

RESOLUTION NO. R- 2357

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF A PRELIMINARY PLANNED UNIT DEVELOPMENT PERMIT AS APPLIED FOR IN DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. PUD-75-61(P) BY G&B ESTATES, INC. TO ALLOW DEVELOPMENT OF 200 APARTMENT UNITS AND THREE PROFESSIONAL CLINICS AT THE SOUTHEAST CORNER OF KINGSGATE WAY AND N.E. 124TH STREET BEING WITHIN A RS 35 $\frac{1}{2}$ 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 hearing thereon at their regular meeting of March 11, 1976, and

WHEREAS, pursuant to City of Kirkland Resolution No. 2181 concerning environmental policy 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 after their public hearing 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 Preliminary Planned Unit Development Permit 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-75-61(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 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 Preliminary Planned Unit Development to initially meet or maintain strict compliance with the standards and conditions to which the Preliminary Planned Unit Development is subject shall be grounds for revocation in accordance with Section 23.28.160(4) of Ordinance No. 2183, the Kirkland Zoning Ordinance.

Section 6. Certified or conformed copies of this Resolution shall be delivered to the following:

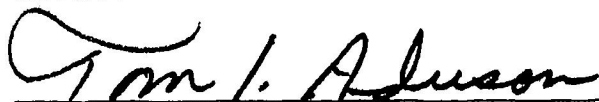
- (a) Applicant
- (b) Department of Community Development of the City of Kirkland
- (c) Building Department of the City of Kirkland
- (d) Fire Department of the City of Kirkland
- (e) Police Department of the City of Kirkland
- (f) Public Service Department of the City of Kirkland
- (g) The Office of 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 5th day of April, 1976.



Mayor

ATTEST:



Director of Administration and Finance
(ex officio City Clerk)

FINDINGS:

A. SUMMARY OF THE PROPOSED ACTION:

1. This is an application for a Preliminary Planned Unit Development consisting of 200 multi-family apartment units, three professional clinics, and related facilities, on 13.96 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 three phases and encompassing a period of four years.

Tentative Time Table for Development

Phase I. 1976
100 apartments consisting of 20 efficiency units, 40 1-bedroom units and 40 2-bedroom units, 1 recreation building, 1 swimming pool and 220 parking spaces.

Phase II. 1978
100 apartment units consisting of 20 efficiency units, 40 1-bedroom units, 40 2-bedroom units, and 220 parking spaces.

Phase III. 1979
3 professional clinics consisting of:
Unit A - 13,000 square feet and 68 parking spaces,
Unit B - 3,250 square feet with 17 parking spaces; and
Unit C - 3,200 square feet with 16 parking spaces.

3. Also proposed in conjunction with the development of the subject property is a complete stream alignment of the existing stream on the subject property and re-designing and enlarging of 2 of the three existing ponds on the subject property. The easternmost pond will be eliminated. (Exhibit "C" - Proposed Stream Realignment and Landscaping).

4. Final Planned Unit Development and Rezoning applications may be applied for in phases as indicated above.

5. This project is proposed by G & B Estates, Inc., 12620 120th Ave. N.E., Kirkland, Sam Harmon, Vice-President.

B. HISTORICAL BACKGROUND:

6. 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 feet.

3/11/76
3/5/76

Findings cont'd

B. 7. The subject property is being developed by the owners of the Totem Lake Center and is proposed to be an extension of the total development concept of the Totem Lake Center.

C. GOVERNMENTAL COORDINATION:

8. Kirkland Public Service Department. The applicant shall contribute towards the redevelopment of N.E. 132nd Street, \$10.00 per front foot of the subject property fronting, on N.E. 132nd Street, deed the required right-of-way, and make the slope easements a part of the Planned Unit Development's conditions. The storm drainage water will be permitted to flow from the street right-of-way as presently existing. The proposed street improvements are to contain the flood water within a controlled outlet onto private property. (Exhibit "D" - Memo from Art Knutson dated 2/17/76).

9. Kirkland Department of Fire Services. Nine on-site fire hydrants will be required, developed to minimum City standards. The proposed five bridges within the project shall be constructed so as to support our largest pumper which has a gross vehicle weight of 36,000 lbs. Fire extinguishers and automatic fire alarm system to be installed as per City requirements. (Exhibit "E" - Memo from Dale Decker, 2/3/76).

10. Kirkland Building Department. Major through-circulation route should have assigned street numbers posted with appropriate signs. (Exhibit "F" - Memo from Bruce Lorentzen, 12/11/75).

11. Kirkland Police Department. There should be adequate parking space for tenants and guests and sufficient turn-around space for emergency vehicles.

12. Water District No. 79. "Water District No. 79 can provide an adequate supply of water for both domestic and fire fighting requirements." (Exhibit "G" - Letter from W.D. #79, 1/6/76).

13. N.E. Lake Washington Sewer District. Sanitary sewers are located on easements across the subject property. (Exhibit "H" - Letter from N.E. Lake Washington Sewer District, 2/3/76).

14. Lake Washington School District No. 414. Children from this proposed development would attend Muir Elementary, 14012 132nd Ave. N.E., which has a state rated capacity of 479 students and a present enrollment of 776 students; Kamiakin Jr. High School, 8040 N.E. 132nd Street, which has a state rated capacity of 699 students with a present enrollment of 823 students; and Juanita High School, 10231 N.E. 132nd Street, which has a state rated capacity of 1387 students and a present enrollment of 1324. The School

3/11/76
3/5/76

R-2357



DEPARTMENT OF COMMUNITY DEVELOPMENT
ADVISORY REPORT
FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

PREPARED BY _____ DATE _____
RECOMMENDED BY XX DATE March 11, 1976
ADOPTED BY _____ DATE _____

STAFF _____
BOARD OF ADJUSTMENT _____
HOUGHTON COMMUNITY COUNCIL _____
PLANNING COMMISSION XX
CITY COUNCIL AS INCORPORATED IN _____
John Cushing
John Cushing, Chairperson

R-2357 RESOLUTION _____ OF FINANCE
NUMBER _____
DATE _____

FILE NUMBER PUD-75-61(P)
APPLICANT Sam Harmon - G&R Estates
PROPERTY LOCATION S.E. corner Kingsgate Way & NE 132nd St.
SUBJECT Application for a Preliminary Planned Unit Development for 200 multi-family apartment units, three professional clinics, and related facilities.
HEARING/MEETING DATE April 5, 1976
BEFORE KIRKLAND CITY COUNCIL

EXHIBITS ATTACHED Exhibits "A" through "Q" listed on opposite page.

