

RESOLUTION NO. 2216

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE PRELIMINARY APPLICATION FOR A PLANNED UNIT DEVELOPMENT KNOWN AS THE LAKEVIEW HOUSE SUBJECT TO CERTAIN CONDITIONS, BEING DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. R-PUD-73-21(P).

BE IT RESOLVED by the City Council of the City of Kirkland as follows:

WHEREAS, pursuant to the regulations as required by the Kirkland Zoning Ordinance No. 2183, Greta A. Creswell, property owner, has submitted for approval a Preliminary Planned Unit Development of the Lakeview House Condominium and a Rezone Application of certain portions of land from RS-8.5 (single family) to RM-1800 (multi-family) and identified as File No. R-PUD-73-21(P) Department of Community Development, and

WHEREAS, pursuant to City of Kirkland Resolution No. 2181, dealing with environmental policy, and the State Environmental Policy Act, an Environmental Impact Statement has been completed, reviewed by the Responsible Official of the City of Kirkland and made available to both the Planning Commission and City Council in their review proceedings, and

WHEREAS, said property, the legal description which is: Lots 107, 108, 109, 110, 111, 112, 113 and 114; Burke and Farrar's Kirkland Addition to the City of Seattle, Division No. 16, and is generally located in the vicinity of the Northeast Quadrant of Interstate 405 and N.E. 70th Street, and

WHEREAS, the Kirkland Planning Commission, following public hearings on October 18, 1973 has recommended to the City Council approval of said Preliminary Planned Unit Development subject to certain conditions as set forth in the Findings, Conclusions and Recommendations of the Amended Addendum Administrative Report dated October 19, 1973, and

WHEREAS, The Rezone Application as applied for shall be handled on a "Resolution of Intent to Reclassify" basis and shall be so approved at such time and in the same Resolution granting approval of the Final Planned Unit Development application.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Kirkland, as follows:

Section 1. The report and recommendation of the Kirkland Planning Commission, as embodied in the Amended Addendum Administrative Report dated October 19, 1973, has been submitted to the City Council as required by Section 23.28.169(3) of the Kirkland

Zoning Ordinance No. 2183 including the Commission's Findings, Conclusions, and Recommendations as signed by the Chairman of the Kirkland Planning Commission, and are by this reference adopted by the City Council as though fully set forth herein.

Section 2. Preliminary approval of the proposed Lakeview House Condominium, being Department of Community Development File No. R-PUD-73-21(P), is hereby given, subject to the conditions of approval recommended by the Kirkland Planning Commission, all set forth in the reports and recommended to the City Council; provided, however, that a proposed plan for access to Everest Park shall be submitted to the Department of Community Development, which proposed plan shall be reviewed and approved by the Department of Public Services in conjunction with other affected departments and shall become a condition of final approval of the Final Planned Unit Development. Cost of improvements to Tenth Street South shall generally be born by the sponsor of this development or if a sharing of costs is proposed, such plans and costs shall be reviewed and approved by the Public Service Department prior to submittal to the Planning Commission and City Council.

Section 3. The Rezone Application included in the above referenced file for Lots 107, 108 and 109; Burke and Farrar's Addition, Division No. 16; shall be reviewed in conjunction with the Final Planned Unit Development Application and if said application is approved by the City, the resolution granting approval of this Final Planned Unit Development should include in it the granting of the Rezone Application from RS-8.5 (single family) to RM-1800 (multi-family) by a "Resolution of Intent to Reclassify" basis. If this becomes the case, the Rezone would be effectuated by ordinance upon completion of construction of the development.


Section 4. This approval is given after full consideration of the environmental impact of the proposed Preliminary Planned Unit Development.

Section 5. A copy of this Resolution, including the conditions of approval incorporated herein by reference, shall be furnished to the applicant and to the following City of Kirkland Departments:

1. Department of Community Development
2. Kirkland Planning Commission
3. Department of Public Service
4. Police Department
5. Department of Fire Services

APPROVED by a majority vote of the Kirkland City Council in regular meeting on the 5th day of November, 1973.

ATTEST:


Director of Administration and Finance
(ex officio City Clerk)


Mayor

Resolution No. 2216

signature copy

Mailing Address: Pomeranz & Kohloff
60-01 140th N.E. #179
Redmond, Wa. 98052

AMENDED 10/19/73

ADDENDUM ADMINISTRATIVE REPORT
Original Report dated 4/5/73

APPLICANT: Pomeranz & Kohloff FILE NO.: R-PUD-73-21(P)

PROPERTY LOCATION: Apx. 9th Ave. S. & HEARING BODY: Planning Commission
N.E. 68th St. HEARING DATE: October 11, 1973

REPORT PREPARED: October 8, 1973

SUBJECT: Rezone and Planned Unit Development Application

BACKGROUND ANALYSIS:

This matter was tabled by the Planning Commission at their May 10, 1973 meeting pending completion of an Environmental Impact Statement. The Final Environmental Impact Statement has been completed and this report is intended to present Findings, Conclusions and Recommendations as a result of that final statement.

