



# City of Kenmore, Washington

## Development Services

October 16, 2017

City of Kenmore – Community Development Department  
Attn: Debbie Bent  
18120 68<sup>th</sup> Ave NE  
Kenmore, WA 98028

**RE: First Review Complete; Corrections Required  
St. Edward State Park Ballfield Renovation, VAR17-0120, SEPA17-0121 (PRJ17-0120)**

Ms. Bent,

The City of Kenmore Development Services Department (“the department”) has completed the first review of the St. Edward State Park Ballfield Renovation project; VAR17-0120 & SEPA17-0121. The project is collectively known as Project # PRJ17-0120. The application was received online via mybuildingpermit.com on 7/28/17 and was determined complete (in terms of KMC 19.25.040) on 8/11/17.

Below is a summary of the department’s first review of the project. Reviews with a status of “corrections required,” require a response from the applicant. Approved reviews do not require a response.

Department Review Type	Department Reviewer	Status
Planning	Paul Weller, Consultant – PACE Engineers, Inc. <sup>1</sup>	Corrections Required
Engineering	Zack Richardson, Civil Engineer	Corrections Required
Northshore Fire Department	Jeff LaFlam, Fire Marshal	Approved
Northshore Utility District	Thema Crenshaw, Senior Engineering Specialist	Approved

Please review the attached memos and marked-up plans, prepared by the department’s reviewers. A complete correction response must be submitted within 90 days of this letter online via mybuildingpermit.com. You must respond to all corrections – partial submittals will not be

<sup>1</sup> Paul Weller, PE, AICP, works as a consultant with the City of Kenmore Development Services Department. Paul reviews a variety of projects with varying complexities. His review of the subject City-project helps ensure transparency and objectivity. In addition, his work at PACE Engineers as a Planning Manager lends an appreciated level of expertise to reviews such as this. A supplemental review for consistency with policy, procedure and code interpretation was completed by Samantha Loyuk, City Planner and Bryan Hampson, Development Services Director and SEPA Official.

accepted. All corrections shall be clearly identified on the plans and in the response letter. For questions related to these submittal requirements please contact me via e-mail or telephone. Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Tela Whiteman', with a stylized flourish at the end.

Tela Whiteman, Permit Specialist  
Development Services  
[twhiteman@kenmorewa.gov](mailto:twhiteman@kenmorewa.gov)

cc: File

Attachments



To: Debbie Bent, Community Development Director, City of Kenmore

RE: 1<sup>st</sup> Review Complete: Corrections Required  
St. Edward State Park Ballfield Renovation – VAR17-0120 & SEPA17-0121

**Date of Report:** October 12, 2017  
**Permit Number:** VAR17-0120 & SEPA17-0121  
**Project Name:** St. Edward State Park Ballfield Renovation  
**Project Location:** 1445 Juanita Drive NE (Parcel # 232604-9001)  
**Reviewer:** Paul Weller, PE, AICP, Consultant – PACE Engineers, Inc.  
**E-mail Address:** [paulw@paceengrs.com](mailto:paulw@paceengrs.com)  
**Department:** Development Services – Planning/Land Use

**Regulatory Responsibilities of Department:**

Development Services is responsible for reviewing the project for compliance with the Kenmore Comprehensive Plan, Zoning Code (KMC Title 18), Shoreline Environment Code (KMC Title 16), Land Use Policies and Procedures (KMC Title 19) and other applicable planning and environmental regulations such as the State Environmental Policy Act (SEPA).

**PACE's Role:**

Paul Weller, PE, AICP, works as a consultant with the City of Kenmore Development Services Department. Paul reviews a variety of projects with varying complexities. His review of the subject City-project helps ensure transparency and objectivity. In addition, his work at PACE Engineers as a Planning Manager lends an appreciated level of expertise to reviews such as this. A supplemental review for consistency with policy, procedure and code interpretation was completed by Samantha Loyuk, City Planner and Bryan Hampson, Development Services Director and SEPA Official.

**Project Description:**

The City of Kenmore (“City”) is proposing to renovate an existing grass ballfield at Saint Edward State Park. The field is located in the northeast portion of the park and is approximately 3.5 acres in size (less than 1% of the overall park acreage). The existing ballfield has been used for more than 80 years. Renovations include new synthetic turf, bleachers, backstops, dugouts, a perimeter walking path, field lighting, a maintenance shed, landscaping, wetland and buffer enhancement measures, drainage improvements, and parking improvements. The proposed ballfield renovation is designed to accommodate two little league fields, or one full-sized soccer field or one full-sized cricket field.

A Class 2 wetland is located east and south of the ballfield. The applicant’s environmental consultant (Environmental Sciences Associates or “ESA”) delineated the wetland as part of an updated environmental study. Paul Anderson, a wetland specialist with Department of Ecology (“DOE”), provided technical assistance and met ESA on site (March 2017 & May 2017). In a letter dated May 11, 2017, DOE concluded that they concurred with ESA’s delineation of the wetland.

