**CITY OF KIRKLAND**
**Planning and Community Development Department**
**123 Fifth Avenue, Kirkland, WA 98033 - (425) 587-3225**
www.kirklandwa.gov

# CITY OF KIRKLAND
# NOTICE OF DECISION

**November 12, 2014**

| | |
|---|---|
| **Permit application:** | SUB13-01475 – Basra Short Plat North |
| **Location:** | 10522 130th Ave NE |
| **Applicant:** | Jag Basra |
| **Project description:** | 6 Lot Short Plat in the RSX 7.2 Zone |
| **Decisions Included:** | Short Plat (Process I) |
| **Project Planner:** | Sean LeRoy |
| **Department Decision:** | **Approval with Conditions** |

Eric Shields, Director
Department of Planning and Community Development

| | |
|---|---|
| Decision Date: | November 7, 2014 |
| Appeal Deadline: | November 26, 2014 |

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., November 26, 2014. For information about how to appeal, contact the Planning Department at (425) 587-3225. An appeal of this project decision would be heard by the Hearing Examiner.

## CONDITIONS OF APPROVAL

1. 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.
2. Prior to recording the short plat:
   a. Obtain a demo permit and remove the existing home and associated improvements.
   b. Include in the final plat documents a 10' pedestrian access easement from the north end of the 130th Ave NE street improvements to Mark Twain Park (see Conclusion V.C.1b).
   c. Secure the signature of the City of Kirkland Parks Department on the face of the plat documents (see Conclusion V.B.2).
   d. Parties who hold an interest in the proposed short plat to the south (SUB14-01474) shall dedicate their portion of property which will constitute the south half of the proposed new NE 105th Street right of way and 130th Ave NE. Plat documents shall also be revised to show the entirety of the required new right of way (see Conclusion V.C.2b).
   e. As part of any land surface modification permit, the application shall install an 8 foot wide asphalt path into Mark Twain Park to the north within the 10 foot wide public access easement (see Conclusion V.C.1b).

## II. SITE AND NEIGHBORHOOD CONTEXT

| | |
|---|---|
| Zoning District | RSX 7.2; (P) Park |
| Comprehensive Plan Designation | LDR-6, low density residential, 6 dwelling units per acre<br>P, Park/Open Space |
| Property Size | Existing = 40,960 sf; Proposed = 43,884 sf*<br>*Proposed boundary adjustment with the City of Kirkland Parks Department (see Attachments 2, 6 and 7). |
| Current Land Use | Single Family Residential |
| Proposed Lot Sizes | Lot 1: 7884 sf<br>Lot 2: 7200 sf<br>Lot 3: 7200 sf<br>Lot 4: 7200 sf<br>Lot 5: 7200 sf<br>Lot 6: 7200 sf |

| | |
|---|---|
| Lot Size Compliance | All lots meet the minimum lot size for the RSX 7.2 zone. |
| Terrain | The property has a minimal slope from the east property line (342') to the west (340'). |
| Trees | There are 23 significant trees on the site. Attachment 4 shows the location, tree number, and general health of the trees, as assessed by the applicant's arborist, in addition to the review and recommendations of the City's Arborist. The applicant is proposing phased review of the Short Plat pursuant to KZC 95.30.6.a. See Attachment 3, Development Standards, for more information on tree retention as it relates to a Phased Tree Plan. |
| Access | Access is proposed via a new 35 foot public right of way called NE 105th Street, created off of the existing 130th Ave NE right of way (see Attachment 3, Public Works Conditions). |
| Neighboring Zoning and Development | *See discussion below in Section V.B - History |
| • North | (P), Mark Twain Park |
| • South | RSX 7.2, single family residential |
| • East | (P), Mark Twain Park*<br>*current (prior to Short Plat, see Attachment 6 and 7) |
| • West | RSX 7.2, single family residential |

## III. PUBLIC NOTICE AND COMMENT

**A.** The public comment period for this application ran from September 26, 2013 to October 14, 2013. Below is a summary of public comments followed by a brief staff response.

1. <u>Comments</u>:

   a. Inadequate tree fencing along the west border of north/south access

   b. Can gravel be left under the drip line of those trees along the west boundary tract?

   c. Parking should not be allowed on 130th Ave NE.

   d. Specification should be provided on utility installation for the purpose of tree removal.

   e. Proper setting of boundary and survey markers.

f. Routing new 8" water main under 130th Ave NE to the new NE 105th Street may result in tree loss along west side.

g. How will service levels for utilities be impacted and handled as a result of this development?

h. Increased traffic as a result of the development.

2. *<u>Staff Response</u>: Comments were collected during the comment period. I have discussed these comments in person with the concerned neighbors. Staff's response is summarized below:*

   a. *The applicant has elected to pursue a "phased" tree development plan. As such, tree removal is not approved as part of the preliminary short plat approval. City staff will undertake a full review of viable trees and necessary protection measures, including but not necessarily limited to fencing, as the development progresses. In initial reviews of the current proposal, it appears that the viable trees along the west side of 130th Ave NE (located in a utility easement) can be retained given proper techniques. See Attachment 3 for further information on "phased" tree plan and review, including tree typing by the City's Contract Arborist.*

   b. *The existing trail in its current form is a gravel pathway. This short plat includes the conditions acknowledging the need for and requirement of a pedestrian pathway from the north end of 130th Ave NE to Mark Twain Park. The City's interest in dedication and construction of the walkway will be to ensure that construction does not damage or endanger the existing trees referenced above.*

   c. *Public Works has conditioned the applicant's proposal to install "No Parking" signs along the east side of 130th Ave NE (see Attachment 3).*

   d. *Preliminary engineering has been provided as part of the applicant's development plan. The City's Public Works Department has reviewed the applicant's plan and provided preliminary conditions; see Attachment 3. Since the applicant has submitted a phased tree plan, consideration for retention and preservation of viable, significant trees will be further reviewed as the development progresses in the development cycle.*

   e. *A survey has been submitted and markers were verified in the field by the Planning Department. Prior to recording both interior and exterior markers are required to be set, if they have been otherwise disturbed in the field.*

   f. *The City's Public Works Department will require an 8" water main be installed in 130th Ave NE. Data obtained from the preliminary review of the City's consulting Arborist indicates that with proper techniques, installation, monitoring and care, the water line and any other utilities located in 130th Ave NE, does not need to result in the damage or removal of the trees that are deemed viable.*

   g. *As part of the progression of development, the applicant will be responsible for impact and connection fees designed in part to "support" the increased impact the development will have on levels of service of such things as utility service, traffic and schools. Such fees are typically collected at the building permit stage. See Attachment 3 for a full discussion of relevant fees.*

*h. Since the short plat is exempt from SEPA, it is also exempt from traffic concurrency review.*

## 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 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 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, including the underlying zoning requirements for such restrictions as lot size and access.

## 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 lots sizes for this zone.

| Not Applicable | Complies as proposed | Complies as conditioned | **Code Section** |
|---|---|---|---|
| | | | **KMC 22.28.050 – Lots - Dimensions** |
| ☐ | ☒ | ☐ | Lots are shaped for reasonable use and development |
| ☐ | ☒ | ☐ | Minimum lot width is 15' where abutting right-of-way, access easement, or tract |

**B.** History

1. Facts: In 2006, the applicant entered into a Lot Line Alteration (LLA) agreement with the City of Kirkland (Parks Department) to adjust the common property

lines and exchange land in the manner depicted in Attachments 6 and 7. The City signed and approved the LLA, and updated the City's zoning map. However, the proposal was ultimately put on hold at the request of the applicant. The current proposal is meant to replace the former LLA; the land area remains the same under this short plat application.

2. Conclusion: As a condition of plat approval, the applicant shall secure the signature of the City's Parks Department on the face of the plat. See Attachments 6 and 7 for a visual depiction of the intended land exchange and Attachment 2 for the current short plat proposal.

**C.** Provisions for Public and Semi-Public Land

1. Public Access – Walkways

   a. Facts: Municipal Code section 22.28.170 establishes that the City may require the installation of pedestrian walkways by means of dedicated rights-of-ways, tracts, or easements if a walkway is indicated as appropriate in the Comprehensive Plan, if it is reasonable necessary provide efficient pedestrian access to a designated activity center of the City, or if blocks are unusually long.

   b. Conclusion: At the north end of 130th Ave street improvements, the applicant should grant a 10 foot wide pedestrian easement and install an 8 foot wide asphalt path into Mark Twain Park to the north (see Attachment 3).

2. Rights of Way

   a. Facts: The applicant originally submitted two contiguous 6 lot short plats – SUB14-01475 to the north, abutting Mark Twain Park, and SUB14-01474 to the south. The City has required a new right of way – NE 105th Street – to serve the lots of both plats and a dedication of 30 feet to increase the width of 130th Ave NE (see Attachments 2 and 3).

   b. Conclusion: Prior to recording the plat parties holding an interest in the 6 lot short plat to the south shall dedicate the required portions of land to meet the requirements listed above (see

## VI. 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.

## VII. SHORT PLAT DOCUMENTS – RECORDATION – TIME LIMIT (KMC 22.20.370

The short plat must be recorded with King County within seven (7) 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 seven (7) 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.

## VIII. APPENDICES

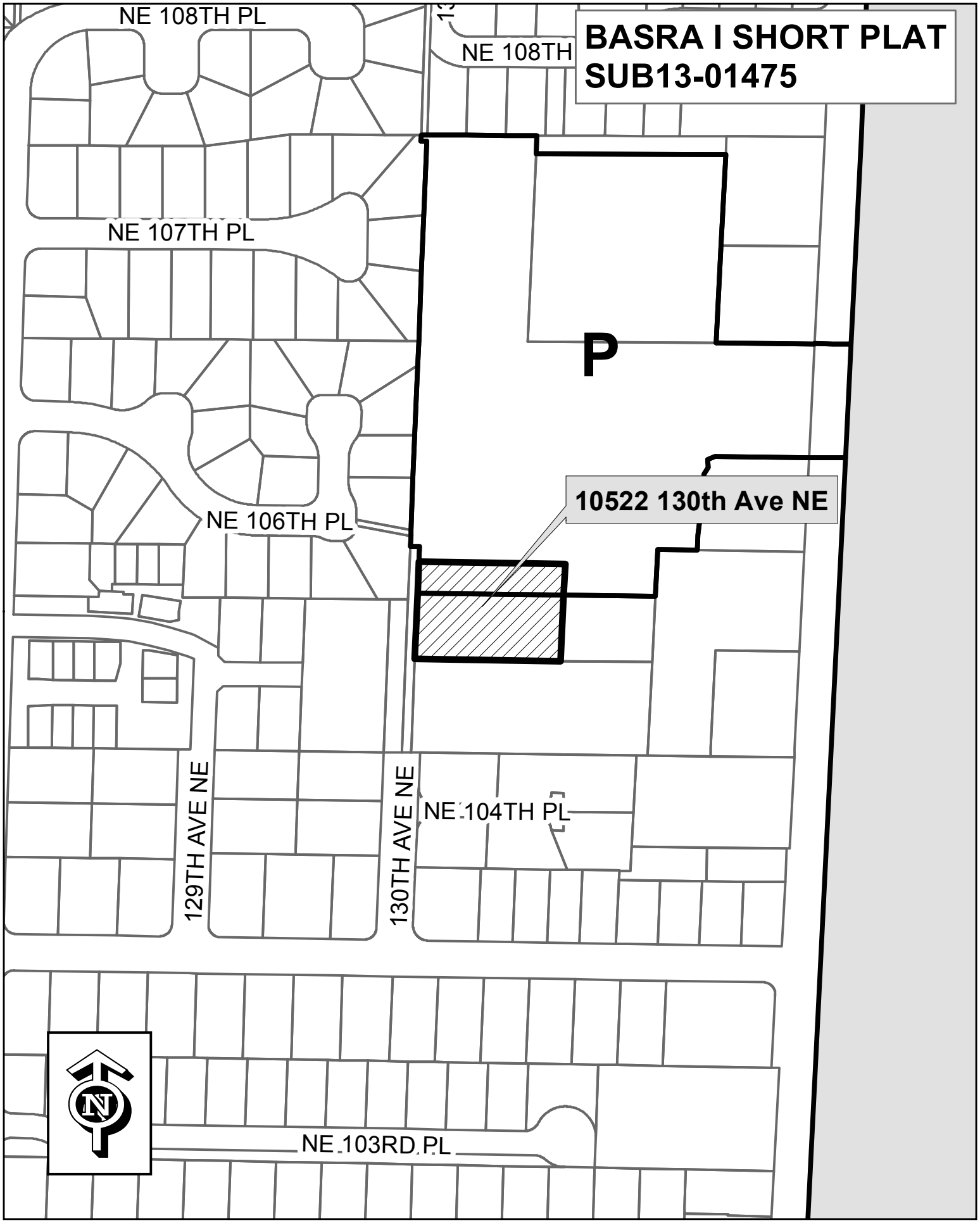
Attachments 1 through 7 are attached.

