



CITY OF KIRKLAND
Planning and Building Department
123 Fifth Avenue, Kirkland, WA 98033
425.587.3225 - www.kirklandwa.gov

**CITY OF KIRKLAND
NOTICE OF DECISION**

DECEMBER 2, 2015

Permit application: Eos West Short Plat ([SUB15-01436](#))

Location: [12618 NE 105th Place](#) (see Attachment 1)

Applicant: Mike Smith

Project description: Proposal to subdivide one parcel of 0.58 acres into three separate parcels after recording lot line adjustment (LLA15-01238) in the RSX 7.2 Use Zone. Associated lot line adjustment will increase parcel size from 0.48 acres to 0.58 acres (see Attachment 2).

Decisions Included: Short Plat (Process I)

Project Planner: Scott Guter

SEPA Determination: Exempt

Department Decision: **Approval with Conditions**


Eric Shields, Director
Planning and Building Department

Decision Date: November 24, 2015
Appeal Deadline: December 16, 2015

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., December 16, 2015. 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 City's Hearing Examiner.*

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

I. 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 (see Conclusion IV.B).
2. Prior to recording the short subdivision, dedicate ROW for NE 105th Place.
3. Prior to recording the short plat, the applicant shall:
4. Demolish the existing home and accessory structures on the subject property.
5. Receive approval of the pending Lot Line Alteration application (LLA15-01238) and record the lot Line Alteration with King County Department of Elections and Records (see Conclusion V.A).

II. SITE AND NEIGHBORHOOD CONTEXT

Zoning District	RSX 7.2
Shoreline Designation	Not Applicable
Comprehensive Plan Designation	LDR 6 – Low Density Residential, Six dwelling units per acre.
Property Size	23,892 square feet (0.48 acres). After recording lot line alteration LLA15-01238 (see Conclusion V.A) and deducting right-of-way dedication of 2,827 sq. ft. (see Conclusion V.C) the property will increase to 25,082 square feet (0.58 acres).
Current Land Use	Single-Family Residential
Proposed Lot Sizes	Lot 1: 6,982 sq. ft. Lot 2: 6,990 sq. ft. Lot 3: 6,980 sq. ft.
Lot Size Compliance	See Section V.A. below for a compliance analysis.
Terrain	The subject property gradually ascends approximately thirteen feet (0.06 percent) over 226 feet from the southwest property corner towards the northeast property corner
Trees	There are 27 significant trees on the site and 25 significant trees located off site that may be affected by the proposed development. Attachment 4 shows the location, tree number, and general health of the trees, as assessed by the applicant’s arborist. The applicant is proposing phased review of the short plat pursuant to KZC 95.30.6.a. See Attachment 3, Development Standards, for information on the City’s review of the arborist report as well as tree preservation requirements.
Access	Access to Lot 1 and 2 is taken directly from NE 105 th Place. Access to Lot 3 is taken via a 15’ wide access easement over Lot 1.
Neighboring Zoning and Development	
• North	RSX 7.2, Single Family
• South	RSX 7.2, Single Family
• East	RSX 7.2, Single Family
• West	RSX 7.2, Single Family

III. PUBLIC NOTICE AND COMMENT

A. The public comment period for this application ran from August 27, 2015 to September 18, 2015. There were questions and/or concerns raised as a result of the applicant's proposal. They can be found in Attachment 5. The issues are summarized below followed by Staff analysis in italics.

1. Tree Management – Concerns by neighboring property owners involve proposed development and vitality of both on- and off-site trees impacted by the development.

The applicant is responsible for proper management of significant trees, both on-and off-site, impacted by development activity as required by the City's tree regulations in Kirkland Zoning Code Chapter 95. As such, the applicant has provided an arborist report with the proposed development. This tree plan has been reviewed by the City's consulting arborist for compliance with the applicable tree regulations. The applicant will be required to follow instructions from the City as well as the applicant's arborist on the best practices for proper tree management throughout the construction process. Updates to the tree plan are required at each phase of the development to insure proper tree protection and management.

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.

V. DEVELOPMENT REGULATIONS

A. Lot Size

1. Facts: The existing parcel is 23,892 square feet. The applicant has a pending Lot Line Alteration (LLA15-01238) which proposes to acquire additional

property to the east of the subject property. As a result, the subject property will increase its size to 25,082 square feet.

2. Conclusion: Prior to recording the short plat, the applicant shall receive approval of the pending Lot Line Alteration application (LLA15-01238) and record the Lot Line Alteration with King County Department of Elections and Records.

B. 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
			<p align="center">KMC 22.28.030: Lots – Size</p> <p align="center"><i>If property is smaller than required for subdivision by less than or equal to 15% of the minimum lot size for the zoning district, subdivision may proceed subject to the following regulations.</i></p>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p><input checked="" type="checkbox"/> Shortage distributed evenly over all lots; OR</p> <p><input type="checkbox"/> Existing structure or physical feature makes even distribution difficult (KMC 22.28.030)</p> <p>Staff Analysis: The proposed lots distribute shortage of area evenly, varying eight to ten square feet, over all of the lots in the subdivision (see Attachment 2). Lot 2 is slightly larger to account for the cul-de-sac along its southeast property line.</p>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Property is less than 10% short</p> <p>Staff Analysis: After right-of-way dedication (see Conclusion V.C) the property is 20,952 square feet, or 648 square feet (9 percent) short of the minimum lot size for the zoning district.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>For properties greater than 10% but less that 15% short:</p> <p><input type="checkbox"/> All lots are at least 50' wide at back of required front yard; OR</p> <p><input type="checkbox"/> Excepted are:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Flag lots or <input type="checkbox"/> Lots where a covenant will be submitted prior to short plat recording requiring garage to be located at rear of lot. (KMC 22.28.030(b))
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>For properties greater than 10% but less that 15% short, covenant required prior to short plat recording restricting FAR on new lots to 10% less than the FAR for the zone (KMC 22.28.030(c))</p>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>No lot is smaller than the minimum lot size for the zone by more than 5% of the minimum lot size for the zone (KMC 22.28.030(d))</p>

			<p>Staff Analysis:</p> <p>Lot 1: 6,982 square feet is 3.03 percent of the minimum lot size for the zone.</p> <p>Lot 2: 6,990 square feet is 2.92 percent of the minimum lot size for the zone.</p> <p>Lot 3: 6,980 square feet is 3.06 percent of the minimum lot size for the zone.</p>
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Not Applicable	Complies as proposed	Complies as conditioned	Code Section
			KMC 22.28.050 – Lots - Dimensions
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Lots are shaped for reasonable use and development
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Minimum lot width is 15' where abutting right-of-way, access easement, or tract
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>For lots smaller than 5,000 square feet in low density zones:</p> <p><input type="checkbox"/> All lots are at least 50' wide at back of required front yard; OR</p> <p><input type="checkbox"/> Excepted are:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Flag lots or <input type="checkbox"/> Lots where a covenant will be submitted prior to short plat recording requiring garage to be located at rear of lot

C. Provisions for Public and Semi-Public Land

1. **Facts:** Municipal Code section 22.28.020 states that the City may require dedication of land for school sites, parks and open space, rights-of-way, utilities infrastructure, or other similar uses if this is reasonably necessary as a result of the subdivision. Zoning Code section 110.60 states that the Public Works Director may require the applicant to make land available, by dedication, for new rights-of-way and utility infrastructure if this is reasonably necessary as a result of the development activity.