The standard buffer for a Class 2 wetland is 100 feet (KMC 18.55.320.F). Much of the existing ballfield is located within the 100-foot buffer. As such, the proposed ballfield improvements are also located within the wetland buffer. The Kenmore Municipal Code (“KMC”) allows a maximum buffer reduction of 25 percent (%). Reductions beyond 25% require a critical area variance. The existing ballfield, and proposed renovations, are within 10 feet of the wetland, effectively reducing the wetland buffer by 90%. As such, a 25-foot reduction (25%) is insufficient; the project requires a critical area variance. Approximately 42,717 square feet (0.98 acre) of wetland buffer area is expected to be impacted. Compensatory mitigation totals 55,000 square feet (1.26 acres). Of that, 30,000 square feet of the wetland will be enhanced, and 25,000 square feet of the wetland buffer (east) will be enhanced. ESA notes that, “The proposed project has been designed to avoid and minimize impacts to wetlands and streams to the extent feasible; no wetland or stream impacts are proposed. However, the project will result in permanent unavoidable impacts to a wetland buffer area.” (ESA, July 2017). The project also includes cultural landscape mitigation measures at the Nun’s Garden, The Orchard and The Grotto. The City in partnership with State Parks, plans to restore areas along the Lake Washington shoreline to enhance public access; shoreline restoration is not a requirement of the ballfields project and will be permitted separately.

A Memorandum of Understanding was executed between the City and State Parks to prepare a long-term lease whereby the City would improve the ballfields and manage and maintain them. In conjunction with the Critical Area Variance application, the City is pursuing a long-term (approximately 20 year) lease of the ballfields (collectively, the Variance and the lease are referred to as “the Project”). Implementation of the Variance is dependent on approval of the lease by State Parks.

#### **Executive Summary:**

Approval is **withheld** until the comments below are adequately addressed.

***To be noted, per KMC 18.55.170, Variances, section G, the burden of proof shall be on the applicant to bring forth evidence in support of the application and upon which any decision has to be made on the application.***

#### **Review Comments:**

The City’s Comprehensive Plan Objective 15.1 is to, “Protect wetlands from encroachment and degradation, and encourage wetland restoration.” Revise the Critical Areas Report to include analysis of how the project achieves this objective.

1. The City’s Comprehensive Plan Policy LU-15.1.10 is to, “Approve wetland mitigation proposals if they would result in improved overall wetland functions within a drainage basin. All wetland functions should be considered. Ensure mitigation site replace or augment the functions that would be lost as a result of the project proposal. Further, mitigation sites should be located strategically to alleviate habitat fragmentation.” Revise the Critical Areas Report to include analysis of how the project complies with this policy.
2. The City’s Comprehensive Plan Objective 15.2 is to, “Protect streams from encroachment and degradation, and encourage stream restoration.” Revise the Critical Areas Report to include analysis of how the project achieves this objective.

3. According to the KMC 18.55.010 (4-5), the project must protect streams and wetlands from encroachment and degradation and encourage stream restoration. As mentioned in the Critical Areas Report (ESA, July 2017), the water quality within the wetland and adjacent stream will be maintained, as synthetic turf infill will be an inert, non-toxic material. Crumb infill (i.e ground rubber from truck and automobile tires) will not be used. No chemicals will be used to clean the synthetic turf, only water. However, the engineering department determined that stormwater treatment must be provided prior to entering the wetland (Zack Richardson, 2017).

Revise the proposal, including all applicable plans and reports, to reflect stormwater treatment provided prior to entering the wetland. In addition, if the term “non-toxic” is continued to be used, define the term in terms of environmental implications (is non-toxic the same as safe? What are the standards, and who sets them, for determining the acceptable levels of toxicities in terms of fish, wildlife, people, etc.?)

4. The KMC 18.55.010 (D) states that “The regulations of this chapter are intended to protect critical areas in accordance with the GMA and through the application of best available science.” Revise the Critical Areas Report to include a section dedicated to Best Available Science, as defined in KMC 18.20.272.
5. According to KMC 18.55.010 (F), the City’s enactment and enforcement of the Critical Areas Ordinance shall not be construed for the benefit of any individual person or group of persons other than the general public. Public comments received from citizens identify the primary beneficiary of the project as the North Lake Little League (NLLL). Revise the Critical Areas Report to address this code requirement. At a minimum, include the answers to the following question, as part of your response:
  - What organizations, other than NLLL, are expected to use the ballfields?
  - What cricket group(s) are expected to use the ballfields?
  - Page 8, section 5.3.2.1 of the Critical Areas Report, states that the ballfield currently experiences frequent recreational use. Quantify the frequency of the existing use.
6. The City recognizes that a lease agreement with State Parks for improvement and use of the ballfield would provide an improved athletic field for community use while retaining it in its historic location. The City of Kenmore’s Parks, Recreation, and Open Space (PROS) Plan identifies providing and developing more land for active recreation activities, as an “Opportunity” (Section 4, page 5). This approach is supported by the Plan’s Policy P-5.1.3 which states that the City should “consider providing new facilities and facility upgrades to existing park lands to support new or existing recreation opportunities where appropriate” and Policy P.6.4.1 which states, “Develop and execute joint facility use and maintenance agreements when appropriate with...State of Washington...and others to maximize public use of existing public and or similar facilities.”

