,000 square feet of pollution generating impervious surface (PGIS), provide water quality treatment in accordance with the KCSWDM.

11. Soil Amendment per Pre-Approved Plan E.12 is required for all landscaped areas.

12. Provide a separate storm drain connection to each lot for conveyance. All roof and driveway drainage must be tight-lined to the flow control system or utilize low impact development techniques on-site.

13. Provide collection, conveyance, and flow control for storm drainage on NE 116th St. Install a 12" public storm drain to convey runoff from NE 116th St towards the site, to the detention system, before releasing to the drainage system on Holmes Point Drive. Pipes shall reside in a 15-ft wide public drainage easement when crossing the site.

14. The City will extend storm main along Holmes Point Drive from property number #11834 to property #11656. This is part of a capital improvement project that's currently underway. This Short Plat development is required to continue the storm main extension (12" gravity storm drain), from the front of property #11656 to the Short Plat, and through the Plat's frontage. Contact the Development Engineer to obtain the City's extension plans. Please note that outfall systems on HPD associated with catch basins #27002 and # 26976 are compromised, no longer maintainable by the City, and are not suitable for connection. Provide a plan and profile design for the storm main system. Size and material of construction shall be in accordance with the City Kirkland Pre-Approved Plans and Notes. Refer to Policy D-5 for details.

- Follow-up details: Refer to Surface Water Condition #1.

15. Provide a 15' wide access easement to the storm detention control manhole; easement must be improved with 10' of asphalt and drainage control to protect against erosion.

16. If working within an existing ditch, the applicant is hereby given notice that the Army Corps of Engineers (COE) has asserted jurisdiction over upland ditches draining to streams. Either an existing Nationwide COE permit or an Individual COE permit may be necessary for work within ditches, depending on the project activities.

Applicants should obtain the applicable COE permit; information about COE permits can be found at: U.S. Army Corps of Engineers, Seattle District Regulatory Branch
<http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits.aspx>

Specific questions can be directed to: Seattle District, Corps of Engineers, Regulatory Branch, CENWS-OD-RG, Post Office Box 3755, Seattle, WA 98124-3755, Phone: (206) 764-3495

17. A Hydraulic Project Approval (HPA) from WA State Department of Fish and Wildlife (WDFW) may be required for this project. Contact Stewart Reinbold at WDFW at 425-313-5660 or stewart.reinbold@dfw.wa.gov for determination, obtain an HPA if required, and submit a copy to COK. If an HPA is not required, the applicant will be required to provide written documentation from WDFW as verification. More information on HPAs can be found at the following website: <http://wdfw.wa.gov/licensing/hpa/>

18. Construction Stormwater Pollution Prevention Plan (CSWPPP):

- All proposed projects that will conduct construction activities onsite, or offsite must provide stormwater pollution prevention and spill controls to prevent, reduce, or eliminate the discharge of pollutants (including sediment) to onsite or adjacent stormwater systems or watercourses.
- Refer to Core Requirement No. 5 in the KCSWDM and Policy D-12.
- Provide an erosion control report and plan with the Building or Land Surface Modification Permit application. The plan shall be in accordance with the KCSWDM.
- Construction drainage control shall be maintained by the developer and will be subject to periodic inspections. During the period from May 1 and September 30, all denuded soils

must be covered within 7 days; between October 1 and April 30, all denuded soils must be covered within 12 hours. Additional erosion control measures may be required based on site and weather conditions. Exposed soils shall be stabilized at the end of the workday prior to a weekend, holiday, or predicted rain event.

19. The project site is one acre or greater, the following conditions apply:

- The applicant is responsible to apply for a Construction Stormwater General Permit from Washington State Department of Ecology. Provide the City with a copy of the Notice of Intent for the permit. Permit Information can be found at the following website:
<http://www.ecy.wa.gov/programs/wq/stormwater/construction/>
- o Among other requirements, this permit requires the applicant to prepare a Storm Water Pollution Prevention Plan (SWPPP) and identify a Certified Erosion and Sediment Control Lead (CESCL) prior to the start of construction. The CESCL shall attend the City of Kirkland PW Dept. pre-construction meeting with a completed SWPPP.
- Turbidity monitoring by the developer/contractor is required for any surface water leaving the site.
- A Stormwater Pollution Prevention and Spill (SWPPS) Plan must be kept on site during all phases of construction and shall address construction-related pollution generating activities. Follow the guidelines in the Ecology Pollution Prevention Manual for plan preparation.

Street and Pedestrian Improvement Conditions:

1. The subject property abuts Holmes Point Drive (a Collector type street) and NE 116th St (a Neighborhood Access type street). Zoning Code sections 110.10 and 110.25 require the applicant to make half-street improvements in rights-of-way abutting the subject property. Section 110.30-110.50 establishes that this street must be improved with the following:

Holmes Point Drive:

- A. Widen the street pavement such that the new face of curb on the development side of the street is 17 feet from the existing yellow-lane-striping. This will create an 11-ft wide drive land and 6-ft wide shoulder. Right-of-way dedication may be required along frontage to encompass the required improvements.
- B. Install storm drainage, curb/gutter, and a 5-ft wide sidewalk along the frontage.
- C. The City is beginning a study to review the street standards for Holmes Point Drive in 2018. If the project begins design and construction before the study is complete, the Public Works Department may consider a payment in-lieu of installing the improvements, or a performance bond to allow the improvements to be installed after the study is complete.

NE 116th Street:

- A. Widen the roadway pavement on NE 116th St to 20 feet wide, including the portion between the subject property to the intersection with 76th PI NE. Along the frontage of the property, the face of curb (substituted by thickened pavement edge flow line for this project) shall be 12 feet from the centerline of right-of-way.

- B. Install drainage collection and conveyance as needed. Install thickened road edge to facilitate drainage without curb and gutter.
- C. Refer to #2 for standard modifications.

2. Holmes Point Overlay Zone Standards for Short Plats (Chapter 70.15 KZC):

Per Section 15.5.b of Chapter 70 KZC, new public or private road improvements shall be the minimum necessary to serve the development on the site in accordance with Chapter 110 KZC and Chapter 105 KZC. Pursuant to the KZC, the City will grant the following modifications to minimize the impacts and extents of development:

- A. New sidewalk, curb-gutter, and landscape strip are waived along NE 116th.
- B. No modifications are granted for Holmes Point Drive due to the pending street standard study and the alternative of fee-in-lieu of improvements installation.
- C. Private access may be modified to include rolled curbs which may slightly reduce the amount of impervious area created by the standard roadway and walkway.

3. Public Pedestrian Walkway (105.19 KZC):

Pursuant to paragraph 1.d of 105.19 KZC, provide a pedestrian concrete walkway extending from NE 116ths St to Holmes Point Drive. The pedestrian walkway shall be 5-ft wide, residing in a separate public pedestrian easement. The public pedestrian easement shall not overlap with the private access easement (a separate easement). The pedestrian walkway and its easement may narrow to 4-ft wide when installed next to a rolled curb.

4. Private Access Requirements:

- A. The private access road shall be paved 16 feet wide at a minimum, residing inside a 20-ft wide access easement. The 20-ft access easement width is meant to encompass the access combined with the rolled curbed and a small buffer between the property line when the access road is installed adjacent to a property line. Once the access curves away from the property line, the access easement may be reduced to encompass the road and the rolled curb combined.
- B. Rolled curbs are allowed for the private access road. The gutter portion of the rolled curbed (12 inches) can be considered part of the road width.
- C. At the intersection at NE 116th St and at two additional locations (pockets) along the access, provide a 20-ft wide by 20-ft long paved section to allow for two-way traffic.
- D. Provide public drainage easement for the City of Kirkland to access the stormwater facilities proposed at the end of the private access road. Install a turnaround for public maintenance vehicles and garbage trucks at the end of the private access road, in accordance with Public Works standard CK-R.16. The pavement section thickness shall be the Utility Access Road specifications, in accordance with Public Works standard CK-D.37 (3" HMA Class ½" over 4" CSTC).
- E. The driveway for each lot shall be long enough so that parked cars do not extend into any easement, tract, or right-of-way. The parking pad shall measure 20'x20'.
- F. Note: The proposed new access does not change fire department requirement for fire sprinklers on all lots.

5. Meet the requirements of the Kirkland Driveway Policy R-4.
6. Meet the requirements of the Kirkland Intersection Sight Distance Policy R.13. All street and driveway intersections shall not have any visual obstructions within the sight distance triangle.
7. When three or more utility trench crossings occur within 150 lineal ft. of street length or where utility trenches parallel the street centerline, the street shall be overlaid with new asphalt or the existing asphalt shall be removed and replaced per the City of Kirkland Street Asphalt Overlay Policy R-7.
 - Existing streets with 4-inches or more of existing asphalt shall receive a 2-inch (minimum thickness) asphalt overlay. Grinding of the existing asphalt to blend in the overlay will be required along all match lines.
 - Existing streets with 3-inches or less of existing asphalt shall have the existing asphalt removed and replaced with an asphalt thickness equal or greater than the existing asphalt provided however that no asphalt shall be less than 2-inches thick and the subgrade shall be compacted to 95% density.
8. Prior to the final of the building or grading permit, pay for the installation of stop and street signs at the new intersection. Install "NO PARKING ANYTIME" signs along the private access drive, and on the improved side of NE 116th St.
9. It shall be the responsibility of the applicant to relocate any above-ground or below-ground utilities which conflict with the project, associated street, or utility improvements.
10. Underground all new and existing on-site utility lines and overhead transmission lines. Underground any new off-site transmission lines.
11. Zoning Code Section 110.60.9 establishes the requirement that existing utility and transmission (power, telephone, etc.) lines on-site and in rights-of-way adjacent to the site must be underground. The Public Works Director may determine if undergrounding transmission lines in the adjacent right-of-way is not feasible and defer the undergrounding by signing an agreement to participate in an undergrounding project, if one is ever proposed. In this case, the Public Works Director has determined that undergrounding of existing overhead utility on Holmes Point Dr NE and NE 116th St is not feasible at this time and the undergrounding of off-site/frontage transmission lines should be deferred with a Local Improvement District (LID) No Protest Agreement. The final recorded subdivision document shall include the following note:

Local Improvement District (LID) Waiver Agreement. Chapter 110.60.7.b of the Kirkland Zoning Code requires all overhead utility lines along the frontage of the subject property to be converted to underground unless the Public Works Director determines that it is infeasible to do so at the time of the subdivision recording. If it is determined to be infeasible, then the property owner shall consent to the formation of a Local Improvement District, hereafter

formed by the City or other property owners. During review of this subdivision it was determined that it was infeasible to convert the overhead utility lines to underground along the frontage of this subdivision on Holmes Point Dr NE and NE 116th St. Therefore, in consideration of deferring the requirement to underground the overhead utility lines at the time of the subdivision recording, the property owner and all future property owners of lots within this subdivision hereby consent to the formation of a Local Improvement District hereafter formed by the City or other property owners

12. New LED street lights may be required per Puget Sound Energy design and Public Works approval. Contact the INTO Light Division at PSE for a lighting analysis. If lighting is necessary, design must be submitted prior to issuance of a grading or building permit.

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**Arborist Report
For
11530 Holmes Point Dr
Kirkland, WA**



**April 28th, 2015
Revised December 22nd, 2015**

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Appendix

Site/Tree Photos – pages 6 - 8

Tree Summary Tables - attached

Tree Plan Map – attached

City of Kirkland Tree Protection Fencing Specs - attached

1. Introduction

American Forest Management was contacted by Jerry Zhu of Sensible Builder LLC and was asked to compile an 'Arborist Report' for one parcel located within the Holmes Point Area of the City of Kirkland, WA.

The proposed development encompasses the following parcel: #3761100260, known as 11530 Holmes Point Drive. Our assignment is to prepare a written report on present tree conditions, which is to be filed with the preliminary permit application.

This report encompasses all of the criteria set forth under the City of Kirkland's tree regulations (Chapter 95 of the Kirkland Zoning Code).

Date of Field Examination: April 27th and 28th, 2015

2. Description

57 "significant" trees were identified within the parcel boundaries. The subject trees have been identified with a numbered aluminum tag. These numbers correspond with the numbers on the Tree Summary Tables and copy of the attached site plan.

There are 9 neighboring trees with drip lines that extend over the property line.

3. Methodology

Each tree in this report was visited. Tree diameters were measured by tape. The tree heights were measured using a Spiegel Relaskop. Each tree was visually examined for defects and vigor. The tree assessment procedure involves the examination of many factors:

- The crown of the tree is examined for current vigor. This is comprised of inspecting the crown (foliage, buds and branches) for color, density, form, and annual shoot growth, limb dieback and disease. The percentage of live crown is estimated for coniferous species only and scored appropriately.
- The bole or main stem of the tree is inspected for decay, which includes cavities, wounds, fruiting bodies of decay (conks or mushrooms), seams, insects, bleeding, callus development, broken or dead tops, structural defects and unnatural leans. Structural defects include crooks, forks with V-shaped crotches, multiple attachments, and excessive sweep.
- The root collar and roots are inspected for the presence of decay, insects and/or damage, as well as if they have been injured, undermined or exposed, or original grade has been altered.

Based on these factors a determination of viability is made. Trees considered 'non-viable' are trees that are in poor condition due to disease, extensive decay and/or cumulative structural defects, which exacerbate failure potential. A 'viable' tree is a tree found to be in good health, in a sound condition with minimal defects and is suitable for its location. Also, it will be wind firm if isolated or left as part of a grouping or grove of trees. A 'borderline' viable tree is a tree where its viability is in question. These are trees that are beginning to display symptoms of decline due to age, species related problems and/or man caused problems. Borderline trees are not expected to positively contribute to the landscape for the long-term and are not recommended for retention.

4. Observations

The parcel is comprised primarily of native tree species. Dominant species include Douglas-fir, western red cedar and big leaf maple.

The western red cedars are in fair to good condition. Most have developed good trunk taper. All are displaying healthy foliage of normal color and density. Information on healthy western red cedars can be found on the attached tree table.

The Douglas-fir trees on the property are mature and generally in good condition. Most have foliage of normal color and density and no outward indicators of internal trunk decay were observed. There are a few trees with multiple tops or crooks in the trunk. Information on healthy Douglas-firs can be found on the tree table.

Trees with concerning defects are described below.

Tree #56 is a Douglas-fir on lot 3. The subject tree is covered in ivy and has a small live crown. This tree is in poor condition and is non-viable.

Tree #6 is a laurel tree on the north end of the property. This tree has two co dominant stems. This tree has a 10% live crown and is in severe decline. This tree is in poor condition and is non-viable.

Tree #28 is a big leaf maple in the north east corner of the property. The subject tree has ivy covering the trunk. This tree is in fair condition and is viable.

Tree #29 is a 7" laurel tree on the north end of the property. The subject tree has no concerning defects and is in fair condition.

Tree #51 is a pacific madrone on lot 4. The subject tree is in severe decline. The subject tree has dieback in the limbs and severe decay in the trunk. This tree is in poor condition and is non-viable.

Tree #103 is a Colorado spruce on the south side of lot 3. This tree is in fair condition and has no concerning defects.

The neighboring trees are all native species in fair to good condition. All of the neighboring trees with drip lines extending over the property line are viable.

Vegetation on the parcel varies between landscaped grasses and rhododendrons or invasive species. The invasive species found on the property are English ivy, Scotch broom, English laurel and English holly. There is a very minor component of native plants, the most common being Oregon grape. There is not an area of undisturbed native vegetation on the subject property.

5. Discussion

The extent of drip-lines (farthest reaching branches) for all trees can be found on the tree summary table at the back of this report. These have also been delineated on a copy of the site plan for trees proposed for retention. The information plotted on the attached site plan may need to be transferred to a final tree retention/protection plan to meet City submittal requirements. Trees to be removed shall be shown "X'd" out on the final plan.

Limits of Disturbance for trees potentially impacted by improvements have also been delineated on the attached plan. The recommended placement of tree protection fencing for trees proposed for retention has also been delineated on the site plan. The Limits of Disturbance measurements are based on tree species, age, drip-line, existing infrastructure, degree of potential impacts to entire root area, and the quadrant of the root zone primarily affected.

The tree table and attached tree map identify which trees are proposed for retention based on the proposed lot design and access.

The Holmes Point Overlay requires that 25% of undisturbed/native vegetation remain on the property. A thorough inspection of the property did not reveal any areas of high value native vegetation.

There is English ivy covering the trunks of many of the trees. To maintain these trees in a viable condition, the ivy needs to be cut and removed from the trees.

To protect the trees on the east perimeter, the grade of the driveway should not change. Tree protection fencing should be erected directly adjacent to where the proposed access drive will be protected. When removing the driveway within the drip line of retained trees, use small equipment to break up the concrete. Hand remove the concrete to avoid damaging underground tree parts.

The Protected Natural Area (PNA) is shown on the map. These areas are currently grass and non-native vegetation. New native shrub plantings are necessary to restore these areas. The minimum vegetation conditions in the Protected Natural Area are that shrubs are predominantly 36" high, covering at least 60% of the PNA and living groundcovers cover at least 60% of the PNA. Planting specifications can be found in Kirkland Zoning Code

6. Tree Protection Measures

The following guidelines are recommended to ensure that the designated space set aside for the preserved trees are protected and construction impacts are kept to a minimum. Standards have been set forth under Kirkland Zoning Code 95.34 of Chapter 95. Please review these standards prior to any development activity.

1. Tree protection fencing should be erected per attached tree plan prior to moving any heavy equipment on site. Doing this will set clearing limits and avoid compaction of soils within root zones of retained trees.
2. Excavation limits should be laid out in paint on the ground to avoid over excavating.
3. Excavations within the drip-lines shall be monitored by a qualified tree professional so necessary precautions can be taken to decrease impacts to tree parts. A qualified tree professional shall monitor excavations when work is required and allowed within the "limits of disturbance".
4. To establish sub grade for foundations, curbs and pavement sections near the trees, soil should be removed parallel to the roots and not at 90 degree angles to avoid breaking and tearing roots that lead back to the trunk within the drip-line. Any roots damaged during these excavations should be exposed to sound tissue and cut cleanly with a saw. Cutting tools should be sterilized with alcohol.
5. Areas excavated within the drip-line of retained trees should be thoroughly irrigated weekly during dry periods.
6. Preparations for final landscaping shall be accomplished by hand within the drip-lines of retained trees. Large equipment shall be kept outside of the tree protection zones.

7. Tree Replacement

Existing trees to be retained satisfy the density requirements for the parcel. No supplemental trees are required.

New tree plantings may be preferred to enhance landscaping. New trees shall be given the appropriate space for the species and their growing characteristics. Refer to the *Kirkland Plant List* on the City's website for a list of desirable species.

For planting and maintenance specifications, refer to chapters 95.45, 95.50 and 51 of the Kirkland Zoning Code.

The removal of any tree in the Holmes Point Overlay Zone requires the planting of a native tree of a minimum of six (6) feet in height in close proximity to where the removed tree was located. Selection of native species and timing of installation shall be approved by the Planning Official.

11530 Holmes Point Dr Tree Plan Report

There is no warranty suggested for any of the trees subject to this report. Weather, latent tree conditions, and future man-caused activities could cause physiologic changes and deteriorating tree condition. Over time, deteriorating tree conditions may appear and there may be conditions, which are not now visible which, could cause tree failure. This report or the verbal comments made at the site in no way warrant the structural stability or long term condition of any tree, but represent my opinion based on the observations made.

Nearly all trees in any condition standing within reach of improvements or human use areas represent hazards that could lead to damage or injury.

Please call if you have any questions or I can be of further assistance.

Sincerely,

A handwritten signature in cursive script that reads "Kelly Wilkinson". The signature is written in dark ink on a light-colored background.

Kelly Wilkinson
ISA Certified Arborist #PN-7673A
ISA Tree Risk Assessment Qualified

City of Kirkland - Tree Protection Standards

1. Tree Protection Fencing shall be erected at prescribed distance per arborist report. Fences shall be constructed of chain link and be at least 4 feet high.
2. Install highly visible signs on protection fencing spaced no further than 15 feet apart. Signs shall state "Tree Protection Area-Entrance Prohibited", and "City of Kirkland" code enforcement phone number.
3. No work shall be performed within protection fencing unless approved by Planning Official. In such cases, activities will be approved and supervised by a "Qualified Professional".
4. The original grade shall not be elevated or reduced within protection fencing without the Planning Official authorization based on recommendations from a qualified professional.
5. No building materials, spoils, chemicals or substances of any kind will be permitted within protection fencing.
6. Protection Fencing shall be maintained until the Planning Official authorizes its removal.
7. Ensure that any approved landscaping within the protected zone subsequent to the approved removal of protection fencing be performed with hand labor.

In addition to the above, the Planning Official may require the following:

- a. If equipment is authorized to operate within the root zone, the area will be mulched to a depth of 6" or covered with plywood or similar material to protect roots from damage caused by heavy equipment.
- b. Minimize root damage by excavating a 2-foot deep trench, at edge of protection fencing to cleanly sever the roots of protected trees.
- c. Corrective pruning to avoid damage from machinery or building activity.
- d. Maintenance of trees throughout construction period by watering and fertilization.

