

RESOLUTION NO. R- 2353

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF A FINAL PLANNED UNIT DEVELOPMENT AS APPLIED FOR IN DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. PUD-76-02(H), BY COLDWELL BANKER MANAGEMENT CORPORATION FOR FARWEST SERVICES TO CONSTRUCT THE PLANKHOUSE RESTAURANT WITHIN THE YARROW BAY OFFICE COMPLEX, BEING WITHIN A PROFESSIONAL RESIDENTIAL (PR) ZONE, AND SETTING FORTH CONDITIONS TO WHICH SUCH FINAL PLANNED UNIT DEVELOPMENT SHALL BE SUBJECT.

WHEREAS, the application has been submitted to the Kirkland Planning Commission and Houghton Community Council who held public hearings thereon at their regular meetings of February 3, 1976 and February 12, 1976, respectively, and at a special Kirkland Planning Commission meeting on February 26, 1976.

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

WHEREAS, said environmental assessment and declaration have been available and accompanied the application through the entire review process, and

WHEREAS, the Kirkland Planning Commission and Houghton Community Council after their public hearings and consideration of the recommendations of the Department of Community Development and having available to them the environmental assessment and negative declaration did adopt certain Findings, Conclusions and Recommendations and did recommend approval of the Final 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 Chairman thereof and filed in the Department of Community Development File No. PUD-76-02(H) are adopted by the Kirkland City Council as though fully set forth herein.

Section 2. The Final Planned Unit Development shall be issued to the application 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 Final Planned Unit Development 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,

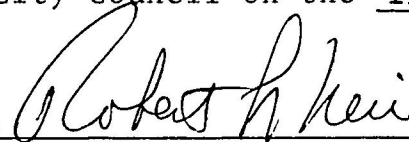
Section 5. Failure on the part of the holder of the Final Planned Unit Development to initially meet or maintain strict compliance with the standards and conditions to which the Final Planned Unit Development is subject shall be grounds for revocation in accordance with Section 23.28.00 of Ordinance No. 2183, the Kirkland Zoning Ordinance.

Section 6. Notwithstanding, the recommendations heretofore given by the Houghton Community Council, the subject matter of this Resolution and the Final Planned Unit Development herein granted are, pursuant to Ordinance 2001, subject to the disapproval jurisdiction of the Houghton Community Council, and therefore this Resolution shall become effective only upon approval of the Houghton Community Council or the failure of said Community Council to disapprove this Resolution within 60 days of the date of the passage of this Resolution.


Section 7. 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 15th day of March, 1976.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Director of Administration and Finance  
(ex officio City Clerk)

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Findings, Cont'd

- A. 6. The applicant is proposing a storm water retention system to meet with the policy requirements of the City of Kirkland.
7. This project is proposed by Coldwell Banker Management Corporation, James W. Troxel and will be leased and managed by Far West Services, Inc.
8. The applicant has submitted environmental (Exhibit "G") and traffic (Exhibit "H") assessments for this project.

B. HISTORICAL BACKGROUND:

9. This application is a part of Phase I development of the Yarrow Bay Office Complex as approved under Preliminary Planned Unit Development File No. PUD-73-32(H), and approved by Kirkland City Council Resolutions 2202 and as amended by Resolution 2207. (Exhibit "I" - Approved Preliminary Planned Unit Development Master Plan). A complete list of relevant Preliminary PUD provisions are contained within Section "G" of this report.
10. The existing developed portion of the Yarrow Bay Office Complex consists of Units 1 and 2. These units are developed with wood siding and cedar shaked roofs in a contemporary Northwestern Architecture style. Existing signage consists of one permanent wooden sign located at the entranceway on N.E. 38th Place, being 16 feet in size and 6 feet in height and externally lighted. Each unit within the project also supports identification and directional signs located on the buildings and on low posts throughout the complex. A temporary wooden construction sign is also located adjacent to N.E. 38th Place which is 160 square feet in size and 12 feet in height.

11. This proposed restaurant was initially to be constructed along with Phase I, which has been previously approved on November 5, 1973, by City Council Resolution No. 2217. This proposed project, however, was not ready for developmental proposals at that time. It was determined by Resolution 2217 that this proposed restaurant would be a separate Final Planned Unit Development application.

C. GOVERNMENTAL COORDINATION (LOCAL):

12. Department of Fire Services. Building must have supervised fire alarm system to City specifications. Must have a range/hood fire extinguishing system over cooking area. Fire extinguisher will be required per NFPA #10. Access to fire hydrants must be maintained as indicated. (Exhibit "J" - Memo from Dale Decker, 1/23/76).

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- C. 13. Police Department. Recommend an alarm system due to the out-of-the-way location of the proposed restaurant, the nearness of the railroad tracks (windows and doors can be broken and not be heard due to the noise generated by passing trains), and the backside of the restaurant will not be easily accessible. (Exhibit "K" - Memo from Lt. Jensen, 1/23/76).

