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

MEMORANDUM

To: Eric R. Shields, AICP, SEPA Responsible Official

From: Tony Leavitt, Senior Planner

Date: November 17, 2015

File: SEP15-01333, SUB15-01332

Subject: **ENVIRONMENTAL DETERMINATION FOR FIRWOOD LANE PRELIMINARY SUBDIVISION**

PROPOSAL

Moira Haughian of the The Blueline Group, the applicant representing Firwood Lane LP, is requesting approval of a preliminary subdivision to subdivide an existing parcel (totaling 3.4 acres) into 19 separate lots in RS 8.5 and 7.2 zones (see Enclosure 1 and 2). Access to the lots will be provided via a new access road off of NE 124th Street. The project also involves 1) a stream buffer modification through enhancement and 2) the utilization of the Low Impact Development Zoning Code provisions to reduce the minimum lot size and increase the allowed density by 1 lot in exchange for increased open space on the site.

ANALYSIS

The SEPA "threshold determination" is the formal decision as to whether the proposal is likely to cause a significant adverse environmental impact for which mitigation cannot be identified. If it is determined that a proposal may have a significant adverse impact that cannot be mitigated, an Environmental Impact Statement (EIS) would be required.

Many environmental impacts are mitigated by City codes and development regulations. For example, the Kirkland Zoning Code has regulations that protect sensitive areas, limit noise, provide setbacks, establish height limits, etc. Where City regulations have been adopted to address an environmental impact, it is presumed that such regulations are adequate to achieve sufficient mitigation [WAC 197-11-660(1)(e) and (g)].

I have had an opportunity to visit the subject property and review the following documents:

- Environmental Checklist dated June 23, 2015 (see Enclosure 3)
- Traffic Impact Analysis Review Memo from Thang Nguyen dated November 17, 2015 (see Enclosure 4)

Based on a review of these materials, the main environmental issue related to the project is potential traffic impacts.

Additionally, during the initial comment period for the SEPA determination and zoning permit application, Staff received a public comment letter from Allyson O'Malley Jones of Northwest Justice Project representing the Firwood Lane Mobile Home Park Homeowner's Association (see Enclosure 5). The letter expresses concerns about the loss of affordable housing with the redevelopment of the site and requests that the City issue a SEPA Determination of Significance. Staff addresses the issues raised in the letter below.

TRAFFIC IMPACTS

The Public Works Department has reviewed the Traffic Studies for the proposed development (see Enclosure 4) and concluded that the project will not have a significant adverse traffic impact on existing facilities. The project will be required to pay traffic impact fees as outlined in the memo.

AFFORDABLE HOUSING IMPACTS

In the comment letter, Ms. O'Malley Jones raises numerous issues related to the redevelopment of the site. Below is summary of the issues raised in the letter followed by a Staff response.

Comment: SEPA requires consideration of housing and the proposal will cause a significant adverse impact on affordable housing and no mitigation is identified. The proposal will adversely impact affordable housing and reduce the diversity of the City.

Staff Response: While housing is a SEPA element of the environment, it does not require the consideration of socioeconomic factors in determining impacts (as outlined in WAC 197.11.448). The project will result in a net decrease of 12 units, which is not a significant impact. The applicant's legal representative submitted a letter (see Enclosure 6) that also cites a Washington State Supreme Court Decision that found that placing relocation requirements on a mobile home park owner was unconstitutional and that the general unavailability of low income housing is not the burden of an individual property owner.

Comment: Approval of the project would be contrary to the goals of the City's Comprehensive Plan. The Comprehensive Plan includes goals for increasing housing for low and moderate income persons.

Staff Response: The City's Comprehensive Plan includes adopted goals and policies that recognize the importance, needs for and strategies for providing affordable housing. The Housing Section includes a goal which endeavors to promote the creation of affordable housing and provide for a range of housing types and opportunities to meet the needs of all segments of the population. To meet this goal, the City has adopted zoning regulations that require affordable housing units in commercial, high density residential, medium density

zones and continued support of regional efforts to retain affordable housing. The regulations do not require the replacement of affordable housing that is removed.

Comment: Insufficient land is identified for manufactured housing.

Staff Response: The City's Zoning Code, and State Law, requires that manufactured housing units be treated the same as single family residential units with respect to land use regulations. The City's most recent land capacity data identifies the potential for 2,193 units in single family zones and will be able to accommodate manufactured housing.

CONCLUSION

Based on my review of the submitted information, I have not identified any significant adverse environmental impacts. Therefore, I recommend that a Determination of Non-Significance be issued for this proposed action.

SEPA ENCLOSURES

1. Vicinity Map
2. Site Plan
3. Environmental Checklist
4. Traffic Impact Analysis Review Memo prepared by Thang Nguyen
5. Northwest Justice Project Comment Letter dated September 11, 2015
6. Comment Letter from Vicki Orrico dated October 20, 2015

Review by Responsible Official:

_____x_____ I concur _____ I do not concur

Comments:_____

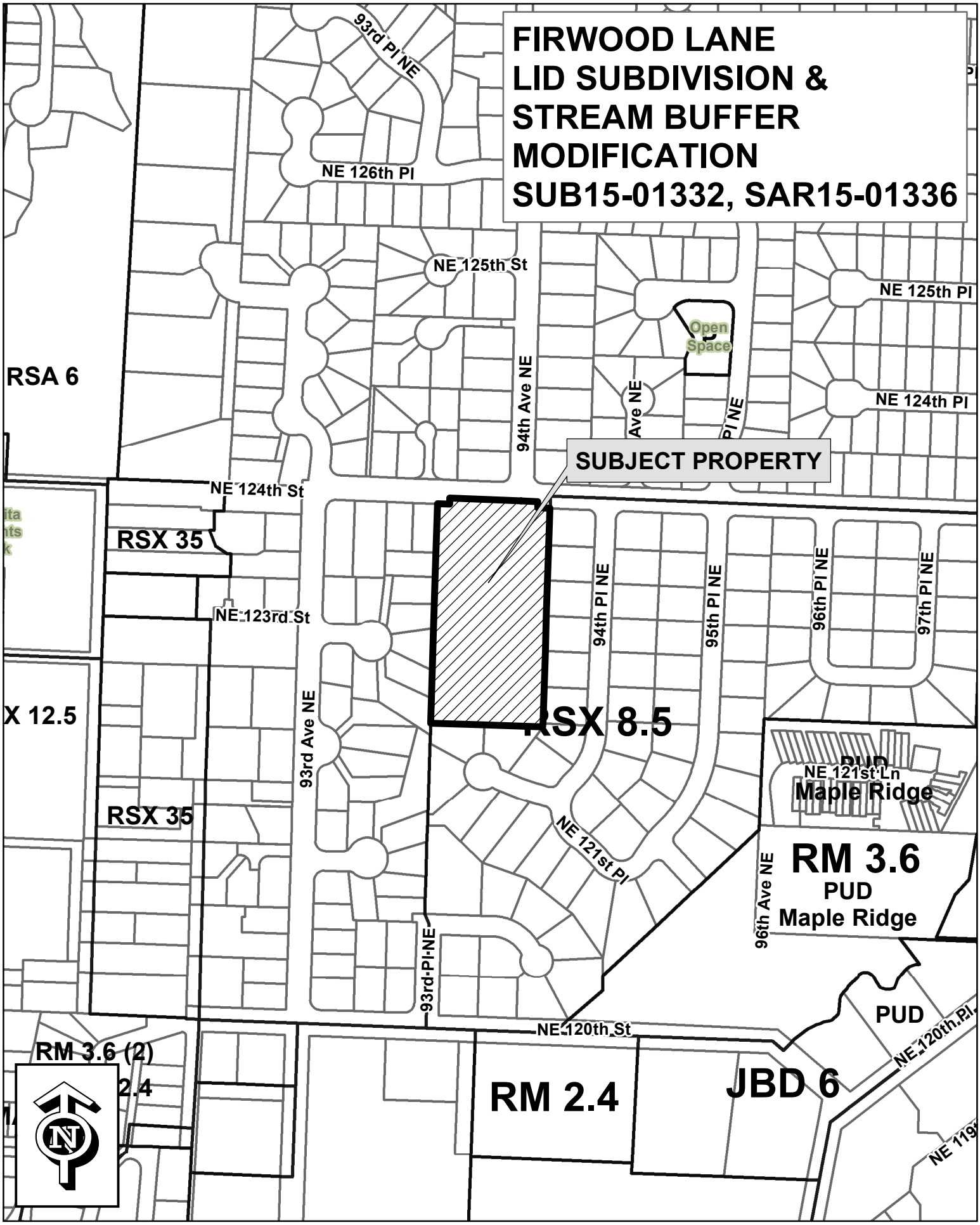
_____

_____

December 3, 2016

_____

Eric R. Shields, Planning Director Date


FIRWOOD LANE
LID SUBDIVISION &
STREAM BUFFER
MODIFICATION
SUB15-01332, SAR15-01336
93rd Pl NE
NE 126th Pl
NE 125th St
NE 125th Pl
Open Space
RSA 6
94th Ave NE
NE 124th Pl
SUBJECT PROPERTY
NE 124th St
RSX 35
NE 123rd St
94th Pl NE
95th Pl NE
96th Pl NE
97th Pl NE
93rd Ave NE
RSX 8.5
NE 121st Ln
Maple Ridge
RSX 35
NE 121st Pl
RM 3.6
PUD
Maple Ridge
96th Ave NE
93rd Pl NE
NE 120th St
PUD
NE 120th Pl
RM 3.6 (2)
RM 2.4
JBD 6
N

POR SE 1/4, SEC 30, TWP 26N RGE 5E, W.M.

FIRWOOD LANE
L.I.D. SUBDIVISION

SEP15-01333
ENCLOSURE 2

LEGAL DESCRIPTION

LOTS 1 THROUGH 26, INCLUSIVE, BLOCK 3, ALSO LOTS 1 AND 2 AND THE NORTH 7.5 FEET OF LOT 3, AND THE NORTH 20 FEET OF LOT 21 AND ALL OF LOTS 22, 23 AND 24, BLOCK 18, WATERFRONT ADDITION TO KIRKLAND, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 6 OF PLATS, PAGES 92 THROUGH 94, INCLUSIVE, IN KING COUNTY, WASHINGTON;

TOGETHER WITH THOSE PORTIONS OF STREETS AND ALLEYS VACATED BY ORDER ENTERED OCTOBER 3, 1987, UNDER KING COUNTY SUPERIOR COURT CAUSE NO. 87-2-11593-3, DESCRIBED AS FOLLOWS:

ALL OF NORTHEAST 122ND STREET (4TH STREET) LYING EAST OF THE PLAT OF CREEKSIDE, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 130 OF PLATS, PAGES 43 THROUGH 45, INCLUSIVE, IN KING COUNTY, WASHINGTON, AND LYING WEST OF LOTS 24 AND 25, BLOCK 1, JUANITA PARKWAY DIVISION NO. 2, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 67 OF PLATS, PAGES 56 THROUGH 58, INCLUSIVE, IN KING COUNTY, WASHINGTON;

ALSO THE EAST HALF OF 93RD PLACE NORTHEAST (KIRKLAND AVENUE), AND THE WEST HALF OF 94TH AVENUE NORTHEAST (MANCHESTER STREET), AND ALL ALLEYWAYS WITHIN BLOCKS 3 AND 18, WATERFRONT ADDITION TO KIRKLAND, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 6 OF PLATS, PAGES 92 THROUGH 94, INCLUSIVE, IN KING COUNTY, WASHINGTON, LYING NORTH OF LOTS 20 AND 21, BLOCK 1, JUANITA PARKWAY DIVISION NO. 2, AND SOUTH OF A LINE LOCATED 30 FEET SOUTH OF AND PARALLEL WITH THE CENTERLINE OF NORTHEAST 124TH STREET.

(PER CHICAGO TITLE COMPANY OF WASHINGTON, ORDER NO. 0026279-08, DATED: OCTOBER 13, 2014)

SURVEY 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.

