

## RESOLUTION NO. R 2361

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF A PLANNED UNIT DEVELOPMENT AND INTENT TO REZONE AS APPLIED FOR IN DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. R-PUD-76-20(P) (FINAL) BY PUGET SOUND LAND ASSOCIATES TO DEVELOP 168 APARTMENTS AS A FINAL PUD AT N.E. 132nd STREET AND 125TH AVENUE N.E., BEING WITHIN AN RS 35,000 ZONE, AND SETTING FORTH CONDITIONS TO WHICH SUCH REZONE AND FINAL PLANNED UNIT DEVELOPMENT SHALL BE SUBJECT.

WHEREAS, the Department of Community Development has received application for a Rezone and final Planned Unit Development filed by Puget Sound Land Associates, the owner of said property described in said application and located within an RS 35,000 zone, and

WHEREAS, the application has been submitted to the Kirkland Planning Commission who held public hearing thereon at their regular meeting of April 8, 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 positive declaration reached, and

WHEREAS, thereafter a final Environmental Impact Statement was prepared, published and made available and accompanied the application through the entire review process, 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 impact statement and declaration did adopt certain Findings, Conclusions and Recommendations and did recommend approval of the Rezone and 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 Chairperson thereof and filed in the Department of Community Development File No. R-PUD-76-20(P) Final are adopted by the Kirkland City Council as though fully set forth herein.

Section 2. Final 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. The City Council further approves in principal, the request for reclassification from RS 35,000 to RM 1800 and pursuant to Chapter 23.62 of Ordinance 2183, the Council shall by Ordinance, effect such reclassification upon being advised that all of the conditions, stipulations, limitations and requirements contained in this Resolution, including those adopted by reference, have been met within six months of the date of enactment of this Resolution.

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 Rezone and 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 Rezone and Final Planned Unit Development to initially meet or maintain strict compliance with the standards and conditions to which the Rezone and Final Planned Unit Development is subject shall be grounds for revocation in accordance with Section 23.28.180 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

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- (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 19th day of April, 1976.

*B. E. Oakes*  
Mayor pro tem

ATTEST:

*Tom J. Anderson*  
Director of Administration & Finance  
(ex officio City Clerk)

- 8. Kirkland Department of Fire Services. All hydrants to be 3 port type as per City specifications. The traffic island, immediately to the right of the main entrance, shall provide a turning radius of not less than 41 feet. All water mains and hydrants must be installed and water made available at hydrants prior to beginning of construction.
- 9. King County Department of Public Works has reviewed the proposed street connection to N.E. 132nd St. and has no problem with them. (As per official communication.)
- 10. King County Department of Public Works, Division of Hydraulics, has reviewed the storm drainage connection to N.E. 132nd Street and has determined that what is proposed is diversion of storm water runoff which, heretofore has not naturally drained to N.E. 132nd Street and is not allowed under existing King County Ordinances. (As per official communication with Edward Andrusky of said Department Division.)
- D. EXISTING PHYSICAL CHARACTERISTICS: (Refer to the approved preliminary Planned Unit Development, File No. PUD-75-46(P) for a complete analysis of this section.)
  - 10. Topography/soils/geology/hazardous slopes/hydrology/flora/fauna. There are no existing physical characteristics within Phase I that would bear additional investigation before this application could proceed, however, this should not preclude the ability of the Kirkland Building Department to require additional investigation for specific building permit purposes as that Department sees fit.
  - E. PUBLIC UTILITIES: (Refer to the approved preliminary Planned Unit Development, File No. PUD-75-46(P) for a complete analysis of this section.)
    - 11. Streets/Pedestrian Ways/Sanitary Sewers/Storm Sewers. It was determined by the approved Preliminary Planned Unit Development application that the above considerations would not be a factor with development of Phase I.
    - 12. Paths/Trails. The applicants have proposed a complete path/trail system throughout Phase I, consistent with the approved preliminary application, with the exception of the previously proposed trail within the interior open space area, surrounded by buildings I-D, E, F and J.
    - 13. Domestic Water/Fire Hydrants. The subject property is presently served by an eight inch water line which runs along the north side of N.E. 132nd St. with 1,370 gallons per minute available. The required fire flow for all phases of the proposed project as per the Kirkland Department of Fire Prevention, is 3080 gallons per minute, at 20 psi residual pressure.
    - 14. The applicants have indicated that they are negotiating with Water District No. 79 and Water District No. 104 for an adequate water supply, prior to applying for building permits for any phase of development.