Trees on Parcel

Tree Density Calculation

Total Property Size – +/- 1.52 acres

Protected Natural Area - +/- 0.33 acres

Viable trees at a tree density of 150 tree credits per acre within the PNA

$0.33 \times 150 = 49.5$

Required Minimum Tree Density = 49.5

Tree Credits Retained = 92

Supplemental Trees Required = 0

Non-Protected Natural Area - +/- 1.19 acres

Viable trees at a tree density of 30 tree credits per acre outside the PNA

$1.19 \times 30 = 35.7$

Required Minimum Tree Density = 35.7

Tree Credits Retained = 36

Supplemental Trees Required = 0

Photos

Douglas-firs in the northeast corner of Lot 2



Tree #51 – Pacific madrone with extensive decay and poor form



11530 Holmes Point Dr Tree Plan Report

North end of property



Lot 6



11530 Holmes Point Dr Tree Plan Report

Lot 3



Tree Summary Table

For: 11530 Holmes Point Dr
Kirkland WA

American Forest Management, Inc

Date: 4/28/2015
Inspector: Wilkinson

Tree/ Tag #	Species	Native/ Planted/ Volunteer	DBH	Height	Tree Credit	Drip-Line/Limits of Disturbance (feet)				Condition	Viability	Comments	Proposal
						N	S	E	W				
3	Douglas-fir	native	26	111	9	12 / 12	9 / 12	19 / 12	14 / 12	good	viable		retain
4	Douglas-fir	native	38	113	15	16 / 14			9 / 14	good	viable		retain
5	Douglas-fir	native	35	106	13	15 / 14	20 / 14	15 / 14	20 / 14	good	viable		retain
6	laurel	planted	11, 11	30						poor	non-viable	10% live stem, near dead	remove
7	Douglas-fir	native	30	102		18 / 14	19 / 14	6 / 14	25 / 14	good	viable		remove
8	Douglas-fir	native	25	115		11	12	0	10	fair	viable	ivy covering trunk	remove
9	Douglas-fir	native	34	125			24		14	fair	viable	ivy covering trunk	remove
11	Douglas-fir	native	34	137		28		25	17	fair	viable	ivy on trunk	remove
12	western red cedar	native	36	101		16	14	20	9	fair	viable		remove
14	Douglas-fir	native	34	114		17	12	14	20	fair	viable	spike knot	remove
15	Douglas-fir	native	27	87			19		14	fair	viable	ivy on trunk	remove
16	Douglas-fir	native	34	125		7 / 14	12 / 14	13 / 14	19 / 14	fair	viable		remove
17	Douglas-fir	native	23	91		10	18	8	12	fair	viable	crook	remove
18	Douglas-fir	native	30	121		14 / 14	15 / 14	14 / 14	15 / 14	fair	viable		remove
19	Douglas-fir	native	24	87					15	fair	viable	ivy on trunk	remove
20	Douglas-fir	native	28	125					12	fair	viable	ivy on trunk	remove
21	Douglas-fir	native	18	108		8	7		7	fair	viable		remove
22	Douglas-fir	native	34	134		18	7		10	fair	viable	ivy covering trunk	remove
23	Douglas-fir	native	12, 5	30						poor	non-viable	10% crown	remove
25	Douglas-fir	native	7, 19	101					10 / 8	fair	viable	ivy covering trunk, co-dominant stems	remove

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Parcel Trees - Drip-Line and Limits of Disturbance measurements from face of trunk

Tree Summary Table

For: 11530 Holmes Point Dr
Kirkland WA

American Forest Management, Inc

Date: 4/28/2015
Inspector: Wilkinson

Tree/ Tag #	Species	Native/ Planted/ Volunteer	DBH	Tree Height	Credit	Drip-Line/Limits of Disturbance (feet)				Condition	Viability	Comments	Proposal
						N	S	E	W				
26	western red cedar	native	28	107		10			14 / 8	fair	viable	ivy covering trunk, co-dominant stems,	retain
28	big leaf maple	native	26	115		10 / 14	14 / 14	27 / 14	9 / 10	fair	viable	ivy covering trunk	retain
29	laurel	planted	7	21		8	9	6	6	fair	viable	ivy covering trunk	remove
30	Douglas-fir	native	26	137	9	15 / 12	7 / 12	9 / 12	8 / 12	fair	viable		retain
31	Douglas-fir	native	23	116		6	14	7	6	fair	viable		remove
32	Douglas-fir	native	16	31								dead	remove
33	Douglas-fir	native	24	123	8	4 / 10	12 / 10	7 / 10	8 / 10	fair	viable		retain
34	Douglas-fir	native	26	110		6 / 12	19 / 12	10 / 12	14 / 12	fair	viable	crook in upper stem	remove
35	Douglas-fir	native	18	107	5	14 / 10	9 / 10	11 / 10	12 / 10	fair	viable		retain
36	Douglas-fir	native	27	85		11 / 12	17 / 12	6 / 12	12 / 12	fair	viable	ivy on trunk	remove
39	Douglas-fir	native	28	134	10	12 / 12	10 / 12	14 / 12	15 / 12	fair	viable		retain
40	Douglas-fir	native	32	82	12	7 / 14	13 / 14	17 / 14	8 / 14	fair	viable	broken top	retain
41	Douglas-fir	native	38	123	15	13 / 16	26 / 16	15 / 16	14 / 16	fair	viable		retain
45	Douglas-fir	native	42	135	17	19 / 18	22 / 18	20 / 18		good	viable		retain
46	Douglas-fir	native	30	121	11	10 / 14	9 / 14	13 / 14	21 / 14	good	viable		retain
47	Douglas-fir	native	33	117		25 / 14	22 / 14	17 / 14	16 / 14	good	viable	ivy on trunk	remove
48	Douglas-fir	native	31	113		12 / 14	10 / 14	14 / 14	17 / 14	fair	viable	forks at 40'	remove
49	Douglas-fir	native	39	107		20	18	18	19	fair	viable	ivy on trunk	remove
50	Douglas-fir	native	32	110		18	9	19	10	good	viable		remove
51	pacific madrone	native	32	64		8	22	19	12	poor	non-viable	co-dominant stems, weak attachment, branch failure, decay	remove
52	Douglas-fir	native	32	111		9 / 14	13 / 14	8 / 14	19 / 14	good	viable		remove
53	Douglas-fir	native	32	100		16	22	32	15	good	viable		remove
54	DNE												
55	Douglas-fir	native	30	84	11	9	14	20	4	fair	viable	ivy on trunk	retain
56	Douglas-fir	native	16	40						poor	non-viable	covered in ivy, near dead	remove

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Parcel Trees - Drip-Line and Limits of Disturbance measurements from face of trunk

Tree Summary Table

For: 11530 Holmes Point Dr
Kirkland WA

American Forest Management, Inc

Date: 4/28/2015
Inspector: Wilkinson

Tree/ Tag #	Species	Native/ Planted/ Volunteer	DBH	Height	Tree Credit	Drip-Line/Limits of Disturbance (feet)				Condition	Viability	Comments	Proposal
						N	S	E	W				
57	Douglas-fir	native	32	110		16 / 14	22 / 14	10 / 14	17 / 14	fair	viable	covered in ivy	remove
59	Douglas-fir	native	25	92		6 / 12	22 / 14	26 / 14	19 / 12	good	viable		remove
60	Douglas-fir	native	28	95		19 / 12	10 / 12	20 / 12	18 / 12	good	viable		remove
61	Douglas-fir	native	24	122		8 / 12	14 / 12	16 / 12	12 / 12	good	viable		remove
62	Douglas-fir	native	32	120		12 / 14	19 / 14	12 / 14	17 / 14	good	viable		remove
63	Douglas-fir	native	24	116		9 / 10	10 / 10	10 / 10	8 / 10	good	viable		remove
64	Douglas-fir	native	37	127		14 / 8	28 / 16	22 / 16	24 / 8	good	viable		remove
65	Douglas-fir	native	36	131		14		29	22	good	viable		remove
66	Douglas-fir	native	29	111			26	31	27	fair	viable		remove
101	Douglas-fir	native	35	128	13	20 / 16	15 / 16	12 / 16		fair	viable	ivy covering trunk	retain
102	Douglas-fir	native	29	123			10 / 12	24 / 14	19 / 14	good	viable	ivy on trunk	remove
103	Colorado spruce	native	14	29		9 / 8	8 / 8	8 / 8	7 / 8	fair	viable		remove
104	Douglas-fir	native	30	117		10 / 14	12 / 12	12 / 14	14 / 14	good	viable	ivy on trunk	remove

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Parcel Trees - Drip-Line and Limits of Disturbance measurements from face of trunk

Neighboring Tree Summary Table

For: 11530 Holmes Point Dr
Kirkland WA

American Forest Management, Inc

Date: 4/28/2015
Inspector: Wilkinson

Tree/ Tag #	Species	Native/ Planted/ Volunteer	DBH	Height	Tree Credit	Drip-Line/Limits of Disturbance (feet)				Condition	Viability	Comments	Proposal
						N	S	E	W				
1	western red cedar	native	26	79		9 / 12			6	good	viable		neighboring
2	western red cedar	native	29	60		14 / 12	20 / 12		16 / 12	fair	viable	forked stem	neighboring
10	western red cedar	native	30	86		12 / 14	12 / 14			good	viable		neighboring
13	western red cedar	native	31	88		15 / 10	12 / 10		13 / 10	fair	viable	forked top	neighboring
24	western red cedar	native	14	40					9 / 8	fair	viable	ivy covering trunk	neighboring
27	Douglas-fir	native	20	131		9 / 8	13 / 8	16	8 / 8	fair	viable	ivy covering trunk	neighboring
37	Douglas-fir	native	26	105		8 / 10	7 / 10	6 / 14		fair	viable		neighboring
38	western red cedar	native	25	72		6 / 12	19 / 12			fair	viable	forked trunk	neighboring
42	neighboring lot											Drip line does not extend over property line	
43	neighboring lot											Drip line does not extend over property line	
44	neighboring lot											Drip line does not extend over property line	
58	big leaf maple	native	13	43		6 / 10		14 / 10	18 / 10	fair	viable	leans south	neighboring

0

Parcel Trees - Drip-Line and Limits of Disturbance measurements from face of trunk

N 4

TREE TO BE RETAINED

**ALL TREES TO BE SAVED SHALL
BE PROTECTED FROM ANY DAMAGE
SEE TREE RETENTION PLAN**

PROPOSED 16' WIDE PUBLIC ROAD / 20' WIDE UTILITY EASEMENT

FLOWLINE

Hello Mr. LeRoy:

We happened to review the Holmes Point Drive Short Plat, Case No. SUB15-02156 and am greatly concerned. There appears to be a lot of changes from what was originally posted:

1. The exit was supposed to be on Holmes Point drive. Why is it on NE 116th St now? NE 116th St is a poorly maintained street i.e. there is no proper road and it does not have any street infrastructure like side walks or street lights. Several children walk to the NE116th/Holmes Point Drive corner for boarding school buses. Another 7 homes with 14+ cars on the NE 116th dirt road? How does this work - this is going to be a traffic disaster potentially leading to fatal traffic accidents especially small kids who walk/run on NE116th street as if there is no street at all, which is true (there is no street here). So I strongly object to this plan to let such huge traffic on to NE 116th St without concern for safety of children and senior citizens who walk this dirt path.
2. There are no storm drains on NE 116th St. So, will all the displaced water due to the development (asphalt won't let water permeate in land so now rain water is surely going to be on the dirt road) now float on the dirt road?
3. Being by the lake, the winds are pretty high (and with downing of trees will be even higher as tall trees act as barriers), so all additional overhead power lines to these 7 houses are going to be severely disrupted including all overhead connections to other houses on the street. We all expect recurring power outages due to the trees not being available to shield high winds. What is the City/PSE doing to prevent this?
4. How exactly is the Holmes Point overlay regulations enforced? Are sites inspected and trees/vegetation maintained as per law? There are several big and tall trees whose cutting down would cause landslide issues. Who is accountable and signs off on this Overlay adherence?

My proposal:

I propose that the exit be on Holmes Point Drive unless NE 116th be brought to City wide street standards with side walks and underground cables (to prevent power outages), storm drains to collect displaced rain water etc. Holmes Point Drive is the collector street and NOT NE 116th St. Of course, 7 additional homes is too much to bear for this dirt road with no street lights even. But Holmes Point Drive can take this load as it is well paved and has street lights and good storm drains.

Please plan infrastructure to go along with the development properly. Please share specific infrastructure details with us as we have no idea how the overall neighborhood will get affected. The current plan just densifies without enhancing the civic infrastructure putting our children's and senior citizens' lives in jeopardy, causing power outages, and changing the nature of the neighborhood by cutting down canopied trees - a beautiful, pleasant thing that adds huge charm to the neighborhood.

I hope the City does not approve this plan without a holistic development of the street and neighborhood, with an eagle eye on protecting the natural habitat and not subjecting homes to high winds from Lake Washington. If done so, the City will be responsible for the consequences and is sure to earn bad press and lose its rankings as a good city to live in. Tree City USA is sure to get irked, for instance.

We all want to make Kirkland the best city to live in and that developments are well thought out and sustainable/holistic/nature friendly/traffic-safe for the neighborhood. Not sharing infrastructure and overlay laws details with the community makes the whole development less welcomed by the community.

I need more details from the City/Developer on plans to make the neighborhood safe and the enhancements to civic infrastructure now needed because of this densification.

Until these items are made more visible and plans made to accommodate neighborhood wide enhancements, I suggest the City's Planning Director not approve this Application.

Cheers
Shiva and Lori Badruswamy
7243 NE 116th St, Kirkland, WA 98034
shivabadru@gmail.com

From: Paula Bates [<mailto:paulabates@comcast.net>]
Sent: Tuesday, March 06, 2018 7:54 AM
To: City Council; Planning Commissioners
Subject: case # SUB15-02156

To whom it may concern:

I am writing to voice my complaint regarding proposals that would affect surrounding property owners if lot 11530 Holmes Pt Dr is developed by a builder as planned. I have lived at 7303 NE 116th St for 40 years. We purchased this house when it was under construction. I have maintained my property as a single home owner living alone since 1990. Although there is a lot of maintenance and expense involved living in the trees, I choose to stay here as long as I am physically able to care for this property. The charm and beauty of living here is that it is not a commercially developed sub division. I have been acutely aware of all the noise and traffic that has increased each year on Holmes Pt Dr (the back of my property). I am the first house on the left when turning onto 116th St which means that all traffic continuing on that road first has to pass my house. I have been plagued with large construction vehicles turning around, waiting while mixing cement, parking vehicles along my property etc as they cannot manage traveling further down 116th St. I am completely against any construction access for this project (or any other) using this road for ingress and egress. AND, even worse, the proposed widening of this road, including sidewalks, would greatly affect my property and its value. I have a 100 ft pole fence that lines this frontage as well as large trees that would be affected. This is not a neighborhood that needs or supports sidewalks etc. The existing homeowners should have more say than a builder who simply wants to make money and add more congestion and change that we are against. I feel that Holmes Pt Dr should be the ONLY access area to this new site and that all construction vehicles be required to use the north Holmes Pt Dr access only. I would like to think that the city of Kirkland will listen to those of us that have invested in our properties and taken pride in maintaining our area. We don't want or need more large homes. If the city still supports more building I am adamant that it not affect my property. I would like to know that you are listening.

Paula Bates
7303 NE 116th St

Dear Mr. LeRoy:

This letter is intended to present my comments and concerns as owner of the property at 11531 Holmes Point Drive NE, immediately across the street from the subject property for which development is proposed by Sensible Builder, LLC. I have reviewed the documents made available by the City of Kirkland in response to my public records request submitted on January 27, 2017, and have shared them with some neighbors.

My concerns, and the concerns of neighbors in my immediate vicinity are centered on ingress and egress aspects of this short plat, and drainage plans for the property.

Concerns about ingress and egress include that the location where the new public road exits the development at Holmes Point Drive, which is close to the current existing driveway, has a steep down slope grade where the road meets Holmes Point and the ingress/egress is a short distance from a blind curve for drivers coming down Holmes Point from the southern access off Juanita Drive. I believe these conditions will increase the chances for collisions between Holmes Point traffic and traffic which may be slowing down to turn right into the development, or traffic which is exiting the development and attempting to turn left going south on Holmes Point Drive. Although the speed limit in the area is 25 miles per hour, it is common for drivers coming around the blind curve to be going significantly faster, and they will have a very short time to react to traffic slowing down to turn right, or to traffic coming out of the development turning left. In fact, the previous residents and the current resident seem to seldom use the Holmes Point ingress/egress. The subject property currently also has ingress/egress off of NE 116th street, which is currently a one lane local road with traffic traveling much slower and much more safely. I have discussed the ingress/egress issues with the project planner, and I am encouraged to see choice of ingress/egress from NE 116th Street will remain.

I have reviewed with neighbors the drainage plans for the property and have also discussed those with the project planner. As a neighbor with property on the down slope side of the subject I have heightened concerns about storm water runoff from this development more seriously impacting my property, which currently has significant impact from runoff coming down from Holmes Point Drive, down my driveway and down my stairs. Last spring, over \$6,000 was spent to improve drainage on my property to stop seepage from damaging the basement floor. Neighbors have had similar drainage issues, which have also resulted in significant expenditures. I encourage Kirkland Planning to make certain that the drainage plan for this project includes all reasonable protections to minimize the impact on neighboring properties from this site of 1 1/2 acres which has remained substantially undeveloped for over 65 years.

Alice L. Blanchard
Neighbor at 11531 Holmes Point Drive NE

Hi Sean, I'm writing concerning the above project.

I live on 73rd PI and am wondering how the traffic will be handled at the convergence of 73rd PI and 116th and then again at the intersection of 76th and 116th.

I am truly scared of potential slides onto Holmes Point Drive once development begins from the steep slope of the property on the road. Because of the sharp turn, a car/bicyclist would not have time to stop.

Thanks,
Jan

11632 73rd PL NE
Kirkland, WA 98034

--

Jan Riley Carroll, Broker
CNE- Certified Negotiation Specialist

WINDERMERE KIRKLAND
Windermere Real Estate/Central, Inc.
737 Market Street

Dear Sean and the City of Kirkland,

As the direct neighbor of the property at 11530 Holmes Point Dr. (SUB15-02156), we are greatly concerned over the exponential change in the environment in which we live. We moved to this area to live in a quiet neighborhood of mature trees and varied wildlife and one protected by the laws and regulations stated in the Holmes Point Overlay. We have deer, owls, osprey and many animals who visit our yard and are concerned that this development will have a large impact on the habitat. The Holmes Point overlay was created, at least in part, to protect this area from developments like this while protecting one of the last two remaining areas of Kirkland with mature forests.

We understand that this land is owned by this applicant and therefore should be able to be maximized for their use and needs. However, we expect the overlay to be upheld to it's the fullest extent—namely the tree conservation requirements of 25% and any tree larger than 6 inches in diameter. We wish to have a wildlife impact study performed to ensure that changing the canopy by removing more than the 2 trees allowed per year on the largest lot in the neighborhood will not detrimentally impact the habitat of the animals living there. And, proof, as outlined in the overlay, that any construction will not harm any of the significant trees nor any of the 25% of natural vegetation. What we have seen from other developers in the area, is that they are budgeting for the penalties fined to them for cutting down trees and planting non-sustaining saplings that aren't protecting the current canopy, habitat nor aesthetics of the area. This is not something we want in our neighborhood. Per the overlay, the maximum square footage of any development ("lot coverage"), must be maintained at 3,300 + 10%. This short plat proposal, as listed on the board does not meet those standards. The maximum landscaped area may only cover 50% of the lot and may not harm any significant trees. This short plat proposal, as listed on the board does not meet those standards. And, the total allowed site alteration (including lot coverage and landscaped areas) may not exceed 75% of the site. This short plat proposal, as listed on the board does not meet those standards, especially if any grading were to occur and if paving of what amounts to it's own road through the development as this would be significant site alteration. Widening the roads, placing sidewalks, etc also alter the region and should be included in the survey of the canopy and an effort placed on it's maintenance.

We have also learned that the area is prone to geysers and mudslides and has been maintained as it is due to the foliage. If the developer was able to get a waiver to not bury the utilities, how is it safe and the land stable enough to support this much

development? We ask that a non-bias environmental study be performed to prove no risk to removing large established trees.

We also have concerns that construction will impact the ability of us and our neighbors to access their homes as the road has no outlet. How do we ensure there will be no period of time in which we, or emergency services, will not have access to each household? And, with the potential addition of 14-20 vehicles, pedestrians and bicyclists, we ask that a stoplight be put in at the corner of NE 116th St and Holmes Point Dr. As this curve has already been proven to be hazardous with a vehicular death, there is no safe walking or biking path along Holmes Point and additional population needs to be mitigated through safety measures exceeding just widening the road and putting sidewalks along the property border.

As a small community, we have maintained a level of quiet and safety to this point and wish to continue this. Can we require the developer provide background checks and keep noise to below 85 decibels between 9am and 4pm. Most families in the immediate area, including us have small children whose growth requirements need to be respected.

We have learned that many local neighborhoods have had success in negotiating acceptable building allowances through use of an arbitrator. We ask that the developer participates in negotiations between the neighbors and himself through a neutral arbitrator at his expense.

Thank you,

Britney and Seth Cysewski
7225 NE 116th St.
Kirkland, WA 98034

March 7, 2018

From: Deborah Knetzger 7235 NE 116th Street

Kirkland WA 98034 425-829-4987 debknetz@comcast.net

To: Sean LeRoy, Project Planner

123 5th Avenue, Kirkland WA 98033

Dear Mr. LeRoy,

The purpose of this letter is to state that I wish to attend the appeal meeting for Permit # SUB15-02156. I understand that you must receive an email or letter from me by March 12 in order for me to gain admittance to this meeting. (I do not understand why local residents need to ask advance permission to attend a public meeting in order to express our comments on construction that affects us all.)

Communication on the proposed project has been poor, only some of the neighbors received this notice. There is no doubt a hope on the part of the builder that clearing and building will start before we are aware of what's happening. Our Holmes Point Overlay Area is a sensitive watershed where preserving the trees and vegetation are vital to preventing landslides and erosion.

Thanks for your consideration,

Deb Knetzger

Below is a letter I sent to Mr. Jerry Zhu, the property owner.

To: Jerry Zhu and Jean Zhang, Sensible Building LLC

11350 Exeter Avenue NE, Seattle WA 98125

Dear Mr. Zhu,

It's come to some of our attention that you propose to build and sell several new houses on the site of one of the oldest residences in the neighborhood. By the way, your plan shows that you plan to build 7 houses in a zone-6 area.

Although we are sad to see the property change, we realize that as our neighborhood grows, new construction will take place. However, we feel that you are not treating current residents and the character of our neighborhood with respect, or lawfully.

First: you haven't made an effort to communicate to ALL residents that there will be a public meeting where we can state our comments about your proposed project. Why the secrecy?

Second: there is a March 12 deadline for submitting a letter in order to attend this meeting, which should be open to all local residents. This is our right as property owners and tax-paying citizens; you don't have authority to set requirements for attending and expressing our opinions.

Third: our neighborhood lies within the Holmes Point Overlay Zone where trees and native plant growth are protected to prevent erosion, mud- and landslides. More concrete paving means more rainwater runoff and erosion. Preserving the age-old native vegetation also provides much-needed habitat for wildlife being squeezed out by humans. When wild animals and birds have nowhere to live, they simply die.

Fourth: as I understand your posted plan, you will eliminate access from Holmes Point Drive to new houses, forcing all new traffic to use short narrow NE 116th Street to get in and out. Why, when there is a paved access drive from Holmes Pt Drive already in place? There are children heading to the school bus stop, dog walkers, joggers, elderly folks, and local people just standing and talking in our street all the time. We have enough traffic to contend with already, as well as heavy trucks and construction vehicles from an ongoing building site just north of your proposed project.

We enjoy living in the Pacific Northwest in all its glory: rainy, wet, muddy, messy and dark under the trees, also temperate and warm. We love to live with wildlife and enjoy watching birds. This is why we live here and not in a more urbanized neighborhood.

If your intent is to build a subdivision with streetlights and sidewalks, also more paving and motor traffic, you should be building in a different part of Kirkland or perhaps in Seattle. Our neighborhood has had previous experience with greedy "developers" who ignore infrastructure regulations and restrictions on number of trees that may be removed.

Mr Zhu, have you actually visited the site on which you to propose to build? Educate yourself. Try to show sensitivity instead of greed. Try to make this place better, not destroy our quality of life.

Thank you for your consideration,

Deborah Knetzger 7235 NE 116th Street Kirkland WA 98034 debknetz@comcast.net 425-829-4987

Dear Mr. LeRoy:

I have two questions and two comments regarding this short plat application that has been filed for this property.

- Applicable zoning: If the application was not determined to be complete until February 2018, why is it being evaluated under the old RSA-6 zoning classification that was replaced in January by RSA-4 zoning?
- Compliance with Integrated Development Plan requirements: Last fall, the City adopted an emergency ordinance specifying that all Holmes Point short plats and subdivisions must comply with Integrated Development Plan requirements. Has the developer done so in this case? In particular, has the developer submitted a tree retention plan that is appropriate for the revised configurations of the cul de sac and the homesites? Does the builder's plan also specify where utilities will be installed and does it address the need for improvements to 72nd? If 72nd is to be improved to accommodate increased use resulting from this and other nearby developments, shouldn't utilities on that road be placed underground?
- Modifications to Holmes Point Drive: According to the project plans, the shoulder on Holmes Point Drive will be widened, necessitating the construction of a retaining wall. I request that the road not be widened as proposed. It would do nothing to improve safety and may actually increase the risk of accidents. Furthermore, the retaining wall would be an eyesore and would conflict with the character of the neighborhood.

I cycle on Holmes Point Drive regularly and I do not see how the widened shoulder would enhance safety for cyclists or pedestrians. Cyclists going downhill on Holmes Point Drive typically carry enough speed to ride safely in the driving lane. Were they encouraged to pull into a widened shoulder as Holmes Point Drive curves to the north, they would be forced to move back into the driving lane quickly after rounding the corner, creating the risk of a collision with a following car.

Widening the shoulder where Holmes Point Drive curves around the development will not improve pedestrian safety either. It is unlikely that pedestrians will walk at this segment of Holmes Point Drive, on the side of the roadway that forms a blind curve. In any event, they should not be encouraged to do so. It would be safer to provide an alternative route for any pedestrians who wish to walk up to Juanita Drive – and that solution is already specified in the project plans. The plans show that a path will be constructed from Holmes Point Drive north of the curve to the cul de sac of the development. This path will take any pedestrians off of Holmes Point Drive before the curve and lead them into the new development; they can walk along 72nd and reconnect with Holmes Point Drive further uphill where 72nd/73rd/116th intersect with Holmes Point Drive.

Widening the road would also require that the adjacent terrain be buttressed with a high retaining wall, which will be starkly out of keeping with the character of this neighborhood. Finally, if the City is unwilling to relieve the developer of the obligation to pay for widening the road and building the wall, I request that these modifications be

deferred until the City and the Holmes Point neighborhood have completed a master plan for Holmes Point Drive. The City can preserve the option of making road and retaining wall “improvements” by requiring the developer to post a bond for their cost.

- Pedestrian path connecting cul de sac and Juanita Drive: Will the City explore consider specifying a path that is gravel or forms a pervious surface, rather than one paved in concrete? A permeable path will minimize surface water runoff onto Holmes Point Drive and will also conform better to the character of the neighborhood. (Note that the City will study alternative standards for sidewalks and pedestrian paths in Finn Hill this year, so it would be appropriate to defer final design specifications for the path in this development until the completion of that study.)

Thank you for considering these questions and observations.

Scott Morris

11884 Champagne Point Road NE

Kirkland WA 98034

Cell: 206-972-9493

Subject: Re: Vital info about 11530 Holmes Point Drive latest development plans

Art,

First thank you for your time and expertise...