14. Public Service Department. The following comments are regarding the proposed entranceway that is located on the curve of the road and immediately adjacent to Lake Washington Boulevard:

- "1. Existing traffic turning right to enter Lake Washington Boulevard could be permitted.
2. Westbound traffic on N.E. 38th Place could enter the driveway.
3. Eastbound off of Lake Washington Boulevard could not enter the driveway. The movement would be better served further east from a left turn holding lane. If an entrance is provided further east then the traffic movement in Item 2 is not necessary.
4. Existing traffic turning left could only be permitted at some other location, then shown located on the curve of N.E. 38th Place." (Exhibit "L" - Memo from Art Knutson 1/22/76)
15. Park Department. The applicant should be required to save as many of the existing trees and vegetation on site as physically possible and all areas to be landscaped should be landscaped with primarily native material.

D. EXISTING PHYSICAL CHARACTERISTICS:

(For a complete dialogue of physical characteristics, please refer to the environmental assessment - Exhibit "G").

16. Geology. The subject site exhibits a quaternary geologic history.
17. Topography. The project site has a relief of approximately 40 feet at a gradient of 10 to 20 percent on a predominantly southwest facing slope.
18. Soils. Throughout most of the site area, the uppermost soils consist of silty sand topsoil with a substantial content of organic material. In a cleared area in the southern portion of the site, there is a one foot layer of medium dense silty sand fill over approximately 3 inches of asphaltic concrete pavement and a base coarse. The topsoil is underlain by 1 1/2 to 4 foot thick deposit of brown silty fine sand with occasional gravel. Beneath this material is a unit of dense brownish gray to gray fine to medium sand containing silt, gravel and occasional cobbles. In this sand unit are lenses of silty sand. Underlying this sand unit is a complex sequence

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

PREPARED BY \_\_\_\_\_ DATE \_\_\_\_\_  
 RECOMMENDED BY \_\_\_\_\_ DATE February 26, 1976  
 ADOPTED BY \_\_\_\_\_ DATE \_\_\_\_\_

STAFF \_\_\_\_\_  
 BOARD OF ADJUSTMENT \_\_\_\_\_  
 HOUGHTON COMMUNITY COUNCIL \_\_\_\_\_  
 PLANNING COMMISSION /s/ John Cushing, Chairperson  
 CITY COUNCIL AS INCORPORATED IN \_\_\_\_\_

R-2353 RESOLUTION \_\_\_\_\_ ORDINANCE \_\_\_\_\_  
 NUMBER \_\_\_\_\_  
 DATE \_\_\_\_\_

FILE NUMBER PUD-76-02(H) Final  
 APPLICANT COLDWELL BANKER MANAGEMENT CORP./FARWEST SERVICES  
 PROPERTY LOCATION N.E. 38th Pl. & Lake Wa. Blvd.  
 SUBJECT Application for Planned Unit Development for "Plankhouse" Restaurant.  
 HEARING/MEETING DATE \_\_\_\_\_  
 BEFORE KIRKLAND CITY COUNCIL

EXHIBITS ATTACHED "A" Vicinity Map "B" Master Plan "C" Elevation Plan  
 "D" Landscaping Plan "E" Topography & Tree Survey "F" Signing "G" Environmental  
 "H" Traffic Assessment "I" Approved Master Plan "J" Memo Dale  
 "K" Memo Art Knutson "M" Revised

FINDINGS:

A. SUMMARY OF THE PROPOSED ACTION:

1. This is an application for a Final Planned Unit Development consisting of the Plankhouse Restaurant, located within the northern portion of the Yarrow Bay Office Complex. (Exhibits "A" - Vicinity Map and "B" - Master Plan). (Exhibits "A" & "B" are Figures 1 and 7 within the Environmental Assessment - Exhibit "G"). The proposed restaurant will have a gross floor area of approximately 8,500 square feet. Exterior walls will be covered with wood siding on the three walls visible to the general public and with mortar wash on the rear wall. A mansard type roof with cedar shakes is proposed. (Exhibit "C" - Elevations). (Exhibit "C" is Figure 3 within the Environmental Assessment - Exhibit "G").
2. The applicant is proposing 120 on-site parking stalls.
3. Landscaping. The applicant is proposing to leave all existing evergreen trees within a 17 foot buffer area adjacent to N.E. 38th Place, with the exception of two entryways. Most of the existing deciduous trees are to be removed. This buffer area is proposed to be supplemented with additional evergreen shrubs, vine maple, glow vegetation and a rock retaining wall. The applicant is also proposing to landscape two interior islands with Sugar Maple and Mexican Orange. The north and northeastern boundaries of the subject property is proposed to be landscaped with Western Hemlock. The southeastern boundary is proposed to be landscaped with Sugar Maple. (Exhibit "D" - Landscaping). (Exhibit "D" is Figure 5 within the Environmental Assessment - Exhibit "G").
4. The applicant is proposing to remove the following trees over six inches in caliper to make room for the proposed restaurant and parking lot: 28 firs, 1 hemlock, 1 cedar, 1 willow, 30 maples, 30 alders, 3 cascaras and 1 madrona.
5. The applicant is proposing to leave the following trees over six inches in caliper: 32 firs, 5 hemlocks, 20 maple and 10 alders.
6. The proposed cut slope along the northeast project limits is proposed to be seeded immediately after it is cut. There is also 1 existing holly tree located within the front buffer area.
7. The applicant is proposing a pedestrian pathway to the Yarrow Bay Office Complex, Exhibit "N" - Revised Landscaping Plan. (2/26/76) (Exhibit "E" - Topography & Proposed Tree Cutting Plan.) (Exhibit "E" is Figure 2 within the Environmental Assessment - Exhibit "G").
8. The applicant is proposing two signs, one to be free standing and located at the southwestern entryway to the subject property, being 50 square feet in size, 10.7 feet in height, with a routed wood face and external lighting. The second sign is to be building mounted next to the main door and to be approximately 15.2 square feet in size and will consist of neon and electric lighting. (Exhibit "F" - Proposed Signing).

