

ORDINANCE O-4473

AN ORDINANCE OF THE CITY OF KIRKLAND AMENDING ORDINANCE NO. 4175 AND RELATING TO LAND USE AND PLANNING; ESTABLISHING A PLANNED ACTION FOR THE PARKPLACE SITE IN THE MOSS BAY NEIGHBORHOOD GENERALLY LOCATED EAST OF PETER KIRK PARK, SOUTH OF CENTRAL WAY/NE 85TH STREET, WEST OF 6TH STREET, AND NORTH OF KIRKLAND WAY PURSUANT TO THE STATE ENVIRONMENTAL POLICY ACT, RCW 43.21C.031.

1 WHEREAS, the State Environmental Policy Act ("SEPA", RCW
2 43.21C) and implementing rules (WAC 197-11) provide for the
3 integration of environmental review with land use planning and project
4 review through designation of "Planned Actions" by jurisdictions
5 planning under the Growth Management Act ("GMA"); and
6

7 WHEREAS, designation of a Planned Action expedites the
8 permitting process for subsequent, implementing projects whose
9 impacts have been previously addressed in a Planned Action
10 environmental impact statement ("EIS"), and thereby encourages
11 desired growth and economic development; and
12

13 WHEREAS, the Planned Action EIS and EIS addendum identify
14 impacts and mitigation measures associated with planned development
15 in the Planned Action Area;
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17 NOW, THEREFORE, the City Council of the City of Kirkland do
18 ordain as follows:
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20 Section 1. Purpose. The purpose of this Ordinance is to:
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22 A. Combine environmental analysis with land use planning;
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24 B. Streamline and expedite the development permit review
25 process by relying on the environmental impact statement ("EIS")
26 Supplemental EIS and EIS Addendum completed for the Planned Action;
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28 C. Establish criteria and procedures, consistent with state law,
29 that will determine whether subsequent projects qualify as Planned
30 Actions;
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32 D. Provide the public with an understanding of Planned Actions
33 and how the City will process Planned Actions; and
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35 E. Apply the City's development regulations together with the
36 mitigation measures described in the EIS, supplemental EIS, EIS

37 Addendum and this Ordinance to address the impacts of future
38 development contemplated by the Planned Action.

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40 Section 2. Findings. The City Council finds as follows:

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42 A. The City is subject to the requirements of the Growth
43 Management Act ("GMA"), RCW 36.70A, and is located within an Urban
44 Growth Area;

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46 B. The City has adopted a Comprehensive Plan complying with
47 the GMA;

48

49 C. The City is adopting development regulations applicable to
50 the proposed development concurrent with adoption of this Planned
51 Action Ordinance to address many of the impacts of future
52 development;

53

54 D. The City has prepared an EIS, a Supplemental EIS and an
55 EIS Addendum complying with the State Environmental Policy Act
56 ("SEPA") for the area designated as a Planned Action (~~"Planned Action~~
57 ~~EIS")~~ and finds that these documents ~~it~~ adequately addresses the
58 probable significant environmental impacts associated with the type and
59 amount of development planned to occur in the designated Planned
60 Action ~~a~~Area;

61

62 E. The mitigation measures identified in the Planned Action EIS
63 Addendum are attached to this Ordinance as Exhibit B. These mitigation
64 measures, together with City development regulations, will adequately
65 mitigate significant impacts from development within the Planned Action
66 Aarea;

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68 F. The ~~Planned Action~~ EIS Addendum and this Ordinance
69 identify the location, type and amount of development that is
70 contemplated by the Planned Action;

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72 G. Future projects that are consistent with the Planned Action
73 will protect the environment, benefit the public and enhance economic
74 development;

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76 H. The City has provided numerous opportunities for meaningful
77 public involvement in the proposed Planned Action; has considered all
78 comments received; and, as appropriate, has modified the proposal or
79 mitigation measures in response to comments;

80

81 I. The proposal is not an essential public facility as defined by
82 RCW 36.70A.200(1);

83 J. The Planned Action ~~a~~Area applies to a defined area that is
 84 smaller than the overall City boundaries; and
 85

86 K. Public services and facilities are adequate to serve the
 87 proposed Planned Action with the mitigation measures identified in
 88 Exhibit B.
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90 Section 3. Procedures and criteria for evaluating and
 91 determining projects as Planned Actions:
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93 A. Planned Action Area. The Planned Action designation
 94 shall apply to the ~~two~~ areas in the Moss Bay Neighborhood ~~as are~~
 95 specifically shown in Exhibit A, "Planned Action Area": the 11.5 acres of
 96 property at 457 Central Way known as the Parkplace Mall and generally
 97 located east of Peter Kirk Park (~~Area A on Exhibit A~~), ~~and the parcel at~~
 98 ~~220 6th Street and the parcel at 603 and 611 4th Avenue to the north on~~
 99 ~~0.9 acres of land (Area C on Exhibit A).~~ Additionally, the Planned Action
 100 designation shall apply to any off-site improvements necessitated by
 101 proposed development on the subject sites, where the off-site
 102 improvements have been analyzed in the Planned Action EIS,
 103 Supplemental EIS and EIS Addendum.
 104

105 B. Environmental Documents.

106 (i) Depending on the specific context, this
 107 Ordinance may refer to the 2008 Draft and
 108 Final Planned Action EISs, the 2010 Planned
 109 Action Supplemental EIS, or the 2015 EIS
 110 Addendum for the Downtown (Parkplace)
 111 Planned Action. Together, these documents
 112 comprise the Planned Action EIS for purposes
 113 of environmental review.