LIST OF EXHIBITS TO FILE NO. PUD-75-61(P) TOTE! LAKE APTS. (HARMON)

- "A" Location Map
- "B" Site Plan with Phase Development
- "C" Proposed Stream Realignment and Landscaping
- "D" Memo from Art Knutson, Public Service Director
- "E" Memo from Dale Decker, Fire Department
- "F" Memo from Bruce Lorentzen, Bldg. Dept.
- "G" Letter from Water District #79
- "H" Letter from N.E. Lake Washington Sewer District
- "I" Letter from Lake Washington School District
- "J" Letter from King Co. Dept. Public Works (DeSpain)
- "K" Letter from William B. Gillespie 1/26/76 (King Co. Public Works)
- "L" Letter from William Gillespie 2/19/76 (King Co. Public Works)
- "M" Letter from King C. Dept. Community & Environmental Development
- "N" Letter from Department of Fisheries
- "O" Environmental Assessment
- "P" Topography
- "Q" Vegetation

Findings cont'd

- D. 22. Soils. The subject site exhibits 4 soil classifications, (1) Everett Gravelly, Sandy Loam, 5-16% slope, (Evc), no flood hazard, slight erosion hazard, and slight slippage potentials are indicated for this soil. (2) Alderwood Gravelly Sandy Loam, 0-3% slopes, (AgB), drainage is moderate, permeability is moderate to slow, surface runoff slow to medium, no flood hazard and only slight erosion hazard and slight slippage potential is normal. (3) Indianola Loamy Fine Sand, 0-3% slopes, (InA), drainage tends to be excessive, permeability is moderately rapid, surface runoff is slow, no flood hazards, slight erosion hazard and slight slippage potential. (4) Ragnar Fine Sandy Loam, 7-8% slopes, (RaC), typically well drained, permeability moderate to rapid, surface runoff medium, no flood hazard, moderate erosion hazard, and moderate slippage potential.
23. Geology. The major surficial geologic units of the Totem Lake area are made up of quarternary age, Recessional Gravels and smaller units of Vashon-age till. The gravel and the till seldom present stability problems, but the till in some areas pose drainage problems. The applicants have submitted a geologic/soils evaluation by Rittenhouse, Zeman and Associates. A breakdown of the geology of the subject property is as follows:
- a. Alluvium (Qa): This alluvium is distributed along the major drainage channel of the site and a major portion of the development will take place on this alluvium.
- b. Glacial Till (Qt): This Vashon-age till is limited to the steeply sloped northern area of the site, approximately 175 feet elevation. A very small portion of this till, about 6.1%, is being proposed to be cleared and built upon.
- c. Recessional Gravels (Qr): The Recessional Gravel deposits on the site are distributed along the southern boundary. Virtually all of this area would be covered by above ground improvements.
- d. Manmade Fill (Qm): Two small areas of manmade fill are found on the site, one at the northwest corner of the site and the other in the southeast portion. Above ground improvements, mainly parking areas and open space, are proposed for these locations.
- e. Alluvial Sand (Qf): Less than one-third acre of the subject property is occupied by Alluvial Sand.
24. Hazardous Slopes. Local hazardous slope mapping indicates that the northern portion of the subject property in the steeper slope area is located within "Naturally Stable Slopes, Class 2".

3/11/76
3/3/76

Findings cont'd

- D. 25. Hydrology. The subject property is located within the Juanita Creek Drainage Basin and the small streamway running through the subject property is a tributary to Juanita Creek. There are also three marsh-like ponds within the subject property boundaries. Presently all surface waters on the subject property are collected in the three ponds. A complete hydrologic analysis was done by Jones Associates, consultants for the applicant. On-site runoff was calculated as approximately 3.6 cubic feet per second, or 1,634 gallons per minute, at concentration times of 15 minutes. Off-site runoff to the subject property was calculated at 117 cubic feet per second, approximately 52,500 gallons per minute, with a concentration time of 55 minutes. The existing ponds, marshes and open channel on the site now provide natural detention for peak flows of just over 20 cubic feet per second, approximately 9,000 gpm. The Recessional Gravel (Qr) underlying most of the site appears to contain perched groundwater in the lower portions of the gravel. (See Exhibit "p" - Topography).
26. Flora. Three distinct plant communities appear on the subject property: (1) Second growth forest occurring along the northern slope; (2) Open areas disturbed by recent construction; and (3) Marshland, the least extensive on the site, plant communities composed of species that are either Hydrophytic or otherwise tolerant of more poorly drained areas. (Exhibit "G" - Vegetation).
27. Fauna. Wildlife species more tolerant of human activity, "broad niche" species are found on the subject property. No rare or endangered species are known to inhabit the site or environs. Waterfowl, pheasants and a large number of squirrel have been observed and/or are residents to the site.
28. Air Quality. The closest air quality monitoring station to the subject property is located in downtown Bellevue, however, due to the undeveloped nature of the area, the general air quality is expected to be good. Polluting sources would be primarily the automobile travelling on the adjacent I-405 and surrounding streets.
29. Noise. The consultant to the applicant completed noise readings in the morning, afternoon and evening at a test location in the general area of proposed building No. 1, which is expected to exhibit the highest ambient noise reading. The highest ambient noise reading was between 5:20 to 5:40 P.M., on January 19, 1976, which was 48 dBA.

E. PUBLIC UTILITIES

30. Streets. The subject property is served by N.E. 132nd

3/11/76
3/3/76

Findings cont'd

C. 14. District's contention is that this development would add more children to a presently overcrowded elementary school and junior high school. The suggestion of the School District is that an environmental impact statement be filed to show the overcrowding which this development would cause. The School District also recommends that this project not be approved unless sidewalks and adequate walkways are furnished along related entrance drives. Allowing any of these units to be constructed without walkways will constitute a safety hazard for children walking to the schools as they all have to walk in the street. (Exhibit "I" - Letter from Lake Washington School District No. 414, 1/8/76).

15. King County Department of Public Works: King County is proposing to reconstruct N.E. 132nd Street at this location, work starting sometime this spring. The project includes channelization on N.E. 132nd Street with signalization for the subject intersection. The Department of Public Works would also like to have the developer verify a 25 foot right-of-way radius from the subject property for development of N.E. 132nd Street. (Exhibit "J" - Letter from King County Department of Public Works, 1/21/76).