DATUM

NAVD88
DESIGNATION: 51
DB ID: 46517
DESCRIPTION: CONCRETE MONUMENT IN CASE WITH BRASS PIN SET IN LEAD 0.75' BELOW SURFACE.
LOCATION: AT THE INTERSECTION OF NORTHEAST 124TH STREET AND 100TH AVENUE NORTHEAST.
ELEVATION: 77.82

BASIS OF BEARINGS

N87°43'44"W ALONG THE MONUMENTED CENTER LINE OF NORTHEAST 124TH STREET

REFERENCES

-WEST PROPERTY LINE SURVEY RECORDED IN VOLUME 120, PAGE(S) 135

-PLAT OF JUANITA PARKWAY DIVISION NO. 2 RECORDED IN VOLUME 67, PAGE(S) 56-58

-PLAT OF CREEKSIDE RECORDED IN VOLUME 130, PAGE(S) 43-45

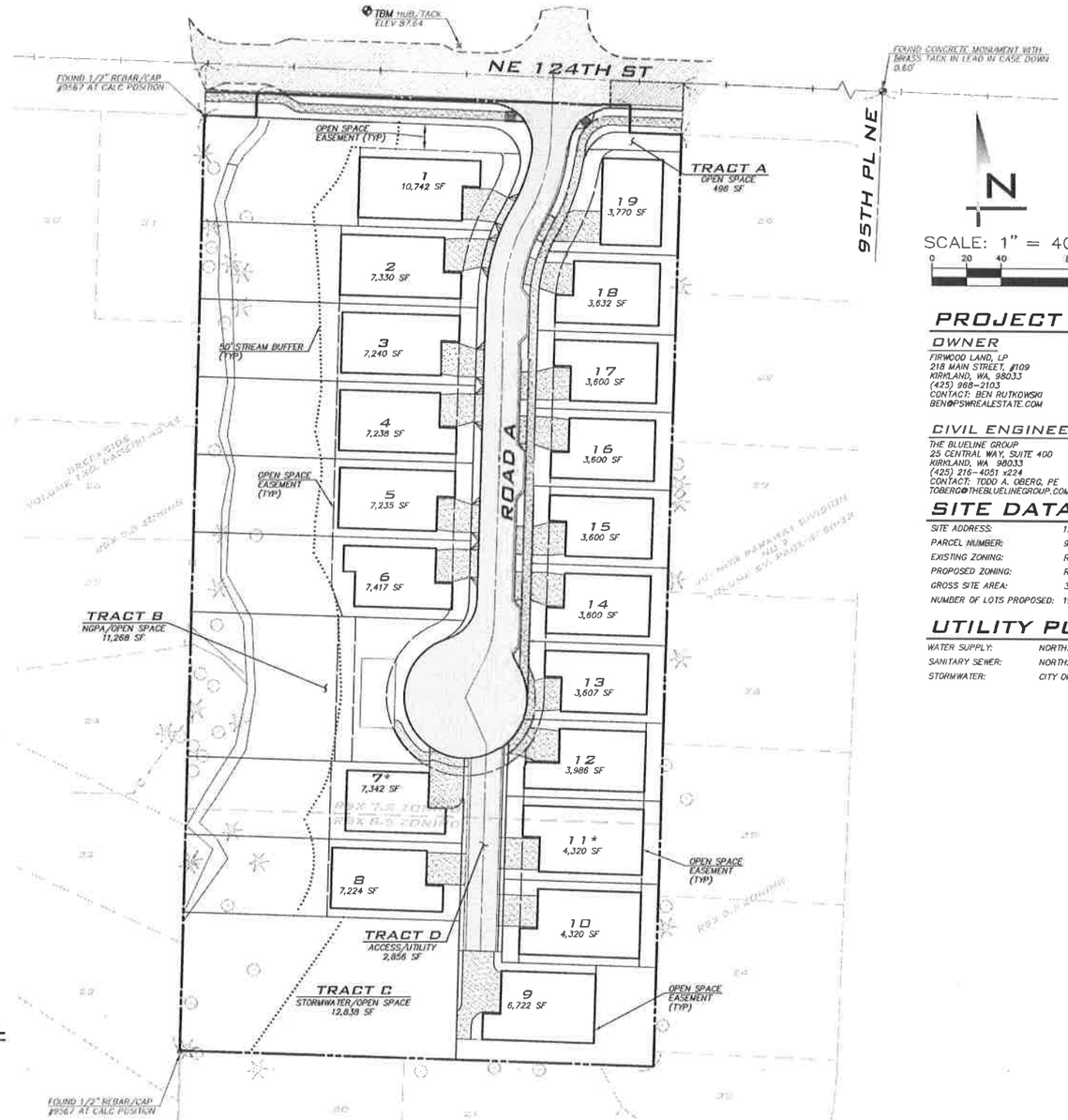
LOT CALCULATIONS

*SITE IMPERVIOUS IS 50% MAX

LOT 1 AREA:	10,742 SF	LOT 11 AREA:	4,320 SF
AREA WITHIN OPEN SPACE EASEMENT	6,817 SF	AREA WITHIN OPEN SPACE EASEMENT	480 SF
LOT 2 AREA:	7,330 SF	LOT 12 AREA:	3,435 SF
AREA WITHIN OPEN SPACE EASEMENT	3,642 SF	AREA WITHIN OPEN SPACE EASEMENT	450 SF
LOT 3 AREA:	7,240 SF	LOT 13 AREA:	3,484 SF
AREA WITHIN OPEN SPACE EASEMENT	3,640 SF	LOT 14 AREA:	3,600 SF
LOT 4 AREA:	7,238 SF	LOT 15 AREA:	3,600 SF
AREA WITHIN OPEN SPACE EASEMENT	3,638 SF	LOT 16 AREA:	3,600 SF
LOT 5 AREA:	7,235 SF	LOT 17 AREA:	3,600 SF
AREA WITHIN OPEN SPACE EASEMENT	3,635 SF	LOT 18 AREA:	3,632 SF
LOT 6 AREA:	7,417 SF	LOT 19 AREA:	3,770 SF
AREA WITHIN OPEN SPACE EASEMENT	3,791 SF		
LOT 7 AREA:	7,342 SF		
AREA WITHIN OPEN SPACE EASEMENT	3,754 SF		
LOT 8 AREA:	7,224SF		
AREA WITHIN OPEN SPACE EASEMENT	3,752 SF		
LOT 9 AREA:	6,722 SF		
AREA WITHIN OPEN SPACE EASEMENT	2,972 SF		
LOT 10 AREA:	4,320 SF		
AREA WITHIN OPEN SPACE EASEMENT	480 SF		

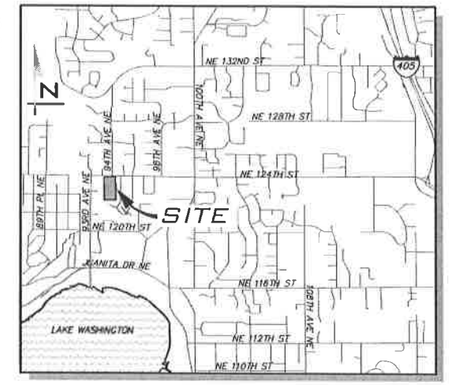
MAXIMUM DEVELOPMENT POTENTIAL

	RSX 7.2	RSX 8.5
Total Site Area	113,520	38,571
Sensitive Area (Stream)	2,479	461
Unmodified Buffer	39,614	10,799
% Site in Sensitive Area & Buffer	37%	29%
Min Lot Size	7,200	8,500
Development Factor	70%	80%
Base Density	13.78	4.23
LID 10% Bonus	1.38	0.42
LID Density	15.16	4.65
Allowed Density per 114.15	15	5



* LOT 7: 4,933 SF WITHIN ZONE RSX 7.2 – 2,409 SF WITHIN ZONE RSX 8.5
* LOT 11: 1,184 SF WITHIN ZONE RSX 7.2 – 3,136 SF WITHIN ZONE RSX 8.5

SCALE: 1" = 40'
0 20 40 80



VICINITY MAP
NOT TO SCALE

PROJECT TEAM

OWNER
FIRWOOD LAND, LP
218 MAIN STREET, #109
KIRKLAND, WA, 98033
(425) 988-2103
CONTACT: BEN RUTKOWSKI
BEN@PSWREALESTATE.COM

GEOTECHNICAL
EARTH SOLUTIONS NW, LLC
1805 136TH PL NE, SUITE 201
BELLEVUE, WA 98005
(425) 284-3300
CONTACT: RAY COGLAS
COGLAS@EARTHSOLUTIONSNW.COM

SURVEYOR
MEAD GILMAN ASSOCIATES
17625 130TH AVE N, #104
WOODINVILLE, WA 98072
(425) 488-1252
CONTACT: SHANE BARNES
SHANE@MEADGILMAN.COM

CIVIL ENGINEER
THE BLUELINE GROUP
25 CENTRAL WAY, SUITE 400
KIRKLAND, WA 98033
(425) 216-4051 x224
CONTACT: TODD A. OBERG, PE
TOBERG@THEBLUELINEGROUP.COM

ARBORIST
TREE SOLUTIONS, INC
2940 WESTLAKE AVE N, SUITE #200
SEATTLE, WA 98109
(206) 528-4670
CONTACT: CHRIS MADISON
CHRIS@TREESOLUTIONS.NET

SITE DATA

SITE ADDRESS:	12342 93RD LANE NE
PARCEL NUMBER:	9194100015
EXISTING ZONING:	RSX 7.2 & RSX 8.5
PROPOSED ZONING:	RSX 7.2 & RSX 8.5
GROSS SITE AREA:	3.4 ACRES
NUMBER OF LOTS PROPOSED:	19

UTILITY PURVEYORS

WATER SUPPLY:	NORTHSHORE UTILITY DISTRICT
SANITARY SEWER:	NORTHSHORE UTILITY DISTRICT
STORMWATER:	CITY OF KIRKLAND

SHEET INDEX

1	CV-01	COVER SHEET
2	PU-01	PRELIMINARY UTILITY PLAN
3	PR-01	PRELIMINARY PROFILES
4	TR-01	TREE RETENTION PLAN
5	TR-01	TREE RETENTION DETAILS
6	TR-01	TREE RETENTION DETAILS

EXISTING STRUCTURES NOTE

ALL EXISTING STRUCTURES ONSITE TO BE REMOVED UNLESS OTHERWISE NOTED.

BUILDING FOOTPRINT

BUILDING FOOTPRINTS SHOWN ARE CONCEPTUAL AND SUBJECT TO CHANGE.

UNDERGROUND UTILITY NOTE

UNDERGROUND UTILITIES ARE SHOWN IN THE APPROXIMATE LOCATION. THERE IS NO GUARANTEE THAT ALL UTILITY LINES ARE SHOWN, OR THAT THE LOCATION, SIZE AND MATERIAL IS ACCURATE. THE CONTRACTOR SHALL UNCOVER ALL INDICATED PIPING WHERE CROSSING, INTERFERENCES, OR CONNECTIONS OCCUR PRIOR TO TRENCHING OR EXCAVATION FOR ANY PIPE OR STRUCTURES, TO DETERMINE ACTUAL LOCATIONS, SIZE AND MATERIAL. THE CONTRACTOR SHALL MAKE THE APPROPRIATE PROVISION FOR PROTECTION OF SAID FACILITIES. THE CONTRACTOR SHALL NOTIFY ONE CALL AT 8-1-1 (WASHINGTONB11.COM) AND ARRANGE FOR FIELD LOCATION OF EXISTING FACILITIES BEFORE CONSTRUCTION.

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SCALE: AS NOTED
PROJECT MANAGER: TODD A. OBERG, PE
PROJECT ENGINEER: DENÉ KUZARO
DESIGNER: LEE TOMKINS
ISSUE DATE: 10/20/2015

NO	DATE	BY	REVISIONS

COVER SHEET
FIRWOOD LANE
PRELIMINARY PLAT / IDP
PARCEL #9194100015
CITY OF KIRKLAND WASHINGTON

TODD A. OBERG, STATE OF WASHINGTON, 34485, REGISTERED PROFESSIONAL ENGINEER
10/16/15

JOB NUMBER: 14-266
SHEET NAME: CV-01
SHT 1 OF 6

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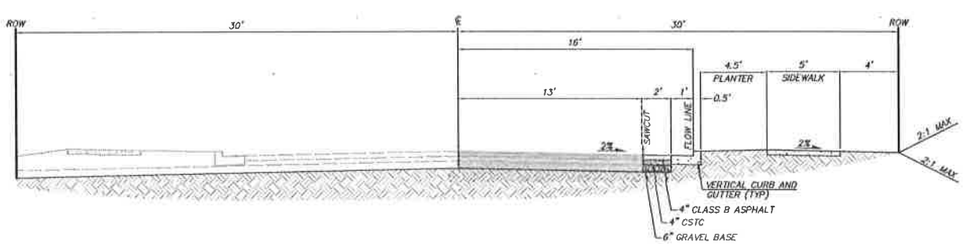
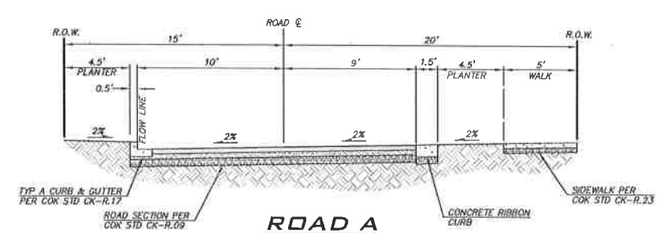
POR SE 1/4, SEC 30, TWP 26N RGE 5E, W.M.

SCALE: 1" = 30'



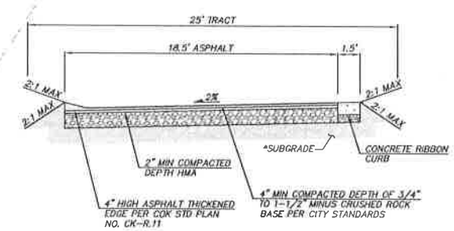
NE 124TH STREET

SCALE: 1" = 5'



ROAD A

SCALE: 1" = 5'



TRACT E

SCALE: 1" = 5'

*SUBGRADE TO BE PREPARED PER GEOTECHNICAL RECOMMENDATIONS.