The PROS Plan also identifies providing and developing more land for active recreation activities, as an “Opportunity” (Section 4, page 5). It goes on to say that, a big challenge for Kenmore is land sufficient in size to accommodate a variety of active recreational pursuits, including athletic fields. Objective P-4.1 states that the City should, “Identify and prioritize underdeveloped properties for

consideration of public acquisition for active recreation including athletic fields.” (Section 4, page 9). Revise the Ballfield Supply and Demand Analysis to address and/or include the following:

- Include a methodology and sources section.
  - Include a date (page 1).
  - Include the author’s name, title, and signature.
  - The report notes that the NLLL and Northshore Youth Soccer Association (NYSA) are the “largest youth recreation sports leagues serving Kenmore” (page 1). Quantify this statement and provide the source.
  - The report limits Kenmore youth sports leagues to soccer and baseball use. Since the ballfield accommodates cricket as well, it is assumed that there is a high demand for cricket fields. Update the report to provide more information as to why research is limited to soccer and baseball.
  - The City received public comments from citizens identifying nearby parks as underutilized. Review the comments and revise the study to include a response to such claims.
  - Address potential underdeveloped properties for consideration of public acquisition.
7. Per, 18.55.030 (D), any individual critical area adjoined by another type of critical area shall have the buffer and meet the requirements that provide the most protection to the critical areas involved. Revise the plans to include a clear, distinct depiction of existing environmentally critical areas, buffers (standard and proposed/reduced), square footage information for each of these areas, temporary fencing, permanent fencing and signage, conceptual mitigation plan, etc. Creation of such a site plan is typically prepared by the applicant’s environmental scientist (ESA). Plans provided shall be full-size (24”x36”), high quality/resolution and dedicated to critical areas.
8. Per 18.55.090 (D)(3), areas subject to regulation include distances equal to or less than one-half mile (2,640 feet) from a bald eagle nest. The SEPA checklist indicates that bald eagles are documented to nest along the west slopes of the park (WDFW, 2016) and other birds of prey (specifically owls) are known to occur with the park. The west slopes of the park are close to or less than the one-half mile (2,640 feet) from the subject project.
- Although the bald eagle was removed from the Endangered Species Act list effective August 8, 2007 (USFWS, 2007), bald eagles are still protected under other state and federal laws as well as the City of Kenmore Fish and Wildlife Habitats of Importance regulations. In the Critical Areas Report, it is states, “... while bald eagle habitat is identified within the St. Edward St. Park, the mapped habitat does not include the ballfield.” Revise the Critical Areas Report and site plan to more thoroughly address bald eagles. Consider referencing the Seminary EIS, if applicable. If a nest is within the quarter mile than a habitat management plan will be required.
9. According to 18.55.190 a Critical Areas Report must be prepared by a Qualified Professional. It is unclear in the Critical Areas Report that it has been prepared by a Qualified Professional, although it is known that ESA is a reputable firm. A qualified professional as defined in the KMC, means a person with experience and training in the pertinent scientific discipline, and who is a qualified

scientific expert with expertise appropriate for the relevant critical area subject in accordance with WAC 365-195-905(4). A qualified professional must have obtained a B.S. or B.A. or equivalent degree in biology, engineering, environmental studies, fisheries, geology, geomorphology or a related field, and have two years of related work experience. Also, a qualified professional for habitats or wetlands must have a degree in biology and professional experience related to the subject species. Respectfully, revise the Critical Areas Report to include report is prepared by a Qualified Professional.