Access to 116th St. and the street itself needs improvement in order to handle the additional cars....children...service trucks etc. from the Zhu property development plan

AND the addition of six houses on 72 nd Pl. (sub15-00016) and the probable development of the property east of the Zhu development plan would also use 116th St. for access.

Considering the possibility of a MINIMUM of 26 more cars (without the old Pfeiffer property) walking children...service trucks..all using 116th St.

Many of us moved here in 1972, or before, for a country like living without citified amenities. Yes, times change but safety and access to our homes are now the main concerns.

Barbara and Richard Oberg
7104 NE 118th St.

I'm concerned about the increased traffic on NE 116th St that would be the result of adding 7 residences. As of now 116th St is a single curbless lane with of a width of only 10 feet in several places. It is also encumbered on both sides by utility poles and fire hydrants, some as close as 10 or 11 feet from the current single lane center line. The Public Works Conditions for this permit requires: *"Install at least 20 (sic) of paving along the property frontage and widen the existing paving to 20 ft in width south to Holmes Point Drive."* Wording is unclear here, but if the intent is to widen 116th St EAST to where it intersects Holmes Point Drive, this may not be practical or even possible.

It's important to note that this narrow single lane of 116th Street now serves both cars and pedestrians to the corner of 116th and Holmes Point Drive where there is a school bus stop. Lots of kids, parents, both walking and driving. Adding more traffic is problematic. The PWC also calls for street and sidewalk improvements on the frontage on Holmes Point Drive. Those are NOT shown in the revised permit (just a retaining wall).

The previous version of the permit showed car access to the west directly onto Homes Point Drive. Having two points of egress allowed for some traffic to go that way instead, relieving traffic on 116th St.. I can only guess that there were other concerns (traffic speeds and safety?) that prompted the change to a single road to 116th St.

It's my opinion that the current revised permit plan is not a good solution.

I realize that this recently annexed "non county maintained" road was not laid out to Kirkland's codes. To apply that code piecemeal as each individual lot is developed, widening and adding disconnected sidewalks in some segments and others not, may not be the best approach. Technically satisfying the City of Kirkland's Zoning Code so that the developer can proceed may actually make things worse. This area is very unique (which is why the Holmes Point Overlay exists in the first place— it's not like the rest of Kirkland!) and a little more thinking might be needed.

The issue of retaining significant trees is of a concern of mine as mine as well. Removing this stand of 100 foot firs could have a huge impact on the wind resistance of remaining trees on the adjacent lot to the east, and in turn, the large trees on my lot (the next one over to the east). The prevailing winds and storms come from the west/southwest and many of the 100 ft tall trees on the lot between SUB15-02156 and mine could easily hit my house. I am very interested in being kept up to date on the tree removal. I understand that choosing the all of the exact trees to be removed comes later, but it starts with the permit as shown.

For now please, consider this email my "official letter of comments." Please send me a copy of the Director's decision, and if needed information on how to appeal along with the staff report and Director's decision.

Thanks for the help,

Rober Knetzger
7235 NE 116th ST

Kirkland, WA 98034

neotoybob@[comcast.net](mailto:neotoybob@comcast.net)

From: g santee [<mailto:gsantee2@live.com>]
Sent: Wednesday, March 07, 2018 6:41 AM
To: Sean LeRoy
Subject: comments regarding SUB15-02156

I have read the Public Works (PW) report (conditions and requirements), and have concern/questions relating to Holmes Point Overlay(HPO) requirements. I noted PW stated the applicant must comply with the HPO standards, however this development is on a steep hillside, which could create landslide/run-off issues, (especially with the extensive wet weather we have had) and I want to ensure that erosion/slides and visual impact are minimized with this project.

In order to build 7 houses, roads and driveways, it would seem that many of the trees need to be removed.....how would this comply with KZC chapter 70 and/or the Holmes Point Overlay?

Is a Tree Retention Plan required before construction work begins? Hope so. There are many older, large growth trees on the property that should be protected. If possible, I would like to see the proposal or plan regarding the trees.

Also, please let me know how/if KZC 70 will be applied to this sub-division.

Thanks

Grant Santee
7220 NE 116th st

Dear Mr. Sean LeRoy,

I'm writing you in regards to the 11530 Holmes Point Drive Short Plat, case # SUB15-02156.

Currently, Jerry Zhu is proposing to develop 7 homes on the Holmes Point Short Plat. We understand that even though zoning in the Holmes Point area is changing to RSA-4, this lot would be "grandfathered" in at RSA-6. As a neighbor, along with many other people in our neighborhood, we are concerned about the current development plans and it's negative impact on our community.

Our biggest concerns is safety. We live in a "**high hazard**" **landslide area** according to the City of Kirkland maps and the geographical nature of this lot will lend itself to slides, especially with the removal of mature trees. Several serious landslides in the last 2 years have been attributed to removal of trees that stabilize hillsides. Because of the sloping area we live in there is a lot of storm water run-off that further influences landslides in our community. The more houses allowed to be built on the lot, increases the destabilization of the land, which then increases the risk of landslides. We would like you to reconsider reducing the number homes allowed to be built on this plat because of safety issues.

Another concern with regards to safety is the building process. We are requesting that **all construction vehicles enter the property off of Holmes Point Drive and not access the property from NE 116th St.** NE 116th is not a county maintained road and cannot accommodate large vehicles. We have four young children whose lives would be put at risk (not to mention all the other children in the area) on a daily basis for the extended period of time of the building process.

Second to safety, maintenance of the character our neighborhood is of utmost importance to us. Not only do the presence of mature trees increase the integrity of the geographical nature of the area, but they also play a large role in the personality and character of the Holmes Point neighborhood. Holmes Point has a wonderful woodland and lakeside character that's a major attraction for current and future residents. **There are few areas of Kirkland that still possess the natural attributes and landscape that Holmes Point does. Once the mature trees are replaced by new construction, the unique character and personality of Holmes Point will forever be extinct.** Current investors who are buying up property in the Holmes Point neighborhoods are doing so to cram in and build as many homes as the City of Kirkland allows them to on the plots they are developing for their greatest personal profit. Most of these investors are not invested in our community and in the city of Kirkland. On the contrary, most of them are uninvolved, unattached, and unaffiliated with not just our Holmes Point neighborhood, but the city of Kirkland as well. Why is the city of Kirkland then, letting these investors negatively impact and change the landscape of our city and neighborhoods forever?

Therefore, we kindly request that the City of Kirkland would require the developers to **respect the character of our community and the Holmes Point Overlay.** We ask that the mature trees to be "saved" on the lot to be grouped together and truly protected and preserved unlike many of the other nearby plots being developed , in which almost all natural area

has been demolished and wiped clean. Please refer to this information provided on the Pacific Northwest ISA website:

Excellent Stand Protection Zone

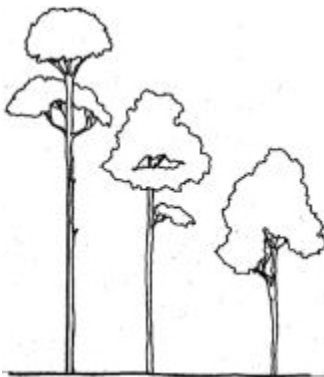


A stand to protect. Reproduced with permission by the City of Chattanooga.

A high-quality forest remnant has high tree densities and an undisturbed understory. Look for the following characteristics:

1. Trees structurally support one another.
2. Soil remains undisturbed.
3. Wildlife uses are relatively unimpaired.
4. Shady microclimate encourages natural woodland plants.
5. Natural forest succession continues, and forest regeneration is ongoing.
6. The stand is visually attractive.
7. Ecological functions are relatively unimpaired.

Poor Stand Protection Zone



A stand that may not be worth saving. Reproduced with permission by the City of Chattanooga.

Scattered trees with a highly disturbed or missing understory may not be worth saving. A poor stand protection zone has the following characteristics:

Trees blow over easily due to lack of support.

Soil dries out and soil erosion occurs due to disturbed soils and lack of understory.

Forest microclimate is disturbed.

Sunlight and temperature are increased.

Weeds and invasive species have taken over.

Forest succession is interrupted, and little regeneration occurs.

The stand is visually unattractive.

Ecological functions are severely interrupted.

Essentially, the **words and intent of the regulations in the Holmes Point Overlay don't get implemented during actual construction.** Witness the new developments where the Holmes Point Overlay and Finn Hill codes haven't protected the unique attributes of our neighborhood and mature trees from being almost entirely removed to make space for new lots and homes. Specifically, please research **the Orchard plot off of 73rd Place NE and Toll Brothers' Kirkland Woods off of Juanita.** Planting new trees in an isolated PNA is not equivalent to preserving mature trees.

We also request that **no sidewalks** would be required to be put in on NE 116th St nor within the new subdivision to conserve more trees as well as the unique charm and nature of Holmes Point. We want the new homes and street to integrate into our neighborhood as much as possible.

Our final request is that the developers be required to **bury the electrical lines on NE 116th St. as well as on the short plat.** That is a very minimal request considering the negative impact any kind of construction will have on our neighborhood. The city of Kirkland was going to require another builder on a smaller lot nearby, (plans fell through) to do that, so it definitely should be required of this developer who is implementing greater change in our neighborhood.

Thank you for taking the time to consider our concerns and requests. We appreciate any feedback and help we can get.

Warmly, Sarah and Paul Shilling

7230 NE 116th St.

Kirkland, WA 98034

sarahrshilling@msn.com

P.shilling@sbcglobal.net

Art Turock + Haley Ashland, Property owners, 11534 Holmes Point Drive NE, Kirkland, WA 98034

E-mail: artturock@comcast.com

Permit #/Case # SUB15-02156 /11530 Holmes Point Drive NE, Kirkland, WA 98034

After reviewing the latest plan for developing a 7 Lot Short Plat and the City Public Works Department's conditions, we submit the following 4 concerns to City Planning:

1. *Hold builders accountable to all regulations (including the Holmes Point Overlay) to prevent landslides during construction and due to long-term erosion.*

Our top concern is for stability of the hillside. Removing trees and covering permeable surfaces with asphalt, concrete, and homes destabilizes a sensitive slope in a location that routinely has problems with mudslides.

The Holmes Point Overlay regulations have been ignored by builders. Every recent residential development of five or more houses clear cuts nearly all the mature trees. Many builders fence off a PNA with a few new trees. Prime example is Kirkland Woods located on Juanita Drive.



I can't name a single new development where more than a couple of mature trees remain.

The Holmes Point Overlay was designed to preserve healthy, substantial mature trees. It's not working!

If builders ignore the provisions, the City of Kirkland must be responsible for holding them accountable at all phases of permit applications, and during the actual construction.

The current application/development plan for permit for case number SUB15-02156 doesn't specify the status of individual trees- cut, retain, remove etc. In contrast, the original application for this permit (January 2017) specified the disposition of every tree, over 100 trees.

Last week, one of our neighbors requested the Arborists Report for case number SUB 15-02156. He received an outdated report that applies to the original 8-sublot development with two access points on Holmes Point Drive and 116th Street NE. This report calls for cutting nearly 100% of the dozens of mature trees, even the ones in good condition. It doesn't conform to the Holmes Point Overlay or the 2017 Integrated Development Plan requirements.

Heavy rainfall coupled with poor drainage can wash out soil underneath poured concrete, causing settlement and cracking. Even with the existing array of extensive trees and permeable land, erosion is causing extensive road damage on the driveway at 11530 Holmes Point Drive.



Recommendations to hold the builder accountable for compliance.

- Require the builder to resubmit the application/development plan showing the exact disposition of each tree-retain or remove--as was done in the first application in January 2017.
- Require the builder to submit a new Arborist Report that conforms to the Holmes Point Overlay.
- Require the builder to submit a series of detailed plans describing the disposition of each tree—retain or remove—to maximize the number of healthy mature trees. These detailed tree inventories should be reviewed with each permit review to insure compliance with the Holmes Point Overlay.
- Require the builder to pay a sizeable “compliance assurance fee” that will be returned once the construction matches the Holmes Point Overlay-compliant site plan.
- Require onsite inspection by City personnel to observe compliance.

By enforcing these recommendations for accountability to code, builders get the message--clear cutting and planting new trees is not equivalent to preserving mature trees.

Without enforcing these recommendations, the Holmes Point Overlay has no teeth. This project is a wonderful opportunity for the City to set an example to Kirkland citizens. Government will hold builders accountable for complying with codes that prevent landslide risks, property damage, and other dangers. Let case # SUB15-02156 be the first shining example of the community's input (in shaping codes) being heard and enforced by the City of Kirkland.

2. *Sustain the community character against the false presumption that change can't be stopped.*

When I've talked to City officials, they've consistently said, "Preserving community character is a top priority." On the other hand, I also hear a conflicting line of thinking, "Residents need to accept their community is changing." These comments are incompatible.

11530 Holmes Point Drive property sits at the gateway to Holmes Point, at the very point where cars and walkers see the juxtaposition of big trees and Lake Washington. Replacing trees with tract homes transforms community character from a wooded community to one saturated with tract homes.



I've (Art) walked door to door to talk with 30 neighbors. To boil down their sentiments in a few sentences. Neighbors aren't against change per se. They are against change that destroys the community character now and forever. They support change that fits the city codes and Holmes Point Overlay --changes that preserve community character.

Bottom line: We request the City of Kirkland rigorously enforce the existing statutes to preserve mature trees and to plant new trees. To permit cross cutting of 11530 Holmes Point Drive violates existing statutes and undermines any possibility of sustaining our community character in the future.

3. *A new Geotechnical report should assess landslide risk, especially the threat to neighboring homes.*

The original AES Geotech report describes a 21-degree slope that constitutes a landslide risk. Nevertheless, it doesn't consider the erosion and water flow impact of this new construction and long-term erosion on both adjacent neighbor's properties on either side of 11530 Holmes Point Drive.

Other questions to address in a new Geotech report:

With the hammerhead design and other changes, what percentage that is now permeable will become impermeable? What impact on erosion and landslide risk? What impact does this have on water absorption?

Is the retention vault large enough to serve its function for this development with 7 homes and the amount of slope, and the removal of trees?

4. *Expansion of 116th St NE should convert overhead utility lines to underground to make for consistency in this location and bring the technology up to date.*

The Public Works Conditions report states...

During review of this subdivision it was determined that it was **infeasible** to convert the overhead utility lines to underground along the frontage of this subdivision on **Holmes Point Dr NE and NE 116th St.**

What is "infeasible" about this change? It may raise the builder's costs... but money will make this conversion feasible. Infeasible sounds like another word for expensive. Above ground power lines are antiquated.

In addition, there's another 6-lots sub-plat, SUB15-00016, which will be build on 72nd Place NE. If we assume 2 cars per household, the additional cars from these 2 projects comes out to 26 more cars plus service vehicles using 116th St NE to enter and exit the cul de sac.

It's time to transition to modern underground lines with the builder assuming the costs.

5. Storm Water drainage

The current City of Kirkland storm water drain project on Holmes Point Drive will serve three large developments (*including SUB15-02156, 11530 Holmes Point Drive NE*) with a total of about 22 houses on three undeveloped or sparsely developed properties, each being about 1-1.5 acres. The storm water drain system being installed now will serve future development in this neighborhood as well.

This storm water drain system will have no filtration of run-off before it is dumped straight into Lake Washington. Accordingly, a substantial loss of permeable soil will result from the cumulative effects of the three developments.

A storm drain system with no filtration on a steep slope immediately above Lake Washington, is not likely to be in compliance with Washington State Dept. of Ecology guidelines for a water run-off management system in an urban area with such density of new construction.

Recommendations:

- Conduct studies to determine the cumulative impact of permeable soil loss, including pollution perpetuated by the water runoff.
- Require builders to pay for any new pipes or construction of proper storm water drain systems.
- Delay construction on SUB15-02156 (and the other two projects), until the storm water management system can be brought into compliance with DOE guidelines.

Thank you for soliciting this input and responding to the citizens you represent.

To: Sean LeRoy
123 5th Avenue
Kirkland, WA 98033

From:
Haley Ashland
11534 Holmes Pt Dr. NE
Kirkland, WA 98034

Dear Mr. Leroy,

In reviewing the plans for SUB15-02156 I wish to bring to your attention some items that may be at odds with the goal of the maintaining the community character of the Finn Hill neighborhood.

If the plan is applied as it currently appears on paper, it's possible only 20 trees would remain after building. The Finn Hill Neighborhood's character would be altered for the worse.

This might be avoided by applying ordinances in a way that the canopy is considered with the *entire property in mind*, rather than one time for the road, and a second time to each individual sub lot. Reducing the number of lots would maintain more trees and thus preserve the neighborhood character to an ever greater extent.

The details for your review follow.

ROAD: The total number of trees on SUB15-02156 is **56**. Fourteen of the trees included on the tree list on page 3 of the plans are not on the property for which the plans are designed. They are as follows:

- a. Three of the tagged trees, T43, T44, and T 42 are on our property, 11534 Holmes Point Drive (KSCP 684002).
- b. Two of the tagged trees, T37 and T38 are on the public roadway near the 116th street entrance to 11534 Holmes Point Drive.
- c. Three trees, T13, T1, and T2 are on the adjacent property to the east.
- d. Finally, T27, T26, T25, T24, T23, T10, appear to be on the property line of the above adjacent property. All were counted in the total for the 11530 address.
- e. All but three are 100+ year old Douglas Fir (DF).

The trees remaining on the lot after removal of the 17 for the road would be 39.

A related point regarding the road involves the driveway easement. The alteration to accommodate the new road depends on gaining agreement from the easement owners to allow

the work to be done. This agreement has not been asked for or given. Thus the road cannot be built as shown.

BUILDINGS: The next phase is the construction of 8 buildings on the now separate 8 sub lots.

At this point, from my viewpoint, a layman, just looking at the plans, approximately 19 additional DF trees would be cut down. If the buildings were built at the locations indicated on page 1 of the plans the result would be that **only 20** of the original 56 trees would survive. (again 70 (all the trees) -14 (number not on the lot) is where I get the number 56)

Below is the detail which leads to my conclusion that 19 more trees could be cut down. This assumes that; 8 lots are approved; the buildings are constructed approximately where the plans contain a solid lined box; and that all other trees are healthy enough to survive the construction process. I have not checked out the arborist report as of yet.

“Build zone” refers to the aforementioned box which seems to approximate the location of the future building on each lot.

Lot 1 – has 2 DF. Both in or close to the build zone.	2
Lot 2 – has 9 DF. The most of any of the lots. Three are in the ‘build zone’.	3
Lot 3 – has 3 DF. One in the build zone.	1
Lot 4 – has 1 DF in the build zone.	1
Lot 5 – has 7 DF. Six in the build zone	6
Lot 6 – has 1 Laurel outside the build zone.	0
Lot 7 – has 3 DF. All appear to be in the build zone.	3
Lot 8 – has 5 DF. Three in the build zone.	3

Total trees appearing in the build zone on the plans = 19

To summarize, after the initial removal of 17 trees for the road and 19 additional trees for construction of 8 buildings, it seems that out of the 56 current trees on the property, approximately 20 trees would remain.

The character of the Finn Hill Neighborhood will surely be diminished.

Sincerely,

Haley Ashland
425-417-0779



Davidson, Kilpatric & Krislock, PLLC

February 7, 2017

**VIA US MAIL and
E-MAIL: sleroy@kirklandwa.gov**

Mr. Sean LeRoy
City of Kirkland
123 Fifth Avenue
Kirkland, WA 98033

Re: Holmes Point Drive Short Plat Case No. SUB15-02156

Dear Mr. LeRoy:

We represent Haley Ashland and Art Turock who are the owners and residents of the home at 11534 Holmes Point Drive which is legally described as Lot 1 of King County Short Plat No. 684002 recorded under King County Recording No. 8606110530. The subject property under your Case No SUB15-02156 is Lot 2 of that short plat. We wish to make the following comments for the City's consideration in reviewing and acting upon the pending short plat application:

1. Our clients, as the owners of lot 1, have a 20-foot wide easement for ingress, egress and utilities over Lot 2, which is shown on the face of King County Short Plat No 684002. That easement was affirmed and clarified in the easement document executed by the owner of Lot 2 and recorded under King County Recording No 9606251284, a copy of which we enclose. The easement has been used for many years for driveway access to the garage on our clients' home. The pending short plat application purports to show that existing easement "to be extinguished" and also suggests a new easement to access our clients' garage and provide utilities. However, our clients have not agreed to nor indicated any willingness to agree to the extinguishment of their easement or acceptance of a substitute easement. Unless and until you receive a written agreement signed by our clients which provides for a substitute easement, you must base your decision on the fact that their easement is not going to be extinguished and that the proposed easement road through the proposed short plat cannot be legally built. The proposed easement road would obviously require the demolition of our clients' driveway and the blocking of their easement with a 10 foot high retaining wall. The owner of Lot 2 cannot so interfere with our clients' use of the easement, and we will not permit any disturbance which will interfere with their uses of the easement.
2. Should you proceed with the processing of this short plat application despite the fact that the proposed access easement road through the short plat cannot legally be built, we would ask that you address the following issues in the decision on the short plat application:
 - a. The applicant is required to designate and stake a contiguous Protected Natural Area which includes the most viable existing native vegetation area. We submit that the best existing native protection vegetation will be found on proposed lots 1, 2 and 4. The provisions of KZC 70.15(4) establish a priority for existing native vegetation in contiguous areas. There has been no showing that it is not feasible

to retain a contiguous existing native vegetation area. Without such a showing, the Planning Official may not permit the applicant to remove existing native trees, shrubs and groundcover and substitute new vegetation. KZC 70.15(7)(b) requires that "prior to approving any subdivision" the Planning Official conduct an inspection of the native vegetation and that "prior to this inspection and prior to altering the site, the applicant shall clearly delineate the proposed Protected Natural Area and the area of the proposed grading for streets. . . . " The clear intent of these provisions of the Holmes Point Overlay is to assure that an optimal Protected Natural Area preserving existing native vegetation to the greatest extent possible is achieved. In this case, the applicant has not staked and delineated the PNA so that the Planning Official and interested parties can determine its location and whether the priority for preservation of a contiguous area of existing native vegetation will be achieved. We ask that you require the designation of an optimal contiguous area of existing native vegetation for a PNA for the subdivision and allow the public to comment on it before proceeding further with the application.

- b. It appears that storm water may currently sheet flow off NE 116th onto the subject property and that the area immediately adjacent to the pavement on NE 116th and Lot 2 is wet and muddy. The applicant should be required to provide a study of storm water run-off on NE 116th Street and 72nd PI NE and provide for handling of that run-off in the storm water drainage system proposed for the short plat.
- c. We are concerned that the introduction of impervious surfaces on proposed lots 1 and 2 may cause storm water to flow onto our clients' property. The applicant should be required to identify how improvements on proposed lots 1 and 2 will not cause drainage problems onto our clients' property and at a minimum should be required to connect roof and footing drains and yard drains for houses on proposed lots 1 and 2 into the storm water drainage system.
- d. If our clients' driveway is altered, the storm water drainage system for the proposed short plat should be required to accept any storm water run-off from their property resulting from that alteration.
- e. The proposed easement road through the subject property to Holmes Point Drive will increase the volume of vehicles, bicycles and pedestrians entering Holmes Point Drive just beyond a blind curve. Not only will the proposed short plat add 7 residences to this entry point onto Holmes Point Drive, but it will create the opportunity for residents and guests of other homes on 79th PI and NE 116th Street to cut through this easement road to access Holmes Point. We submit that residents and guests of homes on 79th PI and NE 116th, as well as the 8 home built in this short plat, will find the easement road through the short plat to be the fastest way to reach Denny Park and Holmes Point neighborhoods to the south of Denny Park and they will use this easement road by vehicle, bicycle and on foot to access Denny Park and Holmes Point Drive. A traffic study should be required to determine whether there is sufficient sight distance for vehicles and bicycles coming down Holmes Point Drive to stop in order to avoid collision with vehicles, bicycles and pedestrians entering Holmes Point from the proposed easement road and also to explore pedestrian improvements which will accommodate greater pedestrian traffic and provide better pedestrian safety on the section of Holmes Point Drive abutting the subject property.

We request that Haley Ashland and Art Turock as well as our firm as their attorneys be made interested parties in the above referenced short plat application process to receive further notices of the proceeding. Notices can be sent to Ms. Ashland and Mr. Turock at their home at 11534 Holmes Point Drive, Kirkland, WA 98034 and to our law firm at the addresses set forth in our letterhead. Please feel free to contact me if you have any questions about the foregoing.

