

## RESOLUTION NO. R- 2342

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF A PRELIMINARY PLANNED UNIT DEVELOPMENT AS APPLIED FOR IN DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. PUD-75-45(P) BY PUGET SOUND LAND ASSOCIATES FOR THE CONSTRUCTION OF 526 APARTMENT UNITS, BEING WITHIN AN RS 35,000 ZONE, AND SETTING FORTH CONDITIONS TO WHICH SUCH PRELIMINARY PLANNED UNIT DEVELOPMENT PERMIT SHALL BE SUBJECT.

WHEREAS, the application has been submitted to the Kirkland Planning Commission who held public hearings thereon at their regular meetings of November 13, 1975 and December 15, 1975, and

WHEREAS, pursuant to City of Kirkland Resolution No. 2181 concerning environmental policy of the State Environmental Policy Act, an environmental impact statement has been submitted to the City of Kirkland, reviewed by the responsible official of the City of Kirkland and a positive declaration reached, and

WHEREAS, thereafter a final environmental impact statement was prepared, published and made available and accompanied the application through the entire review process.

WHEREAS, the Kirkland Planning Commission, after public hearings and consideration of the recommendations of the Department of Community Development and having available to them the environmental impact statement did adopt certain Findings, Conclusions and Recommendations and did recommend approval of the ~~Preliminary Planned Unit Development~~ subject to the specific conditions set forth in said recommendations.

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

Section 1. The Findings, Conclusions and Recommendations of the Kirkland Planning Commission as signed by the Chairperson thereof and filed in the Department of Community Development File No. PUD-75-45(P) are adopted by the Kirkland City Council as though fully set forth herein.

Section 2. The Preliminary Planned Unit Development permit shall be issued to the applicant subject to the conditions set forth in the Findings, Conclusions and Recommendations hereinabove adopted by the City Council.

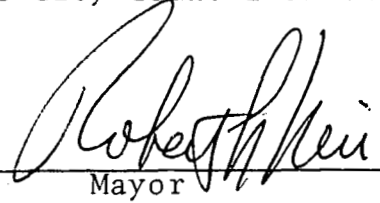
Section 3. A certified copy of this Resolution, together with the Findings, Conclusions and Recommendations therein adopted shall be attached to and become a part of the Preliminary Planned Unit Development Permit or evidence thereof delivered to the permittee.

Section 4. Nothing in this section shall be construed as excusing the applicant from compliance with any federal, state or local statutes, ordinances or regulations applicable to this project, other than expressly set forth herein,

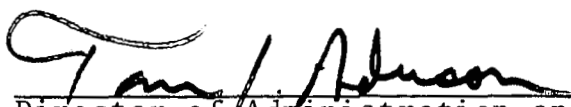
Section 5. Certified or conformed copies of this Resolution shall be delivered to the following:

- (a) Applicant
- (b) Department of Community Development of the City of Kirkland
- (c) Building Department of the City of Kirkland
- (d) Fire Department of the City of Kirkland
- (e) Police Department of the City of Kirkland
- (f) Public Service Department of the City of Kirkland
- (g) The Office of the Director of Administration and Finance (ex officio City Clerk) for the City of Kirkland.

ADOPTED in regular meeting of the City Council on the fifth day of January, 1976.

  
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 Mayor

ATTEST:

  
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 Director of Administration and Finance  
 (ex officio City Clerk)

Findings, Cont'd

C. 13. Water District No. 104. No response.

14. N.E. Lake Washington Sewer District. As per letter dated July 31, 1975, "Please be advised that sewer service is available to service the referenced proposed apartment complex. Present sanitary sewer system is sized to accommodate proposed development." (Exhibit "J").

15. Puget Sound Power and Light. Existing facilities in the subject area are adequate to service the proposed project. (As per official communication).

16. Lake Washington School District No. 414. (Please refer to complete comment within Final E.I.S. Exhibit "L"). They are very concerned with the safety of school children walking along N.E. 132nd Street, 124th N.E. and 132nd Avenue due to absence of shoulders and 40 mph speed limit on some streets. Sidewalks or safe walkways should be provided prior to authorization of additional housing in this area.

At a factor of .1 school aged children per unit, it is possible that 52 school aged children would live at this site, at full development, with approximately 29 elementary students. If the subject property were to develop as single family, it is possible that 135 school aged children would live at this site.

17. General Telephone. Existing facilities in the subject area are adequate to service the proposed development. (as per official communication).

18. Washington Natural Gas. Existing facilities in the subject area are adequate to service the proposed project. (As per official communication).

NOTE: For a complete dialogue of the following public agencies, please refer to the Final Environmental Impact Statement - Comments and responses. (Exhibit "L").

19. Puget Sound Air Pollution Control Agency. The applicants will be required to apply for a pre-construction review under Article 18, Puget Sound Air Pollution Control Regulation 1. This should be accomplished prior to the review of Phases II through V.

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C. 20. Puget Sound Governmental Conference. No response.

21. Washington State Department of Fisheries. They are very concerned with the Juanita Creek Drainage Basin and degradation of the stream habitat and reduced fisheries production. For retention of the fish resources that remain, and to make future restoration and rehabilitation possible, it is important that new developments within the watershed be as compatible with the environment as is feasible. We feel it is important that mitigating measures for erosion control and storm water retention be accomplished as a part of this project.

22. Washington State Department of Game. Of particular importance is that an effective drainage system will be developed at the site which will guard against further degradation of Juanita Basin Waters.

23. Washington State Department of Ecology. No major concerns.

24. Washington State Department of Natural Resources. No response.

25. Washington State Department of Highways. No major concerns.

26. U.S. Department of Agriculture, Soil Conservation Services. No major concerns.

27. King County Department of Community and Environmental Development, Division of Land Use Management. Concerned with development of areas bordering on N.E. 132nd Street and the additional pressures to develop additional multi-family units in the surrounding area due to the construction of this development.

D. EXISTING PHYSICAL CHARACTERISTICS:

28. Geology. The following is from a soils report from Dames and Moore, dated February 24, 1975. (Contained within Appendix 1 of the Final E.I.S., Exhibit "L").

"The northern three-quarters of this site is relatively flat. However, the southern one-quarter of the site is in an area of steep, irregular terrain including two well-developed north/south trending ravines. The northern three-quarters of the site slopes gently to the south and west, with elevations varying from about 300 feet (mean sea level datum) to about 270 feet near the head-ends of the ravines. The ravines slope steeply toward the south and enter the valley of Totem Lake at an elevation of about 150 feet. The irregular slope and ravine area includes slope segments varying from about 10% to about 100% in steepness. The ravine channel slopes vary from about 5% to 25%."

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B. 7. feet, with the center portion of the subject property given a potential of Residential Multi-Family 900, (RM 900) and the southern portion given a potential of Manufacturing Park (MP). (Exhibit "D", County Zoning prior to annexation) As a result of annexation, the subject property was zoned RS 35,000.

C. GOVERNMENTAL COORDINATION:

8. Kirkland Public Service Department and King County Public Works. The following is from two memos from the Public Service Director, Art Knutson and memo from Owen Rawsthorne, King County Public Works, Exhibits "E", "F" and "G". The following has been paraphrased by the Kirkland Department of Community Development.

a. Streets. The proposed development would depend entirely upon access to and from N.E. 132nd Street. The existing street is a two-lane facility inadequate to serve the proposed PUD at full development. N.E. 132nd Street is adequate to serve phase I only, however, any subsequent phase development approval should be contingent upon the improvement of N.E. 132nd. The inadequacy of N.E. 132nd Street to serve the complete PUD is determined by relatively high traffic counts on N.E. 132nd Street to either side of the subject property. Any future residence's of the subject property would have to travel through these high traffic areas, resulting in a substantial increase in traffic congestion on N.E. 132nd Street. The City is working jointly with King County to reconstruct N.E. 132nd Street. The present plans call for a 44 foot curb-to-curb roadway improvement with sidewalks on the south side and bicycle lane on the north side. The City may require that left turning lanes be developed at both proposed entrances to the subject property. The applicant will be required to pay for the curb, gutters, sidewalks and associated labor costs that will be required on the south side of N.E. 132nd Street; adjacent to the subject property. Some right-of-way and slope easements are required within the City limits and the City is in the process of obtaining signatures on the documents to obtain these parcels of land. Additional slope easements may be required on the south side of N.E. 132nd Street to allow for the development of left turning lanes.

b. Water. The area is within the boundaries of King County Water District No. 104. There is at the present time 1,370 gallons per minute available for fire protection

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C. 8. b. and the City is requiring 3080 GPM. District 104 has basically designed their system to serve a single family area. The subject area is at the extreme southwest corner of the Water District as presently served with an 8 inch dead-end system.

c. Sanitary Sewer. The area is served by the Northeast Lake Washington Sewer District. The existing gravity system, as proposed will serve Phase I, the northerly 3 units of Phase IIIA, Phase II, and the 3 northeasterly units of Phase V. All other structures would require a pumping station and there should be no foreseeable problems, provided that the installation is properly engineered and would be privately owned and maintained. All sewer plans and negotiations will be with the Northeast Lake Washington Sewer District.