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- F. NEIGHBORHOOD CHARACTERISTICS: (Refer to Preliminary Planned Unit Development, File No. PUD-75-46(P) for a complete description of Neighborhood Characteristics.)
- G. LOCAL ZONING AND/OR LAND USE POLICIES AND PLANS: (Refer to Preliminary Planned Unit Development, File No. PUD-75-46(P) for a complete description.)
- 15. This application must be consistent with the Totem Lake Land Use Plan and Zoning Regulation.
- 16. This application must be consistent with the Kirkland Zoning Ordinance No. 2183, Section 25.28, dealing with Planned Unit Developments.
- 17. This application must be consistent with the approved Preliminary Planned Unit Development recommendations, File No. 75-46(P).
- CONCLUSIONS:
- A. SUMMARY OF THE PROPOSED ACTION
  - 1. This application is consistent with the approved Preliminary Planned Unit Development, with the exceptions as noted below.
- B. HISTORICAL BACKGROUND: (See No. 1 above).
- C. GOVERNMENTAL COORDINATION:
  - 2. Kirkland Public Service Department. The City should require a copy of the agreement with King County Water District No. 104 providing adequate water flows for the project prior to approval of any building permit. Sizes of hydrants should be indicated. Five inch MWO should be required. Manholes should be required for storm sewers which exceed a depth of 52-inches.
  - 3. Kirkland Department of Fire Services. All hydrants should be 3 port type as per City specifications. The traffic island to the right of the main entrance should be designed with a turning radius of not less than 41 feet. All water mains and hydrants should be installed and water made available to hydrants prior to beginning of construction.
  - 4. King County Department of Public Works, Division of Hydraulics. The applicant should be required to redesign the proposed storm water retention system so that diversion of runoff to N.E. 132nd Street does not occur.
- D. EXISTING PHYSICAL CHARACTERISTICS: (No relevant conclusions)
- E. PUBLIC UTILITIES:
  - 4. Paths/Trails. The applicant should be required to develop the proposed trail within the interior open space area, surrounded by Buildings I-D, E, F and G. All paths/trails should be developed in a manner which will allow access by handicapped persons.

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

PREPARED BY \_\_\_\_\_ DATE \_\_\_\_\_  
 RECOMMENDED BY \_\_\_\_\_ DATE April 8, 1976  
 ADOPTED BY \_\_\_\_\_ DATE \_\_\_\_\_

STAFF \_\_\_\_\_  
 BOARD OF ADJUSTMENT \_\_\_\_\_  
 HOUGHTON COMMUNITY COUNCIL \_\_\_\_\_  
 PLANNING COMMISSION \_\_\_\_\_  
 CITY COUNCIL AS INCORPORATED IN \_\_\_\_\_

*John Cushing*  
 John Cushing, Chairperson

**R-2361** RESOLUTION \_\_\_\_\_ ORDINANCE \_\_\_\_\_  
 NUMBER \_\_\_\_\_ DATE \_\_\_\_\_

FILE NUMBER R-PUD-76-20(P) & KROLL 424E

APPLICANT John Stuart/Puget Sound Land Associates.

PROPERTY LOCATION N.E. 132nd St. and 125th Ave. N.E.

SUBJECT Applic. for Rezone, Final Planned Unit Development and Informal Subdivision for "Salish Village Apartments"

HEARING/MEETING DATE \_\_\_\_\_  
 BEFORE \_\_\_\_\_

EXHIBITS ATTACHED "A" Vicinity Map "B" Obsolete "C" Survey "D" Approved Preliminary Development Plan "E" Application for Informal Subdivision "F" Elevations "G" Exhibit Obsolete "H" Plan "I" Buffer Landscaping Plan "J" Easement Agreement "K" Short Plat Restriction "L" Revised Site Plan

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**FINDINGS:**

**A. SUMMARY OF THE PROPOSED ACTION:**

1. This is an application for Final Planned Unit Development for Phase I of the approved Preliminary Planned Unit Development for Totem Lake Apartments, File No. PUD-75-45(P), a rezone from Residential Single Family 35,000 to Residential Multi-Family 1800 for said Phase I above, and an informal subdivision. Said informal subdivision is to segregate Phase I above from the entire parcel approved in the Preliminary Planned Unit Development. This application and development will be known as "Salish Village Apartments". (Exhibits "A" - Vicinity Map, "B" - Site Plan, and "C" - Survey). (See Exhibit "K" - Revised Site Plan 4/8/76)
2. Phase I development will be 168 multi-family apartment units, consisting of 9 separate dwelling structures, 11 parking garages, 1 swimming pool and 1 recreation building (converted existing single family dwelling). The applicants are also proposing 362 parking spaces, of which 22 are for the handi-capped.