GRADING QUANTITIES

CUT: 1,000 CY

FILL: 1,100 CY

NET 100 CY FILL

*GRADING QUANTITIES ARE PRELIMINARY AND CONCEPTUAL, AND SHALL NOT BE USED FOR CONTRACTUAL PURPOSES

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SCALE: AS NOTED

PROJECT MANAGER: TODD A. OBERG, PE

PROJECT ENGINEER: DENÉ KUZARO

DESIGNER: LEE TOMKINS

ISSUE DATE: 10/20/2015

NO	DATE	BY	REVISIONS

PRELIMINARY UTILITY & GRADING PLAN
FIRWOOD LANE
PRELIMINARY PLAT / IDP

PARCEL #9194100015

CITY OF KIRKLAND WASHINGTON

TODD A. OBERG — STATE OF WASHINGTON — 37408 — REGISTERED PROFESSIONAL ENGINEER

10/16/15

JOB NUMBER: 14-266

SHEET NAME: PU-01

SHT 2 OF 6

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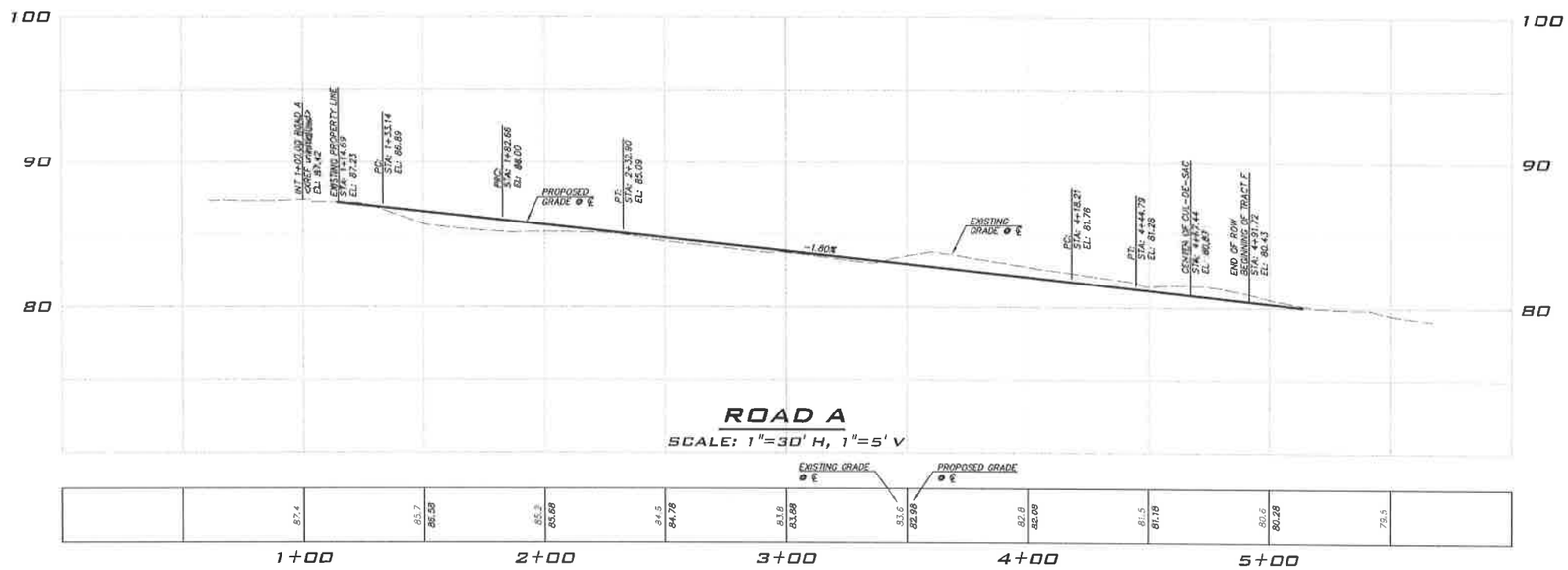

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SCALE: AS NOTED
PROJECT MANAGER: TODD A. OBERG, PE
PROJECT ENGINEER: DENÊ KUZARO
DESIGNER: LEE TOMKINS
ISSUE DATE: 10/20/2015

NO	DATE	BY	REVISIONS

PRELIMINARY PROFILES

FIRWOOD LANE

PRELIMINARY PLAT / IDP

PARCEL #9194100015

CITY OF KIRKLAND WASHINGTON

TODD A. OBERG STATE OF WASHINGTON 37408 REGISTERED PROFESSIONAL ENGINEER

10/16/15

JOB NUMBER: 14-266

SHEET NAME: PR-01

SHT 3 OF 6

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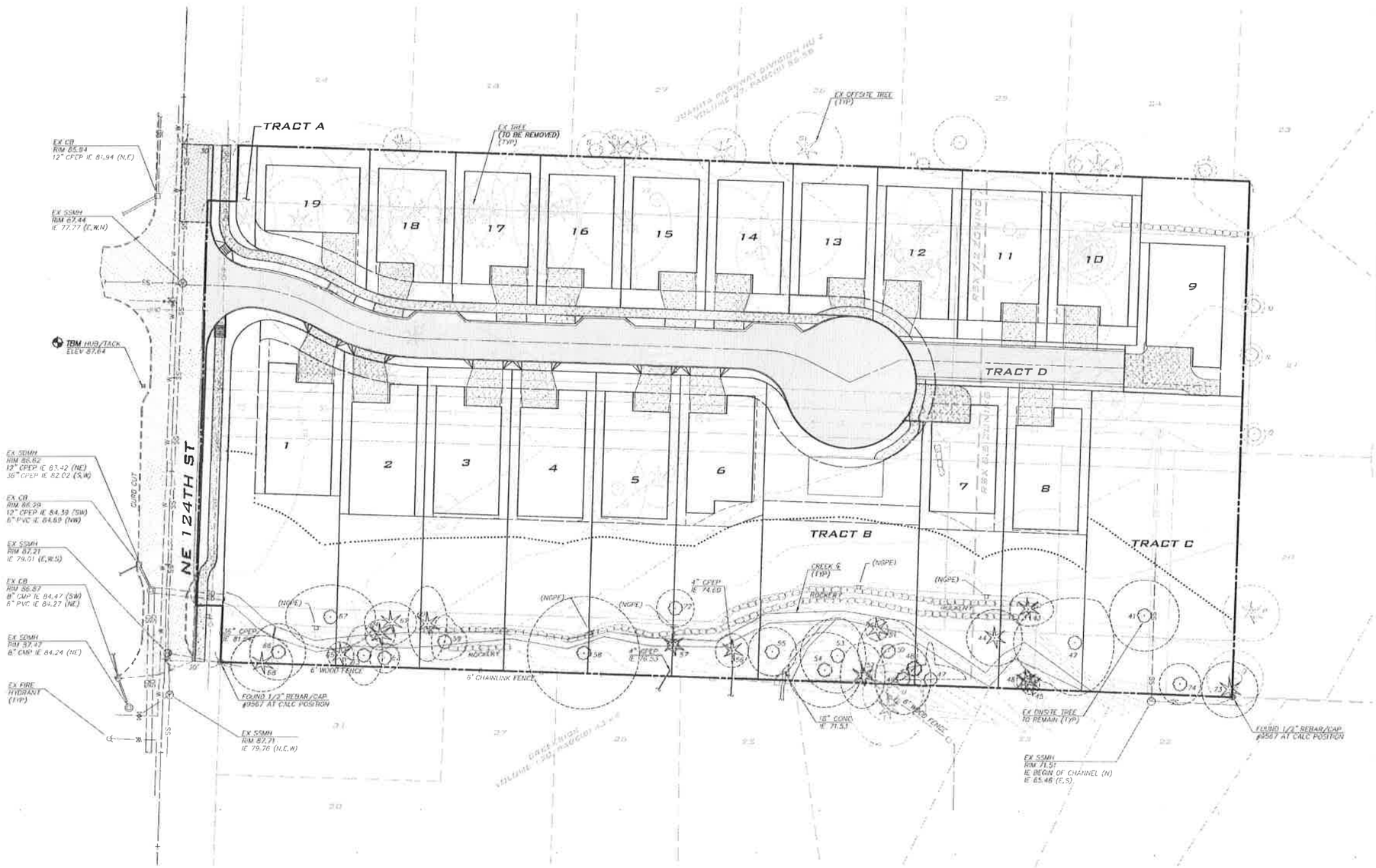

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SCALE: 1" = 30'

0 15 30 60

TREE LEGEND

- EXISTING CONIFEROUS TREE TO REMAIN
- EXISTING DECIDUOUS TREE TO REMAIN
- DRIPLINE (TYP)
- EXISTING CONIFEROUS TREE TO BE REMOVED
- EXISTING DECIDUOUS TREE TO BE REMOVED
- A EXISTING OFFSITE CONIFEROUS TREE TO REMAIN
- A EXISTING OFFSITE DECIDUOUS TREE TO REMAIN

TREE RETENTION CALCULATIONS:

REQUIRED TREE CREDITS = $\frac{30 \text{ CREDITS}}{\text{ACRES}}$ 30 CR x 3.49 AC = 104.8 CREDITS

PROPOSED TREE CREDITS TO BE RETAINED* = 140 CREDITS

*PROPOSED TREE CREDITS RETAINED CALCULATED FOR THE SITE AS A WHOLE. CLUSTERING OF LOTS FOR LOW IMPACT DEVELOPMENT PREVENTS TREE CREDITS TO BE CALCULATED ON A LOT BY LOT BASIS. TREES RETAINED ARE LOCATED WITHIN CRITICAL AREA BUFFER, WHICH IS LISTED AS THE FIRST PRIORITY PER KZC 95.33.3.A.

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SCALE: AS NOTED
PROJECT MANAGER: TODD A. OBERG, PE
PROJECT ENGINEER: DENE KUZARO
DESIGNER: LEE TOMKINS
ISSUE DATE: 10/20/2015

NO	DATE	BY	REVISIONS

TREE RETENTION PLAN

FIRWOOD LANE
PRELIMINARY PLAT / IDP
PARCEL #9194100015
CITY OF KIRKLAND WASHINGTON

TODD A. OBERG STATE OF WASHINGTON 31408 REGISTERED PROFESSIONAL ENGINEER

10/16/15

JOB NUMBER: 14-266

SHEET NAME: TR-01

SHT 4 OF 6

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POR SE 1/4, SEC 30, TWP 26N RGE 5E, W.M.

Tree Solutions Inc
Consulting Arborists

Table of Trees
12342 93rd Lane NE
Kirkland, WA

Date of Inventory: 05.07.2015
Table Prepared: 05.11.2015
Table Revised: 05.19.2015

Tree ID	Scientific Name	Common Name	DSH (inches)	Health Condition	Structural Condition	Limits of Disturbance	Drip line Radius (feet) North	East	South	West	Viable	Proposed Action	Credits	Notes
1	*Pseudotsuga menziesii*	Douglas-fir	37.1	Good	Good	10	15	20	15	18	Yes	Remove	-	[illegible] fruiting body found near the base. Recommend [illegible] testing if retained. [illegible] North. Grove tree.
2	*Prunus sp.*	Cherry	9*	Good	Good	8	14	13	14	13	Yes	Remove	-	*Multiple stemmed tree: 3.5, 4, 3.5, 3.5. Fruiting variety.
3	*Pseudotsuga menziesii*	Douglas-fir	45	Good	Good	15	21	23.5	18	33.5	Yes	Remove	-	Crown raised. Grove tree.
4	*Pseudotsuga menziesii*	Douglas-fir	29.2	Good	Good	11	20	20.5	15.5	20	Yes	Remove	-	[illegible] in canopy. Few hangers in canopy. Grove tree.
5	*Pseudotsuga menziesii*	Douglas-fir	27.4	Good	Good	8	10	20.5	10	20	Yes	Remove	-	Closed wound on west side. Grove tree.
6	*Pseudotsuga menziesii*	Douglas-fir	24.5	Good	Good	8	13	13	7	10	Yes	Remove	-	Grove tree.
7	*Alnus rubra*	Red alder	12.8	Good	Fair	9	17	18	13	12	Yes	Remove	-	Wound on southern side. Good wound wood development. [illegible] Grove tree.
8	*Pseudotsuga menziesii*	Douglas-fir	40.4	Good	Good	12	14	27.5	13	15	Yes	Remove	-	English ivy [illegible] trunk. [illegible] Grove tree.
9	*Betula pendula*	European birch	10.5	Good	Fair	8	18	3	13	17	No	Remove	-	Suppressed tree. Heavy English ivy growth on trunk. Grove tree.
10	*Pseudotsuga menziesii*	Douglas-fir	8.4	Good	Poor	7	12	11	9	17	Yes	Remove	-	Topped. [illegible] Grove tree.
11	*Ilex aquifolium*	English holly	11.8*	Good	Good	4	7	7	7	8	No	Remove	-	*Multiple stemmed tree: [illegible] Shares canopy with nearby [illegible]
12	*Abies nordmanniana*	Caucasian fir	6.1	Good	Fair	2	4	1	4	4	Yes	Remove	-	[illegible] Clearance pruned.
13	*Ilex aquifolium*	English holly	9.8*	Fair	Poor	1	0	3	3	1	No	Remove	-	Topped heavily. [illegible]
14	*Pseudotsuga menziesii*	Douglas-fir	13.1	Good	Good	8	9	17	9	20	Yes	Remove	-	Suppressed. Grove tree.
15	*Pseudotsuga menziesii*	Douglas-fir	24.2	Good	Good	8	9.5	14	9.5	19	Yes	Remove	-	[illegible] Grove tree.
16	*Pseudotsuga menziesii*	Douglas-fir	33.1	Good	Good	9	10	21	10	19	Yes	Remove	-	Crown raised. Grove tree.
17	*Pseudotsuga menziesii*	Douglas-fir	29.5	Good	Fair	12	20	19	8	34	Yes	Remove	-	Codominant top. Crown raised. Grove tree.
18	*Pseudotsuga menziesii*	Douglas-fir	36	Good	Good	14	12	32	18	34	Yes	Remove	-	Crown raised. Grove tree. [illegible]

