

RESOLUTION NO. R-2442

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF AN INTENT TO REZONE AND FINAL PLANNED UNIT DEVELOPMENT AS APPLIED FOR IN DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. R-PUD-77-29(P) BY PUGET SOUND LAND ASSOCIATES FOR PHASE II OF THE APPROVED PRELIMINARY PLANNED UNIT DEVELOPMENT OF SALISH VILLAGE AND RESOLUTION OF INTENT TO REZONE FROM RESIDENTIAL SINGLE FAMILY (RS 35,000) TO RESIDENTIAL MULTI-FAMILY (RM-1800), AND SETTING FORTH CONDITIONS TO WHICH SUCH RESOLUTION OF INTENT TO REZONE AND FINAL PLANNED UNIT DEVELOPMENT SHALL BE SUBJECT.

WHEREAS, the Department of Community Development has received an application for a Final Planned Unit Development and Resolution of Intent to Rezone from RS 35,000 to RM-1800 filed by Puget Sound Land Associates, the owner of said property described in said application, and

WHEREAS, the application has been submitted to the Kirkland Planning Commission who held public hearing thereon at their regular meeting of July 14, 1977, and

WHEREAS, pursuant to City of Kirkland Ordinance No. 0-2319 concerning environmental policy of the State Environmental Policy Act, an Environmental Impact Statement has been submitted to the City of Kirkland, reviewed by the responsible official of the City of Kirkland and a positive declaration reached, and

WHEREAS, thereafter a Final Environmental Impact Statement was prepared, published and made available and accompanied the application through the entire review process, 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 positive declaration did adopt certain Findings, Conclusions and Recommendations and did recommend approval of the Resolution of Intent to 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-77-29(P) are adopted by the Kirkland City Council as though fully set forth herein.

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Section 2. The Resolution of Intent to Rezone and Final Planned Unit Development 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 Resolution of Intent to 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 Resolution of Intent to Rezone and Final Planned Unit Development to initially meet or maintain strict compliance with the standards and conditions to which the Resolution of Intent to Rezone and Final Planned Unit Development are subject shall be grounds for revocation in accordance with Section 23.62.070 of Ordinance No. 2183, the Kirkland Zoning Ordinance.

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

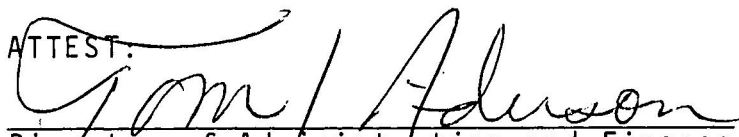
- (a) Applicant
- (b) Department of Community Development of the City of Kirkland
- (c) Building Department of the City of Kirkland
- (d) Fire Department of the City of Kirkland
- (e) Police Department of the City of Kirkland
- (f) Public Service Department of the City of Kirkland
- (g) The Office of 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 1st day of August , 1977.



Mayor

ATTEST:



Director of Administration and Finance
(ex officio City Clerk)

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DEPARTMENT OF COMMUNITY DEVELOPMENT

ADVISORY REPORT
FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

PREPARED BY _____ DATE _____

XX RECOMMENDED BY _____ DATE July 14, 1977

ADOPTED BY _____ DATE _____

STAFF _____

BOARD OF ADJUSTMENT _____

HOUGHTON COMMUNITY COUNCIL _____

XX PLANNING COMMISSION _____

Robin Mullis
Robin Mullis, Acting Chairperson

CITY COUNCIL AS INCORPORATED IN _____

RESOLUTION _____ ORDINANCE _____

NUMBER _____

DATE _____

FILE NUMBER R-PUD-77-29(P)

APPLICANT PUGET SOUND LAND ASSOCIATES

PROPERTY LOCATION N.E. 132nd St. and 124th Ave. N.E.

SUBJECT Application for Intent to Rezone and Final Planned Unit Development
for Phase II of SALISH VILLAGE.