10. The Critical Areas Report section 11.1, Mitigation Sequencing, provides insufficient information. Address KMC 18.55.210.
11. Per KMC 18.55.280, Public development proposals shall be relieved from having to comply with the bonding requirements of this section if public funds have previously been committed for mitigation, maintenance, monitoring, or restoration. Please verify that funds have been committed for mitigation, maintenance, monitoring, or restoration.
12. As part of the mitigation plan, provide the photo points and access points for the purpose of monitoring.
13. According to KMC 18.55.300, Class 2 wetlands are those wetlands that are not Class 1 wetlands and meet the criteria for Class 2. In the Critical Areas Report, insufficient information is provided to clearly show that the wetland is not class 1. While it is assumed that a Class 2 designation is appropriate, the applicant is required to demonstrate compliance with rating criteria by addressing the Class 1 criteria.
14. Per KMC 18.55.320 (A), activities may only be permitted in a wetland or wetland buffer if the applicant can show that the proposed activity will not degrade the functions and values of the wetland and other critical areas and no other feasible site design exists that results in less encroachment or impact to the wetland or wetland buffer. The applicant does not do a sufficient job at showing that no other feasible site design exists that results in less encroachment or impact to the wetland or wetland buffer. Revise the Critical Areas Report to thoroughly address this code requirement.
15. It is understood that requesting a variance is the avenue that the applicant is seeking to reduce the buffer further. Consider revising the Critical Areas Report to address the decisional criteria for a buffer reduction. Addressing both the variance decisional criteria and the criteria described in KMC 18.55.320 (F)(4)(c) helps speak to the intent of the code, will provide a better rounded submittal, and helps to show sufficient due diligence is provided.

According to KMC 18.55.320 (D). In Class 2 Wetlands, activities may be permitted, if the City Manager<sup>1</sup> determines, based upon review of special studies completed by qualified professionals, that the activity meets avoidance and minimization requirements outlined in KMC 18.55.210 and will not:

1. Adversely affect water quality;

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<sup>1</sup> KMC 18.20.468 defines "City Manager" as, "the City of Kenmore city manager or his or her designee(s)." Consistent with the procedures of the department, his designee is Development Services Department.

2. Adversely affect fish, wildlife, or their habitat;
3. Have an adverse effect on drainage and/or stormwater detention capabilities;
4. Lead to unstable earth conditions or create an erosion hazard or contribute to scouring actions;
5. Be materially detrimental to any other property or the City as a whole; or
6. Have adverse effects on any other critical areas.

KMC 18.55.320 (F)(4)(c) says, "Prior to approval of a reduced buffer, a critical areas application shall meet all of the decisional criteria listed below. A reduced buffer will be approved in a degraded wetland buffer only if: (1) It will provide an overall improvement in water quality; (2) It will provide an overall enhancement to fish, wildlife, or their habitat; (3) It will provide a net improvement in drainage and/or stormwater detention capabilities; (4) It will not lead to unstable earth conditions or create an erosion hazard; (5) It will not be materially detrimental to any other property or the City as a whole; and (6) All exposed areas are stabilized with native vegetation, as appropriate."

16. It is assumed that the wetland and buffer are degraded<sup>2</sup>. Revise the Critical Areas Report to include verification of current conditions.
17. Per KMC 18.55.320 (F)(b), standard buffer widths for degraded wetland buffers may be reduced through a combination of buffer enhancement and Low Impact Development ("LID") strategies. Please demonstrate that through enhancing the buffer and use of LID strategies the reduced buffer will function at a higher level than the standard buffer. Currently, LID strategies are not discussed in the Critical Areas Report. If LID strategies are provided in the storm water report, than reference the report in the Critical Areas Report.
18. Revise the Critical Areas Report to address the preference of mitigation actions (sequencing) described in KMC 18.55.330 (D).
19. Revise the Critical Areas Report to address the type and location requirements described in KMC 18.55.330 (E); see also KMC 18.20.2945.
20. Revise the Critical Areas Report to include mitigation timing. KMC 18.55.330 (F) states that mitigation shall be completed immediately following disturbance and prior to use or occupancy of the activity or development. Construction of mitigation projects shall be timed to reduce impacts to existing wildlife and flora.
21. Revise the Critical Areas Report to address the following typo: Page 1, section 1.0 paragraph 2 reads, "but the City did move forward with the project at that time." Should read, "but the City did *not* move forward with the project at that time."

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<sup>2</sup> KMC 18.20.665 defines a "degraded wetland buffer" as, a buffer area which cannot adequately protect its adjacent wetland due to one or more of the following existing conditions: A) Lack of vegetative cover or presence of bare soils (resulting from disturbance, fill, debris, or trash); B) Significant cover (over 50 percent) in *nonnative vegetation*; C) Significant cover (over 50 percent) in invasive species or *noxious weeds*; or D) Presence of existing nonconforming *structures* or improvements."