2. The subject property abuts NE 105th Place. This street is a Neighborhood Access type street. Zoning Code sections 110.10 and 110.25 require the applicant to make half-street improvements in rights-of-way abutting the subject property. Section 110.30-110.50 establishes that this street must be improved with the following:
 - a. Dedicate 15 feet from 126th Avenue NE along the entire NE 105th Place frontage and an additional area to the east end of property to complete northwest ¼ of the cul-de-sac as depicted on the drawings (see Attachment 2).

- b. Within the new street and cul-de-sac, install storm drainage, curb and gutter, and a 4.5 ft. planter strip with street trees 30 ft. on-center.
3. Conclusion: Pursuant to Municipal Code section 22.28.020 / Zoning Code section 110.60, the applicant shall dedicate 2,827 square feet of the south portion of property and install half-street improvements pursuant to Sections 110.30-110.50 of the Kirkland Zoning Code as proposed (see Attachment 2).

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.

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

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

VIII. APPENDICES

Attachments 1 through 5 are attached.

1. Vicinity Map
2. Proposed Plan
3. Development Standards
4. Arborist Report
5. Public Comments

IX. PARTIES OF RECORD

Applicant: Mike Smith, Merit Homes Inc., 805 Kirkland Ave, Suite 100, Kirkland WA 98033
Parties of Record
Planning and Building Department
Department of Public Works

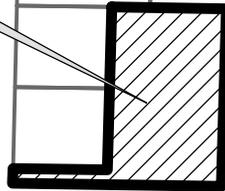
**EOS WEST
SHORT PLAT
SUB15-01436**

NE 107th PI

126th PI NE

128th Ave NE

SUBJECT PROPERTY



125th Ave NE

126th Ave NE

NE 105th Ct

NE 104th St

RSX 7.2



PUD

- FOUND 1/2" REBAR/CAP
- UTILITY POLE
- ⊗ LIGHT POLE WITH LUMINARE
- POWER RISER
- POWER METER
- WATER METER
- ⊕ HYDRANT
- ⊕ WATER VALVE
- CATCH BASIN
- SANITARY SEWER MANHOLE
- STORM DRAIN MANHOLE
- TELEPHONE RISER
- CABLE TELEVISION RISER
- w- APPROX. WATER LINE LOCATION
- s- APPROX. SANITARY SEWER LINE LOCATION
- oh- APPROX. OVERHEAD UTILITY LINE LOCATION
- (M) MEASURED DIMENSION
- (P) PLAT DIMENSION
- (C) CALCULATED DIMENSION
- DECIDUOUS TREE
- ★ CONIFEROUS TREE

BASIS OF BEARINGS
N89°54'24"W ALONG THE MONUMENTED CENTERLINE OF NE 104TH STREET

DATUM
NAVD88
DESIGNATION: 31
DB ID: 46496
DESCRIPTION: 3" BRASS DISK IN CONCRETE MONUMENT IN CASE, 1.5' BELOW SURFACE, MARKED "KCAS TRAVERSE 1939"
LOCATION: AT THE INTERSECTION OF 124TH AVENUE AND 100TH STREET
ELEVATION: 259.02

NOTES
INSTRUMENTATION FOR THIS SURVEY WAS A SOKKIA 530R TOTAL STATION

PROCEDURES USED WERE FIELD TRAVERSE, MEETING OR EXCEEDING STANDARDS SET BY WAC 332-130-090

ALL UTILITIES SHOWN WERE DERIVED FROM PHYSICAL LOCATIONS ON THE GROUND SURFACE AT TIME OF SURVEY. CONTRACTOR TO VERIFY PRIOR TO ANY EXCAVATION.

THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF PARTIES WHOSE NAMES APPEAR HEREON ONLY, AND DOES NOT EXTEND TO ANY UNNAMED THIRD PARTIES WITHOUT EXPRESS RECERTIFICATION BY THE LAND SURVEYOR.

BOUNDARY LINES SHOWN REPRESENT DEED LOCATIONS, OWNERSHIP LINES MAY VARY. NO GUARANTEE OF OWNERSHIP IS EXPRESSED OR IMPLIED.

ALL MONUMENTS WERE VISITED ON 11-17-05

LEGAL DESCRIPTION
THE WEST 120 FEET OF THE EAST 210 FEET OF LOT 5 AND THE WEST 120 FEET OF THE EAST 210 FEET OF THE NORTH HALF OF LOT 6 AND THE SOUTH 15 FEET OF THE NORTH HALF OF LOT 6;

EXCEPT THE EAST 210 FEET THEREOF, BLOCK 4, H.C. PETTIT'S ALDER GROVE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 21 OF PLATS, PAGE(S) 83, RECORDS OF KING COUNTY, WASHINGTON;

TOGETHER WITH AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES OVER THE NORTH 15 FEET OF THE SOUTH HALF OF LOT 6, EXCEPT THE EAST 90 FEET THEREOF.

(PER CHICAGO TITLE INSURANCE COMPANY, CERTIFICATE NUMBER: 0032763-ETU, DATED: FEBRUARY 6, 2015)

FOUND 4"x4" CONCRETE MONUMENT WITH 1" DIAMETER LEAD WITH PUNCH IN CASE DOWN 0.9'

683.28'(C) 683.14'(P)

FOUND CONCRETE MONUMENT WITH BRASS TACK IN LEAD IN CASE DOWN 0.5'

FOUND 4"x4" CONCRETE MONUMENT WITH BRASS TACK AND LEAD IN CASE DOWN 0.3'