114 (ii) A Planned Action determination for a site-
 115 specific permit application shall be based on
 116 the environmental analysis contained in the
 117 Draft Planned Action EIS issued by the City on
 118 April 4, 2008, ~~and the Final Planned Action EIS~~
 119 published on October 16, 2008, the Final
 120 Planned Action Supplemental EIS published on
 121 August 16, 2010, and the EIS Addendum
 122 published on January xx, 2015, which
 123 addressed proposed revisions to Parkplace.

124 (iii) The mitigation measures contained in Exhibit
 125 B, which is attached hereto and adopted by
 126 reference as though fully set forth herein, are
 127 based upon the findings of the 2008 Draft and
 128 Final EISs, the Supplemental EIS and the EIS
 129 Addendum and shall, along with existing City
 130 codes, ordinances, and standards, provide the

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framework that the City will use to impose appropriate conditions on qualifying Planned Action projects. ~~The Draft and Final EISs shall comprise the Planned Action EIS.~~

C. Planned Action Designated. Land uses described in the Planned Action EIS Addendum, subject to the thresholds described in Subsection D of this Section and the mitigation measures contained in Exhibit B, are designated Planned Actions pursuant to RCW 43.21C.031. A development application for a site-specific Planned Action project located within the Planned Action Area shall be designated a Planned Action if it meets the criteria set forth in Subsection D of this Section and applicable laws, codes, development regulations and standards of the City.

D. Planned Action Thresholds. The following thresholds shall be used to determine if a site-specific development proposed within the Planned Action ~~a~~Area is contemplated by the Planned Action and has had its environmental impacts evaluated in the Planned Action environmental documentsEIS. Thresholds and required mitigation measures are based on the 2014 Revised Proposal evaluated in the Parkplace Planned Action EIS Addendum~~FEIS Review Alternative contained in the Planned Action Final EIS:~~

(1) *Land Uses.* Subject to the mitigation measures described in Exhibit B, the following land uses, together with the customary accessory uses and amenities described in the Planned Action EIS Addendum, are Planned Actions pursuant to RCW 43.21C. 031.

(a) The following uses are the primary uses analyzed in the Parkplace Planned Action EIS Addendum~~for Area A:~~

- (i) Office; and
- (ii) Retail and Other Commercial, including a ~~hotel,~~ restaurants, supermarket, ~~mixed retail,~~ athletic/health club and theater; and
- (iii) Residential.

~~(b) The following uses are the primary uses analyzed in the Planned Action EIS for Area C:~~

- ~~(i) Office; and~~
- ~~(ii) Residential.~~

(2) *Land Use Review Threshold.*

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(a) The Planned Action designation applies to future development proposals that are comparable or within the ranges established by ~~Planned Action FEIS Review Alternative~~ the EIS Addendum, as shown below:

Land Use	Area A (Parkplace)	Area C (Altom)
Office	650,000 1,200,000 -sq. ft.	101,234 -sq.-ft.
Residential	300 units (300,000 sq.ft.) <u>Not</u> <u>Analyzed</u>	20 -dwelling units
Retail/Commercial ¹	225,000 592,700 -sq. ft. ³²	Not Analyzed
Total	1,175,000 1,792,700 -sq. ft.	101,234 -sq.-ft. 20 -dwelling units

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1. All uses listed in the "Retail and Other Commercial" category in Subsection D(1)(a) are included in the ~~225,000~~ 592,700-sq. ft. total.

2. ~~If residential uses are included, the amount of permitted office use square footage would be reduced proportionately to meet zoning standards.~~

3. ~~2. The Retail/Commercial development (including accessory uses and restaurants) must be equal to at least 25 percent of the amount of office space. Therefore, it must include a minimum of 162,500~~ 300,000 square feet of retail development (up to 20 percent of the total retail square footage may consist of theater space), ~~or at least 25% of the office square footage must be retail.~~

(b) If future development proposals in the Planned Action Area exceed the maximum development parameters reviewed in the Planned Action EIS Addendum, further environmental review may be required under SEPA, as provided in WAC 197-11-172. If proposed plans significantly change the location of development or uses in a manner that would alter the environmental determinations in the Planned Action EIS and EIS Addendum, additional SEPA review would also be required. Shifting development ~~proposals~~ between categories of land uses may be permitted so long as the resulting development does not exceed the trip

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generation thresholds (see sub-section 4(a) below) reviewed in the Planned Action EIS Addendum and does not exceed the proportions or minimums noted in sub-section 2(a) above.