Sincerely yours,



Kenneth H. Davidson

KHD\aal

Enclosure

KHD\2032.01\LEROY.LET.02.07.2017.doc

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T.D. ESCROW
12910 TOTEM LAKE BLVD
#130
KIRKLAND WA 98034

Page 1 of 2

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the accuracy or validity of
the document.

INGRESS, EGRESS AND UTILITIES EASEMENT

For a valuable consideration, receipt of which is hereby acknowledged, the Grantor, Paula D. Watson hereby grants and conveys to the Grantees, Scott Abrams and Gloria Abrams, their successors and assigns, the right, privilege and authority to construct, improve, repair and maintain a 20 foot wide Ingress, Egress, and Utilities Easement across, over, and upon Twenty (20) feet to the following land, located in King County, State of Washington, to-wit:

Common Easement for Ingress, Egress and Utilities as shown on King County Short Plat No. 684002 A.F. No. 8606110530

That portion of King County Short Plat 684002 Auditors file No. 8606110530 being a portion of the northwest quarter of Section 36, Township 26 North, Range 4 East W.M. in King County, Washington, described as follows:

Beginning at the most westerly corner of lot 2 of said King County Short Plat; Thence south $34^{\circ}57'22''$ east 65.00 feet along the southwesterly line of said lot 2; thence returning on a tangent curve to the right having a radius of 25 feet through a central angle of $102^{\circ}34'39''$; thence north $67^{\circ}37'17''$ east 44.34 feet to the southwesterly line of lot 1 of above mentioned Short Plat; thence north $34^{\circ}30'51''$ west along said southwesterly line 20.46 feet; thence south $67^{\circ}37'17''$ west 56.66 feet to a point of curvature having a radius of 25 feet through a central angle of $61^{\circ}18'53''$ to the true point of beginning.

Said easement to be maintained, repaired, and/or rebuilt by the owners of the parcels having legal access therefrom and their heirs, assigns or successors, unless and until such roads are improved to King County standards and are dedicated and accepted by King County for maintenance.

Direct vehicular access to Holmes Point Drive from lots which abut it is prohibited, except via common access easement.

The Grantor shall make no use of the land occupied by said Ingress, Egress, and Utilities Easement except for common access to lot 2 of King County Short Plat 684002 auditors File No. 8606110530

In exercising the rights herein granted, the Grantees, their successors and assigns, may pass and repass over said Ingress, Egress and Utilities Easement and may cut and remove brush, trees and other obstructions which in the opinion of the Grantees interferes with their intended use.

960625-1284 02:06:00 PM KING COUNTY RECORDS ONE LNC 8.00

FILED BY CHICAGO TITLE INSURANCE CO.

9606251284
REF# 460779-4

Hi Sean,

As you review application SUB15-02156 I'd like to make the following comments and requests regarding:

-Geologically hazardous critical area:

- Since this site is in a geologically hazardous critical area (which includes steep slopes, landslide hazard areas and erosion hazard areas) a documented report prepared by a geotechnical professional, hired by the city and paid by the applicant, must be required. Due to the critical nature of this site a geotechnical firm hired directly by the developer shall not be allowed.
- The geotech report shall require peer review, before permit determination, and shall include all stakeholders: city planning, city public works, city arborist, developer and interested site's downhill property owners.
- The report must prove there will be no adverse impact on all near by private properties, surrounding critical area ecosystems and on public safety.
- This application should not be finalized until Kathy Brown has geotech report from that landslide that is developing above and under Holmes Pt Drive (HPD) along the south side of this parcel.

-Site Disturbance: Per KZC 70 total site alteration, including impervious surfaces and other alterations, shall not exceed 75 percent of the total lot area. It appears this proposed development does not meet this requirement.

-Protected Natural Area (PNA):

- KZC 70 states at least 25 percent of the total lot area shall be designated as a Protected Natural Area (PNA). The PNA for this site must be completely delineated and formally established as easement in this permit. Moving/altering the PNA in site's future phases shall not be allowed. Before site alteration begins city planner shall visit the site and fully document PNA protective fencing is in the proper place. Any fencing around a tree to be retained shall be outside it's drip line. If during site development fencing is found to be moved or has fallen a financial penalty shall be issued. If somehow during site activity the PNA is disturbed, in any way, penalty shall be issued and affected disturbed area of the PNA shall not longer be natural. At that point plans must be amended and process to find alternate PNA will commence. Returning a disturbed PNA to a nature state shall not be allowed. Permit shall include and establish \$3000 as penalty for any PNA violations.
- PNA Management: To assure the PNA(s) are managed and cared for properly permit shall include prior to final inspection the following:
 - A final as built landscape plan showing all vegetation required to be **planted (no plants on King County's noxious weed or weeds of concern lists are allowed to be planted including and not limited to English ivy, laurels and holly) or preserved**

- o A recorded PNA protection easement, in a form approved by the City Attorney, to maintain and replace all vegetation that is required to be protected by the City. The agreement shall be recorded with the King County Bureau of Elections and Records. Land survey information shall be provided for this purpose in a format approved by the Planning Official. Plants that die must be replaced in kind or with similar plants contained on the Native Plant List, or other native species approved by the Kirkland. All remaining site significant trees shall be maintained in perpetuity, and tree removal will be allowed only for hazardous and nuisance trees.

-Tree/Plant inventory and assessment report:

- Since previous city work practices on other developments in the HP area **haven't been managed properly and in hopes of assuring practices and goals outlined in the HPO and in Kirkland's Urban Forest Mgmt Plan (KUFMP) it's** important at this site a complete tree/plant inventory and assessment report be prepared by a qualified tree professional. Report must include: tree species, diameter at breast height, health condition, location, and all critical root zone (CRZ) data.

-Tree removal: Since this area is in geologically hazardous area and per kzc 85 removal of trees in this critical area and it's buffers shall be prohibited.

-Tree/plant replacement plan:

- Any tree/plant replaced must be included in a tree/plant replacement plan which shall show the location(s) and species of the new tree(s)/plants and must be submitted prior to permit issuance. Tree/plant replacement plan shall include the number of required replacement trees/plants, number shall be determined by the number of trees that will, within twenty years, achieve tree canopy coverage equal to or greater than the minimum canopy coverage goal in Kirkland Urban Forestry Plan.
- Since this is in a critical area site plans shall also include assurances new trees/plants survive. To assure this a city or city hired Qualified Tree Professional shall undertake annual site visits at the expense of the applicant and submit annual progress reports to planning for the five years that the permit is valid. Changes to the approved plan may only be made with approval of both planning and a Qualified Tree Professional.
- **No plants on King County's noxious weed or weeds of concern lists (including ivy, laurels and holly)** shall be allowed to be planted at this site.

- Stop Work Order. Since this is in a critical area any code violations of the permit, HPO or KUFMP shall result in the city planner suspending site work with stop work order.

- The building official shall remove the stop work order when the City determines that the violation has been corrected or when the City has reached an agreement with the violator regarding rectification of the violation.
- Correcting a violation in a future site phase shall not be allowed.

-Stormwater: The City has a surface water utility goal to manage surface water and stormwater so that it reduces flooding, water quality is improved, stormwater infrastructure is protected and aquatic habitat conditions are improved. This project does not meet or reflect these goals. Surface water, from this property and from a large area of land surrounding this property, runs off surfaces such as rooftops (which can contain toxic moss killer), paved roads (which has oil on the surface) and from yards that often have phosphate fertilizer applied to them. The outfall from this large volume of water flows to an outfall pipe into Lake Washington less than 300 yards away.

- Stormwater site plans must be revised to include additional on site water quality treatment to protect fish habitat
- Plans shall include Dept of **Ecology's best management practices (BMP)**.
- Site stormwater plan must also include report and actions, prepared by a geotechnical professional to assure downhill properties will not be flooded and/or negatively impacted in other ways due to area surface water having less areas to be naturally absorbed into the land.
- Site stormwater plan must also show required improvements to the existing stormwater infrastructure along Holmes Point Drive which will connect the **site's water system to the receiving waterway** Lake Washington. I feel Improvements to this system should be funded by the applicant (not through a publicly funded process) and should also include DOE best management practices (BMP) such as: raingardens, silva cell treatment/flow control facilities, bioretention devices, or flow through water decontamination solutions. New onsite and off site stormwater treatment applications will help **Kirkland achieve mandates as directed by Ecology and help achieve the city's** stormwater goals.

-Education: I feel the city should use this development application to help the city **reach it's tree and stormwater goals. I feel the city should educate the developer** through the permit process to teach the economic and social benefit of applying tree and stormwater BMP within the permit process. This plan should include a section where the city educates the applicant to the economic business value and the social value of retaining trees. These actions could increase the economic value of the developers project while allowing **the city to achieve it's mandates and attain it's tree canopy & stormwater goals by retaining site trees. The education could** include below findings from the Center of Urban Forest Research-UC Davis:
A-Increase property value: A 24 inch Doug Fir can raise the property value by \$128/year. Real estate agents have long known that trees can increase the "curb appeal" of properties thereby increasing sale prices. Research has verified this by

showing that home buyers are willing to pay more for properties with ample versus **few or no trees. Formula's and calculators to establish these values shall be taught.**

B-Stormwater: A 24 inch Doug Fir can intercept 2,964 gallons of stormwater runoff a year. Trees act as mini-reservoirs, controlling runoff at the source. Trees reduce runoff by: Intercepting and holding rain on leaves, branches and bark, Increasing infiltration and storage of rainwater through the tree's root system, Reducing soil erosion by slowing rainfall before it strikes the soil. Urban stormwater runoff washes chemicals (oil, gasoline, salts, moss killers, phosphate fertilizers etc.) from surfaces such as roadways, roofs and yards into Lake Wa 300 yards away. The more impervious the surface (e.g., concrete, asphalt, rooftops), the more quickly pollutants are washed into Lake Washington. Aquatic life and the health of our entire ecosystem can be adversely effected by this process.

C-CO2 sequestering: A 24 inch Doug Fir will reduce atmospheric carbon by 466 pounds. Trees educe atmospheric carbon. They sequester CO2 in their roots, trunks, stems and leaves while they grow, and in wood products after they are **harvested. Most car owners of an "average" car (mid-sized sedan)** drive 12,000 miles generating about 11,000 pounds of CO2 every year. Trees near buildings can reduce heating and air conditioning demands, thereby reducing emissions associated with power production.

-ROW: Since this is a critical area.

- All trees in the ROW shall be retained.
- Due to limited site distance and traffic safety concerns access to Holmes Point Drive through the city ROW shall not be allowed.

Thank you,

Ken Goodwin
Finn Hill Neighborhood Alliance-Member

I'm Ross Judson, the owner of 11607 72nd PL NE, very close to the proposed subdivision.

I understand and support improving the property in question, but oppose subdividing it to 8 lots. An 8 house subdivision is completely different from the rest of the area. It doesn't represent a small increase in density -- it's dramatic multiplier over what surrounds it. There are no barriers between the proposed subdivision and anything around it -- the property simply becomes a giant wall of housing in the middle of a low density (effectively RSA-4 or less) subdivision). It will dominate and permanently alter the character of the area.

The RSA-6 designation given to our area is an accident of history and/or oversight -- a default applied when Kirkland annexed Finn Hill. If zoning laws are meant (at least in part) to help preserve the essential character of neighborhoods, then the proposed subdivision doesn't even pass the laugh test.

But...on to the apparent inconsistencies and/or violations of the code, and specifically the Holmes Point Overlay rules.

I have serious issues with runoff, given the slope of the road above the property. If subdivision is permitted in the planned fashion, housing will be built all the way to the road, and it's highly likely that runoff will be accelerated down the road (it can't pass through the newly built housing), directly into my property, furthering the erosion I am experiencing.

The HPO requires a 25% contiguous area to be designated on the plans. I see no such designation, which should be exceeding 16,000 sq ft.

Over 70 trees are listed on the proposal, of which *only* 17 are scheduled for removal. That is a misrepresentation of the end state of the property. Many of the trees to be "retained" are actually directly in the path of the houses to be built, and will of course be removed. A number of the listed trees are also on other properties, and should not be included on the proposal, as they further obscure the number of trees being retained.

The proposed access easement/road is over 9,000 sq feet and violates the maximum paved surfaced allowable equation. I expect the argument being made is that the road is "necessary and minimal", and thus should not be included in the calculations of paved coverage. This is false -- the properties to the top can be serviced by a single small shared driveway, and the properties to the bottom can be serviced by entry points on Holmes Point Road.

The extensive access road's real purpose is to reorient the housing so additional lots can be packed in by rotating the front, side, and back yard setbacks.

If Art Turock does not allow his easement to be extinguished, then the slope of the road may no longer be viable and the lots will have to be shifted.

It will be interesting to see if the builder proposes to have most of the windows for these houses on the *side* of the house, for view purposes.

I expect that these points will be incorporated into any discussion of the site, and look forward to a solution that follows the laws we have in place, hopefully in spirit as well as within the technical language.

Mr. LeRoy - my neighbor two doors to the south (his home is on NE 116th) informed of the above proposed project. He gave me a copy of the notice of application that he received. Unfortunately, no one on our street (72nd PL NE) has received any of this information, and the proposed development is in our immediate neighborhood. In addition, no signs have been posted on NE 116th St, which is the back side of the proposed development, and the board posted on Holmes Pt. Drive was blank - no information was available for people to read. I have a photo taken on Tuesday of the blank board.

The Notice of Application that I have indicates comments by February 13th. I believe that there has to be adequate advance posted information for residents to review before a deadline for Public Comment (a city ordinance).

I request that the City of Kirkland provide the appropriate signage and documentation both on Holmes Pt Dr. and NE 116th Street and extend the Public Comment date to allow local residents review the information and provide detailed comments.

This is the second large development proposed for our tiny neighborhood - residents have only a 1 lane road for access and the City of Kirkland does not provide maintenance. We take care of the road ourselves. This area CANNOT accommodate more traffic.

Thank you for your rapid response to these requests.
Sandra Salazar

Sandra Salazar

Outrageous Offerings LLC

11648 - 72nd PL NE

Kirkland, WA 98034

v: 425.823.3905

f: 425.814.4998

outrageousofferings@comcast.net ; <http://www.outrageousofferings.com>

Mr. LeRoy:

We live 2 doors down from the proposed 8 lot proposal that includes 72nd Place and Holmes Point Drive.

We are very concerned about the NEGATIVE impact this proposed development will have on our immediate neighborhood street and the entire Holmes Point Community. The proposal of 8 homes is beyond overcrowding in this small plot lot of land. Eight homes is too many!

We have a one land street on 116th and 72nd Pl. and we want it to remain that way. There is already too much development that has destroyed trees and other natural wildlife in our immediate neighborhood.

Cramming in 8 more homes will dramatically increase traffic on our quaint one lane street. It also will increase safety concerns for children, walkers, and fire and emergency vehicles. Noise levels will greatly increase along with parking issues.

This increase of 8 more homes will overwhelm an already stressed utility and public works infrastructure.

Over the past couple of years we have seen our street traffic quadruple. Cars speeding down a once quite street.

We are asking you to reconsider this housing proposal and decrease the number of homes allowed on this plot of land. This investor obviously is not building a home to occupy, but rather to profit at the expense of the neighborhoods residents.

Thank you.

Sincerely,

Karen and Scott Green
11621 72nd Pl NE
Kirkland, WA 98034
425-242-0676
clangreen4@comcast.net

Sean,

Thanks again for providing some answers during our phone call last Friday. As I wait for the road safety conditions reports that you offered to send, I wanted to share some of my main concerns with the project proposal before the Feb 13th deadline. The key things I'm most concerned with:

- 1) While unlikely in this timeframe, I believe the zoning rules should be changed to only allow R4 in the Holmes Pt area, not the current R6. The recent projects in the area are introducing significant traffic on Holmes Pt and Juanita Drive and it appears the developers are getting rich at a cost to all the citizens of Kirkland. And while tax revenues will obviously increase with all the added development, the infill is just too extreme and is resulting in a degradation of our quality of living in this area, not to mention the added expense needed to ensure infrastructure and safety services are keeping pace. In addition, at R6 (8 houses in this case), we going to see greater tree removal in the HPO area, which is one of a few areas left that allows Kirkland to remain a green city. If there's any upcoming changes to the zoning rules, we should place this project put on hold and have it be bound to any zoning reductions.
- 2) The S.W. corner of this property has an embankment ranging from 5' to approx. 18-20' high. This embankment is also very steep (no way to even walk up that slope). The concern is the slope has many large trees which form a canopy over Holmes Pt. As part of the proposed conditions, the developer is being instructed to widen Holmes Pt alongside this embankment, likely having to cut into the embankment. Any cut will only increase the steepness or render the lot above smaller than intended. An added condition should be to construct a large retaining wall, and mitigate the tree loss situation. Note, just this week a 60' tree up-rooted from the embankment, blocking Holmes Pt and doing significant damage to the road and guard-rail on the opposition side of the road. In addition, just yesterday, the City of Kirkland had another crew spend most of the day closing Holmes Pt at this property to remove four additional trees that they claimed created a hazard for drivers. All of these trees and the sliding embankment have been known problems for the last several years. The developer who owns this property has done nothing to mitigate the problems. As a result, the citizens of Kirkland are now on the hook for tree removal and all the road/guardrail repairs. Somehow the developer should be held accountable for these expenses, and it should be made a condition of this project's approval that the developer properly shore up the entire embankment and preserve as many of these trees, and/or properly trim the trees to prevent damage to Holmes Pt and the passing cars/pedestrians. Special conditions should be added to mitigate further damage and cost to taxpayers.
- 3) An Ingres/Egress access on the Holmes Pt side is proposed to be a full 16' road (with 4' sidewalk) which will be added from Holmes Pt up the hill to 116th (at top of hill). A new condition for this property should state that "no ingress/egress be allowed from Holmes Pt", rather all ingress/egress should be from 116th. And while a new road will be needed to service so many homes, the road should be a cul-a-sac with access starting at 116th and proceeding down the hill, ultimately terminating at the bottom of the property without access to Holmes Pt. The reason for this restriction is that the proposed Holmes Pt access is directly on a blind corner. As a resident for the past 20+ years on the opposite side of the street, I can attest to numerous accidents and near accidents on this corner over the years. In fact, neighbors on the same side of the street as the proposed development no longer use their lower access point, and instead opt to use the upper access to 116th, due to the high danger factor. In my years living hear I've

seen bike accidents, pedestrian & animal accidents, car accidents (some with serious injuries), and even home damage as cars come careening around the corner (usually at speeds much higher than posted limits) and lose control. All of this has happened directly in front of the proposed Holmes Pt access point. As a known danger, I don't believe the city planners should approve the Holmes Pt access and accept such liability, again at the expense to the citizens who end up paying the claims. The idea of a cul-de-sac makes the most sense, and would allow full access to the home sites, plus access for fire services.

- 4) Drainage. The geo-tech report I've seen calls for a retention facility on the lower portion of the property. The proposed facility and feeder drainage seems appropriate. I appreciate the proposed condition for the water to be filtered, which I would like to see become a final condition, as all the added surface water (with increased pollutants) will almost immediately end up in the Lake Washington less than 200 yards from the shore. Assuming the water is filtered, my main concern then has to do with the plans which call for the StormFilter System water to be deposited into the "ditch alongside Holmes Pt", which is described as leading to the storm drain going under Holmes Pt to the lake. The problem is that "ditch" was paved-over 15 years ago by the county to form a shoulder, and as a result, all the drainage today coming from the existing property simply floods onto Holmes Pt (to about the centerline), which results in pedestrians having to walk in the middle of the road, and cars to hydroplane, or worse when black ice forms in the winter. A condition for approval of this permit, should be the developer to install a full underground drainage pipe from his property alongside Holmes Pt. to the targeted culvert 100' north of his property. The pipe should be installed and the shoulder should be restored. This should not be a city expense and the neighborhood should not have deal with Holmes Pt being flooded every time it rains.

If needed, I can provide pictures of the downed tree this week, as well as the flooding that occurs when the drainage is not properly conveyed to the storm water system.

Sean, thanks again for taking my call the other day, and thanks for your consideration of these comments. Please feel free to reach out and ask any questions.

Thanks...

Bill Smith
Billsm1@msn.com
425-445-1421
11535 Holmes Pt, Kirkland Wa

February 5th, 2017

City of Kirkland Planning and Building Department

Sean LeRoy, Project Planner

Regarding the Notice of Application for Holmes Point Drive Short Plat, Case No. Sub15-02156

I would like my comments to be taken into consideration and to become part of the public record for the referenced application.

NE 116th St Improvements. NE 116th St is a one lane road with no parking or sidewalk. Increasing traffic on this road will further damage the road, increase parking congestion, and safety issues for pedestrians. It is my understanding access to the property will be allowed from NE 116th St. If this is the case, there are several improvements to NE 116th St that should be strongly considered.

- NE 116th St is currently in need of repair. There are pot holes in the road. Additionally, the road is developing ruts on the edges from vehicles too wide for the road. If traffic is increased the road should be repaired and/or widened to accommodate additional vehicles.
- There is no parking. If homeowners along NE 116th St are increased, there needs to be ample parking for existing and new homeowners. This could be accomplished by widening the road to allow multiple parallel parking spots.
- There is no path for pedestrians to pass on the road when a vehicle is passing. If a pedestrian or biker encounters a car on NE 116th St they need to move onto a homeowner's property to let a vehicle pass. Increasing traffic on this road will become a safety issue for pedestrians. Widening the road or providing a pedestrian pathway would be safer for the neighborhood.

Thank you for consideration of these comments.

Zach & Bonnie Strehlo

7231 NE 118th Street

Kirkland, WA 98034

zachst@hotmail.com

February 10, 2017

Mr. Sean LeRoy

123 5th Avenue

Kirkland WA. 98033

Subject: Permit Number SUB15-02156

Dear Mr. LeRoy,

Thank you for this opportunity to respond and voice our concerns regarding Holmes Point Garden Case #SUB15-02156.

We have the following concerns:

Loss of the Neighborhood Feeling and Character– we are R-1, and under the new plan, R-6

Not a shared vision for our neighborhood as we are single family lots with lots of larger trees and undergrowth

Green space and the Holmes Point Overlay is a strength and positive feature of our neighborhood. These are things that people value and want to keep. That does not seem to apply to builders who have to strip off the large trees to squeeze in all the new home they are proposing to fit into the lots.

The 8-lot proposal on this planning application will set a precedent for a pattern of development that is not appropriate in our neighborhood. The developers take their profits and leave us with all the density and traffic.

The new traffic from all the heavy construction equipment combined with the new cars associated with the new homes will wreak havoc with our already stressed one lane road.

Extra loading on our already stressed Power Grid – our neighborhood loses power consistently several times each year, sometimes up to several days.

Emergency Vehicles Response constraints for a one lane road

Storm Water Runoff

Mitigation payment for anticipated increase in traffic resulting from land development

Additional Construction Equipment and traffic will seriously deteriorate existing single lane neighborhood sponsored road.

We need Bonds to cover repair and resurfacing of the one lane road

It would be appreciated if you would take the time to drive through our peaceful, serene neighborhood, notice the trees and nature at its best. You may be surprised as you may be asked in for a cup of coffee or a bottle of water, because that's what our neighbors that have been here for over 25 years do.

Thank you for your help and consideration with this matter.

Tim & Leslie Tinti

11652 72nd Place NE

Kirkland, WA 98034

425-823-4513

leslie@tinti.com



PRESERVED GROVE COVENANT

Parcel Number: _____

Covenantor: _____, owner of the hereinafter
described real property, hereby grants to

Covenantee: The City of Kirkland, a municipal corporation.

The undersigned covenantors covenant to the City of Kirkland that they are all of the fee owners of the real property described in Exhibit A and hereby grant and convey a preserved grove covenant over and across the portion of said real property as described in Exhibit B.

All trees and any associated vegetation within the area of the preserved grove covenant shall remain and be maintained by the grantor, **and the grantor's successors and assigns**, in perpetuity in accordance with the plan approved by the City of Kirkland under permit number _____. The limits of the preserved grove covenant as set forth in Exhibit B identify the location of the trees that must remain. No tree trimming, tree topping, vegetation removal or development activity, such as, but not limited to, construction of structures, buildings, or sheds are allowed that would impact the trees or associated vegetation within this covenant without prior written approval by the City. The City may approve tree trimming only if it complies with the American National Standards Institute (ANSI) A300 Pruning Standards. A report by a qualified professional that assesses the impacts to the trees and vegetation within the covenant must be submitted to the City of Kirkland for review and approval prior to any development activity on the property.