1. Vicinity Map
2. Plans and Survey
3. Development Standards
4. Arborist Report
5. Public Comments
6. Land Exchange Map
7. Lot Line Comparison

## IX. PARTIES OF RECORD

Applicant: Jag Basra, PO Box 2127, Kirkland WA 98033
Parties of Record
City of Kirkland Parks Department
Department of Planning and Community Development
Department of Public Works
Department of Building and Fire Services

ATTACHMENT 1



VOLUME/PAGE

# BASRA SHORT PLAT II

*PORTION OF THE N.E. 1/4, S.E. 1/4, SECTION 33, TWP. 26 N., RGE. 5 E., W.M.*
*CITY OF KIRKLAND, KING COUNTY, WASHINGTON*

*SHORT PLAT*
*CITY OF KIRKLAND*

*FILE NO. SUB__-_____*

## ACKNOWLEDGEMENTS, DECLARATION, DEDICATION, AND RESTRICTIONS (R.C.W. 58.17.165)

KNOW ALL PEOPLE BY THESE PRESENTS THAT WE, THE UNDERSIGNED BEING ALL OF THE OWNERS OF THE LAND HEREBY SHORT SUBDIVIDED, HEREBY DECLARE THIS SHORT PLAT TO BE THE GRAPHIC REPRESENTATION OF THE SHORT SUBDIVISION MADE HEREBY, AND DO HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS AND AVENUES NOT SHOWN AS PRIVATE HEREON AND DEDICATE THE USE THEREOF FOR ALL PUBLIC PURPOSES NOT INCONSISTENT WITH THE USE THEREOF FOR PUBLIC HIGHWAY PURPOSES, AND ALSO THE RIGHT TO MAKE ALL NECESSARY SLOPES FOR CUTS AND FILLS UPON THE LOTS SHOWN HEREON IN THE ORIGINAL REASONABLE GRADING OF SAID STREETS AND AVENUES, AND FURTHER DEDICATE TO THE USE OF THE PUBLIC ALL THE EASEMENTS AND TRACTS SHOWN ON THIS SHORT PLAT FOR ALL PUBLIC PURPOSES AS INDICATED HEREON, INCLUDING BUT NOT LIMITED TO PARKS, OPEN SPACE, UTILITIES AND DRAINAGE UNLESS SUCH EASEMENTS OR TRACTS ARE SPECIFICALLY IDENTIFIED ON THIS SHORT PLAT AS BEING DEDICATED OR CONVEYED TO A PERSON OR ENTITY OTHER THAN THE PUBLIC.

FURTHER, THE UNDERSIGNED OWNERS OF THE LAND HEREBY SHORT SUBDIVIDED WAIVE FOR THEMSELVES, THEIR HEIRS, AND ASSIGNS AND ANY PERSON OR ENTITY DERIVING TITLE FROM THE UNDERSIGNED, ANY AND ALL CLAIMS FOR DAMAGES AGAINST THE CITY OF KIRKLAND, ITS SUCCESSORS AND ASSIGNS WHICH MAY BE OCCASIONED BY THE ESTABLISHMENT, CONSTRUCTION, OR MAINTENANCE OF ROADS AND/OR DRAINAGE SYSTEMS WITHIN THIS SHORT SUBDIVISION OTHER THAN CLAIMS RESULTING FROM INADEQUATE MAINTENANCE BY THE CITY OF KIRKLAND.

FURTHER, THE UNDERSIGNED OWNERS OF THE LAND HEREBY SHORT SUBDIVIDED AGREE FOR THEMSELVES, THEIR HEIRS AND ASSIGNS TO INDEMNIFY AND HOLD THE CITY OF KIRKLAND, ITS SUCCESSORS AND ASSIGNS, HARMLESS FROM ANY DAMAGE, INCLUDING ANY COSTS OF DEFENSE, CLAIMED BY PERSONS WITH IN OR WITHOUT THIS SHORT SUBDIVISION TO HAVE BEEN CAUSED BY WATER FLOWS WITHIN THIS SHORT SUBDIVISION OR BY ESTABLISHMENT, CONSTRUCTION OR INDEMNIFICATION SHALL NOT BE CONSTRUED AS RELEASING THE CITY OF KIRKLAND, ITS SUCCESSORS AND ASSIGNS, FROM LIABILITY FOR DAMAGES, INCLUDING THE COST OF DEFENSE, RESULTING IN WHOLE OR IN PART FROM THE NEGLIGENCE OF THE CITY OF KIRKLAND, ITS SUCCESSORS, OR ASSIGNS.

THIS SUBDIVISION DEDICATION, WAIVER OF CLAIMS AND AGREEMENT TO HOLD HARMLESS IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF SAID OWNER(S).

IN WITNESS WHEREOF WE SET OUT HANDS AND SEALS.

| | |
|---|---|
| NAME | NAME |
| NAME | NAME |
| NAME | NAME |
| NAME | NAME |

### ACKNOWLEDGMENT

STATE OF WASHINGTON )
)SS
COUNTY OF _____ )

ON THIS _____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED _____, TO ME PERSONALLY KNOWN (OR PROVEN ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE _____ OF _____, THE CORPORATION THAT EXECUTED THE WITHIN AND FOREGOING INSTRUMENT, AND ACKNOWLEDGED SAID INSTRUMENT TO BE THE FREE AND VOLUNTARY ACT AND DEED OF SAID CORPORATION, FOR THE USES AND PURPOSES THEREIN MENTIONED, AND ON OATH STATED THAT HE/SHE WAS AUTHORIZED TO EXECUTE SAID INSTRUMENT AND THAT THE SEAL AFFIXED, IF ANY, IS THE CORPORATE SEAL OF SAID CORPORATION.

WITNESS MY HAND AND SEAL HERETO AFFIXED THE DAY AND YEAR IN THIS CERTIFICATE ABOVE WRITTEN.

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON RESIDING IN _____

MY COMMISSION EXPIRES: _____

PRINT NOTARY NAME

## CITY OF KIRKLAND DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

EXAMINED, REVIEWED AND APPROVED BY THE CITY OF KIRKLAND PURSUANT TO THE SHORT SUBDIVISION PROVISIONS OF TITLE 22 (LAND SUBDIVISION), KIRKLAND MUNICIPAL CODE THIS _____ DAY OF _____, 20___.

DIRECTOR, DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

## KING COUNTY DEPARTMENT OF ASSESSMENT

EXAMINED AND APPROVED THIS _____ DAY OF _____, 20___.

KING COUNTY ASSESSOR

## LEGAL DESCRIPTION

PARCEL A OF CITY OF KIRKLAND LOT LINE ALTERATION NUMBER LLA-__-_____, RECORDED UNDER RECORDING NUMBER _____, RECORDS OF KING COUNTY, WASHINGTON.

## NOTES

1. THE MONUMENT CONTROL FOR THIS SITE WAS ACCOMPLISHED BY FIELD TRAVERSE UTILIZING A ONE (1) SECOND THEODOLITE WITH INTEGRAL ELECTRONIC DISTANCE MEASURING (TOPCON GPT-3005). LINEAR AND ANGULAR CLOSURE OF THE TRAVERSES MEET THE STANDARDS OF WAC 332-120-090.
2. THIS SURVEY REPRESENTS PHYSICAL IMPROVEMENT CONDITIONS ON THE SITE AS THEY EXISTED ON AUGUST 8, 2005, THE DATE OF THIS FIELD SURVEY.
3. FULL RELIANCE FOR LEGAL DESCRIPTIONS AND RECORDED EASEMENTS HAVE BEEN PLACED ON THE SHORT PLAT CERTIFICATE FROM CHICAGO TITLE INSURANCE COMPANY ORDER NO. 1363940 DATED MAY 24, 2013.
4. OFFSET DIMENSIONS SHOWN HEREON ARE MEASURED PERPENDICULAR TO PROPERTY LINES.

## BASIS OF BEARINGS

BASIS OF BEARINGS IS PLAT OF LU-GENE, DIVISION NO.1 VOLUME 77, PAGES 29-30.

THIS BASIS OF BEARINGS IS ROTATED 00°00'28" CLOCKWISE FROM CITY OF KIRKLAND (NAD 83/91). OUR MEASURED BEARING FROM CITY OF KENT CONTROL POINT #31 TO CITY OF KENT CONTROL POINT #36 IS NORTH 46°19'53" EAST. CITY OF KIRKLAND'S BEARING ON THE SAME CONTROL POINTS IS NORTH 46°20'21" EAST.

## SHORT PLAT NOTES

1. ADDRESSING SHALL BE IN ACCORDANCE WITH KIRKLAND BUILDING DIVISION POLICY MANUAL NUMBER 9.001, ASSSIGNMENT OF STREET NUMBERS AND ROAD SIGNAGE.
2. UTILITY MAINTENANCE: EACH PROPERTY OWNER SHALL BE RESPONSIBLE FOR MAINTENANCE OF THE SANITARY SEWER OR STORM WATER STUB 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 OR SURFACE WATER STUB, 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.
3. 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.

## RECORDER'S CERTIFICATE

FILED FOR RECORD THIS _____ DAY OF _____, 20___
AT _____M. IN BOOK _____ OF _____ AT PAGE(S) _____
AT THE REQUEST OF RODNEY G. HANSEN.

MANAGER

SUPT. OF RECORDS

## SURVEYOR'S CERTIFICATE

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF JAG BASRA IN FEBRUARY, 2014.

RODNEY G. HANSEN
CERTIFICATE No. 21464

RODNEY G. HANSEN · STATE OF WASHINGTON · 21464 · REGISTERED PROFESSIONAL LAND SURVEYOR · 02/28/14

LATEST REVISION: 02/28/14

BASRA SHORT PLAT II
N.E. 1/4, S.E. 1/4, SEC. 33, TWP. 26 N., RGE. 5 E., W.M.
CITY OF KIRKLAND, KING COUNTY, WASHINGTON
CITY OF KIRKLAND FILE No. SUB__-_____

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| DWN BY | RF | DATE | 10/01/13 | JOB NO. | 20535 |
| CHKD BY | RGH | SCALE | N/A | SHEET | 1 OF 3 |

HANSEN SURVEYING
LAND SURVEYORS & CONSULTANTS
17420 116TH AVE. S.E., RENTON, WA 98058
TEL: 425-235-8440 FAX: 425-235-0266

