

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF A FINAL PLANNED UNIT DEVELOPMENT AND INTENT TO REZONE PERMITS AS APPLIED FOR IN DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. R-PUD-76-46(P), BY G AND B ESTATES, INC., TO CONSTRUCT A PLANNED UNIT DEVELOPMENT COMPLEX OF 100 MULTI-FAMILY UNITS, BEING WITHIN AN RS 35 ZONE, AND SETTING FORTH CONDITIONS TO WHICH SUCH FINAL PLANNED UNIT DEVELOPMENT AND INTENT TO REZONE SHALL BE SUBJECT.

WHEREAS, the Department of Community Development has received an application for Final Planned Unit Development and Intent to Rezone permits filed by G and B Estates, Inc., the owner of said property described in said application and located within an RS 35 zone.

WHEREAS, the application has been submitted to the Kirkland Planning Commission who held public hearing thereon at their regular meeting of September 9, 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 Final Planned Unit Development and Intent to Rezone Permits 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-76-46(P) are adopted by the Kirkland City Council as though fully set forth herein.

Section 2. The Final Planned Unit Development and Intent to Rezone permits 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 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.

EGG131

EGG131

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

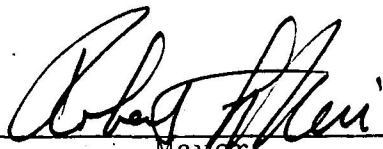
Section 4. Nothing in this section shall be construed as excusing the applicant from compliance with any federal, state or local statutes, ordinances or regulations applicable to this project, other than expressly set forth herein,

Section 5. Failure on the part of the holder of the permit to initially meet or maintain strict compliance with the standards and conditions to which the Final Planned Unit Development and Intent to Rezone permits are subject shall be grounds for revocation in accordance with Section 23.28 and 23.62.12 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 20th day of September , 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 Final Planned Unit Development and Rezone, for 100 multi-family apartment units for Phase I of 5.96 acres located in the southeast corner of the intersection of Kingsgate Way N.E. and N.E. 132nd Street. Development in this phase includes 20 efficiency units, 40 one-bedroom units, and 40 two-bedroom units in seven multi-family structures along with a recreational building and a swimming pool. The rezone is from Residential Single Family 35,000 square feet minimum lot size to Residential Multi-Family (RM 1800).
 2. This Final Planned Unit Development also includes modifications to the existing streamway within the subject property and within proposed Phase 2 development as identified in Exhibits "I" and "J".
 3. 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.
- C. GOVERNMENTAL COORDINATION:**
4. 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.
Final PUD response: No additional comments.
 5. 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 weight of 36,000 lbs. Fire extinguishers and automatic fire alarm system to be installed as per City requirements.
Final PUD response: Fire hydrants shall be installed prior to construction.
 6. Kirkland Police Department. There should be adequate parking spaces for tenants and guests and sufficient turn-around space for emergency vehicles. Lock mechanisms on all apartment entry doors should consist of a minimum one inch throw deadbolts, single cylinder when appropriate, and double

9/9/76
8/25/76

Findings, Cont'd:

- C. 6. (cont'd)
cylinder when necessary to preclude reaching the lock by breaking a nearby window and reaching in. Refer to Exhibit "G".
 7. Kirkland Building Department. Major through-circulation route should have assigned street numbers posted with appropriate signs.
 8. Water District No. 79. "Water District No. 79 can provide an adequate supply of water for both domestic and fire fighting requirements." (Letter from W.D. #79, 1/6/76).
 9. N.E. Lake Washington Sewer District. Sanitary sewers are located on easements across the subject property.
- D. EXISTING PHYSICAL CHARACTERISTICS:**
10. For a complete dialogue of the existing physical characteristics, please refer to Environmental Assessment, Exhibit "O" and Findings 20 to 29 of the Preliminary Planned Unit Development Advisory Report.
- E. PUBLIC UTILITIES:**
11. For a complete dialogue of the existing public utilities, please refer to Findings 30 to 36 in the Preliminary Planned Unit Development Advisory Report.
- F. NEIGHBORHOOD CHARACTERISTICS:**
12. Zoning. The zoning on the subject property is Residential Single Family 35,000 square feet. (RS 55). To the north and northeast of the subject property the zoning is Residential Single Family 7,200 square feet, suburban residential (SR) and General (G). To the east the zoning is also Residential 35,000 square feet, whereas to the southeast and south of the subject property the zoning is Residential Multi-family (RM 900) and Community Business (BC). To the west of the subject property across Interstate 405, the zoning is Residential Multi-Family 1800 square feet and Suburban Residential. All properties to the north and west of the subject property are located within the unincorporated areas of King County.
 13. Land Use. The subject property is presently undeveloped. There is an existing single family residential development to the north, vacant land to the east, Evergreen General Hospital to the southeast, clinics and convalescent homes to the south, and Totem Lake Shopping Center further to the south. On the west side of I-405 is undeveloped lands.
- G. LOCAL ZONING AND/OR LAND USE POLICIES AND PLANS:**
14. The applicant has submitted an environmental assessment which received a Negative Declaration for the Responsible