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Tree Solutions Inc
Consulting Arborists

Table of Trees
12342 93rd Lane NE
Kirkland, WA

Date of Inventory: 05.07.2015
Table Prepared: 05.11.2015
Table Revised: 05.19.2015

Tree ID	Scientific Name	Common Name	DSH (inches)	Health Condition	Structural Condition	Limits of Disturbance	Drip line Radius (feet) North	East	South	West	Viable	Proposed Action	Credits	Notes
19	*Pseudotsuga menziesii*	Douglas-fir	18	Good	Fair	10	8	14	8	34	Yes	Remove	-	Suppressed top. Grove tree.
20	*Acer macrophyllum*	Bigleaf maple	33.3	Good	Fair	13	21	28.5	25	10	Yes	Remove	-	Measurement taken [illegible] Few large dead wood parts in canopy. [illegible]
21	*Pseudotsuga menziesii*	Douglas-fir	53.6	Good	Good	14	24	25	21	23.5	Yes	Remove	-	Large basal flare. Recommend basal testing if retained. [illegible] Grove tree.
22	*Acer macrophyllum*	Bigleaf maple	32.3*	Good	Fair	13	23	31	27	8	Yes	Remove	-	*Multi stemmed tree: 12.7, 12.2, 18.9, 12.2. [illegible] Grove tree.
23	*Acer macrophyllum*	Bigleaf maple	28.4*	Good	Good	11	14	19	11	30	Yes	Remove	-	*Multi stemmed tree: 17, 22.8. [illegible]
24	*Acer macrophyllum*	Bigleaf maple	31.6	Good	Fair	15	15	32	28	23	Yes	Remove	-	[illegible]
25	*Betula pendula*	European birch	14	Fair	Good	8	15	16	10	14	Yes	Remove	-	[illegible]
26	*Betula pendula*	European birch	14.1	Fair	Poor	12	13	21	21	22	Yes	Remove	-	[illegible]
27	*Pseudotsuga menziesii*	Douglas-fir	29	Good	Good	9	13	18	15	36	Yes	Remove	-	[illegible] Slight bow to north. Grove tree.
28	*Pseudotsuga menziesii*	Douglas-fir	19.9	Good	Fair	7	14	8	8	17	Yes	Remove	-	[illegible] Grove tree.
29	*Pseudotsuga menziesii*	Douglas-fir	31	Good	Fair	8	12	23	10	9	Yes	Remove	-	[illegible] Grove tree.
30	*Pseudotsuga menziesii*	Douglas-fir	26.1	Fair	Good	8	14	12	10	14	Yes	Remove	-	[illegible] Grove tree.
31	*Acer macrophyllum*	Bigleaf maple	28	Fair	Fair	13	17	23	23	19	Yes	Remove	-	[illegible] Grove tree.
32	*Acer macrophyllum*	Bigleaf maple	45.1	Fair	Fair	16	26	23.5	27	23	Yes	Remove	-	[illegible] Grove tree.
33	*Tsuga heterophylla*	Western hemlock	23.6	Good	Fair	14	26	23.5	22	24	Yes	Remove	-	Codominant top. Narrow angle of attachment. English ivy on trunk. [illegible]
34	*Thuja plicata*	Wester red cedar	10.6*	Good	Fair	6	10	10	10	10	Yes	Remove	-	*Multi stemmed tree: [illegible]
35	*Pseudotsuga menziesii*	Douglas-fir	24.1	Good	Good	10	23	8	18	18	Yes	Remove	-	Grove tree.

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36	*Thuja plicata*	Western red cedar	11.5*	Good	Fair	6	10	10	10	10	Yes	Remove	-	*Multi stemmed tree: 7.8, 8.7.
37	*Pseudotsuga menziesii*	Douglas-fir	34.7	Good	Fair	12	20.5	27	20	15	Yes	Remove	-	Crack on north side of trunk, sealed. Crack on south side [illegible] Grove tree.
38	*Acer palmatum*	Japanese maple	8.5	Good	Good	8	13	13	13	13	Yes	Remove	-	[illegible]
39	*Prunus cerasifera 'Thundercloud'*	Purple leaf plum	12.3	Good	Fair	10	16	16	16	16	Yes	Remove	-	[illegible]
40	*Acer palmatum*	Japanese maple	10.4*	Good	Good	8	14	14	14	14	Yes	Remove	-	*Multiple stemmed tree: [illegible] Specimen tree.
41	*Prunus emarginata*	Bitter cherry	17.4*	Good	Fair	10	17	15	15.5	19	Yes	Retain	4	*Multiple stemmed tree: 12.4, 12.6. Large wound on northern trunk. [illegible]
42	*Acer macrophyllum*	Bigleaf maple	40.4*	Good	Good	16	33	24	21	28	Yes	Retain	16	*Multiple stemmed tree: [illegible] Grove tree.
43	*Chamaecyparis lawsoniana*	Lawson cypress	13*	Good	Good	6	10	9	14	9	Yes	Retain	2	*Multiple stemmed tree: [illegible] Grove tree.
44	*Chamaecyparis lawsoniana*	Lawson cypress	14.7*	Good	Fair	9	15	15	15	15	Yes	Retain	3	*Multiple stemmed tree: [illegible]
45	*Thuja plicata*	Western redcedar	9.1	Good	Fair	3	5	5	5	6	Yes	Retain	1	Co-dominant top. Shares canopy with 46.
46	*Thuja plicata*	Western redcedar	10.4	Good	Fair	3	5	5	5	5	Yes	Retain	1	[illegible]
47	*Alnus rubra*	Red alder	11	Poor	Poor	6	3	20	19	0	Yes	Retain	1	[illegible] Grove tree.
48	*Alnus rubra*	Red alder	8.9	Fair	Poor	2	4	4	4	4	Yes	Retain	1	Large wound on southern trunk. [illegible] Grove tree.
49	*Alnus rubra*	Red alder	12.5	Fair	Poor	7	15	19	10	3	Yes	Retain	2	[illegible] Grove tree.
50	*Alnus rubra*	Red alder	10.8	Good	Good	8	16	17	9	16	Yes	Retain	1	
51	*Thuja plicata*	Western redcedar	7.3*	Good	Good	4	6	6	6	6	Yes	Retain	1	*Multiple stemmed tree: [illegible] Grove tree.
52	*Pseudotsuga menziesii*	Douglas-fir	30.5	Good	Good	9	12	17.5	12	17.5	Yes	Retain	11	Lots of English ivy on trunk. Grove tree.
53	*Acer macrophyllum*	Bigleaf maple	34.7*	Good	Fair	11	20	20	15	20	Yes	Retain	13	*Multi stemmed trunk: 26, 23. [illegible] Grove tree.

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54	*Populus nigra 'Italica'*	Lombardy poplar	45	Good	Fair	12	20	20	20	20	Yes	Retain	18	Covered with English ivy. Grove tree.
55	*Populus nigra 'Italica'*	Lombardy poplar	42.4*	Good	Good	8	13	13	13	13	Yes	Retain	17	*Multi stemmed tree: 29, 31. Tree tag at the base. [illegible]
56	*Thuja plicata*	Western redcedar	8	Good	Good	5	9	9	9	5	Yes	Retain	1	[illegible]
57	*Thuja occidentalis*	White cedar	9*	Fair	Good	2	3	3	3	3	Yes	Retain	1	*Multi stem tree: [illegible]
58	*Alnus rubra*	Red alder	31.8	Good	Good	17	27	25	30	30	Yes	Retain	11	Large [illegible] on west side of tree.
59	*Salix scouleriana*	Scouler's willow	9.7	Good	Good	6	7	14	17	10	Yes	Retain	1	[illegible] Grove tree.
60	*Pinus contorta var. contorta*	Shore pine	16.6	Fair	Good	8	10.5	20	9	1*	Yes	Retain	4	[illegible]
61	*Picea pungens*	Colorado spruce	11.7	Good	Good	7	14	11	12	12	Yes	Retain	1	[illegible] Grove tree.
62	*Salix scouleriana*	Scouler's willow	8	Good	Good	5	8	8	8	8	Yes	Retain	1	[illegible] Grove tree.
63	*Salix scouleriana*	Scouler's willow	11.6*	Good	Fair	7	9	9	10	16	Yes	Retain	1	*Multiple stemmed tree: 9.6, 6.6. Codominant form. [illegible] Grove tree.
64	*Salix scouleriana*	Scouler's willow	9.1*	Good	Fair	5	8	8	8	8	Yes	Retain	1	*Multiple stemmed trees: [illegible] Grove tree.
65	*Thuja plicata*	Western redcedar	6.3	Good	Good	4	7	7	7	7	Yes	Retain	1	Grove tree.
66	*Acer rubrum*	Red maple	18.3*	Fair	Poor	9	15	15	15	15	Yes	Retain	3	*Multi stemmed tree: [illegible]
67	*Populus trichocarpa*	Black cottonwood	21	Good	Fair	11	18	16	24	17	Yes	Retain	6	[illegible]
68	*Thuja plicata*	Western redcedar	19.6	Good	Good	8	16.5	15	9	14.5	Yes	Retain	5	[illegible]
69	*Prunus cerasifera 'Thundercloud'*	Purple leaf plum	10.3	Good	Fair	7	11.5	11.5	11.5	11.5	Yes	Remove	-	Co-dominant form with narrow angle of attachment. Included bark [illegible]
70	*Prunus cerasifera 'Thundercloud'*	Purple leaf plum	17.5*	Good	Good	11	15	21.5	15	22	Yes	Remove	-	*Multi stemmed tree: [illegible] Heavily pruned. Good response growth. [illegible]
71	*Thuja plicata*	Western redcedar	25.2	Good	Good	9	13	16	14	15	Yes	Remove	-	[illegible]

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UNDERGROUND UTILITY NOTE

UNDERGROUND UTILITIES ARE SHOWN IN THE APPROXIMATE LOCATION. THERE IS NO GUARANTEE THAT ALL UTILITY LINES ARE SHOWN, OR THAT THE LOCATION, SIZE AND MATERIAL IS ACCURATE. THE CONTRACTOR SHALL UNCOVER ALL INDICATED PIPING WHERE CROSSING, INTERFERENCES, OR CONNECTIONS OCCUR PRIOR TO TRENCHING OR EXCAVATION FOR ANY PIPE OR STRUCTURES, TO DETERMINE ACTUAL LOCATIONS, SIZE AND MATERIAL. THE CONTRACTOR SHALL MAKE THE APPROPRIATE PROVISION FOR PROTECTION OF SAID FACILITIES. THE CONTRACTOR SHALL NOTIFY ONE CALL AT 8-1-1 (WASHINGTON811.COM) AND ARRANGE FOR FIELD LOCATION OF EXISTING FACILITIES BEFORE CONSTRUCTION.

BLUELINE

SCALE: AS NOTED
PROJECT MANAGER: TODD A. OBERG, PE
PROJECT ENGINEER: DENE KUZARO
DESIGNER: LEE TOMKINS
ISSUE DATE: 10/20/2015

REVISIONS

NO	DATE	BY

TREE RETENTION DETAILS

FIRWOOD LANE
PRELIMINARY PLAT / IDP
PARCEL #9194100015
CITY OF KIRKLAND WASHINGTON

TODD A. OBERG, STATE OF WASHINGTON, REGISTERED PROFESSIONAL ENGINEER

10/16/15

JOB NUMBER: 14-266
SHEET NAME: TR-02
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72	Sorbus aucuparia	European mountain ash	15.5*	Good	Poor	6	10	10	10	10	Yes	Retain	3	*Multi-stemmed tree: [illegible]
73	Pseudotsuga menziesii	Douglas-fir	16	Good	Good		15				Yes	Retain	4	
74	Prunus emarginata	Bitter cherry	12.1*	Good	Good			11			Yes	Retain	2	*Multi-stemmed tree: [illegible]
												Total Tree Credits:	140	

Tree ID	Scientific Name	Common Name	DSH (inches)	Health Condition	Structural Condition	Limits of Disturbance	North	East	South	West	Viable	Proposed Action	Credits	Notes
Tree on Neighboring Properties with Canopies Overhanging Subject Property (Diameters are estimated. Driplines taken fence/boundary to outer extent of canopy)														
A	Thuja plicata	Western redcedar	10.5	Good	Good				10		Yes	Retain	-	[illegible]
B	Cornus nuttallii	Pacific dogwood	16	Fair	Fair				18		Yes	Retain		*Multi-stemmed tree: [illegible]
C	Prunus cerasifera 'Thundercloud'	Purple leaf plum	12	Good	Fair				10		Yes	Retain		[illegible]
D	Pseudotsuga menziesii	Douglas-fir	14	Good	Good				19		Yes	Retain		[illegible]
E	Pseudotsuga menziesii	Douglas-fir	14	Good	Good				10		Yes	Retain	-	[illegible]
F	Pseudotsuga menziesii	Douglas-fir	29	Good	Good				23		Yes	Retain	-	[illegible]
G	Pseudotsuga menziesii	Douglas-fir	26	Good	Good				19.5		Yes	Retain		[illegible]
H	Populus nigra 'Italica'	Lombardy poplar	16	Good	Good				3		Yes	Retain	-	Located 1 foot from fence. Crown raised.
I	Quercus palustris	Pin oak	26	Good	Good				14		Yes	Retain		[illegible]
J	Prunus emarginata	Bitter cherry	17*	Fair	Poor				14		Yes	Retain	-	*Multi-stemmed tree: [illegible]
K	Thuja plicata	Western redcedar	18	Good	Good				18		Yes	Retain	-	[illegible]
L	Malus domestica	Apple	7	Good	Good				6		Yes	Retain	-	[illegible]
M	Quercus palustris	Pin oak	8	Good	Good		6				Yes	Retain	-	[illegible]