(3) *Building Heights, Bulk, and Scale.* Building heights, bulk, and scale shall not exceed the maximums reviewed in the Planned Action EIS and EIS Addendum.

(4) *Transportation.*

(a) *Trips Ranges:* The ~~range of~~ maximum number of trips reviewed in the Planned Action EIS Addendum ~~are is~~ as follows:

Trip Generation – Net New Trips Reviewed in Planned Action EIS Addendum

Time		Area-A (Parkplace) Range—Net New Trips	Area-C (Altom) Range—Net New Trips
PM	Peak	3,531 <u>1,680</u>	174
Hour			

(b) *Trip Threshold.* Development proposals that would exceed the maximum trips levels— shown above will require additional SEPA review.

(c) *Public Works Discretion.* The City Public Works Director shall have discretion to determine incremental and total trip generation, consistent with the Institute of Traffic Engineers (ITE) Trip Generation Manual (latest edition) or an alternative manual accepted at the City Public Works Director's sole discretion, for each Planned Action Project permit application proposed under this Planned Action. It is understood that development of the Planned Action may occur in parts and over a period of years. The City shall require that off-site mitigation and transportation improvements identified in the Planned Action EIS be implemented in conjunction with development to maintain adopted levels of service standards.

(d) *Transportation improvements.*

(i) *Intersection Improvements.* The Planned Action will require off-site transportation

249 improvements identified in Exhibit B to mitigate
 250 significant impacts. These transportation
 251 improvements have been analyzed in the Planned
 252 Action EIS, Supplemental EIS and EIS Addendum.
 253 The need for, extent and/or design of some potential
 254 improvements, such as turn lanes, however, will
 255 depend on decisions regarding the project master
 256 plan and access to the site, which will be made
 257 subsequently by the Design Review Board and the
 258 Public Works Department as part of the project
 259 review process.

260 ~~The City Public Works Director shall have the~~
 261 ~~discretion to adjust the allocation of responsibility for~~
 262 ~~required improvements as between individual~~
 263 ~~planned action projects based on their identified~~
 264 ~~impacts.~~

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 266 (ii) Significant changes to the City's
 267 transportation improvement plan proposed as part of
 268 any Planned Action Project that have the potential to
 269 significantly increase impacts to air quality, water
 270 quality, fisheries resources, noise levels or other
 271 factors beyond the levels analyzed in the Planned
 272 Action EIS may require additional SEPA review.

273
 274 (iii) Transportation Management Program. The
 275 owners or operators of development projects within
 276 Parkplace Areas A and C shall prepare and implement
 277 a Transportation Management Programs ("TMP") as
 278 a means to encourage alternatives to single-occupant
 279 vehicles, including transit, and to thereby reduce
 280 traffic generation and parking demand. ~~The TMP for~~
 281 ~~Area A shall include the TMP elements identified in~~
 282 ~~the transportation mitigation measures in the~~
 283 ~~Planned Action EIS, attached as Exhibit C to this~~
 284 ~~ordinance. The City Public Works Director shall have~~
 285 ~~the discretion to modify the individual elements of a~~
 286 ~~TMP as a means to accomplish its objectives and to~~
 287 ~~enhance its effectiveness. The goal of the TMP shall~~
 288 be that no more than 77 percent of the project trips
 289 shall be by single-occupant vehicles. A detailed TMP
 290 shall be submitted prior to building permit issuance.

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 292 (iviii) Parking Management. Parking to support
 293 development ~~within Areas A and C~~ shall be provided
 294 as required by the Kirkland Zoning Code Chapter 105.
 295 Consistent with the incentive provision of Section
 296 105.103.3c of the Zoning Code, Aa developer may

297 choose to reduce the number of parking spaces
 298 based on a demand and utilization study prepared by
 299 a licensed transportation engineer. The City's
 300 Transportation Engineering Manager must approve
 301 the scope and methodology of the study as well as
 302 the effectiveness of the TMP and parking
 303 management measures.

304
 305 (e) Transportation Impact Fees. All Planned Action
 306 Projects shall pay, as a condition of approval, the
 307 applicable transportation impacts fees according to the
 308 methodology contained in the ordinance adopting such
 309 impact fees. The City may adjust such fees from time to
 310 time.

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 312 (f) Capital Facilities. Improvements to water and
 313 sewer facilities are identified in Exhibit B. ~~The City Public~~
 314 ~~Works Director shall have the discretion to determine and~~
 315 ~~allocate responsibility for required improvements as~~
 316 ~~between individual Planned Action projects.~~

317
 318 (5) *Changed Conditions.* Should environmental
 319 conditions or assumptions change significantly from those
 320 analyzed in the Planned Action EIS, the City's SEPA Responsible
 321 Official may determine that the Planned Action designation is no
 322 longer applicable until supplemental environmental review is
 323 conducted.