9/9/76
8/25/76



DEPARTMENT OF COMMUNITY DEVELOPMENT

ADVISORY REPORT
FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

PREPARED BY _____ DATE _____
xx RECOMMENDED BY _____ DATE September 9, 1976
ADOPTED BY _____ DATE _____

STAFF _____
BOARD OF ADJUSTMENT _____
HOUGHTON COMMUNITY COUNCIL _____
xx PLANNING COMMISSION _____
CITY COUNCIL AS INCORPORATED IN _____
RESOLUTION _____ ORDINANCE _____

John Cushing
John Cushing, Chairperson

FILE NUMBER R-PUD-76-46(P) FINAL
APPLICANT Sam Harman - G&B Estates
PROPERTY LOCATION S.E. corner Kingsgate Way and N.E. 132nd St.
Applic. for Final Planned Unit Development and Rezone for
SUBJECT 100 multi-family apartment units.

HEARING/MEETING DATE September 20, 1976
BEFORE KIRKLAND CITY COUNCIL
EXHIBITS ATTACHED "A" thru "S" on opposite page.

LIST OF EXHIBITS TO FILE NO. R-PUD-76-46(P) FINAL
TOTEM LAKE APTS. (HARMAN)

- "A" Application for Final PUD
- "B" Application for Rezone
- "C" Inflow-Outflow Analysis
- "D" Air Pollution Control Letter
- "E" Street Assessment Letter, Arthur Knutson 7/14/76
- "F" Hydraulics Permit
- "G" Memo from Police Dept. 8/17/76
- "H" Prel. PUD - Site Plan with Phase Development
- "I" Prel. PUD - Proposed Stream Realignment & Landscaping
- "J" Phase I Site Plan and Stream Location
- "K" Phase II Site Plan
- "L" North Landscaping Plan
- "M" South Landscaping Plan
- "N" Building Elevation
- "O" Building Elevation and Signage
- "P" Typical Floor Plan
- "Q" Recreation Building Elevation
- "R" Recreation Building Floor Plan
- "S" Open Space Dedication

Findings, Cont'd:

- G. 15. k. 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.
1. 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.
- m. 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.
- n. 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.
- o. All proposed development shall be consistent with the soils/geologic analysis done for the applicant by Rittenhouse, Zeman and Associates, Inc.
- p. 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.
- q. 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.
- r. 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.
- s. 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.

9/9/76
8/25/76

Findings, Cont'd:

- G. 15. t. 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.
- u. 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.
- v. Adequate security measures (i.e. lighting, signage, and door locks), shall be designed and built into this development.
- w. The applicant shall be required to apply for a pre-construction review under Article 18, Puget Sound Air Pollution Control Regulation I, prior to Final Planned Unit Development approval.
- x. 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 herein after 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.
- y. "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.
- z. The applicant shall underground all utilities.
- aa. 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.

9/9/76
8/25/76

Findings, Cont'd:

- G. 15. c. 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.
- d. 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.
- e. 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.
- f. 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.
- g. An inflow and outflow analysis shall be made to determine the retention capabilities of the existing ponds and swampy areas.
- h. 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.
- i. Erosion control measures shall be utilized during construction to maintain existing water quality at the subject site.
- j. 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.

Findings, Cont'd:

- G. 14. (cont'd)
Official on January 29, 1976.
- 15. On April 5, 1976, the Kirkland City Council did approve Resolution R-2357 approving the Preliminary Planned Unit Development of Totem Lake Apartments. In the associated Advisory Report dated March 11, 1976, and approved by the Kirkland Planning Commission, final conditions of approval for a final Planned Unit Development and rezone include the following:
 - a. 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, in the event that sequenced phases are not completed as proposed.
 - b. Phase I 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 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.