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N	Quercus palustris	Pin oak	8	Good	Good		8				Yes	Retain	-	[illegible]
O	Juglans regia	English walnut	8	Good	Good		6				Yes	Retain	-	[illegible]
P	Pseudotsuga menziesii	Douglas-fir	26	Good	Good		15				Yes	Retain	-	[illegible]
Q	Acer macrophyllum	Bigleaf maple	25	Good	Good		15				Yes	Retain	-	
T	Pseudotsuga menziesii	Douglas-fir	32	Good	Good			20			Yes	Retain	-	[illegible]
U	Acer macrophyllum	Bigleaf maple	7	Fair	Fair			16			Yes	Retain	-	[illegible]

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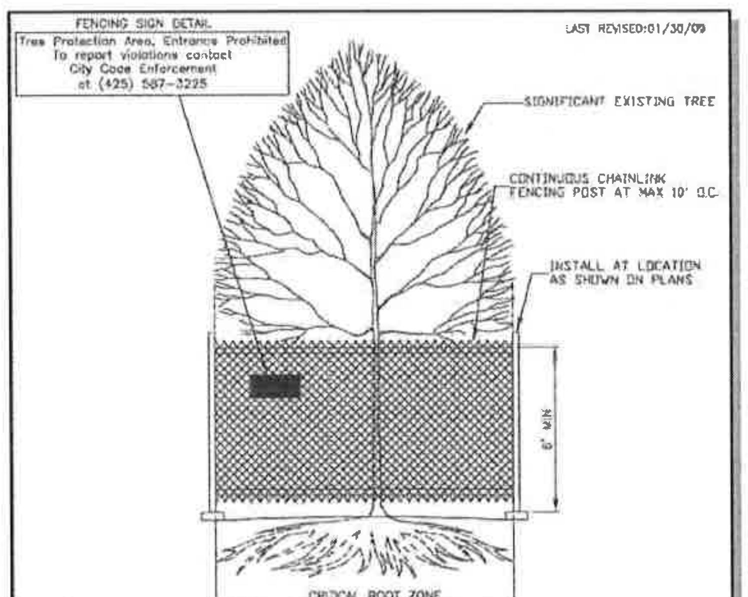

NOTES

1. MINIMUM SIX (6) FOOT HIGH TEMPORARY CHAINLINK FENCE SHALL BE PLACED AT THE CRITICAL ROOT ZONE OR DESIGNATED LIMIT OF DISTURBANCE OF THE TREE TO BE SAVED. FENCE SHALL COMPLETELY ENCIRCLE TREE(S). INSTALL FENCE POSTS USING PIER BLOCK ONLY. AVOID POST OR STAKES INTO MAJOR ROOTS. MODIFICATIONS TO FENCING MATERIAL AND LOCATION MUST BE APPROVED BY PLANNING OFFICIAL.
2. TREATMENT OF ROOTS EXPOSED DURING CONSTRUCTION: FOR ROOTS OVER ONE (1) INCH DIAMETER DAMAGED DURING CONSTRUCTION, MAKE A CLEAN STRAIGHT CUT TO REMOVE DAMAGED PORTION OF ROOT. ALL EXPOSED ROOTS SHALL BE TEMPORARILY COVERED WITH DAMP BURLAP TO PREVENT DRYING, AND COVERED WITH SOIL AS SOON AS POSSIBLE.
3. NO STOCKPILING OF MATERIALS, VEHICULAR TRAFFIC, OR STORAGE OF EQUIPMENT OR MACHINERY SHALL BE ALLOWED WITHIN THE LIMIT OF THE FENCING. FENCING SHALL NOT BE MOVED OR REMOVED UNLESS APPROVED BY THE CITY PLANNING OFFICIAL. WORK WITHIN PROTECTION FENCE SHALL BE DONE MANUALLY UNDER THE SUPERVISION OF THE ON-SITE ARBORIST AND WITH PRIOR APPROVAL BY THE CITY PLANNING OFFICIAL.
4. FENCING SIGNAGE AS DETAILED ABOVE MUST BE POSTED EVERY FIFTEEN (15) FEET ALONG THE FENCE. SIGN TO BE MINIMUM 11"X17", AND MADE OF WEATHERPROOF MATERIAL.

CITY OF KIRKLAND
PLAN NO. CK-R.49
TREE PROTECTION

TREE PROTECTION MEASURES

1. TREE PROTECTION FENCES WILL NEED TO BE PLACED AROUND EACH TREE OR GROUP OF TREES TO BE RETAINED.
   A. TREE PROTECTION FENCES ARE TO BE PLACED ACCORDING TO CITY STANDARD PLAN NO. CK-R.49 AND AS NOTED IN THE TREE INVENTORY/CONDITIONS SPREADSHEET, COLUMN 6 – LIMITS OF DISTURBANCE (SEE ARBORIST REPORT DATED 6/14/12).
   B. TREE PROTECTION FENCES MUST BE INSPECTED PRIOR TO THE BEGINNING OF ANY CONSTRUCTION WORK/ACTIVITIES.
   C. NOTHING MUST BE PARKED OR STORED WITHIN THE TREE PROTECTION FENCES--NO EQUIPMENT, VEHICLES, SOIL, DEBRIS, OR CONSTRUCTION SUPPLIES OF ANY SORTS.
2. CEMENT TRUCKS MUST NOT BE ALLOWED TO DEPOSIT WASTE OR WASH OUT MATERIALS FROM THEIR TRUCKS WITHIN THE TREE PROTECTION FENCES.
3. THE TREE PROTECTION FENCES NEED TO BE CLEARLY MARKED WITH THE FOLLOWING OR SIMILAR TEXT IN FOUR INCH OR LARGER LETTERS:

   TREE PROTECTION AREA, ENTRANCE PROHIBITED
   TO REPORT VIOLATIONS CONTACT
   CITY CODE ENFORCEMENT AT
   425-587-3225

4. THE AREA WITHIN THE TREE PROTECTION FENCING MUST BE COVERED WITH WOOD CHIPS, HOG FUEL, OR SIMILAR MATERIALS TO A DEPTH OF 8 TO 10 INCHES. THE MATERIALS SHOULD BE PLACED PRIOR TO BEGINNING CONSTRUCTION AND REMAIN UNTIL THE TREE PROTECTION FENCING IS TAKEN DOWN.
5. WHEN EXCAVATION OCCURS NEAR TREES THAT ARE SCHEDULED FOR RETENTION, THE FOLLOWING PROCEDURE MUST BE FOLLOWED TO PROTECT THE LONG TERM SURVIVABILITY OF THE TREE:
   A. AN INTERNATIONAL SOCIETY OF ARBORICULTURE, (ISA) CERTIFIED ARBORIST MUST BE WORKING WITH ALL EQUIPMENT OPERATOR.
      I. THE CERTIFIED ARBORIST SHOULD BE OUTFITTED WITH A SHOVEL, HAND PRUNERS, A PAIR OF LOPPERS, A HANDSAW, AND A POWER SAW (A "SAWSALL" IS RECOMMENDED).
   B. THE HOE MUST BE PLACED TO "COMB" THE MATERIAL DIRECTLY AWAY FROM THE TRUNK AS OPPOSED TO CUTTING ACROSS THE ROOTS.
      I. COMBING IS THE GRADUAL EXCAVATION OF THE GROUND COVER PLANTS AND SOIL IN DEPTHS THAT ONLY EXTEND AS DEEP AS THE TINES OF THE HOE.
   C. WHEN ANY ROOTS OF ONE INCH DIAMETER OR GREATER, OF THE TREE TO BE RETAINED, IS STRUCK BY THE EQUIPMENT, THE CERTIFIED ARBORIST SHOULD STOP THE EQUIPMENT OPERATOR.
   D. THE CERTIFIED ARBORIST SHOULD THEN EXCAVATE AROUND THE TREE ROOT BY HAND/SHOVEL AND CLEANLY CUT THE TREE ROOT.
      I. THE CERTIFIED ARBORIST SHOULD THEN INSTRUCT THE EQUIPMENT OPERATOR TO CONTINUE.
6. PUTTING UTILITIES UNDER THE ROOT ZONE:
   A. BORING UNDER THE ROOT SYSTEMS OF TREES (AND OTHER VEGETATION) SHALL BE DONE UNDER THE SUPERVISION OF AN ISA CERTIFIED ARBORIST. THIS IS TO BE ACCOMPLISHED BY EXCAVATING A LIMITED TRENCH OR PIT ON EACH SIDE OF THE CRITICAL ROOT ZONE OF THE TREE AND THEN HAND DIGGING OR PUSHING THE PIPE THROUGH THE SOIL UNDER THE TREE. THE CLOSEST PIT WALLS SHALL BE A MINIMUM OF 7 FEET FROM THE CENTER OF THE TREE AND SHALL BE SUFFICIENT DEPTH TO LAY THE PIPE AT THE GRADE AS SHOWN ON THE PLAN AND PROFILE.
   B. TUNNELING UNDER THE ROOTS OF TREES SHALL BE DONE UNDER THE SUPERVISION OF AN ISA CERTIFIED ARBORIST IN AN OPEN TRENCH BY CAREFULLY EXCAVATING AND HAND DIGGING AROUND AREAS WHERE LARGE ROOTS ARE EXPOSED. NO ROOTS 1 INCH IN DIAMETER OR LARGER SHALL BE CUT.
   C. THE CONTRACTOR SHALL VERIFY THE VERTICAL AND HORIZONTAL LOCATION OF EXISTING UTILITIES TO AVOID CONFLICTS AND MAINTAIN MINIMUM CLEARANCES; ADJUSTMENT SHALL BE MADE TO THE GRADE OF THE NEW UTILITY AS REQUIRED.
7. WATERING:
   A. THE TREES WILL REQUIRE SIGNIFICANT WATERING THROUGHOUT THE SUMMER AND EARLY FALL IN ORDER TO SURVIVE LONG-TERM. AN EASY AND ECONOMICAL WATERING CAN BE DONE USING SOAKER HOSES PLACED THREE FEET FROM THE TRUNK OF THE TREE AND SPIRALED AROUND THE TREE. ONE 75-FOOT SOAKER HOSE PER TREE IS ADEQUATE. IT IS BEST TO PLACE THE SOAKERS USING LANDSCAPE STAPLES, (AVAILABLE FROM HD FOWLER IN BELLEVUE FOR PENNIES APIECE) THEN COVER THE AREA WITH TWO TO THREE INCHES COMPOSED MATERIALS. THE COMPOSTED MATERIAL WILL ACT AS A MULCH TO MINIMIZE EVAPORATION AND WILL ALSO STIMULATE THE MICROBIAL ACTIVITY OF THE SOIL WHICH IS ANOTHER BENEFIT TO THE HEALTH OF THE TREE.
   B. WATER THE TREE TO A DEPTH OF 18 TO 20 INCHES. I RECOMMENDED LEAVING THE WATER ON THE SOAKER HOSES FOR SIX TO EIGHT HOURS AND THEN DIGGING DOWN TO DETERMINE HOW DEEP YOUR WATER IS PENETRATING. THEN ADJUST ACCORDINGLY. IT MAY TAKE A GOOD TWO DAYS OF WATERING TO REACH THE PROPER DEPTH.
   C. ONCE THE WATER REACHES THE PROPER DEPTH, TURN OFF THE HOSES FOR FOUR WEEKS AND THEN WATER AGAIN. WATER MORE OFTEN WHEN TEMPERATURES INCREASE--EVERY THREE WEEKS WHEN TEMPERATURES EXCEED 80 DEGREES AND EVERY TWO WEEKS WHEN TEMPERATURES EXCEED 90 DEGREES. THIS DRYING OUT OF THE SOIL IN BETWEEN WATERING IS IMPORTANT TO PREVENT SOIL PATHOGENS FROM ATTACKING THE TREES.

UNDERGROUND UTILITY NOTE

UNDERGROUND UTILITIES ARE SHOWN IN THE APPROXIMATE LOCATION. THERE IS NO GUARANTEE THAT ALL UTILITY LINES ARE SHOWN, OR THAT THE LOCATION, SIZE AND MATERIAL IS ACCURATE. THE CONTRACTOR SHALL UNCOVER ALL INDICATED PIPING WHERE CROSSING, INTERFERENCES, OR CONNECTIONS OCCUR PRIOR TO TRENCHING OR EXCAVATION FOR ANY PIPE OR STRUCTURES, TO DETERMINE ACTUAL LOCATIONS, SIZE AND MATERIAL. THE CONTRACTOR SHALL MAKE THE APPROPRIATE PROVISION FOR PROTECTION OF SAID FACILITIES. THE CONTRACTOR SHALL NOTIFY ONE CALL AT 8-1-1 (WASHINGTON811.COM) AND ARRANGE FOR FIELD LOCATION OF EXISTING FACILITIES BEFORE CONSTRUCTION.