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Plankhouse Restaurant/  
Coldwell Banker  
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RECOMMENDATIONS:

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

1. The proposed landscaping buffer to the existing single family zoning to the north shall be developed and maintained as proposed.
2. All proposed tree cutting within the buffer area adjacent to N.E. 38th Place shall be approved by the Department of Community Development and shall be documented by a registered landscape architect in the State of Washington or a registered tree surgeon. Said documentation shall exhibit that the trees that are proposed to be cut down are dead or dying and could not be preserved by feasible tree surgeon methods and are a clear liability to the applicants.
3. The revised landscaping plan, Exhibit "N" 2/26/76, shall be followed and in addition, the applicants shall submit to the Department of Community Development, at the time of building permit application, construction methods which will strive to minimize damage to existing vegetation to be saved.
4. All landscaping shall be maintained in a healthy growing condition as prescribed in Section 23.28.100(3) of the Kirkland Zoning Ordinance.
5. All completed landscaping shall be approved by the Department of Community Development as to the conformity of the completed landscaping to the spirit and intent of the Kirkland Zoning Ordinance, to conform to the approved landscaping plan, and to the specific intent to maintain this area as an attractive, visible entryway into the City of Kirkland.
6. A performance bond shall be required to insure the completion of all proposed landscaping, the amount to be determined by the Director of the Department of Community Development at the time of Building Permit application.
7. The applicant should be required to develop at least two hand-capped parking spaces which are easily accessible to the main entryway into the proposed restaurant, as proposed site plan, Exhibit "N", 2/26/76.
8. The applicant shall be required to develop all required improvements as required by the Department of Fire Services, Exhibit "J", of this report.
9. The applicant shall be required to meet with the Police Department to determine a suitable alarm system for the proposed development and shall follow a Police Department recommendation regarding said alarm system.
10. There shall be no left turns allowed at the northernmost entranceway to the subject property.

10"  
16"  
10"

Reuben's  
Plankhouse  
Cocktails

TO WALL  
① 2/8" x 3" L-465  
RUST PLYNG  
WHITE LTRES.  
8" DEEP  
YELLOW/OLD  
SKELETAL

SCALE 1/4" = 1'-0"