Findings, Cont'd:

- G. 15. c. 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.
- d. 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.
- e. 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.
- f. 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.
- g. An inflow and outflow analysis shall be made to determine the retention capabilities of the existing ponds and swampy areas.
- h. 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.
- i. Erosion control measures shall be utilized during construction to maintain existing water quality at the subject site.
- j. 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.

Conclusions, Cont'd:

6. 7. (cont'd)
substantial buffering along the southern boundary line. With the planting approximately 8 feet on center, it would take a number of years to provide a dense site screen. Minimum spacing of this material on the south property line should be 3-4 feet, or a six foot high fence should be considered due to the narrowness of the planting strip.
8. The applicant has obtained a hydraulics permit from the State Department of Fisheries and Game. Refer to Exhibit "F".
9. The applicant does not propose to complete all stream and pond improvements within the Phase I development as required in the preliminary Planned Unit Development approval. In lieu of this all channel improvements within Phase I would be constructed and some construction of retention ponds within proposed Phase II would be undertaken to make Phase I function as a complete unit regarding storm drainage.
10. Modifications have been proposed to the preliminary Planned Unit Development concept which would place a long stretch of the stream (+ 180 feet) within an oversized pipe. Refer to Exhibit "J" and "M". According to the applicant's engineer this modification is necessary because of the low head elevation (approximately 6 feet) making stream way alignment in the preliminary plan impractical. At the time of Phase II construction the existing ponds in Phase II would be modified, and a portion of the existing stream could be rerouted through the emergency drainage swale which is located directly north of Building No. 5 and the recreation building. This rerouting would require some excavation and preparation of the channel.
- Modifications should be made to the landscaping and engineering plans which would permit the rerouting of the streamway through the proposed emergency swale at the time of Phase II development. This would be consistent with the overall design concept to keep stream in its natural condition and it would also meet the intent of the preliminary Planned Unit Development approval. Further, any development within Phase II should initiate the realignment of the stream within Phase I.
- Douglas firs have been proposed along the open streamway to provide shade, whereas salal and reed canary grass would be planted along the channel. Additional tree planting is needed along the open streamway and along the emergency drainage swale, generally along the south bank.
- The storm water retention system as proposed is designed for a 25 year storm and the applicant has indicated that all catch basins will be a "Oil/Grit Separator" design. This should minimize the amount of suspended particles and oils introduced into the system.

9/9/76
8/25/76

Conclusions, Cont'd:

- G. 11. An analysis of the retention capabilities of the existing pond and swampy areas indicates a 116 cubic foot per second inflow and a 115 cubic foot per second outflow with a one cubic foot per second retention. The retention capabilities of the proposed storm water management system have been designed for a 25 year storm, and therefore would take into consideration existing retention of the pond and swampy areas.
12. The applicant should be required to work with the Public Service Department to determine acceptable design to handle storm water runoff from N.E. 132nd Street, as the applicant has agreed to allow storm water drainage to flow onto the subject property.
13. At the time of building permit application, the applicant should indicate erosion control measures to be taken during construction.
14. At the time of building permit application, the applicant should submit a tree cutting plan of all trees over 6 inches in caliper. Said tree cutting plan should indicate which trees are to be cut and which to remain and the landscaping plan should be modified accordingly. The area on the steep slope, which is to remain in a natural condition, need only be delineated on the landscaping and tree cutting plans.
15. The applicant has an agreement with the City of Kirkland to pay \$10.00 per front foot for the assessment to help finance permanent improvements on N.E. 132nd Street. This assessment should be paid at the time of issuance of a contract for construction. (Refer to Exhibit "E").
16. The applicant has only proposed two access points to Kingsgate Way with this development. Any development in Phase III, which is located in the northwest corner of the subject property, would be required to gain access from the northern access point within Phase I.
17. The applicant has not indicated any conflicts with allowing access across this property for the exempted property along Kingsgate Way.
18. A sign should be installed as required by the Building Department and the Public Service Department.
19. The final condition of Phase I development should be that all construction should be consistent with the soils/geology analysis done by Rittenhouse, Zeman, and Associates Inc.
20. The applicant should modify the parking plan to include approximately 2-3% handicapped parking spaces with associated curb cuts. Further, ground floor units shall be adequate to serve the handicapped.
21. Due to the fact that only the narrow access points are being

9/9/76
8/25/76

Findings, Cont'd:

G. 15. bb. The applicants shall develop a fence and substantial buffering around the northernmost exception property.
cc. Phase III shall attempt, if possible, to maintain the existing pond and stream in its present configuration, at the time of development.