# BASRA SHORT PLAT II

*PORTION OF THE N.E. 1/4, S.E. 1/4, SECTION 33, TWP. 26 N., RGE. 5 E., W.M.*
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*SHORT PLAT*
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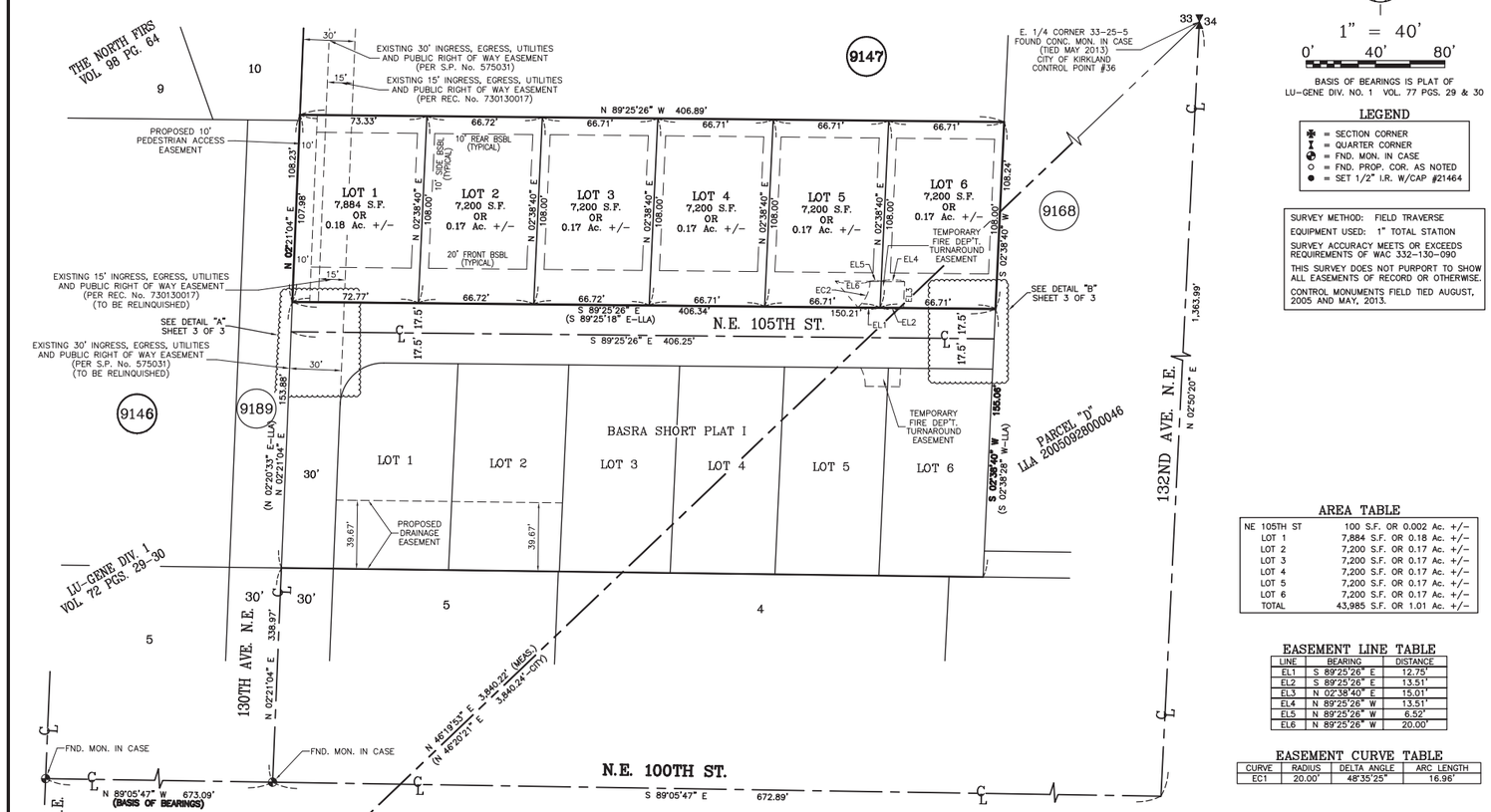
CITY OF KIRKLAND WASHINGTON

VOLUME/PAGE

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1" = 40'
0' 40' 80'

BASIS OF BEARINGS IS PLAT OF LU-GENE DIV. NO. 1 VOL. 77 PGS. 29 & 30

## LEGEND

- ✱ = SECTION CORNER
- I = QUARTER CORNER
- ⊕ = FND. MON. IN CASE
- ○ = FND. PROP. COR. AS NOTED
- ● = SET 1/2" I.R. W/CAP #21464

SURVEY METHOD: FIELD TRAVERSE
EQUIPMENT USED: 1" TOTAL STATION
SURVEY ACCURACY MEETS OR EXCEEDS REQUIREMENTS OF WAC 332-130-090
THIS SURVEY DOES NOT PURPORT TO SHOW ALL EASEMENTS OF RECORD OR OTHERWISE.
CONTROL MONUMENTS FIELD TIED AUGUST, 2005 AND MAY, 2013.

## AREA TABLE

| | |
|---|---|
| NE 105TH ST | 100 S.F. OR 0.002 Ac. +/- |
| LOT 1 | 7,884 S.F. OR 0.18 Ac. +/- |
| LOT 2 | 7,200 S.F. OR 0.17 Ac. +/- |
| LOT 3 | 7,200 S.F. OR 0.17 Ac. +/- |
| LOT 4 | 7,200 S.F. OR 0.17 Ac. +/- |
| LOT 5 | 7,200 S.F. OR 0.17 Ac. +/- |
| LOT 6 | 7,200 S.F. OR 0.17 Ac. +/- |
| TOTAL | 43,985 S.F. OR 1.01 Ac. +/- |

## EASEMENT LINE TABLE

| LINE | BEARING | DISTANCE |
|---|---|---|
| EL1 | S 89°25'26" E | 12.75' |
| EL2 | S 89°25'26" E | 13.51' |
| EL3 | N 02°38'40" E | 15.01' |
| EL4 | N 89°25'26" W | 13.51' |
| EL5 | N 89°25'26" W | 6.52' |
| EL6 | N 89°25'26" W | 20.00' |

## EASEMENT CURVE TABLE

| CURVE | RADIUS | DELTA ANGLE | ARC LENGTH |
|---|---|---|---|
| EC1 | 20.00' | 48°35'25" | 16.96' |

RODNEY G. HANSEN STATE OF WASHINGTON 21464 REGISTERED PROFESSIONAL LAND SURVEYOR 02/28/14

LATEST REVISION: 02/28/14

BASRA SHORT PLAT II
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|---|---|---|---|---|---|
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| CHKD BY | RGH | SCALE | 1" = 40' | SHEET | 2 OF 3 |


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CITY OF KIRKLAND WASHINGTON

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CITY OF KIRKLAND, KING COUNTY, WASHINGTON

SHORT PLAT
CITY OF KIRKLAND

FILE NO. SUB__-_____

VOLUME/PAGE

N

1" = 5'

0' 5' 10'

BASIS OF BEARINGS IS PLAT OF
LU-GENE DIV. NO. 1 VOL. 77 PGS. 29 & 30

LEGEND

- = SECTION CORNER
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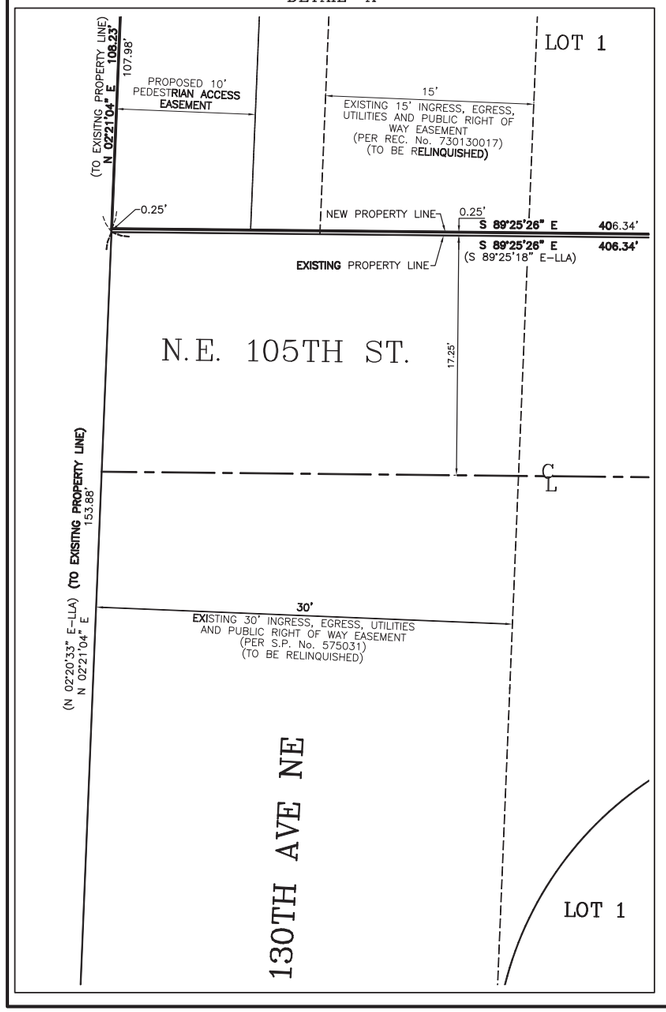
DETAIL "A"

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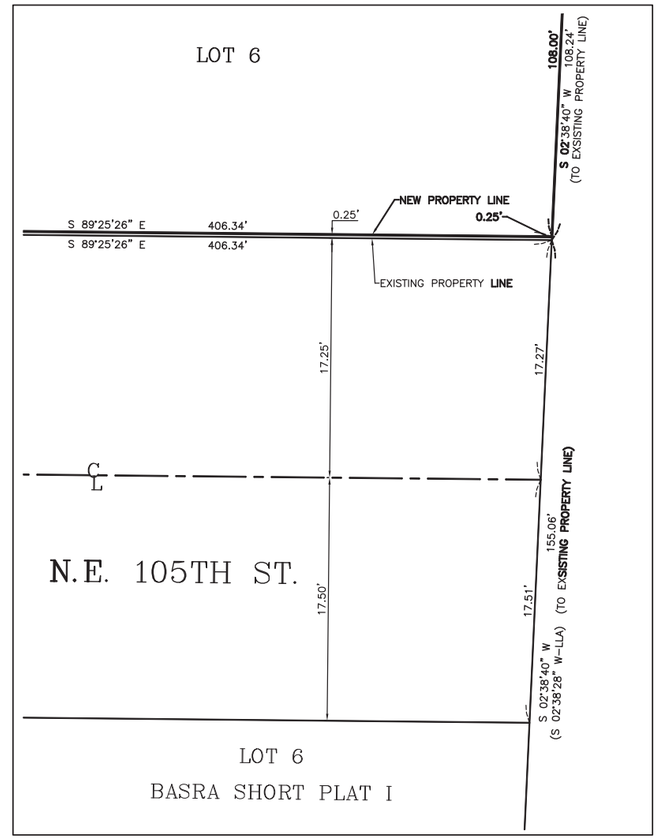


RODNEY G. HANSEN
STATE OF WASHINGTON
21464
REGISTERED
PROFESSIONAL LAND SURVEYOR
02/28/14

LATEST REVISION: 02/28/14

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|---|---|---|---|---|---|
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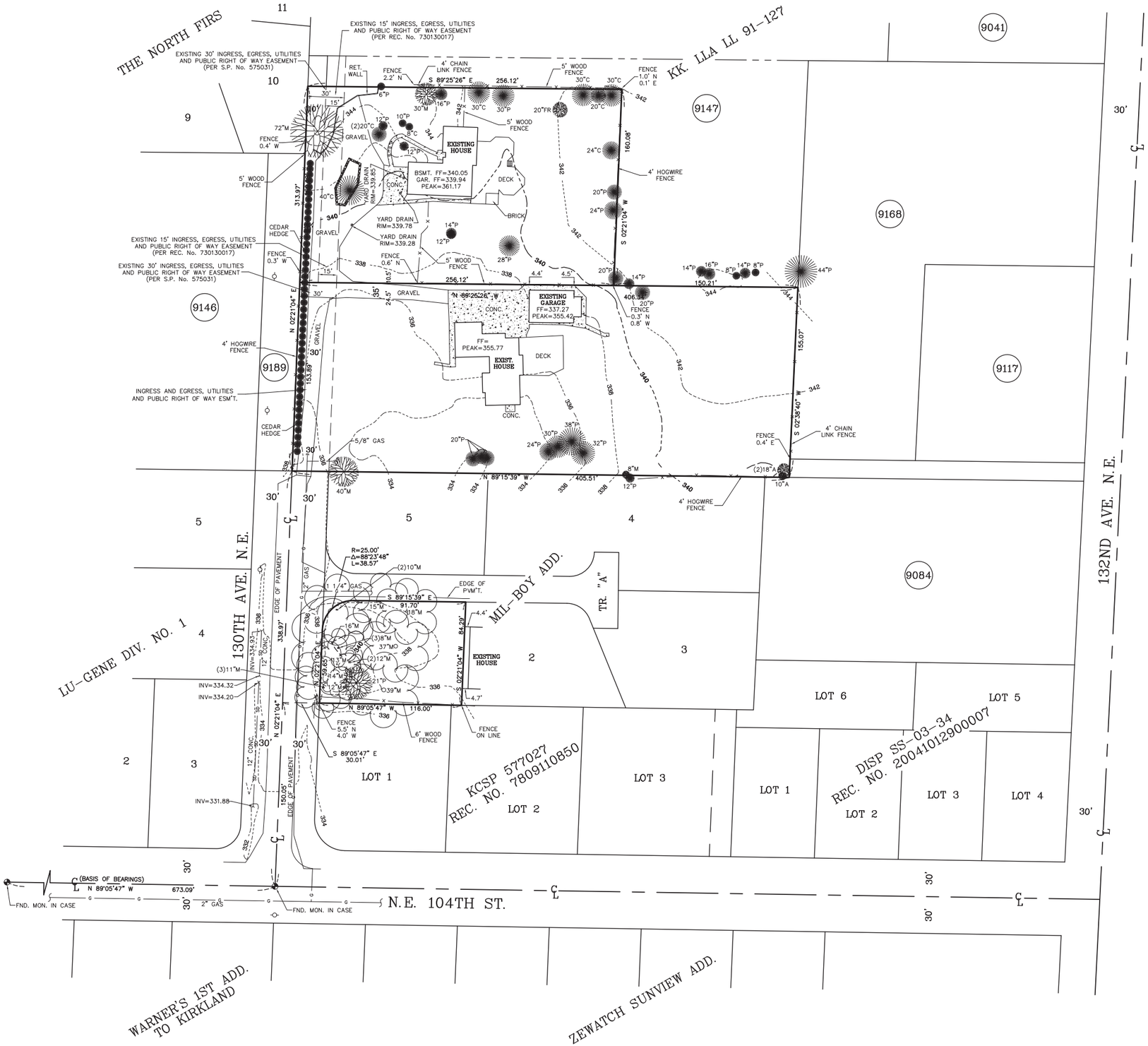
TEL: 425-235-8440 FAX: 425-235-0266