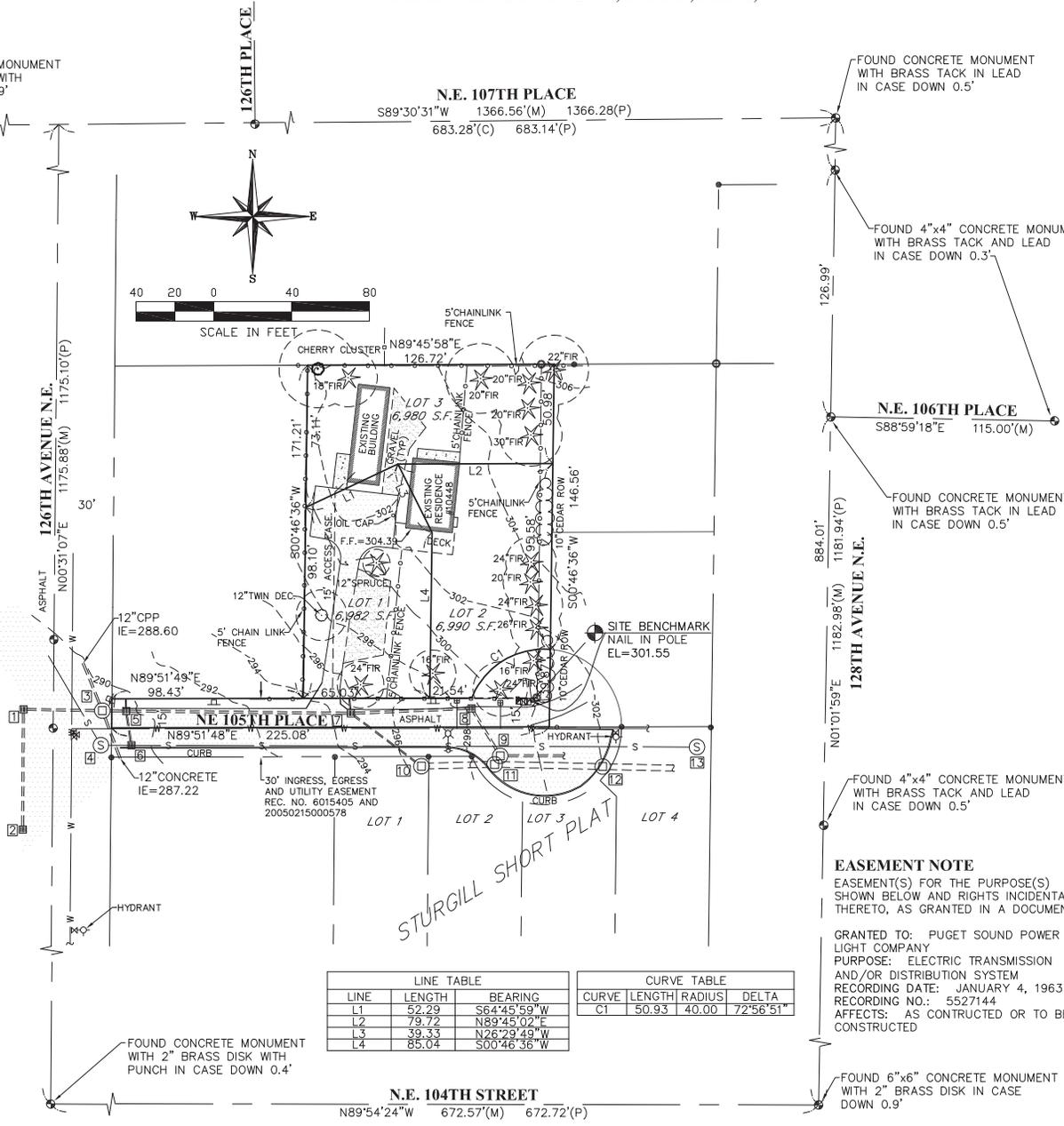
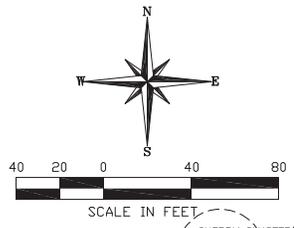
FOUND CONCRETE MONUMENT WITH BRASS TACK IN LEAD IN CASE DOWN 0.5'

FOUND 4"x4" CONCRETE MONUMENT WITH BRASS TACK AND LEAD IN CASE DOWN 0.5'

FOUND 6"x6" CONCRETE MONUMENT WITH 2" BRASS DISK IN CASE DOWN 0.9'

STRUCTURE LEGEND

- 1 CATCH BASIN
RIM=288.89
IE(E)12" CONC.=285.09
IE(S)12" CONC.=284.99
- 2 CATCH BASIN
RIM=288.70
IE(N)12" CPP.=284.25
IE(S)12" CPP.=284.20
- 3 STORM DRAIN MANHOLE
RIM=289.53
IE(NW)12" CPP.=286.13
IE(W)12" CONC.=286.03
IE(SE)12" CONC.=286.13
IE(E)12" CPP.=286.03
- 4 SANITARY SEWER MANHOLE
RIM=289.48
IE(E,NW)=279.33
- 5 CATCH BASIN
RIM=289.54
IE(N)6"PVC.=286.64
IE(W)12" CPP.=286.14
IE(S)8" DI.=286.34
IE(E)12" CPP.=286.14
- 6 CATCH BASIN
RIM=289.32
(GREASE AND OIL SEPARATOR, SEALED SHUT)
- 7 CATCH BASIN
RIM=294.19
IE(N)6"PVC.=291.99
IE(W)12" CPP.=287.24
IE(SE)8"PVC.=287.24
IE(E)12" CPP.=289.49
- 8 CATCH BASIN
RIM=298.09
IE(W)12" CPP.=293.19
IE(SE)12" CPP.=293.09
- 9 STORM DRAIN MANHOLE
RIM=298.33
IE(NW)12" CPP.=293.33
IE(E)12" CPP.=293.57
- 10 STORM DRAIN MANHOLE
RIM=296.65
IE(NW)8"PVC.=288.90
IE(E)36" CMP.=288.25
- 11 STORM DRAIN MANHOLE
RIM=298.18
IE(W)36" CMP.=288.22
IE(E)36" CMP.=288.22
- 12 STORM DRAIN MANHOLE
RIM=301.75
IE(W)36" CMP.=288.20
IE(E)36" CMP.=288.20
- 13 SANITARY SEWER MANHOLE
RIM=303.89
IE(W)=296.34



LINE TABLE

LINE	LENGTH	BEARING
L1	52.29	S64°45'59"W
L2	79.72	N89°45'02"E
L3	39.33	N26°29'49"W
L4	85.04	S00°46'36"W

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA
C1	50.93	40.00	72°56'51"

EASEMENT NOTE

EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT:

GRANTED TO: PUGET SOUND POWER & LIGHT COMPANY
PURPOSE: ELECTRIC TRANSMISSION AND/OR DISTRIBUTION SYSTEM
RECORDING DATE: JANUARY 4, 1963
RECORDING NO.: 5527144
AFFECTS: AS CONSTRUCTED OR TO BE CONSTRUCTED

RECORDER'S CERTIFICATE _____
FILED FOR RECORD THIS _____ DAY OF _____ 20____
, AT _____ M IN _____
BOOK _____ OF SURVEYS AT PAGE _____ AT THE
REQUEST OF _____
MGR. _____ SUPT. OF RECORDS _____

SURVEYOR'S CERTIFICATE
THIS MAP REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF MERIT HOMES, INC. IN FEBRUARY 2015.
Jim R. Watkins
Certificate No. 40524



PRELIMINARY SHORT PLAT FOR
MERIT HOMES, INC.
805 KIRKLAND AVENUE, SUITE 100
KIRKLAND, WA. 98033

Allied Land Surveying, Inc.
2312 168th Street Southeast
Bothell, Washington 98012
(P) 425-482-0223

DWN. BY: RJW	DATE: 6/5/2015	JOB NO. 15009A
CHK. BY: JRW	SCALE: 1" = 20'	SHEET 1 OF 1



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: Eos West Short Plat (SUB15-01436)

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

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

TREE PLAN SUMMARY

KMC 22.28.210 & KZC 95.30 Significant Trees.

A Tree Retention Plan was submitted with the short plat. During the review of the short plat, all proposed improvements were unknown. Therefore KZC Section 95.30 (6)(a) – Phased Review applies in regards to tree retention. There are 7 significant trees on the site, of which 6 are viable. These trees have been assessed by staff and the City’s Arborist. They are identified by number in the following chart.

Significant Trees:	High Retention Value	Moderate Retention Value	Low Retention Value (V) – viable (NV) – not viable
101		X	
102		X	
103		X	
104		X	
105		X	
106		X	
107		X	
108		X	
109		X	
110		X	
111		X	
112			Not viable
113		X	
114		X	
115		X	
116		X	
117	X		
118 (future ROW tree)	X		
119		X	
120		X	

121		X	
122			Viable
123			viable
124			Not viable
125		X	
126		X	
127	X		

The arborist report is accurate. High retention value trees are #117, 118 and 127. Tree #118 will become a right-of-way tree which will need to be removed to complete the cul-de-sac. Trees 101-111, 113-116, 119-121, 125 and 126 are moderate retention value trees. Trees #112 and 124 are not viable low retention value trees and trees #122 and 123 are viable low retention value trees due to the future removal of tree #124 and the lean of #122 and 123 over the neighbor's property.