BLUELINE
25 CENTRAL WAY, SUITE 400, KIRKLAND, WA 98033
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SCALE: AS NOTED
PROJECT MANAGER: TODD A. OBERG, PE
PROJECT ENGINEER: DENÉ KUZARO
DESIGNER: LEE TOMKINS
ISSUE DATE: 10/20/2015

NO	DATE	BY	REVISIONS

TREE RETENTION DETAILS
FIRWOOD LANE
PRELIMINARY PLAT / IDP
PARCEL #9194100015
CITY OF KIRKLAND WASHINGTON

TODD A. OBERG, STATE OF WASHINGTON, 37408, REGISTERED PROFESSIONAL ENGINEER
10/16/15

JOB NUMBER: 14-266
SHEET NAME: TR-03
SHT 6 OF 6

22:34 Oct 20, 2015 - 8:12am - User dkuzaro
E:\Projects\14266\DWG\Prelim\Pre Plat\14266TR-03.dwg

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

SEPA ENVIRONMENTAL CHECKLIST

UPDATED MAY 2015

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals: [help]

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. Background [help]

1. Name of proposed project, if applicable: [help]
Firwood Lane

2. Name of applicant: [help]
Firwood Land LP

3. Address and phone number of applicant and contact person: [help]
218 Main Street, #109
Kirkland, WA 98033
425.968.2103
Ben Rutkowski

4. Date checklist prepared: [help]
6/18/2015

5. Agency requesting checklist: [help]
City of Kirkland

6. Proposed timing or schedule (including phasing, if applicable): [help]
The applicant will begin construction upon receiving all necessary approvals and permits. Conceptual start date is Spring/Summer of 2016.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. [help]
No.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. [help]
Survey, prepared by Mead Gilman. Arborist Report, prepared by Tree Solutions. Critical Area Report, prepared by Wetland Resources. Storm Drainage Report/Road-Utility Plans, prepared by The Blueline Group. Geotech Report, prepared by Earth Solutions NW. Traffic Memo, prepared by Traffex.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. [help]
No.

10. List any government approvals or permits that will be needed for your proposal, if known. [help]
City of Kirkland - Subdivision Approval, SEPA Approval, Construction Drawing Approval, and Building Permit Approval. DOE-NOI. DFW-HPA (if necessary). DNR-FPA (if necessary).

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.) [help]

This proposal is to subdivide one parcel of land into 19 residential lots, all detached homes, within the RSX 7.2 and RSX 8.5 zone. All lots will be served by a public road with direct access to NE 124nd Street. The project will be served by public water and sewer and will include installation of the infrastructure needed to accommodate the site grading, frontage improvements to NE 124nd Street, installation of utilities and construction of 19 single family residences.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist. [help]

The subject site is located within City of Kirkland in Section 30, Township 26 N, Range 5 E WM. The project is situated on approximately 3.4 acres and is comprised of one parcel of land, 9194100015 with a physical address of 12342 93rd Lane NE, Kirkland, WA 98034.

B. ENVIRONMENTAL ELEMENTS [help]

1. Earth [help]

a. General description of the site: [help]

(circle one): Flat, **rolling**, hilly, steep slopes, mountainous, other _____

b. What is the steepest slope on the site (approximate percent slope)? [help]

The steepest slope on-site is approximately 103% measured over a minimum of 10' distance, along the SW potion of the site adjacent to the stream.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils. [help]

According to the Geotechnical Report prepared by Earth Solutions NW the onsite soils consists of sand, silt and some gravel, see report for additional information.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. [help]

No.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill. [help]

Grading for the application will be limited to those areas identified for development of residential lots, roads, storm drainage and utility infrastructure in addition to home construction. Approximately, 1,000 CY of excavation and 1,100 CY of fill is proposed. Source of fill will be located during time of construction.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. [help]

Limited erosion could occur as a result of the initial construction, however erosion control measures will be utilized during construction phase to minimize potential erosion impacts.

Temporary erosion and sedimentation control plans will be submitted and approved by City of Kirkland.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? [help]

The site will not exceed the maximum impervious surface area as allowed by City of Kirkland.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: [help]

A temporary erosion and sediment control plan designed in accordance with City of Kirkland standards will be employed during construction phase of the project.

2. Air [help]

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. [help]

Heavy equipment operation and worker's vehicles would generate exhaust emissions into the local air. Construction activity on-site could also stir up exposed soils and generate dust in the local air. The completed project would result in a minor increase in the amount of exhaust related pollutants in the local air from project related traffic.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. [help]

No.

c. Proposed measures to reduce or control emissions or other impacts to air, if any: [help]

Watering on-site as necessary during construction phase of the project will help control dust and other particulates.

Watering on-site as necessary during construction phase of the project will help control dust and other particulates.

3. **Water** [help]

a. Surface Water:

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into. [help]
There are two onsite Class A Streams, please reference Stream A and Stream B on the existing condition map within the Critical Area Report. These steams combine onsite and eventually outfall to Lake Washington.

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans. [help]
The stream buffer will be restored and the exsiting structures within the buffer will be removed.

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. [help]
N/A

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. [help]
No.

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. [help]
No.

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. [help]
No.

b. Ground Water:

1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known. [help]
No.

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. [help]
No waste materials will be discharged into the ground. The existing parcel is connected to sewer.

c. Water runoff (including stormwater):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe. [help]

Runoff will be collected via raingardens a tightline conveyance system and directed to on-site infiltration facilities. Refer to the Storm Drainage Report for additional information.

2) Could waste materials enter ground or surface waters? If so, generally describe. [help]
In accordance with City of Kirkland codes, TESC and BMP measures will be implemented to prevent waste materials from entering ground or surface waters during construction.

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe. [help]
No.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any: [help]
On-site infiltration facilities as well as approved TESC BMP's will be provided in accordance with City of Kirkland codes to reduce and/or control runoff water impacts. Refer to the Storm Drainage Report for additional information.

4. **Plants** [help]

a. Check the types of vegetation found on the site: [help]

_X_ deciduous tree: alder, maple, aspen, other
_X_ evergreen tree: fir, cedar, pine, other
_X_ shrubs
_X_ grass
____ pasture
____ crop or grain
____ Orchards, vineyards or other permanent crops.
____ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other

____water plants: water lily, eelgrass, milfoil, other
____other types of vegetation

b. What kind and amount of vegetation will be removed or altered? [help]
To generate the site grade appropriate for the proposed buildings, all vegetation within the building pad and roadways will be removed with the exception of protected areas associated with the trees that are required to be retained in accordance with Kirkland zoning code.

c. List threatened and endangered species known to be on or near the site. [help]
There are no known threatened or endangered species known to be on or near the site.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: [help]
The ultimate development of new single family residences will provide new landscaping including such features as retained trees, new lawns, shrubs and ornamental trees.

e. List all noxious weeds and invasive species known to be on or near the site. [help]
There are no known noxious weeds or invasive species known to be on or near the site.

5. **Animals** [help]

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. [help]

Examples include:

birds: hawk, heron, eagle, **songbirds**, other:
mammals: deer, bear, elk, beaver, **other: Rodents, squirls and raccoons**
fish: bass, **salmon**, trout, herring, shellfish, other _____

b. List any threatened and endangered species known to be on or near the site. [help]
According to the Critical Area Report, there are no threatened or endangered species that have been observed on or near the site.

c. Is the site part of a migration route? If so, explain. [help]
The applicant is unaware if this site is part of a migration route.

d. Proposed measures to preserve or enhance wildlife, if any: [help]
The Class A Streams and required buffer, will allow wildlife to continue to use these areas as habitate.

e. List any invasive animal species known to be on or near the site. [help]
There are no known invasive animal species known to be on or near the site.

6. **Energy and Natural Resources** [help]

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc. [help]

Electrical and/or natural gas will be used to meet the energy needs of the new homes.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. [help]

The proposal will not affect the potential use of solar energy on adjacent properties.

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any: [help]

The buildings will be constructed to meet or exceed applicable local, state and/or federal building code to ensure compliance with energy conservation standards.

7. **Environmental Health** [help]

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe. [help]

State regulations regarding safety and the handling of hazardous material would be enforced during construction process.

1) Describe any known or possible contamination at the site from present or past uses. [help]

No known.

2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity. [help]

Fuels associated with automobiles and construction machinery as well as typical household products (cleaners, adhesives, etc) may be present at the site. Natural gas may be utilized to fuel household appliances.

3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project. [help]

State regulations regarding safety and the handling of hazardous material would be enforced during construction process.

4) Describe special emergency services that might be required. [help]

There are 31 existing mobile homes currently onsite.The construction of 19 dwelling units will likely not increase the the need for emergency services. Necessary impact fees are in place with City of Kirkland to address the increased need of these services.

5) Proposed measures to reduce or control environmental health hazards, if any: [help]
Construction activity would be limited to hours as specified by City of Kirkland, which will mitigate the impact of potential construction noise.

b. Noise [help]

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? [help]

The dominant source of noise would be from traffic along NE 124nd Street.

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site. [help]

Construction activities on-site would temporarily increase the peak on-site noise levels. All construction will follow City of Kirkland approved hours of operation. The complete project would result in slight increase in ambient noise.

3) Proposed measures to reduce or control noise impacts, if any: [help]

Construction activity would be limited to hours as specified by City of Kirkland, which will mitigate the impact of potential construction noise.

8. **Land and Shoreline Use** [help]

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe. [help]

The site currently has 31 mobile home units. Adjacent properties are developed with single family residential homes.

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? [help]

No.

1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how: [help]

No.

c. Describe any structures on the site. [help]

31 mobile home units are currently located onsite.

d. Will any structures be demolished? If so, what? [help]

All strcutres will be removed/relocated.

e. What is the current zoning classification of the site? [help]

RSX 7.2 and RSX 8.5.

f. What is the current comprehensive plan designation of the site? [help]
Low density residential.

g. If applicable, what is the current shoreline master program designation of the site? [help]
N/A

h. Has any part of the site been classified as a critical area by the city or county? If so, specify. [help]
Yes, there are two Class A Streams and associated buffer located on the subject site.

i. Approximately how many people would reside or work in the completed project? [help]
Assuming approximately 2.5 people would live in each of the new single family homes, it is estimated that a 47.5 people would reside in the completed project.

j. Approximately how many people would the completed project displace? [help]
Assuming approximately 2.5 people currently live the mobile home onsite, the completed project would displace approximately 77.5 people.

k. Proposed measures to avoid or reduce displacement impacts, if any: [help]
The proposal includes the construction of 19 new dwelling units and will remove/relocate the existing mobile home units.

L. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: [help]
The project will be developed in accordance with applicable City of Kirkland codes to ensure the project is consistent with the goals and policies of the Comprehensive Plan in place at the time of this application.

m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any: [help]
N/A

9. **Housing** [help]

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. [help]
19 market rate homes will be provided.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. [help]
31 mobile home units will be removed/relocated, low to middle income.

c. Proposed measures to reduce or control housing impacts, if any: [help]

Residences have been provided one year notice to move or relocate their mobile home. Washington Department of Commerce provides assistance to relocate mobile homes to residence of Washington State.

10. **Aesthetics** [help]

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? [help]

Final architectural plans have not been developed to date. However, the proposed development will be governed by height restrictions dictated by City of Kirkland Code.

b. What views in the immediate vicinity would be altered or obstructed? [help]

No view in the immediate vicinity would be altered. The street scape from the street will change with the new development.

b. Proposed measures to reduce or control aesthetic impacts, if any: [help]

The site plan has been developed to be consistent with the development regulations for an RSX 7.2 and RSX 8.5, zoning district and the subdivision regulations.

11. **Light and Glare** [help]

a. What type of light or glare will the proposal produce? What time of day would it mainly occur? [help]

The completed project will generate limited light and glare as typically associates with residential development.

b. Could light or glare from the finished project be a safety hazard or interfere with views? [help]

Under normal circumstances it is not anticipated that light or glare from the finished project will present a safety hazard or block views.

c. What existing off-site sources of light or glare may affect your proposal? [help]

None known.

d. Proposed measures to reduce or control light and glare impacts, if any: [help]

No.

12. **Recreation** [help]

a. What designated and informal recreational opportunities are in the immediate vicinity? [help]

Juanita Heights Park is located approximately 900' to the west of the subject site.

b. Would the proposed project displace any existing recreational uses? If so, describe. [help]

No.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: [help]

The project would be subject to City of Kirkland's open space requirements.

13. **Historic and cultural preservation** [help]

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe. [help]

No.

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. [help]

There are no landmarks or evidence of any significant historical, archaeological, scientific or cultural resources known to be on or next to the site.

c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc. [help]

If any cultural evidence was encountered during construction or installation of improvements, work would be halted in the area and a state approved archaeologist/historian would be engaged to investigate, evaluate and/or move or curate such resource as appropriate.

d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required. [help]

If any cultural evidence was encountered during construction or installation of improvements, work would be halted in the area and a state approved archaeologist/historian would be engaged to investigate, evaluate and/or move or curate such resource as appropriate.

14. **Transportation** [help]

a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any. [help]

Primary access to the development will be from NE 124th Street.

b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop? [help]

No, closest transit service is approximate ¾ of a mile to NE 120th Place and NE 124th Street.

c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? [help]

Appoximately 31 parking spaces will be eliminated. Provided parking spaces will meet or exceed the minimum required per City of Kirkland standards.

d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private). [help]

The proposal will install a new public road with cul-de-sac.

e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. [help]

No.

f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates? [help]

The proposal will generate approximately 242 daily trips (144 less daily trips than the exisiting use). There will be approximately 23 AM Peak Trips, (24 for the existing use) and 24 PM Peak Trip (20 for the existing use).

g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe. [help]

No.

h. Proposed measures to reduce or control transportation impacts, if any: [help]

The applicant will comply with City of Kirkland's Transportation Code and pay any required impact fees.