16. On March 4, 1976, the Board of Adjustment did approve a variance for the parking ratio of this proposed development. Their final conditions of approval are as follows.

a. A building permit for the proposed development shall be generally consistent with Exhibit "A", and shall be allowed to propose the following ratios:

- (1) 1.2 spaces per each utility unit.
- (2) 1.4 spaces per each one bedroom unit.
- (3) 1.8 spaces per each two bedroom unit.

b. That the proposal submit a site plan showing 2.2 parking spaces per unit. The variance application would then propose to reduce parking spaces, within the interior of the proposed parking area to help break up long lines of parked automobiles. These reduced parking spaces would be required to be landscaped, and in the event that additional parking is needed in the future, then the landscaping could be taken out and pavement installed for additional parking. That the location of the deleted stalls shall be in 2 or 3 stall aggregations.

c. The proposed storm water retention system for the proposed development shall be based upon a 2.2 parking ratio impervious surface.

d. This variance application shall be contingent upon the approval of the Preliminary and Final Planned Unit Development applications before the Kirkland Planning Commission.

17. This application shall be consistent with the Totem Lake Land Use Plan and the Kirkland Zoning Ordinance #Z183.

CONCLUSIONS:

A. SUMMARY OF THE PROPOSED ACTION:

1. This final Planned Unit Development application and rezone is generally consistent with the approved preliminary Planned Unit Development except as mentioned in the following:

B. HISTORICAL BACKGROUND: No relevant conclusions.

C. GOVERNMENTAL COORDINATION:

2. Kirkland Public Service Department/Kirkland Department of Fire Services/Kirkland Police Department/Kirkland Building Department/Water District No. 79/N.E. Lake Washington Sewer District. Where applicable the requirements of these departments and agencies should become conditions of approval of this final Planned Unit Development and Rezone.

D. EXISTING PHYSICAL CHARACTERISTICS: No relevant conclusions.

E. PUBLIC UTILITIES: No relevant conclusions.

F. NEIGHBORHOOD CHARACTERISTICS: No relevant conclusions.

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

3. Phase I of Totem Lake Apartments Planned Unit Development meets all applicable requirements of the Kirkland Zoning Ordinance with the exception of the exclusion of Phase III property in the northwest corner of this development. The proposed boundary line between the two phases should be adjusted a minimum of 25-30 feet to the west to provide for minimum parking and landscaping areas for Building No. 1.

4. The applicant has proposed final Planned Unit Development for Phase I within the time period allotted by the preliminary Planned Unit Development approval.

5. The applicant has submitted a landscaping plan by a licensed landscape architect. Provisions to limit the use of beauty bark have been attached to said landscaping plans.

6. To comply with section 23.40.060 of the Kirkland Zoning Ordinance regarding landscaped screen of parking areas, additional landscaping should be provided in the following areas:

- a. North side of the southern entrance off of Kingsgate Way.
- b. The western property line opposite to Building No. 6.
- c. Both sides of the northern entrance, and
- d. The western phase line opposite of Building No. 1.

7. The applicant has proposed photinia fraseri and rhododendrons in a five foot wide planting strip to provide the required

Conclusions, Cont'd:

- G. 34. b. (cont'd)
required to re-analyze the proposed parking configuration so that no row of parking is generally longer than 8 cars long. Areas for reconsideration are located 1) east of the recreation building and Building No. 7, 2) south of units 6 and 7, 3) east of unit 6, 4) south of units 2 and 3, and 5) west of unit 1.
- c. Storm water retention system has been designed on a ratio of 2.2 parking stalls per unit.
- d. This Variance is contingent upon final approval of the Final Planned Unit Development application from the Kirkland Planning Commission.

