

Basra / Mtwani

Joan Lieberman-Brill

From: Teresa Swan
Sent: Monday, March 19, 2012 12:38 PM
To: Joan Lieberman-Brill
Subject: RE: LLA06-00023 lot line adjustment at 10522-130th Avenue NE

Hi Joan:

I suggest that put a copy of this string of emails into a 2013 Comp Plan Amendment file to remind us again about the outstanding LLA. I would also put a note in your outlook calendar.

Again, we have an odd and legally questionable situation with part of the single family ownership zoned park and part of the park property zoned SF.

Thanks! Teresa

From: Joan Lieberman-Brill
Sent: Thursday, September 08, 2011 10:10 AM
To: Sean LeRoy; Teresa Swan
Subject: FW: LLA06-00023 lot line adjustment at 10522-130th Avenue NE

FYI
Mr. Basra asked for more time to record LLA. He met with me prior to negotiating this with Michael Cogle, and was told then that he'll have to submit a new application by whatever date was agreed upon with Parks- July 1, 2013.

Joan Lieberman-Brill

From: Joan Lieberman-Brill
Sent: Thursday, September 08, 2011 10:07 AM
To: Michael Cogle
Subject: RE: LLA06-00023 lot line adjustment at 10522-130th Avenue NE

Thanks, I'll remove from list of rezones...

Joan Lieberman-Brill

From: Michael Cogle
Sent: Thursday, September 08, 2011 9:44 AM
To: Joan Lieberman-Brill
Subject: RE: LLA06-00023 lot line adjustment at 10522-130th Avenue NE

Yes. He has agreed to our delay of reversing the rezone until July 1, 2013.

From: Joan Lieberman-Brill
Sent: Thursday, September 08, 2011 9:34 AM
To: Michael Cogle
Subject: RE: LLA06-00023 lot line adjustment at 10522-130th Avenue NE
Importance: High

Have you heard back from Mr. Basra? I'd like an update on status if there is one, for tonight's Planning Commission study session....

Joan Lieberman-Brill, AICP
Senior Planner
City of Kirkland
123 5th Avenue
Kirkland, WA 98006
425-587-3254
jbrill@kirklandwa.gov
Tues - Thurs

I'm processing a rezone reversal as part of the 2011 CPA project. The land exchange was never finalized between Mark Twain Park and the private property so we are reversing the rezone that was approved in 2007 in anticipation of this land swap. I have several questions regarding the 4 years old pending LLA, if the applicant, Mr. Basra, went ahead and recorded it, which would finalize the land exchange between him and City of Kirkland. (if he does record prior to adopting the CPA, the city will withdraw the proposed rezone reversal)

I wonder to what extent we could still use the existing application for the basis of the proposed LLA. It's been quite a few years since I processed one so please confirm if I have the following right. I'm meeting with Mr. Basra on the 23rd.

- Since the application is now more than 5 years old, should the applicant re-submit a survey? Or would checking Advantage (just did – and there isn't any new activity) and possibly field checking the property to confirm there haven't been any changes be sufficient? - See directly below
- Also, in this case the registered surveyor's certification expired in 2006 – and since the LLA document wasn't recorded prior to expiration, I assume the survey isn't valid based solely on this. Agree? - I agree since we would be processing it after his expiration date **But if it hadn't expired would we still accept it?** – Yes, I would think so
- I know he needs a new title report no more than 30 days old. That is measured 30 days back from the date of the owners notarization, right? If so, then the applicants including the City Manager would need to re-notarize the application, correct? (Also, similar to the surveyor, the notary's commission expired prior to recording, so for this reason alone the notarization wouldn't be valid, right?) – Correct on all accounts, IMO. **What's IMO?** – sorry in My Opinion
- Should the survey show driveway to the existing house (I assume there is a driveway)? This one doesn't. – Technically, yes.
- Does the applicant have to record the legal description of the access easement *along* with the description of the existing lots prior to and after

each lot is altered? The file contains the legal description of the easement and it's shown on the survey. Or is this volunteered background information? This legal description doesn't have a surveyors seal. Is this something the city attorney needs to weigh in on? – The legal if it's a good legal, should include any easements and would be recorded with the LLA. Who reviews the legal to see if it contains the easement language? Do we? Also the survey drawing has the surveyor's seal but not the legal description. Is that typical? – City Attorney does a full review of the proposal which includes legal description analysis and title review. Yes, it is typical that the surveyor's stamp is on the survey but not on the legal description