16. King County Department of Public Works, Division of Hydraulics. "The effect of the existing ponds and swampy areas as peak dampening facilities in not adequately explored. An inflow-outflow analysis should be made to determine the retention capability of the existing ponds. The reduction of ponding and covering of ground with asphalt and buildings has an extremely adverse effect on the storm water runoff rates." "Considering the hydraulic features and the steepness of the slopes, the property does not appear to be suitable for a development of this magnitude." (Exhibits "K" and "L", Letters from William B. Gillespie, 1/26/76 and 2/15/76).

17. King County Department of Community & Environmental Development, Land Use Management Division. The main concerns center on the impacts of the project on the single family area north of 132nd Street, limiting access to N.E. 132nd Street, and Kingsgate Way N.E. and the development on the steeper portions of the site. They suggest that the north boundary of the site be intensively landscaped to provide a visual buffer between the proposed apartment development and the existing single family development. The setbacks shown on the plan appear adequate. Access to N.E. 132nd Street and Kingsgate Way N.E. should be limited to minimize congestion. The circulation plan as shown for the project accomplishes this. However, the

Findings cont'd

C. 17. two exceptions are of concern. It would seem appropriate to provide access to them from within this project, in order to avoid additional intersections on the arterial when those parcels are developed in the future. "The preservation of the steeper portions of the site and open space is admirable, but development on the remainder of the hillside of 10 to 20% slopes is questionable. Aerial photographs (1970) show the hillside to be heavily wooded. Based on our experience on steep slopes in other parts of King County, we would recommend reduced densities and more sensitive design on that portion of the site." (Exhibit "M" - Letter from King County Department of Community & Environmental Development, Land Use Management Division, 1/26/76).

18. Washington Department of Fisheries. "Due to the existing fish passage barriers on the unnamed tributary downstream from the project location, the area involved with this proposal does not directly support anadromous fish. However, Juanita Creek does support a run of anadromous fish along with some resident species. This requires maintaining and/or improving the existing water quality and quantity in the drainage area. To minimize any long range impacts to the drainage basin as a result of this proposal, the runoff water from the parking lot should be routed through a facility and/or system that will filter out all pollutants, it is also advisable to landscape the stream in a manner that will provide maximum shade and natural growth without the use of fertilizers. A Hydraulics Project Approval must be obtained from the Department of Fisheries and the Department of Game before work is initiated on the stream. (Exhibit "N" - Letter from Washington Department of Fisheries, 2/10/76).

19. Puget Sound Air Pollution Control Authority. The applicant will be required to apply for a pre-construction review under Article 18, Puget Sound Air Pollution Control Regulation.

D. EXISTING PHYSICAL CHARACTERISTICS:

20. For a complete dialogue of existing physical characteristics please refer to the environmental assessment, Exhibit "O".

21. Topography. The property slopes from a maximum height of 226 feet above mean sea level in the north central portion of the subject property to a low elevation of approximately 166 feet above mean sea level near Kingsgate Way. Between the moderately steep northern slope and the flat southern area, there is an elongated, general depression extending from the southeastern most corner of the subject property, in a northwesterly direction through the middle portion of the western boundary of the subject property. (Exhibit "p" - Topography).

Findings cont'd

- G. 42. a. (2) (d) not increasing traffic congestion by the addition of interchange land uses and activities, and
- (e) relating proposed developments to existing topographic conditions, site amenities and other natural features."
43. a. Policy 1.A.
- (3) "In conjunction with increased land use intensities, developers should be required to assist in mitigating freeway-related impacts in and around interchange areas."
- (4) "Impacts to areas adjacent to freeway interchange areas should be considered in the development process and those adverse impacts should be mitigated."
- b. Policy 1.B. "Development in the interchange areas should be designed to enhance those areas as entry points to the City."
- c. Policy 1.C. "Signing in and adjacent to interchange areas should be limited, and, in addition, the following standards should be met:
- (2) Signing for interchange uses and activities should not exceed signing permitted for other local uses and activities."
- d. Policy 1.D. "The City should prohibit industrial or commercial development between interchanges except where such uses have been established and zoned."
- e. Policy 1.E. "For those land areas designated as "potentially hazardous" due to geologic or soils conditions, private development could occur by adhering to the following criteria:
- (1) Any development in these areas, either public or private, should have the approval of an engineering geologist or equally qualified person as to the geologic stability and foundation design."
- f. Policy 2.A. "In all future development plans, provisions should be made to maintain the existing stream in a somewhat natural state and to utilize what existing vegetation there is for buffering adjacent commercial, professional or institutional uses from residential uses abutting the north side of N.E. 132nd Street. Any stream re-alignment pursuant to a State Hydraulics Permit, should maintain the watercourse in an open and natural-like setting."

3/11/76
3/3/76

Findings cont'd

- G. 43. g. Policy 2.B. "East of Interstate 405 in this Policy Area, are existing professional offices, medical and dental buildings and a convalescent center. The remainder of this area should be considered as an area for extension of professional and institutional uses or supportive activities, or for medium density residential."
- h. Policy 2.C. "Proposed developments which may include multi-family residences, group building condominiums or professional offices which may require a re-classification of land use pursuant to the Generalized Land Use Plan, shall be subject to the Planned Unit Development procedure and the following criteria:
- (1) 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 development 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, a ratio of impervious surfaces to natural or landscaped spaces, lighting, signing, etc.
- (2) 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.
- (3) Existing trees and vegetation, and topographic 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."
44. The following are relevant sections of the Planned Unit Development procedures: (Section 23.28 of the Kirkland Zoning Ordinance No. 2183).
- a. 23.28.050. Minimum Site Area. It is the interpretation of the City Attorney that where an ordinance of the City specifies that development application or rezones require a Planned Unit Development procedure to be followed prior to development, that the requirement for a minimum parcel size for a Planned Unit Development application is waived.