324
 325 (6) *Additional Mitigation Fees.* The City may adopt and
 326 apply such other fees as may be deemed necessary and
 327 appropriate to mitigate impacts to other capital facilities in the
 328 City and to accommodate planned growth. Such fees, if
 329 adopted, shall be in addition to the fee required in item (4)(e) of
 330 this subsection, and shall apply only to required improvements
 331 that are not addressed in this subsection.

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 333 E. Planned Action Review Criteria.

334
 335 (1) The City's Planning and Community Development
 336 Director or designee is authorized to designate a project
 337 application that meets all of the following conditions as a
 338 Planned Action pursuant to ~~RCW 43.21C.031(2)(a)~~ 43.21C.440,
 339 WAC 197-11-164, 197-11-168 and 197-11-172.:

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 341 (a) The project is located within the Planned Action
 342 Area identified in Exhibit A, pursuant to Section 3(A) of
 343 this ~~Ordinance~~ or is an off-site improvement directly

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related to a proposed development within the Planned Action Area;

(b) The project is consistent with the City of Kirkland Comprehensive Plan and the Comprehensive Plan policies for the Moss Bay Neighborhood Plan and Downtown Plan area;

(c) The project's significant adverse environmental impacts have been adequately addressed in the Planned Action EIS, Supplemental EIS and EIS Addendum;

(d) The proposed uses are consistent with those described in the Planned Action EIS Addendum and Section 3(D) of this Ordinance;

(e) The project is within the Planned Action thresholds of Section 3(D) and other criteria of this section of this Ordinance;

(f) The project's significant impacts have been mitigated by application of the measures identified in Exhibit B, as well as other City, county, state and federal requirements and conditions, including compliance with any conditions agreed to pursuant to a development agreement between the City and applicant if executed, which together constitute sufficient mitigation for the significant environmental impacts associated with the proposed project;

(g) The proposed project complies with all applicable local, state and/or federal laws and regulations, and where appropriate, the proposed project complies with needed variances or modifications or other special permits which have been identified; and

(h) The proposed project is not an essential public facility.

F. Effect of Planned Action.

(1) Upon designation by the City's Planning and Community Development Director that the project qualifies as a Planned Action pursuant to this Ordinance and WAC 197-11-172, the project shall not require a SEPA threshold determination, preparation of an EIS, or be subject to further review under SEPA.

391 (2) Being designated as a Planned Action means that a
392 proposed project has been reviewed in accordance with this
393 Ordinance and found to be consistent with the development
394 parameters and environmental analysis contained in the Planned
395 Action EIS Supplemental EIS and EIS Addendum.
396

397 (3) Planned Actions that meet all criteria established in
398 this Ordinance will not be subject to further procedural review
399 under SEPA. However, projects will be subject to conditions as
400 outlined in this document and the attached Exhibit B which are
401 designed to mitigate any environmental impacts which may
402 result from the project proposal. Additionally, projects will be
403 subject to applicable City, state, and federal regulatory
404 requirements. The Planned Action designation shall not excuse
405 a project from meeting the City's code and ordinance
406 requirements apart from the SEPA process.
407

408 G. Planned Action Permit Process. The City's Planning and
409 Community Development Director or designee shall review
410 projects and determine whether they meet the criteria as
411 Planned Actions under applicable state, federal, local laws,
412 regulations, codes and ordinances. The procedures shall consist,
413 at a minimum of the following:
414

415 (1) Development applications shall meet the applicable
416 requirements of the Kirkland Municipal Code ("KMC") and
417 Kirkland Zoning Code ("KZC"). Applications shall be made on
418 forms provided by the City and shall include a SEPA checklist,
419 revised SEPA checklist or such other environmental review forms
420 provided by the City;
421

422 (2) The City's Planning and Community Development
423 Director shall determine whether the application is complete;
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425 (3) If the application is for a project within the Planned
426 Action Area, shown on Exhibit A, the application will be reviewed
427 to determine if it is consistent with and meets all of the
428 qualifications of Section 3 of this Ordinance;
429

430 (4) After the City receives and reviews a complete
431 application, the City's Planning and Community Development
432 Director shall determine whether the project qualifies as a
433 Planned Action. If the project does qualify, the Director shall
434 notify the applicant and the project shall proceed in accordance
435 with the applicable permit review procedure, except that no
436 SEPA threshold determination, EIS, or additional SEPA review
437 shall be required. The decision of the Director regarding
438 qualification as a Planned Action shall be final;

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(5) Public notice and review for projects that qualify as Planned Actions shall be tied to and shall follow the procedural requirements of the underlying development permit, and shall also satisfy any not to SEPA notice requirements in the SEPA rules or statute specific to planned actions. ~~If notice is otherwise required for the underlying permit, the notice shall state that the project has qualified as a Planned Action. If notice is not otherwise required for the underlying permit, no special notice is required by this ordinance;~~

(6) If a project is determined not to qualify as a Planned Action, the City's Planning and Community Development Director shall so notify the applicant and the SEPA Responsible Official shall prescribe a SEPA review procedure consistent with the City's SEPA regulations and the requirements of state law. The notice shall describe the elements of the application that result in failure to qualify as a Planned Action. If deemed ineligible, the application may be amended to qualify; and

(7) Projects that fail to qualify as Planned Actions may incorporate or otherwise use relevant elements of the Planned Action EIS, as well as other relevant SEPA documents, to assist in meeting SEPA requirements. The SEPA Responsible Official may limit the scope of SEPA review for the non-qualifying project to those issues and environmental impacts not previously addressed in the Planned Action EIS.