S.F. SIGN ON BLDG.  
NEXT TO ENTRANCE

Reuben's Plankhouse  
RESTAURANT.  
NARROW BAY  
WASHINGTON

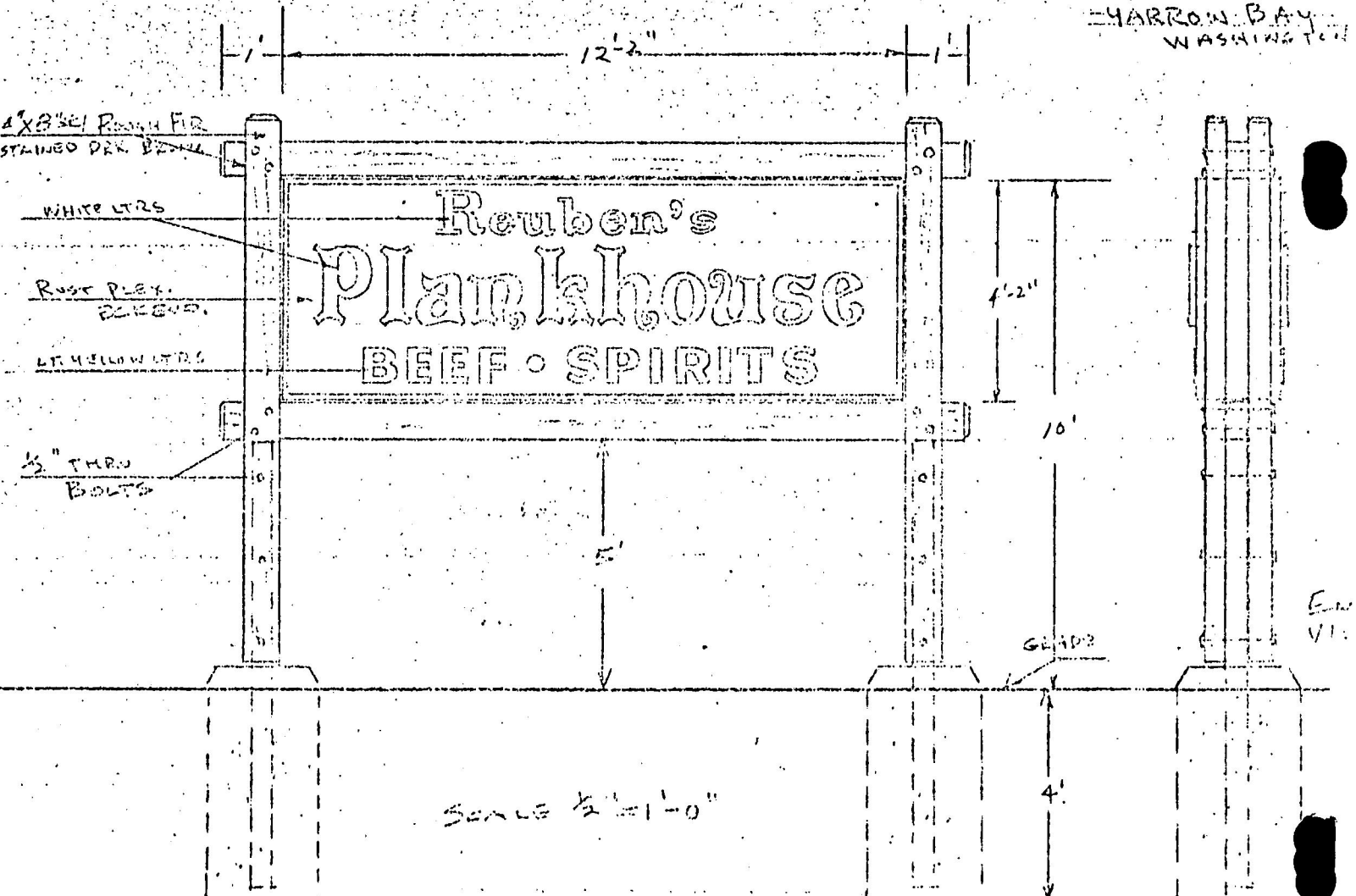


EXHIBIT "F"  
SIGNING  
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Plankhouse Restaurant /  
Coldwell Banker Mgt. Corp.

Findings, Cont'd

G. 35. b. (cont'd)

evergreen trees and 8 to 10 feet for deciduous trees. Such area of trees shall be spaced on the perimeter of the site with a maximum distance of 15 feet center to center. The shrubs used in perimeter screen shall be so located that there will be a minimum of 2 shrubs in depth in said screen. The planting beds in which the screening shrubs and trees are located shall be no less than 12 feet in depth. The minimum initial height of shrubs which are part of the sideline screen shall be 18 inches.

(3) Maintenance. Shrubs and trees in the landscaping and screening shall be maintained in a healthy growing condition. Dead or dying trees or shrubs shall be replaced immediately and the planting area shall be maintained reasonably free of weeds and trash and the standard maintained within the adjacent neighborhood.

c. Section 23.14.040. Professional Residential. Planned Unit Developments are allowed within this zone as per Chapter 23.28.

d. Section 23.34.020. Parking. Required on-site parking for restaurants shall be one parking stall for each 100 square feet of gross floor area of the use, plus one per employee.

e. Section 23.32. Signing. The interpretation of the Department of Community Development regarding permitted signage within a Freeway Interchange zone is that signage may be permitted at the same size ratio and criteria allowed within a BN, BC and CBD zone.

(1) Section 23.32.030. Regulation by zone: Within a BN, BC and CBD zone, the allowable size of a sign is two square feet per horizontal or vertical lineal foot of the face of the applicable building(s). No portion of a face mounted sign may project more than 18" from any portion of the structure.

(2) Section 23.32.040. Commercial signs are permitted providing that: the advertising sign height is limited to the actual height of the primary use structure, and no commercial use structure may be located on any other property other than that property upon which the sign is located.

(3) Section 23.32.090. Free standing signs, when over 10 square feet in area or when over 6 feet in height as measured from grade, shall require a Conditional Use Permit.

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

35. The following are relevant sections of the Kirkland Zoning Ordinance No. 2183:

a. Section 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:

(1) 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 design or development of open spaces that creates a desirable or useful environment between buildings.

(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 stream or lake.