3/3/76

Findings cont'd

- E. 30. Street, a secondary arterial; Kingsgate Way, a major arterial; and 120th Ave. N.E. Access to the subject property is proposed off of Kingsgate Way and 120th Ave. N.E. Commuting traffic on the adjacent Interstate 405 would enter this area from the N.E. 124th Street interchange. The applicant is proposing three access points to Kingsgate Way and three access points to 120th Ave. N.E.
31. Paths/Trails. There are no proposed paths/trails proposed to be developed in conjunction with this development.
32. Pedestrian Ways. No sidewalks exist along the 3 abutting streets to the subject property. 120th Ave. N.E. is a proposed bicycle route by the Kirkland Park Department. King County Department of Public Works is planning an upgrading of N.E. 132nd Street this year which would include sidewalks on the south side of N.E. 132nd Street and a bicycle path on the north side of N.E. 132nd Street.
33. Fire Hydrants. There are two existing fire hydrants adjacent to the subject property on the east side of Kingsgate Way. (Refer to Exhibit "E", Fire Department Memorandum regarding required fire prevention facilities.)
34. Domestic Water. The subject property is serviced by Water District No. 79, which is presently constructing a new 14" water main along N.E. 132nd Street. (Refer to Exhibit "G" - Letter from Water District No. 79, 1/6/76).
35. Sanitary Sewer. The subject property is serviced by N.E. Lake Washington Sewer District. (Refer to Exhibit "H", Letter from N.E. Lake Washington Sewer District, 2/5/76).
36. Storm Sewer. There is an existing 48" storm sewer which routes storm drainage from the subject property under Kingsgate Way and I-405.

F. NEIGHBORHOOD CHARACTERISTICS:

37. Zoning. The zoning on the subject property is Residential Single Family, 35,000 square feet. (RS 35) To the north and northeast of the subject property the zoning is RS 7,200, Suburban Residential (SR) and General; to the east is RS 35; to the southeast and south is Residential Multi-Family (RM) and Community Business (BC); and to the west is RN 1800 and SR. All properties to the north and west of the subject property are located within the unincorporated King County area.
38. Land Use. The subject property is presently undeveloped. There is existing single family development to the north, vacant land to the east, the Evergreen General Hospital to the southeast, clinics and a convalescent home to the south and the Totem Lake Shopping Center further to the south, the I-405 to the west and undeveloped land on the

3/11/76

Findings cont'd

- F. 38. west side of I-405.
39. Public recreation/open space. There are no public recreation facilities within a close proximity of the subject property. There is a small neighborhood park on the north side of N.E. 132nd Street.
40. Public Education. The subject property is within Lake Washington School District No. 414.
41. 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 AND PLANS:
42. The following are relevant policies of the Totem Lake Land Use Plan and Zoning Regulation:
- a. Policy 1.A. "Appropriate land uses and activities should require the functional benefits related to a freeway interchange in terms of access, visibility, land use compatibility or other such criteria. In exchange for any increased densities, the City should expect a desirable environment as prescribed by the following standards:
- (1) Land uses and activities should relate to the opportunities and constraints of the interchange in terms of:
- (a) requiring that the developer demonstrate the need for such a location if a related rezone is required, and
- (b) the preservation of adjacent and nearby land uses and activities which may be impacted by freeway interchange uses."

(2) "Adverse effects generated by appropriate activities and land uses should be mitigated in terms of:

- (a) preventing the encroachment of non-residential uses into residential areas which are not yet impacted by freeway interchange activities and land uses, and
- (b) not introducing new adverse impacts by non-residential uses into residential areas already partially impacted by the freeway, and
- (c) landscape buffering should be required between residential and non-residential uses, to minimize visual and other impacts, and

R-2357

3/11/76

Findings cont'd

- G. 44. i. particular project authorized under this chapter, or upon the expiration of 3 years from the final approval of a Planned Unit Development which has not 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 Planned Unit Development is located."
- 45. 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:
 - (1) Regulating building height and from (especially in single family areas.)
 - (2) "Devoting adequate space to parks, recreation and other open spaces;"
 - (3) "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 "arrest areas" should provide for the bringing of adequate roads, sewers and other necessary facilities to those development areas."
 - e. Policy No. 9: "The City should plan for open space or low density development in natural constraint areas."

3/11/76
3/3/76

Findings cont'd

- G. 45. e. 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 landuse 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 generally consistent with the Totem Lake Land Use Plan and Zoning Ordinance, the Kirkland Zoning Ord. No. 2183, and Resolution No. 2249, as specified below.
- 2. The approval of a Preliminary Planned Unit Development at the subject property would be a tentative approval of a rezone to Professional Residential pursuant to Final Planned Unit Development approval and approval of a State Hydraulics Permit.

B. HISTORICAL BACKGROUND: (No relevant conclusions).

C. GOVERNMENTAL COORDINATION:

- 3. Kirkland Public Service Department. The applicant should be required to contribute the amount specified for improvement to N.E. 132nd St., deed the required right-of-way and make the slope easements as a part of this Planned Unit

3/11/76
3/3/76

Findings cont'd

- G. 44. b. 23.28.060. Residential Planned Unit Development projects may be located in a PR zone, and developments for other than residential uses may be located only in zones first permitting the heaviest use proposed in the development. The major internal streets serving the development project shall be functionally connected to at least one arterial street.
- c. Section 23.28.070. In commercial planned unit developments uses shall be limited to those permitted by the zone in which the development is located.
- d. Section 23.28.090. Coverage of the site by buildings shall not exceed the maximum land coverage of the underlying zone, which is 35%. 3 acre developments having residential uses may exceed by 10% the average dwelling unit density per net residential acre permitted by the underlying zoning and for each additional acre, such development an additional 1% may be allowed up to a maximum of 15%. Net residential area shall not include any area devoted to parking, rights-of-way, or business, commercial, manufacturing or industrial purposes.
- e. 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 regulation, such as:
 - (1) Additional or better related open spaces, such as yard areas between the buildings within a project, or yard areas between the project buildings, and adjoining properties and buildings, or design or development of open spaces that create 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 lake or stream.
 - (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.
 - (4) Other general public benefit features which contribute to improving the environment of the vicinity.
 - (5) Projects shall be complete developments and may

3/11/76

R-2357

Findings cont'd

- G. 44. e. (5) 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.
- (6) Where a Planned Unit Development abuts residential zoned property, the screening requirements shall be landscaped to a depth of 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 in either side yard with an aggregate side yard setback of 15 feet."
- f. 23.28.130. Common Open Space.
 - (1) "In residential PUD's there shall be a minimum of 10% of the total area of the PUD dedicated or reserved as usable "common open space" land."
 - (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 residences within the development or by dedication to the public or a combination thereof. Such provision 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."
- g. 23.28.140.(5) "Environmental information shall be submitted in accordance with the State Environmental Policy Act of 1971, as amended, and City of Kirkland Resolution No. 2181 on environmental policy." "The evaluation and declaration of environmental significance shall be in accordance with Resolution No. 2181."
- h. 23.28.160(4). Procedure of Approval: "The applicant shall within 6 months of preliminary approval, submit a final development plan of the proposed PUD to the Planning Commission. Within 12 months of preliminary approval of the entire Planned Unit Development 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 6 additional months for submission of building permit application. If, at the conclusion of this period, no such application has been filed, the Planned Unit Development application and any prior approvals shall be void."
- i. 23.28.180. "Expiration: Upon the abandonment of a