H. Development Agreements. The City or an applicant may request consideration and execution of a development agreement for a Planned Action project. The development agreement may address the following: review procedures applicable to a planned action project; permitted uses; mitigation measures; construction, financing and implementation of improvements, including methods of financing and proportionate shares, and latecomers agreements; payment of impact fees; phasing; and any other topic that may properly be considered in a development agreement consistent with RCW 36.70B.170 et seq.

I. Monitoring and Review.

A. The City shall monitor the progress of development in the designated Planned Action area to ensure that it is consistent with the assumptions of this Ordinance and the Planned Action EIS, Supplemental EIS and EIS Addendum regarding the type and amount of development and associated impacts, and with the mitigation measures and improvements planned for the Planned Action area.

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B. This Planned Action Ordinance shall be reviewed by the SEPA Responsible Official as part of the City's ongoing Comprehensive Plan update procedure to determine its continuing validity with respect to the environmental conditions of the Planned Action Area, the impacts of development, and the adequacy of required mitigation measures. Based upon this review, this Ordinance may be amended as needed, the City may supplement or revise the Planned Action EIS, and/or another review period may be specified. Subsequent reviews of the Planned Action Ordinance shall occur as part of the City's Comprehensive Plan amendment process.

Section 4. Conflict. In the event of a conflict between this Ordinance or any mitigation measures imposed pursuant thereto and any ordinance or regulation of the City, the provisions of this Ordinance shall control, except that the provisions of the state building code shall supersede this Ordinance. In the event of a conflict between this Ordinance (or any mitigation measures imposed pursuant thereto) and any development agreement between the City and a Planned Action applicant(s), the provisions of the development agreement shall control.

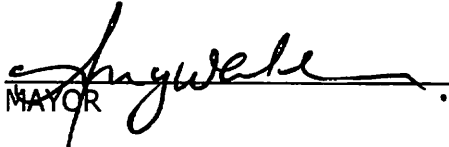
Section 5. Severability. Should any section, subsection, paragraph, sentence, clause or phrase of this Ordinance or its application be declared unconstitutional or invalid or unconstitutional for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or its application to any other person or situation.

Section 6. Sunset. The provisions of this Ordinance shall be of no force and effect on and after March 1, 2025, unless the Ordinance is extended by the City Council following a report from the SEPA Responsible Official and a public hearing.

Section 7. This Ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication pursuant to Section 1.08.017, Kirkland Municipal Code in the summary form attached to the original of this Ordinance and by this reference approved by the City Council.

Passed by majority vote of the Kirkland City Council in open meeting this 17th day of February, 2015.

Signed in authentication thereof this 17th day of February, 2015.


MAYOR

Attest:

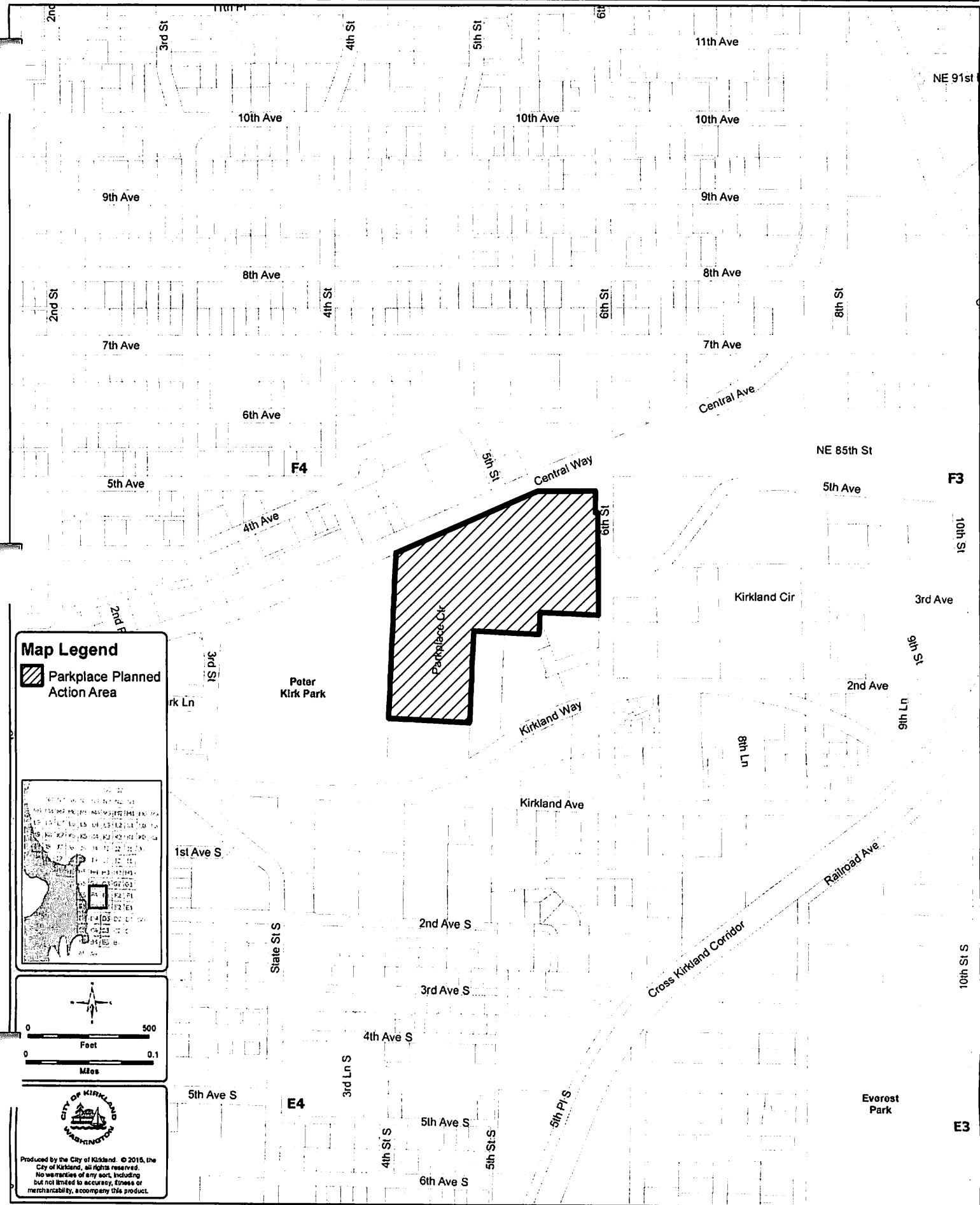
Kath Anderson
City Clerk

Publication Date: February 23, 2015

Approved as to Form:

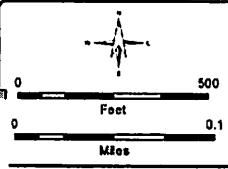
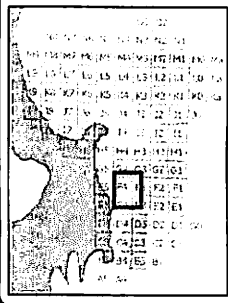
Chris Johnson
City Attorney

Vicinity Map



Map Legend

 Parkplace Planned Action Area




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EXHIBIT B. PLANNED ACTION ORDINANCE MITIGATION MEASURES

Exhibit B lists required mitigation measures to be applied to Planned Actions within the Planned Action Area defined in Exhibit A.

Capacity Improvements to Address Transportation Impacts

Planned Action Applicants shall implement required improvements associated with the proposal consistent with the following table.

ID	Location	Improvement	2014 Revised Proposal
			2022 TIA or Circulation Requirement
4	Central Way/West Parkplace Driveway	Install Signal and manage coordination with the intersection of Central Way/4 th Street.	X ⁽²⁾⁽³⁾
7	Parkplace Driveway/Kirkland Way	Improve the internal roadway to include a sidewalk or pathway on one or both sides.	X ⁽⁴⁾
105 110	Central Way/6 th Street 4 th Avenue/6 th Street	Construct dual westbound left turn lane. . Add second southbound receiving lane on 6 th Street between Central Way and 4 th Avenue, which would serve as a southbound right-turn lane into the site. Modify signal to provide westbound left/northbound right overlap phase.	X ⁽²⁾⁽³⁾
109	NE 85 th Street/114 th Avenue NE	Restripe eastbound right-turn lane to shared thru-right, and extend lane westward. Add second northbound right-turn lane.	X
128	Central Way/5 th Street	Install a traffic signal. North-south through movement between the site driveway and 5th Street should be prohibited to discourage cut-through traffic in the neighborhood north of the site.	X ⁽³⁾
129	Central Way/4 th Street	Extend two-way-left-turn lane by moving crosswalk to Parkplace Signal at the current site driveway.	X ⁽²⁾⁽³⁾

¹TIA = Traffic Impact Analysis; Conc = Concurrency

²With reduced trips generated by the 2014 Revised Proposal compared to the previous Proposed Action, and with mitigation at Central Way/5th Street, the Revised Proposal is not projected to exceed TIA mitigation thresholds at intersections #4 (Central Way/Parkplace Driveway), #105 (Central Way/6th Street), and #129 (Central Way/4th Street). However, the City may require mitigation at these locations to the extent warranted by site access and circulation conditions; further some are included in the Master Plan and Design Guidelines applicable to the property (#105). As part of project permitting, detailed site-level traffic analysis that reflects the effects of parking garage design, driveway design, other design elements such as signage and parking management measures, shall be required to determine the timing and extent to which the improvements would be needed to accommodate site access and circulation for vehicles and pedestrians. The required analysis may include capacity improvements or additional trip reduction measures. If nearer-term conditions do not warrant improvement at some or all of these locations, the City shall require that redevelopment on the site be designed to leave the space needed to accommodate the identified improvements in case they are warranted in the future.