(3) Preservation of a natural asset, such as a historic landmark or a specimen tree, or a grove of woods, or a stream or a view.

(5) Other general public benefits features which contribute to improving the environment of the vicinity.

(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 TV facilities, landscaping and adequate off-street parking.

(7) Where a PUD abuts residential zoned property, the screening requirement shall be as required in Section 23.40.070 of Ordinance No. 2183. Front, side and rear yards where the development abuts other than residential zoned property shall be not less than the minimum required by the underlying zoning.

b. Section 23.40.070. Landscaping. The perimeter of the PUD project shall be landscaped to minimum depth of 12 feet from the property line abutting a single family zone and shall be sight screened from adjoining residence zones by a solid planting of evergreen or deciduous trees and evergreen shrubs. The initial minimum height of trees forming a part of such screen shall be 4 to 6 feet for

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Findings, Cont'd

- D. 18. (cont'd)  
of interlayered sand, silty sand and silt with occasional gravel. A complete soils analysis has been completed by Dames and Moore, January 2, 1976, and all relevant information and recommendations are included within the Environmental Assessment, Exhibit "G".
19. Hydrology. Groundwater was encountered in three test pits, at approximately 25 feet in depth at the highest elevation on the subject property and 11 feet in depth in the lower portion of the subject property, which indicates that the groundwater table at this site is inclined in the same general attitude as the ground surface, but at a more gentle slope.
20. Surface Drainage. Surface flows from the drainage area are channeled into swails: The south swail originates northeast of the project and runs parallel to the southeast project site limit; the north swail enters at the project site in its northwest corner where it disappears on site. A theoretical 10 year storm would yield approximately 2 to 3 cubic feet per second and total runoff flow from the drainage area.
21. Hazardous Slope. Local hazardous slope mapping indicates that the northern portion of the subject property is located within "unstable land, Class 3".
22. Air Quality. The main sources of air pollutants near the subject site are SR-520, Lake Washington Boulevard N.E., and their associated interchange and the railroad traffic.
23. Noise. Noise level in the subject area is currently 55 to 65 dbA during daytime and 50 to 60 at night. Highway 520 is the principal continuous source, and passing trans along the railroad right-of-way result in the highest sporadic source of noise.
24. Flora. The subject site is covered with mixed deciduous and evergreen trees. Evergreen trees are Douglas Fir, Hemlock and Cedar, which exist at sizes ranging up to 42" in caliper. Deciduous trees are Maple, Alder, Willow, Cascara and Madrona, which exist up to 32" in diameter. Understorey vegetation is predominantly grasses with some brush and small trees and one Holly tree.
25. Fauna. The subject site contains a forest habitat with small herbaceous mammals and birds presently existing on site.

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E. PUBLIC UTILITIES;

26. Streets. The subject site is served by N.E. 38th Place, which is a collector road connecting to Lake Washington Boulevard N.E., and N.E. 38th Street. Current average daily traffic for Lake Washington Boulevard in the vicinity of N.E. 30th Place is 9700 as measured by the Washington State Highway Department in 1974. Peak hour traffic was factored from these data to be 775. Peak hour traffic on N.E. 38th Pl. at N.E. 38th St. is presently 50. (Exhibit "H" - Traffic Assessment).
27. Pedestrian Ways. There are no existing sidewalks or walkways along N.E. 32nd Place in front of the subject property. An existing 6 foot asphaltic sidewalk exists in front of the Office Complex.
28. Paths/Trails. There are no pedestrian ways linking the proposed restaurant to the remainder of the Yarrow Bay Office Complex.
29. Domestic Water. There is a 10" line which runs along N.E. 38th. Pl.
30. Fire Hydrants. There are two hydrants located in front of the subject property.
31. Sanitary Sewer. There is presently an 8" line running along the south side of N.E. 32nd Place.
32. Storm Sewer. There is an existing 12 foot storm sewer located at the intersection of Lake Washington Boulevard N.E. and N.E. 38th Place and runs southerly along Lake Washington Blvd. N.E.

F. NEIGHBORHOOD CHARACTERISTICS:

33. Zoning. The subject property is presently zoned Professional Residential (PR) with a Freeway Interchange overlay zone (FID). The remainder of the Yarrow Bay Office Complex is zoned Light Industrial (LI). Directly to the north of the subject property is zoned Residential Single Family (12,500). To the west of the subject property is zoned PR and Community Business (BC).
34. Land Use. The subject property is presently undeveloped. To the southeast of the subject property are four existing office buildings within the Yarrow Bay Office Complex; to the southwest is an existing bank; to the west is an existing service station and two abandoned gasoline service stations on the west side of Lake Washington Boulevard N.E.; to the northwest is one existing single family residence; and undeveloped property to the north and northeast. This area is a major access route leading into the City of Kirkland.