# PORTION OF THE N.E. 1/4, S.E. 1/4, SEC. 33, TWP. 26 N., R 5 E., W.M.

*KING COUNTY, WASHINGTON*




N

1" = 40'

0' 40' 80'

BASIS OF BEARINGS IS PLAT OF LU-GENE DIV. NO. 1 VOL. 77 PGS. 29 & 30

## LEGEND

- SS = SANITARY SEWER
- S = STORM SEWER
- G = GAS LINE
- W = WATER LINE
- = GAS VALVE
- = WATER VALVE
- = WATER METER
- = FIRE HYDRANT
- = CATCH BASIN
- = YARD DRAIN
- = MANHOLE
- = UTILITY POLE
- = LIGHT POST
- = GUY ANCHOR
- = SIGN
- = POWER VAULT/TRANSFORMER
- = TELE./TV PED.
- = PARKING METER
- = SECTION CORNER
- = QUARTER CORNER
- = FND. MON. IN CASE
- = FND. PROP. COR. AS NOTED
- = SET 1/2" I.R. W/CAP #21464
- +50.00 = SPOT ELEVATION
- A = ALDER
- C = CEDAR
- F = FIR
- FR = FRUIT
- M = MAPLE
- P = PINE

## BENCH MARK

VERTICAL DATUM: CITY OF KIRKLAND

INVERT OF SAN SEWER MANHOLE AT EAST END OF NE 102ND PLACE

ELEVATION = 325.67'

## LEGAL DESCRIPTION

PER CHICAGO TITLE INSURANCE COMPANY TITLE REPORT ORDER No. 1162603 DATED APRIL 13, 2005.

PARCEL A:

THAT PORTION OF THE SOUTH 160.00 FEET OF THE NORTH 185.00 FEET OF THE WEST 241.00 FEET OF THE WEST THREE-FIFTHS OF THAT PORTION OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 26 NORTH, RANGE 5 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON, LYING EASTERLY OF THE WEST 15 FEET THEREOF.

PARCEL B:

THE WEST 15 FEET OF THE SOUTH 160 FEET OF THE NORTH 185 FEET OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 26 NORTH, RANGE 5 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON, BEING A PORTION OF TRACT 'C' OF KING COUNTY SHORT PLAT NUMBER 575031, RECORDED UNDER RECORDING NUMBER 7510100715.

(SAID PARCELS A AND B ALSO BEING KNOWN AS TRACT C OF KING COUNTY SHORT PLAT NO. 575031 RECORDED UNDER RECORDING NUMBER 7510100715.)

PARCEL C:

AN EASEMENT FOR INGRESS, EGRESS, UTILITIES AND PUBLIC RIGHT OF WAY OVER THE WEST 30 FEET OF TRACTS A AND B OF SAID SHORT PLAT.

PER CHICAGO TITLE INSURANCE COMPANY TITLE REPORT ORCER NO. 1116019 DATED APRIL 8, 2004.

PARCEL A: (SHOWN AS PARCEL "D" ON SURVEY)

THE WEST THREE-FIFTHS OF THAT PORTION OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 26 NORTH, RANGE 5 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON, LYING EASTERLY OF THE WEST 15 FEET THEREOF:
EXCEPT THE SOUTH 15 FEET; AND
EXCEPT THE NORTH 185 FEET THEREOF;

(ALSO KNOWN AS A PORTION OF TRACT A OF KING COUNTY SHORT PLAT NUMBER 575031 RECORDED UNDER RECORDING NUMBER 751010715, AND OTHER PROPERTY)

TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS, UTILITIES AND PUBLIC RIGHT OF WAY OVER THE WEST 15 FEET OF THE WEST THREE-FIFTHS OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 26 NORTH, RANGE 5 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON;
EXCEPT THE NORTH 185 FEET AND THE SOUTH 15 FEET OF SAID EASEMENT;

PARCEL B: (SHOWN AS PARCEL "E" ON SURVEY)

THE SOUTH 15 FEET OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 26 NORTH, RANGE 5 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON, LYING WEST OF THE WEST LINE OF 132ND AVE. N.E.

## AREAS

| | |
|---|---|
| PARCEL "A" | 38,579 S.F. OR 0.89 Ac. +/- |
| PARCEL "B" | 2,401 S.F. OR 0.06 Ac. +/- |
| PARCEL "D" | 54,508 S.F. OR 1.25 Ac. +/- |
| PARCEL "E" | 9,688 S.F. OR 0.22 Ac. +/- |
| PARCEL "F" | 9,630 S.F. OR 0.22 Ac. +/- |

NOTE: THE UNDERGROUND UTILITIES SHOWN HEREON ARE BASED UPON EXISTING AS-BUILT DRAWINGS, AND ARE NOT GUARANTEED TO BE CORRECT, NOR ALL INCLUSIVE. ALL UTILITIES MUST BE VERIFIED PRIOR TO CONSTRUCTION. CALL 1-800-424-5555 FOR UTILITY LOCATORS.

| NO. | REVISIONS | DATE |
|---|---|---|
| | | |


HANSEN SURVEYING
LAND SURVEYORS & CONSULTANTS
17420 116TH AVE. S.E., RENTON, WA 98058
TEL: 425-235-6440 FAX: 425-235-0286


# TOPOGRAPHICAL SURVEY OF THE 130TH AVE NE SITES FOR JAGPAL SINGH BASRA

KIRKLAND, WASHINGTON

| DATE: | DRAWN BY: | CHKED BY: |
|---|---|---|
| 9-22-05 | RF | RGH |

| SHEET | OF |
|---|---|
| 1 | 1 |

JOB NUMBER 20535

**CITY OF KIRKLAND**
**Planning and Community Development Department**
**123 Fifth Avenue, Kirkland, WA 98033 425.587-3225**
**www.kirklandwa.gov**

**SHORT PLAT DEVELOPMENT STANDARDS LIST**
**File:** SUB13-01475
*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.**

**OPTION 2 – Phased Review** 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 regards to tree retention. 23 significant trees were evaluated as part of the applicant's proposal, 23 of which 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**<br>**(V)** – viable<br>**(NV)** – not viable |
|---|---|---|---|
| 329 | ✓ | | |
| 330 | ✓ | | |
| 331 | ✓ | | |
| 332 | ✓ | | |
| 333 | | | Viable |
| 334 | ✓ | | |
| 336 | ✓ | | |
| 337 | ✓ | | |
| 338 | | ✓ | |
| 339 | | ✓ | |
| 340 | | ✓ | |
| 341 | | ✓ | |
| 342 | | ✓ | |
| 343 | | ✓ | |
| 344 | ✓ | | |
| 345 | ✓ | | |
| 346 | | ✓ | |
| 347 | | ✓ | |
| 348 | | ✓ | |
| 349 | | ✓ | |
| 350 | ✓ | | |

| | | | |
|---|---|---|---|
| 351 | ✓ | | |
| 355 | ✓ | | |

**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.

**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 MOFICIATION AND/OR BUILDING PERMIT REQUIREMENTS

**KMC 27.06.030 Park Impact Fees.** New residential units are required to pay park impact fees prior to issuance of a building permit. Please see KMC 27.06 for the current rate. Exemptions and/or credits may apply pursuant to KMC 27.06.050 and KMC 27.06.060. If a property contains an existing unit to be removed, a "credit" for that unit shall apply to the first building permit of the subdivision.

**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 95.50.2.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 95.52 Prohibited Vegetation.** Plants listed as prohibited in the Kirkland Plant List shall not be planted in the City.

**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.

## PUBLIC WORKS CONDITIONS

Public Works Staff Contacts
Land Use and Pre-Submittal Process:
Rob Jammerman, Development Engineering Manager
Phone: 425-587-3845 Fax: 425-587-3807
E-mail: rjammer@kirklandwa.gov

Building and Land Surface Modification (Grading) Permit Process:
John Burkhalter, Development Engineer Supervisor
Phone: 425-587-3846 Fax: 425-587-3807
E-mail: jburkhalter@kirklandwa.gov
OR
Building and Land Surface Modification (Grading) Permit Process:
Philip Vartanian, Development Engineer
Phone: 425-587-3856 Fax: 425-587-3807
E-mail: pvartanian@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 at www.kirklandwa.gov.

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 fees can also be review the City of Kirkland web site at www.kirklandwa.gov The applicant should anticipate the following fees:

- Water and Sewer connection Fees (paid with the issuance of a Building Permit)
- Side Sewer Inspection Fee (paid with the issuance of a Building Permit)
- Septic Tank Abandonment Inspection Fee
- Water Meter Fee (paid with the issuance of a Building Permit)
- Right-of-way Fee
- Review and Inspection Fee (for utilities and street improvements).
- 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.

3. All street and utility improvements shall be permitted by obtaining a Land Surface Modification (LSM) Permit. If a Building Permit for a new house is applied for prior to applying for the LSM Permit, the Building Permit will not be issued until a complete LSM Permit is applied for.

4. 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. Contact the Development Engineer assigned to this project to assist with this process.

5. Because this short plat is exempt from SEPA, it is also exempt from concurrency review.

6. Any existing single family homes 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 Permit that is applied for within the. The credit amount for each demolished single family home will be equal to the most currently adopted Fee schedule.

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 titled 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. All subdivision recording mylar's shall include the following note:

Utility Maintenance: Each property owner shall be responsible for maintenance of the sanitary sewer or storm water stub 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 or surface water stub, 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.

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.

Sanitary Sewer Conditions:

1. The applicant shall extend the existing public sewer system to provide sanitary sewer service for each lot within the proposed project. Extend an 8" sewer main north along 130th Ave. NE to the new NE 105th Street, then east along NE 105th Street to the east property limits (this sewer extension has been shown on the preliminary engineering submitted with the short plat).

2. A Sanitary Sewer Latecomers Agreement may be recorded with the sewer extension.

3. Provide a plan and profile design for the sewer line extension.

4. The existing septic system shall be abandoned per City standards.

5. Provide a 6-inch minimum side sewer stub to each lot in the project and any lot within the latecomer agreement area.

Water System Conditions:

1. The applicant shall extend the existing public water system to provide water service for each lot. Replace the existing 6-inch main in 130th Ave. NE with a new 8-inch water main and extend an 8" water main north along 130th Ave. NE to NE 105th St. and then east along 105th Ave. NE to the east property line. This main extension has been modeled by the City and there is adequate fire flow.

2. Place new hydrants per Fire Department and Public Works Department direction.

3. Provide a separate 1" minimum water service from the water main to the meter for each lot; City of Kirkland will set the water meter.

4. All existing water services along 130th Ave. NE shall be connected to the new water main.

Surface Water Conditions:

1. Provide temporary and permanent storm water control per the 2009 King County Surface Water Design Manual and the Kirkland Addendum. 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:

☐ Add or replaces 5,000ft2 or more of new impervious surface area,
☐ Propose 7,000ft2 or more of land disturbing activity, 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.