ROW trees: Tree #118 is not identified as a right-of-way tree but it will be to complete the cul-de-sac. It will have to be removed to make the right-of-way improvements associated with the cul-de-sac completion.

Neighbor's trees: no concerns at this time.

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

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

KZC 95.34 Tree Protection. Prior to development activity or initiating tree removal on the site, vegetated areas and individual trees to be preserved shall be protected from potentially damaging activities. Protection measures for trees to be retained shall include (1) placing no construction material or equipment within the protected area of any tree to be retained; (2) providing a visible temporary protective chain link fence at least 4 feet in height around the protected area of retained trees or groups of trees until the Planning Official authorizes their removal; (3) installing visible signs spaced no further apart than 15 feet along the protective fence stating "Tree Protection Area, Entrance Prohibited" with the City code enforcement phone number; (4) prohibiting excavation or compaction of earth or other damaging activities within the barriers unless approved by the Planning Official and supervised by a qualified professional; and (5) ensuring that approved landscaping in a protected zone shall be done with light machinery or by hand.

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

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

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

KZC 105.10 Vehicular Access Easements or Tracts. The access easement or tract shall be 15 feet wide and contain a paved surface 10 feet in width. The access easement or tract shall be screened from the adjacent property to the 5 with a minimum five-foot high sight-obscuring fence; or vegetation that will provide comparable screening to a five-foot fence within two years of planting; along the entire easement or tract outside the required front yard.

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

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

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

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

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

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

KZC 115.43 Garage Requirements for Detached Dwelling Units in Low Density Zones. Detached dwelling units served by an open public alley, or an easement or tract serving as an alley, shall enter all garages from that alley. Whenever practicable, garage doors shall not be placed on the front façade of the house. Side-entry garages shall minimize blank walls. For garages with garage doors on the front façade, increased setbacks apply, and the garage width shall not exceed 50% of the total width of the front façade. These regulations do not apply within the disapproval jurisdiction of the Houghton Community Council. Section 115.43 lists other exceptions to these requirements.

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

KZC 115.90 Calculating Lot Coverage. The total area of all structures and pavement and

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

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

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

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

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

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

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

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

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

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

PRIOR TO OCCUPANCY

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

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



DEVELOPMENT STANDARDS SUB15-01436

BUILDING DEPARTMENT

Contact: Tom Jensen – tjensen@kirklandwa.gov

1. Prior to issuance of Building, Demolition or Landsurface Modification permit applicant must submit a proposed rat baiting program for review and approval. Kirkland Municipal Ordinance 9.04.040
2. A demolition permit is required for removal of existing structures prior to recording the short plat.
3. Plumbing meter and service line shall be sized in accordance with the current UPC. We are currently using the 2012 edition.
4. Any vault or retaining wall will require a separate permit.
5. Building permits must comply with the International Building, Residential and Mechanical Codes and the Uniform Plumbing Code as adopted and amended by the State of Washington and the City of Kirkland. Kirkland currently has adopted the 2012 editions.
6. Structures must comply with International Energy Conservation Code as adopted and amended by the State of Washington. We are currently using the 2012 edition.
7. Kirkland reviews, issues and inspects all electrical permits in the city. Kirkland currently uses the 2014 Washington Cities Electrical Code chapters 1 and 3 as published by WABO.
8. Structures must be designed for seismic design category D, wind speed of 85 miles per hour and exposure B.

FIRE DEPARTMENT

FIRE DEPARTMENT COMMENTS

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

NO COMMENT

The Fire Department has no specific comments or conditions on the proposed project.

ACCESS

The furthest setback of Lot 3 is close enough to the ROW that there are no additional fire department requirements for access.

HYDRANTS AND FIRE FLOW ARE ADEQUATE

Existing hydrants in the area are adequate to provide coverage. The closest hydrant is already equipped with a Storz fitting. Fire flow in the area is approximately 1,300 gpm.

SPRINKLER THRESHOLD

Per Kirkland Municipal Code, all new buildings which are 5,000 gross square feet or larger require fire sprinklers. Included are single family homes, duplexes, and zero lot line townhouses where the aggregate area of all connected townhouses is greater than 5,000 square feet.; garages, porches, covered decks, etc, are included in the gross square footage. (This comment is included in the shortplat conditions for informational purposes only.)

PUBLIC WORKS DEPARTMENT

Public Works Staff Contacts

SUB15-01436

Page 2 of 6

Land Use and Pre-Submittal Process:

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

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:
 - o Water, Sewer, and Surface Water Connection Fees (paid with the issuance of a Building Permit)
 - o Side Sewer Inspection Fee (paid with the issuance of a Building Permit)
 - o Water Meter Fee (paid with the issuance of a Building Permit)
 - o Right-of-way Fee
 - o Review and Inspection Fee (for utilities and street improvements).
 - o Building Permits associated with this proposed project will be subject to the traffic, park, and school impact fees per Chapter 27 of the Kirkland Municipal Code. The impact fees shall be paid prior to issuance of the Building Permit(s). Any existing buildings within this project which are demolished will receive a Traffic Impact Fee credit, Park Impact Fee Credit and School Impact Fee Credit. This credit will be applied to the first Building Permits that are applied for within the projec 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.
4. Submittal of Building Permits within a subdivision prior to recording:
 - Submittal of a Building Permit with an existing parcel number prior to subdivision recording: A Building Permit can be submitted prior to recording of the subdivision for each existing parcel number in the subject project, however in order for the Building Permit to be deemed a complete application, all of the utility and street improvements for the new home must be submitted with application. However, the Building Permit will not be eligible for issuance until after the Land Surface Modification Permit is submitted, reviewed, and approved to ensure the comprehensive storm water design required by the subdivision approval is reviewed and approved, and then shown correctly on the Building Permit plans to match the Land Surface Modification Permit.
 - Submittal of Building Permits within an Integrated Development Plan (IDP): If this subdivision is using the IDP process the Building Permits for the new homes can only be applied for after the Land Surface Modification Permit has been submitted, reviewed, and approved.
 - Submittal of a Building Permit within a standard subdivision (non IDP): If this subdivision is not using the IDP process the Building Permits for the new houses can be applied for after the subdivision is recorded and the Land Surface Modification permit has been submitted, reviewed, and approved.
 - Review of Expedited or Green Building Permits: A new single family home Building Permit within a subdivision can only be review on an expedited or green building fast track if submitted electronically through MBP and the Land Surface Modification permit has been submitted, reviewed, and approved.