3. This application is proposed by Puget Sound Land Associates, John Stuart, Principal Partner.

4. This application is justified by the fact that it is consistent with the approved Preliminary Planned Unit Development, File No. PUD-75-45(P).

**B. HISTORICAL BACKGROUND:**

5. This application has previously received approval of a preliminary Planned Unit Development for the development of the entire parcel, File No. PUD-75-45(P) on January 5, 1976 by Resolution No. R-2342 (Exhibit "D" - Approved Preliminary Development Plan).

6. Accompanying the above approved Preliminary Planned Unit Development was a full Environmental Impact Statement. Said Environmental Impact Statement is also applicable to this phase of development, as are all other phases of development and as are all related governmental actions such as rezones and subdivisions.

**C. GOVERNMENTAL COORDINATION:**

7. Kirkland Public Service Department. The City will require a copy of the agreement between King Co. Water District 104 providing adequate flows for the project prior to approval of any building permits. Size of hydrants will be indicated. 5" M.V.O. required. Manholes required for storm sewers exceeding a depth of 52".

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Conclusions, Cont'd  
G. 8. c. (cont'd)

subject to the approval of the Department of Community Development, that storm sewer lines shall not follow the proposed pedestrian trails, through the steep slope areas, construction shall be in such a manner so as to reduce erosion and to minimize destruction of the natural environment.

RECOMMENDATIONS:

Based upon the foregoing Findings and Conclusions and as identified in Exhibits "A" through "L", we hereby recommend that this application for a Final Planned Unit Development and a Resolution of Intent to Rezone from Residential Single Family 35,000 to Residential Multi-Family 1800 be approved subject to the following:

1. The applicant shall submit to the City of Kirkland, proof of adequate water fire flow as agreed upon by the City of Kirkland, for the proposed project prior to any approval of any building permits. Five inch MVO is required.
2. All water mains and hydrants must be installed and water made available to the hydrants prior to beginning of framing.
3. The applicant shall be required to explore with METRO, the feasibility and desirability of developing a bus shelter and stop at the subject property.
4. The applicant will be required, as determined by the Kirkland Public Service Department, to pay for curbs, gutters, sidewalks, and associated labor costs for the King County N.E. 132nd Street improvement program on the south side of N.E. 132nd Street adjacent to the Planned Unit Development site, and provide additional slope easements on the south side of N.E. 132nd St., adjacent to the subject property, prior to approval of building permits.
5. The applicant shall be required to develop the pathway within the interior open space area, surrounded by Buildings I-D, E, F, G, J, and developed in a manner which allows access by the handicapped.
6. All pedestrian walkways shall be developed with rampdowns from pedestrian walkways to street level at all street crossings and dwelling unit access areas.
7. The entire slope area, identified as Phase I-B, shall be designated 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 soil 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

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Recommendations, Cont'd  
7. (Cont'd)

open space as a requirement of approval of this phase of development and so recorded with the King County Department of Records and Elections, and so annotated on the official zoning map of the City of Kirkland. Proof of recording shall be filed with the City of Kirkland, Department of Community Development. All open space shall be available for the use of all the property contained in this Planned Unit Development, even if only a portion of said ownership is utilized for said Planned Unit Development or if only a portion of said ownership shall have had approval of a Final Planned Unit Development. In addition to the above, the applicant shall reserve, as a condition of approval of building permits, to the City of Kirkland for the benefit of the public, the air space and view subject only to natural plants and foliage and subject to the right to make such minor improvements as may be set forth in the Planned Unit Development approval or subsequently approved by the City of Kirkland as necessary for use of private open space. This requirement shall become a condition of approval of the informal subdivision and shall be so recorded on the face of the plat/lines.

8. The applicant shall be required, subject to concurrent approval by the City of Kirkland and the King County Department of Public Works, Division of Hydraulics, to design an adequate storm water retention and drainage system.