2. Evaluate the feasibility and applicability of dispersion, infiltration, and other stormwater low impact development facilities on-site (per section 5.2 in the 2009 King County Surface Water Design Manual). If feasible, stormwater low impact development facilities are required.

3. Because this project site is one acre or greater, the following conditions apply:
- Amended soil requirements (per Ecology BMP T5.13) must be used in all landscaped areas.
- If the project meets minimum criteria for water quality treatment (5,000ft2 pollution generating impervious surface area), the enhanced level of treatment is required if the project is multi-family residential, commercial, or industrial. Enhanced treatment targets the removal of metals such as copper and zinc.
- 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/
  - 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 if a project contains a lake, stream, or wetland.
- 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 2009 King County Surface Water Design Manual for plan preparation.

4. If a storm water detention system is required, it shall be designed to Level II standards. Historic (forested) conditions shall be used as the pre-developed modeling condition.

5. This project is creating or replacing more than 5000 square feet of new impervious area that will be used by vehicles (PGIS - pollution generating impervious surface). Provide storm water quality treatment per the 2009 King County Surface Water Design Manual. The enhanced treatment level is encouraged when feasible for multi-family residential, commercial, and industrial projects.

6. Provide a level one off-site analysis (based on the King County Surface Water Design Manual, core requirement #2).

7. If any work within an existing ditch will be required, the developer has been 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.nws.usace.army.mil/PublicMenu/Menu.cfm?sitename=REG&pagename=mainpage_NWPs

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

8. Provide an erosion control report and plan with Building or Land Surface Modification Permit application. The plan shall be in accordance with the 2009 King County Surface Water Design Manual.

9. 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.

10. Provide a separate storm drainage connection for each lot.

11. All roof and driveway drainage must be tight-lined to the storm drainage system or utilize low impact development techniques.

12. Extend the storm system to the east property line to provide for future extension.

Street and Pedestrian Improvement Conditions:

1. The subject property will be required to extend 130th Ave. NE and create a new NE 105th 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:

130th Ave. NE
A. Dedicate 30 feet of right-of-way.
B. Install storm drainage collection and 20 feet of asphalt (in width); 12 ft. of asphalt east of center line and 8 ft. of asphalt west of centerline.
C. Along the east side of the street, install curb and gutter, a 4.5 ft. planter strip with street trees 30 ft. on-center, and a 5 ft. wide sidewalk.
D. At the north end of the street improvements, grant a 10 ft. wide pedestrian easement and install an 8 ft. wide asphalt pedestrian path into the park. The easement can be part of the west lot, but the new house must be set back at least 5 ft. from the easement. In addition, the fence along the east side of the path is limited to 42-inhces in height.
NE 105th Street
A. Dedicate 40 feet of right-of-way for the street.
B. Install storm drainage collection and 20 feet of asphalt (in width).

C. Along both sides of the street, install curb and gutter, a 4.5 ft. planter strip with street trees 30 ft. on-center, and a 5 ft. wide sidewalk

D. The applicant has indicated that they would like to participate in the Sidewalk Construction in lieu program (KZC 110.70.6) and build off-site pedestrian improvements in lieu of building sidewalk along both sides of the said street. Public Works agrees that that the sidewalk can be eliminated along the north side of NE 105th Street and the right-of-way dedication can be reduced to 35 feet. Under this program, the applicant will construct off-site improvements at 75% of the value of the waived sidewalk and the value of reduced right-of-way dedication (approximately 2030 sq. ft. x the appraised value).

E. At the east end of the street install a temporary vehicular turn-around as shown on the plans and encompass he turn-around in a temporary easement.

2. 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.

- 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.

3. The driveway for each lot shall be long enough so that parked cars do not extend into the access easement or right-of-way (20 ft. min.)

4. All street and driveway intersections shall not have any visual obstructions within the sight distance triangle. See Public Works Pre-approved Policy R.13 for the sight distance criteria and specifications.

5. Prior to the final of the building or grading permit, pay for the installation of stop and street signs at the new intersections.

6. Install "NO PARKING ANYTIME" signs along the east side of 130th Ave. NE and along one side of the new NE 105th Street.

7. Install new monuments at the new intersection.

8. 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.

9. Underground all new and existing on-site utility lines and overhead transmission lines along the project street frontage and within the project.

10. New street lights will be required per Puget Power 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.

11. The Lot Line Adjustment with the park property must be completed before the north lot short plat can be recorded.

12. The ROW dedication for NE 105th Street must be completed with the first short plat that is recorded.

**BUILDING/FIRE DEPT COMMENTS** TOM JENSEN 425-587-3611

1. Prior to issuance of Building, Demolition or Land surface Modification permit applicant must submit a proposed rat baiting program for review and approval. Kirkland Municipal Ordinance 9.04.040
2. Building permits must comply with the 2012 editions of 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.
3. Structures must comply with the 2012 Washington State Energy Code.
4. Structures to be designed for seismic design category D, wind speed of 85 miles per hour and exposure B.
5. Plumbing meter and service line shall be sized in accordance with the current UPC.
6. Demolition permit required for removal of existing structures, if applicable.

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

One additional hydrant shall be installed at the entrance to the project (near Lot 12). It shall be equipped with a 5" Storz fitting.

**CITY OF KIRKLAND**
**Planning and Community Development Department**
**123 Fifth Avenue, Kirkland, WA 98033 - (425) 587-3225**
www.kirklandwa.gov

# CONSULTING ARBORIST LAND USE PERMIT REVIEW CHECKLIST

Permit Number: SUB13-01474
Address: 10522 130th Ave NE
First Review Due By:
Assigned Planner:
Assigned Public Works Reviewer:

**Planner:**

☐ Conduct Completeness Review of Tree Plan.
☐ Clarify if trees need to be typed. If previously typed, copy to Arborist
☐ Tree Density calcs needed? Yes ☐ No ☐
☐ ROW Improvements required? Yes ☐ No ☐
☐ Review permit history/GIS for any additional relevant tree information (prior zoning permits, shoreline, Holmes Point, etc.) and make copies to include in UF routing.
☐ Clearly indicate require yards on site plan for tree typing
☐ Send to Arborist (preferably electronically, use inbox ***only*** if you email him that you have placed information there):
- o 1st review date, permit number.
- o Complete arborist report and all tree plan information with any additional background needed.
- o A copy of this checklist.

☐ Contact Consulting Arborist to schedule 1st meeting to review this checklist and plans.

**Consulting Arborist:**

☐ Meet with planner to review plans.
☐ Conduct UF review (see review process on pages 3-4).
☐ Coordinate with Public Works as needed for r.o.w. trees.
☐ If revisions required, complete the following:
- o Email 1st review comments to planner.
- o Try to be clear enough that planner can review revisions.

☐ When UF review complete, complete the following:
- o Complete tree data on page 2.
- o Return checklist to assigned planner.
- o Redline plans as needed and return to planner.

**Revisions**
☐Planner determine if Consulting Arborist needs to review
☐If Consulting Arborist needs to review, planner contacts Arborist and routes

**Planner:**

☐ Enter Arborist 1st review comments into review letter/staff report.
☐ Update Tree Review information in Energov **permit** case (Additional Info/Planning/Tree Review).
☐ Scan arborist report & approved site plan into Permit case in Energov.
☐ Sign off Arborist Review workflows in Energov with actual arborist review dates.
☐ If grove of high retention value trees, protection per 95.51? Yes ☐ No ☐

**TREE DATA SHEET**

☐ Planner complete the following:

Lot Size: 52,919 s.f.

Tree Density Required: 37

☐ Consulting Arborist to complete this form and route to planner with comments & recommendations on plans or in document

Right-of-way or parks trees impacted: Yes ☐ No ☒

Trees on adjoining property impacted: Yes ☒ No ☐ but impacts are not likely to be detrimental

Existing grove of high retention value trees: Yes ☒ No ☐ If Yes, indicate on site plan and identify impacts to grove: see graphic below

Will proposal impact preserved grove: Yes ☐ No ☒ If yes, describe:

Site Plan Alterations Required: Yes ☐ No ☒ (*KZC 95.30)*

Development Standards Varied: Yes ☐ No ☒ (*KZC 95.32)*

Chart should only address on-site trees.

| **Significant Trees:** | **High Retention Value** | **Moderate Retention Value** | **Low Retention Value**<br>**(V)** – viable<br>**(NV)** – not viable |
|---|---|---|---|
| 329 | ✓ | | |
| 330 | ✓ | | |
| 331 | ✓ | | |
| 332 | ✓ | | |
| 333 | | | Viable |
| 334 | ✓ | | |
| 336 | ✓ | | |
| 337 | ✓ | | |
| 338 | | ✓ | |
| 339 | | ✓ | |
| 340 | | ✓ | |
| 341 | | ✓ | |
| 342 | | ✓ | |
| 343 | | ✓ | |
| 344 | ✓ | | |
| 345 | ✓ | | |
| 346 | | ✓ | |
| 347 | | ✓ | |
| 348 | | ✓ | |
| 349 | | ✓ | |
| 350 | ✓ | | |
| 351 | ✓ | | |
| 355 | ✓ | | |

Alter alignment of utilities to preserve and retain trees#332, 334, 336, 337. High retention value trees are #329, 330, 331, 332, 334, 336, 337, 344, 345, 351 and 355. Moderate retention value trees are #338, 339, 340, 341, 342, 343, 346, 347, 348 and 349. Tree #333 is a viable low retention value tree due to its high potential for failure at the major crook 30 feet above grade.

In order to maximize the trees retained and protected on the property the driveway/access to lot 4 should be moved westward to minimize impacts to trees #335, 336, 337 and 338. Providing access and minimizing impacts to trees would benefit from a shared access driveway for lots 5 and 6. This would result in trees #331, 332, 333 and 334 being removed from the eastern grove and the grove no longer containing 3 significant trees. The benefit is of a shared driveway over a central driveway for lot 5 and an eastern driveway for lot 6 is that the off-site tree on park property will remain unimpacted by the development.

ROW trees: It appears that tree #350, 351, and 355 will end up in the rights-of-way but I'm not sure how to handle them at this point in time because they are in the required yard of the short plat lots.

Neighbor's trees: No issues identified at this time.

Trees #342 and 337

On site Groves

AFM
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11415 NE 128th St Suite 110 Kirkland WA 98034 • (425)820-3420 • FAX (425)820-3437
www.americanforestmanagement.com

# TREE PLAN FOR
# 10510/10522 – 130th AVE NE
# Kirkland, WA

**PARCEL #3326059178 and #3326059190**

**April 10, 2013**

Table of Contents

1. Introduction ..... 1
2. Description ..... 1
3. Methodology ..... 1
4. Observations ..... 2
5. Discussion ..... 4
6. Tree Protection Measures ..... 4
7. Tree Replacement ..... 5

Appendix

Site/Tree Photos – pages 6 - 8

Site Plan Specifications (To Be Incorporated onto Site Plan) – page 9

Tree Table with Proposed Action page 10

Tree Summary Table - attached

Tree Plan Map – attached

City of Kirkland Tree Protection Fencing Specs - attached

## *1. Introduction*

International Forestry Consultants (INFO) was contacted by Jag Basra of A1 Construction on April 20th, and was asked to compile a 'Tree Plan report' for 2 parcels located within the City of Kirkland, WA.

The proposed development encompasses the following parcels: #3326059178 and #3326059190, known as 10510 and 10522 – 130th Ave. NE. Our assignment is to prepare a written report on present tree conditions, which is to be filed with the short plat permit application.

This report encompasses all the criteria set forth under the City of Kirkland's tree regulations. The required minimum tree density for the entire area (101,333 sq. ft.) is 70 tree credits.

Date of Initial Field Examination: April 26th and 27th, 2007
Date of recent Field Examination: April 9, 2013

## *2. Description*

The subject property is bordered by Mark Twain Park to the north. 2 single-family dwellings, constructed in the 1970's are situated on the property. The topography is level. There are no sensitive areas on or adjacent to the parcel. A City owned road right-of-way borders the property to the west.

It is my understanding that the most southern portion of parcel #3326059147 has been dedicated to the landowner by the City of Kirkland, while the landowner has dedicated the most northern portion of parcel #3226059178 to the City.