- Must the applicant bond for the removal of the existing home (I assume still is on the subject property), which straddles the new lot line prior to the LLA being recorded, to ensure compliance? Is this still the protocol for handling this type of situation? – He would have to demo the house if it straddles PL(s); I'm not aware of a bond protocol
- If the house still is the only structure and will be removed, I assume planning would waive the requirement for lot coverage, setback, and floor area ratio information. Agree? - We wouldn't waive it per se, he still has to account for it, which he can do simply with a site plan. I don't understand why he has to account for it on a separate information sheet since the LLA can't be recorded until the demo is complete... - I only suggested that he would account for it, because the LLA application materials says that he has to.

Joan Lieberman-Brill

From: Teresa Swan
Sent: Tuesday, October 19, 2010 1:07 PM
To: Joan Lieberman-Brill
Cc: Michael Cogle; Sean LeRoy; Paul Stewart; Eric Shields
Subject: 2011 Comp Plan amendments: Rezone of portion of Mark Twain Park and property to south

Follow Up Flag: Follow up
Flag Status: Flagged

Joan and 2011 Comp Plan file:

As part of the 2006 Comp Plan amendments, we rezoned a small sliver of land along the south property line of Mark Twain Park from Park to Single family RSX 7.2 and a sliver of private property from RSX 7.2 to Park as part of a pending land swap proposal and lot line adjustment. This occurred at a Council meeting on February 6, 2007 as a subsequent follow-up to O-4079 and 4080/2006 Comp Plan amendments dated Dec 12, 2006 (I will need to dig up that Ordinance that did the rezone). O-4079 mentions this rezone in the body of the text.

The applicant never followed thru with the land swap and lot line adjustment. I have been checking each year with Sean who is the planner assigned to the lot line adjustment about this.

We should rezone the park property back to Park zoning and the single family land back to RSX 7.2 zoning in 2011 unless the applicant moves forward.

I suggest we put this email in the 2011 Comp Plan file and follow up next year. We need to give notice to the applicant early next year (see File LLA06-00023) that we will proceed with the rezone change unless he moves forward by November 2011 (we could pull the rezone change at the last minute before Council adoption in Dec 2011).

Once you need the Ordinance number for the rezone and a copy of the council memo-let me know.

Thanks!

From: Sean LeRoy
Sent: Wednesday, October 13, 2010 11:25 AM
To: Teresa Swan
Subject: RE: lot line adjustment for property south of Mark Twain Park

File No: LLA06-00023
Address: 10522 130th Ave NE

So notice will go out prior to the amendments going to Council?
Thanks,

Sean LeRoy

Planner

City of Kirkland

Hrs: Tues - Fri 7am-5.30pm

tele: 425.587.3260

Joan Lieberman-Brill

From: Paul Stewart
Sent: Thursday, December 02, 2010 11:02 AM
To: Joan Lieberman-Brill
Subject: FW: 2011 Comp Plan amendments: Rezone of portion of Mark Twain Park and property to south

Are you keeping a file or list for 2011?

From: Eric Shields
Sent: Wednesday, December 01, 2010 4:12 PM
To: Paul Stewart
Subject: FW: 2011 Comp Plan amendments: Rezone of portion of Mark Twain Park and property to south

This is the other Comp. Plan amendment I was thinking about, but it's not technically a PAR.

Eric Shields

From: Teresa Swan
Sent: Tuesday, October 19, 2010 1:07 PM
To: Joan Lieberman-Brill
Cc: Michael Cogle; Sean LeRoy; Paul Stewart; Eric Shields
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