RECOMMENDATIONS:

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

1. The proposed phase line in the northwest corner of the property between Phase I and III shall be adjusted a minimum of 25-30 feet to the west to provide for minimum parking and line of sight widths.
2. The applicant shall modify the landscaping and site plans to reflect the following:
 - a. Minimum spacing of planting material along the south property line of 4 feet.
 - b. Additional planting on the north side of the southern entrance off of Kingsgate Way.
 - c. Additional planting on the western property line opposite of Building No. 6.
 - d. Additional planting on both sides of the northern entrance off of Kingsgate Way.
 - e. Additional planting on the Phase I and Phase III boundary line opposite of Building No. 1.
 - f. Additional trees shall be located along the open streamway and emergency drainage swale, generally along the south banks.
 - g. A drainage swale for the runoff water from N.P. 132nd shall be included.
 - h. Existing trees over 6 inches in caliper which will remain shall be noted, pursuant to Recommendation #3.
 - i. Inclusion of 2-3% handicapped parking spaces posted with

9/9/76
8/25/76

Recommendations, cont'd:

2. i. (cont'd)
"HANDICAPPED PARKING ONLY" signs and the applicant shall be given credit for four standard parking stalls for every three installed handicapped parking stalls.
- j. Internal pedestrian way shall have ramp-downs and curb cuts to facilitate the handicapped and should include:
 - (1) a connection of the pathways from Building No. 5 and Building No. 2 with a crosswalk north of the proposed stream channel.
 - (2) a paved pathway along either side of the northern entrance-way to Kingsgate Way.
 - (3) provisions for some sort of walkway system for the southern access point to Kingsgate Way.
- k. Add additional lighting between Buildings No. 5, 6, and 7.
 1. Redesign the parking plan so that no row of parking is generally longer than 8 cars long in a row, and the following areas shall be modified to conform to this provision:
 - (1) East of recreation building and Building No. 2
 - (2) South of Buildings No. 6 and 7,
 - (3) East of Building No. 6,
 - (4) South of Buildings No. 2 and 3, and
 - (5) West of Building No. 1
 - m. Modification to the emergency drainage swale shall be made to provide for the future use of the swale as an open stream channel. Any development within the Phase II area shall initiate the realignment of the stream channel within Phase I.
3. At the time of building permit application, the applicant shall submit a tree cutting plan for all trees 6 inches in caliper. Said tree cutting plan shall identify which trees are to be cut and which remain.
4. The applicant shall work with the Public Service Department to determine an acceptable design to handle runoff from N.E. 132nd St.
5. At the time of building permit application erosion control measures during construction shall be indicated.
6. All required signage shall be installed as required by the Public Service and Building Departments.
7. The applicant shall meet all the requirements of the Department of Fire Services.
8. The applicant shall meet all the requirements of the Police

9/9/76
8/25/76

Conclusions, Cont'd:

22. (cont'd)
developed on the east side of Kingsgate Way, very little side-walks are being proposed at this time. Pursuant to the above condition, modifications to the sidewalk system should include associated ramp-downs and curb cuts to accommodate the handicapped.

23. The internal pathway system does not follow the proposed streamway as required in the preliminary Planned Unit Development, and ramp-downs have not been indicated. The internal pathway system within the project should be modified to reflect the following:

- a. Connection of pathways from Building No. 5 to Building No. 2 with a crosswalk just north of the open stream channel.
- b. Provide a paved pathway along either side of the northern entranceway to connect with Kingsgate Way.
- c. A provision of some type of walkway system to Kingsgate Way along the southern entrance.

24. Final Planned Unit Development approval should be conditioned upon the applicant confining working areas as stipulated in the Kirkland Zoning Ordinance and requiring all construction equipment to utilize noise suppressors to reduce overall noise levels.

25. The applicant has proposed a ground mounted sign five feet high and 27.5 square feet in size to be located north of the northerly entrance to Kingsgate Way, and to be mounted on a three foot high mound of earth. Further, the applicant has proposed one temporary 32 square foot construction sign to identify the project, owner, architect, and engineer during construction. At time of occupancy of Phase I, this sign would be modified to include the project name, "Now Renting", and "Phone Number". This sign would remain for a period of time not to exceed 6 months from the date of the first occupancy permit for any of the buildings. Further, each building will be identified through the use of a three square foot building designation sign.

26. All requirements of the Kirkland Department of Fire Services regarding fire hydrants, fire mains, water supply, bridges, fire extinguishers, automatic fire alarm systems should be required.