9. Kirkland Department of Fire Services. The Department of Fire Services has worked with the architects for the applicants on required turning radius for fire equipment and fire hydrant locations to be included in the project and have approved their plans. (Exhibit "H" - Memo from Robert Ely, Director, Department of Fire Services, July 11, 1975). There is a fire flow requirement of 3,080 GMP - There is 1,370 GMP available at 20 psi residual at the subject property. The developer of this complex shall be responsible for providing the additional 1,700 GMP needed for required fire flow. The private roads will have to have posted signs that read "fire lane - Maintain 12 foot width clearance". The signs are to be 18"x24" and placed every 150 feet along the loop roadway. These signs are to be purchased, installed and maintained at the expense of the developer and/or owner. (See Exhibit "I" - Memo from Dale Decker, Coordinator, Kirkland Bureau of Fire Prevention, June 11, 1975).

10. Kirkland Building Department. No Comment.

11. Kirkland Park Department. There is need for a larger neighborhood park, of approximately 3 acres, which is not available in this area or the vicinity. The main access street within the subject property should be landscaped as proposed, minimum tree caliper of 1 1/2". Walkdowns from pedestrian walkways to street level should be provided at all pedestrian crossings and dwelling unit access areas.

12. Kirkland Police Department. "Adequate security measures, i.e. lighting, signing and doorlocks, should be designed and built into this development which would substantially reduce demands on police services to the proposed development. No site-obstruction landscaping, between 3 feet and 8 feet above grade, should be located at either entrance to the subject property. Motorcycle barriers should be constructed at both ends of the pedestrian trail to the cul-de-sac at N.E. 128th Street."

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D. 35.

"About 85% of the site drains into the two ravines located near the southern site boundary. This drainage area includes the ravines themselves and most of the upland area. The extreme western portion of the site (about 15% of the total area) drains in a westerly direction. Very little runoff from off site areas enters the site. Surface runoff from the upland area is generally slow and of limited quantity due to good ground cover and relatively flat gradients. However, in the slope and ravine areas, runoff is relatively rapid. It is estimated that about 20% of the precipitation currently runs off the site through direct surface runoff.

Many ground water fed springs occur in the steep slope and ravine areas. These springs probably emerge from lenses of more permeable sand and gravel strata within the glacial till. The springs are most abundant in the larger, eastern ravine. The flow in the eastern ravine was estimated to be on the order of 1 cubic foot per second (cfs) in February. Flow of the springs is probably near maximum during the late winter months; it is expected to gradually diminish, and may disappear completely during the summer months."

Surface drainage from the ravines enters a broad westerly drainage valley several hundred feet upstream of Totem Lake. Totem Lake is shallow, marshlike, and has an open water area of approximately 6 acres. Drainage from the Totem Lake area is westerly into Juanita Creek which eventually enters Juanita Bay of Lake Washington about 2 miles west - southwest of the site. The drainage path from the northwestern projection of the site area is not easily distinguishable because of topographic modifications made during recent development. Some of the drainage may flow southwesterly into the Totem Lake Shopping Center area just downstream of Totem Lake while the remaining drainage may flow into another Juanita Creek tributary which flows westerly, and generally along N.E. 132nd Street."

36. There is no water quality data available at this site.

37. Flora. Approximately 60% of the ground area is covered with deciduous and coniferous trees with an accompanying understory. Approximately 39% of the site is covered with pasture grasses and the remaining 1% is covered by residential plantings and buildings. No vegetation species found on the site are listed as endangered.

38. Fauna. Fauna species identified were found to be common to this area. None of the identified species are rare or endangered.

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E. PUBLIC UTILITIES:

39. Streets. The site is served by N.E. 132nd Street, a two-lane secondary arterial. According to King County Department of Public Works, the average daily traffic count on N.E. 132nd Street is 5,125 vehicles/day. Speed limit on N.E. 132nd Street is 35 mph. Stopping sight distance upon leaving the proposed west access street to this site is 1000 feet to the east and 300 feet to the west. Stopping sight distance upon leaving the proposed east access street to this site is 600 feet to the east and 800 feet to the west.

40. Pedestrian Ways. There are no existing sidewalks or walkways of any kind along N.E. 132nd Street due to steep drainage ditches to either side of N.E. 132nd Street. N.E. 132nd Street is a proposed bicycle pathway. The subject property is located on Metro Bus Routes 240 and 255 which serves Redmond and Kirkland and Seattle.

41. Paths/Trails. Walkways have been included along the main access street and a complete walkway system has been proposed within the development itself. A completed pedestrian trail has not been proposed connecting the proposed pedestrian trail along the 30 foot right-of-way connecting the subject property through the transmission line easement along the western boundary of the subject property to the existing cul-de-sac at N.E. 128th Street.

42. Domestic Water. The subject property is served by Water District #104. There is an 8 inch line which runs along the north side of N.E. 132nd Street with 1370 gallons per minute available. (Exhibit "K" - Water Districts).

43. Fire Hydrants and Fire Flow requirements. The required fire flows for all phases of the proposed project, as per the Kirkland Bureau of Fire Prevention, is 3080 gallons per minute at 20 psi residual pressure. There are two fire hydrants located in front of the subject property, on the north side of N.E. 132nd Street.

44. Sanitary Sewer. The subject property is served by the Northeast Lake Washington Sewer District. There is presently an 8 inch line running under the center of N.E. 132nd Street.

45. Storm Sewer. There are 2 existing open drainage ditches on both sides of N.E. 132nd Street.

F. NEIGHBORHOOD CHARACTERISTICS

46. Zoning. At the present, the 40.5 acres is zoned Residential Single Family S-8, 35,000. To the northwest and north of the subject property is all zoned Single Family Residential - 7200 (RS 7200) and Suburban Residential (S-R) in the County. To the east is zoned Suburban Residential, also in the County. (Suburban Residential is a County zone used to classify land which is presently suburban in nature but is rapidly becoming urbanized.)

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D.

28. (Cont'd) Most of the site is underlain by glacial till deposits of undetermined depth. This includes the entire upland area of the site as well as at least the upper portion of the slope and ravine areas. The till is a hard unsorted mixture of clay, silt, sand, and gravel which was deposited by the last continental glacier to invade the area, the Vashon Glacier. Occasional layers or lenses of cleaner materials, sands and gravel, may be present within the glacial till. The till is underlain by an advance glacial deposit, named the "Upper Clay" at undetermined depth. This unit which consists mainly of clay and silt but includes some layers of sand, gravel and peat, probably occurs at or near the surface in the lower portions of the slope and ravine area. The glacial deposits are covered by mass wasting debris and slope wash materials in some portions of the slope area, however.

29. Soils. The subject property is generally located within three soil classifications as defined by the United States Department of Agriculture, Soil Conservation Service. These classifications are (1) AgC-Alderwood gravelly sandy loam 6-15%; AGD, Alderwood gravelly sandy loam, 15% - 30%; EVC, Everett gravelly sandy loam, 5% - 15%. The majority of northern portion of the entire site is located within the AgC soils series type and the southernmost or steep ravine areas are located within the AGD and EVC soils series. No development is planned within these AGD and EVC soils areas. Soil characteristics of the 3 soils types are: (1) AGC: Moderate capability for foundations for low buildings because of a seasonal high water table and slope; severe capabilities for shallow excavations because of seasonal high water table. AGD: Severe hazards for foundations for low buildings because of slope, moderate slippage potential; severe capabilities for shallow excavation because of slope. EVC: Slight and moderate hazards for foundations for low buildings, moderate if slope is more than 8%; severe hazards for shallow excavations because of gravel.
30. Hazardous Slope. Local hazardous slope mapping indicates that the southern portion of the subject property is located within "Naturally Stable Slopes, Class 2".