Any person conducting or authorizing development activity or tree trimming, tree topping or tree removal in violation of this Covenant or the terms of any written approval issued pursuant hereto, shall be subject to the enforcement provisions of Chapter 1.12, of the Kirkland Municipal Code (KMC). For purposes of KMC 1.12.100, this Covenant is an approved tree protection plan. In such event, the Kirkland Planning and Building Department may also require within the immediate vicinity of any damaged or fallen vegetation, restoration of the affected area by planting shrubs of comparable size and/or trees of three inches or more in diameter measured one foot above grade. The Department also may require that the damaged or fallen vegetation be removed.

Each of the undersigned owners agree to defend, pay, and save harmless the City of Kirkland, its officers, agents, and employees from any and all claims of every nature whatsoever, real or imaginary, including costs, expenses and attorney's fees incurred in the investigation and defense of said claims, which may be made against the City, its officers, agents, or employees for any damage to property or injury to any person arising out of the maintenance of said preserved grove covenant over said owner's property or the actions of the undersigned owners in carrying out the responsibilities under this agreement, excepting therefrom only such claims as may arise solely out of the gross negligence of the City of Kirkland, its officers, agents, or employees.

This covenant shall be binding upon the parties hereto, their successors and assigns, and shall run with the land. This Covenant shall, at the expense of the undersigned grantors, be recorded by the City of Kirkland with the King County Department of Elections and Records.

Exhibit A - Legal Description of Grantor's Property:

Exhibit B - Covenant Description:

DATED this _____ day of _____, _____.

(Partnerships Only)

OWNER(S) OF REAL PROPERTY

(Name of Partnership or Joint Venture)

By General Partner

By General Partner

By General Partner

(Partnerships Only)

STATE OF WASHINGTON)
County of King) SS.

On this _____ day of _____, _____, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared _____ and _____

_____ to me, known to be general partners of _____, the partnership that executed the Preserved Grove Covenant and acknowledged the said instrument to be the free and voluntary act and deed of each personally and of said partnership, for the uses and purposes therein set forth, and on oath stated that they were authorized to sign said instrument.

WITNESS my hand and official seal hereto affixed the day and year first above written.

Notary's Signature

Print Notary's Name

Notary Public in and for the State of Washington,
Residing at: _____

My commission expires: _____

(Corporations Only)
OWNER(S) OF REAL PROPERTY

(Name of Corporation)

By President

By Secretary

(Corporations Only)

STATE OF WASHINGTON)
County of King)) SS.

On this _____ day of _____, _____, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared _____ and _____

_____ to me, known
to be the President and Secretary, respectively, of
_____, the corporation
that executed the Preserved Grove Covenant and acknowledged
the said instrument to be the free and voluntary act and deed of
said corporation, for the uses and purposes therein set forth, and
on oath stated that they were authorized to sign said instrument
and that the seal affixed is the corporate seal of said corporation.

WITNESS my hand and official seal hereto affixed the day and year first above written.

Notary's Signature

Print Notary's Name

Notary Public in and for the State of Washington,

Residing at:

My commission expires: _____

(LLC Only)

OWNER(S) OF REAL PROPERTY

(Name of Company)

By Managing Member

By Member

(LLC Only)

STATE OF WASHINGTON)
) ss.

County of King)
On this _____ day of _____, _____, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared _____ and _____

to be the Member(s), respectively, of _____, the company that executed the Preserved Grove Covenant and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth, and on oath stated that they were authorized to sign said instrument and that the seal affixed is the corporate seal of said company.

WITNESS my hand and official seal hereto affixed the day and year first above written.

Notary's Signature

Print Notary's Name _____
 Notary Public in and for the State of Washington,
 Residing at: _____
 My commission expires: _____



HOLMES POINT OVERLAY ZONE PROTECTED NATURAL AREA EASEMENT

_____, owner of the hereinafter described real property ("**Grantor**"), hereby grants to the City of Kirkland, a municipal corporation ("**Grantee**") a Holmes Point Overlay Zone Protected Natural Area easement ("PNA Easement") over and across the following described real property:

No tree trimming, tree topping, tree cutting, tree removal, shrub or brush-cutting or removal of native vegetation, application of pesticides, herbicides, or fertilizers; construction; clearing; or alteration activities shall occur within the PNA Easement without prior written approval from the City of Kirkland. Application for such written approval is to be made to the Kirkland Department of Planning and Community Development who may require inspection of the premises before issuance of the written approval and following completion of the activities. Any person conducting or authorizing such activity in violation of this paragraph or the terms of any written approval issued pursuant hereto, shall be subject to the enforcement provisions of Chapter 170, Ordinance 3719, the Kirkland Zoning Code. In such event, the Kirkland Department of Planning and Community Development may also require within the immediate vicinity of any damaged or fallen vegetation, restoration of the affected area by planting replacement trees and other vegetation as required in applicable sections of the Kirkland Zoning Code. The Department also may require that the damaged or fallen vegetation be removed.

It is the responsibility of the property owner to maintain the PNA Area by removing non-native, invasive, and noxious plants in a manner that will not harm the PNA and in accordance with Kirkland Zoning Code Chapter 70 requirements for trees and other vegetation within the PNA.

The City shall have a license to enter the PNA Easement (and the property if necessary for access to the PNA Easement) for the purpose of monitoring compliance with the terms of this easement.

Each of the undersigned owners agree to defend, pay, and save harmless the City of Kirkland, its officers, agents, and employees from any and all claims of every nature whatsoever, real or imaginary, which may be made against the City, its officers, agents, or employees for any damage to property or injury to any person arising out of the existence of said PNA Easement over said owner's property or the actions of the undersigned owners in carrying out the responsibilities under this agreement, including all costs and expenses, and recover attorney's fees as may be incurred by the City of Kirkland in defense thereof; excepting therefrom only such claims as may arise solely out of the negligence of the City of Kirkland, its officers, agents, or employees.

This easement is given to satisfy a condition of the development permit approved by the City of Kirkland under Kirkland File/Permit No. _____, for construction of _____ upon the following described real property:

This easement shall be binding upon the parties hereto, their successors and assigns, and shall run with the land.

DATED at Kirkland, Washington, this _____ day of _____, _____.

(Sign in blue ink)

(Individuals Only)

OWNER(S) OF REAL PROPERTY (INCLUDING SPOUSE)

(Individuals Only)

STATE OF WASHINGTON)
County of King) SS.

On this _____ day of _____, _____, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared

_____ and _____ to me known to be the individual(s) described herein and who executed the Public Ingress and Egress Easement and acknowledged that _____ signed the same as _____ free and voluntary act and deed, for the uses and purposes therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year first above written.

Notary's Signature

Print Notary's Name

Notary Public in and for the State of Washington,

Residing at: _____

My commission expires: _____

(Partnerships Only)

OWNER(S) OF REAL PROPERTY

(Name of Partnership or Joint Venture)

By General Partner

By General Partner

By General Partner

(Partnerships Only)

STATE OF WASHINGTON }
County of King } SS.

On this _____ day of _____, _____, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared

_____ and
_____ to me,
known to be general partners of
_____, the partnership that
executed the Public Ingress and Egress Easement and
acknowledged the said instrument to be the free and voluntary
act and deed of each personally and of said partnership, for the
uses and purposes therein set forth, and on oath stated that
they were authorized to sign said instrument.

WITNESS my hand and official seal hereto affixed the day and
year first above written.

Notary's Signature

Print Notary's Name

Notary Public in and for the State of Washington,
Residing _____ at:

My commission expires: _____

(Corporations Only)

OWNER(S) OF REAL PROPERTY

(Name of Corporation)

By President

By Secretary

(Corporations Only)

STATE OF WASHINGTON)
) ss.

County of King)

On this _____ day of _____, _____, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared _____

_____ and _____ to me, known to be the President and Secretary, respectively, of _____, the corporation that executed the Public Ingress and Egress Easement and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth, and on oath stated that they were authorized to sign said instrument and that the seal affixed is the corporate seal of said corporation.

WITNESS my hand and official seal hereto affixed the day and year first above written.

Notary's Signature

Print Notary's Name

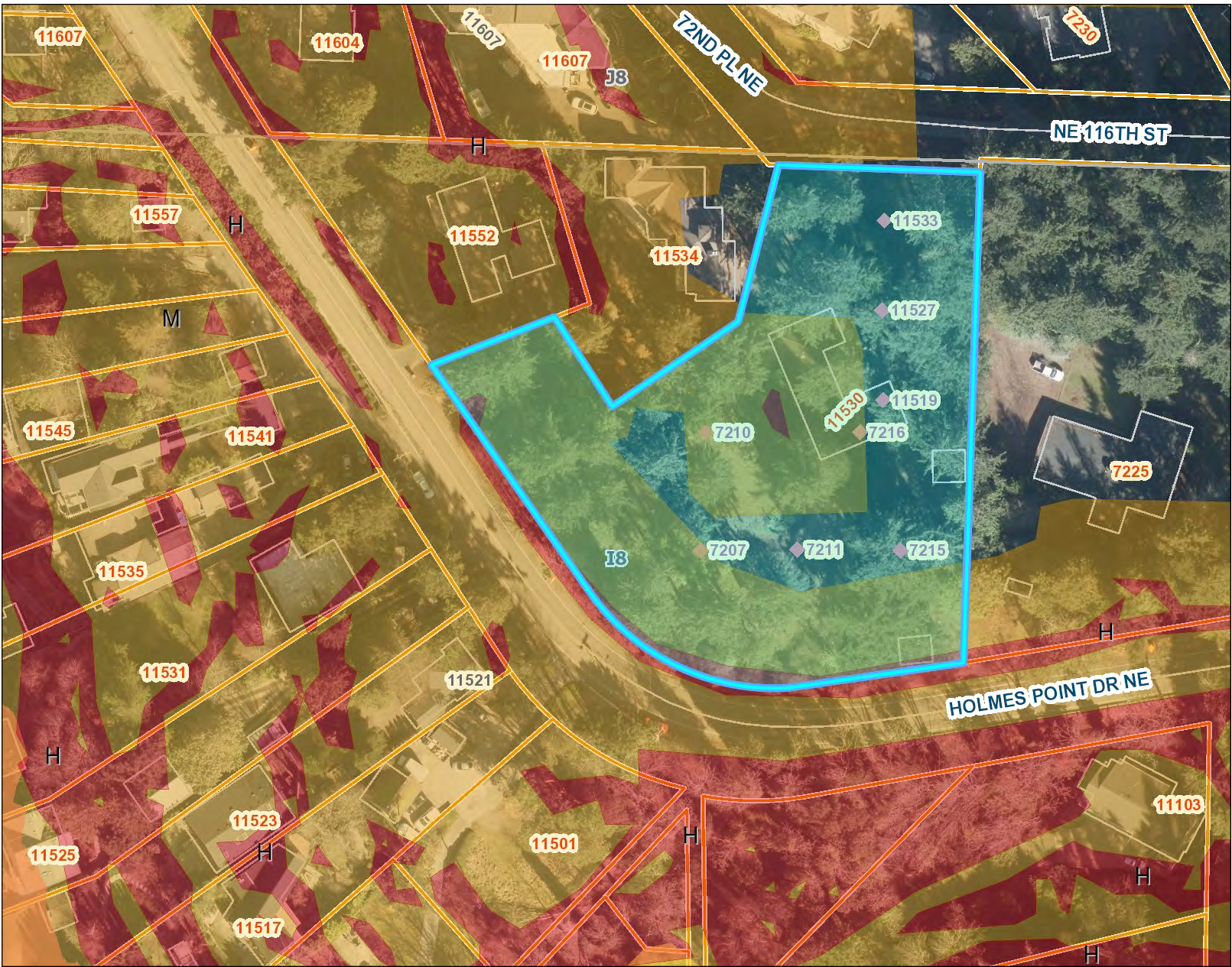
Notary Public in and for the State of Washington,

Residing at: _____

My commission expires: _____



City of Kirkland GIS



Legend

- Landslide
 - Deposit Areas
 - Head Scarps
 - High Susceptibility
 - Moderate Susceptibility
- Liquefaction Potential
 - High
 - Medium or Mixed
- Address
 - Other Address
 - Current Address
 - Current ADU
 - Pending Address
- City Limits
- Grid
- QQ Grid
- Cross Kirkland Corridor
- Regional Rail Corridor
- Streets
- Parcels
- Place Names
- Buildings
- Lakes
- Parks
- Schools
- Olympic Pipeline Corridor

1: 1,064

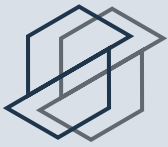


Notes

0.0 0 0.02 0.0 Miles

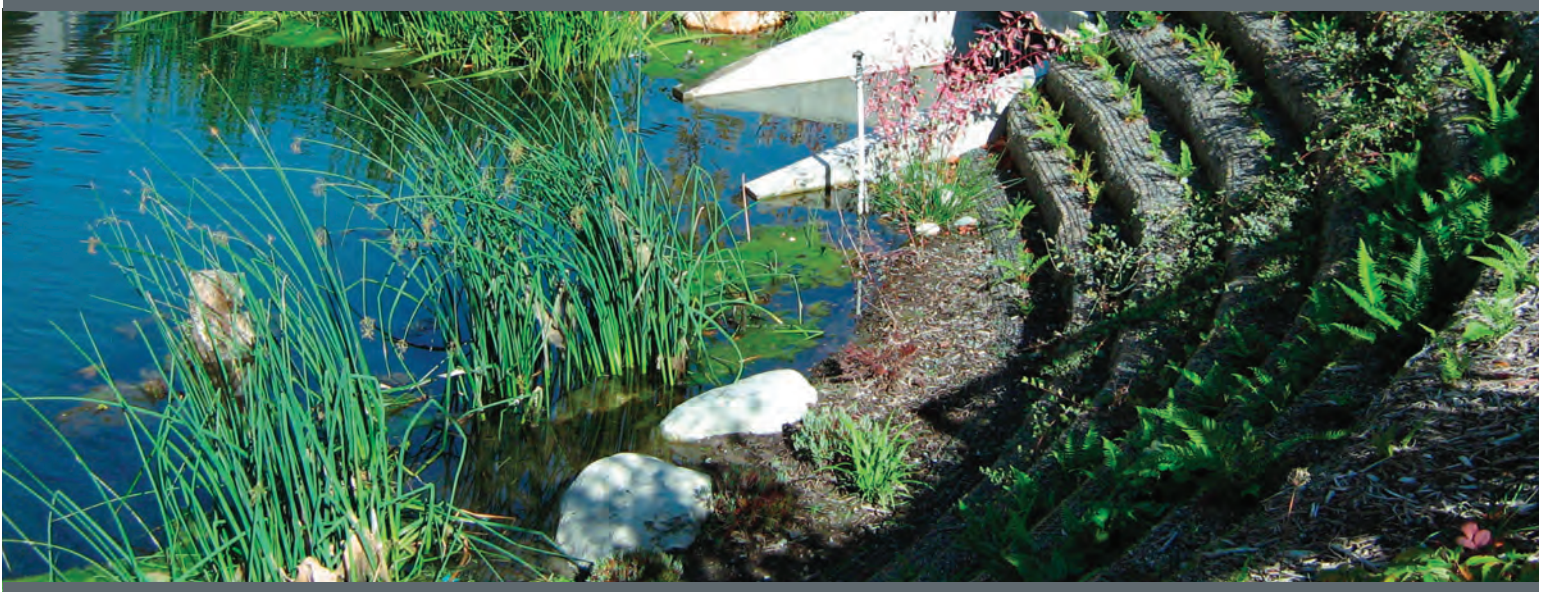
NAD_1983_StatePlane_Washington_North_FIPS_4601_Feet

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a s s o c i a t e d
e a r t h s c i e n c e s
i n c o r p o r a t e d

ENCLOSURE 2
ATTACHMENT 9



*Subsurface Exploration, Geologic Hazard,
and Geotechnical Engineering Report*

ZHU PROPERTY

Kirkland, Washington

Prepared For:

SENSIBLE BUILDER, LLC

Project No. KE160397A

August 18, 2016



Associated Earth Sciences, Inc.
911 5th Avenue
Kirkland, WA 98033
P (425) 827 7701
F (425) 827 5424



August 18, 2016
Project No. KE160397A

Sensible Builder, LLC
11350 Exeter Avenue NE
Seattle, Washington 98125

Attention: Mr. Jerry Zhu

Subject: Subsurface Exploration, Geologic Hazard,
and Geotechnical Engineering Report
Zhu Short Plat
11530 Holmes Point Drive NE
Kirkland, Washington

Dear Mr. Zhu:

We are pleased to present the enclosed copies of the above-referenced report. This report summarizes the results of our subsurface exploration, geologic hazard, and geotechnical engineering studies, and offers recommendations for the preliminary design and development of the proposed project. Our recommendations are preliminary in that grading and other construction details have not been finalized at the time of this report.

We have enjoyed working with you on this study and are confident that the recommendations presented in this report will aid in the successful completion of your project. If you should have any questions or if we can be of additional help to you, please do not hesitate to call.

Sincerely,
ASSOCIATED EARTH SCIENCES, INC.
Kirkland, Washington

A handwritten signature in dark ink, appearing to read 'G. Aaron McMichael', is written over a horizontal line.

G. Aaron McMichael, P.E.
Associate Geotechnical Engineer

GAM/lid
KE160397A3
Projects\20160397\KE\WP

**SUBSURFACE EXPLORATION, GEOLOGIC HAZARD,
AND GEOTECHNICAL ENGINEERING REPORT**

ZHU SHORT PLAT

Kirkland, Washington

Prepared for:

Sensible Builder, LLC
11350 Exeter Avenue NE
Seattle, Washington 98125

Prepared by:

Associated Earth Sciences, Inc.
911 5th Avenue
Kirkland, Washington 98033
425-827-7701
Fax: 425-827-5424

August 18, 2016
Project No. KE160397A

I. PROJECT AND SITE CONDITIONS

1.0 INTRODUCTION

This report presents the results of our subsurface exploration, geologic hazard, and geotechnical engineering study for the subject project. Our recommendations are preliminary in that construction details have not been finalized at the time of this report. The location of the subject site is shown on the "Vicinity Map," Figure 1. The approximate locations of the explorations accomplished for this study are presented on the "Site and Exploration Plan," Figure 2. In the event that any changes in the nature or design of the proposed layout is planned, the conclusions and recommendations contained in this report should be reviewed and modified, or verified, as necessary.

1.1 Purpose and Scope

The purpose of this study was to provide subsurface data to be used in the design and development of the subject project. Our study included a review of available geologic literature and excavating six exploration pits to assess the type, thickness, distribution, and physical properties of the subsurface sediments and shallow ground water conditions. Geotechnical engineering studies were also conducted to assess the type of suitable foundation, allowable foundation soil bearing pressures, anticipated settlements, retaining wall lateral pressures, floor support recommendations, and drainage considerations. This report summarizes our current fieldwork and offers preliminary development recommendations based on our present understanding of the project.

1.2 Authorization

Authorization to proceed with this study was granted by Mr. Jerry Zhu of Sensible Builder, LLC. Our study was accomplished in general accordance with our scope of work letter dated July 21, 2016. This report has been prepared for the exclusive use of Sensible Builder, LLC, and their agents, for specific application to this project. Within the limitations of scope, schedule, and budget, our services have been performed in accordance with generally accepted geotechnical engineering and engineering geology practices in effect in this area at the time our report was prepared. No other warranty, express or implied, is made.

2.0 PROJECT AND SITE DESCRIPTION

The subject site consists of a residential parcel with a reported area of 1.52 acres located at 11530 Holmes Point Drive NE in Kirkland, Washington (Figure 1). The parcel is currently occupied by a single-family home accessed by a concrete driveway entering the property off of Holmes Point Drive NE. A small, gravel driveway also enters the northeastern portion of the property off of NE 116th Street. The topography in the portion of the site occupied by the

home generally slopes down toward the west at inclinations of less than 10 percent. West of the home the property steepens to approximately 20 to 25 percent, flattening to approximately 15 to 20 percent in the southern portion of the site. The topography steepens abruptly adjacent to Holmes Point Drive NE, which bounds the parcel to the west and south. The abrupt steepening extends over the height of an apparent cut slope that appears to be associated with construction of the adjacent road. The cut slope is inclined at approximately 50 to 100 percent over a height of approximately 4 to 10 feet. A small gravel driveway enters the property off of NE 116th Street, which bounds the site to the north. The property is bounded to the northwest by developed residential properties. The portion of the site outside of the existing home and driveways is vegetated by lawn with scattered trees and other landscaping areas.

Our understanding of the project is based on discussions with Mr. Keith Litchfield of Litchfield Engineering. It is our understanding that current plans include demolition of the existing home and subdividing the site into eight residential lots. Access into the plat would be provided by a new public road that will roughly coincide with the location of the existing concrete driveway. The project is also expected to include widening of Holmes Point Drive NE to accommodate a sidewalk. It is anticipated that construction of the new public road and sidewalk project will include construction of retaining walls. If suitable subsurface conditions are present, the project will include on-site infiltration of storm water.

3.0 SUBSURFACE EXPLORATION

Our field study included excavating six exploration pits to obtain subsurface information about the site. The various types of sediments, as well as the depths where characteristics of the sediments changed, are indicated on the exploration logs presented in Appendix A. The depths indicated on the logs where conditions changed may represent gradational variations between sediment types in the field. Our explorations were approximately located in the field relative to known site features shown on the site plan. The approximate locations of the explorations are shown on Figure 2.

The conclusions and recommendations presented in this report are based, in part, on the exploration pits completed for this study. The number, locations, and depths of the explorations were completed within site and budgetary constraints. Because of the nature of exploratory work below ground, interpolation of subsurface conditions between field explorations is necessary. It should be noted that subsurface conditions differing from those depicted on the logs may be present at the site due to the random nature of deposition and the alteration of topography by past grading and/or filling. The nature and extent of any variations between the field explorations may not become fully evident until construction. If variations are observed at that time, it may be necessary to re-evaluate specific recommendations in this report and make appropriate changes.

3.1 Exploration Pits

Six exploration pits were excavated at the site using a small, track-mounted excavator. The pits permitted direct, visual observation of subsurface conditions. Materials encountered in the exploration pits were studied and classified in the field by an engineering geologist from our firm. The approximate locations of the exploration pits are shown on Figure 2.

Samples collected from the exploration pits were classified in the field and representative portions placed in watertight containers. The samples were then transported to our laboratory for further visual classification and laboratory testing, as necessary.

4.0 SUBSURFACE CONDITIONS

Subsurface conditions at the project site were inferred from the field explorations accomplished for this study, visual reconnaissance of the site, and review of applicable geologic literature. As shown on the field logs, the explorations generally encountered natural, granular, glacial sediments. The following section presents more detailed subsurface information organized from the youngest (shallowest) to the oldest (deepest) sediment types. Copies of our exploration logs are included in Appendix A.

4.1 Stratigraphy

Fill

Exploration pit EP-1, located in the northeastern portion of the site, encountered approximately 6 inches of crushed gravel directly below the surficial sod layer. The crushed gravel appeared similar to that used for the adjacent gravel driveway that enters the property off of NE 116th Street. Although not encountered in our explorations, existing fill is also anticipated to be present adjacent to the existing building foundation and in underground utility trenches. The existing fill is not considered suitable for foundation support.

Topsoil

An organic topsoil horizon was encountered in each of the exploration pits with the exception of exploration pit EP-1. Where encountered, the topsoil horizon ranged from approximately 3 to 6 inches thick. The organic topsoil is not considered suitable for foundation support or for use as structural fill.

Vashon Advance Outwash

Natural sediments encountered directly below the fill or topsoil horizon generally consisted of loose, tan to reddish tan, silty gravelly sand with abundant roots. Below depths of approximately 2 to 3 feet these sediments generally became loose to medium dense and

tan-gray to grayish tan with reduced silt and no roots. One exception was exploration pit EP-1 where the sediments remained loose and silty with abundant roots to a depth of approximately 4 feet. These sediments became medium dense to dense, grayish tan to gray, and gravelly to very gravelly with minor quantities of silt below depths of approximately 4 to 6 feet. We interpret these sediments to be representative of Vashon advance outwash. The Vashon advance outwash was deposited by meltwater streams that emanated from the advancing glacial ice during the Vashon Stade of the Fraser Glaciation, approximately 15,000 to 17,500 years ago. The high relative density characteristic of the advance outwash is due to its consolidation by the massive weight of the glacial ice that overran these sediments subsequent to their deposition. The reduced density observed in the upper 4 to 6 feet of the outwash is interpreted to be due to weathering.