FINDINGS:

1. The proposed development has been modified since the May 10, 1973 meeting of the Planning Commission. The proposal is now for a residential condominium tower with two floors of parking and 10 floors of apartment units. The total height of the structure has been modified from 133 feet to 118 feet at the highest point and 98 feet from 115 feet at the lowest point at the east.
2. The development will consist of 81 units. The original request was for an 80-unit condominium project.
3. For the 81 units proposed, 178 parking stalls would be required. 178 stalls are actually being proposed, of which 81 will be underfloor.
4. Specific setback requirements were discussed in the original staff report under Finding No. 4. The structure has been modified from 124 feet to 108 feet high from average grade, therefore each side yard and open space must be increased by the difference of 108 minus 30 or 78 feet. Based on the height of the building, the total additional required yard would be 312 feet. Upon actual calculation of the increased yards, it shows the total increased yards to be approximately 290 feet or 22 feet less than that required. The original proposal computed a deficiency of 80 feet as compared to the 22 feet just referenced.
5. Elevations from ground level for various areas related to this application are as follows:
 - a. Base of building: + 280 feet.
 - b. Top of proposed building: + 398 feet (original proposal: 410 ft.)

- c. I-405: 350 feet.
- d. Building height above I-405: 48 feet.

6. Landscaping and Buffering

- a. To achieve perimeter transition the developer has noted in the impact statement that care will be taken to leave alder in 10 to 15 foot planting strips between and around parking lots where topographically possible: Berms and planting will be provided where natural vegetation has been removed and landscape plans will be submitted as part of working drawings.
- b. The developer indicates that full landscape plans were not submitted at this time due to expense and lack of assurance of a viable project without zoning approval.
- c. The environmental impact statement notes that topsoil, where removed for parking and structures, shall be mounded in berms where possible. The general contours of the site will remain the same except for a retaining wall along the easterly boundary due to the unnaturally high bank built by the Highway Department.

7. Surface Runoff. Surface runoff calculations from the impact statement are as follows:

- a. 2.5 cfs to 6.0 cfs from an existing 30 inch culvert which originates east of Interstate 405 and outfalls on the east side of this property.
- b. 1.5 cfs from new impervious surfaces as a result of this development.
- c. 4.0 cfs from the Laurel Park Apartments which flow into the same system as the proposed development.

8. Noise level readings taken at the site by the State Department of Social and Health Services are noted on Page 18 of the Environmental Impact Statement and Exhibit E.

9. Impact of traffic as a result of the development is summarized on Page 21 of the Environmental Impact Statement. Alternative modifications to the project design for storm water control, traffic and noise attenuation are found on Pages 25 through 33 of the Environmental Impact Statement.

10. A review of the availability and adequacy of water and sewer services to the project site were discussed in staff meetings prior to completion of the Environmental Impact Statement. The Public Service Department indicates that the existing 12" water main and the existing 8" sewer main both in very close proximity to the site would be adequate to service the development and remaining development in the immediate area. The development will be required to make minor extensions to each system to service the development.

CONCLUSIONS:

1. Since the original P.U.D. proposal in April, 1973, the design of the tower has been reduced in total height by approximately 15 feet. Therefore, the silhouette of the structure has been reduced somewhat and the problem of noise attenuation has also been somewhat reduced.
2. The original P.U.D. proposal was deficient in the amount of 80 feet in the increased yards computation for structures exceeding 30 feet in height in an RM-1800 zone. This deficiency has been reduced by approximately 75% in the lowering of the structure. This deficiency is now 22 feet as opposed to the original 80 feet and appears to be well within the scope and intent of a Planned Unit Development.
3. Detailed landscaping plans to ensure the perimeter transition of this development to properties to the north and west will be necessary to guarantee that the proposed conditions as noted by the developer in the final environmental impact statement will be incorporated into the development plan.
4. Alternatives for handling surface storm runoff are discussed on Pages 25 through 27 of the Environmental Impact Statement. The recommended alternative as discussed on Page 25 of this statement should be incorporated into the final conditions of the Planned Unit Development. The Environmental Impact Statement notes that the system capacity of the 15" storm sewer is adequate to service this development but will leave little or no capacity for future development in this area. However, the impact statement notes that the remaining undeveloped area adjacent to the project that would contribute runoff to this system is relatively small. The sponsors of the development should be required to propose alternatives to the City for on-site retention of surface runoff as a result of the impervious surfaces which this development will create.