- Review of detached multi-family building permits: Detached multi-family building permits can only be applied for after the Land Surface Modification permit submitted, reviewed, and approved.
5. Subdivision Performance and Maintenance Securities:
- The subdivision can be recorded in advance of installing all the required street and utility improvements by posting a performance security equal to 130% of the value of work. This security amount will be determined by using the City of Kirkland's Improvement Evaluation Packet. Contact the Development Engineer assigned to this project to assist with this process.
 - If the Developer will be installing the improvements prior to recording of the subdivision, there is a standard right of way restoration security ranging from \$10,000.00 to 30,000.00 (value determined based on amount of right-of-way disruption). This security will be held until the project has been completed.
 - Once the subdivision has been completed there will be a condition of the permit to establish a two year Maintenance security.
6. This project is exempt from concurrency review.
7. All civil engineering plans which are submitted in conjunction with a building, grading, or right-of-way permit must conform to the Public Works Policy 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 base on the King County datum only (NAVD 88).
10. A completeness check meeting is required prior to submittal of any Building Permit applications.
11. Prior to issuance of any commercial or multifamily Building Permit, the applicant shall provide a plan for garbage storage and pickup. The plan shall conform to Policy G-9 in the Public Works Pre-approved Plans and be approved by Waste Management and the City.
12. The required tree plan shall include any significant tree in the public right-of-way along the property frontage.
13. All subdivision recording documents shall include the following language:

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

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

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

Maintenance of On-site Private Stormwater Facilities: Each Lot within the Subdivision has a stormwater facility (infiltration trench, dry wells, dispersion systems, rain garden, and permeable pavement) which is designed to aid storm water flow control for the development. The stormwater facility within the property shall be owned, operated and maintained by the

Owner. The City of Kirkland shall have the right to ingress and egress the Property for inspection of and to reasonable monitoring of the performance, operational flows, or defects of the stormwater/flow control facility.

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

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

Sanitary Sewer Conditions:

1. The existing sanitary sewer main within the public right-of-way along the front of the property is adequate to serve all the lots within the proposed project.
2. Provide a 6-inch minimum side sewer stub to each lot.
3. All side sewer stubs serving the property shall be PVC type pipe per Public Works Pre-approved Plans Sanitary Sewer Design Criteria. Any side sewer not meeting this standard shall be removed and replaced.
4. All Sewer Latecomer Fees were paid at time existing house was connected to sewer. Sewer CFC charges are still due for new lots formed by this short subdivision.

Water System Conditions:

1. The existing water main in the public right-of-way along the front of the subject property is adequate to serve this proposed development.
2. 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. The water size is determined when the Building Permit is submitted and is sized per the Uniform Plumbing Code. A 3/4" meter is the typical size for new single-family home.
3. The existing water service shall be abandoned unless otherwise approved by the Development Engineer or Construction Inspector.

Surface Water Conditions:

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

- Full Drainage Review

A full drainage review is required for any proposed project, new or redevelopment, that will:

- Adds 5,000ft² or more of new impervious surface area or 10,000ft² or more of new plus replaced impervious surface area,
- Propose 7,000ft² or more of 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. A preliminary drainage report (Technical Information Report) must be submitted with the subdivision application. This must include a downstream analysis for all projects (except small project Type 1) within the Holmes Point Overlay Zone.

3. 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. See PW Pre-Approved Plan Policy L-1 or L-2 (depending on drainage review) more information on this requirement.
 4. Amended soil per Ecology BMP T5.13 is recommended for all landscaped areas.
 5. 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.
 6. 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 less than 1 acre in size.
 7. Provide a level one off-site analysis (based on the King County Surface Water Design Manual, core requirement #2).
 8. It doesn't appear that any work within an existing ditch will be required, however 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.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits.aspx>
- Specific questions can be directed to: Seattle District, Corps of Engineers, Regulatory Branch, CENWS-OD-RG, Post Office Box 3755, Seattle, WA 98124-3755, Phone: (206) 764-3495
9. 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.
 10. 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.
 11. Provide a plan and profile design for the storm sewer system.
 12. Provide a 15' wide access easement to the storm detention control manhole; easement must be improved with 10' compact asphalt and drainage control to protect against erosion.

Street and Pedestrian Improvement Conditions:

1. The subject property abuts NE 105th Pl. This street is a Neighborhood Access type street. Zoning Code sections 110.10 and 110.25 require the applicant to make half-street improvements in rights-of-way abutting the subject property. Section 110.30-110.50 establishes that this street must be improved with the following:
 - A. Widen the street to 20 ft. from existing face of curb. Provide new curb from 126th Ave NE to east property line of the project. The new Type A curb should mirror the existing cul-de-sac at the east end.
 - B. Provide a 4.5 foot planter strip with street trees 30 foot on center.
 - C. Provide for collection and conveyance along the new curb.
 - D. Dedicate 15 feet along the entire frontage and additional at the east end to mirror the existing dedication for the

SUB15-01436

Page 6 of 6

cul-de-sac, 40' radius.

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. Install "NO PARKING ANYTIME" signs along NE 105th Place, north side.
6. Install new monument at center of the cul-de-sac at NE 105th Place.
7. 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.
8. Underground all new and existing on-site utility lines and overhead transmission lines.
9. Underground any new off-site transmission lines.
10. Zoning Code Section 110.60.9 establishes the requirement that existing utility and transmission (power, telephone, etc.) lines on-site and in rights-of-way adjacent to the site must be underground. The Public Works Director may determine if undergrounding transmission lines in the adjacent right-of-way is not feasible and defer the undergrounding to signing an agreement to participate in an undergrounding project, if one is ever proposed. In this case, the Public Works Director has determined that undergrounding of existing overhead utility on NE 105th Place is feasible at this time. The existing pole at the end of the cul-de-sac may remain, but will need to be moved to north a location behind the new curb.
11. New street lights may 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.



International Forestry

CONSULTANTS, INC.

11415 NE 128th Street, Suite 110, Kirkland, WA 98034 USA
(425) 820-3420 • Fax (425) 820-3437 • www.inforestry.com

**TREE PLAN FOR
12626 NE 105th PL
Kirkland, WA**

PARCELS #6743700315



December 7th, 2010

Table of Contents

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

Appendix

Site/Tree Photos – pages 6 - 9

Site Plan Specifications (To Be Incorporated onto Site Plan) – page 10

Tree Density Calculation – page 11

Tree Summary Tables - attached

Copy of site/tree plan - attached

1. Introduction

International Forestry Consultants (INFO) was contacted by Percy Tse and was asked to compile a 'Tree Plan Report' for 2 parcels located within the City of Kirkland, WA.

The proposed short plat development encompasses the following properties, parcel: #6743700315, known as 12626 NE 105th PL and potentially parcel #6743700317, known as 10448 – 126th Avenue NE. Our assignment is to prepare a written report on present tree conditions, which is to be filed with the preliminary permit application.

For Parcel #6743700315, this report encompasses all of the criteria set forth under the City of Kirkland's tree regulations (Chapter 95 of the Kirkland Zoning Code).

For Parcel #6743700317, tree information was gathered for future information related to the development of this parcel.

Date of Field Examination: December 2, 2010

2. Description

27 "significant" trees were located and assessed on the subject properties. See 'Tree Map' for tree locations. See 'Tree Summary Tables' for specific tree information. Both documents are attached and are part of this report.

Another 19 trees were assessed that are situated on neighboring properties with drip-lines that encroach upon the subject properties. The majority of these are located on the adjacent properties to the east.

All of the significant trees on the parcel were identified in the field with a numbered aluminum tag, attached to the tree at DBH (diameter at breast height, 4.5 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

Subject trees are comprised of a mix of planted deciduous and coniferous trees. Douglas-fir is the most common species, all of which were planted approximately 25 to 30 years ago. The subject trees are described as follows.

Tree #101 is a mature flowering cherry. The diameter was measured at one foot above ground, because the main trunk forks blow DBH into multiple scaffolds. No concerning defects were observed. Vigor appears good.