HEARING/MEETING DATE AUGUST 1, 1977

BEFORE KIRKLAND CITY COUNCIL

EXHIBITS ATTACHED "A" Vicinity Map & Survey "B" Site Plan for Phase II
"C" Approved Prelim. PUD Site Plan "D" Landscape Plan "E" Bldg. Elev. "F" Soils
Report "G" Letter from Dodds Engineers "H" Adjoining Easements "I" Applications
"J" - Revised Site Plan

FINDINGS:

A. SUMMARY OF THE PROPOSED ACTION:

1. This is an application for a Final Planned Unit Development and "Intent to Rezone" for Phase II of the approved Preliminary Planned Unit Development for Salish Village. The Intent to Rezone action is consistent with the preliminary approval found in Department of Community Development File No. PUD-75-45(P) and would be from Residential Single Family RS 35,000 to Residential Multi-Family RM-1800. (Refer to Exhibit "A" - Vicinity Map and Survey and Exhibit "J" - Revised Site Plan).
2. Phase II Development proposes 160 multi-family apartment units consisting of 10 multi-family buildings, one recreation building, and one swimming pool. Of these 160 dwelling units, 32 will be of studio type (400 sq. ft. in size), 56 will be 1-bedroom (628 sq. ft. in size), and 72 will be 2-bedroom size (824 sq. ft.). Total proposed parking is 247 stalls of which 20 would be designed for the handicapped. At a 2.2 parking space per unit ratio, the total need of the project is slightly higher at 352 parking spaces. (This item is further discussed in Finding 5.)
3. The subject property is located within an Environmentally Sensitive Area, and therefore as provided for in City of Kirkland Resolution No. R-2149 regarding the State Environmental Policy Act, the City of Kirkland did prepare an Environmental Impact Statement on the proposed Totem Lake Apartment development which was published on October 23, 1975 as provided for in the State Environmental Policy Act and the Washington Administrative Code. Said Environmental Impact Statement is applicable to this phase of development as are all other phases of development and as well as all related governmental actions such as the Rezone and Planned Unit Development.

B. HISTORICAL BACKGROUND:

4. This application has previously received approval of the Preliminary Planned Unit Development from the Kirkland City Council on January 5, 1976 under Resolution No. R-2342. Further, on April 19, 1976, the Kirkland City Council did approve Phase I of Salish Village under Resolution No. 2361.
5. On April 1, 1976 the Kirkland Board of Adjustment approved a Variance for Phase I Planned Unit Development for the following:
 - a. Minimum parking area ratio shall be: Efficiency Units - 1.2, 1-bedroom units - 1.4, and 2-bedroom units - 1.8.
 - b. These reduced parking spaces shall be required to be landscaped in the event that additional parking is needed in the future, then the landscaping shall be taken out and pavement installed for additional parking.

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- B. 5. c. That the approval of this Variance, if granted, shall be contingent upon the following condition: At the time of 85% occupancy of the proposed project, the staff to do an analysis of the existing parking to determine adequacy of the proposed project. The Department of Community Development shall only issue a temporary Certificate of Occupancy to the proposed development until such time as the analysis is complete and parking is accepted as adequate.
- d. Variance application shall be contingent upon the approval of the Final Planned Unit Development application before the Kirkland Planning Commission.

The applicant is presently applying for another Variance for Phase II parking ratio at the same ratio as the above. As per Recommendation #3, the Department of Community Development made a site inspection of the completed Phase I complex on June 15, 1977 at 5:15 A.M. At that time all but eight 2-bedroom units and one 1-bedroom unit had been occupied and was at a 95% occupancy. Out of a total of 327 available parking spaces, 122 were vacant for the entire complex.

C. GOVERNMENTAL COORDINATION:

(NOTE: The following comments are in addition to those requirements of the Preliminary Planned Unit Development and as identified in Finding 23.)

6. Kirkland Public Service Department. Memorandum from Art Knutson dated March 27, 1977.

" King County is proceeding with the program to reconstruct NE 132nd Street. The plan-in-hand review was held with the state officials on March 14, 1977. At this meeting the state submitted to King County the required corrections to the plans to win state approval.

The drainage issue, where the city is proposing to store water on private property, is probably about one month away from a solution and the signing of permanent easements. This is not holding up the program but is an effort toward a better solution.