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31. Air Quality - There is no data on air pollution for the Kirkland area. However, the Puget Sound Air Pollution Control Agency does have an atmospheric sampling station in Bellevue and present levels of air pollution at that station are within the standards of Puget Sound Air Pollution Control Agency.

32. Noise - Field measurements of noise were taken at three locations on the proposed site during the week of January 18 through 25, 1975, by Tim Fayhe, consultant to the developer. The measurements were made at 3 times of day: between 9-10 A.M., between 2-3 P.M. and 6-6:30 P.M. Measurement shown are background levels. Site 1 is located in the center of the site, within the trees and is away from the traffic and other noises. Site 2, which had the highest decibel readings, is located along N.E. 152nd Street, and picked up the traffic noises. Site 3, located at the western tip of the proposed pedestrian trail extension to Totem Lake, picked up noises from interstate 405, the Totem Lake Shopping Center, and the hospital area.

Site 1	Site 2	Site 3
Morning 39-42	Morning 46-55	Morning 48-52
Afternoon 40-41	Afternoon 47-51	Afternoon 41-46
Evening 42-46	Evening 46-49	Evening 45-47

33. The maximum permissible noise level emitting from this development is 50 dbA. (Kirkland Zoning Ordinance Section 23.36.060).

34. WASHINGTON STATE NOISE CONTROL regulations have recently been adopted pursuant to the Washington State Noise Control Act of 1974, and known as: Maximum Environmental Noise Levels, MAC 173-60 (effective September 1, 1974). This regulation covers many types of community noise sources which are major noise problems in the state. The primary purpose of these regulations is to limit the amount of noise which is emitted by stationary type noises into a residential area with the point of measurement being at the residential property affected. Normal permissible background noise levels during the day is 50 dbA and at night 45 dbA. These limits may be exceeded for short periods of time. Freeways and highways are specifically exempted from these regulations. The City of Kirkland is presently analyzing the advisability of adopting a local noise control Ordinance to regulate the State law. At this time no local Ordinance is in effect.

35. Hydrology. The following is from a hydrology report from Dames and Moore, dated February 24, 1975. (Contained within Appendix I of the Final E.I.S., Exhibit "L").

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G. 52. c. "Existing trees and vegetation, and topological characteristics shall be effectively used in the site planning process to achieve a compatible relationship between single family uses and more intensive land uses designated in the generalized land use plan map."

53. The following are relevant sections of Planned Unit Development Procedures: (Section 23.28 of the Kirkland Zoning Ordinance No. 2183)

a. 23.28.050 (2). Minimum area of a Planned Unit Development for multiple family dwelling is 3 acres.

b. 23.28.060 (1). Residential Planned Unit Development projects may be located in a RM zone.

c. 23.28.060 (3). "The major internal streets serving the planned unit development project shall be functionally connected to at least one arterial street which directly abuts to the said Planned Unit Development project."

In a Residential PUD:

d. 23.28.070 "Residential units, either detached or in multiple dwellings, recreational facilities and community halls are permitted."

e. 23.28.090. (1). "Building height may be increased provided that for each additional one foot of height, the sum of all the minimum yard setbacks shall be increased four feet and provided the view from the surrounding properties is not substantially impaired by the additional height."

f. 23.28.090 (2). "Coverage of the site by buildings shall not exceed 35%."

g. 23.28.090 (3). This development may exceed the total number of units allowed by 15%.

23.28.100. General Requirements - All PUD Projects:

"All PUD Projects shall bear the burden of perimeter transition and demonstrate that there is a general public benefit to be gained by such a degree of deviation from the underlying zoning regulations, such as:"

h. "Additional or better related open spaces, such as yard areas between the buildings within the project, or yard areas between the project buildings and adjoining properties and buildings, or a design or development of open spaces that creates a desirable or useful environment between buildings."

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G. 53. i. 23.28.100 (2). "Additional public use facilities, such as but not limited to pedestrian walks providing a service and convenience to the vicinity, streets improving local circulation or public access to a lake or stream."

j. 23.28.100 (5). "Other general public benefit features which contribute to improving the environment of the vicinity."

k. 23.28.100 (6). "Projects shall be complete developments and may be required to include facilities such as paved streets, curbs, sidewalks, street lights, underground storm drainage, sanitary sewers, underground power, telephone lines, cable T.V. facilities, landscaping and adequate off-street parkings."

l. 23.28.100 (7). "Where a PUD abuts residential zoned property, the screen requirements shall be landscaped to a depth 12 feet from the property line and maintained as a site screen. Yard setbacks shall be 20 feet in the front yard, 10 feet in the rear yard, and a minimum of 5 feet on either side yard with an aggregate side yard setback of 15 feet."

23.28.130. Common Open Space:

m. 23.28.130 (1). "In residential PUD's there should be a minimum of 10% of the total area of the PUD dedicated and reserved as usable common open space land."

n. 23.28.130 (2). "Adequate guarantee must be provided to insure permanent retention of "common open space" land area resulting from the application of these regulations, either by private reservation for the use of residents within the development or by dedication to the public or a combination thereof. Such provisions for "common open space" shall, at the expense of the developer, be recorded with the King County Department of Records and Elections. Proof of recording shall be given to the City."

23.28.140. Form and Content of Application:

o. 23.28.140 (2). Site and vicinity plans are required at a scale of no less than one hundred feet to the inch.

p. 23.28.140 (3). An explanatory text of general purposes is required.

q. 23.28.140 (5). Environmental information and declaration is required.

r. 23.28.140 (6). A standard survey of the subject property by a land surveyor licensed by the State of Washington is required with corner stakes physically installed.

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F. 46. Maximum density is RS 7200 when all needed public facilities and streets are available.) To the southeast is a mixture of General zoning (G) and Light Industrial (LI) zoning in the County. (General zoning is the County zoned used for areas that have no potential for development at this time and is an interim type zoning, maximum density RS 35,000). To the south is zoned Light Industrial, to the southwest is zoned Community Business (BC) and Light Industrial (LI); and to the west is zoned RS 35,000 and RM 900, in the City of Kirkland.

47. Land Use. Presently, there are six (6) single family residences on the subject property. Human use in the immediate vicinity of the subject property: bounded by I-405 on the west, N.E. 140th Street on the north, 152nd Avenue N.E. on the east and N.E. 124th Street on the south. Directly to the west is the Evergreen General Hospital, Evergreen Professional Center, Evergreen Medical Center and Convalescent Center. To the northwest is Kingsgate, a single family residential area at a density of 7200 in the County. To the east is Forest Grove, a single family residential subdivision at a density of 7200, in the County. To the southeast is undeveloped land and Light Industrial, also in the County. Directly to the south is undeveloped land with the City of Kirkland. To the southwest is undeveloped land, the Totem Lake Shopping Center which is a regional shopping center, and the Sparks Industrial Park. (Exhibit "M" - Existing Land use and zoning)

48. Population Density. The density of the surrounding single family areas is approximately 17 persons per acre (calculated upon 5.1 dwelling units per acre and 3.3 persons per dwelling units).

49. Public Recreation/Open Space. There are no major public recreational facilities within a close proximity to the subject property. A Junior High School is located approximately one mile to the north of the subject property. There are no lands in the surrounding area which are presently classified as open space.

50. Public Education. The subject property is within Lake Washington School District No. 414. School-age children from the proposed site would be dispersed to the following public schools:

John Muir Elementary, located at 14012 152nd N.E., with a state rated capacity of 467 students and a present enrollment of 744 students.

Kamiakin Junior High, located at 14111 152nd Avenue N.E. with a state rated capacity of 949, and a present enrollment of 730.

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F. 50. (contd) Juanita Senior High, located at 10601 N.E. 132nd, with a rated capacity of 1611 and a present enrollment of 1235 students.

51. Handicapped Facilities. There are no known proposed units, or other facilities within the proposed project that are designed to house and serve the handicapped.

