

ORDINANCE O-4898

AN ORDINANCE OF THE CITY OF KIRKLAND EXTENDING THE TERM OF THE PLANNED ACTION ORDINANCE FOR PARKPLACE, APPROVED IN ORDINANCE NO. O-4473 AND AS AMENDED BY ORDINANCE NO. O-4897, AND EXTENDING THE TERM OF THE DEVELOPMENT AGREEMENT FOR PARKPLACE, APPROVED BY RESOLUTION R-5140.

1 WHEREAS, in February 2015, the City Council adopted a Planned Action Ordinance
2 (Ordinance O-4473) for the Parkplace Project that identified the physical parameters,
3 programming, and design of the development project, a project that is currently known as
4 Kirkland Urban; and
5

6 WHEREAS, the purpose of the Planned Action Ordinance was to evaluate the
7 environmental impacts of the Kirkland Urban Project on an area-wide basis early in the
8 planning stage, such that the environmental review of individual development projects within
9 the area could be streamlined; and
10

11 WHEREAS, the Planned Action Ordinance was effective for ten years and was set to
12 sunset on March 1, 2025, unless further extended following a public hearing; and
13

14 WHEREAS, in August 2015, following adoption of the Planned Action Ordinance, the
15 City Council, through Resolution R-5140, adopted a Development Agreement with KPP
16 Development LLC for the Kirkland Urban Project, which among other things specified the
17 development regulations to which the project would be subject; and
18

19 WHEREAS, the term of the Development Agreement was linked to the term of the
20 Planned Action Ordinance, such that it was also set to expire on March 1, 2025, unless the
21 Planned Action Ordinance was extended; and
22

23 WHEREAS, much of the Kirkland Urban Project has been developed in the past ten
24 years, but the last phase of the project (Kirkland Urban East) has not yet been completed; and
25

26 WHEREAS, on February 18, 2025, the City Council passed Ordinance O-4897 in order
27 to temporarily extend the expiration date of the Planned Action Ordinance to June 1, 2025,
28 in order to allow sufficient time to hold a public hearing prior to any longer-term extension; and
29

30 WHEREAS, on April 15, 2025, the City Council held a public hearing regarding the
31 proposed extension of the Planned Action Ordinance and the Development Agreement for the
32 Kirkland Urban Project; and
33

34 WHEREAS, the City Council has determined that it is in the City's best interest to
35 extend the Planned Action Ordinance and Development Agreement an additional five years to
36 allow the last phase of the project to be completed; and
37

38 WHEREAS, in order to provide this extension, the Sunset provision of the Planned
39 Action Ordinance is hereby amended and the Vesting and Term provisions of the Development
40 Agreement are hereby amended; and
41

42 WHEREAS, the Development Agreement binds the successors and assigns of the
43 original property owner but, for clarity, legal successors and assigns are also hereby explicitly
44 referenced in the revised Term section of the Development Agreement; and
45

46 WHEREAS, in the event that the developer desires additional time beyond five years,
47 the Planned Action Ordinance and the Development Agreement contemplate extensions for
48 additional terms if again authorized by the City Council after another public hearing.
49

50 NOW, THEREFORE, the City Council of the City of Kirkland do ordain as follows:
51

52 Section 1. In order to extend the Planned Action Ordinance, for Parkplace, now
53 known as Kirkland Urban, by five years, Section 6 of the Planned Action Ordinance, as adopted
54 in Ordinance O-4473 and as thereafter amended by Ordinance O-4473, is hereby amended to
55 read as follows, with new text shown in underline and deleted text shown in ~~strikethrough~~; the
56 remainder of Ordinance O-4733 is not modified:
57

58 Section 6. Sunset. The provisions of this Ordinance shall be of no force and
59 effect on and after June 1, ~~2025~~ 2030, unless the Ordinance is extended by the
60 City Council following a report from the SEPA Responsible Official and a public
61 hearing.
62

63 Section 2. In order to extend vesting for the Kirkland Urban project by five years,
64 Section 3.1 of the Development Agreement, initially adopted by Resolution R-5140, is hereby
65 amended to read as follows:
66

67 3.1 Vesting of Development Regulations.
68

69 The provisions of the Kirkland Municipal Code in effect on the day of this
70 Agreement, except as otherwise provided in this Agreement, shall apply to the
71 development of the Kirkland Parkplace Project until the sunset of Ordinance O-
72 4473, the Planned Action Ordinance for the Kirkland Parkplace, or ten years
73 from date of this Agreement, whichever comes ~~first~~ later.
74

75 Section 3. In order to extend the Development Agreement by five years, Section 6.10
76 of the Development Agreement, initially adopted by Resolution R-5140, is hereby amended to
77 read as follows:
78

79 6. 10 Term. The term of this Agreement shall be ~~ten (10) years through June~~
80 1, 2030. The City and KPP (and their legal successors and/or assigns) may
81 agree to extend the term of this Agreement, provided such extension is
82 approved by the City Council.
83

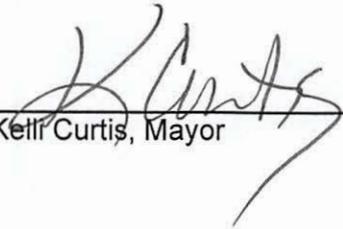
84 Section 4. The City Manager is directed to ensure the property owner and/or developer
85 records a copy of this Ordinance on the property to accurately reflect the extension of the
86 Development Agreement.
87

88 Section 5. If any provision of this ordinance or its application to any person or
89 circumstance is held invalid, the remainder of the ordinance or the application of the provision
90 to other persons or circumstances is not affected.
91

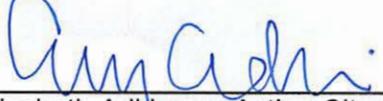
92 Section 6. This ordinance shall be in force and effect five days from and after its
93 passage by the Kirkland City Council and publication pursuant to Section 1.08.017, Kirkland
94 Municipal Code in the summary form attached to the original of this ordinance and by this
95 reference approved by the City Council.
96

97 Passed by majority vote of the Kirkland City Council in open meeting this 6th day of
98 May, 2025.
99

Signed in authentication thereof this 6th day of May, 2025.

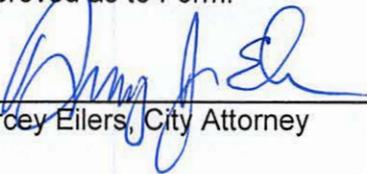

Kelli Curtis, Mayor

Attest:


Elizabeth Adkisson, Acting City Clerk

Publication Date: May 12, 2025

Approved as to Form:


Darcey Eilers, City Attorney

PUBLICATION SUMMARY
OF ORDINANCE NO. O-4898

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1 SECTION 1. Amends the Sunset provision of Ordinance O-4733.
2

3 SECTIONS 2 - 3. Amend the Development Agreement initially adopted by
4 Resolution R-5140.
5

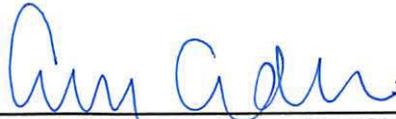
6 SECTION 4. Requires this Ordinance to be recorded on the property.
7

8 SECTION 5. Provides a severability clause for the ordinance.
9

10 SECTION 6. Authorizes publication of the ordinance by summary and establishes the
11 effective date as five days after publication of summary.
12

13 The full text of this Ordinance will be mailed without charge to any person upon request
14 made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City
15 Council at its meeting on the 6th day of May, 2025.
16

17 I certify that the foregoing is a summary of Ordinance O-4898 approved by the Kirkland
18 City Council for summary publication.



Elizabeth Adkisson, Acting City Clerk