15. **Public Services** [help]

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe. [help]

There shouldn't be an increase in public service with the removal of 31 mobile homes and construction of 19 new single family homes.

b. Proposed measures to reduce or control direct impacts on public services, if any. [help]

The appropriate impact fees as required by City of Kirkland will assist with any direct impacts to public service.

16. **Utilities** [help]

a. Circle utilities currently available at the site: [help]
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other **cable**

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed. [help]

C. Signature [help]

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____

Name of signee MONICA HAUGHLAN

Position and Agency/Organization Planning Coordinator The Blueline Group

Date Submitted: 6/23/15

D. supplemental sheet for nonproject actions [help]

(**IT IS NOT NECESSARY** to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

Proposed measures to avoid or reduce such increases are:

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

3. How would the proposal be likely to deplete energy or natural resources?

Proposed measures to protect or conserve energy and natural resources are:

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

Proposed measures to protect such resources or to avoid or reduce impacts are:

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

Proposed measures to avoid or reduce shoreline and land use impacts are:

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Proposed measures to reduce or respond to such demand(s) are:

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

CITY OF KIRKLAND
Department of Public Works
123 Fifth Avenue, Kirkland, WA 98033 425.587.3800
www.kirklandwa.gov

MEMORANDUM

To: Tony Leavitt, Senior Planner

From: Thang Nguyen, Transportation Engineer

Date: November 17, 2015

Subject: Firwood Plat Traffic Impact Analysis Review, Tran15-00817, SEP15-01333.

This memo summarizes my review of the traffic impact analysis report dated June 17, 2015 *Firwood Plat Traffic Impact Analysis* prepared by TraffEx Northwest Traffic Expert for the proposed redevelopment of a mobile home park. My findings and recommendations are summarized below followed by my review comments on the traffic impact analysis report.

STAFF FINDINGS

The proposed project will not create significant SEPA traffic impacts that warrant specific off-site transportation mitigation.

STAFF RECOMMENDATIONS

SEPA Mitigation

Staff does not recommend any SEPA traffic mitigation because the proposed project will not create significant off-site SEPA related traffic impacts.

Public Works Permit Conditions

Unless the applicant would like to challenge impact fee calculated in this memo, the applicant shall pay the net new impact fee as calculated in Table 1 of this memo. If the applicant chose to challenge the calculated net new impact fee, the applicant may request for an independent fee calculation by submitting the request to me along with local trip data with an analysis to why staff's calculation is incorrect or inappropriate.

Project Description

The applicant proposed to replace the 31 existing mobile homes with 19 single-family homes. The project is located at 12342 93rd Lane NE. The proposed project is anticipated to be completely built and occupied by the end of 2017. The project is forecasted to generate 144 less net daily trips, 4 additional net new PM peak hour trips and one less net AM peak hour trips.

TRAFFIC CONCURRENCY

Developments are tested for traffic concurrency and passed. A concurrency test notice was issued on May 19, 2015. Per *Section 25.10.020 Procedures* of the KMC, the Concurrency Test Notice will expire in one year (May 19, 2016) unless a development permit and certificate of concurrency are issued or an extension is granted.

Concurrency Appeal

The concurrency test notice may be appealed by the public or by an agency with jurisdiction. The concurrency test notice is subject to an appeal until the SEPA review process is complete and the appeal deadline has passed. Concurrency appeals are heard before the Hearing Examiner along with any applicable SEPA appeal. For more information, refer to the Kirkland Municipal Code, Title 25.

TRAFFIC IMPACT ANALYSIS

A traffic impact analysis is required for SEPA review. The scope of analysis was approved by the City Transportation Engineer and the traffic impact analysis report was completed in accordance to the City of Kirkland TIA guidelines. Since the number of net new PM peak hour trips forecasted to be generated by the proposed project will not have more than 1% proportional share impact at any street intersections, the scope of the traffic impact analysis was limited to the project frontage. More specifically, the scope was limited to analyzing the project's driveway for safety and level of service operation. In addition, a review of traffic accident was required for NE 124th Street between 100th Avenue NE and 93rd Avenue NE.

The project driveway was calculated to operate at a good level of service, LOS-B, with the full occupancy of the development site. It is forecasted that the traffic operation at the project driveway will not traffic queue problem on NE 124th Street.

There is clear sight distance to adjacent driveways and the project driveway was surveyed to meet the City's recommended sight distance requirement of 280 feet. Therefore, the location of the project driveway will not have a significant impact to the adjacent driveways and intersection. It is forecasted that the project driveway will operate safely.

Traffic Collision Analysis

The traffic consultant reviewed the latest historical traffic accident data between 2011 and 2014 and found very few accidents (three accidents). The accidents did not show a specific pattern of accident nor did it identified roadway deficiency that would create more conflict due to increase of vehicular traffic volume. All the accidents were due to the drivers' inattentiveness and vehicle malfunction.

TRANSPORTATION IMPACT FEE

Per City's Ordinance 3685, Transportation Impact Fees is required for all developments and is calculated based on the most updated Transportation Impact Fee Schedule, January 1, 2015. Road impact fees are used to construct transportation capacity improvements throughout the City to help the City maintain traffic concurrency.

The calculation of impact fee calculated within the traffic impact analysis report is incorrect. Although there is not a specific impact fee rate for mobile home, mobile home is considered to fall under the multi-family category since each mobile home is not on its separate legal lot. Table 1 summarizes the road impact fee calculation for the proposed project.

Table 1. Road Impact Fee

	Size (units)	**Impact Fee Rate**	**Assessed Impact Fee**
Proposed Single-Family	19	$3,942 per unit	$74,898
Exiting Mobile Homes (multi-family)	31	$2,311 per unit	$71,641
Net New Impact Fee			$3,257

cc: Vincent J. Geglia, TraffEx
John Burkhalter, Senior Development Engineer

SEP15-01333
ENCLOSURE 5

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César E. Torres
Executive Director

Northwest Justice Project

September 11, 2015

Mr. Tony Leavitt
Planning and Building Department, City of Kirkland
123 5th Avenue
Kirkland WA 98033

Re: Permit Number SUB15-01332 & SAR15-01366 SEPA Comments

Dear Mr. Leavitt:

These comments are presented on behalf of the Firwood Lane Mobile Home Park Homeowner's Association, as authorized by its member and officer Lynn Leonard. Please accept these SEPA comments on behalf of the Homeowners Association and its members and officers. The homeowners understand that the park owner submitted an application to the City of Kirkland to subdivide the existing 3.4 acre parcel, currently used as a manufactured home park that houses 31 households, into 19 separate lots for the development of 19 single family homes through the LID subdivision process. The homeowners understand that the owner requested exceptions to the City zoning code to grant a reduction in the minimum lot size, an increase in the allowed lot density by 1 lot, and a stream buffer modification. For the reasons discussed below, the Firwood Lane Homeowners oppose this application and ask that the determination of non-significance be changed to a determination of significance because of the lack of mitigating measures regarding the loss of affordable housing should this development proceed.

Background

Firwood Lane is a community of 31 manufactured homes in which the homeowners own their homes and rent the lot space on which their homes sit. The homeowners pay a small amount of money each month to rent the space, and as they own their homes, they pay for all upkeep and maintenance of their homes. Although the costs of purchasing a manufactured or mobile home are significantly less than purchasing a typical single-family home, the costs, as a percentage of income, are significant to the typically low- and moderate-income families who generally purchase these homes. As such, several of the Firwood Lane Homeowners financed their purchase with a home loan. Some homeowners still owe thousands of dollars on their home loans. Many Firwood Lane homeowners purchased their homes years ago and have raised their families in the park. Some of the children raised at Firwood Lane are now

THE ALLIANCE
LSC

approaching adulthood and have never known another home. The children attend local public schools and the Firwood Homeowners are well-integrated in to the community. Compared to the rest of the City of Kirkland demographics, a disproportionate number of the Firwood Lane Homeowners are disabled, persons of color, speak a language other than English as their first language, and have a low or a moderate income.[1] Because of their mainly below median income, most all of the Firwood homeowners will be unable to afford to purchase a single family home or condominium in Kirkland or in King County and are unable to locate an affordable rental within the City limits. Firwood Lane gives its residents the opportunity to be homeowners despite their below median income and to live in the City Kirkland where the residents are able to enjoy all that the City has to offer. For some Firwood Lane is close to their jobs and they would face long commutes if they had to move.

The proposed development will close Firwood Lane Mobile Home Park and develop the site into 19 separate market-rate single family homes. The Firwood Lane homeowners have already received a notice of park closure, giving them 12 months' notice of the park closure, and all of the Firwood Lane homeowners will be displaced if the application is ultimately approved and the park closes. The homeowners have been diligently searching for other parks to move their homes to, but because of various factors, most are unable to find other places in Western Washington where they are able to move their homes. Additionally, some of the homes are at an age or condition that would prevent them from being moved, those homes will be demolished. Some of the homeowners bought their homes with their life savings and those homeowners will lose their investment and their homes.

Other homeowners used home loans or mortgages to purchase their manufactured homes. Those homeowners who still owe balances on their loans and are unable to move their homes will be required to abandon their homes but will still remain responsible for the mortgage or other financing instrument used to purchase their home. Children enrolled in school will be required to leave their friends and change schools and school districts as the homeowners are unlikely to find housing in the City and school district. To these residents, the consequences of the park closure are dire and are compounded by the lack of housing affordable to low and moderate income earners in Kirkland.

The proposed development will displace 31 households, will decrease the availability of homes for low- and moderate-income households, will decrease housing density in the community at a time when Kirkland is struggling to provide housing for an increasing

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[1] Although we were unable to obtain income information for all of the Firwood Lane's households, the information we obtained shows that nine of Firwood Lane's households officially qualify as low-income, six qualify as moderate-income (just based on the information we have, almost half of Firwood Lane's households qualify as low- and moderate-income), three households are at a median-income and one household is above median-income. It is very likely that a significant portion of the approximately ten households for which we are unaware of the amount of their income would also qualify as low- and moderate-income households. We are aware that of the approximately ten households for which we have no specific income data, two households are comprised of retired and disabled persons, and two additional households receive social security as their only income. According to Kirkland's Comprehensive Plan, in Kirkland only 15% of the population is considered low-income and 16% are considered moderate-income. Out of 83 total Firwood Lane residents, 63 residents are persons of color (primarily Latino and Vietnamese), which far exceeds Kirkland's persons of color demographics – with City residents being 79.3% Caucasian, 6.3% Latino, and 11% Asian, demographics according to the 2010 US Census data.

population, will eliminate the only manufactured home park within Kirkland City limits, and will eliminate home ownership opportunities for many low-income Kirkland residents. These impacts are adverse, significant, and likely to occur.

Comments:

SEPA Requires Consideration of Housing. Applicant's Proposed Development Plan Will Have Significant and Certain Adverse Impacts on Housing. Applicant Failed to Provide Measures to Reduce or Control the Proposed Development's Adverse Impacts on Housing.

SEPA has four primary purposes, three of which specifically relate to ecology and the human relationship to the environment, but one of SEPA's four purposes is "to stimulate the health and welfare of human beings."[2] The legislature identified seven goals of SEPA, including maintaining, wherever possible an environment which supports diversity and variety of individual choice and achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities.[3] Through SEPA, the legislature requires the City of Kirkland to evaluate reasonably foreseeable environmental impacts of proposed projects.[4] SEPA specifically lists "Housing" as one environmental elements to be considered during a SEPA review.[5] The Firwood Lane Homeowners believe that the adverse environmental impacts on housing are both significant and very likely to occur should the proposed development proceed.

Approval of the applicant's proposed project will eliminate the last mobile/manufactured home park in the City of Kirkland.[6] Manufactured housing is one of the few opportunities for low-income families to own their own homes. Home ownership opportunities for low- and moderate-income households within Kirkland, which the City of Kirkland acknowledged in its Comprehensive Plan were already essentially non-existent, will become even further limited.[7]

The park closure will displace primarily low- and moderate-income households in favor of market-rate housing for above median-income households.[8] If the proposed development goes forward these impacts are certain to occur because the development plan readily states that it will replace 31 manufactured homes with 19 market-rate single family homes (the City acknowledges that even median-income prospective homebuyers find it difficult to purchase

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[2] See RCW 41C.010
[3] See RCW 43.21C.020(2)
[4] See RCW 43.21C.303
[5] See RCW 43.21C.110(f), see also WAC 197-11-444, see also See WAC 197-11-060
[6] See Applicant's SEPA Checklist, response to question 9, all 31 manufactured homes will be removed if the development is permitted and will be replaced with 19 single family homes, see also Notices of Park Closure submitted with the application.
[7] See CP at VII-4 which acknowledges that the vast majority of homes available to low- and moderate-income families is rental housing, and even median-income families, families earning over 80% of the median income, find it difficult to purchase homes without assistance.
[8] See SEPA Checklist, response to Question 9

homes in Kirkland without assistance so it is likely the buyers will have above-median incomes).[9]

Neither the City through its Comprehensive Plan and Development Regulations, nor the applicant has provided measures to reduce or control the development's adverse impacts on housing, except to say that the applicant provided the homeowners with notices of park closure and referrals to the State's relocation assistance program. The applicant appears not to have considered the impact the proposed development will have on housing and that low- and moderate-income families will likely be displaced from the City as some of these homes cannot be moved because of their age and condition, there is no place in the City of Kirkland or very likely even within King County for these homes to move, and there is insufficient low- and moderate-income housing in Kirkland to provide replacement housing for the Firwood Lane families. Because these adverse housing impacts are significant, are certain to occur, and are entirely unmitigated by the proposal, the City's proposed determination of non-significance (DNS) should be rescinded and a full environmental analysis should be required before the City acts to approve, deny, or further condition the requested permit.