G. LOCAL ZONING AND/OR LAND USE POLICIES PLANS:

52. Relationship to Totem Lake Land Use Policies Plans, Zoning Regulation: Special developmental policies have been adopted for the peripheral areas adjacent to N.E. 152nd Street on the north and the Forest Grove Subdivision to the east in the Totem Lake Land Use Plan and Zoning Regulation, page 41. Of most significant concern here is the maintenance of proper transitional characteristics between the developing institutional and professional office setting and the residential single family neighborhood to the north and east. The generalized land use plan recommends that future land use be limited to those residential, professional office and institutional land use activities which are logical and related service activities in relation to Evergreen Hospital and the Totem Lake Shopping Center. The proposed development relates to the following policy containing in the Totem Lake Land Use Plan and Zoning Regulation:

"Proposed developments which may include multi-family residences, grouped-building condominiums or professional offices, which require a reclassification of land use pursuant to the generalized land use plan, shall be subject to the Planned Unit Development procedure and the following criteria:" (Totem Lake Land Use Plan, and Zoning Regulation, Page 42 and 43, (Exhibit "C"))

a. "The Planned Unit Development proposal shall demonstrate that adequate setbacks and other design standards are included to insure that visual and acoustic characteristics of structures, uses and activities adjacent to single family residential developments do not exceed standards normally associated with such residential development. Design standards which shall be considered include building heights, dwelling unit densities, intensities of vehicular traffic, noise levels, ratio of impervious surfaces to natural or landscaped spaces, lighting, signing, etc."

b. "Appropriate setbacks and vehicular, bicycle or pedestrian access shall be incorporated into the development plan to insure the effective separation and transition of more intensive land use activities from adjacent single family residential uses."

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- e. Policy No. 9: "The City should plan for open space or low density development in natural constraint areas. Such planning would serve to protect the public safety, reduce hazards to property and minimize public expenditures for correcting disruptions related to natural processes (flood, landslides, or other possible hazards)."
  - f. Policy No. 10: "The City should recognize the amenity, as well as utilitarian functions provided by trees, ground cover, marshes, ponds and other natural elements. Natural drainage systems should be maintained wherever feasible to minimize the need for public expenditures, such as drainage utilities. Ways to minimize surface runoff should be investigated."
  - g. Policy No. 18: "New housing should be encouraged to be located in platted areas or in areas where streets and utilities are available. The developer should be required to supply needed utilities and pay for other costs related to the new development if such facilities are not already available."
  - h. Policy No. 20: "The planning, design and installation of roads, utilities and other public services should assist moderate growth and land use patterns desired."
  - i. Policy No. 23: "Cooperate with the Lake Washington School District and other special districts to insure that growth concepts complement rather than conflict. Schools should be located so that residential areas have nearby and adequate facilities."
- CONCLUSIONS:
- A. SUMMARY OF THE PROPOSED ACTION:
- 1. This application for a Preliminary Planned Unit Development is consistent with the Totem Lake Land Use Plan and Zoning Ordinance.
  - 2. The approval of a preliminary Planned Unit Development at the subject property would be a tentative approval of a rezone to RM 1800 pursuant to Final Planned Unit Development approval.
- B. HISTORICAL BACKGROUND:
- 3. The proposed Planned Unit Development is somewhat different than the previous rezone application before King County.

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Conclusions, Cont'd

C. GOVERNMENTAL COORDINATION:

- 4. Kirkland Public Service Department.
  - a. Streets. An approval of the preliminary Planned Unit Development should be conditioned upon the limitation that only Phase I could receive final Planned Unit Development approval prior to the improvement of N.E. 132nd Street as currently being planned and designed by King County. The applicant will be required to pay for curbs, gutters, sidewalks, associated labor costs and give additional slope easements, that will be required on the south side of N.E. 132nd Street, adjacent to the subject property to be determined by the Kirkland Public Service Department prior to any final Planned Unit Development approval of Phase I.
  - b. Water. Prior to final Planned Unit Development approval of any proposed phase of development, the developer should submit to the City of Kirkland system improvements which insure that adequate water is available to the site for domestic and fire flow requirement for each "phase".
  - c. Sanitary Sewer. There should be no problem in servicing the subject property. All sewer plans and negotiations will be with Northeast Lake Washington Sewer District.
- 5. Kirkland Department of Fire Services. The developer proposes to meet the required turning radiuses for fire equipment and fire hydrant locations within the subject property as required by this Department. A minimum fire flow of 3080 GPM will be required for all phase developments. Private roads within the subject property should have posted signs that read "Fire Lane-Maintain 12 foot width clearance". These signs should be 18" x 24" and placed every 150 feet along the loop roadway. The signs should be purchased, installed and maintained at the expense of the developer and/or owner.
- 6. Kirkland Park Department. The applicant should be required to provide for a three acre developed neighborhood park on the subject property. The applicant should be required to propose to landscape the main access street with a minimum of 1 1/2" caliper street trees. Walkdowns from pedestrian walkways to street level at all pedestrian crossings and dwelling access areas should be proposed, as appropriate.

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G. 53. 23.28.160(4) Procedure of Approval:

- s. "The applicant shall, within six (6) months of preliminary approval, submit a final development plan of the proposed PUD to the Planning Commission. Within twelve (12) months of preliminary approval of the entire PUD by the City Council, the applicant shall file an application for a building permit for the first phase of the proposed development. Upon written request the Planning Commission may grant an extension of six (6) additional months for submission of building permit application. If, at the conclusion of this period, no such application has been filed, the PUD application and any prior approvals shall be void."

23.28.180 Expiration:

- t. "Upon the abandonment of a particular project authorized under this chapter, or upon the expiration of three years from the final approval of a PUD which has not then been completed (or commenced, with an extension of time for completion granted) the authorization shall expire and the land and structures thereon may be used only for a lawful purpose permitted within the zone in which the PUD is located."

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G. 54. Resolution No. 2249

City of Kirkland Resolution No. 2249, which requires all rezones and development within potentially hazardous slope areas to receive a waiver of this Resolution pursuant to application for rezone and development, is not required due to the exception of the Totem Lake area from this Resolution.

55. Relationship with City of Kirkland Resolution No. 2292:

The City of Kirkland adopted R-2292 on February 18, 1975, which is a listing of adopted goals and policies for a new Land Use Policy Plan being formulated for the City of Kirkland. The following are relevant policies from Resolution No. 2292.

- a. Policy No. 1: "Kirkland should maintain its predominantly single family residential character, while recognizing possible community benefit from some higher intensity land uses. This may require reallocation of land uses or possible reclassification of some lands to zones of lesser density (sometimes referred to as "down-zoning")."

- b. Policy No. 2: "Kirkland should provide a desirable living environment by:

b. Regulating building height and form (especially in single family areas.)

c. "Improving the transportation system;"

d. "Reducing hazards and nuisances;"

e. "Devoting adequate space to parks, recreation and other open spaces;"

f. "Planning for housing for persons of all ages, income levels and races;"

- c. Policy No. 4: "Residential, commercial and industrial land uses should be planned in such a way that the conflict with one another is minimized. If necessary, such land uses should be concentrated and separated from one another. However, more diversity in building types and site planning techniques should be permitted without substantially changing the visual character of existing residential neighborhoods and without allowing density increases."

- d. Policy No. 7: "New development should be encouraged to locate in "arrested areas" as opposed to outlying areas lacking necessary roads and utilities. New developments beyond the "arrested areas" should provide for the bringing of adequate roads, sewers and other necessary facilities to development areas."

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- 18. Street and hence should only be approved pursuant to the (cont'd) upgrading of N.E. 132nd Street as per the existing development plans and with the additions of left turning lanes both to the subject property and properties to the north.
- 19. An adequate stopping site distance for a 35 mph speed limit would be 400 feet in either direction. Existing stopping site distance at the proposed west access street to the subject property is 300 feet to the west. The development of left turning lanes to the subject property and to properties to the north could eliminate the potential traffic problem associated with a short stopping site distance. All other stopping site distances at the proposed access street to the subject property exceed the minimum of 400 feet.
- 20. Pedestrian Ways. (See Conclusion #4.a.)
- 21. Paths/Trails. Adequate walkways have been proposed throughout the subject property and will be provided along the main access street. A developed pedestrian trail should be required connecting the subject property, through the City of Seattle Skagit Transmission Line Easement on the western boundary of the subject property, to an existing cul-de-sac at N.E. 128th Street (See Conclusion No. 6 for further concerns within this section.)
- 22. Domestic Water. There is adequate water supply to the subject property to service for domestic use.
- 23. Fire Flow Requirements and Fire Hydrants. There is not sufficient fire flow to the subject property. All approvals for this proposed development should be contingent upon an adequate volume and pressure for fire flow requirements to service the subject property. The applicant will be required to locate fire hydrants and turning radius within the proposed development as per the requirements of the Kirkland Department of Fire Services.
- 24. Sanitary Sewers. The N.E. Lake Washington Sewer District has indicated that existing facilities in the area are sufficient to service the proposed development. (See Exhibit "R" Addendum).
- 25. The existing gravity system will serve proposed Phase I, the northerly 3 units of IIIA, Phase II and the 3 northeasterly units of Phase V. Any subsequent approval of any units that cannot be serviced by gravity system to N.E. 132nd St. should