22. On page 6 of the Critical Areas Report, regarding the ditch or swale on the western side of the ballfield, the report states that the ditch is an “artificial feature constructed at some time in the past to facilitate drainage of the ballfield.” Please provide an estimated date of construction of this ditch. A good resource for investigation could be through GIS.
23. Provide clear (higher quality) maps in the Critical Areas Report. Many of the maps provided appear to be photocopied then scanned, black and white images.
24. Include the variance justification as part of the Critical Areas Report.
25. In the Critical Areas Report, provide a map (revise figure 4?) showing the various sections of the stream that originates near the southeast corner of the ballfield. Also show on the map the location of the steep gradients sections, the location of the ditch/stream on the west side of the ballfields, the transitions of stream classifications, the wetlands, the buffers, the barrier in the stream, etc.
26. The Critical Areas Report contains several assertions from other authorities (WDFW, Shannon and Wilson report) regarding the streams classifications. Clearly provide a conclusion or summary of the classifications for each segment of the streams to avoid any confusion.
27. It is acknowledged that the wetland itself is being enhanced however, the critical areas ordinance speaks to the intent of the buffer, which is protection of the critical area. Considering that the ballfield will likely experience an increase in use following development, describe how the reduced buffer provides adequate protection of the wetland. Per KMC 18.55.330 (C), all mitigation sites shall have buffers consistent with the buffer requirements in that code section, unless determined through a variance that a different buffer would provide adequate protection to the critical area. Provide sufficient justification of the proposed quantities of wetland buffer enhancement that will reflect adequate protection to the critical area.
28. The City acknowledges that an existing trail, not formalized on the trail map, from Bastyr University to the ballfields, goes through the future buffer restoration area. Continued and possibly increased use of the footpath is assumed. As part of the Critical Areas Report and Mitigation Plan, address the footpath.
29. According to 18.55.200 (B) mitigation shall be in-kind and shall be sufficient to maintain the functions and values of the critical area. It is understood that 55,000 square feet of enhancement/mitigation (buffer enhancement of 25,000 square feet, and wetland enhancement of 30,000 square feet) is proposed, however, a primary purpose of the wetland buffer is to protect the wetland. Now that the wetland buffer is being reduced by 90%, show how the purpose of the wetland buffer will be achieved through mitigation.
30. Critical area signage and/or fencing is not shown on the plans. Revise the Critical Areas Report and plans to include permanent and temporary fencing and signage information required by KMC 18.55.140.
31. It is unclear how the wetland buffer will be mitigated; provide a mitigation plan. The plan shall identify the following quantities (provide a supplemental table noted on the plan sheet):

- Existing wetland and wetland buffer encroachments (where, and how many square feet, does the existing ballfield encroach into both areas);
  - Permanent wetland buffer proposed to be removed (“filled”) and replaced;
  - Permanent wetland proposed to be removed and replaced.
  - Temporary wetland impacts.
32. KMC 18.55.300 (C)(2) states that the buffer widths shall reflect the sensitivity of the wetland and the risks associated with the development. Due to the buffer widths being largely reduced, revise the Critical Areas Report address how buffer widths reflect the sensitivity of the wetland and the risks associated with the development.
33. Although replacement ratios stated in KMC 18.55.330 (G) are inapplicable to variance applications, consider providing an assessment of how meeting performance standards may be possible. If possible, consider increasing the area buffer enhancement area. If such measures provide little to no net benefit, explain such through an ecological lens.

### Geotechnical

34. Per KMC 18.55.630, a Critical Areas Report is required for all proposed alterations<sup>3</sup> of properties that are located within 200 feet of any geologically hazardous area. Provide justification as to why no geotechnical report is provided due to striping and asphalt proposed in the parking lot area under this project being within the 200 feet erosion hazard.

### SEPA

35. Review the comments provided by State Parks. Some of their comments are echoed in this letter, however, each of their comments should be addressed individually. State Parks prefers that the changes be made directly on the SEPA Checklist. If a specific report addresses their comment, update the SEPA Checklist to include a reference to the report (title, date, page number) and how the reference is relevant. Avoid general remarks like, “See Critical Areas Report.”
36. If the intent is to adopt and/or incorporate the Seminary Environmental Impact State (EIS) into the SEPA Checklist, the applicant should revise the Checklist so that *each* environmental aspect of the Checklist correlates to the EIS, as appropriate. Per State Parks direction, generally referring to the EIS is insufficient; see WAC 197-11-635 also. Each reference should be intentional and relevant to the subject matter.
37. In their comments, State Parks repeatedly identifies the existing ballfield as “build on fill over the headwaters of a stream which flows to the south.” Revise the SEPA checklist and Critical Areas Report to address the area as headwaters of a stream. Explain the transformation of the headwaters of a stream to wetland, wetland buffer, existing and proposed conditions.

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<sup>3</sup> KMC 18.20.145 defines “alterations” as “any human-induced change in an existing condition of a critical area or its buffer. Alterations include, but are not limited to, grading, filling, channelizing, dredging, clearing (*vegetation*), construction, compaction, excavation or any other activity that changes the character of the critical area.”