44 significant trees were located and assessed on the property. They are primarily comprised of native tree species, the majority if not all of which have been planted on the property. 5 of these trees appear to be situated within the City owned right-of-way.

19 trees on neighboring properties with driplines extending on to the subject parcels were identified. These trees were also assessed and are part of this report. These are also primarily comprised of native tree species, big leaf maple and Douglas-fir.

All of the significant trees on the subject property have been identified with a numbered aluminum tag attached to the tree at DBH (diameter at breast height, 4 ½ feet above ground).

## *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 not viable are trees that are in a 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.

### *4. Observations*

The subject trees are comprised solely of native species. They are comprised of 30 Douglas-fir, 1 western hemlock, 2 red alder, 2 bitter cherry, 6 western red cedar and 3 big leaf maple.

Detailed information for each tree can be found on the Tree Summary Tables located at the back of this report. Of the 44 trees assessed, only 5 trees were found to be in a non-viable condition. The 44 subject trees are discussed as follows.

Tree #313 is a semi-mature to mature big leaf maple. It is situated within a few feet of the south property line. This used to be a 2-stem clump, however, one of the stems broke out at the root crown in the December windstorm. See photo. The remaining stem is in fair condition. Some decay is suspected at the root crown. The crown is asymmetric and has a considerable natural lean to the north. The trunk has developed fairly good taper and form. Longevity may have been compromised by recent failure.

Trees #314 through #318 are semi-mature to mature Douglas-fir trees. These exist as a small grove. The center of the grove is approximately 12' off of the south property line. The dominant and co-dominant trees, #314, #316 and #318 are in fair to good condition. These trees appear healthy, with foliage of good color and density. They have developed good trunk taper and form, with minimal structural defects.

Trees #315 and #317 are suppressed and are in poor to fair condition. The top of #315 broke out at 35' several years ago. No new growth (top leader) has regenerated. A large scaffold limb recently broke out of the upper crown. This tree represents a low potential for failure, and retention within the grouping is feasible. Tree #317 is of low vigor, completely overtopped. Gradual decline is expected. Retention through development is not feasible.

Trees #319 through #322 are another clump of mature Douglas-fir trees. The center of the cluster is approximately 20' off of the south property line. All of these have developed good trunk taper with minimal defects. The crowns are displaying healthy foliage of good density. No concerning defects were observed. Trees #321 and #322 are being encroached upon by English ivy.

Trees #323 and #324 are young Douglas-firs, situated close to the south property line. Both are in fairly good condition. The bark on the northwest side of the upper bole of #323 has some recent damage, likely sapsucker damage. Tree #324 has an old injury to the root crown on the south side, likely related to landscaping work performed on the neighboring property. This wounding may be of consequence in the future as decay advances. This tree is somewhat overtopped and suppressed by adjacent trees. Retention of both of these trees at this time is reasonable.

Trees #325 and #326 are mature red alder trees, situated near the southeast property corner. Tree #326 is dead and extensively decayed. #325 is in poor condition and in ultimate decline (natural mortality spiral). Continued decline and mortality is expected within the next few years.

Trees #327 and #328 are semi-mature native cherries, situated very close to the south property line near the southeast corner. Both are in fair condition. Foliage appears healthy and vigorous. No foliar pathogens or insect infestations were observed. The trunks have developed poor form and structure as a result of overcrowding. Failure risk is considered low.

Trees #329 through #334 are a stringer of semi-mature Douglas-fir trees. These are relatively young trees, with crowns displaying good color and vigor. A considerable amount of yard waste has been dumped around these trees in the past. This does not appear to be affecting growth or vigor. tree #330 is in fair condition, due to the development of poor structure by heavy suppression. The remaining trees have developed fairly good trunk taper. All of these have crooks on the boles, from past broken tops. #333 has a major crook at 30' above ground, which represents a moderate potential for breakage. These trees should only be retained in a grouping. Isolating or exposing any of them increases failure risk and damage potential.

Tree #335, #336 and #337 are semi-mature Douglas-firs trees. All of these appear to be in good condition. They have developed good trunk taper, with minimal structural defects. No concerning defects were observed. The foliage is of good color and density.

Tree #338 is a semi-mature western hemlock. This tree has also developed poor form and structure as a result of heavy suppression and overcrowding. It is in fair condition and low risk as long as part of larger grouping. Isolating it and exposing it to unfamiliar wind loads will increase failure risk.

Trees #339 through #345 are semi-mature Douglas-fir trees. These have all developed as codominant trees. They are situated in a narrow cluster or stringer. Tree heights range between 70' and 77'. The crowns are dense and full, displaying good color and vigor. Most have developed slight natural leans as they compete for sunlight. As well, most have developed minor crooks on the upper boles. No concerning defects were observed in any of these trees.

Tree #363 is a boundary line tree. This semi-mature to mature western red cedar is in good condition. No concerning defects were observed.

Tree #346 is situated in the middle of the parcel. It has developed in an open-grown condition. The main trunk forks at approximately 30' above ground into 2 codominant (equal diameter) stems. Heavy bleeding and a large build-up of included or embedded bark was observed between the stems. Some recent dieback of limb tips was also observed. The forked attachement appears inherently weak and likely to fail within the next few years. Due to this major structural defect, it is considered to be in poor condition and non-viable.

Trees #347 and #348 are also mature Douglas-firs. Both of these have considerable leans to the north. The leans are not fully self-corrected and may be attributed to past windstorms. Condition is fair.

Tree #349 is a mature western red cedar. It is located on a small island, surrounded by the existing gravel driveway. It is positioned on a grade approximately 1' to 2' higher than the driveway. It has a full, dense crown with foliage of normal color. No concerning defects were observed.

Trees #350, #351 and #352, #355 and #356 are young western red cedars. These have been planted on a landscape mound near the existing driveway. They are situated approximately 4 ½' off of the west property line. All of these appear to be in good health, with no concerning defects. They are likely situated within the road easement.

A small clump of declining red alder trees were identified in the portion of the City parcel to be dedicated to the landowner. All of these are considered nonviable and in ultimate decline.

Of the 19 trees identified and assessed on neighboring properties, 12 of these are situated on the neighboring property to the south. One of these near the south property line is considered nonviable. Tree #368 is a young big leaf maple. It has developed very poor as a result of being overtopped and overcrowded. It has developed poor trunk taper and a significant lean to the north for sunlight.

Tree #360 is a young Douglas-fir tree. The root plate was uplifted during the December 06' windstorm. The tree currently leans over onto the subject property. The lean is self-corrected and the tree appears to have re-stabilized. Current risk is considered low.

Tree #361 is a semi-mature western hemlock tree. The top of this tree broke out at approximately 36' above ground in the December 06' windstorm. At this time, it represents a low risk of failure or damage potential. It appears to be of good vigor.

The other 3 neighboring trees are positioned on the portion of the parcel to be dedicated to the City. These are all in fairly good condition. No major concerns were identified. Tree #364 is considered to be in fair condition, and represents a low potential for damage due to size. Tree #366 is a very large clump of big leaf maple.

A planted row of Douglas-fir trees is situated on the neighbor's property to the west, or possibly within the City owned R/W. These were planted approximately 1' to 3' beyond the fence line, and are a spaced 6' to 10' apart. Diameters range between 8" and 14", with total heights ranging between 45' and 55'. All of these appear to be in good condition. The crowns are displaying good color and vigor.

3 Douglas-fir trees were identified on the neighboring property to the east, near the new northeast corner. All of these appear healthy and in good condition.

### *5. Discussion*

The extent of drip-lines (farthest reaching branches) for all viable 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 Limits of Disturbance for retained trees is shown on the attached plan as well. The information plotted on the attached site plan needs to be transferred to a final tree retention/protection plan to meet City submittal requirements. The trees that are to be removed shall be shown "X'd" out on the final plan.

The Limits of Disturbance for the neighboring trees is also shown on the attached tree plan. Tree protection fencing shall be initially positioned at the drip-line, and only moved to allow work up to the Limits of Disturbance. No work shall be allowed within the Limits of Disturbance as delineated on the attached plan.

The best potential for tree retention is found at the back of Lots 9 and 10; Lot 7 and Lots 4 and 5. The stringer of trees that run east to west will likely be compromised by road and utility improvements.

There are no serious concerns regarding impacts to trees on neighboring properties. The planted row of Douglas-fir trees on the east property line requires a 6' setback of no disturbance for adequate protection, if the fence line is accurately positioned on the property line. The large fir (#362) near the southeast corner of Lot 6 will require at least a 10' zone of no disturbance. Protection measures are delineated on the plan.

Big leaf maple trees on the south property line adjacent to the proposed utility easement will require at a minimum, a setback of 6' to 10' to remain viable. Given the work required in the area for storm water improvements, removal will likely be warranted for neighboring trees #367, #368 and #353.

### *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*

Supplemental trees will be required to meet minimum tree density for the parcel. New tree plantings shall be given 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 95.50 and 51 of the Kirkland Zoning Code.

*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,

Bob Layton
ISA Certified Arborist #PN-2714A
Certified Tree Risk Assessor #233

West property line, planted row of young Douglas-fir on neighboring property

South property line – area of drainage easement

South property line looking west, grouping (319 > 324) to be retained

Grouping to be retained behind Lots 4 and 5.

Base of trees #325 and #326

Forked top (co-dominant stems) of tree #346

## 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 Parcels

| Tag # | Species | DBH | Condition | Proposal | Tree Credits |
|---|---|---|---|---|---|
| 313 | big leaf maple | 20 | fair | Remove | 6 |
| 314 | Douglas-fir | 17 | fair | Remove | 4.5 |
| 315 | Douglas-fir | 16 | fair-poor | Remove | na |
| 316 | Douglas-fir | 27 | good | Remove | 9.5 |
| 317 | Douglas-fir | 10 | poor | Remove | na |
| 318 | Douglas-fir | 23 | good | Remove | 7.5 |
| 319 | Douglas-fir | 25 | good | Retain | **8.5** |
| 320 | Douglas-fir | 27 | good | Retain | **9.5** |
| 321 | Douglas-fir | 35 | good | Retain | **13.5** |
| 322 | Douglas-fir | 30 | good | Retain | **11** |
| 323 | Douglas-fir | 15 | good | Retain | **3.5** |
| 324 | Douglas-fir | 7 | good-fair | Retain | **1** |
| 325 | red alder | 14 | poor | Remove | na |
| 326 | red alder | 15 | dead | Remove | na |
| 327 | bitter cherry | 15 | fair | Retain | **3.5** |
| 328 | bitter cherry | 11 | fair | Retain | **1.5** |
| 329 | Douglas-fir | 16 | good | Remove | 4 |
| 330 | Douglas-fir | 10 | fair | Remove | 1 |
| 331 | Douglas-fir | 14 | fair-good | Remove | 3 |
| 332 | Douglas-fir | 9 | fair | Remove | 1 |
| 333 | Douglas-fir | 21 | fair | Remove | 6.5 |
| 334 | Douglas-fir | 19 | good | Remove | 5.5 |
| 335 | Douglas-fir | 23 | good | Remove | 7.5 |
| 336 | Douglas-fir | 18 | good | Remove | 5 |
| 337 | Douglas-fir | 19 | good | Remove | 5.5 |
| 338 | western hemlock | 12 | fair | Remove | 2 |
| 339 | Douglas-fir | 19 | good | Remove | 5.5 |
| 340 | Douglas-fir | 25 | fair | Remove | 8.5 |
| 341 | Douglas-fir | 17 | good | Retain | **4.5** |
| 342 | Douglas-fir | 20 | good | Remove | 6 |
| 343 | Douglas-fir | 17 | good | Retain | **4.5** |
| 344 | Douglas-fir | 19 | good | Retain | **5.5** |
| 345 | Douglas-fir | 21 | good | Retain | **6.5** |
| 346 | Douglas-fir | 30 | poor | Remove | 11 |
| 347 | Douglas-fir | 27 | fair | Remove | 9.5 |
| 348 | Douglas-fir | 18 | fair | Remove | 5 |
| 349 | western red cedar | 37 | excellent | Remove | 14.5 |
| 350 | western red cedar | 13 | good | Remove | 2.5 |
| 351 | western red cedar | 13 | good | Remove | 2.5 |
| 352 | western red cedar | 7 | good | Remove | 1 |
| 353 | big leaf maple | 8 | fair | Remove | 1 |
| 354 | big leaf maple | 7 | fair | Remove | 1 |
| 355 | western red cedar | 7 | good | Remove | 1 |
| 356 | western red cedar | 7 | good | Remove | 1 |
| | | | | | |

**Tree Density Calculation**
Lot Size – +/- 101,333 sq.ft.
101,333/43,560 X 30 = 69.8
Required Minimum Tree Density = 70 tree credits
Tree Credits Retained = 68.5
**Supplemental Trees Required =1.5**

AFM
American Forest Management
11415 NE 128th St Suite 110 Kirkland WA 98034 • (425)820-3420 • FAX (425)820-3437
www.americanforestmanagement.com

# Memorandum

To: Jag Basra

From: Bob Layton

CC: Keith Litchfield

Date: 2/6/2014

Re: Trees within 130th AVE NE Easement

Dear Mr. Basra,

There is a planted row of 19 Douglas-fir trees within the easement. See pictures below. These trees were planted roughly one to three feet off of the property line, on the neighbor's side. They are considered young to semi-mature trees, with diameters ranging between 8" and 14" and total heights of 45' to 55'. All appear to be in good condition.