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Conclusions, Cont'd

4. Police Department. The applicant should be required to meet with the Kirkland Police Department to determine a suitable alarm system that will serve to reduce the liability of the proposed restaurant as a potential police protection problem. The applicant should be required to follow the recommendations that flow from the specified meeting.
5. Public Service Department. There should be no left turning movement into or out of the subject property at the proposed northernmost entranceway to the subject property. The applicants are officially forewarned that at some unspecified time in the future there will be channelization at the intersection of N.E. 38th Pl. and Lake Washington Blvd. and at that time only existing traffic turning right from the northernmost entranceway to the subject property will be physically possible. This channelization would not affect the southernmost entranceway to the subject property if a two-way left turn lane were developed at this location.
6. Park Department. The applicant should be required to leave as many existing trees as physically possible and should be required to use predominantly native vegetation in the proposed landscape areas.

D. EXISTING PHYSICAL CHARACTERISTICS:

7. Geology/Topography/Soils. As detailed within the environmental assessment, Exhibit "G", the development of this site as proposed will necessitate cuts and fills throughout the site. A cut slope with a gradient of 1.75 feet horizontal to 1 foot vertical will occur along the northeast property boundary. A rock wall will occur easterly of the tree corridor along N.E. 38th Place, maximum 8 feet in height. During site preparation and earthwork operations, the applicant proposes to strip and stockpile the top soil for use in landscaping. The soils report completed by Dames and Moore, contained within the environmental assessment, indicates that the development of this proposed project is feasible and recommends building procedures which should be followed.

8. Hydrology. In the event that hydrological problems such as slope seepage is encountered during construction, the developers will be required to utilize construction methods for controlling the seepage as approved by the Kirkland Building Department.

9. Surface Drainage. The applicant has proposed to install a storm water retention system which will maintain on site all additional runoff due to development occurring during a 10 year storm.

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Conclusions, Cont'd

- D. 10. Hazardous Slope. Development on this slope should be consistent with the recommendations within the soils report from Dames and Moore, Exhibit "G".
11. Air Quality. It would not appear that this development would cause a significant decrease in air quality in the area.
12. Noise. This proposed development would not significantly increase the noise levels within the subject area.
13. Flora. The applicant is proposing to remove approximately one-half the existing evergreen trees and most of the existing deciduous trees at the subject site due to the extensive grading proposed. The applicant indicates within the environmental assessment, Exhibit "G", Page 15, that the removal of this vegetation will be partly ameliorated by the introduction of the landscaping plantings and the fact that approximately five and one-third acres of land in the northeast corner of the Yarrow Bay Office Complex will be effectively landlocked and rendered undevelopable which will provide a permanent greenbelt retaining native vegetation and forage and habitat.
14. Fauna. The development of this proposal will effectively remove the existing small mammals now living at the subject site. The introduction of food producing landscaping material would provide a food source for a local bird and small herbaceous mammal population.
- E. PUBLIC UTILITIES:
15. Streets. N.E. 38th Place is adequate to serve this proposed project. The ingress and egress of the northernmost entranceway to the subject property should be limited as per the direction of the Public Service Department, Exhibit "L".
16. Pedestrian Ways. A 6 foot wide asphalt bicycle-pedestrian path will be constructed abutting the curb on the north side of N.E. 38th Place and connecting to an existing path to the south. Rampdowns should be provided at all curb cuts and at the northern end of the proposed pathway.
17. Paths/Trails. The applicant is proposing to link this proposed development to the remainder of the Yarrow Bay Office Complex by a pedestrian pathway.
18. Domestic Water. The existing water line is sufficient to serve the subject property.

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Findings, Cont'd

- G. 35. e. (4) Section 23.32.100. Standards of approval for conditional use.
- (a) A permitted sign shall generally be attractive on all visible sides. There shall be no back side consisting of obviously visible braces and structures that could materially affect other properties.
  - (b) Each business development under one ownership shall have not more than one principal sign oriented to a single street. Existing business developments under one ownership, revising their signs, shall have not more than one principal sign oriented to a single street.
  - (c) A permitted sign shall be to scale in size and height with the building and the premises to which it is appurtenant.
  - (d) A permitted sign shall demonstrate an integral relationship to the design of the building and the premises to which it is appurtenant, in its shape, its detail, its materials, and its color.
- f. Section 23.28.150(2b). Performance Bond. A Performance Bond may be required for completion of a specific defined portion of the project, such as landscaping, as authorized.
36. Relationship to approved Preliminary Planned Unit Development for the Yarrow Bay Office Complex. (Recommendation No. 5)
- a. (6) The applicant shall submit additional details on the pedestrian system within the development.
  - b. (8) Specific measures to deal with the projected increase to runoff within the development shall be submitted.
  - c. (10) The applicant shall, in the absence of more detailed landscaping plans as a part of the Preliminary PUD, be bound by the conceptual landscape plan as provided with the Preliminary Planned Unit Development documents and shall not propose a reduction in the landscaped area so defined in concept by more than 10%.
  - d. (11) The applicant 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 design of the structures are concerned including exterior materials and colors. The applicant shall submit a detailed landscaping plan for the site.