The applicant has indicated on his landscaping plan where exterior lights should be located. This proposed plan appears to be adequate with the exception of additional light between Buildings No. 5, 6, and 7.

The Kirkland Police Department has commented on the security measures and has recommended specific types of locks for apartment and exterior doors. The requirements of the Kirkland

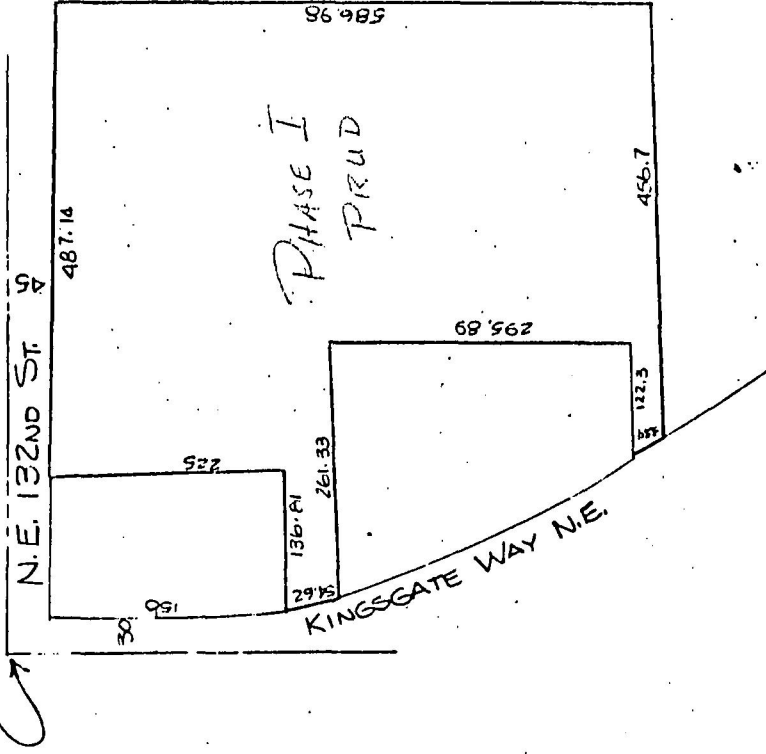
Conclusions, Cont'd:

- G. 26. (cont'd)
Police Department should become conditions of approval for this application.
- 27. Under Article 18 of Puget Sound Air Pollution Control Regulation No. 1, this application did not necessitate a preconstruction conference with that agency. (Refer to Exhibit "I")
- 28. As indicated in the landscaping plans and engineering plans, the steep slope area is to be left as a natural open space and retain all trees and natural vegetation. Exhibits "J", "K", "L", and "M" all indicate generally the same tree cutting edge.
- 29. The applicant has proposed dedication which is similar to that which was approved for Salish Village Planned Unit Development and is identified as Exhibit "S". Said open space easement drawing indicating required open space area within both Phase I and II should be required to record with the King County Department of Records and Elections prior to obtaining a building permit for Phase I development. A copy of the recording shall be filed with the Department of Community Development.
- 30. Stop signs shall be required to be installed on two access points from Kingsgate Way and shall be provided at the developers expense and to the standard specifications of the City of Kirkland.
- 31. All utilities will be undergrounded within this project.
- 32. Discussion of a bus stop shelter on 120 Ave. N.E. is not applicable to this development.
- 33. Development of a fence and substantial buffering around the northern most extension of the property would occur within Phase II development.
- 34. Discussion regarding retention of the existing pond in Phase III and located in the northwest corner of the subject property should be discussed at the time of that final Planned Unit Development review.
- 35. Regarding the Variance approved by the Board of Adjustment to reduce the parking ratio, the following are applicable in this case:
 - a. The applicant has proposed numbers of parking consistent with the ratios provided by the Board of Adjustment.
 - b. The Variance application was approved so that the applicant could reduce the number of parking spaces and help break up long lines of parked automobiles. Referring to the proposed landscape plan, the applicant should be

The Comp was not surveyed the premises described in A 157417. The sketch below is furnished without charge solely for the purpose of assisting in locating said premises and the Company assumes no liability for inaccuracies therein. It does not purport to show ALL highways, roads and easements adjoining or affecting said premises.