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- E.25. (cont'd) be pursuant to an adequate solution proposed by the developers. Any sewer lines located within the steep slope areas should be preceded by adequate investigations by a qualified engineer which addresses the possible environmental impacts of this development.
- 26. Storm Sewers. An adequate on-site retention system should be developed that will maintain on-site a quantity, quality and velocity of storm water runoff that is equal to or better than existing runoff rates. This system should be designed to maintain the minimum of a 10 year storm. Concentrated runoff should be directed away from the steep slope area. The applicant should be required to submit specific calculations and designs of the storm water retention system that will maintain 23,000 cubic feet of water, the quantity of water that is indicated within the soils and hydrology report from Dames and Moore and listed as Exhibit "L". The location of storm sewer lines in the steep slope area should be preceded by an adequate investigation by a qualified engineer which addresses the possible environmental impacts of this development. If storm sewer lines are developed within a steep slope area, they should follow the proposed pedestrian trails through this area so as not to disrupt anymore of the steep slope area than necessary. Where it is determined by sound engineering practices, and subject to the approval of the Department of Community Development, that storm sewer lines shall not follow the proposed pedestrian trails, throughout the steep slope area, construction should be in such a manner so as to reduce erosion and to minimize destruction of the natural environment.
- F. NEIGHBORHOOD CHARACTERISTICS:
  - 27. Zoning. A rezone to RM 1800 would allow approximately 1127 units to be developed within the Planned Unit Development procedure. The applicants are proposing a rezone to RM 1800 to allow for the development in phases as proposed. Each phase must be a complete applications and therefore the effective density within Phase I above will be RM 1800, however, the effective density of the entire project shall be RM 3600 plus 15% (A 15% increase is allowable per the PUD section, Kirkland Zoning Ordinance)
  - 28. Population Density. The density of the proposed project will be approximately 20 persons per acre (calculated upon 526 units and 1.6 persons per dwelling unit).
  - 29. Public Education. Development of the proposed project will further overload John Muir Elementary. It does not appear that this development, as proposed, would result in as many school aged children as would normally be expected if the subject property were to be developed as single family.
  - 30. Handicap Facilities. The applicant should be required to install and maintain special handicap parking facilities and should be required to demonstrate that ground floor units could adequately serve the handicapped. These special parking areas should be posted with "Handicap Parking Only" signs. (See Conclusion No. 6)

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7. Kirkland Police Department. Adequate security measures, i.e. lighting, signing and door locks should be designed and built into this development. No site obstructing landscaping, between 3 feet and 8 feet above grade, shall be located at either entrance of the subject property. Motorcycle barriers should be constructed at both ends of the pedestrian trails to the cul de sac at N.E. 128th Street.
8. Lake Washington School District No. 414. Sidewalks or safe walkways should be provided prior to or in conjunction with the development of additional housing in this area. It does not appear that the development, as proposed, would result in as many school aged children as would normally be expected if the subject property were to be developed as single family. (See exhibit "O").
9. Puget Sound Air Pollution Control Agency. The applicant should be required to apply for any receive a preconstruction review under Article 18, Puget Sound Air Pollution Control Regulation I, prior to a final approval for any subsequent phases II through V.
10. Washington State Department of Fisheries. Definition of mitigation measures for erosion control and storm water retention should be submitted with final Planned Unit Development application.
11. Washington State Department of Game. Same as above.
12. King County Department of Community and Environmental Development. Div. of Land Use Management. Adequate buffer areas should be developed adjacent to N.E. 132nd Street. Proposed development adjacent to N.E. 132nd Street does not appear to adequately buffer adjacent single family areas.
13. EXISTING PHYSICAL CHARACTERISTICS:  
Geology, Soils and Hazardous Slope: Prior to the development of all proposed structures adjacent to the steep slope area, detailed soils reports should be required which adequately analyze the feasibility of such development. These specific structures are III G and H and all of Phase IV. Erosion control measures should be proposed to mitigate any potential sedimentation of Totem Lake and erosion within the steep slope.

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13. Drainage from impervious areas should be directed away from (cont'd) the steep slope area because an increased water content into this area would greatly increase landsliding hazards. No loose fill should be pushed over the top of the steep slopes during site development, because this often leads to subsequent sloughing or sliding on the slope.
14. Noise. All construction activities should be confined to regular working hours. All construction traffic and activity should be directed away from occupied sections of this development. Adequate landscaping and setbacks should be required to buffer both the proposed project and surrounding development.
15. There are three specific decibel ratings which presently exceed the standards of the newly adopted Washington State Noise Control Regulations. Since these noise readings result from freeway and highway readings, they are not purview to this regulation. These readings are, however, an indication of existing noise levels in that area and the developers of the proposed project should be required to adequately buffer the project from these noise levels. This should be accomplished by adequate landscaping adjacent to N.E. 132nd Street.
16. Hydrology. Existing water quality should be maintained by adequate erosion control methods during and after construction and an oil and sediment trap within a storm water retention system. Existing runoff rates should be maintained by development of an adequate site water retention system which would maintain on-site a quantity, quality and velocity of storm waters that is equal to or better than existing runoff conditions. This on-site retention system should be designed so that it will not force water into the sub-stratum or direct concentrated runoff in the direction of the steep slope area. Beauty bark should not be used in the landscaping areas because it plugs the water retention system. Site specific clearing and grading for each building site and required roadways and parking areas should be required to reduce the amount of runoff and erosion.
17. Flora. Selective grading for each building site, roadway and parking area should be required to reduce vegetation loss. Land modifications in the steep slope area should be limited to the smallest extent necessary for approved development.

PUBLIC UTILITIES:

18. Streets. According to the King County Department of Public Works and Kirkland Public Service Department, N.E. 132nd Street could serve Phase I of the proposed development. Any subsequent phase development would overload N.E. 132nd

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G. 32. Relationship to the Planned Unit Development Procedures, Section 23.28 of the Kirkland Zoning Ordinance.

a. 23.28.050(2). (Refer to Finding 53a). The application is for a 40.5 acre Planned Unit Development.

b. 23.28.060(1). (Refer to Finding 53b). The applicant will be applying for a rezoning application to RM 1800 with each final phase Planned Unit Development application.

c. 23.28.060(3). (Refer to Finding 53c). N.E. 132nd Street is a secondary arterial.

In a Residential Planned Unit Development:

d. 23.28.070 (Refer to Finding 53d). Residential multi-family units, recreational facilities and community halls are proposed.

e. 23.28.090(1). (Refer to Finding 53e). Maximum building heights are proposed to be 35 feet which will be within the criteria set forth in this section.

f. 23.28.090(2). (Refer to Finding 53f). Proposed building coverage is 15%, or 6.3 acres.

g. 23.28.090(3). (Refer to Finding 53g). The total number of units allowed on the subject property at RM 1800 plus 15% would be 1127.

23.28.100 General Requirements - All Planned Unit Development Projects:

h. 23.28.100(1). (Refer to Finding 53h). The proposed development is generally consistent with this requirement.

i. 23.28.100(2). (Refer to Finding 53i). The applicant may be required to construct sidewalks on the south side of N.E. 132nd Street adjacent to the subject property. The proposed pedestrian pathways and picnic areas would enhance the movement of pedestrians through the wooded areas.

j. 23.28.100(5). (Refer to Finding 53j). The proposed open space within steep slope area would effectively commit this area to remain in its natural state. The applicant should be required to increase the landscaping adjacent to N.E. 132nd Street to improve the appearance of the proposed project and to buffer the proposed project from traffic noise.

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G. 32. k. 23.28.100(6). (Refer to Finding 53k). The developer should be required to submit detailed plans, pave all streets, underground all utilities, develop pedestrian pathways within the project, develop adequate off-street parking and landscape the entire project.