3/11/76

Conclusions, Cont'd

- D. 18. Fauna. (See No. 17 above).
19. Air Quality. Intensification of land use on the subject site and construction activity will result in a reduction of air quality in the vicinity of the site. All construction equipment should be required to use the latest pollution controlling devices.
20. Noise. The existing ambient noise readings are within the permitted criteria of the Kirkland Zoning Ordinance. Noise levels in the vicinity of the subject site will be increased by additional automobile traffic and will be temporarily increased by construction activity. The City of Kirkland should require noise suppressors on diesel equipment and maintain normal construction hours to reduce noise impacts.
- E. PUBLIC UTILITIES:
21. Streets. The applicant should propose only two access points to Kingsgate Way and two access points to 1 20th Ave. N.E. to minimize congestion. This should eliminate the northernmost proposed entryways on both streets. Alternative access should be proposed within the site.
22. Paths/Trails. The applicant should be required to design, prior to final PUD application, a network of paths/trails within the subject property to connect proposed development to the existing streets. This should generally follow the proposed streamway.
23. Pedestrian Ways. The applicant has agreed to pay for a portion of the improvements of N.E. 132nd St. which would provide for the development of sidewalks on the south side of N.E. 132nd St. The applicant should also be required to develop sidewalks adjacent to the subject property on the west side of 120th Ave. N.E. and the east side of Kingsgate Way.
24. Fire Hydrants. The applicant should be required to develop and install fire hydrants as required by the Kirkland Dept. of Fire Services.
25. Domestic Water. Pursuant to WD #79, the serving utility, there is adequate water for both fire fighting and domestic requirements.
26. Sanitary Sewer. According to N.E. Lake Washington Sewer District, there are adequate sanitary sewer facilities to serve the proposed development.

3/11/76
3/3/76

Conclusions, Cont'd

- E. 27. Storm Sewer. The applicant is proposing to continue draining the subject property through the existing 48" storm sewer which routes storm drainage from the subject property under Kingsgate Way and I-405. All storm drainage should be conducted pursuant to the City of Kirkland requirements and the approval of the Department of Game and Dept. of Fisheries.
- F. NEIGHBORHOOD CHARACTERISTICS:
28. Zoning. A rezone to Professional Residential would allow approximately 388 apartment units to be developed within the Planned Unit Development procedure. The applicants are proposing a rezone to Professional Residential to allow for the development in phases as proposed for a combination of apartment units and professional clinics. The effective density of the entire multi-family portion of the proposal will be RM 2300.
29. Land Use. The development of this proposed PUD would be consistent with the developmental trends of the Totem Lake Area, provided that an adequate buffer be developed between the northern portion of the subject property and existing single family development to the north.
30. Public Recreation/Open Space. The reservation of the majority of the steeper slope area as common open space will provide for a private public recreation space at the subject site.
31. Public Education. Development of the proposed project will further overload John Muir Elementary and Kamiakin Junior High School. 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.
32. Handicapped Facilities. The applicant should be required to install and maintain special handicapped 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 "HANDICAPPED PARKING ONLY" signs.
- G. LOCAL ZONING AND/OR LAND USE POLICIES AND PLANS:
33. This application is consistent with the following policies of the Totem Lake Land Use Plan and Zoning Regulation:
- a. Policy 1.A.(1) (Reference Finding 42.a(1)). This proposal is consistent with the adopted Generalized Land Use Plan for the Totem Lake Area. The applicants are proposing and should be required to develop, a substantial buffer between the proposed development and the adjacent single family area to the north.

3/11/76
3/3/76

Conclusions, Cont'd

- C. 3. (cont'd)
Development approval. The applicant should be required to agree to permit storm drainage to flow from the street right-of-way onto the subject property as presently existing. Storm water retention should be required.
4. Kirkland Department of Fire Services. All requirements of the Kirkland Fire Department as per Exhibit "E" - Memo from Dale Decker, 2/3/76 should be required.
5. Kirkland Building Department. Street signs shall be labeled and developed as determined by the Kirkland Building Dept.
6. Kirkland Police Department. Adequate parking space for tenants and guests and sufficient turn-around space for emergency vehicles should be required.
7. Water District No. 79. An adequate water supply for both domestic and fire fighting requirements is available.
8. N.E. Lake Washington Sewer District. Sanitary sewers are available.
9. 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.
10. King Co. Dept. of Public Works. The applicant should verify a 25 foot right-of-way radius from the subject property for development of N.E. 132nd Street.
11. King Co. Dept. of Public Works, Div. of Hydraulics. An inflow-outflow analysis should be made to determine the retention capability of the existing ponds and swampy areas which would result in a base figure that should be used to determine the storm water retention requirements on the subject property. The applicant should propose a development of less magnitude.
12. King Co. Dept. of Community and Environmental Development, Land Use Management Division. The applicant shall be required to maintain the proposed setbacks to the N.E. 132nd St. and intensively landscape all proposed development to N.E. 132nd St. and single family areas to the north. The applicant should be required to allow access from within this project to the two exception properties, at the time of their development. The applicant should be required to reduce densities and propose a more sensitive design on the steeper portion of the site.