Holding and controlled infiltration systems can be designed at minimum cost and would lower the 14 cfs projected runoff into the City's existing 15 inch storm system.

5. The Environmental Impact Statement outlines three alternative traffic system configurations for 10th St. So. Prior to discussing 10th St. So., it should be noted that a condition of the Department of Public Services will require the sponsor of this development to widen 9th Ave. So. to 27 feet consistent with City specifications.

The three alternative traffic system configurations for 10th St. So. were discussed with the Public Service Department, Park Department, Police and Fire Departments of the City of Kirkland subsequent to completion of the impact statement. It is a consensus of all departments involved that alternative No. 2 on Pages 29 and 30 of the impact statement should be implemented in some form. Several conditions to the opening of 10th St. So. are necessary:

- a. The necessary grading, clearing and opening of a portion of the right-of-way pursuant to an approved design of the City should be completed by the sponsor of this development.

- b. The tentative design specifications for the opening of 10th St. So. will require that the developer install a paved 24 foot asphaltic concrete surface on a prepared roadbed; the driving surface will consist of two 10 foot lanes and the remaining 4 feet will consist of a walking and bicycling system separated from the southbound lane by an extruded curb of a low profile design; the improved 24 foot traveling surface will be permitted to meander within the existing 60 foot right-of-way to minimize destruction of existing vegetation and significant trees in the right-of-way while permitting a more desirable, low-intensity system in keeping with the residential and park-like setting of the area.

Specifications for opening this section of 10th St. So. should be reviewed by the Department of Community Development, the Park Department and other affected Departments through the coordination of the Department of Public Services.

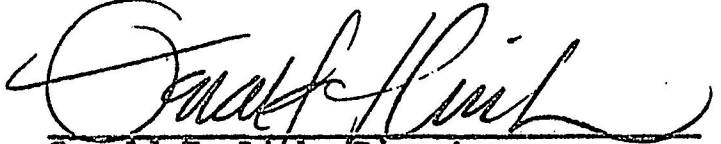
6. As stated on Page 33 of the Final Environmental Impact Statement, "... the developer should be required to submit specific plans for noise attenuation to meet the standard of 60 dBA as quoted earlier. These plans should be reviewed by a professional source capable of evaluating the plans and measures for noise level attenuation to the above design levels.

RECOMMENDATIONS:

The Department of Community Development recommends approval of the application for reclassification of land use and the Preliminary Planned Unit Development subject to the following conditions:

1. Detailed landscaping and screening plans shall be submitted with the Final Planned Unit Development Documents and shall be a condition of the Final Planned Unit Development approval.
2. Detailed plans for surface storm water runoff consistent with the recommendations of the Final Environmental Impact Statement and this report shall be submitted with Final Planned Unit Development documents and shall be a condition of final approval.
3. The sponsor of this development shall be required to make, at his cost, necessary system extensions of water and sewer lines and appurtenant facilities, and such plans shall be submitted for review and approval by the Department of Community Development and the Public Service Department at the time of Final Planned Unit Development document submittal.
4. 10th St. So. shall be improved along the entire frontage of the applicant's property to a width of 24 feet with an adequate turn-around satisfactory to the Public Service Department. Curbs, gutters and appurtenant permanent improvements shall only be required on the easterly portion of the right-of-way.

5. Plans and measures for noise attenuation shall be submitted pursuant to the conclusions above and shall be certified, at the sponsor's expense, by an independent professional source capable of evaluating such plans consistent with the design levels in the Environmental Impact Statement. The sponsor of this development shall do whatever is necessary so that decibel readings meet the requirements of the data submitted to the Planning Commission.
6. The sponsor of this development shall submit Final Planned Unit Development documents which conform to the spirit and intent of the Preliminary Planned Unit Development documents so far as the elevations and designs of the structures and various site improvements are concerned and shall further submit an exhibit indicating exterior materials, colors and textures for the structures in the development.
7. The sponsor of the development shall submit a proposal for the opening and improvement of a pedestrian system on the unopened portion of 9th Ave. So. between existing 9th Ave. So. and N.E. 70th Place. This could be a substantial public benefit as a result of the Planned Unit Development and the cost for development of this system shall be borne by the sponsor of this Planned Unit Development.
8. The applicant shall be required to widen and improve 9th Ave. So. between 8th St. So. and 10th St. So. to a width of 27 feet and to minimum City specifications, as determined by the Public Service Director.


Gerald F. Link, Director
DEPARTMENT OF COMMUNITY DEVELOPMENT

We hereby recommend approval of this action subject to the Findings, Conclusions and Recommendations above or as herein modified.

10/29/73
Date


John Cushing, Chairman
WIRKLAND PLANNING COMMISSION

GFL:bk