³ Coordinate signals on streets adjacent to Parkplace site: Central Way between 3rd Street and 6th Street, and 6th Street between Central Way and Kirkland Way.

4 The improvement is identified to improve access and safety for pedestrians entering and exiting the site to and from the south.

Transportation and Parking Management Plan

Planned actions shall provide a Transportation and Parking Management Plan to reduce parking demand and manage the available supply; this could include but is not excluded to some or all of the following elements. The Transportation and Parking Management Plan shall be approved by the Public Works Director.

1. Implement a Transportation Management Plan (TMP) for office tenants and provide a transportation coordinator to manage and promote the TMP. The cumulative parking demand estimates for the office use assume that 23% of trips would occur by non-vehicular modes. To encourage use of these other modes, the following TMP measures are suggested.

- a. Provide transit pass subsidy to employees who commute by transit. The value of the subsidy would equal or exceed 50% of the cost of a two-zone King County Metro Transit pass or equivalent ORCA pass.
- b. Charge for daily parking. Employees of the offices should be charged a fee to park on site.
- c. Offer a part-time parking pass option. Employees who desire to use alternative modes of transportation (or telecommute) one or more days per week should be offered a parking pass that is only charged for the days parked. These types of passes work like a debit card, and the pass holder is only charged for parking on the days that they park.
- d. Provide ride-match information. The developer should encourage its tenants to provide information to employees about ride-match programs that are available through King County Metro and other transit agencies. These programs can help match an employee with potential carpool mates who live in close proximity.
- e. Provide free parking for vanpools. Vanpools registered with a public transit agency should be provided free on-site parking. At least six of the riders in each of vanpool must be employed at the site to qualify for free parking.
- f. Provide reserved parking spaces for vanpools. Parking in a preferred location within the garage should be reserved for registered vanpools.
- g. Provide shower and locker facilities. The complex should have at least one shower and locker facility (outside of the on-site health club) for commuters who walk or bike to work.
- h. Provide bike storage. Bicycle corrals should be provided within the garage for employees who commute by bike. These should be in an easily-accessible location, and have good lighting and security.
- i. Provide parking for a car-sharing program. The developer should provide up to five parking spaces for car-sharing program to support employees who commute by alternative modes of travel by providing vehicles that can be used for daytime errands or meetings.
- j. Offer guaranteed ride home to employees who commute by alternative modes. The developer should encourage employers to provide guaranteed rides home for commuters who use alternative forms of transportation but need to get home quickly in an emergency or after available transit service has stopped. The ride home can be by taxi, company-owned vehicle, or car-sharing vehicle. The number of rides available per month or year may be limited. This program reassures employees that they will have transportation during emergencies so they are more comfortable using transit or carpools.

k. Install electronic kiosks with travel information. The developer should install up to three electronic kiosks that provide up-to-date information about transportation services. This could include transit route maps and stop times, commuter congestion, parking rates, and information about alternative modes of travel.

l. Do not reserve individual spaces for office parking. No parking space in the garage may be reserved for an individual user. This allows all office parking to be shared by employees.

2. Monitor success of TMP. The on-site transportation coordinator should conduct biennial surveys of site tenants and employees regarding the modes of travel used and the success of various TMP programs. The first survey should be performed within one year of the first tenant's occupancy. Results are to be compiled and sent to the City of Kirkland. The survey questionnaire and reporting requirements must be approved by City of Kirkland staff before the first survey is taken.

3. Reserve areas of the garage for short-term parking by customers and visitors. Designate 640 parking spaces for short-term parking only. This parking would be for customers and visitors. The initial limit should be set to three hours, which is sufficient time for most daytime dining and entertainment users. The short-term parking restrictions could apply during just midday weekday hours when office users are on site.

4. Reserve parking for residents. Reserve up to 1.7 spaces per residential unit (estimated to be 510 spaces). Of these, a portion should be designated for residential visitors. The remaining spaces could be assigned to individual units, if desired.

5. Implement measures to discourage hide-and-ride, if needed. Measures may be needed to prevent outsiders from parking at the site (for example, commuters who use the near-by transit center). Such programs could include enforcement of short-term parking restrictions, permit parking for site employees, pay parking, and customer validation programs. These can be implemented by site management, when and if needed.

6. Monitor garage use. Monitor the allocation of the parking supply to various users during weekday hours. Adjust allocation or implement additional management measures, if needed.

7. Provide a Bike Share station. Bike sharing allows individuals to check out bicycles for short trips. Individuals purchase a membership or pass to check out bicycles, which are obtained from and returned to stations located throughout the program area.

8. Share office parking on weeknights and weekends. All parking in the garage, other than residential, shall be available for customers and the general public on weeknights and weekends.