3/11/76

3/3/76

Conclusions, Cont'd

- C. 13. Washington Dept. of Fisheries. The applicant should be required to develop a storm water retention system that will maintain on-site a quantity, quality and velocity of storm water runoff and the applicant should be required to re-develop the existing stream and ponds in as natural a setting as possible, and should landscape the stream in a manner that will provide maximum shade and natural growth without the use of fertilizers. A Hydraulics Project approval must be obtained from the Department of Fisheries and the Department of Game before work is initiated on the stream.
14. Puget Sound Air Pollution Control Authority. The applicant will be required to apply for a pre-construction review under Article 18, Puget Sound Air Pollution Control Regulation 1, prior to Final PUD approval.
- D. EXISTING PHYSICAL CHARACTERISTICS:
15. Topography/Soils/Geology/Hazardous Slope. The applicant has submitted a geologic/soils analysis of the subject property relating to development of this proposal. As indicated in the environmental assessment, Exhibit "O", pages 23 through 28, that providing for adequate construction methods the development of the subject property is entirely feasible. Land modifications should be limited to the smallest extent necessary for approved development.
16. Hydrology. All stream re-alignment and pond reconstruction should be done in a manner which will maintain or improve the existing water quality at the subject site and that will maintain a natural-like setting. The streamway and ponds should be landscaped in a manner that will provide maximum shade and natural growth without the use of fertilizers. The completed ponds and stream should maintain on-site a quantity, quality and velocity of storm water runoff that would be likely to occur during a 10 year storm, after development. 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. 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. The applicant should be required to retain as much of the existing vegetation as possible through site specific clearing and grading. Proposed landscaping should be of a type which will provide natural habitat and food source for the birds and small herbaceous animals which presently live on site. The proposed open space area should be retained and recorded as a permanent common open space to provide for a natural habitat.

R-2357

3/11/76

Conclusions, Cont'd

- G. 34. f. 23.28.130. (Reference Finding 44.f.) The applicants are proposing 13% of the total area of the PUD dedicated or reserved as useable common open space land.
- g. 23.28.140(5) (Reference Finding 44.g.) The applicant has submitted an environmental assessment and a negative declaration was made on January 29, 1976, by Gerald F. Link, Director of the Department of Community Development.
35. This application is consistent with the following policies of City of Kirkland Resolution No. 2292.
- a. Policy 1. (Reference Finding 45.a.) This proposed development will result in community benefits by allowing for concentrated housing and many additional families adjacent to an existing shopping area and their preservation of a large amount of open space and steep slope area.
- b. Policy 2. (Reference Finding 45.b) Building height and form will be substantially screened from existing single family areas by existing topography and both existing and proposed landscaping. The applicants are proposing a substantial section of the property as private recreation and open space.
- c. Policy 4. (Reference Finding 45.c.) The proposed development will be required to exhibit adequate buffering and site 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 St. and properly locating structures within the proposed development to allow for human use with Final Planned Unit Development application.
- d. Policy 7. (Reference Finding 45.d.) The developer should be required to pay for the installation of curbs, gutters, sidewalks and associated labor costs on the south side of N.E. 132nd St. east side of Kingsgate Way and west side of 120th Ave. N.E., adjacent to the subject property.
36. This proposed PUD would be required to adequately address the following policies from the Totem Lake Land Use Plan and Zoning Regulation:
- a. Policy 1.c. (Reference Finding 43.c.) At the time of application for Final Planned Unit Development, proposed signage should be consistent with this policy.
- b. Policy 2.c.(2) (Reference Finding 43.h.) The applicant should be required to develop bicycle/pedestrian pathways throughout the subject property, adjacent to the east side of 120th Ave. N.E., and west side of Kingsgate Way.

3/11/76
3/3/76

Conclusions, Cont'd

- G. 37. This proposed Planned Unit Development would be required to adequately address the following sections of the PUD procedures, Section 23.28 of the Kirkland Zoning Ordinance.
- a. 23.28.100 (Reference Finding 44.e.) The applicant should be required to develop pedestrian walkways throughout the subject property and to develop sidewalks on the west side of 120th Ave. N.E. and east side of Kingsgate Way. Minimum landscaping standards for the northern portion of the subject property are as outlined in Section 23.40.070 of the Kirkland Zoning Ordinance.
- b. 23.28.130(2) (Reference Finding 44.f) The entire slope area that is proposed to be left within common open space for all future residents should be recorded as private open space as per a requirement of the Final PUD approval of the first phase development, with King Co. Dept. 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.
- c. 23.28.160(4) (Reference Finding 44.b.) Procedure of Approval: "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 prior approvals shall be void."
- d. 23.28.180 (Reference Finding 44.i.) 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 PUD application in any sequence the applicant wishes. Each phase of development may be a separate Final PUD and rezone application. The total project should be completed within 4 (four) 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.
38. This application would be required to adequately address the following policies of R-2292:
- a. Policy 2.f. (Reference Finding 45.b.) The applicant should be required to develop accessible and functional units for the elderly and handicapped.

3/11/76
3/3/76

Conclusions, Cont'd

- G. 33. b. Policy 1.A.(2)(e). (Reference Finding 42.a(2)). The applicants are proposing to leave the majority of the steeper slope area in a natural condition which will be a natural buffer to the single family development to the north and limit access to 120th Ave. NE and Kingsgate Way, and are proposing to maintain an open streamway and ponds on site. The applicant should be required to work with the existing topography within the entire parcel to reduce the slope destruction to a minimum.
- c. Policy 1.A.(3)(Reference Finding 43.a(3)). The applicant is not proposing automobile access from N.E. 132nd St.
- d. Policy 1.A.(4). (Reference Finding 43.a.(4)). Although the subject site is not located within a freeway interchange, a substantial portion of local traffic to this area is from the N.E. 124th Street interchange from I-405, directly to the south. The development of this proposal will further increase the traffic congestion at the above interchange.
- e. Policy 1.B.(Reference Finding 43.b.). The applicants are proposing to leave the majority of the existing trees in the steep slope area. The applicant should be required to locate individual buildings around the existing trees and topography to hold tree removal and slope destruction to a minimum.
- f. Policy 1.D. (Reference Finding 43.d.) The applicants are proposing land usage consistent with the generalized land use plan, which does not include industrial, but does include professional clinics.
- g. Policy 1.E.(Reference Finding 43.e.) The applicant has submitted a soils/geological analysis of the proposed development, which testifies as to the geologic stability and foundation design of the proposed development. (Reference Exhibit "O" - Environmental Assessment, Page 27).
- h. Policy 2.A.(Reference Finding 43.f.) The applicants are proposing to maintain the existing stream in a natural condition and to maintain two of the three existing ponds on site. The majority of the existing vegetation in the steeper slope area and on the northern portion of the subject property abutting on N.E. 132nd St. should be maintained and where required increased in density to provide for a buffering of the proposed development to the existing single family development to the north. Buildings and parking area should be sited around existing trees and slopes to accomplish the above.