A 157417

NW COR SEC 28-26-5



A PORTION OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 28; THENCE SOUTH 01°57'51" WEST, A LONG THE WEST LINE OF SAID SECTION 28, A DISTANCE OF 45.00 FEET; THENCE SOUTH 88°02'15" EAST, A DISTANCE OF 30.00 FEET TO THE POINT OF INTERSECTION OF THE EASTERLY MARGIN OF KINGSGATE WAY NORTHEAST WITH THE SOUTHERLY MARGIN OF NORTHEAST 132ND STREET; THENCE SOUTH 88°02'15" EAST, ALONG THE SAID MARGIN OF NORTHEAST 132ND STREET, A DISTANCE OF 150.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUE SOUTH 88°02'15" EAST, ALONG SAID MARGIN, A DISTANCE OF 487.14 FEET TO A POINT ON THE EAST LINE OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER; THENCE SOUTH 01°54'17" WEST, ALONG SAID SURDIVISION LINE, A DISTANCE OF 586.98 FEET TO THE SOUTHEAST CORNER OF SAID SURDIVISION; THENCE SOUTH 89°55'07" WEST, ALONG THE SOUTH LINE OF SAID SURDIVISION, A DISTANCE OF 456.70 FEET TO A POINT ON THE SAID EASTERLY MARGIN OF KINGSGATE WAY NORTHEAST; THENCE NORTH 26°17'28" WEST, ALONG SAID MARGIN, A DISTANCE OF 33.44 FEET; THENCE LEAVING SAID MARGIN, NORTH 89°55'07" EAST, A DISTANCE OF 122.30 FEET; THENCE NORTH 01°54'17" EAST, A DISTANCE OF 295.62 FEET; THENCE SOUTH 89°53'48" WEST, A DISTANCE OF 261.33 FEET TO A POINT ON SAID EASTERLY MARGIN OF KINGSGATE WAY NORTHEAST BEING A POINT ON A CURVE THE CENTER OF WHICH BEARS NORTH 75°52'00" EAST, A DISTANCE OF 670.30 FEET; THENCE NORTHERLY ALONG SAID MARGIN, THROUGH A CENTRAL ANGLE OF 04°40'15", AN ARC DISTANCE OF 54.62 FEET; THENCE LEAVING SAID MARGIN NORTH 89°53'48" EAST, A DISTANCE OF 136.91 FEET; THENCE NORTH 01°57'51" EAST, A DISTANCE OF 225.00 FEET TO THE TRUE POINT OF BEGINNING.

Map Dept. Reference: 3538 MS

Tem Lake Apts.
K. UD-76-46(P) FINAL
Page 15 of 15

City of Kirkland
Department of Community Development

Recommendations, Cont'd:

- 8. (cont'd)
Department regarding security measures, and the Police Department shall review said security measures at the time of the building permit application.
- 9. The open space easement (Exhibit "S") and an attached drawing indicating the required open space in Phase I and II shall be recorded with King County Department of Records and Elections prior to obtaining a building permit. A copy of the recording shall be filed with the Department of Community Development prior to obtaining a building permit.
- 10. 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 120th Avenue N.E. for development of N.E. 132nd Street at the time of issuance of a contract for construction.
- 11. All proposed development shall be consistent with the soils/geologic analysis done for the applicant by Rittenhouse, Zeman and Associates, Inc.
- 12. 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.

APPLICATION FOR A FINAL PLANNED UNIT DEVELOPMENT

NOTE: Before preparing this application, please read information on cover page of this form.

Name of Applicant Sam C. Harman Phone 455-3133
 Company Name G & B Estates, Inc.
 Mailing Address 12620 - 120th Ave NE City Kirkland Zip 98033
 The undersigned applicant(s) is(are) the owners of the property described as follows: See legal attached.

RECEIVED

The above property was acquired by the applicant on the _____ day of _____, 1974. The present zoning is RS.

A F F I D A V I T

STATE OF WASHINGTON)
COUNTY OF KING)
CITY OF KIRKLAND)

I am (we are) the owner(s) of the property involved in this application and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects true and correct to the best of my (our) knowledge and belief.

Sam C. Harman
 (OWNER)
Sam C. Harman
 (OWNER)

Subscribed and sworn to before me this 18th day of June, 1976.

Notary Public in and for the
STATE OF WASHINGTON, residing at Seattle

EXHIBIT "A"
 Application for Final PUD
 R-PUD-76-46(P) FINAL
 Totem Lake Apts. (Harman)