38. Provide additional information related to the proposed shoreline restoration project. It is unclear if shoreline restoration is part of the subject project (i.e. mitigation?). If the plans are conceptual, or less than conceptual, that should be noted. A separate SEPA review will be required for the shoreline restoration. Consider removing it entirely, if it doesn't apply to this project.
39. Based on feedback from State Parks (2017), the project description should be expanded to better represent the cultural landscape of the entire park. The applicant should represent the full extent of the property and should avoid referring to the project as 3.5 acres; referring to it as such minimizes the project and potentially discounts the possibility of farther reaching impacts (State Parks, 2017). To that point, provide a list of all mitigation measures included as part of the project.
40. Revise the SEPA Checklist to include a summary of Best Management Practices (BMPs) and Low Impact Development (LID) strategies.
41. In the Turf Information report it indicates that "A shock pad may or may not be necessary based upon the turf specified (typically a combination of sand and rubber). Then later it states because of the recent concerns regarding crumb rubber and its effects, the proposed infill will be rounded silica sand with shock pad to assure a safe G-Max level. Although it is understood that water quality treatment will be a part of this project in the next submittal, provide evidence that entry of any quantity of the silica sand into the wetland will not cause damage. What would be the effect of rounded silica sand? Has this been proven to be a safe alternative? How will entry of the rounded silica sand into the wetland affect the water quality?"

## ARBORIST REPORT

Keeping in mind that, "When any provision of any other chapter of the Kenmore Municipal Code conflicts with this chapter [KMC 18.57] or when the provisions of this chapter are in conflict, that provision which provides more protection for individual *trees* and *groves* of *trees* shall apply unless specifically provided otherwise in this chapter or unless such provision conflicts with federal or State laws or regulations (KMC 18.57.030 (D)).

42. Revise the arborist report to address the following:
  - State Parks has concerns regarding tree and risk management. Address State Parks' comments regarding the existing health and number of existing trees. Have the arborist visit the site and revise the report. Identify what measures are existing maintenance concerns, and what proposed measures and/or impacts are related to the project. Contact David Cass, State Parks Forester for additional feedback related to existing conditions in the park.
  - Page 3 references an attached specification for pneumatic excavation however, an attachment was not received. Provide the specification as an attachment to the report.
  - Have the arborist review and revise the plan set (Perteet, 2017) to include plans specific to tree preservation and protection. While the references in the arborist report are useful, additional protection specifications are needed. In addition, the fencing shown on the plan set (Perteet, 2017) appear slightly different than those provided in arborist report. Make consistent across plans and reports.

43. The arborist report (Tree Solutions, 2016) notes the following:

In the 60% Plans we noted that there are plans for hydro-seeding strips of lawn adjacent to all paths around trees 501 to 520. Grass requires significant irrigation otherwise it will die back. Because the trees have adapted to not having any additional source of water the addition of irrigation will cause further disturbance to the trees. In addition the trees have already suffered damage to their surface roots from previous mowing activities around the edge of the grove. Consider applying wood chip mulch to the edge of the paths instead of strips of lawn. Wood chip mulch will be much easier to maintain in the long run as it will not require regular mowing.

Revise the plans so that the strips of grass near trees 501 – 520 are not hydroseeded, but instead, provide wood chip mulch as described by the arborist.

#### 44. Variance Justification

Revise the application to more thoroughly address critical area variance decisional criteria described in KMC 18.55.170 (C) (1-6):

**KMC 18.55.170 (C) (1):** “There are special circumstances applicable to the subject property or to the intended *use* such as shape, topography, location or surroundings that do not apply generally to other properties and which support the granting of a *variance* from the buffer width requirements; and”

- Describe how the ballfield is moved “as far to the west as possible.”
- The response notes, “...the ballfield must generally be kept in its current location.” Describe any feasible alternatives, even if minor, for the ballfield location. Then explore whether or not the alternatives would benefit the wetland and/or buffer.
- Provide a brief synopsis of the Cultural Landscape Inventory (CLI) to highlight its importance and applicability to the project.
- In addition, expand the discussion to demonstrate how the project will maintain the integrity of the cultural landscape. Other improvements, such as the swimming pool constructed in the early 1970s, were later deemed “incompatible” and “non-contributing.” Is the proposed ballfield project destined to the same fate? Why or why not? What efforts are made to ensure compatibility with the cultural landscape?

**KMC 18.55.170 (C) (2):** “Such *variance* is necessary for the preservation and enjoyment of a substantial property right or use possessed by other similarly situated property but which because of special circumstances is denied to the property in question; and”

- Identify the “substantial property right or use.”
- Identify all “special circumstances.”
- Describe how the right or use is possessed by other similarly situated properties; provide specific examples.

**KMC 18.55.170 (C) (3):** “The granting of such buffer width *variance* will not be materially detrimental to the public welfare or injurious to the property or improvement; and”

- Address “public welfare” in terms of the enormous quantity of public comments received during the Notice of Application (NOA) and SEPA comment periods. What is the public telling us about the expected outcome as it relates to their welfare.
- Similarly, address claims (received during public comment periods) that the project would be “materially detrimental” to the property. Provide an analysis, starting with what *is* considered materially detrimental, and then explore how the project is or isn’t.