Tree #102 is a young to semi-mature Douglas-fir, situated close to the east property line. It has a slight natural lean to the southwest, away from neighboring poplar trees. Foliage is of excellent color and density. No concerning defects were observed.

Tree #103 is a semi-mature to mature Scots pine, also situated close to the east property line. It also leans southwest away from neighboring poplar trees. The lower trunk has excessive sweep but is not considered a major defect. Overall condition is fair.

Tree #104 is a young to semi-mature Douglas-fir, also situated near the east property line, close to the northeast corner. Vigor appears good. The main central leader appears to have broken out of the tree in a recent windstorm. Foliage is of good color and density. No major defects were observed.

Trees #105 and #106 are semi-mature green ash trees, situated close to the north property line. Tree #105 is in good condition, with typical form or architecture. No noteworthy defects were observed. Tree #106 is suppressed by trees #105 and #107, and has developed poor branch structure as a result. Portions of the top have broken out in the past. Crown cleaning is recommended to improve branch structure. Overall condition is fair.

Trees #107, #108, #109, #110 and #111 are semi-mature Douglas-firs. All are of similar age and size, likely planted at the same time. Foliage color and density is excellent, with full crowns. #107, #108 and #111 have been recently crown raised, mainly on their north sides by the adjoining property owner. The trunk of tree #110 forks into codominant stems at approximately 20' above ground. Significant included or embedded bark is visible from the ground. Isolating this tree may cause it to fail; it should only be retained as a part of a grouping.

Trees #112 is a semi-mature to mature Austrian pine. The root plate has shifted in the past, causing the tree to lean heavily to the west, resting on the fence. This has compromised stability and cannot be corrected. It is considered non-viable.

Trees #113 through #121 are semi-mature Douglas-firs. All are of similar age and size, planted at the same time. Foliage color and density is excellent. Most have developed good trunk taper with full crowns. Trees #113, #114, #118, #119 and #120 are in good condition with no concerning defects.

Trees #115 and #116 are attached at the base, where they fork from a single trunk at 2' above ground. The buildup of included or embedded bark between these two trees is significant. Tree #117 also forks into codominant stems at approximately 16' above ground. Trees #115, #116 and #117 cannot be isolated. They should only be retained as a large grouping. Tree #121 has developed poor form or architecture, attributable to competition for sunlight with the adjacent cherry cluster. The main trunk has several minor to moderate structural defects. Failure risk is low, overall condition is fair at best.

Trees #122, #123 and #124 are mature bitter cherry, *Prunus emarginata*. This is a native, pioneer species. Tree #122 leans to the north over the adjacent property. Tree #123 also leans north. Over 90% of this tree is over the neighboring property to the north. Tree #124 has two large cavities on the southwest side of the trunk, where significant stem decay is visible. This decay appears to be associated with sunscald or an past injury.

The entire cluster is in fair to poor condition, due to defects, leans and age. The subject cluster is a liability. Tree parts will most likely fall into the neighbor's property when upper crown components fail. The cluster is mature, and not expected to survive for more than another decade.

Tree #125 is a semi-mature Colorado blue spruce. It is situated close to the existing driveway. The foliage is of good color and density, with a full crown. No evidence of insect problems or disease was observed. Growth is typical for the species. It is in good condition.

Tree #126 is a mature Portuguese laurel. The main trunk forks at 2' above ground into two 9" stems or individual trunks. Stem attachments to the trunk appear sound. Vigor is good. No evidence of disease, insect infestation or foliar problems was observed. Overall condition is fair.

Tree #127 is another semi-mature Douglas-fir. It appears this tree has developed in an open grown environment, as evidenced by trunk taper. The crown is unusually narrow, and appears to be subjected to frequent winds. Foliage is of good color and fair density. The main trunk has some minor structural defects. It is in fair to good condition overall.

Neighboring Trees

Trees #201, #202 and #203 are semi-mature to mature Douglas-fir trees situated on the adjacent property to the east, roughly 2' to 3' off of the property line. The tops of trees #201, #202 and #203 were removed in the past, several years ago, and have compromised the structure of #202 and #203. The tops were cut at approximately 24' above ground. #202 has multiple regenerated tops, which are high risk for splitting off of the main trunks. #203 has a deformed top and is at moderate risk for breakage at the topping point. Tree #201 is considered a low to moderate risk for stem breakage and is in fair condition. Trees #202 and #203 are in fair to poor condition.

Tree #204, a mature Douglas-fir is situated approximately 5' to 6' off of the east property line. This tree was not topped in the past. The foliage is of good color and density is average. The south side of the crown has an unusually large number of branch failures. No major defects were identified on the trunk or upper bole. Overall condition is fair.

Trees #205 through #217 are a row of Lombardy poplar trees, also situated on the neighboring property to the east. Trees are located 2' to 4' off of the property line. These poplar trees vary in age and size, from semi-mature to mature. This is a very fast growing and short-lived species. Decline after 30 years is not uncommon. Total heights range from 75' to 120'. Most of these appear to be sound and in fair condition. The main trunk of Tree #206 forks at approximately 50' above ground into codominant stems. Failure risk is moderate to high.

Tree #218 is a mature purple leaf plum situated on the neighboring property to the north. This multi-stemmed tree has developed poor form, mainly due to neglect and poor past pruning practices. It is situated well off of the property line. Overall it is in fair to poor condition.

Tree #219 is a mature balsam poplar, situated on the neighboring lot to the west, which is currently under development. It is situated over 10' off of the property line. The tree was recently crown cleaned. No concerning defects were observed. An old cavity exists on the lower trunk. Woundwood development is good. Vigor appears good as well. Overall it is considered to be in fair to good condition.

5. Discussion

Limits of disturbance for all trees have been evaluated on the ground. These limits are based on the species tolerance of root disturbance, existing improvements, drip-line radius, and past experience supervising soils excavations near the same tree species and sizes.

The extent of driplines (farthest reaching branches) and recommended "Limits of Disturbance" measurements 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. The information plotted on the site plan for trees to be retained needs to be transferred to the final plans for the City.

Increasing the setback on the east property line at the south and north ends will aid in limiting impacts to neighboring trees and parcel trees to be retained in the northeast corner. A 7 ½ foot setback on this east perimeter, adjacent to neighboring trees #201 through #206, with no disturbance allowed within would be appropriate for tree protection. Encroaching closer may have adverse impacts on structural stability and health. The east property line setback could be reduced to 5' adjacent to trees #207 through #214 to allow more buildable space while adequately protecting neighboring trees. A 5 foot setback on the west property line is appropriate and should not have consequential impacts on neighboring trees.

Several trees on the perimeter are well situated for successful retention if tree protection measures are adhered to.

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 95.35.6 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. Fencing should only be moved to the "Limit of Disturbance" just prior to the commencement of any authorized work.
2. Excavation limits should be laid out in paint on the ground to avoid over excavating.
3. Excavations within the drip-lines or up to the "Limits of Disturbance" 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 driplines of retained trees. Large equipment shall be kept outside of the tree protection zones.

7. Tree Replacement

Significant trees to be retained on the property will exceed the required minimum tree density. However, trees will most likely be planted to enhance final landscaping. Refer to the *Kirkland Plant List* for desirable species.

Openings on the perimeter would be ideal locations for new trees. Recommended species are native coniferous species of Douglas-fir and/or western red cedar. Both of which provide excellent screening for many years.