9. In the event that the applicants will be required to redesign the proposed storm water retention system, the proposed design shall be consistent with the following:

- a. Said system shall be developed for a 10 year storm and maintain on-site a quantity, quality and velocity of storm water runoff that is equal to or better than the existing runoff conditions.
- b. Said system shall be designed so that it will not force water into the substratum or direct concentrated surface runoff in the direction of the steep slope area.
- c. If storm sewer lines are proposed within the steep slope areas, they shall follow the proposed pedestrian trails throughout this area to the extent practical and where it is determined, by sound engineering practices, and subject to the approval of the Department of Community Development, that storm sewer lines shall not follow the proposed pedestrian trails, through the steep slope areas, construction shall be in such a manner so as to reduce erosion and to minimize destruction of the natural environment.

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Conclusions, Cont'd

E. 5. Domestic Water/Fire Hydrants. The City should require a copy of the agreement between King County Water District #104 and the subject property, which provides adequate water flows for the project prior to approval of any building permits. All water mains and fire hydrants should be installed and water made available at hydrants prior to beginning of construction.

F. NEIGHBORHOOD CHARACTERISTICS: (No relevant conclusions)

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

6. This application is consistent with the Totem Lake Land Use Plan and Zoning Regulation and the Kirkland Zoning Ordinance No. 2183, Section 23.28.

7. This application is consistent with the approved Preliminary Planned Unit Development, File No. 75-45(P), with the following listed for the benefit of the applicant:

a. (Recommendation No. 8 of File No. PUD-75-45(P)). The adequacy of the buffer area (adjacent to Forest Grove) to form an effective visual buffer, shall be determined by the Planning Commission at the time of application for Final Planned Unit Development for Phase V. In the event that the buffer area has been found inadequate at said time, the Planning Commission shall withhold approval for said application until the Planning Commission is satisfied that an effective visual buffer exists.

b. (Recommendation No. 16, File No. PUD-75-45(P)). The applicant should be required to submit a copy of the agreement between King County Water District No. 104 and the applicant, which will provide adequate fire flows for the proposed project prior to approval of any building permits. All water mains and hydrants should be installed and water made available to hydrants prior to beginning of construction.

c. (Recommendation No. 18, File No. PUD-75-45(P)). The applicant should be required, as determined by the Kirkland Public Service Department, to pay for curbs, gutters, sidewalks, and associated labor costs on the south side of N.E. 132nd Street adjacent to the Planned Unit Development site, and provide additional slope easements on the south side of N.E. 132nd Street, adjacent to the subject property, prior to the final approval of this application.

d. (Recommendation No. 21, File No. PUD-75-45(P)). Walkdowns from all pedestrian walkways to street level at all street crossings and dwelling unit access areas are required.

Conclusions, Cont'd

G. 7. e. (Recommendation No. 25, File No. PUD-75-45(P)). The entire slope area, identified as Phase I-B, shall be designated 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 soil retention and stability, the maintenance of air quality in the general area and the management of urban runoff. Said area shall be defined and recorded as a privately owned open space as a requirement for approval for this phase of development and so recorded with the King County Department of Records and Elections, so annotated on the official zoning map of the City of Kirkland. All open space shall be available for the use of all the property contained in this Planned Unit Development, even if only a portion of said ownership is utilized for said Planned Unit Development or if only a portion of said ownership shall have approval of a Final Planned Unit Development. In addition to the above, the applicant shall dedicate to the City of Kirkland for the benefit of the public the air space and the use subject only to natural plants and foliage and subject to the right to make such minor improvements as may be set forth in the Planned Unit Development approval or subsequently approved by the City of Kirkland as necessary for use as private open space. Said dedication shall be a condition of approval of this phase of development.

8. In the event that King County Department of Public Works, Division of Hydraulics, does not allow the diversion of storm water runoff to N.E. 132nd Street, the following should be required:

a. An adequate on-site retention system shall be developed that will maintain on site a quantity, quality and velocity of storm water runoff that is equal to or better than the existing runoff conditions. The applicant shall be required to submit specific calculations and design of the storm water retention system for each phase proposal. This system shall be designed to maintain a minimum of a 10 year storm, and be designed with oil and sediment traps as appropriate.

b. This on-site retention system shall be designed so that it will not force water into the sub-stratum or direct concentrated surface runoff in the direction of the steep slope area.

c. If storm sewer lines are proposed within these steep slope areas, they shall follow the proposed pedestrian trail through this area to the extent practical, and where it is determined, by sound engineering practices, and





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Recommendations, Cont'd

10. The two drawings submitted at this public hearing shall hereby be known as Exhibits "K" - Revised Site Plan, 4/8/76 and "L" - Revised Landscaping Plan - 4/8/76 and said exhibits shall be approved. The pedestrian walkways, as drawn in Exhibit "L" shall be required to be developed as drawn.

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