It should be noted that thin, silty, till-like lenses were encountered in the unweathered advance outwash in exploration pits EP-3 and EP-5 at depths of approximately 6.5 feet and 5.5 feet, respectively. At the location of exploration pit EP-3, the silty, till-like lens was approximately 6 inches thick. At the location of exploration pit EP-5, the silty lens appeared to be less than 6 inches thick and did not appear to be laterally continuous across the area of the pit.

The advance outwash sediments extended beyond the maximum depths explored in our exploration pits of approximately 7 to 8 feet.

A laboratory sieve analysis was conducted on one sample of the advance outwash collected from exploration pit EP-6 at a depth of approximately 4 to 4.5 feet. A copy of the sieve results are included in Appendix A.

Review of the *Geologic Map of the Kirkland Quadrangle, Washington* by James Minard (1983) indicates that the area of the subject site is located near the contact between the Vashon advance outwash and the overlying Vashon lodgement till. Our interpretation of the sediments encountered in our explorations is in general agreement with the regional geologic map.

4.2 Hydrology

No ground water seepage was encountered in any of the exploration pits excavated for our study. Our exploration was conducted in early August, when ground water levels in shallow, unconfined aquifers in the Puget Lowland are typically approaching their seasonal low. It should be noted that ground water levels below the site may fluctuate in response to such factors as changes in season, precipitation, and site use.

II. GEOLOGIC HAZARDS AND MITIGATIONS

The following discussion of potential geologic hazards is based on the geologic, slope, and shallow ground water conditions, as observed and discussed herein.

5.0 SEISMIC HAZARDS AND MITIGATION

Earthquakes occur in the Puget Lowland relatively frequently. The vast majority of these events are small, and are usually not felt by people. However, large earthquakes do occur, as evidenced by the 1949, 7.2-magnitude event; the 2001, 6.8-magnitude event; and the 1965, 6.5-magnitude event. The 1949 earthquake appears to have been the largest in this region during recorded history and was centered in the Olympia area. Evaluation of earthquake return rates indicates that an earthquake of the magnitude between 5.5 and 6.0 is likely within a given 20- to 40-year period.

Generally, there are four types of potential geologic hazards associated with large seismic events: 1) surficial ground rupture, 2) seismically induced landslides, 3) liquefaction, and 4) ground motion. The potential for each of these hazards to adversely impact the proposed project is discussed below.

5.1 Surficial Ground Rupture

Generally, the largest earthquakes that have occurred in the Puget Sound area are sub-crustal events with epicenters ranging from 50 to 70 kilometers in depth. Earthquakes that are generated at such depths usually do not result in fault rupture at the ground surface. Based on current knowledge, the subject property is not located near known surface faults. Therefore, based on current information, the risk of damage to planned improvements as a result of surface rupture due to faulting is low, in our opinion.

5.2 Seismically Induced Landslides

With the exception of the relatively low, cut slopes located adjacent to Holmes Point Drive NE, slope inclinations at the site are relatively gentle to moderate with maximum inclinations of approximately 20 to 25 percent. Given the topographic and subsurface conditions present, it is our opinion that the risk of damage to the proposed project by landsliding either under static or seismic conditions is low provided that the recommendations presented in this report are properly followed.

5.3 Liquefaction

It is our opinion that the risk of damage to the proposed structures by liquefaction is low due to high relative density of the underlying sediments, and the lack of adverse ground water conditions. No mitigation of liquefaction hazards is warranted.

5.4 Ground Motion

It is our opinion that any earthquake damage to the proposed structures, when founded on suitable bearing strata in accordance with the recommendations contained herein, will be caused by the intensity and acceleration associated with the event and not any of the above-discussed impacts. Structural design of the buildings should follow 2015 *International Building Code* (IBC) standards using Site Class "D" as defined in Table 20.3-1 of *American Society of Civil Engineers (ASCE) 7 – Minimum Design Loads for Buildings and Other Structures*.

6.0 EROSION HAZARDS AND MITIGATION

Portions of the natural sediments underlying the subject site contain substantial quantities of silt and fine sand and will be highly sensitive to disturbance when wet. We recommend the following best management practices (BMPs) to mitigate erosion hazards and potential for off-site sediment transport.

1. Construction activity should be scheduled or phased as much as possible to avoid earthwork activity during the wet season.
2. The winter performance of a site is dependent on a well-conceived plan for control of site erosion and storm water runoff. The site plan should include ground-cover measures and staging areas. The contractor should be prepared to implement and maintain the required measures to reduce the amount of exposed ground.
3. Temporary erosion and sedimentation control (TESC) elements and perimeter flow control should be established prior to the start of grading.
4. During the wetter months of the year, or when significant storm events are predicted during the summer months, the work area should be stabilized so that if showers occur, it can receive the rainfall without excessive erosion or sediment transport. The required measures for an area to be "buttoned-up" will depend on the time of year and the duration that the area will be left un-worked. During the winter months, areas that are to be left un-worked for more than 2 days should be mulched or covered with plastic. During the summer months, stabilization will usually consist of seal-rolling the subgrade. Such measures will aid in the contractor's ability to get back into a work area

after a storm event. The stabilization process also includes establishing temporary storm water conveyance channels through work areas to route runoff to the approved treatment/discharge facilities.

5. All disturbed areas should be revegetated as soon as possible. If it is outside of the growing season, the disturbed areas should be covered with mulch. Straw mulch provides a cost-effective cover measure and can be made wind-resistant with the application of a tackifier after it is placed.
6. Surface runoff and discharge should be controlled during and following development. Uncontrolled discharge may promote erosion and sediment transport.
7. Soils that are to be reused around the site should be stored in such a manner as to reduce erosion from the stockpile. Protective measures may include, but are not limited to, locating stockpiles in the flatter portions of the site, covering stockpiles with plastic sheeting, or the use of silt fences around pile perimeters.

It is our opinion that with the proper implementation of the TESC plans and by field-adjusting appropriate erosion mitigation (BMPs) throughout construction, the potential adverse impacts from erosion hazards on the project may be mitigated.

The project covers an area greater than 1 acre in size (1.52 acres), and thus will be required to obtain a Construction Stormwater General Permit per the Washington State Department of Ecology (Ecology). Under this permit, a Certified Erosion and Sediment Control Lead (CESCL) will be required to make weekly site visits to monitor erosion control, BMPs, and levels for turbidity and pH. Associated Earth Sciences, Inc. (AESI) is available to help prepare permit application documents and can provide CESCL monitoring as requested.

III. PRELIMINARY DESIGN RECOMMENDATIONS

7.0 INTRODUCTION

Our exploration indicates that, from a geotechnical standpoint, the parcel is suitable for construction of the proposed buildings provided the recommendations contained herein are properly followed. The foundation bearing stratum is relatively shallow, and conventional spread footing foundations may be utilized.

8.0 SITE PREPARATION

8.1 Clearing and Stripping

Following demolition of the existing structure, any remaining foundation elements should be removed. All topsoil, vegetation, and any other deleterious materials should be stripped from the proposed building and pavement areas. Areas where loose surficial soils exist due to grubbing operations should be considered as fill to the depth of disturbance and treated as subsequently recommended for structural fill placement. Any existing fill soils located below the building areas should be stripped down to the underlying, medium dense to very dense, natural glacial sediments. Medium dense to dense, advance outwash sediments were encountered in our explorations at depths of approximately 2.5 to 5 feet.

8.2 Temporary and Permanent Cut Slopes

In our opinion, stable construction slopes should be the responsibility of the contractor and should be determined during construction based on the local conditions encountered at that time. For planning purposes, we anticipate that temporary, unsupported cut slopes within the loose to medium dense fill or weathered advance outwash sediments can be made at a maximum slope of 1.5H:1V (Horizontal:Vertical). Temporary, unsupported cut slopes within the medium dense to dense unweathered outwash sediments can be planned at a maximum slope of 1H:1V. Flatter inclinations may be recommended in areas of seepage. As is typical with earthwork operations, some sloughing and raveling may occur, and cut slopes may have to be adjusted in the field. In addition, WISHA/OSHA regulations should be followed at all times.

Permanent cut slopes should not exceed an inclination of 2H:1V.

8.3 Site Disturbance

Portions of the natural sediments underlying the site contain a high percentage of fine-grained material. These sediments are considered to be highly moisture-sensitive and subject to disturbance when wet. The contractor must use care during site preparation and excavation

operations so that the underlying soils are not softened. If disturbance occurs, the softened soils should be removed and the area brought to grade with structural fill.

Consideration should be given to protecting access and staging areas with an appropriate section of crushed rock or asphalt treated base (ATB). If crushed rock is considered for the access and staging areas, it should be underlain by engineering stabilization fabric (such as TenCate Mirafi 500X or approved equivalent) to reduce the potential of fine-grained materials pumping up through the rock during wet weather and turning the area to mud. The fabric will also aid in supporting construction equipment, thus reducing the amount of crushed rock required. We recommend that at least 10 inches of rock be placed over the fabric. Crushed rock used for access and staging areas should be of at least 2-inch size.

9.0 STRUCTURAL FILL

Placement of structural fill may be necessary to establish desired grades in some areas or to backfill utility trenches or around foundations. All references to structural fill in this report refer to subgrade preparation, fill type, and placement and compaction of materials as discussed in this section. If a percentage of compaction is specified under another section of this report, the value given in that section should be used.

9.1 Subgrade Compaction

After overexcavation/stripping has been performed to the satisfaction of the geotechnical engineer/engineering geologist, the upper 12 inches of exposed ground should be recompacted to a firm and unyielding condition. If the subgrade contains too much moisture, suitable recompaction may be difficult or impossible to attain and should probably not be attempted. In lieu of recompaction, the area to receive fill should be blanketed with washed rock or quarry spalls to act as a capillary break between the new fill and the wet subgrade. Where the exposed ground remains soft and further overexcavation is impractical, placement of an engineering stabilization fabric may be necessary to prevent contamination of the free-draining layer by silt migration from below.

After recompaction of the exposed ground is tested and approved, or a free-draining rock course is laid, structural fill may be placed to attain desired grades.

9.2 Structural Fill Compaction

Structural fill is defined as non-organic soil, acceptable to the geotechnical engineer, placed in maximum 8-inch loose lifts, with each lift being compacted to at least 95 percent of the modified Proctor maximum dry density using *American Society for Testing and Materials* (ASTM) D-1557 as the standard. Utility trench backfill should be placed and compacted in

accordance with applicable municipal codes and standards. The top of the compacted fill should extend horizontally a minimum distance of 3 feet beyond footings or pavement edges before sloping down at an angle no steeper than 2H:1V. Fill slopes should either be overbuilt and trimmed back to final grade or surface-compacted to the specified density.

9.3 Moisture-Sensitive Fill

Soils in which the amount of fine-grained material (smaller than No. 200 sieve) is greater than approximately 5 percent (measured on the minus No. 4 sieve size) should be considered moisture-sensitive. The use of moisture-sensitive soil in structural fills should be limited to favorable dry weather conditions.

The on-site advance outwash sediments are suitable for use as structural fill provided they are free of roots or other deleterious materials and have a moisture content suitable for achieving the specified compaction. Portions of these sediments contain a high percentage of fine-grained material and are considered highly moisture-sensitive. At the time of our exploration, the moisture content of portions of the on-site sediments were below the optimum for achieving suitable compaction. These sediments are described as “slightly moist” on the exploration logs in Appendix A. Depending on the soil conditions at the time of construction, the moisture content of these soils may fall outside of their optimum values. If the moisture content of these sediments remains outside of optimum at the time of construction, they should be moisture-conditioned prior to their use as structural fill. For soils that are too dry, this would involve adding water to the soil. For soils that are too wet, such moisture-conditioning could consist of spreading out and aerating the soil during periods of warm, dry weather.

Construction equipment traversing the site when the silty natural sediments are very moist or wet can cause considerable disturbance. If fill is placed during wet weather or if proper compaction cannot be attained, a select import material consisting of a clean, free-draining gravel and/or sand should be used. Free-draining fill consists of non-organic soil with the amount of fine-grained material limited to 5 percent by weight when measured on the minus No. 4 sieve fraction. Portions of the on-site advance outwash likely meet these criteria.

9.4 Structural Fill Testing

The contractor should note that any proposed fill soils must be evaluated by AESI prior to their use in fills. This would require that we have a sample of the material at least 3 business days in advance to perform a Proctor test and determine its field compaction standard.

A representative from our firm should inspect the stripped subgrade and be present during placement of structural fill to observe the work and perform a representative number of in-place density tests. In this way, the adequacy of the earthwork may be evaluated as filling

progresses and any problem areas may be corrected at that time. It is important to understand that taking random compaction tests on a part-time basis will not assure uniformity or acceptable performance of a fill. As such, we are available to aid the owner in developing a suitable monitoring and testing frequency.

10.0 FOUNDATIONS

10.1 Allowable Soil Bearing Pressure

Spread footings may be used for building support when founded either directly on the medium dense or medium dense to dense natural outwash sediments which were encountered in our explorations at depths of approximately 2.5 to 5 feet. Alternatively, spread footings may be supported on structural fill placed over these materials. We recommend that an allowable foundation soil bearing pressure of 2,000 pounds per square foot (psf) be used for design purposes, including both dead and live loads. An increase in the allowable bearing pressure of one-third may be used for short-term wind or seismic loading. Because the outwash will be easily disturbed during excavation, the surface of the outwash exposed in the foundation excavations should be recompacted to a firm and unyielding condition prior to footing placement. If structural fill is placed below footing areas, the structural fill should extend horizontally beyond the footing edges a distance equal to or greater than the thickness of the fill.

10.2 Footing Depths

Perimeter footings for the proposed buildings should be buried a minimum of 18 inches into the surrounding soil for frost protection. No minimum burial depth is required for interior footings; however, all footings must penetrate to the prescribed stratum, and no footings should be founded in or above loose, organic, or existing fill soils.

10.3 Footings Adjacent to Cuts

The area bounded by lines extending downward at 1H:1V from any footing must not intersect another footing or intersect a filled area that has not been compacted to at least 95 percent of ASTM D-1557. In addition, a 1.5H:1V line extending down from any footing must not daylight because sloughing or raveling may eventually undermine the footing. Thus footings should not be placed near the edges of steps or cuts in the bearing soils.

10.4 Footing Settlement

Anticipated settlement of footings founded as described above should be on the order of 1 inch or less. However, disturbed soil not removed from footing excavations prior to footing placement could result in increased settlements.

10.5 Footing Subgrade Bearing Verification

All footing areas should be observed by AESI prior to placing concrete to verify that the exposed soils can support the design foundation bearing pressure and that construction conforms with the recommendations in this report. Foundation bearing verification may also be required by the City of Kirkland.

10.6 Foundation Drainage

Perimeter footing drains should be provided as discussed under the "Drainage Considerations" section of this report.

11.0 LATERAL WALL PRESSURES

All backfill behind walls or around foundations should be placed following our recommendations for structural fill and as described in this section of the report. Horizontally backfilled walls, that are free to yield laterally at least 0.1 percent of their height, may be designed using an equivalent fluid equal to 35 pounds per cubic foot (pcf). Fully restrained, horizontally backfilled, rigid walls that cannot yield should be designed for an equivalent fluid of 55 pcf. Walls that retain sloping backfill at a maximum angle of 50 percent should be designed for 50 pcf for yielding conditions and 75 pcf for restrained conditions. If parking areas or driveways are adjacent to walls, a surcharge equivalent to 2 feet of retained soil should be added to the wall height in determining lateral design forces.

11.1 Wall Backfill

The lateral pressures presented above are based on the conditions of a uniform backfill consisting of either the on-site sediments, or imported sand and gravel compacted to 90 to 95 percent of ASTM D-1557. A higher degree of compaction is not recommended, as this will increase the pressure acting on the walls. A lower compaction may result in unacceptable settlement behind the walls. Thus, the compaction level is critical and must be tested by our firm during placement.

11.2 Wall Drainage

It is imperative that proper drainage be provided so that hydrostatic pressures do not develop against the walls. This would involve installation of a minimum 1-foot-wide blanket drain for the full wall height using imported, washed gravel against the walls.

11.3 Passive Resistance and Friction Factor

Lateral loads can be resisted by friction between the foundation and the supporting natural sediments or structural fill soils, or by passive earth pressure acting on the buried portions of the foundations. The foundations must be backfilled with compacted structural fill to achieve the passive resistance provided below. We recommend the following design parameters:

- Passive equivalent fluid = 250 pcf
- Coefficient of friction = 0.30

The above values are allowable.

11.4 Seismic Surcharge

As required by the 2016 IBC, retaining wall design should include a seismic surcharge pressure in addition to the equivalent fluid pressures presented above. We recommend a seismic surcharge pressure of 9H and 11H psf where H is the wall height in feet for the active and at-rest loading conditions, respectively. The seismic surcharge should be modeled as a rectangular distribution with the resultant applied at the midpoint of the wall.

12.0 FLOOR SUPPORT

Slab-on-grade floors may be constructed either directly on the medium dense or medium dense to dense, natural glacial sediments, or on structural fill placed over these materials. Areas of the slab subgrade that are disturbed (loosened) during construction should be recompacted to a firm and unyielding condition prior to placing the pea gravel, as described below.

If moisture intrusion through slab-on-grade floors is to be limited, the floors should be constructed atop a capillary break consisting of a minimum thickness of 4 inches of washed pea gravel or washed crushed rock. The washed gravel should be overlain by a 10-mil (minimum thickness) plastic vapor retarder.

13.0 DRAINAGE CONSIDERATIONS

Portions of the natural glacial sediments contain a high percentage of silt and are considered to be highly moisture-sensitive. Traffic from vehicles and construction equipment across these sediments when they are very moist or wet will result in disturbance of the otherwise firm stratum. Therefore, prior to site work and construction, the contractor should be prepared to provide drainage and subgrade protection, as necessary.

13.1 Wall/Foundation Drains

All retaining and perimeter footing walls should be provided with a drain at the footing elevation. The drains should consist of rigid, perforated, PVC pipe surrounded by washed gravel. The level of the perforations in the pipe should be set approximately 2 inches below the bottom of the footing, and the drains should be constructed with sufficient gradient to allow gravity discharge away from the building. All retaining walls should be lined with a minimum, 12-inch-thick, washed gravel blanket provided to within 1 foot of finish grade, and which ties into the footing drain. Roof and surface runoff should not discharge into the footing drain system, but should be handled by a separate, rigid, tightline drain.

Exterior grades adjacent to walls should be sloped downward away from the structures to achieve surface drainage. Final exterior grades should promote free and positive drainage away from the building at all times. Water must not be allowed to pond or to collect adjacent to the foundation or within the immediate building area. It is recommended that a gradient of at least 3 percent for a minimum distance of 10 feet from the building perimeter be provided, except in paved locations. In paved locations, a minimum gradient of 1 percent should be provided unless provisions are included for collection and disposal of surface water adjacent to the structure. Additionally, pavement subgrades should be crowned to provide drainage toward catch basins and pavement edges.

14.0 STORM WATER INFILTRATION

14.1 Infiltration Feasibility

Conceptual plans for the project include on-site infiltration of storm water. Based on our discussions with Mr. Keith Litchfield of Litchfield Engineering, it is our understanding that the conceptual plan includes infiltration of runoff from the roof downspouts on each of the individual lots, and infiltration of runoff from the proposed road in Tract X, located at the western, downslope property boundary adjacent to Holmes Point Drive NE (Figure 2). The unweathered advance outwash sediments encountered in our exploration pits generally consisted of gravelly to very gravelly, sand with minor quantities of silt. In our opinion, these sediments appear to be suitable receptor soils for on-site storm water infiltration. However, due to the presence of steep slopes west and south of the site on residential properties on the opposite side of Holmes Point Drive NE, additional work is recommended to evaluate whether infiltration as proposed could result in emergent seepage on the downslope properties. Our comments and recommendations to address this concern are presented below.

- It is our opinion that individual lot infiltration systems for roof runoff as planned will reduce the potential for downslope emergent seepage by dispersing infiltration across a broad area of the site.

- We recommend drilling one exploration boring in Tract X to a depth of approximately 50 feet to evaluate if low-permeability strata are present at depth that could result in emergent seepage in downslope areas. We recommend that the boring be completed as a monitoring well to allow monitoring of seasonal high ground water levels over the upcoming wet season.
- If the boring data indicates that subsurface conditions are compatible with infiltration of the road runoff in Tract X, then we recommend that an infiltration test be conducted at this location to evaluate a suitable design infiltration rate for the system. We recommend that infiltration testing be conducted in accordance with the Pilot Infiltration Test (PIT) procedure as described in the *Ecology Stormwater Management Manual for Western Washington*. We also recommend that grain-size analyses be conducted on samples of the unweathered outwash collected from other areas of the site where individual lot downspout infiltration systems are planned to evaluate whether the design infiltration rate recommended for Tract X is applicable to the individual lot systems.

14.2 Preliminary Infiltration Rate

A laboratory sieve analysis was conducted on one sample of the unweathered advance outwash collected from exploration pit EP-6 (located in Tract X) at a depth of approximately 4 to 4.5 feet. A copy of the laboratory report is included in Appendix A. Based on the results of the sieve analysis, we recommend a preliminary infiltration rate of 2 inches per hour (iph) for the unweathered advance outwash. Due to such factors as soil density, stratification, and other inhomogeneities, textural based infiltration rates in advance outwash present a high risk of inaccuracy and are not recommended for final infiltration system design. As previously discussed, field infiltration testing in accordance with the PIT procedure in conjunction with additional sieve analyses is recommended to evaluate a design infiltration rate for the project. The design infiltration rate based on field infiltration testing may be higher or lower than the preliminary 2 iph rate. A proposed scope of work and cost estimate for the recommended additional exploration, laboratory testing, and infiltration testing will be forwarded under separate cover.

15.0 PROJECT DESIGN AND CONSTRUCTION MONITORING

We are available to provide additional geotechnical consultation as the project design develops and possibly changes from that upon which this report is based. If significant changes in grading are made, we recommend that AESI perform a geotechnical review of the plans prior to final design completion. In this way, our earthwork and foundation recommendations may be properly interpreted and implemented in the design.

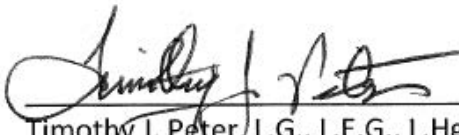
Zhu Short Plat
Seattle, Washington


Subsurface Exploration, Geologic Hazard,
and Geotechnical Engineering Report
Preliminary Design Recommendations

We are also available to provide geotechnical engineering and monitoring services during construction. The integrity of the foundations depends on proper site preparation and construction procedures. In addition, engineering decisions may have to be made in the field in the event that variations in subsurface conditions become apparent. Construction monitoring services are not part of this current scope of work. If these services are desired, please let us know, and we will prepare a proposal.

We have enjoyed working with you on this study and are confident that these recommendations will aid in the successful completion of your project. If you should have any questions or require further assistance, please do not hesitate to call.

Sincerely,
ASSOCIATED EARTH SCIENCES, INC.
Kirkland, Washington


Timothy J. Peter, L.G., L.E.G., L.Hg.
Senior Project Geologist


Bruce L. Blyton, P.E.
Senior Principal Engineer



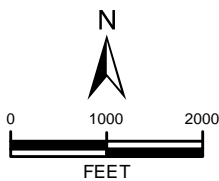
G. Aaron McMichael, P.E.
Associate Geotechnical Engineer

Attachments: Figure 1: Vicinity Map
 Figure 2: Site and Exploration Plan
 Appendix A: Exploration Logs and Laboratory Testing Results



DATA SOURCES / REFERENCES:
USGS: 24K SERIES TOPOGRAPHIC MAPS
KING CO: STREETS, PARCELS 2015

LOCATIONS AND DISTANCES SHOWN ARE APPROXIMATE



NOTE: BLACK AND WHITE
REPRODUCTION OF THIS COLOR
ORIGINAL MAY REDUCE ITS
EFFECTIVENESS AND LEAD TO
INCORRECT INTERPRETATION



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VICINITY MAP

ZHU SHORT PLAT
KIRKLAND, WASHINGTON

PROJ NO.

KE160397A

DATE:

8/16

FIGURE:

1

LEGEND:

EP EXPLORATION PIT

CONTOUR INTERVAL = 2'

NOTE: LOCATION AND DISTANCES SHOWN ARE APPROXIMATE.