I've shaded these in green on a copy of the attached site plan. The tree symbols shown on your side of the property line are non-significant Prymadalis shrubs.

The water line as currently shown on the plan runs down the middle of the neighbor's driveway.

If the planted row of significant trees that runs down the property line is to be preserved, utility trenches will have to be moved out to the east to afford a 5' setback of no excavation off the property line. I don't foresee any issues with paving up to the property line, so long as the pavement section is placed slightly above the existing grade of the gravel driveway.

If the water line is to be placed west of the tree row, the edge of the trench shall be a minimum distance of eight feet from the subject trunk faces. Cutting the grade closer than 8' from the trees on the west side may compromise long-term stability.

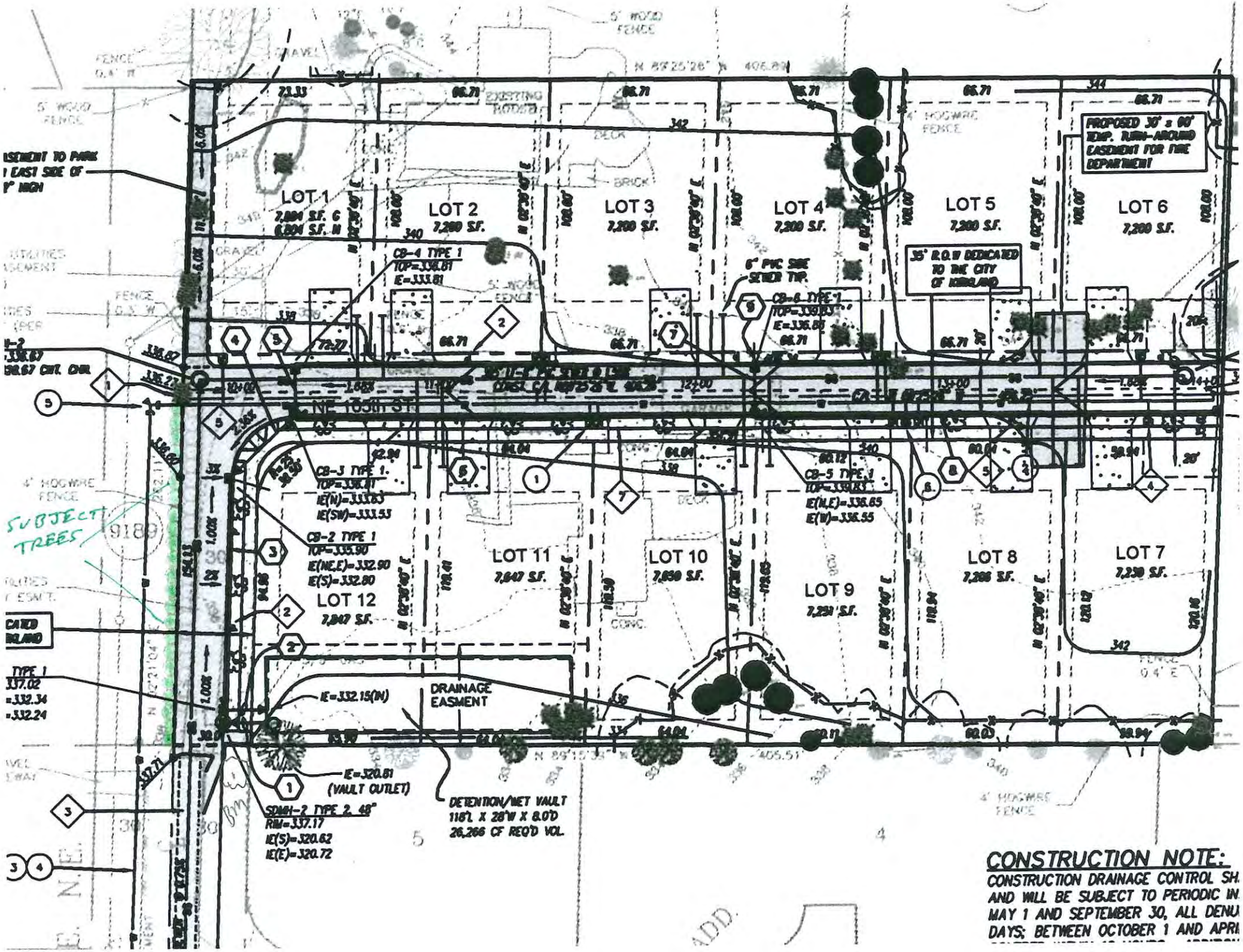
Please feel free to call or email with any questions.

Sincerely,

Bob Layton
ISA Certified Arborist #PN2714-A, Tree Risk Assessment Qualified

130th AVE NE utility easement

Subject Trees


LOT 1
7,804 S.F. G
6,804 S.F. N
LOT 2
7,200 S.F.
LOT 3
7,200 S.F.
LOT 4
7,200 S.F.
LOT 5
7,200 S.F.
LOT 6
7,200 S.F.
LOT 7
7,230 S.F.
LOT 8
7,206 S.F.
LOT 9
7,231 S.F.
LOT 10
7,850 S.F.
LOT 11
7,847 S.F.
LOT 12
7,847 S.F.
NE 165th ST
PROPOSED 30' x 60' TEMP. TURN-AROUND EASEMENT FOR FIRE DEPARTMENT
35' R.O.W DEDICATED TO THE CITY OF KIRKLAND
CB-4 TYPE 1
TOP=336.81
E=333.81
6" PVC SDR SEWER TYP.
CB-6 TYPE 1
TOP=336.83
E=336.05
CB-3 TYPE 1.
TOP=336.81
IE(N)=333.63
IE(SW)=333.53
CB-2 TYPE 1
TOP=335.90
E(NE,E)=332.90
E(S)=332.80
CB-5 TYPE 1
TOP=336.83
E(N,E)=336.65
E(W)=336.55
IE=332.15(IN)
DRAINAGE EASEMENT
E=320.81
(VAULT OUTLET)
SDMH-2 TYPE 2, 48"
RIM=337.17
IE(S)=320.62
IE(E)=320.72
DETENTION/WET VAULT
118'L X 28'W X 8.0'D
26,266 CF REQ'D VOL.
SUBJECT TREES
4' HOGWIRE FENCE
5' WOOD FENCE
N 89°25'26" W 406.29
N 89°15'34" W 405.51
CONSTRUCTION NOTE:
CONSTRUCTION DRAINAGE CONTROL SH
AND WILL BE SUBJECT TO PERIODIC IN
MAY 1 AND SEPTEMBER 30, ALL DENU
DAYS; BETWEEN OCTOBER 1 AND APRI

ATTACHMENT 5

24 Sept 2013
Reference: Basra Short Plat 1 & 2 Applications
Case Numbers SUB 13-01475 & 13-01474

RECEIVED
SEP 26 2013
_____ AM _____ PM
PLANNING DEPARTMENT
BY_____

To: Sean LeRoy, Project Planner
City of Kirkland
123 Fifth Avenue, Kirkland, Wa.

From: Lester W. Brown
10521 - 130th Ave. N.E.
Kirkland, Wa. 98033
Phone No. 425-822-2803

I reviewed the information submitted in the applications on file at the Planning Department on Sept 23, 2013 and believe that the file information is incomplete or deficient in the following ways:

1. (a) The arborist's report of trees needing root protection and fencing to preclude damage from operation of heavy machinery during demolition of the two existing houses and construction of new roads and buildings, does not show any protection for the more than twenty mature trees located on the adjacent private property along the west border of the new extension of 130th Ave. N.E. and the new pavement proposed to be placed on the south walkway to Mark Twain Park. Failure to protect these trees would very probably cause these trees to fail catastrophically.

   (b) Since the present surfacing of the existing south pathway to Mark Twain Park is gravel, and has been so for many years, it is suggested that the surface of the ground under the drip line of those affected trees remain gravel and that it be hand graded and re-graveled as necessary to become the pathway to the park (all the way to the south border of the Basra property). This pathway to the Park should remain open for use, so it should be done before any construction activity. This alignment of a graveled pathway along the full length of the west border of the Basra properties would protect these trees and obviate a need for a sidewalk on the west border of Lot Number 12. Curbing along both sides of the pavement of the new portion of 130th Ave. N.E. would delineate this pathway and restrain the surfacing gravel from the street pavement. The paved portion (20 feet wide) would be shifted eastward from where it is shown in the application, but still within the 30 foot wide right of way.

2. The new portion of 130th Ave. N.E. should not have parking along either side, as protection for park dog walkers, school age children, and to allow the waste disposal vehicles to back down the street as they presently do, even with the availability of hammerhead turnarounds (or their equivalents). Waste disposal cart storage is not shown on the application and a group pickup site may be chosen by Waste Management.

3. The extension of the water main northwards under the existing easement on the private property tax lot No. 9189 should be reconsidered as the use of a hoe type shovel to excavate the trench would be restricted by the existing trees and plantings on each side of the line. The swing radius of the excavator would be quite limited and spoil storage and replacement on this "in use" residential driveway would also be problematical. The necessary information, about how the new water main would cross under the existing line of trees (while protecting their roots) as the main is headed east under the new N.E. 105th Street, has to be provided.

4. Information needs to be provided about the location of underground electrical, telephone, cable, fiber optic, and street lighting cabling. Protection of the existing trees and their roots must be specified, because of this lack of information, any disruption of the "in use" private driveway should be delineated, but also must be minimized. The location of other utilities, natural gas and street lighting for instance, should be provided to ascertain any significance, as information about these items is not in the applications.

5. There are other routes for the water main extension and other means of tree root protection that are not shown in the applications and that should be considered. The information provided does not exclude other solutions.

8 Oct 2013

Reference: Basra Short Plat 1 & 2 Applications
Case Numbers SUB 13-01475 & 13-01474

To: Sean LeRoy, Project Planner
City of Kirkland
123 Fifth Avenue, Kirkland, Wa.

From: Lester W. Brown
10521 - 130th Ave. N.E.
Kirkland, Wa. 98033
Phone No. 425-822-2803

1. By your posting this month of the preliminary combination plot plan on the Notice Boards for the Basra Short Plat Applications, we have been given information that was previously not available to us. The Legal Descriptions shown on the combination plot plan denote that the 30 foot wide existing easement that runs northwards along the west border of the Basra properties is for "ingress, egress, utilities and public right of way". Since this existing easement is not to provide access for the Basra properties, it is meant for the use of the adjacent property owners and the general public right of way. It does not restrict vehicle usage or only allow pedestrian usage. Since we are abutting property owners, we can use that existing easement for access, etc., along the full length of our eastern border. We intend to use this existing easement to access the northernmost portion of our property, and the full 30 feet easement width will be used to provide for adequate turning radius and a travel path for automobiles and trucks. This 30 foot wide existing easement should not be vacated in exchange for a 10 foot wide pedestrian walkway, as proposed on the combined plot plan, to Mark Twain Park. Access to the park should be maintained at its existing full 30 foot width, both for our usage and so that the Park Department can bring their mowing machines into the park by the existing south entrance.