The Proposed Development's Adverse Housing Impacts Are Contrary To The Goals Of The Growth Management Act And Kirkland's Comprehensive Plan.

Pursuant to the Growth Management Act, the City of Kirkland is required to develop a Comprehensive Plan.[10] The Comprehensive Plan must comply with the Growth Management Act and must contain eight elements, one of which is a housing element.[11] The Comprehensive Plan's Housing Element is designed to ensure "the vitality and character of established residential neighborhoods that: (a) includes an inventory and analysis of existing and projected housing needs that identifies the number of housing units necessary to manage projected growth; (b) includes a statement of goals, policies, objectives, and mandatory provisions for the preservation, improvement, and development of housing, including single-family residences; (c) **identifies sufficient land for housing including**, but not limited to, government-assisted housing, housing for low-income families, **manufactured housing**, multifamily housing, and group homes and foster care facilities; and (d) **makes adequate provisions for existing and projected needs of all economic segments of the community** (emphasis added)."[12] As SEPA and GMA are intertwined, SEPA reviews can be completed concurrently with GMA reviews.[13]

Without Identification Of Sufficient Land For Manufactured Housing, The Proposed Development Will Likely Have Significant Impacts; Therefore, A Full Environmental Analysis is Warranted.

As required, the City of Kirkland developed a Comprehensive Plan with the required Housing Element. Additionally the City of Kirkland developed Development Regulations

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[9] See SEPA Checklist, response to Question 9, see also See CP at VII-4
[10] See RCW 36.70A.040(1)
[11] See RCW 36.70A.040(1), LIHI v. City of Lakewood, 119 Wn. App. 110, 116; 77 P.3d 653 (2003); see also RCW 36.70A.070(2)
[12] See RCW 36.70A.070(2)
[13] See WAC 197-11-210

that regulate development within the City. Pursuant to the Growth Management Act, Kirkland's Development Regulations are required to be consistent with and implement its Comprehensive Plan.[14] Kirkland's Comprehensive Plan and Development Regulations do not identify sufficient land for manufactured housing within the City of Kirkland.[15] In reviewing the City of Kirkland Development and Zoning Regulations, it appears that the City of Kirkland has not considered issues related to displacement of low-income households whose housing is redeveloped into market rate housing, as no lands within the City of Kirkland have been designated for mobile home parks. As all site specific permits must conform to Kirkland's Development Regulations, if the development regulations provided for issues related to displacement of manufactured homeowners, then the applicant could have followed the regulations to minimize impacts on the homeowners. Because the Comprehensive Plan and Development Regulations do not identify sufficient land for manufactured homes, Kirkland's Development Regulations do not implement Kirkland's Comprehensive Plan with respect to identifying sufficient land for manufactured housing, or mitigate the displacement caused by manufactured home park development, and the proposal did not address the displacement issues, the proposed development will likely have significant adverse impacts on housing and a full environmental analysis is warranted.

Without Identification Of Sufficient Housing Affordable to Low- and Moderate-Income Families The Proposed Development Will Likely Have Significant Adverse Impacts. Around the time Kirkland adopted its Comprehensive Plan and during revisions of its Comprehensive Plan, Kirkland recognized that it had a smaller percentage of low-income households compared with the rest of King County.[16] The Housing Element notes that although the 2004 figures show that the proportion of Kirkland residents with a low- and moderate-income have remained stable since 1990, but the percentage of above median-income households increased over this time period, and the percentage of median-income households has decreased over the same time period, thus showing a trend towards above-median income households in the City.[17]

In light of the fact that as of the year 2000, only 16% of Kirkland rental housing were affordable to low-income families, the supply of rental housing is mostly out of reach to the lowest-income families, and, as noted in the Plan, even moderate-income first-time homebuyer families are inadequately served by Kirkland's housing (note: Kirkland did not make provisions for low-income homebuyers, presumably because homeownership is believed to be completely out of reach for these families),[18] Kirkland adopted a goal to promote the creation of affordable housing and provide for a range of housing types and opportunities to meet the needs of all segments of the population.[19] Kirkland does not appear to have any Development Regulations which prescribe how its goal of meeting the housing affordability needs of its low-income residents will be addressed in the context of a proposal

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[14] See RCW 36.70A.070(4)
[15] See RCW 36.70A.070(2)(c)
[16] See City of Kirkland Comprehensive Plan, I-5, according to the data, only 5.3% of the City's households were considered low-income, compared with 8.4% for King County as a whole, see also See City of Kirkland Comprehensive Plan, VII-3.
[17] See City of Kirkland Comprehensive Plan, VII-3
[18] See See City of Kirkland Comprehensive Plan, VII-4
[19] See City of Kirkland Comprehensive Plan, VII-4

that would replace already scarce affordable housing with abundant market rate housing. The proposed development reduces the available housing for low- and moderate-income families and reduces homeownership opportunities for moderate- and low-income first-time home buyers. The lack of Development Regulations that mitigate the impacts this development will have on low- and moderate-income families makes it likely that the proposed development will have significant adverse impacts on housing for SEPA purposes and we believe that a full environmental review, and not a DNS is appropriate.

Kirkland's Comprehensive Plan Contains Goals To Increase Housing For Projected Population Increases And Goals To Increase Housing Opportunities for Low- And Moderate-Income Households.

Comprehensive Plan Policy H-2.1 is designed to strive to meet the targets established and defined in the Countywide policies for low-and moderate-income housing as a percentage of projected net household growth. The Countywide plan targets for Kirkland include 17% of growth in new households affordable to moderate-income households and 24% of growth in new households affordable to low-income households.[20] However, the plan notes that "these targets have proven to be a challenge to meet. . . [w]hile market conditions and existing plans have been fairly successful in providing rental housing for moderate-income households, low-income households have not been well served by either rental or homeownership markets."[21]

The Comprehensive Plan and the Development Regulations offer no concrete remedies to meet the needs of all low- and moderate-income households of its current residents and offers no strategies that appear to add housing to make room for the projected new low- and moderate-income residents. Because the proposed development reduces housing for low- and moderate-income households and reduces the homeownership opportunities for these groups, and the Comprehensive Plan and the Development Regulations do not provide a plan to meet the needs of Kirkland's low- and moderate income residents, the proposed development is inconsistent with the City's stated goals, further illustrating why the development's adverse housing impacts are significant for purposes of the SEPA analysis and warrants a full environmental review instead of a DNS.

In addition to providing housing to meet the needs of its low- and moderate-income households, as a part of its Housing Element, Kirkland enacted policy H-2.5 to ensure that affordable housing opportunities are not concentrated, but rather are dispersed throughout the City.[22] The policy recognizes that the bulk Kirkland's affordable housing is located in multi-family developments, thereby limiting housing choice of Kirkland's low- and moderate-income families. The policy calls for housing affordable to low- and moderate-income households to be dispersed throughout the community and integrated into neighborhoods.[23] Firwood Lane is situated in a low-density residential neighborhood, many of the homeowners have resided in the community for over a decade and have raised their families there. The homes are for all intents and purposes the equivalent of single family residences. The

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[20] See City of Kirkland Comprehensive Plan, VII-4
[21] See City of Kirkland Comprehensive Plan, VII-5
[22] See City of Kirkland Comprehensive Plan, VII-5
[23] See City of Kirkland Comprehensive Plan, VII-5

residents are well-integrated into the community and they enjoy living in a single family home as opposed to an apartment or other multi-family building. Approving the proposed development will further limit housing choice of Kirkland's low- and moderate-income households and will further limit these populations to multi-family developments, if they are able to remain in the City at all, and the Comprehensive Plan and Development Regulations make no provisions as to how Kirkland will meet its affordable housing goals, these are other reasons the Homeowners believe that the proposed development will likely result in significant adverse impacts and warrants a full environmental review instead of a DNS.

Fair Housing

The Fair Housing Act[24] prohibits discrimination on the basis of race, color, national origin, religion, sex, familial status or handicap in the provision of housing. And, as a recipient of Community Development Block Grant funds, Kirkland is required to affirmatively further fair housing.[25] A lack of affordable housing can be an impediment to fair housing.[26] As discussed above, the proposed development of Firwood Lane Mobile Home Park will displace the residents of 31 manufactured homes, reduce housing available to low- and moderate-income families, and will essentially eliminate the opportunity for low-income families to achieve home ownership within the City of Kirkland. The proposed development will disproportionately impact members of protected classes on the basis of race, color, and national origin because compared with the City of Kirkland in general, the residents of Firwood Lane are disproportionately persons of color.[27]

Because the City of Kirkland already has a significant shortage of affordable housing, most of the Firwood Lane homeowners are unlikely to locate affordable housing within the City of Kirkland and will be forced to relocate not only outside of the City of Kirkland, but also to historically disadvantaged areas and lower opportunity areas. Neither the development proposal, nor the City of Kirkland in its Development Regulations or Comprehensive Plan provide for any alternate affordable housing within the City limits to prevent displacement of these residents from the City. The proposed development will reduce the amount of housing affordable to low- and moderate-income households, thereby likely creating or worsening an impediment to fair housing, and appears to be inconsistent with the goals of affirmatively furthering fair housing.

Because the proposed development requires closure of Firwood Lane Mobile Home Park and displacement of all of the Firwood Lane Homeowners, we believe the proposed development would likely result in significant adverse environmental impacts (housing), and because the City of Kirkland has made no concrete plans on how to address the loss of affordable housing (neither Kirkland's development regulations nor Comprehensive Plan address the issue) and reductions in the diversity of its residents, a Determination of Non-significance is not

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[24] See 42 USC §3601

[25] See City of Kirkland City Council Resolution R-5071, see also 42 USC §3608, see also, Affirmatively Furthering Fair Housing; Final Rule, 80 Fed. Reg. 136, 42272 (July 15, 2015) (to be codified at 24 CFR pt. 5, 91, 92).

[26] See Fair Housing Equity Assessment for the Central Puget Sound Region, Section II, p. 51, April 20, 2015; see also Washington State Analysis of Impediments to Fair Housing Choice, p. 50, 2015

[27] As discussed above, in footnote 1, more than 50% of Firwood Lane's resident are persons of color, significantly more that the population of the City of Kirkland as a whole.

appropriate in this case. The Firwood Lane Homeowners respectfully request that Kirkland find that the environmental impacts associated with this application are significant and likely to occur.

Thank you for taking the time to review these comments. I look forward to your response. My email address is allysono@nwjustice.org and my mailing address is at the top of this letter.

Kind regards,

Allyson O'Malley-Jones
Attorney

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Tony Leavitt
Planning and Community Development
City of Kirkland
123 Fifth Avenue
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October 20, 2015

Re: Firwood Land LID Subdivision, Case #SUB15 – 1332

Dear Mr. Leavitt:

Our firm represents Firwood Land LP, the applicant in the above-referenced application. I am writing with regard to the SEPA comment letter dated September 11, 2015, submitted by the Northwest Justice Project ("NJP"). In their letter, NJP requests that the City's anticipated determination of nonsignificance be changed to a determination of significance and a full EIS be performed due to "lack of mitigating measures regarding the loss of affordable housing should this development proceed."

As you may know, the Washington State Legislature enacted the Mobile Home Relocation Assistance Act, RCW 59.21, as amended, in 1990 (the "Act"). That Act required mobile home park owners to contribute money toward relocation costs when a mobile home park was closed. The Washington State Supreme Court held the Act unconstitutional in Guimont v. Clarke, 121 Wn. 2d 586, 854 P.2d 1 (1993), because the State was placing the burden of solving housing problems on the shoulders of mobile home park owners:

> Likewise, in this case, the costs of relocating mobile home owners, like the related and more general problems of maintaining an adequate supply of low income housing, are more properly the burden of society as a whole than of individual property owners. While the closing of a mobile home park is the immediate cause of the need for relocation assistance, it is the general unavailability of low income housing and the low income status of many of the mobile home owners that is the more fundamental reason why the relocation assistance is necessary.

Guimont, 121 Wn. 2d at 611. This issue is very much reflected in NJP's letter: that the impacts of closing the Firwood Lane Mobile Home Park are, at their core, the result of an inadequate supply of low income housing in the region and across the State. Therefore, requiring a full EIS and mitigation from the mobile home park owner, Firwood Land LP, would impose an unconstitutional burden on the individual owner for a broader societal harm.

Following the Guimont case, the State Legislature amended the Act, requiring state-funded relocation assistance. RCW 59.21.021. The revised Act is the State's policy determination of what is necessary and appropriate to address this state-wide issue. As such, it would be unconstitutional for the City of Kirkland to unilaterally impose an additional burden on Firwood Land LP to solve the broader issue of an inadequate low income housing supply.

Please do not hesitate to contact me if you have any questions or would like to discuss the matter further. Thank you.

Sincerely,

Vicki E. Orrico

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1675-001 Letter to Leavitt re NJP Comment 10-20-15