Each developmental "Phase" should be required to exhibit that it is a complete design unit with adequate setbacks to adjacent properties and other proposed development phases within the project site, landscaping, parking facilities, open space, recreation areas and public service facilities (i.e., water supply, sewer, storm water management, etc.). This should be required to insure that each phase could be self-sufficient if subsequent development of the project were stopped. If approval and construction of any subsequent phase (after Phase I) is not begun within twelve (12) calendar months after the issuance of all Certificates of Occupancy, additional development improvements within any preceding phases should be required where appropriate, such as cul-de-sac turn-arounds at street-ends, and looping of water lines to increase water flow, etc. Extensions of time may be granted as deemed necessary by the Planning Commission consistent with Recommendation 30, Finding No. 535 and 2.

1. 23.28.100(7). (Refer to Finding No. 53j). The developer proposes to meet the requirements of this section.

23.28.130 Common Open Space

m. 23.28.130(1). (Refer to Finding 53m). The proposed open space of this project is 63%. Open space within the buildable plateau area is 33%.

n. 23.28.130(2). (Refer to Finding 53n). The entire slope area that is proposed to be left within common open space for all future residences should be recorded as private open space as per a requirement of the final Planned Unit Development approval of the first phase development, with King County Department of Records and Elections and should be so indicated on the official zoning map of the City of Kirkland. Proof of recording shall be given to the City.

23.28.140 Form and Content of Application

o. 23.28.140(2). (Refer to Finding No. 53o). Site and vicinity plans have been submitted at a scale of fifty feet to the inch.

p. 23.28.140(3). (Refer to Finding 53p). An explanatory text of general purposes has been submitted and is included within Appendix 2 of the Final E.I.S., Exhibit "I".

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G. LOCAL ZONING AND/OR LAND USE POLICY PLANS:

31. Relationship to Totem Lake Land Use Plan and Zoning Regulation. The proposed development appears to be generally consistent with the special developmental policies adopted within the Totem Lake Land Use Plan and Zoning Regulation.

a. The proposed Planned Unit Development will be consistent with standards normally associated with the adjacent single family residential development with regard to design standards such as building height, dwelling unit densities, densities of vehicular traffic, noise levels, ratio of impervious surfaces to natural or landscaped spaces and lighting. To analyze the degree of responsiveness of the proposed Planned Unit Development to the above land use policy, the staff has undertaken a comparative evaluation of the proposed development within the easterly 150 feet of the Planned Unit Development which is adjacent to the Forest Grove residential area. The 150 foot dimension was selected for the analysis of this policy in response to the phrase in the policy regarding "...uses and activities adjacent to single family development...". 150 feet is approximately the average depth of existing single family lots (plus fronting right-of-way) adjacent to the subject property. (Exhibit "I" Revised Buffer Area);

Within the easterly 150 foot zone of the proposed Planned Unit Development, the following analysis has been made:  
The applicants are proposing to locate 10 living structures and 3 garage structures adjacent to the Forest Grove Subdivision and existing ranch house adjacent to the northeast corner of the subject property. This will result in approximately 40 individual units within 150 feet of the adjacent single family residential development. Building heights within this zone (150 foot) are proposed to be less than 25 feet above average grade. There are approximately 122 parking spaces proposed (both covered and open) within this zone. There will be approximately 35% impervious surfaces within this zone.

In comparison of this 150 foot zone to a single family residential density of 7200 the following would be applicable: approximately 24 dwelling units (du) could be proposed, (5.1 du/acre), building height could be 25 feet and 48 parking spaces would be required. This would result in approximately 47% impervious surfaces.

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G.31. (cont'd)

The ratio derived from the following calculations indicate as follows:

- (1) Dwelling units proposed in the subject property will be 1.7 times that of the adjacent single family area.
- (2) There are approximately 2.5 times more parking proposed than would be required in the adjacent single family area.
- (3) There is approximately 1.3 times more impervious surfaces within single family developments than what is proposed here.
- (4) Building height is proposed to be equal to or less than that which would be allowed in the adjacent single family area.
- (5) While noise levels could not be empirically defined, it is fair to estimate that noise levels associated with the vehicular parking densities in the proposed plan will be slightly greater than under an RS 7.2 development.
- (6) Signage and lighting likewise could not be empirically dealt with, however, it would appear that lighting levels associated with the proposed plan would be somewhat lower than those normally associated with a single family development. No specific signing of any significance is proposed.

b. The proposed setback and proposed landscaping of vehicular traffic ways adjacent to Forest Grove and the existing ranch house adjacent to the northeast corner of the subject property will be an effective separation and transition of more intensive land use activities. It does appear that bicycle and pedestrian access as proposed would be an effective separation and transition.

c. The applicants are proposing to leave all existing trees within a 50 foot buffer zone on the east boundary of the subject property to achieve a compatible relationship between the existing single family uses and the proposed more intensive land use. The applicant should also be required to leave all existing vegetation in this 50 foot buffer area at the time of development of Phase I, to insure that the 50 foot buffer area will be an adequate sight and noise screen at the time of development of Phases II and IV.

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35. f. retention system should be developed which would retain on site any increase in runoff due to development for a ten year storm. The natural drainage features within the steep slope area will be retained as proposed.

g. Policy No. 18. (Refer to Finding 55.g.). The applicant will be required to supply utilities to the subject property at their own expense.

h. Policy No. 20. (Refer to Finding No. 55.h.). The City of Kirkland, Department of Public Service, and the King County Street Department are presently working on obtaining slope easements and developing roadway design for improving N.E.132nd Street to serve the proposed development.

i. Policy No. 23. (Refer to Finding No. 55.i.) The Lake Washington School District has been asked to evaluate the impact of this development on the affected school systems in the area. They have indicated that the District cannot provide adequate school housing until some means is found to build additional facilities. (See Conclusion No. 8.) (See Exhibit "N" - Letter from Lake Washington School District No. 414, July 24, 1975 and "O" letter from the Lake Washington School District No. 414, October 29, 1975.)

RECOMMENDATIONS:

Based upon the foregoing Findings and Conclusions and as identified in Exhibits "A" through "I", we hereby recommend that this application for a Preliminary Planned Unit Development be approved subject to the following conditions:

1. Each developmental "phase" shall exhibit that it is a complete design unit with adequate setbacks to adjacent properties and other proposed development phases within the project site, landscaping, parking facilities, open space, recreation areas, and public service facilities (i.e. water supply, sewer, storm water management, etc.). It is the intent of this condition that each "phase" shall meet all minimum requirements of the Kirkland Zoning Ordinance and other applicable ordinances of the City of Kirkland together with conditions contained herein, in the event subsequent "phases" are not completed as proposed.

2. Phase I shall be commenced consistent with the requirements of Section 23.28.160(4) of the Kirkland Zoning Ordinance; each phase thereafter shall make Final Planned Unit Development application in any sequence the applicant wishes, provided that Phase V shall make application last in the total development of this proposal. Each phase of development may be a separate Final Planned Unit Development and rezoning application. Thereafter the remaining phases shall be completed within 8(eight) calendar years provided

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2. (cont'd)

that the approval and construction of any subsequent phase, after Phase I, shall begin within 12(twelve) calendar months after the issuance of all Certificates of Occupancy of any preceding phase. In the event that construction of any subsequent phase is not begun in accordance with the above, additional development improvements within the preceding phase shall be required where appropriate, such as cul-de-sac turn-arounds at street-ends, looping of water lines to increase water flow if required, etc. The purpose of such improvements is to insure compliance with Reg. #1 above. Notwithstanding compliance with the foregoing, the developer may request additional extensions of time to commence any subsequent phase, in the event that the developer has good cause, such as pending litigation, lack of ability to obtain utility services, etc. Applications for extensions must be applied for, before the end of the twelve (12) calendar month period after the issuance of all Certificates of Occupancy of the preceding phase, at the Department of Community Development, and approved in writing by the Planning Commission. The above contingency requirements shall be so specified within the Final Planned Unit Development approval of any Phase and performance bonds filed as appropriate. The term "construction" as used herein shall mean the issuance of a valid building permit then in force.

3. Adequate security measures (i.e. lighting, signing and door locks), shall be designed and built into this development.

4. Motorcycle barriers shall be constructed at both ends of the pedestrian trail to the cul-de-sac at N.E. 128th Street and at the dead-end street in Forest Grove, N.E. 129th Street.

5. No sight-obscuring construction, land modifications or landscaping, between 3 feet and 8 feet above grade, shall be located at either entrance to the subject property.