NOTES:
1. BASE MAP REFERENCE: LITCHFIELD ENGINEERING, HOLMES POINT DRIVE SHORT PLAT, PRELIMINARY SITE IMPROVEMENT PLAN, SHEET 1 OF 3, 7/20/16.

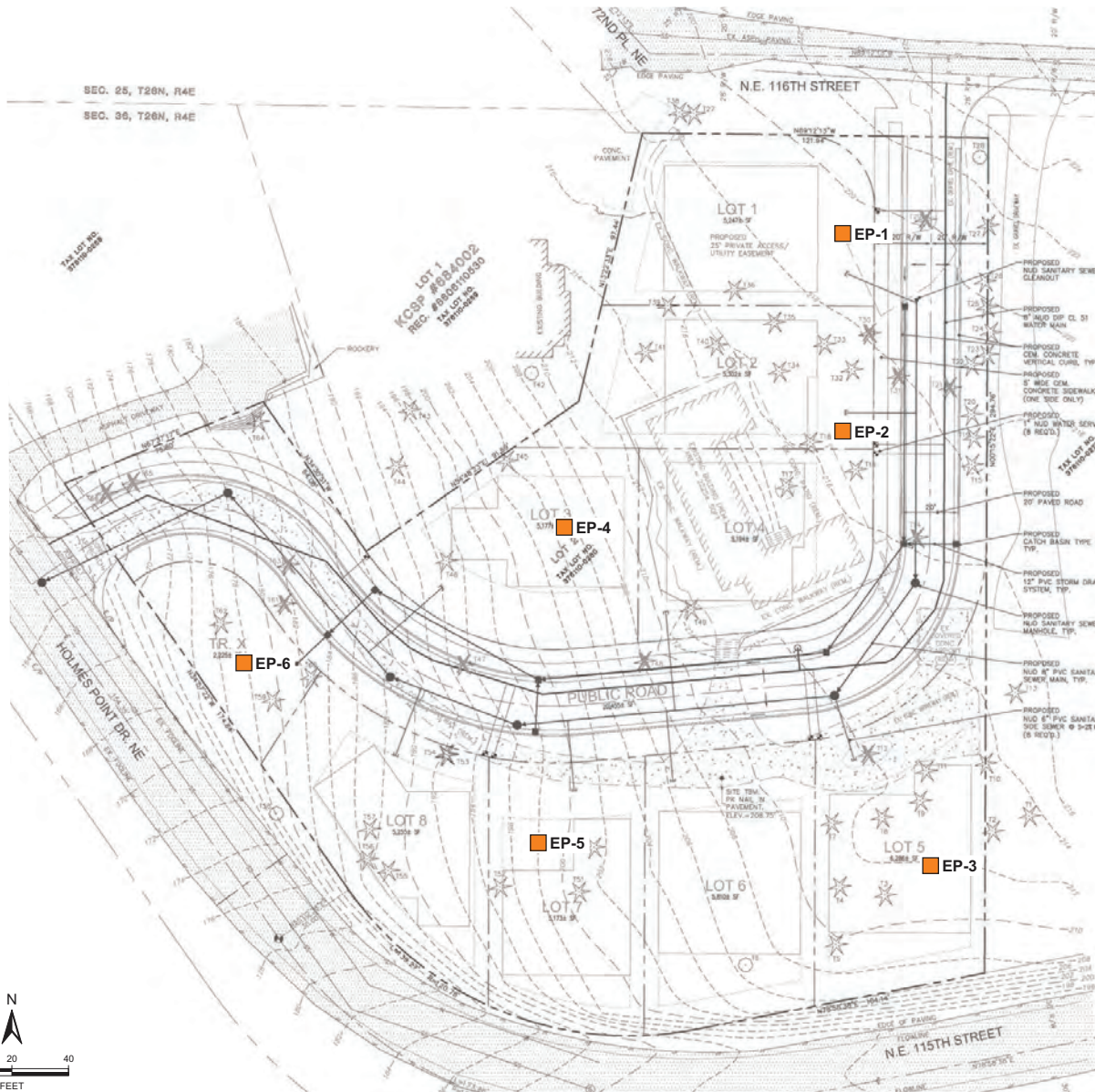
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SITE AND EXPLORATION PLAN

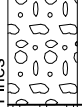
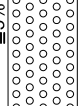
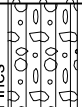

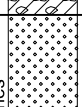
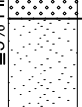
ZHU SHORT PLAT
KIRKLAND, WASHINGTON

PROJ. NO.	KE160397A	DATE:	8/16	FIGURE:	2
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APPENDIX A

Exploration Logs and Laboratory Testing Results

Coarse-Grained Soils - More than 50% ⁽¹⁾ Retained on No. 200 Sieve				Terms Describing Relative Density and Consistency				
Gravels - More than 50% ⁽¹⁾ of Coarse Fraction Retained on No. 4 Sieve			GW	Well-graded gravel and gravel with sand, little to no fines		Density	SPT ⁽²⁾ blows/foot	Test Symbols G = Grain Size M = Moisture Content A = Atterberg Limits C = Chemical DD = Dry Density K = Permeability
				GP	Poorly-graded gravel and gravel with sand, little to no fines			
Sands - 50% ⁽¹⁾ or More of Coarse Fraction Passes No. 4 Sieve			GM	Silty gravel and silty gravel with sand	Loose	4 to 10		
				GC	Clayey gravel and clayey gravel with sand	Medium Dense	10 to 30	
					Dense	30 to 50		
Sands - 50% ⁽¹⁾ or More of Coarse Fraction Passes No. 4 Sieve			SW	Well-graded sand and sand with gravel, little to no fines	Very Dense	>50		
				SP	Poorly-graded sand and sand with gravel, little to no fines	Consistency	SPT ⁽²⁾ blows/foot	
					SM	Silty sand and silty sand with gravel	Very Soft	0 to 2
				SC		Clayey sand and clayey sand with gravel	Soft	2 to 4
					Medium Stiff	4 to 8		
Fine-Grained Soils - 50% ⁽¹⁾ or More Passes No. 200 Sieve				Component Definitions				
Silt and Clays Liquid Limit Less than 50			ML	Silt, sandy silt, gravelly silt, silt with sand or gravel	Descriptive Term	Size Range and Sieve Number		
				CL		Clay of low to medium plasticity; silty, sandy, or gravelly clay, lean clay	Boulders	Larger than 12"
Silt and Clays Liquid Limit 50 or More			OL	Organic clay or silt of low plasticity	Cobbles	3" to 12"		
				MH	Elastic silt, clayey silt, silt with micaceous or diatomaceous fine sand or silt	Gravel	3" to No. 4 (4.75 mm)	
					CH	Clay of high plasticity, sandy or gravelly clay, fat clay with sand or gravel	Coarse Gravel	3" to 3/4"
				OH		Organic clay or silt of medium to high plasticity	Fine Gravel	3/4" to No. 4 (4.75 mm)
					Sand	No. 4 (4.75 mm) to No. 200 (0.075 mm)		
Highly Organic Soils			PT	Peat, muck and other highly organic soils	Coarse Sand	No. 4 (4.75 mm) to No. 10 (2.00 mm)		
				SC	Clayey sand and clayey sand with gravel	Medium Sand	No. 10 (2.00 mm) to No. 40 (0.425 mm)	
					SM	Silty sand and silty sand with gravel	Fine Sand	No. 40 (0.425 mm) to No. 200 (0.075 mm)
				SP		Poorly-graded sand and sand with gravel, little to no fines	Silt and Clay	Smaller than No. 200 (0.075 mm)
					SW	Well-graded sand and sand with gravel, little to no fines	(3) Estimated Percentage	
Component			Percentage by Weight					
Trace			<5					
Some			5 to <12					
Modifier (silty, sandy, gravelly)			12 to <30					
Very modifier (silty, sandy, gravelly)			30 to <50					
Symbols				Diagram				
Sampler Type				Blows/6" or portion of 6"				
2.0" OD Split-Spoon Sampler				10 15 20				
Split-Spoon Sampler (SPT)				3.0" OD Split-Spoon Sampler				
Bulk sample				3.25" OD Split-Spoon Ring Sampler				
Grab Sample				3.0" OD Thin-Wall Tube Sampler (including Shelby tube)				
				Portion not recovered				
(1) Percentage by dry weight				(4) Depth of ground water				
(2) (SPT) Standard Penetration Test (ASTM D-1586)				▼ ATD = At time of drilling				
(3) In General Accordance with Standard Practice for Description and Identification of Soils (ASTM D-2488)				▽ Static water level (date)				
				(5) Combined USCS symbols used for fines between 5% and 12%				

Classifications of soils in this report are based on visual field and/or laboratory observations, which include density/consistency, moisture condition, grain size, and plasticity estimates and should not be construed to imply field or laboratory testing unless presented herein. Visual-manual and/or laboratory classification methods of ASTM D-2487 and D-2488 were used as an identification guide for the Unified Soil Classification System.



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EXPLORATION LOG KEY

FIGURE A1

LOG OF EXPLORATION PIT NO. EP-1

Depth (ft)	This log is part of the report prepared by Associated Earth Sciences, Inc. (AESI) for the named project and should be read together with that report for complete interpretation. This summary applies only to the location of this trench at the time of excavation. Subsurface conditions may change at this location with the passage of time. The data presented are a simplification of actual conditions encountered.
	DESCRIPTION
	Crushed Rock
	Weathered Vashon Advance Outwash
1	Loose, slightly moist, tan, silty, gravelly SAND (SM); abundant roots.
2	Loose to medium dense, slightly moist, grayish tan, very gravelly, fine to medium SAND, some silt (SP/SM); contains scattered cobbles.
3	
4	
5	Vashon Advance Outwash
6	Medium dense to dense, moist, gray, gravelly to very gravelly, fine to medium SAND, trace silt (SP).
7	
8	Bottom of exploration pit at depth 7 feet No seepage. No caving.
9	
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Zhu Short Plat
Kirkland, WA

Logged by: TJP
Approved by: CJK



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8/3/16

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LOG OF EXPLORATION PIT NO. EP-2

Depth (ft)	This log is part of the report prepared by Associated Earth Sciences, Inc. (AESI) for the named project and should be read together with that report for complete interpretation. This summary applies only to the location of this trench at the time of excavation. Subsurface conditions may change at this location with the passage of time. The data presented are a simplification of actual conditions encountered.
	DESCRIPTION
	Topsoil
1	Weathered Vashon Advance Outwash Loose, slightly moist, tan, silty, gravelly, fine to medium SAND (SM); abundant roots.
2	
3	Loose to medium dense, slightly moist, grayish tan, very gravelly, fine to medium SAND, trace to some silt (SP/SM).
4	
5	Vashon Advance Outwash
6	Medium dense to dense, moist, grayish tan, gravelly to very gravelly, fine to medium SAND, trace silt (SP).
7	
8	Bottom of exploration pit at depth 7.5 feet No seepage. No caving.
9	
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Zhu Short Plat
Kirkland, WALogged by: TJP
Approved by: CJKa s s o c i a t e d
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i n c o r p o r a t e d

Project No. KE160397A

8/3/16

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LOG OF EXPLORATION PIT NO. EP-3

Depth (ft)	<p>This log is part of the report prepared by Associated Earth Sciences, Inc. (AESI) for the named project and should be read together with that report for complete interpretation. This summary applies only to the location of this trench at the time of excavation. Subsurface conditions may change at this location with the passage of time. The data presented are a simplification of actual conditions encountered.</p> <p>DESCRIPTION</p>
	<p>Topsoil</p> <p>Vashon Advance Outwash</p> <p>1 Loose, slightly moist, tan to reddish tan, silty, gravelly to very gravelly SAND (SM); abundant roots.</p> <p>2</p> <p>3 Loose to medium dense, slightly moist, tan-gray, very gravelly, fine to medium SAND, trace silt (SP).</p> <p>4 Weathered Vashon Advance Outwash</p> <p>5 Medium dense to dense, slightly moist to moist, gray, gravelly to very gravelly, well-graded SAND, trace silt (SW); contains scattered cobbles.</p> <p>6</p> <p>7 Contains a very silty, till-like lens at approximately 6 1/2 to 7 feet.</p> <p>8</p> <p>9 Bottom of exploration pit at depth 8 feet No seepage. No caving.</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p>

Zhu Short Plat
Kirkland, WA

Logged by: TJP
Approved by: CJK



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LOG OF EXPLORATION PIT NO. EP-4

Depth (ft)	This log is part of the report prepared by Associated Earth Sciences, Inc. (AESI) for the named project and should be read together with that report for complete interpretation. This summary applies only to the location of this trench at the time of excavation. Subsurface conditions may change at this location with the passage of time. The data presented are a simplification of actual conditions encountered.
	DESCRIPTION
	Topsoil
1	Vashon Advance Outwash Loose, slightly moist, tan, silty, gravelly, fine to medium SAND (SM); abundant roots.
2	
3	Medium dense, slightly moist, grayish tan, very gravelly, fine to medium SAND, trace silt (SP).
4	
5	
6	Weathered Vashon Advance Outwash
7	Medium dense to dense, slightly moist, grayish tan, gravelly, fine to medium SAND, trace silt (SP).
8	Bottom of exploration pit at depth 7.5 feet No seepage. No caving.
9	
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Zhu Short Plat
Kirkland, WALogged by: TJP
Approved by: CJKa s s o c i a t e d
e a r t h s c i e n c e s
i n c o r p o r a t e d

Project No. KE160397A

8/3/16
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LOG OF EXPLORATION PIT NO. EP-5

Depth (ft)	This log is part of the report prepared by Associated Earth Sciences, Inc. (AESI) for the named project and should be read together with that report for complete interpretation. This summary applies only to the location of this trench at the time of excavation. Subsurface conditions may change at this location with the passage of time. The data presented are a simplification of actual conditions encountered.
	DESCRIPTION
	Sod / Topsoil
	Vashon Advance Outwash
1	Loose, slightly moist, tan, gravelly, silty SAND (SM); abundant roots.
2	
3	
4	Medium dense, slightly moist, tan, very gravelly, fine to medium SAND, silty to some silt; stratified (SM/SP).
	Weathered Vashon Advance Outwash
5	Dense, slightly moist, tan-gray, gravelly to very gravelly, fine to medium SAND, some silt (SP/SM).
6	Contains a very thin (< 6 inches) discontinuous silty, till-like lens at approximately 5 1/2 feet. No very silty lenses below 5 1/2 feet.
7	Becomes moist below approximately 6 1/2 feet.
8	
9	Bottom of exploration pit at depth 8 feet No seepage. No caving.
10	
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LOG OF EXPLORATION PIT NO. EP-6

Depth (ft)	This log is part of the report prepared by Associated Earth Sciences, Inc. (AESI) for the named project and should be read together with that report for complete interpretation. This summary applies only to the location of this trench at the time of excavation. Subsurface conditions may change at this location with the passage of time. The data presented are a simplification of actual conditions encountered.
	DESCRIPTION
	Sod / Topsoil
1	Vashon Advance Outwash
	Loose, slightly moist, tan, gravelly, silty SAND (SM); abundant roots.
2	
3	
4	Weathered Vashon Advance Outwash
5	Medium dense, slightly moist, grayish tan, gravelly to very gravelly SAND, trace silt (SW).
6	
7	Becomes tan-gray below approximately 6 1/2 feet.
8	
9	Bottom of exploration pit at depth 8 feet No seepage. No caving.
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Zhu Short Plat
Kirkland, WALogged by: TJP
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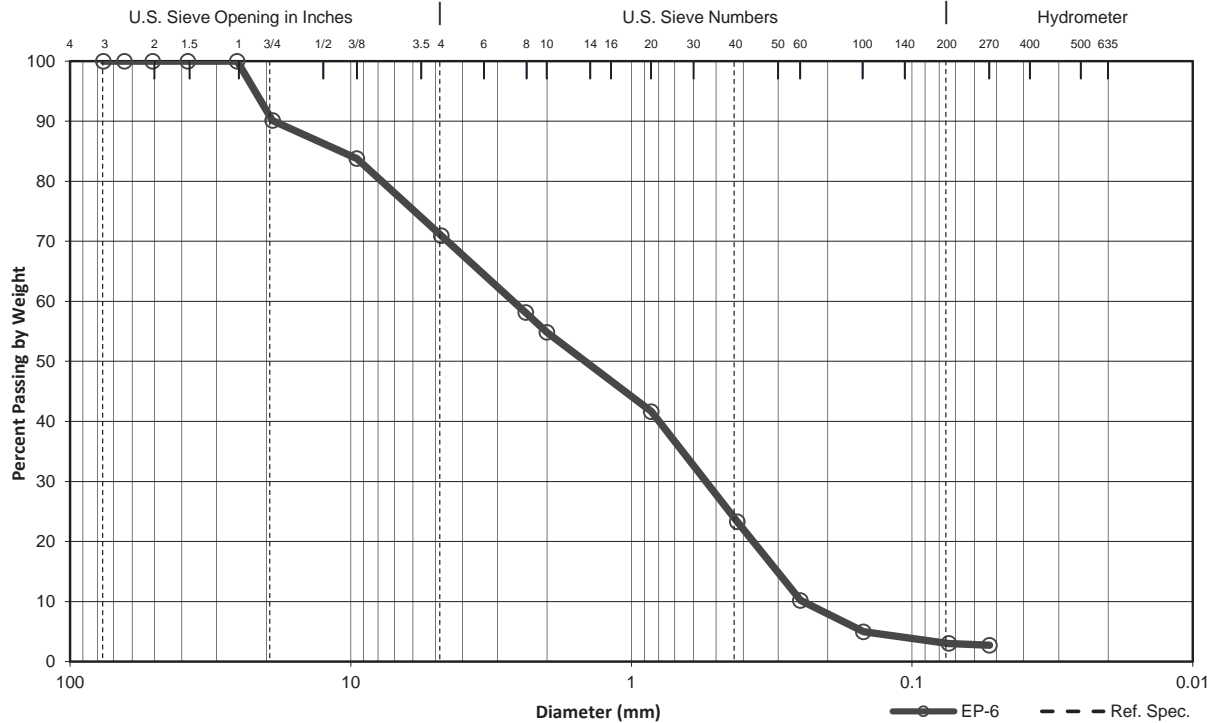
Project No. KE160397A

8/3/16



GRAIN SIZE ANALYSIS - MECHANICAL ASTM D422

Project Name Zhu Short Plat	Project Number KE160397A	Date Sampled 8/3/2016	Date Tested 8/3/2016	Tested By MS
Sample Source Onsite	Sample No. EP-6	Depth (ft) 4-4.5	Soil Description gravelly SAND, trace silt (SP)	
Total Sample Dry Wt. (g) 1037.2	Moisture Content (%) 2	D ₁₀ (mm) 0.244	Reference Specification	



Cobb.	Gravel		Sand			Silt or Clay
	Coarse	Fine	Coarse	Medium	Fine	

Sieve No.	Diam. (mm)	Cum. Wt. Ret. (g)	% Ret. by Wt.	% Passing by Wt.	% Specs. Pass. by Wt.	
					Min	Max
3	76.1		0.0	100.0		
2.5	64		0.0	100.0		
2	50.8		0.0	100.0		
1.5	38.1		0.0	100.0		
1	25.4		0.0	100.0		
3/4	19	102.5	9.9	90.1		
3/8	9.51	168.2	16.2	83.8		
#4	4.76	301.3	29.0	71.0		
#8	2.38	434.1	41.8	58.2		
#10	2	468.5	45.2	54.8		
#20	0.85	605.4	58.4	41.6		
#40	0.42	795.6	76.7	23.3		
#60	0.25	931.4	89.8	10.2		
#100	0.149	985.7	95.0	5.0		
#200	0.074	1005.8	97.0	3.0		
#270	0.053	1008.9	97.3	2.7		



GEOLOGICALLY HAZARDOUS AREAS COVENANT

<i>File No.:</i> <i>Parcel Number:</i> <i>Project Name:</i> <i>Project Address:</i>	
--	--

Declarant _____ hereby declares and agrees as follows:

1. Declarant is the owner of the real property described below and incorporated herein by reference, which is the "property" referred to herein.
2. Declarant agrees to defend, indemnify, and hold the City of Kirkland harmless from all loss, including claim made therefor, which the City may incur as a result of any landslide or seismic activity occurring on the property and for any loss including any claim made therefor resulting from soil disturbance on the "property" in connection with the construction of improvements, including but not limited to storm water retention and foundations. "Loss" as used herein means loss including claim made therefor from injury or damage incurred on or off the "property," together with reasonable expenses including attorneys fees for investigation and defense of such claim.
3. This hold harmless is a perpetual covenant running with the "property" and is binding upon the Declarant's successor and assigns.
4. The real property subject to this Agreement is situated in Kirkland, King County, Washington, and described as follows:

DATED at Kirkland, Washington, this _____ day of _____, _____.

(Sign in blue ink)

(Individuals Only)

OWNER(S) OF REAL PROPERTY (INCLUDING SPOUSE)

(Individuals Only)

STATE OF WASHINGTON)

) SS.

County of King)

On this _____ day of _____, _____, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared _____ and _____

_____ to me known to be the individual(s) described herein and who executed the Geologically Hazardous Areas Covenant and acknowledged that _____ signed the same as _____ free and voluntary act and deed, for the uses and purposes therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year first above written.

Notary's Signature

Print Notary's Name

Notary Public in and for the State of Washington,

Residing at: _____

My commission expires: _____

(Partnerships Only)

OWNER(S) OF REAL PROPERTY

(Name of Partnership or Joint Venture)

By General Partner

By General Partner

By General Partner

(Partnerships Only)

STATE OF WASHINGTON)

) SS.

County of King)

On this _____ day of _____, _____, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared _____ and _____

_____ to me, known to be general partners of _____, the partnership that executed the Geologically Hazardous Areas Covenant and acknowledged the said instrument to be the free and voluntary act and deed of each personally and of said partnership, for the uses and purposes therein set forth, and on oath stated that they were authorized to sign said instrument.

WITNESS my hand and official seal hereto affixed the day and year first above written.

Notary's Signature

Print Notary's Name

Notary Public in and for the State of Washington,
Residing at: _____

My commission expires: _____

(Corporations Only)

OWNER(S) OF REAL PROPERTY

(Name of Corporation)

By President

By Secretary

(Corporations Only)

STATE OF WASHINGTON }
County of King } SS.

On this _____ day of _____, _____, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared _____ and _____

_____ to me, known to be the President and Secretary, respectively, of _____, the corporation that executed the Geologically Hazardous Areas Covenant and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth, and on oath stated that they were authorized to sign said instrument and that the seal affixed is the corporate seal of said corporation.

WITNESS my hand and official seal hereto affixed the day and year first above written.

Notary's Signature

Print Notary's Name

Notary Public in and for the State of Washington,
Residing at: _____

My commission expires: _____



NOTICE OF GEOLOGICALLY HAZARDOUS AREA

File Number:	
Parcel Number:	
Project Name:	
Project Address:	

The undersigned, being all owners of the hereinafter described real property, hereby acknowledge that pursuant to the City of Kirkland Zoning Code, Section 85.50 and as hereafter amended, the property or designated portions thereof, are potentially located in a geologically hazardous area.

This determination is based on review of the development permit application submitted to the City in File Number _____. Contact the City of Kirkland Planning and Building Department to view available maps, obtain a copy of the geotechnical report used in the review of the development permit, or review of any other information the City has collected with regard to this file.

This Notice is for the benefit of all current owners of the real property and their heirs, successors, and assigns; and this Notice and runs with the land described as follows:

Legal Description:

DATED at Kirkland, this _____ day of _____, _____.

(Sign in blue ink)

(Individuals Only)

OWNER(S) OF REAL PROPERTY (INCLUDING SPOUSE)

(Individuals Only)

STATE OF WASHINGTON)

) SS.

County of King)

On this _____ day of _____, _____, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared _____ and _____

_____ to me known to be the individual(s) described herein and who executed the Notice of Geologically Hazardous Area and acknowledged that _____ signed the same as _____ free and voluntary act and deed, for the uses and purposes therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year first above written.

Notary's Signature

Print Notary's Name

Notary Public in and for the State of Washington,
Residing at: _____

My commission expires: _____

(Partnerships Only)

OWNER(S) OF REAL PROPERTY

(Name of Partnership or Joint Venture)

By General Partner

By General Partner

By General Partner

(Partnerships Only)

STATE OF WASHINGTON)

) SS.

County of King)

On this _____ day of _____, _____, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared _____ and _____

_____ to me, known to be general partners of _____, the partnership that executed the Notice of Geologically Hazardous Area and acknowledged the said instrument to be the free and voluntary act and deed of each personally and of said partnership, for the uses and purposes therein set forth, and on oath stated that they were authorized to sign said instrument.