2. The posted preliminary combination plot plan shows a symbol, defined in the Legend as "set ½ inch I.R. w/cap #21464", and further defined as "336.60" at an undefined location on the west border of the Basra properties. We have been unable to locate such a survey marker and there are no flagged stakes to indicate its existence. There are no other survey markers visible on the Basra properties to provide information about these Short Plats. Such survey markers are necessary, to interpret the plot plan and its extent, and should be provided to inform the general public and the adjoining property owners.

3. I had an informal talk with Philip Vartanian of the of the Public Works Department on 7 October 2013 concerning the Water Supply to the Proposed Short Plats, its sizing and its location. The proposed Short Plats state that the existing 6 inch main presently serving 10 houses on 130th Ave. N.E. and N.E. 104th Place will be abandoned and replaced with an 8 inch main located under 130th Ave. N.E. to serve the existing houses and extended northerly to the new N.E. 105th Street and thence easterly to serve the proposed 12 new houses. Mr. Vartanian said that he did not have the proposed Short Plat application, but could only say, off the cuff, that routing the new 8 inch main entirely within the existing 30 foot wide public right of way might be feasible, especially as retention of our existing trees can fit in with the Kirkland City tree retention goals.

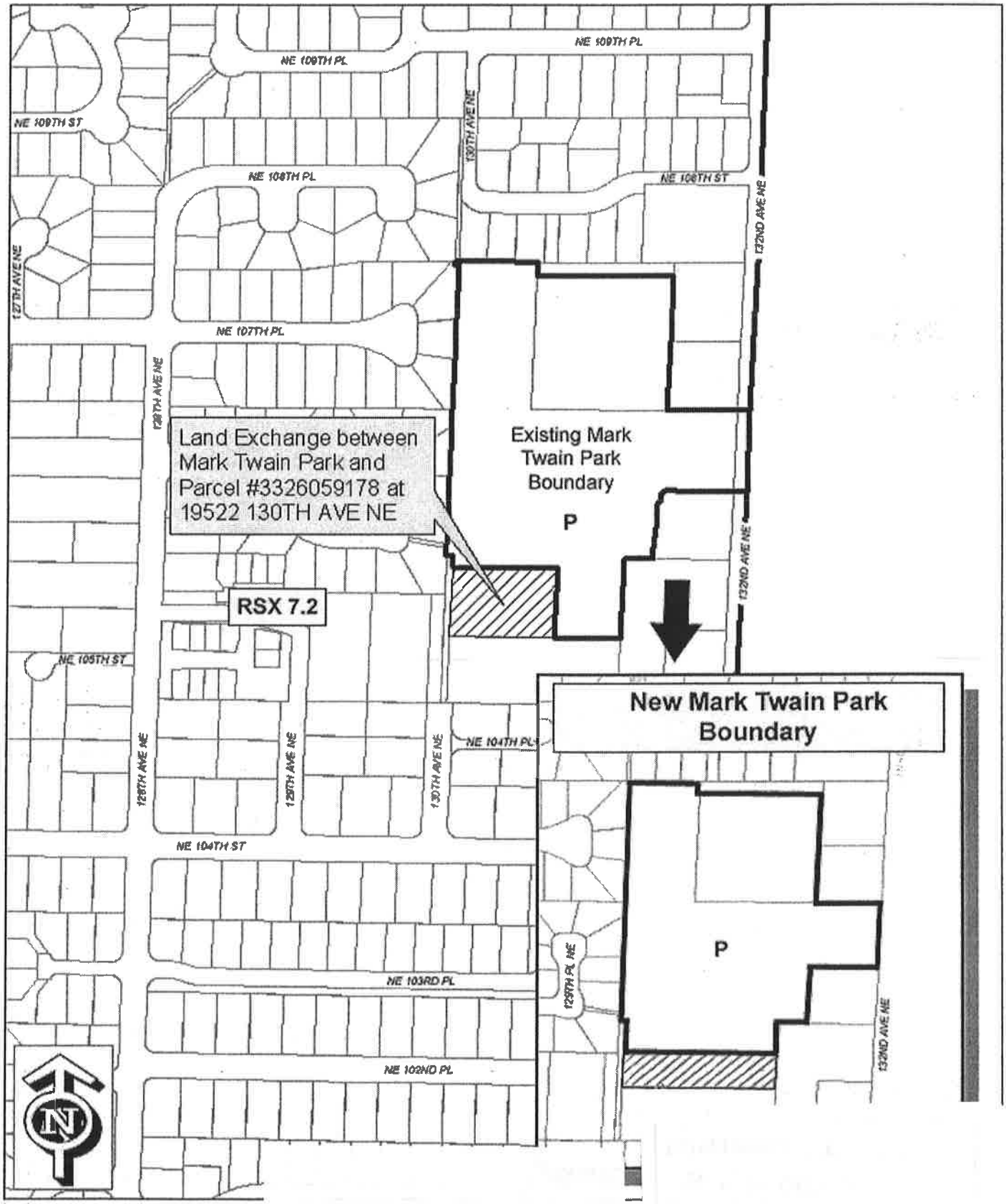
Sean,

I am writing to protest the above referenced two short plats as an adjoining land owner and also as a community member. Prior to beginning my protests, let me introduce you to a little history of this neighborhood.
When Rose Hill was annexed by Kirkland we were repeatedly promised by the city that it would defend and continue our lifestyle, quality of life, and neighborhood status which has not happened due to rampant development and housing density increases.
Currently, existing houses are being torn down and replaced by multiple houses on the same lot with great increases in population. This has led to enormous traffic problems and caused Puget Sound Energy to have to run new high voltage lines through our neighborhood.. Also, included in the list of new problems created by the city's rampant development are storm water runoff and destroyed wildlife habitat. In essence, it appears these issues are getting worse with no observable solution. Further, Redmond is adding its own rampant development on Rose Hill with 64 new houses slated for construction within 500 feet of 132nd avenue northeast and 104th street. This is in addition to the 12 houses Mr. Basra proposes to build.
To address these proposed plats as an adjoining land owner,my concerns include storm water being forced on my property, tree destruction, wildlife habitat destruction, and increased traffic.
Re: storm water, how exactly will you handle the resultant increase when 12 houses replace 1 ?. Should this cause flooding of my property, who will pay to resolve any problems and how and when?
Re: tree destruction, there is a very healthy, large, and beautiful tree on my property line. Based on the development on 104th street other such trees have died after development near them and how can they be replaced? And by whom? Also, clearly a tree over 75 tall requires a significant setback from houses if it is to remain alive and disease free.
Re: wildlife habitat, there are deer, ospreys, and bald eagles that use the area around and adjoining the proposed Basra development. What specific steps will be taken to protect these animals?
Re:traffic, my discussions with Kirkland city employees indicate that widening 85th street is not possible leaving 124 street as our only east/west route off Rose Hill? Given that 85th street is often gridlocked plus 132 ave.n.e. and 124 ave.n.e. suffer the same fate I do not see how adding to the daily traffic in any way can not seriously degrade our lifestyle and quality of life. Remember please the new houses going in on the Redmond side of 132 ave.n.e. and the new church as well.
Finally I would like specific information about how the increases in drinking water usage and sewage discharge will be handled. In essence what fees and/or monies are to be paid by these proposed lots for their share of the increased costs of providing more water, sewage, utilities, and traffic remediation to our neighborhood. When I spoke with the city of Redmond about 132 ave.n.e. they stated that it was Kirkland's street and they had nothing to do with it. Exactly what discussions has Kirkland had with Redmond about these issues and what plans exist to solve the traffic issues/
Prior to a thorough solution to all these issues I oppose the Basra plots being given approval.

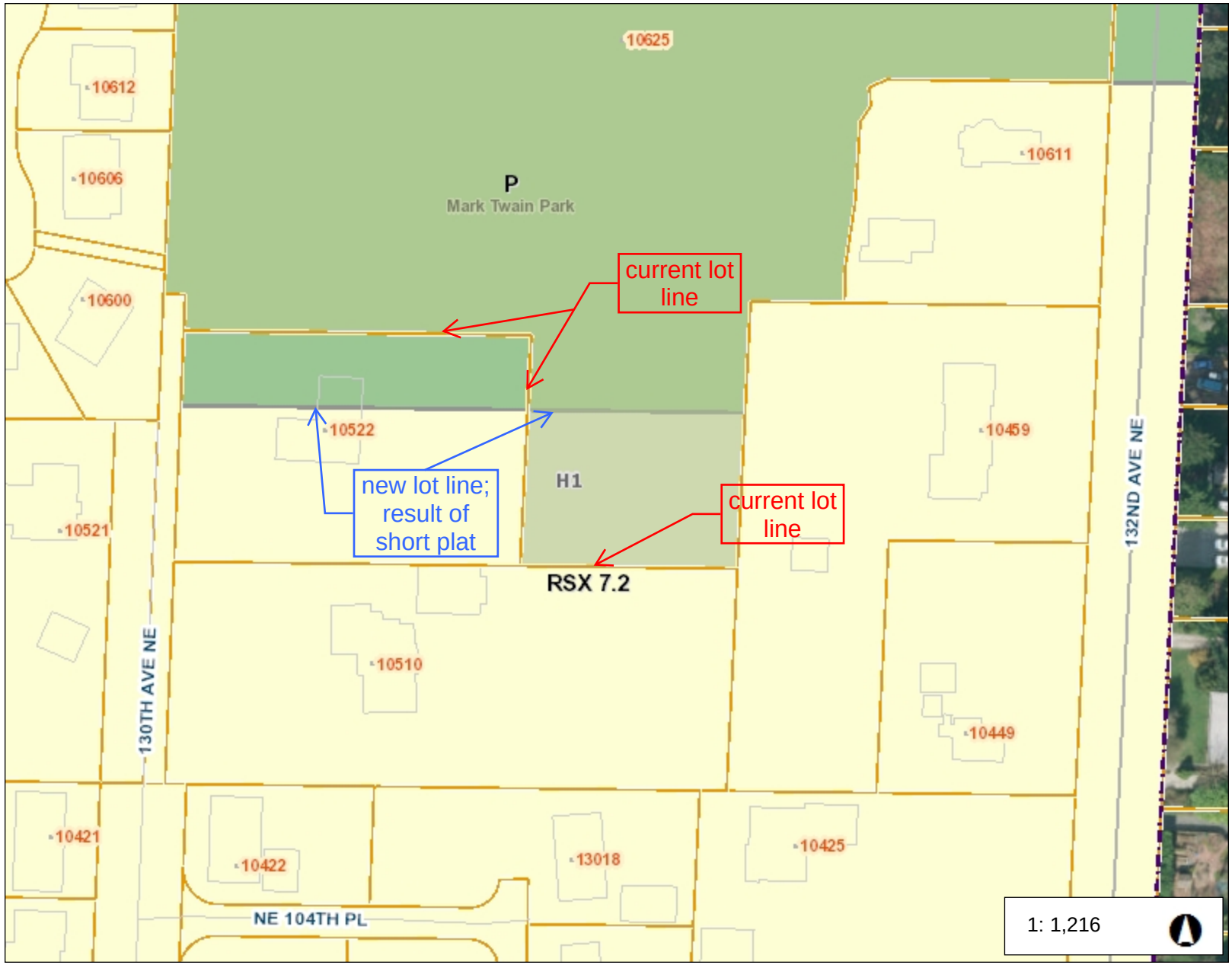
Sincerely,

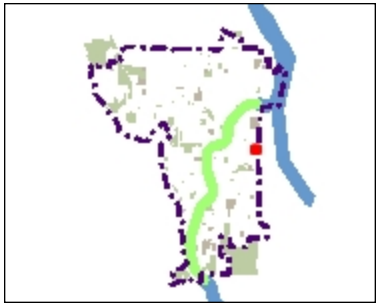
George Austin

# Comprehensive Plan and Zoning Map Amendments for the Mark Twain Park Land Exchange



ATTACHMENT 7



Legend

- Address
- City Limits
- Grid
- QQ Grid
- Cross Kirkland Corridor
- Regional Rail Corridor
- Streets
- Parcels
- Place Names
- Buildings
- Lakes
- Parks
- Schools
- Overlay Zones
  - (EQ)
  - (HL)
  - (HP)
- Planned Unit Development
- City Zoning
  - Commercial
  - Industrial
  - Transit Oriented Development
  - Office
  - High Density Residential
  - Medium Density Residential
  - Low Density Residential
  - Institutions

Notes

0.0 0 0.02 0.0 Miles

NAD_1983_StatePlane_Washington_North_FIPS_4601_Feet

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