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

8. Monitoring Tree Health

As your trees mature, you should be aware of the following conditions that may be indicators of declining tree health.

- Appearance of fungal fruiting bodies which will appear as small “shelves” on the bole and branches or mushroom-like growths near the base of the tree.
- Dead or soft flaky wood in cavities or under the bark.
- Thinning crowns.
- The appearance of yellow or orange needles other than near the stem. (Cedar trees may exhibit orange needles in the fall; called “flagging” that is a normal response to drought and not a symptom of long-term decline.)
- Leaning stems, extraordinary bark flaking, stem swelling or any other abnormalities on the bole.
- Extraordinary cone production.
- Insect entry holes. These are about the size of a pencil lead and probably are accompanied by “sawdust”.
- Premature leaf-fall or the appearance of dead limb tips. Droopy top or thinning crown. Dying treetop.

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

Tree #101, with neighboring trees #201 > #204 in background, large shrub on right is a beaked hazelnut



Trees #103 and #104 near northeast property corner, neighboring trees #215>#217 in background



Trees #105, #106, #107, #108 and #111 on north property line



Root plate failure of tree #112, tree #111 in background



Trees #117, #118 and #119 in south end of lots



Tree #121 in forefront, Trees #122>#124 in northwest corner, most of tree leans over neighboring property



Base of tree #124, stem decay associated with sunscald damage or old injury



Crowns of trees #113 > #120



City of Kirkland - Tree Protection Standards

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

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

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

Trees on Parcel #6743700315 – 12626 NE 105th PL

Tag #	Species	DBH	Condition	Credits	Proposal
101	cherry - ornamental	13	fair to good	2.5	Remove
102	Douglas-fir	24	good	8	Remove
103	Scots pine	15	fair	3.5	Retain
104	Douglas-fir	19	good	5.5	Retain
105	green ash	14	good	3	Retain
106	green ash	8	fair	1	Remove
107	Douglas-fir	22	good	7	Retain

Trees on Parcel #6743700317 – 10448 126th Ave. NE

Tag #	Species	DBH	Condition	Credits	Proposal
108	Douglas-fir	20	good	6	
109	Douglas-fir	19	good	5.5	
110	Douglas-fir	25	fair-poor	na	
111	Douglas-fir	25	good	8.5	
112	Austrian pine	14	poor	na	Non-viable
113	Douglas-fir	23	good	7.5	
114	Douglas-fir	20	good	6	
115	Douglas-fir	15	fair	na	
116	Douglas-fir	16	fair	na	
117	Douglas-fir	25	fair	na	
118	Douglas-fir	22	good	7	
119	Douglas-fir	24	good	8	
120	Douglas-fir	18	good	5	
121	Douglas-fir	19	fair	5.5	
122	bitter cherry	14	fair-poor	na	
123	bitter cherry	13	fair	2.5	
124	bitter cherry	13	poor	na	Non-viable
125	Colorado blue spruce	13	fair	2.5	
126	Portuguese laurel	9	fair	1	
127	Douglas-fir	27	fair-good	9.5	

Tree Density Calculation - Parcel #6743700315 – 12626 NE 105th PL

Property Size – +/- 16,785 sq.ft.

$16,785/43,560 \times 30 = 11.56$

Required Minimum Tree Density = 11.5 tree credits

Tree Credits Retained = 19

Supplemental Trees Required = **0**

Tree Summary Table

International Forestry Consultants, Inc

For: Percy Tse
 Parcel 6743700317
 10448 126th Ave. NE

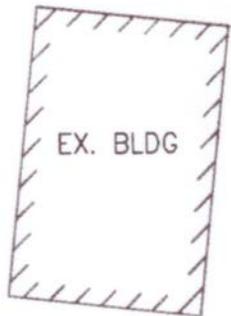
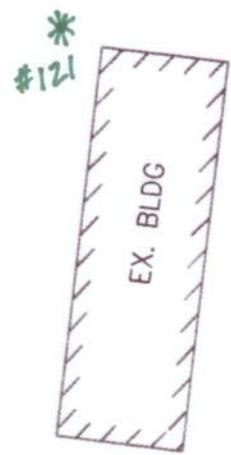
Date: 12/2/2010
 Inspector: Layton

Tree/Tag #	Species	Native/ Planted/ Volunteer	DBH	Height	Tree Credit	Drip-Line/Limits of Disturbance (feet)				Condition	Viability	Comments
						N	S	E	W			
108	Douglas-fir	P	20	78	6	14/na	8/12	10/12	15/12	good	viable	recent crown raising
109	Douglas-fir	P	19	80	5.5	10/10	8/na	12/10	17/12	good	viable	no concerns
110	Douglas-fir	P	25	88	na	10/10	16/12	14/12	18/12	fair-poor	borderline	fork at 20', codominant stems
111	Douglas-fir	P	25	86	8.5	na	17/12	14/12	16/12	good	viable	recent crown raising
112	Austrian pine	P	14	22	na	0/na	12/na	0/na	20/na	poor	non	root plate failure, leans on fence
113	Douglas-fir	P	23	85	7.5	17/12	8/12	15/10	18/12	good	viable	no concerns
114	Douglas-fir	P	20	84	6	8/na	8/na	14/10	18/12	good	viable	no concerns
115	Douglas-fir	P	15	84	na	8/na	8/na	10/10	16/12	fair	borderline	115/116 fork at 2', included bark
116	Douglas-fir	P	16	84	na	8/na	8/na	10/10	16/12	fair	borderline	can not isolate 115/116
117	Douglas-fir	P	25	86	na	8/na	10/na	15/12	19/13	fair	borderline	fork at 16', codominant stems
118	Douglas-fir	P	22	87	7	10/na	10/na	13/12	15/12	good	viable	minor structural defects, good color
119	Douglas-fir	P	24	83	8	15/12	13/na	16/12	18/12	good	viable	minor structural defects, good color
120	Douglas-fir	P	18	59	5	11/10	12/10	12/10	14/10	good	viable	crook in top, good taper, minor fork
121	Douglas-fir	P	19	51	5.5	na	13/10	13/10	8/10	fair	viable	poor structure/form
122	bitter cherry	N	14	48	na	na	10/10	17/10	na	fair-poor	borderline	heavy lean north
123	bitter cherry	N	13	46	2.5	na	0/10	9/10	na	fair	viable	most of tree leans over property line
124	bitter cherry	N	13	48	na	na	18/na	12/na	na	poor	non	significant stem decay, high risk
125	Colorado blue spruce	P	13	46	2.5	6/7	8/8	9/8	6/6	fair	viable	full crown, good color
126	Portuguese laurel	P	9	25	1	12/8	14/8	13/6	na	fair	viable	2-9" trunks, more like large shrub
127	Douglas-fir	P	27	86	9.5	13/11	13/na	15/12	14/9	fair-good	viable	narrow crown, minor struc defects