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Findings, Cont'd

- G. 36. e. (12) The applicant shall submit plans and measures for perimeter transition at the northwesterly portion of the site and adjacent to the existing single family zoning. This is primarily intended to provide transition between the restaurant and its related off-street parking to the abutting properties.
- f. (13) In general, the applicant shall submit Final PUD documents in accordance with the requirements of the Kirkland Zoning Ordinance and such document shall conform to the spirit and intent of the Preliminary PUD document and exhibits.
- g. (14) Trees 6" and over in caliper on the northwest portion of the site shall be certified by survey.
- h. (15) A 6 foot bicycle and pedestrian path shall be installed along the entire length of this project on the northeast side along N.E. 38th Place.
37. Relationship to Resolution No. 2249. City of Kirkland Resolution 2249 requires all development within areas classified as unstable slope areas to receive a waiver of this resolution pursuant to application for rezoning and development.
38. Storm Water Retention System. City of Kirkland policy requires all new development within the City of Kirkland to install a storm water retention system which will maintain on site all additional runoff due to development occurring during a 10 year storm. This storm water retention system shall maintain on-site a quality, quantity, and velocity of runoff that is equal to or better than that which presently exists.

CONCLUSIONS

A. SUMMARY OF THE PROPOSED ACTION:

1. This application for a Final Planned Unit Development to construct the Plankhouse Restaurant is generally consistent with the Kirkland Zoning Ordinance and the approved Preliminary Planned Unit Development (File No. PUD-75-32(H)), except where specified below.

B. HISTORICAL BACKGROUND:

2. (See No. 1 above.)

C. LOCAL GOVERNMENTAL COORDINATION:

3. Department of Fire Services. All requirements of this Department should be followed, as specified in Exhibit "J", memo from Dale Decker, 1/23/76.

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- G. 24. j. (4) (d) The proposed free standing sign demonstrates an integral relationship to the design of the building and the premises to which it is appurtenant, in its shape, its detail, its material and its color due to the above being a standard rectangular shape, its detail being the name of the proposed restaurant, and its background color being an earth shade of rust and lettering being white and yellow and its material being wood with external lighting.
- 25. This application is consistent with the following relevant sections of the approved Preliminary Planned Development for the Yarrow Bay Office Complex:
  - a. (Reference Finding No. 36.a.)
    - (6) The applicant is proposing a direct pedestrian link to the Yarrow Bay Office Complex.
    - b. (Reference Finding No. 36.b.)
      - (8) The applicant has submitted specific measures to deal with the projected increased runoff within the development. However, silt and oil separators should be required to be designed and developed with the proposed storm water retention system.
    - c. (Reference Finding No. 36.c.)
      - (10) The applicant has not proposed any reduction in the conceptual landscaping plan.
    - d. (Reference Finding No. 36.d.)
      - (11) This application is generally within the spirit and intent of the approved Preliminary Planned Unit Development so far as the elevations and design of the structures are concerned including exterior materials and colors. The applicant has submitted a detailed landscaping plan for the site.
    - e. (Reference Finding No. 36.e.)
      - (12) The applicant has submitted plans for perimeter transition at the northwesterly portion of the site adjacent to the existing single family zoning. The completed landscaping should be reviewed by the Department of Community Development to determine if the spirit and intent of the completed landscaping has been met.
    - f. (Reference Finding No. 36.f.)
      - (13) The applicant has submitted Final PUD documents for this project which are in accordance with the requirements of the Kirkland Zoning Ordinance and conform to the spirit and intent of the Preliminary approved PUD.

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- G. 25. g. (14) (Reference Finding No. 36.g.) Trees 6" and over in caliper on the northwest portion of the site have been certified by a survey (Exhibit "E").
- h. (15) (Reference Finding No. 36.h.) A 6 foot bicycle and pedestrian path has been proposed along the entire length of this proposed project on the north-east side of N.E. 38th Place.
- 26. Relationship to Resolution No. 2249. The applicant is not required to receive a Waiver of R-2249 due to the fact that this application has already received preliminary approval by R-2202, on August 20, 1973.
- 27. Storm Water Retention System. The applicant is proposing to install a storm water retention system which will retain on-site all additional runoff due to development occurring during a 10 year storm.
- 28. This application is inconsistent with the following sections of the Kirkland Zoning Ordinance No. 2183.
  - a. (Section 23.28.100.a(3)). (Reference Finding No. 35.a.(3)). The development of this site will require the removal of a substantial grove of trees. This is an unavoidable aspect of development, however, the proposed 17 foot buffer area adjacent to N.E. 38th Place should be substantially supplemented with a dense landscaping material that will help to sight screen the subject property and will offset the tree removal. The landscaping of the remainder of the site should be completed as recommended by the Park Department. The applicant should be required to submit to the Department of Community Development at the time of building permit application, construction methods which will strive to minimize damage to existing vegetation to be saved.
  - b. (Section 23.28.150(2b))(Reference Finding No. 35f) Performance Bonds. A Performance Bond should be required to insure the completion of landscaping as finally approved with this application. The amount should be determined by the Director of the Department of Community Development at the time of building permit application.
- 29. This application is inconsistent with the following requirements as approved in the Preliminary PUD for the Yarrow Bay Office Complex:
  - (Reference Finding No. 36.f.) The applicant has not submitted final PUD documents in accordance with the Kirkland Zoning Ordinance, as specified in Conclusions 28 a. and b.