Police

- Provision of on-site security services, which may include video surveillance systems, to the Planned Action Area in particular, shall be incorporated into the development to reduce the increased need for police response to that area. This reduction is largely dependent on the nature of the incident.
- Security-sensitive design of buildings and the landscaping environment, such as installing only moderate height and density border shrubs, shall be considered during design and/or development review to reduce certain types of crimes, such as auto and store-front breakins.

Fire

- The City may condition Planned Action proposals during development review to include a staffed medical aid station serving employees and customers, based on Proposal size, phasing, likely calls of service, or other parameters related to the potential demand for emergency medical services.

- Increased tax revenues from increased retail activity and increases in property values could address the additional costs to the Fire Department identified in the Addendum for the Revised Kirkland Parkplace Redevelopment Proposal (2014 Revised Proposal) January 2015.

Parks and Schools

- New development is subject to collection of park impact fees under Chapter 27.06 of the Kirkland Municipal Code.
- Chapter 27.08 of the Kirkland Municipal Code requires school impact fees on new development, collected by the City on behalf of Lake Washington School District.

Water

The applicant shall provide improvements consistent with the City's Water System Plan and Municipal Code as determined by the Public Works Director or designee.

Planned Actions shall provide improvements consistent with the 2008 Final EIS, or provide Proposed Action Alternative Modified Water Main Improvements consistent with the Addendum for the Revised Kirkland Parkplace Redevelopment Proposal (2014 Revised Proposal) January 2015, dependent on design.

- 2008 Final EIS Improvements: The improvements included an on-site 12-inch loop with connections at Central Way, 6th Street, and Kirkland Way. The improvements had the capacity to convey the 4,000 gpm fire flow requirement and the 2008 Proposal demands. The improvements for the 2008 Proposal were tested with the 2014 Revised Proposal and the proposed improvements also have the capacity to convey the 4,000 gpm fire flow requirement and the 2014 Proposed Action Alternative demands, which are lower than the 2008 Proposal.
 - 2014 Revised Proposal: The current conceptual plan for the Revised Proposal includes a parking garage near 6th Street where a water main connection was proposed. Therefore, the proposed improvements were analyzed without the connection to 6th Street to determine if the 4,000 gpm fire flow requirement and 2014 Revised Proposal demands could be met with connections at Central Way and Kirkland Way. The connection at Central Way would need to be 16-inch-diameter pipe and the 16-inch water main would need to be extended towards the parking garage if a hydrant is necessary on the west side of the parking garage and south to the connection in Kirkland Way. The water main connection in Kirkland Way may remain 12-inch-diameter pipe. In addition, fire hydrants will be necessary on 6th Street to properly service the buildings on the east side of the Kirkland Parkplace site. During the development review phase, fire flow analyses shall be performed for the actual fire hydrant locations to verify the proposed water main sizing.

Sewer

Downstream improvements shall include upsizing the existing 24-inch pipe at the intersection of Central Way and 3rd Street to 48-inch diameter pipe. This section of pipe installation would involve a crossing perpendicular to multiple lanes of Central Way, and may contain utility conflicts.

The Parkplace redevelopment would contribute to increased flow rates through the undersized pipe, but would not be the primary cause of the capacity issues. The City has identified the project in the Sewer Capital Improvement Plan as project SS 0082 000 and will replace the line in the future. The project will be subject to sewer capital facility charges which help fund system improvements such as the one listed above.

PUBLICATION SUMMARY
OF ORDINANCE O-4473

AN ORDINANCE OF THE CITY OF KIRKLAND AMENDING ORDINANCE O-4175 AND RELATING TO LAND USE AND PLANNING; ESTABLISHING A PLANNED ACTION FOR THE PARKPLACE SITE IN THE MOSS BAY NEIGHBORHOOD GENERALLY LOCATED EAST OF PETER KIRK PARK, SOUTH OF CENTRAL WAY/NE 85TH STREET, WEST OF 6TH STREET, AND NORTH OF KIRKLAND WAY PURSUANT TO THE STATE ENVIRONMENTAL POLICY ACT, RCW 43.21C.031.

SECTION 1. Explains purpose of the Planned Action.

SECTION 2. Sets forth City Council findings relative to the Planned Action.

SECTION 3. Outlines procedures and criteria for evaluating and determining projects as Planned Actions.

SECTION 4. Provides that the ordinance and mitigation measures imposed by the ordinance shall control in the event of a conflict with other ordinances and regulations of the City, except in the case of conflicting provisions of the state building code or any development agreement between the City and a Planned Action applicant.

SECTION 5. Provides a severability clause for the ordinance.

SECTION 6. Provides the ordinance shall expire on March 1, 2025, unless extended by the City Council following a report from the SEPA Responsible Official and a public hearing.

SECTION 7. Authorizes the publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code and establishes the effective date as five days after publication summary.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the 17th day of February, 2015.

I certify that the foregoing is a summary of Ordinance 4473 approved by the Kirkland City Council for summary publication.



City Clerk