6. The applicant shall be required to submit a detailed landscaping plan developed by a licensed landscape architect, with each specific phase when Final Planned Unit Development approval is requested. The use of "beauty" bark shall be limited in all landscaping plans due to its adverse effect upon storm drainage management systems. The detailed landscaping plan submitted with Phases I and III shall indicate that proposed landscaping adjacent to the northern border of the subject site fronting on N.E. 132nd St. will be expected to form an effective visual and noise buffer both to the subject property and adjacent single family residences. The adequacy of this buffer area shall be determined by the Department of Community Development.

7. The applicant shall be required to leave all existing vegetation in the proposed 50 foot vegetative buffer zone between the subject property and the Forest Grove Subdivision.

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q. 23.28.140(5). (Refer to Finding No. 53g). Environmental information has been submitted and a positive declaration was made on August 15, 1975, by Gerald F. Link, Director of the Department of Community Development. A draft E.I.S. was published on August 18, 1975 and a final E.I.S. was published on October 18, 1975.

r. 23.28.140(6). (Refer to Finding 53.r.) A standard survey of the subject property by a land surveyor licensed by the State of Washington has been submitted (Exhibit "M") and corner stakes have been physically installed.

s. 23.28.180 (Refer to Finding No. 53 s & t). Phase I should be commenced consistent with the requirements of Section 23.28.160(4) of the Kirkland Zoning Ordinance. Each phase thereafter could make final planned unit development application in any sequence the applicant wishes, provided that Phase V should make application last in the total development of this Planned Unit Development. Each phase of development may be a separate Final Planned Unit Development and rezoned application. Thereafter the remaining phases should be completed within eight (8) calendar years, with provisos for extensions granted pursuant to this chapter and the following phrase "(or commenced with extensions of time for completion granted)" from this Section.

33. In relationship with City of Kirkland Resolution 2292:

a. Policy 1. (Refer to Finding 55a). Presently, Kirkland has 337 acres of multi-family zoned land, of which 93 acres are presently being utilized. It does appear, however, that providing for adequate buffer space between the proposed development and adjacent single family development areas and N.E. 132nd Street, this proposed development will result in community benefits by:

- (1) Allowing for concentrated housing and many additional "families" adjacent to an existing shopping area,
- (2) Preservation of a large amount of open space and a steep slope area.

b. Policy 2. (Refer to Finding 55b.)

(1) Building heights and form adjacent to the developed single family area should be limited to 25 feet in height and single family in form to provide for an adequate transition between two residential intensity uses.

(2) The upgrading of N.E. 132nd Street should be a requirement pursuant to the final approval of Phases II through V. The developers are proposing pedestrian ways throughout the proposed development. The development of adequate sidewalks along N.E. 132nd Street should be a requirement of the upgrading of N.E. 132nd St. (See Conclns. 4.a.). 12/11/75, 12/4/75 11/6/75

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g. 33. b. (3) The upgrading of N.E. 132nd St. with left turning lanes and the development of adequate sidewalks for pedestrians will significantly reduce the hazards of traffic congestion and pedestrian movement along this road.

(4) The developer is proposing to leave 63% of the total site in open space. The developer has proposed an adequate active recreation space.

(5) The applicants should be required to develop accessible and functional units for the elderly and handicapped.

c. Policy No. 4. (Refer to Finding No. 55c). The proposed development was required to exhibit adequate buffering and sight planning both within and without the project that will offer a desirable living environment by adequately landscaping the proposed development adjacent to N.E. 132nd Street, adequate setbacks and development adjacent to developed single family areas and properly locating structures within the proposed development to allow for human use.

d. Policy No. 7. (Refer to Finding No. 55.d). This proposed development is located in an outlying area lacking adequate road and water facilities. The developers will be required to pay for the installation of curbs, gutters, sidewalks and associated labor costs, on the south side of N.E. 132nd St. adjacent to the subject property. (See Conclusion 4.a.).

The developers should be required to pay for all sewer and water lines and facilities developed within the subject property.

e. Policy No. 9. (Refer to Finding No. 55.e.). The development adjacent to and on the steep slope areas should be severely limited to protect such areas from potential landslides and related potential hazards. Any development adjacent to steep slope areas should be preceded by adequate soils and geologic analysis to determine the feasibility of such development.

f. Policy No. 10. (Refer to Finding No. 55.f.). A great deal of the pasture area and many trees within the buildable plateau and some trees within the steep slope area are proposed to be removed. The applicant should be required to do selective clearing for building and roadway sites and the City should prohibit substantial tree cutting on the steep slope area. A storm water

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Recommendations, Cont'd

20. The applicant shall be required to install and maintain special handicapped parking facilities and shall be required to demonstrate that ground floor units could adequately serve the handicapped. These special parking areas shall be posted with "HANDICAPPED PARKING ONLY" signs and the applicant shall be given credit for four standard parking stalls for every three installed handicapped parking stalls.

21. The applicant shall be required to provide pedestrian walkways as proposed along the main access street, and where appropriate, walkdowns from pedestrian walkways to street level at all street crossings and dwelling unit access areas.

22. The applicant shall be required to investigate with the City of Seattle prior to Phase II approval, the possibility of developing a pedestrian walkway along the Seattle City Light, Property Management Division, Skagit Transmission Line Easement, which would connect the subject property from the end of the proposed pedestrian trail within the 30 foot property section in the southwestern section of the subject property to an existing cul-de-sac at N.E. 128th St. and thence to the Totem Lake Shopping Center. If this development would be feasible to Seattle City Light, Property Management Division, the applicants shall be required to develop this pedestrian walkway section concurrently with development of Phase III-B.

23. All construction activities shall be confined to working hours as stipulated within the Kirkland Zoning Ordinance.

24. The applicant shall be required to apply for and receive a pre-construction review under Article 18, Puget Sound Air Pollution Control Regulation I, prior to applying for final approval of Phases II through V.

25. The entire slope area, identified as Phase I-B, shall be designated as permanent common open space for the community purposes and benefit associated with that area as related to the visual and aesthetic open space, slope and soils retention and stability, the maintenance of air quality in the general area and the management of urban runoff. Except as hereinafter stipulated, said area shall be defined and recorded as a privately owned open space as a requirement of the Final Planned Unit Development approval of the first phase of development and so recorded with the King County Department of Records and Elections, and so annotated on the official zoning map of the City of Kirkland. Proof of recording shall be filed with the City of Kirkland, Department of Community Development. All open space shall be available for the use of all the property contained in this Planned Unit Development, even if only a portion of said ownership is utilized for said Planned Unit Development or if only a portion of said ownership shall have had approval of a Final Planned Unit Development. In addition to the above, the

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Recommendations, Cont'd

25. (cont'd)  
applicant shall dedicate to the City of Kirkland for the benefit of the public the air space and view subject only to natural plants and foliage and subject to the right to make such minor improvements as may be set forth in the Planned Unit Development approval or subsequently approved by the City of Kirkland as necessary for use as private open space. Said dedication shall be a condition of the Final Planned Unit Development approval of the first phase of the proposal.