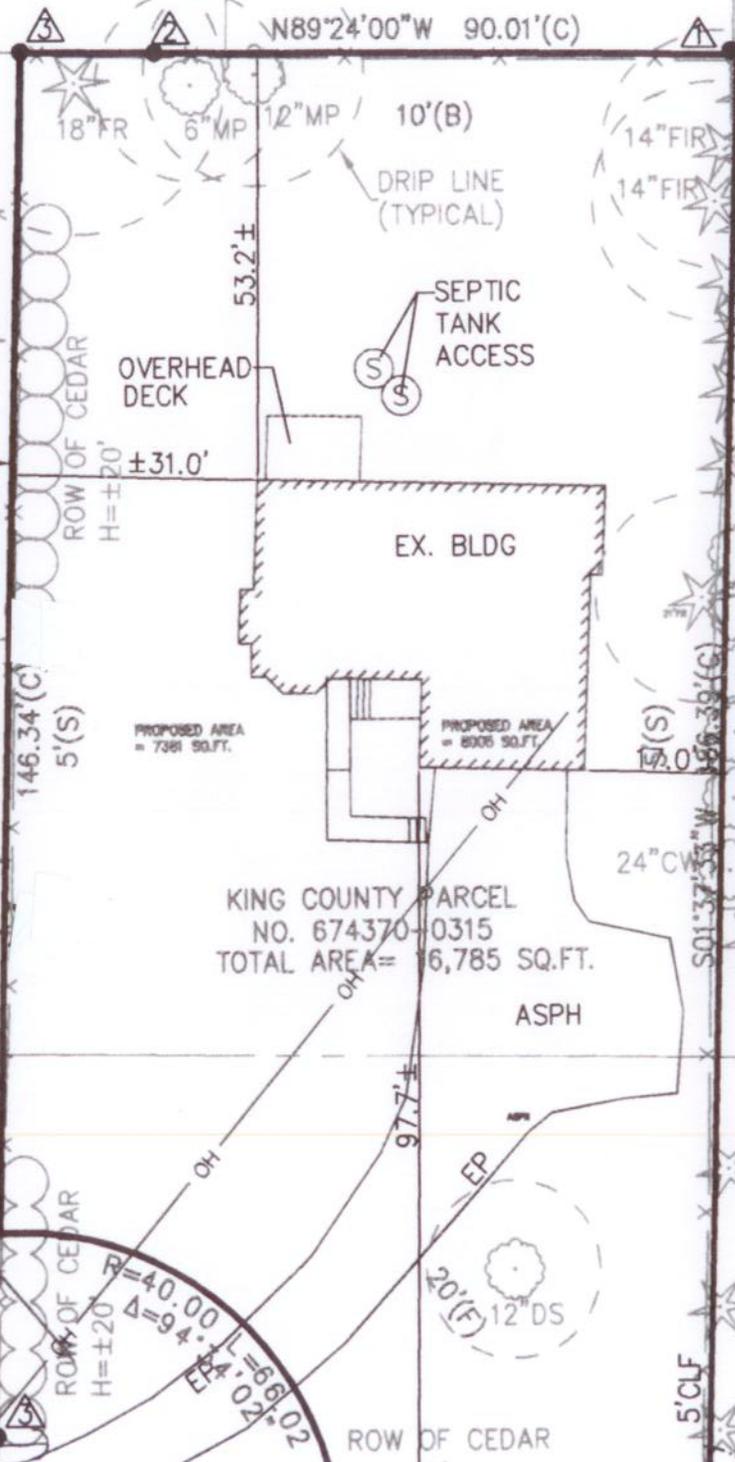
Parcel Trees - Drip-Line and Limits of Disturbance measurements from face of trunk

10448 - TREE LOCATIONS 126TH AVE NE

#122
#123
#124



LAWN AREA
5



#111 = VIABLE
#112 - NON-VIABLE
#110 - BORDERLINE VIABLE
(SEE REPORT)

*#125

#126

RIGHT OF WAY DEDICATION
TO CITY OF KIRKLAND
UPON RECORDING OF THIS
SHORT PLAT (1,397 SQ.FT.)

TOP CB=298.29
IE=293.6 12" CMP SE
IE=293.5 12" CMP W

*#127

NO PARKING

*#120

LAWN AREA

*#119

KING COUNTY PARCEL
NO. 674370-0315
TOTAL AREA= 16,785 SQ.FT.

ASPH

ROW OF CEDAR

5' CLF

Tree Summary Table

International Forestry Consultants, Inc

For: Percy Tse
 Off-Site Trees

Date: 12/2/2010
 Inspector: Layton

Tree/Tag #	Species	Native/ Planted/ Volunteer	DBH	Height	Tree Credit	Drip-Line/Limits of Disturbance (feet)				Condition	Viability	Comments
						N	S	E	W			
201	Douglas-fir	P	24	77	na	10/10	14/10	na	17/10	fair	viable	topped in past at +/- 24'
202	Douglas-fir	P	25	79	na	13/na	12/na	na	20/10	fair-poor	borderline	topped in past at +/- 24', multiple tops
203	Douglas-fir	P	18	47	na	12/8	4/na	na	9/7	fair-poor	borderline	poor structure, old topping
204	Douglas-fir	P	33	86	na	10/na	15/na	na	16/8	fair	viable	lots of past branch failures
205	Lombardy poplar	P	29	118	na	na	na	na	10/10	fair	viable	ok
206	Lombardy poplar	P	27	114	na	na	na	na	8/8	fair-poor	borderline	fork at 50' - codominant stems
207	Lombardy poplar	P	21	113	na	na	na	na	6/8	fair	viable	ok
208	Lombardy poplar	P	17	112	na	na	na	na	5/7	fair	viable	ok
209	Lombardy poplar	P	16	102	na	na	na	na	3/7	fair	viable	ok
210	Lombardy poplar	P	16	102	na	na	na	na	3/7	fair	viable	ok
211	Lombardy poplar	P	22	101	na	na	na	na	8/8	fair	viable	fork, moderate
212	Lombardy poplar	P	10	76	na	na	na	na	3/6	fair	viable	ok
213	Lombardy poplar	P	11	82	na	na	na	na	3/6	fair	viable	ok
214	Lombardy poplar	P	14	96	na	na	na	na	4/8	fair	viable	ok
215	Lombardy poplar	P	12	84	na	na	na	na	3/6	fair	viable	ok
216	Lombardy poplar	P	16	96	na	na	na	na	3/na	fair	viable	ok
217	Lombardy poplar	P	20	103	na	na	na	na	7/10	fair	viable	ok
218	purple leaf plum	P	12	30	na	na	10/5	na	na	fair-poor	borderline	multiple trunks, past branch failures
219	balsam poplar	P	35	88	na	na	na	20/6	na	fair-good	viable	plus 10' off property line

Trees on neighboring properties - Drip-Line and Limits of Disturbance measurements from existing fences

Scott Guter

From: Arijit Ganguly <aganguly@gmail.com>
Sent: Saturday, October 10, 2015 1:08 PM
To: Scott Guter
Subject: concerns about permit SUB15-01436

Categories: LAND USE, PUBLIC INFO

Hi, We recently received a notice fm the City of Kirkland about construction of new homes near our house. The permit number is indicated in the subject and the property location is: 12618 NE 105th place.

The lot in the subject is adjacent to our lot, and there is a thick green belt on it. I believe that the construction will require cutting some trees down. My concern is about the trees right next to my lot. In case the green belt is trimmed, the the trees next to my house are left as is - I fear the remaining trees cannot take the force of wind (we get some string gusts in winter), they might fall on our house and possibly people can get injured. In case the green belt needs to be trimmed, I request the trees right behind my house also be taken down - for our safety.

My address:
12611 NE 106th place
Kirkland, WA 98033.

cell: 352-21308067

Thanks,
Arijit