3/11/76
3/3/76

Conclusions, Cont'd

- G. 33. h. (cont'd)
- The stream re-alignment will require a Hydraulic Project approval from the State Department of Fisheries and Department of Game.
- i. Policy 2.B.(1) The applicants are proposing professional activities and medium density residential. (Reference Finding 43.g.)
- j. Policy 2.c.(Reference Finding 43.h.) No development will occur within 150 feet of the existing single family developed area to the north of N.E. 132nd St. The proposed setbacks and design proposals are adequate to insure that visual and acoustic characteristics of structures, uses and activities of this proposed development will not exceed standards normally associated with such residential development. The applicant should be required to develop bicycle and/or pedestrian pathways throughout the subject property generally following the streamway to provide for a total pedestrian movement availability within the subject site. The applicant is proposing to leave the majority of the trees in the steep slope area. The existing trees, vegetation and topographical characteristics should be effectively used in the site planning process, by siting buildings and parking areas around existing trees and fitting into the existing topography to minimize slope destruction throughout the site.
34. The proposed project is consistent with the following sections of the Kirkland Zoning Ordinance, Section 23.28., Planned Unit Development Procedures.
- a. 23.28.050(Reference Finding 44.a.). The proposed residential phases are for 5.3 acres each and the proposed clinic phase is for 3.2 acres.
- b. 23.28.060 (Reference Finding 44.b.) The proposed rezone is to professional residential which will allow multi-family residential and professional office use. Kingsgate Way is an arterial street.
- c. 23.28.070.(Reference Finding 44.c.) Professional offices are allowed within a Professional Residential PUD.
- d. 23.28.090.(Reference Finding 44.d.) The applicants are not proposing to exceed the maximum land coverage of 35%. The applicants are not proposing the maximum density allowed within a Professional Residential zone.
- e. 23.28.100(Reference Finding 44.e.) The applicants are proposing adequate setback areas between buildings. The majority of the steeper slope area will be maintained in common open space and the existing stream and two of the three existing ponds will be maintained in a natural state.

R-2357

3/11/76
3/3/76

Recommendations, Cont'd

5. Any development regarding the existing and proposed streamways must be done pursuant to the applicant obtaining a Hydraulics Project Approval from the State Department of Fisheries and the Department of Game.
6. All stream realignment and pond construction shall be done in a manner which will maintain or improve the existing water quality at the subject site and that will maintain a natural-like setting. The streamway and ponds shall be landscaped in a manner that will provide maximum shade and natural growth without the use of fertilizers. The completed ponds and streams shall maintain on site a quantity, quality and velocity of storm water runoff that would be likely to occur during a ten year storm, after development. All stream & pond development shall be completed with Phase I development.
7. An inflow and outflow analysis shall be made to determine the retention capabilities of the existing ponds and swampy areas.
8. The applicants shall agree to allow storm drainage water to flow from the Northeast 132nd St. right-of-way as presently exists, onto the subject property and into the proposed retention area.
9. Erosion control measures shall be utilized during construction to maintain existing water quality at the subject site.
10. The applicant shall be required to locate individual buildings and parking areas around the existing trees and topography in order to hold tree and vegetation removal and slope destruction to a minimum. This requirement, while being applicable to the entire site, is especially related to the proposed development in the steeper slope area.
11. The applicant shall be required to contribute \$10 per front foot of the subject property toward the improvement costs of N.E. 132nd St., deed the required right-of-way, make the slope easements and verify a 25 foot right-of-way radius from the subject property at Kingsgate Way and 120 Avenue N.E. for development of N.E. 132nd Street prior to Final Planned Unit Development application.
12. The applicants shall be allowed to develop only two access points to Kingsgate Way and two access points to 120th Ave. N.E., to minimize congestion. This shall eliminate the northernmost proposed entryways on both streets. Alternative access may be proposed from within the site.
13. The applicants shall be required to agree to allowing the two exception properties within this area to gain access to their properties from within the proposed development, which will help to minimize congestion resulting from direct access to Kingsgate Way and 120th Ave. N.E.

3/11/76
3/3/76

Recommendations, Cont'd

14. The major through circulation routes shall have assigned street numbers, as assigned by the Kirkland Building Department, posted with appropriate signs installed and paid for by the applicant.
15. All proposed development shall be consistent with the soils/geologic analysis done for the applicant by Rittenhouse, Zeman and Associates, Inc.
16. 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. Curb cuts shall be developed with handicapped standards.
17. The applicant shall be required to develop sidewalks adjacent to the subject property on the west side of 120th Ave. N.E. and the east side of Kingsgate Way. All sidewalks and paths/trails shall be required to be developed with a rampdown where applicable.
18. The applicant shall be required to develop an internal pathway system which will connect all proposed buildings to adjacent streets. This pathway system shall generally follow the proposed streamway. Curb cuts and pathways shall be developed with handicapped standards.
19. All construction activity shall be confined to working hours as stipulated within Kirkland Zoning Ordinance, and all construction equipment shall be required to utilize noise suppressors to reduce overall noise levels.
20. At the time of application for Final Planned Unit Development application, proposed signing shall be consistent with Policy 1.c. of the Totem Lake Land Use Plan and Zoning Regulation.
21. All requirements of the Kirkland Department of Fire Services regarding fire hydrants, water mains, water supply, bridges, fire extinguishers, and automatic fire alarm systems shall be required.
22. Adequate security measures (i.e. lighting, signage, and door locks), shall be designed and built into this development.
23. The applicant shall be required to apply for a pre-construction review under Article 18, Puget Sound Air Pollution Control Regulation 1, prior to Final Planned Unit Development approval.

3/11/76
3/3/76

Conclusions, Cont'd

- G. 38. b. Policy 7. (Reference Finding 45.d.) The applicant should be required to develop adequate pedestrian pathways throughout the subject property, on the west side of 120th Ave. N.E. and on the east side of Kingsgate Way.
- c. Policy 9. (Reference Finding 45.e.) The applicants are proposing a limited amount of development in a natural constraint area.
- d. Policy 10. (Reference Finding 45.f.) The applicant should be required to do selective clearing for building and roadway site and the City should prohibit substantial tree cutting and slope alteration on the steep slope area. A storm water retention system should be developed which would retain on site any increase in runoff due to development for a 10 year storm. The natural drainage features within the steep slope areas should be retained.
- e. Policy 18. (Reference Finding 45.g.) The developer will be required to supply needed utilities within the subject property and pay for all costs related to the new development.
- f. Policy 20. (Reference Finding 45.h.) The applicant should be required to grant a 25 foot right-of-way radius from the subject property for development of N.E. 132nd St.
- g. Policy 23. The Lake Washington School District No. 414 has been asked to evaluate the impacts 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.