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8. Additional landscaping shall be required adjacent to the Forest Grove Subdivision and small ranch house and property at the north-east corner of the subject property and extending the full length of the eastern property line of the subject property from N.E. 132nd Street to the southern boundary line of Forest Grove. This additional landscaping shall be required to be installed at the time of development of phase I to allow for a greater period of growth of an effective visual buffer between development of phase I and the time at which development occurs adjacent to existing single family development. This additional landscaping shall be of a variety, size and density that will be expected to form an effective visual buffer between the subject property and all existing single family development to the east, within six years. The adequacy of the submitted landscaping plan shall be determined by the Planning Commission. The adequacy of the buffer area to form an effective visual buffer shall be determined by the Planning Commission at the time of application for Final Planned Unit Development for Phase V. In the event that the buffer area has been found inadequate at said time, the Planning Commission shall withhold approval for said application until the Planning Commission is satisfied that an effective visual buffer exists. At the time of development of phase V, the buffer area shall be physically roped off to prohibit the destruction of any vegetative material within this area.
9. All construction on the subject property shall be required to be within conformance of the Kirkland Land Modification Ordinance No. 22935.
10. Prior to the development of proposed structures III G and H and all of Phase IV, detailed soils reports shall be required and clearly adequately analyze the feasibility of this development and identify all mitigating measures to be utilized.
11. Any proposal to locate public service facilities within steep slope areas shall be accompanied by an adequate investigation by qualified soils or geologic engineer which addresses the possible environmental impacts of this development and all necessary mitigating measures to be utilized.
12. An adequate on-site retention system shall be developed that will maintain on site a quantity, quality and velocity of storm water runoff that is equal to or better than the existing runoff conditions. The applicant shall be required to submit specific calculations and design of the storm water retention system for each phase proposal. This system shall be designed to maintain a minimum of a 10 year storm, and be designed with oil and sediment traps as appropriate.
13. This on-site retention system shall be designed so that it will not force water into the sub-stratum or direct concentrated surface runoff in the direction of the steep slope area.
14. If storm sewer lines are proposed within these steep slope areas, they shall follow the proposed pedestrian trail through this area to the extent practical, and where it is determined, by sound engineering practices, and subject to the approval of the Department of Community Development, that storm sewer lines shall not follow the proposed pedestrian trails, through the steep slope areas, construction shall be in such a manner so as to reduce erosion and to minimize destruction of the natural environment.
15. Erosion control measures shall be proposed to prevent sedimentation of Totem Lake and erosion within the steep slope area associated with this Planned Unit Development. Drainage from impervious areas shall be directed away from the steep slope area. No loose fill shall be pushed onto the steep slopes during site development.
16. Prior to filing for final approval of any portion of the Planned Unit Development, the developer shall submit to the City of Kirkland system improvements which insure that adequate water is available to the site for domestic and fire flow requirements of each "phase".
17. Only Phase I of the proposed Planned Unit Development will be considered for Final Planned Unit Development approval prior to the improvement of N.E. 132nd Street by King County as presently being designed between 100th Ave. N.E. and 132nd Ave. N.E. In the event that the King County improvement program for N.E. 132nd Street is not begun prior to any phase subsequent to phase I, and if otherwise determined that the existing configuration (at the time of final application for any phase) of N.E. 132nd Street could satisfactorily serve subsequent development phases, then development of subsequent phases could begin. Such determination shall be based upon a thorough traffic engineering analysis to be conducted at the cost of the applicant by a competent authority, acceptable to the City of Kirkland and approved by the Planning Commission.
18. The applicant will be required, as determined by the Kirkland Public Service Department, to pay for curbs, gutters, side-walks and associated labor costs on the south side of N.E. 132nd Street adjacent to the Planned Unit Development site as part of the N.E. 132nd Street improvement program and provide additional slope easements on the south side of N.E. 132nd St., adjacent to the subject property.
19. Private roads within the subject property shall have -posted signs that read "FIRE LANE - MAINTAIN 12 FOOT WIDTH CLEARANCE". These signs shall be 18" x 24" and placed every 150 feet along the loop roadway. The signs shall be purchased, installed and maintained at the expense of the developer and/or owner.

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- "H" Memo from Robert Ely, Director, Kirkland Department of Fire Services, (July 11, 1975)
- "I" Memo from Dale Decker, Coordinator, Kirkland Bureau of Fire Prevention, June 11, 1975
- "J" Letter from N.E. Lake Washington Sewer District (July 31, 1975)
- "K" Water Districts
- "L" Final Environmental Impact Statement, Totem Lake Apartments
- "M" Existing Land Use and Zoning
- "N" Survey
- "O" Letter from Lake Washington School District #414 (July 24, 1975)
- "P" Letter from Lake Washington School District No. 414 (Oct. 29, 1975)
- "Q" Application
- "R" Addendum - From Art Knutson, Public Service Director, Nov. 5, 1975 and Statement from Department of Community Development
- "S" Letter from applicant - November 21, 1975.
- "T" Buffer Area

FINDINGS:

A. SUMMARY OF THE PROPOSED ACTION:

1. This is an application for a preliminary Planned Unit Development consisting of 526 multi-family apartment units, together with related facilities, on 40.5 acres of land within the Totem Lake area. (Exhibits "A" - Location, "B" - Site Plan with phase development).
2. This Planned Unit Development is proposed to be developed in five phases and encompassing a period of five years. (See explanatory text of General Purposes, appendix 2, Final Environmental Impact Statement, Exhibit "L").  
Tentative Time Table for Development  
PHASES I-A & I-B - 1976  
168 units, 1 swimming pool, 1 recreation building, 1 tot lot & 2 picnic areas  
PHASES II, III-A & III-B - 1977-1978  
236 units, 1 swimming pool, 1 recreation building & 2 tot lots.  
PHASES IV & V - 1979-1980  
122 unit & 1 tot lot
3. TOTAL PARKING SPACES = 1,157. (Handicapped = 52)
4. Final Planned Unit Development and rezoning applications will be applied for in phases as indicated above.
5. This project is proposed by Puget Sound Land Associates, John Stuart, Principal Partner.
6. Justification. This request is justified by the applicant upon the generalized land use plan contained in the Land Use Plan and Zoning Regulations for the Totem Lake Area. This document describes the proposed land use for this site as Professional-Residential, which would allow residential development at a maximum density as permitted in an RM-1800 zone classification and/or uses within a PR zone classification (Professional-Residential). The proposed development is designed to fulfill an existing need for multi-family housing in the Kirkland area as stated by the applicant. Pages 33 and 41 through 43 of the Totem Lake Land Use Plan and Zoning Regulation are included herein as Exhibit "G".

B. HISTORICAL BACKGROUND:

7. The subject property is a portion of the Totem Lake annexation area, annexed to the City of Kirkland on March 4, 1974 by Ordinance No. 2248. Prior to annexation, the subject property was classified "General" (G), minimum lot size 35,000 square  
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R-2342



DEPARTMENT OF COMMUNITY DEVELOPMENT  
**ADVISORY REPORT**  
 FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

PREPARED BY \_\_\_\_\_ DATE \_\_\_\_\_  
 RECOMMENDED BY \_\_\_\_\_ DATE \_\_\_\_\_  
 ADOPTED BY \_\_\_\_\_ DATE January 5, 1976

STAFF \_\_\_\_\_  
 BOARD OF ADJUSTMENT \_\_\_\_\_  
 HOUGHTON COMMUNITY COUNCIL \_\_\_\_\_  
 PLANNING COMMISSION \_\_\_\_\_  
 CITY COUNCIL AS INCORPORATED IN \_\_\_\_\_  
 RESOLUTION \_\_\_\_\_ ORDINANCE \_\_\_\_\_  
 NUMBER R-2342  
 DATE January 5, 1976

FILE NUMBER PUD-75-45(P)  
 APPLICANT Puget Sound Land Associates  
 PROPERTY LOCATION N.E. 132nd St. & 126th Ave. N.E.  
 SUBJECT Application for Preliminary Planned Unit Development of  
 TOTEM LAKE APARTMENTS  
 HEARING/MEETING DATE January 5, 1976  
 BEFORE KIRKLAND CITY COUNCIL

EXHIBITS ATTACHED "A" through "I" as noted on Planning Commission cover sheet.



DEPARTMENT OF COMMUNITY DEVELOPMENT  
**ADVISORY REPORT**  
 FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

PREPARED BY \_\_\_\_\_ DATE \_\_\_\_\_  
 RECOMMENDED BY \_\_\_\_\_ DATE December 11, 1975  
 ADOPTED BY \_\_\_\_\_ DATE \_\_\_\_\_

STAFF \_\_\_\_\_  
 BOARD OF ADJUSTMENT \_\_\_\_\_  
 HOUGHTON COMMUNITY COUNCIL \_\_\_\_\_  
 PLANNING COMMISSION \_\_\_\_\_  
 CITY COUNCIL AS INCORPORATED IN \_\_\_\_\_  
 RESOLUTION \_\_\_\_\_ ORDINANCE \_\_\_\_\_  
 NUMBER \_\_\_\_\_  
 DATE \_\_\_\_\_

FILE NUMBER PUD-75-45(P)  
 APPLICANT PUGET SOUND LAND ASSOC.  
 PROPERTY LOCATION N.E. 132nd St. & 126th Ave. N.E.  
 SUBJECT Applic. for Planned Unit Dev. "Totem Lake Adts."  
 HEARING/MEETING DATE January 5, 1975  
 BEFORE KIRKLAND CITY COUNCIL

*John Lushington*  
 John Lushington, Chairperson

EXHIBITS ATTACHED "A" location map "B" Site Plan with Phase Development "C" Pages 33, 41-43 - Totem Lake Land Use Plan & Zoning Regulation "D" County Zoning Prior to Annexation "E" Memo from Art Knutson, Public Service Director "F" Memo from Art Knutson, Public Service Director 10/21/75 "G" Memo from Owen Rawsthorne, King Co. Public Works