WITNESS my hand and official seal hereto affixed the day and year first above written.

Notary's Signature

Print Notary's Name

Notary Public in and for the State of Washington,
Residing at: _____

My commission expires: _____

(Corporations Only)

OWNER(S) OF REAL PROPERTY

(Name of Corporation)

By President

By Secretary

(Corporations Only)

STATE OF WASHINGTON }
County of King } ss.

On this _____ day of _____, _____, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared _____ and _____

_____ to me, known to be the President and Secretary, respectively, of _____, the corporation that executed the Notice of Geologically Hazardous Area and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth, and on oath stated that they were authorized to sign said instrument and that the seal affixed is the corporate seal of said corporation.

WITNESS my hand and official seal hereto affixed the day and year first above written.

Notary's Signature

Print Notary's Name

Notary Public in and for the State of Washington,
Residing at: _____

My commission expires: _____

(LLC Only)

OWNER(S) OF REAL PROPERTY

(Name of Company)

By Managing Member

By Member

(LLC Only)

STATE OF WASHINGTON }
County of King } SS.
)

On this _____ day of _____, _____, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared _____ and _____

_____ to me, known to be the Member(s), _____ respectively, _____ of _____, the company that executed the Notice of Geologically Hazardous Area and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth, and on oath stated that they were authorized to sign said instrument and that the seal affixed is the corporate seal of said company.

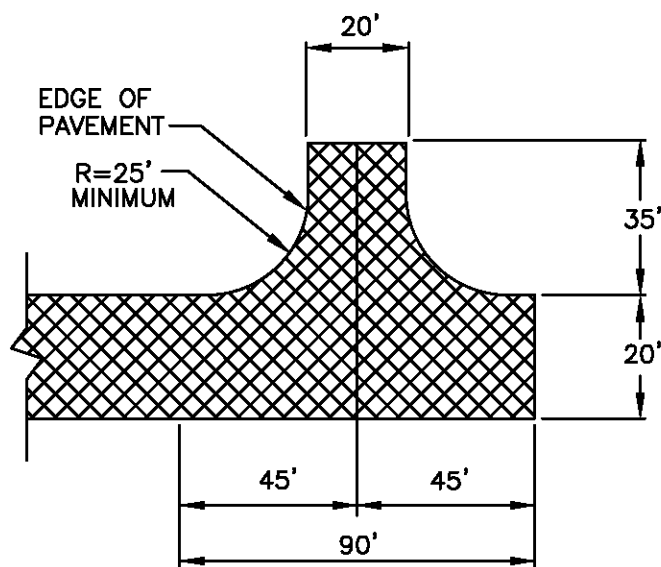
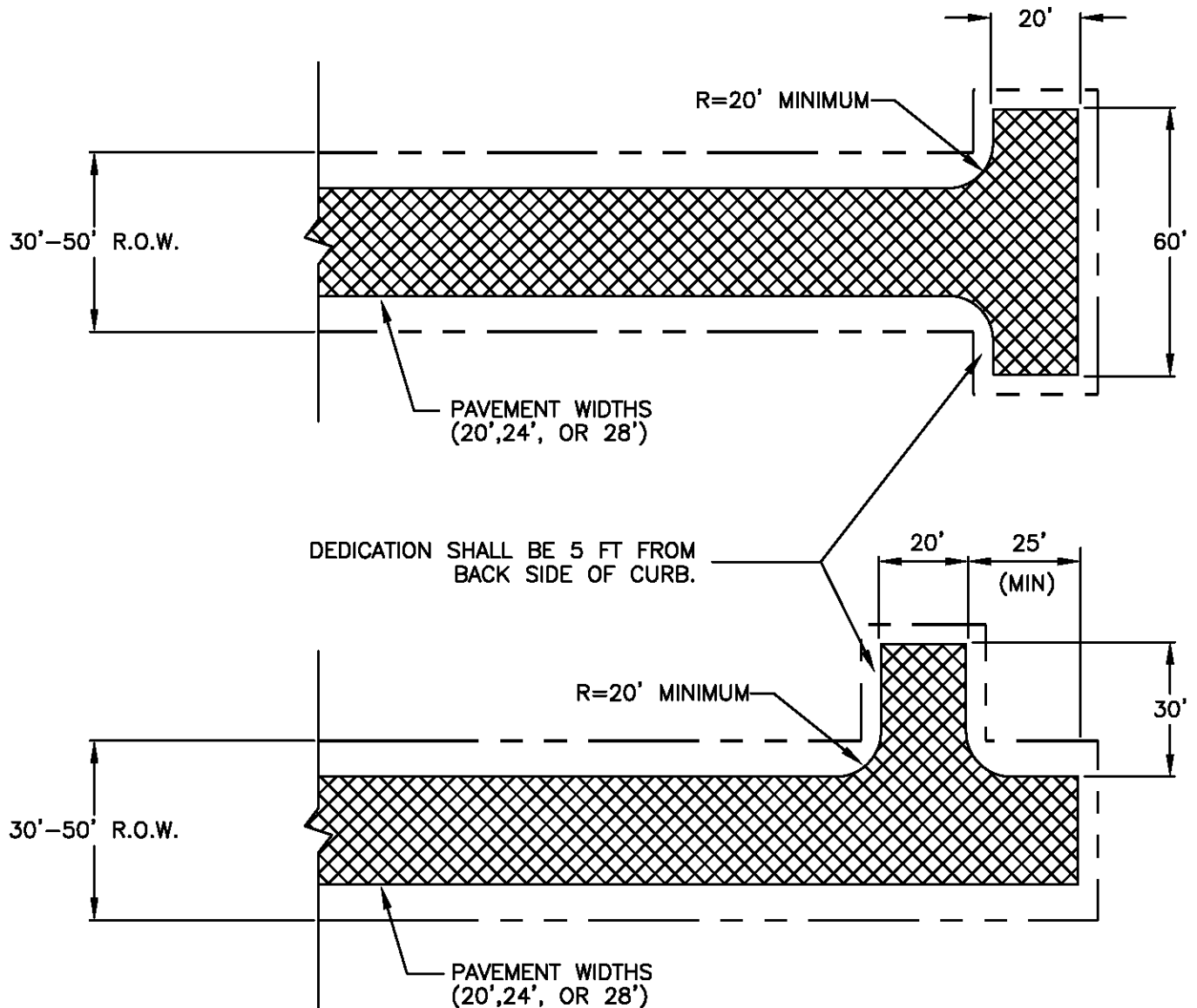
WITNESS my hand and official seal hereto affixed the day and year first above written.

Notary's Signature

Print Notary's Name

Notary Public in and for the State of Washington,
Residing at: _____

My commission expires: _____



FIRE DEPARTMENT
TURN AROUND REQUIREMENTS

NOTES:

1. UTILITY EASEMENTS AROUND THE PERIMETER OF THE TURN-AROUND MAY BE REQUIRED.
2. TURN-AROUNDS APPLY TO PERMANENT AND TEMPORARY ROADWAY IMPROVEMENTS.

CITY OF KIRKLAND

PLAN NO. CK-R.16



TYPICAL VEHICLE
TURN-AROUND STREET
LESS THAN 200'

Chapter 70 – HOLMES POINT OVERLAY ZONE

Sections:

- 70.05 Purpose
70.15 Standards
70.25 Variations from Standards

70.05 Purpose

The purpose of the Holmes Point minimum site disturbance development standards is to allow infill at urban densities while providing an increased level of environmental protection for the Holmes Point area, an urban residential area characterized by a predominance of sensitive environmental features including but not limited to steep slopes, landslide hazard areas and erosion hazard areas, and further characterized by a low level of roads and other impervious surfaces relative to undisturbed soils and vegetation, tree cover and wildlife habitat. These standards limit the allowable amount of site disturbance on lots in Holmes Point to reduce visual impacts of development, maintain community character and protect a high proportion of the undisturbed soils and vegetation, tree cover and wildlife, and require an inspection of each site and the area proposed to be cleared, graded and built on prior to issuance of a building permit.

70.15 Standards

Within the parcels shown on the Kirkland Zoning Map with an (HP) suffix, the maximum impervious surface standards set forth in Chapter 18 KZC are superseded by this (HP) suffix, and the following development standards shall be applied to all residential development:

1. When review under Chapter 85 KZC (Geologically Hazardous Areas) or Chapter 90 KZC (Drainage Basins) or the City of Kirkland's Surface Water Design Manual is required, the review shall assume the maximum development permitted by this (HP) suffix condition will occur on the subject property, and the threshold of approval shall require a demonstration of no significant adverse impact on properties located downhill or downstream from the proposed development.
2. Total lot coverage shall be limited within every building lot as follows:
 - a. On lots up to 6,500 square feet in size, 2,600 square feet;
 - b. On lots 6,501 to 9,000 square feet in size, 2,600 square feet plus 28 percent of the lot area over 6,500 square feet;
 - c. On lots over 9,000 square feet in size, 3,300 square feet plus 10 percent of the lot area over 9,000 square feet;
 - d. On a lot already developed, cleared or otherwise altered up to or in excess of the limits set forth above prior to July 6, 1999, new impervious surfaces shall be limited to five (5) percent of the area of the lot, not to exceed 750 square feet;
 - e. For purposes of computing the allowable lot coverage within each lot, private streets, joint-use driveways or other impervious-surfaced access facilities required for vehicular access to a lot in easements or within flag lots shall be excluded from calculations.

Summary Table:

Lot Size	Maximum Lot Coverage
Less than 6,500 sq. ft.	2,600 sq. ft.
6,501 sq. ft. to 9,000 sq. ft.	2,600 sq. ft. plus 28% of the lot area over 6,500 sq. ft.
9,001 sq. ft. or greater	3,300 sq. ft. plus 10% of the lot area over 9,000 sq. ft.
Developed, cleared or altered lots	New impervious limited to 5% of the total lot area, but not to exceed 750 sq. ft.

3. In addition to the maximum area allowed for buildings and other impervious surfaces under subsection (2) of this section, up to 50 percent of the total lot area may be used for garden, lawn or landscaping, provided:
 - a. All significant trees, as defined in Chapter 95 KZC, must be retained. The area limits set forth in this subsection are to be measured at grade level; the area of allowable garden, lawn or landscaping may intrude into the drip line of a significant tree required to be retained under this subsection if it is demonstrated not to cause root damage or otherwise imperil the tree's health;
 - b. Total site alteration, including impervious surfaces and other alterations, shall not exceed 75 percent of the total lot area;
 - c. At least 25 percent of the total lot area shall be designated as a Protected Natural Area (PNA), in a location that requires the least alteration of existing native vegetation.

In general, the PNA shall be located in one (1) contiguous area on each lot unless the City determines that designation of more than one (1) area results in superior protection of existing vegetation. The PNA shall be designated to encompass any critical areas on the lot and, to the maximum extent possible, consist of existing viable trees and native vegetation that meet the minimum vegetation condition standards set forth in subsection (4)(a) of this section.

If the lot does not contain an existing area meeting the vegetation requirements of subsection (4)(a) of this section or if the applicant demonstrates to the satisfaction of the Planning Official that retaining such vegetation area is not feasible because it would significantly restrict the ability to develop the subject property based on applicable zoning regulations, a PNA shall be restored or established to the standards set forth in subsection (4)(b) of this section;

- d. If development on the lot is to be served by an on-site sewage disposal system, any areas required by the Department of Public Health to be set aside for on-site sewage disposal systems shall be contained as much as possible within the portion of the lot altered for garden, lawn or landscaping as provided by this subsection. If elements of the on-site sewage disposal system must be installed outside the landscaped area, the elements must be installed so as not to damage any significant trees required to be retained under subsection (3)(a) of this section, and any plants that are damaged must be replaced with similar native plants.
4. Minimum Vegetation Conditions in the Protected Natural Area
 - a. Existing Native Vegetation – Priority is given to designate contiguous areas containing native vegetation meeting the following standards:
 - 1) Trees – Viable trees at a tree density of 150 tree credits per acre within the PNA, calculated as described in KZC 95.33.

Example: A 10,000-square-foot lot requires a 2,500 sq. ft. PNA ($10,000 \times 25\% = 2,500$ sq. ft.). Within the 2,500 sq. ft. PNA, nine (9) tree credits are required ($2,500 \text{ sq. ft.} / 43,560 \text{ sq. ft.} = 0.057 \text{ acres} \times 150 \text{ tree credits} = 8.6$, rounded to nine (9) tree credits). Note: the tree density for the remaining lot area is 30 tree credits per acre.

2) Shrubs – Predominately 36 inches high, covering at least 60 percent of the PNA.

3) Living Groundcovers – Covering at least 60 percent of the PNA.

b. Vegetation Deficiencies

1) If the PNA contains insufficient existing vegetation pursuant to subsection (4)(a) of this section, the applicant shall restore the PNA with native vegetation to meet minimum supplemental vegetation standards pursuant to subsection (4)(b)(3) of this section.

2) If the Planning Official determines that it is not feasible to retain an existing vegetation area, the applicant shall establish a PNA in a location approved by the Planning Official and planted in accordance with the supplemental vegetation standards in subsection (4)(b)(3) of this section.

3) Supplemental Vegetation Standards – The applicant shall provide at a minimum:

a) Supplemental trees, shrubs and groundcovers selected from the Kirkland Native Plant List, or other native species approved by the Planning Official.

b) Trees – Planted with a tree density of 150 tree credits per acre as described in KZC 95.33. The minimum size and tree density value for a supplemental tree worth one (1) tree credit in the PNA shall be at least six (6) feet in height for a conifer and at least one (1) inch in caliper (DBH) for deciduous or broad-leaf evergreen trees, measured from existing grade.

c) Shrubs – Planted to attain coverage of at least 80 percent of the area within two (2) years, and at the time of planting be between 2- and 5-gallon pots or balled and burlapped equivalents.

d) Living Groundcovers – Planted from either 4-inch pot with 12-inch spacing or 1-gallon pot with 18-inch spacing to cover within two (2) years 80 percent of the naturalized area.

4) Soil Specifications – Soils in supplemental vegetation areas shall comply with KZC 95.50, particularly those areas requiring decompaction.

5) Mulch – Mulch in supplemental vegetation areas shall comply with KZC 95.50.

6) Prohibited Plants – Invasive weeds and noxious plants listed on the Kirkland Plant List in the vicinity of supplemental plantings shall be removed in a manner that will not harm trees and vegetation that are to be retained.

7) Landscape Plan Required – In addition to the tree retention plan required pursuant to KZC 95.30, application materials shall clearly depict the quantity, location, species, and size of supplemental plant materials proposed to comply with the requirements of this section. Plants installed in the PNA shall be integrated with existing native vegetation and planted in a random naturalistic pattern. The Planning Official shall review and approve the landscape plan.

5. Subdivisions and short subdivisions shall be subject to the following requirements:
 - a. New public or private road improvements shall be the minimum necessary to serve the development on the site in accordance with Chapter 110 KZC. The City shall consider granting modifications to the road standards to further minimize site disturbance, consistent with pedestrian and traffic safety, and the other purposes of the road standards; and
 - b. Impervious surfaces and other alterations within each lot shall be limited as provided in subsections (2) and (3) of this section. In townhouse or multifamily developments, total impervious surfaces and other alterations shall be limited to 2,600 square feet per lot or dwelling unit in the R-6 and R-8 zones, and 3,300 square feet per lot or dwelling unit in the R-4 zone.
6. Tree Retention Plan – The applicant shall submit a tree retention plan required under KZC 95.30. In addition, it shall include the existing conditions and general locations of all shrubs and groundcover on the subject property.
7. The Planning and Building Department shall conduct site inspections prior to approving any site alteration or development on parcels subject to this (HP) suffix condition as follows:
 - a. Prior to issuing a permit for alteration or building on any individual lot subject to this (HP) suffix condition, the Planning Official shall inspect the site to verify the existing conditions, tree and other plant cover, and any previous site alteration or building on the site. Prior to this inspection and prior to altering the site, the applicant shall clearly delineate the proposed Protected Natural Area and the area of the lot proposed to be altered and built on with environmental fencing, 4-foot high stakes and high-visibility tape or other conspicuous and durable means, and shall depict this area on a site plan included in the application.
 - b. Prior to approving any subdivision or building permit for more than one (1) dwelling unit on any parcel subject to this (HP) suffix condition, the Planning Official shall inspect the site to verify the conditions, tree and other plant cover, and any previous site alteration or building on the site. Prior to this inspection and prior to altering the site, the applicant shall clearly delineate the proposed Protected Natural Area and the area of the proposed grading for streets, flow control and other common improvements, with environmental fencing, 4-foot high stakes and high-visibility tape or other conspicuous and durable means, and shall depict this area on a plot plan included in the application. Development of individual lots within any approved subdivision or short subdivision shall be subject to an individual inspection in accordance with subsection (7)(a) of this section.

As part of the subdivision application, the applicant shall choose the tree retention plan options as required by KZC 95.30(6). If the applicant chooses integrated review (rather than phased review) the applicant shall show the Protected Natural Area (PNA) on the face of the plat.

8. Tree and Landscape Maintenance Requirements
 - a. Protected Natural Area(s) – The PNA(s) shall be retained in perpetuity. Prior to final inspection of a building permit, the applicant shall provide:
 - 1) A final as-built landscape plan showing all vegetation required to be planted or preserved; and
 - 2) A recorded PNA protection easement, in a form approved by the City Attorney, to maintain and replace all vegetation that is required to be protected by the City. The agreement shall be recorded with the King County Recorder's Office. Land survey

information shall be provided for this purpose in a format approved by the Planning Official.

- 3) Plants that die must be replaced in kind or with similar plants contained on the Native Plant List, or other native species approved by the Planning Official.
- b. All significant trees in the remaining 75 percent of the lot shall be maintained in perpetuity, and tree removal will be allowed only for hazardous and nuisance trees pursuant to KZC 95.23(5)(d).
9. Pervious areas which are not geologically hazardous or environmentally sensitive areas governed by Chapter 85 or 90 KZC shall be maintained as open space in an undisturbed state, except for the following activities:
 - a. Incidental trimming or removal of vegetation necessary for protection of property or public health and safety, or the incidental removal of vegetation to be used in the celebration of recognized holidays. Replacement of removed hazardous trees may be required;
 - b. Noxious weeds may be cleared as long as they are replaced with appropriate native species or other appropriate vegetation and bark mulched to prevent erosion;
 - c. Construction of primitive pedestrian-only trails in accordance with the construction and maintenance standards in the U.S. Forest Service "Trails Management Handbook" (FSH 2309.18, June 1987, as amended) and "Standard Specifications for Construction of Trails" (EM-7720-102, June 1996, as amended); but in no case shall trails be constructed of concrete, asphalt or other impervious surface;
 - d. Limited trimming and pruning of vegetation for the creation and maintenance of views, and the penetration of direct sunlight, provided the trimming or pruning does not cause root damage or otherwise imperil the tree's health as allowed for in Chapter 95 KZC; and
 - e. Individual trees or plants may be replaced with appropriate species on a limited basis. Forested hydrological conditions, soil stability and the duff layer shall be maintained.
10. Conformance with this (HP) suffix condition shall not relieve an applicant from conforming to any other applicable provisions of the Zoning Code, Subdivision Ordinance, or Shoreline Master Program.

(Ord. 4491 §§ 3, 11, 2015; Ord. 4437 § 1, 2014; Ord. 4196 § 1, 2009)

70.25 Variations from Standards

For development activity occurring after July 6, 1999, upon written request from the applicant, the Planning Director may allow up to a 10 percent increase in impervious surface on individual lots over the limits set forth above, provided such increase is the minimum necessary to allow reasonable use of the property and meets all other applicable decision criteria for a variance as provided in Chapter 120 KZC, and one (1) or more of the following circumstances applies:

1. Development of a lot will require a driveway 60 feet or longer from the lot boundary to the proposed dwelling unit;
2. On-site flow control facilities are required by the Public Works Department;
3. The requested increase will allow placement of new development on the site in such a way as to allow preservation of one (1) or more additional significant trees, as defined in Chapter 95 KZC, that would otherwise be cleared; or

4. The requested increase is necessary to provide additional parking, access ramp or other facilities needed to make a dwelling accessible for a mobility-impaired resident.

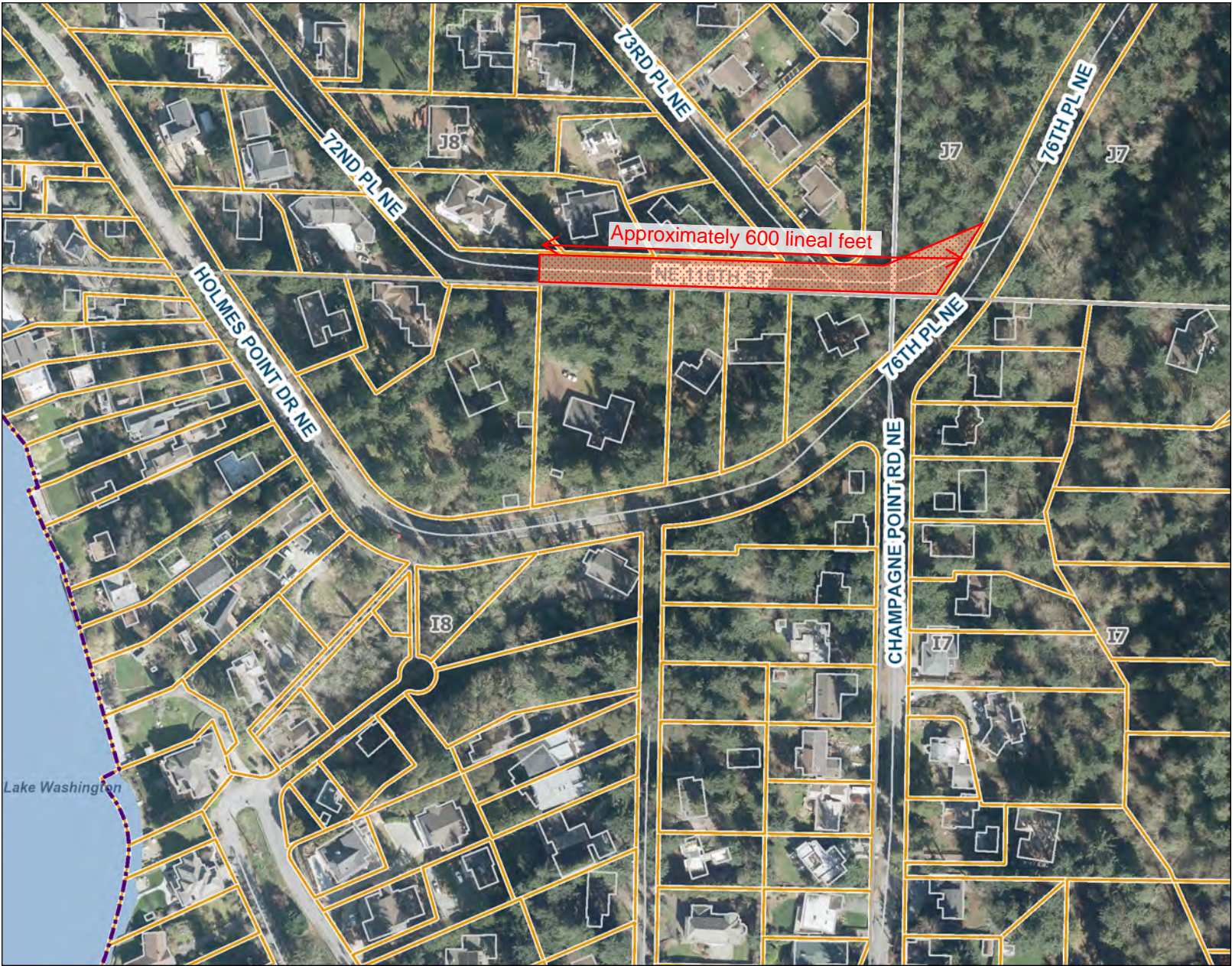
(Ord. 4437 § 1, 2014; Ord. 4196 § 1, 2009)





City of Kirkland GIS

ENCLOSURE 5



Legend

- City Limits
- Grid
- QQ Grid
- Cross Kirkland Corridor
- Regional Rail Corridor
- Streets
- Parcels
- Buildings
- Lakes
- Schools
- Olympic Pipeline Corridor

1: 2,393



Notes

0.1 0 0.04 0.1 Miles

NAD_1983_StatePlane_Washington_North_FIPS_4601_Feet

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