RECOMMENDATIONS:

Based upon the foregoing Findings and Conclusions and as identified in Exhibits "A" through "Q", 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 the conditions contained herein, and the events of sequence phases are not completed as proposed.

Recommendations, Cont'd

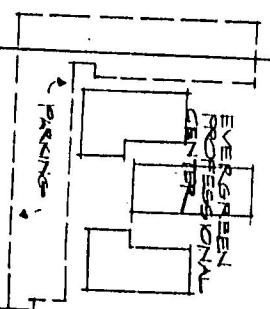
2. Phase 1 shall be consistent with the requirements of Section 23.28.160(4) of the Kirkland Zoning Ordinance. Each phase thereafter may make Final Planned Unit Development application in any sequence the applicant wishes. Each phase of development may be a separate Final Planned Unit Development and Rezone application. The remaining phases subsequent to Phase I shall be completed within four (4) calendar years providing that the approval and construction of any subsequent phase, after phase one, shall begin within twelve (12) calendar months after the issuance of all Certificates of Occupancy of any preceding phase. In the event that the 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 Recommendation No. 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, etc. Applications for extensions must be applied for before the end of the twelve (12) month calendar 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. 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. All detailed landscaping plans submitted with the Final Planned Unit Development, shall indicate that proposed landscaping adjacent to the northern border of the subject site fronting on N.E. 132nd St. and landscaping surrounding the existing single family home (which is the northern exception property to the south of 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.
4. All applications for a Final Planned Unit Development for any phase of the proposed development shall exhibit that the proposal will offer a desirable living environment by adequately landscaping and site planning the proposed development. The applicant shall develop a substantial buffer area along the southern boundary of the subject property.

EXHIBIT "A"
Location Map
PUD 75-61(P)
Totem Lake Apts. (Harmon)

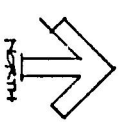
SITE PLAN
11/11/68

RECEIVED
JAN 27 1976

PLANNING DEPARTMENT
AM
PM
WC



EVERGREEN
HOSPITAL



HOSPITAL ACCESS

120TH AVE NE

NE 22ND ST

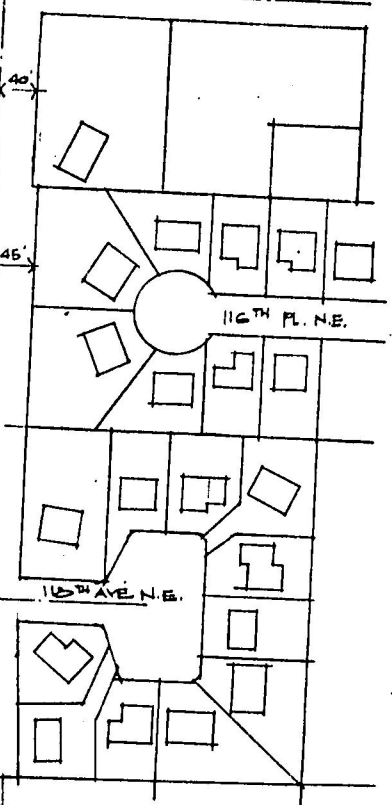
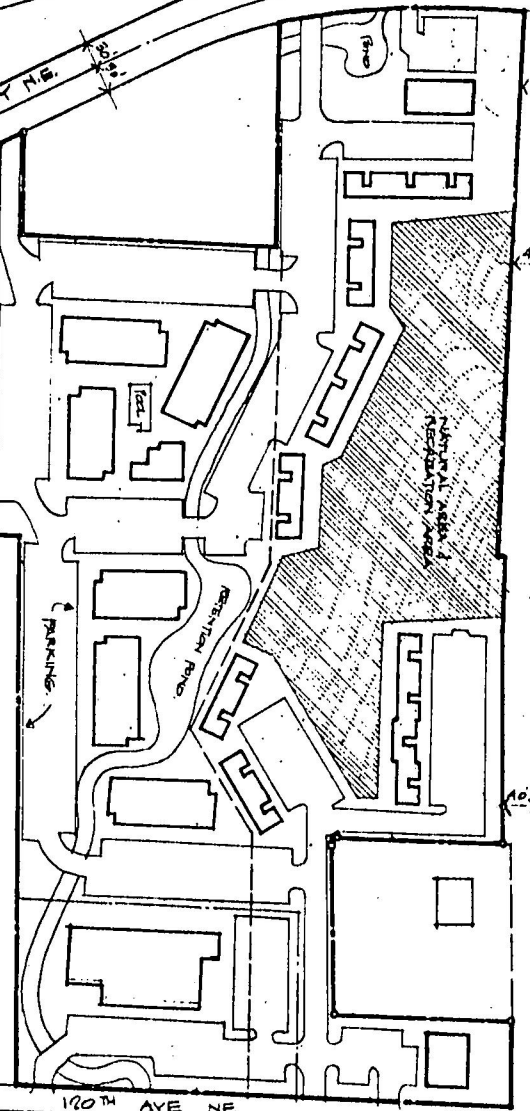
COMMUNITY
PARK

16TH AVE NE

116TH PL. NE

INTERSTATE HWY 405

KINGSBATE WAY NE



Recommendations, Cont'd

24. The entire slope area proposed to be left in open space, shall be designed as permanent common open space for the community purposes and benefits 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 Co. Dept. 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 PUD, even if only a portion of said ownership is utilized for said PUD or if only a portion of said ownership shall have had approval of a Final Planned Unit Development application. In addition to the above, the applicant shall dedicate to the City of Kirkland for the benefit of the public, 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 PUD approval or subsequently approved by the City of Kirkland as necessary as private open space. Said dedication shall be a condition of the Final PUD approval of the first phase of the proposal.
25. "STOP" signs shall be installed at all points of egress from parking areas onto Kingsgate Way and 120th Ave. N.E. at the owner's expense and to the standard specifications of the City of Kirkland.
26. The applicant shall underground all utilities.
27. A bus stop and shelter shall be provided by the applicants on 120th Ave. N.E. The exact location shall be determined jointly by Metro and the City.
28. The applicants shall develop a fence and substantial buffering around the northernmost exception property.
29. Phase III shall attempt, if possible, to maintain the existing pond and stream in its present configuration, at the time of development.

R-2357