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Conclusions, Cont'd

- E. 19. Fire Hydrants. The existing fire hydrants are sufficient to serve the subject property, provided that the requirement of the Department of Fire Services are followed, Exhibit "j".
20. Sanitary Sewer. The existing sanitary sewer line is sufficient to serve the subject property.
21. Storm Sewer. The applicant would be able to connect the proposed on-site storm water retention system into the existing storm sewer line if so directed by the Public Service Department.

F. NEIGHBORHOOD CHARACTERISTICS:

22. Zoning. The development of this restaurant will be consistent with conditional uses within a Professional Residential and Freeway Interchange District Zone. Special site screening methods should be included to screen the proposed development from the existing single family zoning to the north.
23. Land Use. The development of this proposed restaurant will be consistent with the development of the Yarrow Bay Office Complex and the development of the Freeway Interchange District. Since this area is a major access route leading into the City of Kirkland the applicants should be required to heavily landscape and maintain a buffer strip fronting on N.E. 38th Place.

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

24. This proposed development is consistent with the following sections of the Kirkland Zoning Ordinance No. 2183:
- a. (Section 23.28.100(1)) (Reference Finding No. 35.a.(1)). The development of this restaurant as proposed would leave a substantial amount of open space to the northeast of the subject property landlocked.
- b. (Section 23.28.100(2)) (Reference Finding No. 35.a(2)). The applicant has proposed to install a pedestrian/bicycle pathway along N.E. 38th Pl. and has previously upgraded N.E. 38th Pl. to City standards, and is proposing a direct pedestrian link to the Yarrow Bay Office Complex.
- c. (Section 23.28.100(3)) (Reference Finding No. 35.a(3)). The development of this proposal will landlock 5 1/2 acres of woods to the east of the subject property and located within the boundary of the total PUD.
- d. (Section 23.28.100(5)) (Reference Finding No. 35.a(5)). The applicant is proposing to substantially landscape the perimeters of the subject property. The recommendations of the Park Department should be required, Conclusion No. 6.

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Conclusions, Cont'd

- G. 24. e. (Section 23.28.100(6)) (Reference Finding No. 35.a(6)). This project will be a complete development and it will be required to install and hook up to all required facilities.
- f. (Section 23.28.100(7)) (Reference Finding No. 35.a.(7)). The applicant is proposing to substantially screen the subject property from the abutting residential zoned property to the north and will be required to meet Section 23.40.070 of Ordinance No. 2183.
- g. (Section 23.40.070) Landscaping. (Reference Finding No. 35.b.) The applicant is proposing to meet all landscaping requirements within this section. The recommendations of the Park Department should be required, Conclusion No. 6. The applicant should be required to maintain all landscaping in the manner prescribed within Section 23.40.070(3) of the Kirkland Zoning Ordinance.
- h. (Section 23.140.040). Professional Residential Zone. (Reference Finding No. 35.c.) A restaurant is permitted as a conditional use or under a Planned Unit Development.
- i. (Section 23.34.020) Parking. (Reference No. 35.d.) The applicant would be required to develop 85 parking stalls per the total gross floor area of the use, plus 1 per employee. This would total approximately 100 parking stalls. The applicant is proposing 126 stalls. The applicant should be required to develop at least two of the required parking stalls for the handicapped.
- j. (Section 23.32) Signs (Reference Finding No. 35.e.)
- (1) The proposed building mounted sign will be for identification and will be oriented to the southern parking area and is consistent with this Section of the Kirkland Zoning Ordinance.
- (2) The proposed free standing sign will be the major advertising sign, and the size and height will be within the allowable size and height per this section.
- (3) The approval of all signs for this Planned Unit Development will be effectively the same as a Conditional Use Permit.
- (4) (a) The proposed free standing sign will be generally attractive on all visible sides and there is no back side consisting of obviously visible braces and structures that could materially affect other properties.
- (b) This development will have only one principal sign oriented to N.E. 38th Place.
- (c) The proposed free standing sign will be to scale in size and height with the building and the premises to which it is appurtenant due to the proposed sign being within the allowable size and height limits as set forth in Section 23.32 of the Kirkland Zoning Ordinance. 2/3/76 2/26/76 1/27/76

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