**KMC 18.55.170 (C) (4):** “The granting of the buffer width *variance* will not significantly impact the subject *critical area*; and”

- The response notes, “the wetland will not be directly impacted...” Although the ballfield site may not be directly located on the wetland, the runoff from the ballfield will drain into the wetland/critical area having a direct impact. Revise this to clearly represent the impacts.
- Describe how the proposed buffer reduction (*variance*) benefits the wetland as compared to 1) leaving it as-is, and 2) observing the standard buffer (without mitigation).
- Provide a comparison of the current ballfield and the proposed ballfield; be specific and provide the total area (in square feet) of the encroachment into the wetland and wetland buffer, and the proposed. For example:

Existing		Proposed	
Wetland impact/encroachment	_____ Square Feet	Wetland impact/encroachment	_____ Square Feet
Buffer impact/encroachment	_____ Square Feet	Buffer impact/encroachment	_____ Square Feet
		Wetland enhancement	_____ Square Feet
		Buffer enhancement	_____ Square Feet

**KMC 18.55.170 (C) (5):** “The decision to grant the *variance* includes the *best available science* and gives special consideration to conservation or protection measures necessary to preserve or enhance *anadromous fish habitat*; and”

- The response notes, “A review of the best available science indicated that the ability of a buffer to provide these functions is directly related to its condition.” Describe the “review of best available science.” How was this achieved?
- Per KMC 18.20.272, Best Available Science means, “means current scientific information derived from a valid scientific process, including that used in the process to designate, protect, or restore *critical areas* as defined by WAC 365-195-900 through 365-195-925.” Discuss compliance with best available science.

- Describe (list) the “special consideration to conservation and protection measures necessary to preserve or enhance anadromous fish habitat.”

**KMC 18.55.170 (C) (6):** “The granting of the *variance* is consistent with the general purpose and intent of the *City’s* comprehensive plan and adopted development regulations”

- Include in your response a discussion of consistency with adopted development regulations in terms of the Kenmore Municipal Code.

#### **45. General comments on the plan set.**

- The “Conceptual Plan” is useful in terms of depicting the general landscape but aren’t consistent with the other plans.
- Provide a survey of existing conditions, showing all critical areas, topographic lines, standard buffers, and proposed buffers.
- Provide a conceptual mitigation plan (“buffer enhancement plan”).
- Provide a lighting plan. The plan provided (Musco Lighting, 2016) appears to be more of a specification drawing (used for installation). To clearly depict the extent of the rays, provide a lighting plan prepared by a licensed engineer in the state of Washington. The plan provided includes different colored lines (contours, field outlines, etc.) but doesn’t identify or differentiate these lines in a table. What are their purpose? A typical lighting plan draws lines around fields of varying ray intensities (to clearly depict the extent of the light). Revise the plan accordingly. Consider contacting IntoLight for examples, if needed.
- Add the “Hours of Light” spreadsheet to the lighting plan.
- The title on the plan set states, “St. Edward State Park Sports Field” however it is more commonly referred to as the “St. Edward State Park BallField.” Revise the title accordingly.
- Provide the Site Preparation Plans on one sheet.
- In the construction notes on the Site Preparation Plan sheets, note number 4 calls to remove existing tree. It does not appear that any tree is called out to be removed. Either a note is missing on the plan or this note should be removed. Please clarify.
- Move the Parking Exhibit sheet (PE1) after the Paving and Illumination Plan. It seems out of place at the end.

#### **46. Paving and Illumination Plan Sheet PV1 –**

- The trees close to the paving should be reviewed by the project arborist. Having the arborist review the plan to verify proper depiction of protection measures.
- It is unclear how the plan is an illumination plan. No lighting is shown or depicted on the plans. Please clarify and/or retitle the sheet.

#### **47. Plans from Bruce Dee and Associates (C1.1-C2.3, L1.1)**

- Low quality image. Difficult to zoom and determine the details on the sheets. Provide better quality images.
- Why is there no Landscape Architect stamp on the Landscape plan? It is unclear who (Qualified Professional) prepared the plan.
- The “site layout and materials plan” and the “Site Preparation Plan” have some redundancies and could be combined or rearranged. Usually the Site Layout plan goes at the beginning of the plan set.

**48. Public Comments**

Provide a written response to public comments received during the NOA and SEPA comment period.

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The City reserves the right to require additional corrections and/or provide additional comments based on new information, changes in the plans, other agency or reviewer comments or public comments.

**Reviewer Signature and Date:** Paul Weller 10/12/2017



# City of Kenmore, Washington

## Development Review Comments

**Date of Report:** October 3, 2017  
**Permit Number:** VAR17-0120 / SEPA17-0121 (PRJ17-0120)  
**Project Name:** St Edward Ball Field  
**Project Location:** 14445 Juanita Dr. NE  
**Reviewer:** Zack Richardson – Civil Engineer  
**E-mail Address:** zrichardson@kenmorewa.gov  
**Department:** Engineering / Public Works

**Regulatory Responsibilities of Department:** Review plans in accordance with Kenmore Municipal Code (KMC) 12.50, 13.35, & 18.40 which adopt, with amendments, the 2009 King County Surface Water Design Manual (KCSWDM) & 2016 City of Kenmore Road Standards (COKRS).

**Project Description:** Project proposes to renovate and existing ballfield located within St. Edward State Park; proposal utilizes an artificial turf field with silica sand filler and an underdrain system.

**Executive Summary:** Additional information and revisions are needed before the project can be approved. We recommend that VAR17-0120 be withheld until the comments below are adequately addressed.

### Documents Required with Re-submittal:

- a. Revised civil plans
- b. Revise preliminary TIR

### Review Comments:

1. The submitted drainage report (TIR) was reviewed for compliance with KMC 13.35 and 11 review comments were provided directly on the PDF of the report.
  - a. It is the reviewers' opinion that the artificial turf field is defined within KCSWDM as pollution generating impervious surface and, therefore, the project will be required to provide water quality mitigation which is not currently reflected on the plans.
2. The submitted preliminary civil plans were reviewed for compliance with KMC 13.35 & KMC 12.50 and 11 review comments were provided directly on the PDF of the plans.
3. The submitted preliminary traffic and parking studies were reviewed for compliance with KMC 18.40, KMC 12.50, KMC 12.80 and found the Fehr & Peers study was adequate and consistent with industry practices. The project appears to meet anticipated parking demands with the addition of the proposed 19 stalls.

- a. The Sound Engineering study was also reviewed but found to be insufficient in assessing *project impacts*. The report states that 28 days exceeded the Fehr & Peers parking count over a 2-year period; although flawed as noted below, this would still only mean the parking lot is more than 88% full, less than 4% of the time. These number do not suggest a parking lot in need of significant additional stalls, especially when weighed against the additional impacts and impervious surfaces that would be generated by excessive and unneeded parking.
  - i. The report's only correlation between traffic data measured and parking conclusions reached was the Fehr & Peers supplied count; it was questionable in that it never actually performed a parking utilization study. The report even states that "*it can be assumed that there is a margin of error*" in this correlation.
  - ii. The report lumped all days interpreted to exceed 88% of the parking supply as "over or near capacity"; not including 12% of the parking supply as usable parking stalls is questionable.
  - iii. The report fails to identify the existing ballfield use, effectively doubling the parking requirements of the proposed changes being proposed.
  - iv. The report failed to identify many of the parking exceedance days as "special events". Figure 6 identifies a few of the special events, but many of the unidentified days appear to line up with "free state parks days" or special meetings being hosted by State Parks. Designing parking to fit special event uses is a questionable approach which is not consistent with City codes.
  - v. Both reports failed to identify the extent of the impacts of the special events occurring on the day of the parking count; a bike race and wedding were occurring on the parking count day and likely represent higher than typical parking demand for that. Designing parking to fit special event uses is a questionable approach which is not consistent with City codes.

Reviewer Signature: \_\_\_\_\_





## KING COUNTY FIRE PROTECTION DISTRICT NO.16

7220 NE 181<sup>st</sup> Street  
KENMORE, WA 98028

BUSINESS: 425-354-1780    FAX: 425-354-1781

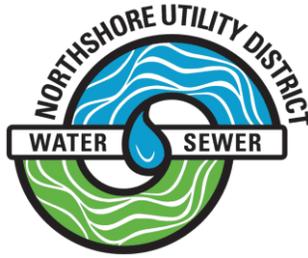
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To: Bryan Hampson, Development Services Director  
From: Jeff LaFlam, Fire Marshal  
Date: September 21, 2017  
Re: St. Edwards Ball Field Renovations, VAR17-0120

### **Review Comments:**

The following are the comments/conditions from my review of the plans and documents for the proposed renovations to the ballfields at St. Edward's State Park, 14445 Juanita Dr. NE:

**There are no fire department conditions for this project.**



# Northshore Utility District

## Memo

**To:** Bryan Hampson, City of Kenmore  
**From:** Thema Crenshaw  
**CC:** 1454  
**Date:** September 26, 2017  
**Re:** St. Edward State Park Ball Field Renovations VAR17-0120, SEPA17-0120  
(PRJ17-0120)

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The District has reviewed the information provided for the Saint Edward Ballfield project. The District does not have any water or sewer facilities on the site of the ballfield and therefore, does not have any requirements or conditions associated with the proposed work.

**Thema Crenshaw**  
**Sr. Engineering Specialist**  
**425.398.4401**  
[tcrenshaw@nud.net](mailto:tcrenshaw@nud.net)