I don't have much confidence in a private traffic survey anymore since I saw how two different traffic engineers on the car wash at NE 124th and 124th NE took the same data and came up with conclusions 180 degrees out but both with the answers their clients wanted.

I recommend that the applicant come back to the City Council and ask for an amendment that their planned unit development hinged upon "no occupancy" permits unless the street project is out to bid and the project construction has at least started. Completion of the street project is going to depend a great deal upon the weather."

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C. 6. (Cont'd)

Additional comments, Memo from Fred French, dated 5/26/77:
"Storm water restriction must be accessible by vehicles,
pavement or improved gravel with adequate base. Other than
this, the Public Service Department does not have any
additional comments."

7. Kirkland Department of Fire Services. Memo from Dale Decker dated May 19, 1977. "I do not have enough specifics to make a complete determination of needs, however the following will be what is generally required. (1) Approved fire hydrants to be installed, location of which will be determined by KFD upon submittal of more specific plans. (2) All buildings with 13 or more units will be required to have a "Type B" fire alarm system as defined in the Kirkland Fire Department Operating Policy No. 8. (3) Water mains shall be of sufficient size to provide required fire flows. (Unable to compute fire flows at time due to lack of sufficient plans.) (4) All water mains and fire hydrants to be installed and fully operational prior to the beginning of construction. (5) Access routes to be of sufficient width to provide free and easy access for Fire Department vehicles (minimum 12 feet). (6) Access routes may need posting as fire lanes, unable to determine at this time. (7) Portable fire extinguishers to be provided in accordance with applicable codes."
8. Kirkland Park Department, memo dated May 26, 1977. "Project needs adequate pedestrian transportation to bus and N.E. 132nd Street. Regarding the open space around the recreation building, this Department would like to work with the architects on the space use. Further, paths to Totem Lake will be necessary with this project."
9. Kirkland Police Department, memo dated May 19, 1977 from Larry Jensen. "Adequate identification of buildings needs to be included which may include large letters which can be easily seen from the access road."
10. Kirkland Building Department, memo dated May 20, 1977 from Bruce Lorentzen. "Street signs to be posted with numbers as directed, all projects shall be located within Fire Zone No. 2."
11. King County Department of Public Works. Letter from Paul Hopper dated March 30, 1977.
"This will clarify a misunderstanding concerning the construction of phase II of Salish Village. At no time did King County suggest the delay of the construction of the subject project due to the reconstruction of NE 132nd Street.

It was suggested in our response to the draft environmental impact statement for Totem Lake Apartments being constructed at the intersection of Kingsgate Way (116th Avenue NE) and NE 132nd Street that phase II construction be delayed. At that time there was a lack of traffic control at this intersection. This situation has since been corrected.

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C. 11. (Letter from Paul Hooper, King County, cont'd)

Phase II of Salish Village was discussed at various meetings held with the City of Kirkland and it was assumed that NE 132nd Street would be reconstructed prior to the completion of phase II. This will most likely be the case as King County will contract this project this summer. Thus, the road project should be complete or near completion prior to occupancy of phase II of Salish Village.

In any event, we do not feel the construction of Salish Village will have any adverse effect on traffic on NE 132nd Street. During peak hours there may be possible delays in traffic, but this occurs on most routes in this area."

D. EXISTING PHYSICAL CHARACTERISTICS:

12. Topography/Soils/Geology/Environmentally Sensitive Areas. As required by Recommendation No. 10 in the Preliminary Planned Unit Development (Reference Finding No. 23), the applicant has submitted a Soils Engineering Report by Earth Consultants, Inc., dated May 17, 1977, File E-296. The Soils Engineer generally describes the major portion of the subject property which has generally a 2% slope to the south (refer to Exhibit "A", Vicinity map), with a sharp drop off of 15 to 30 degrees, to the south and east of the site. The sub-surface conditions of the entire site were found to consist of a consolidated gray, silty sand with gravel (referred to as Glacial Till). This Till is inferred to extend a considerable depth beneath this site. Based upon these conditions, it is the opinion of the soil engineer that the site may be developed as planned and that no adverse impacts should result from this proposed development. Although a small spring is located approximately 100 feet to the east of Building 2-J, it is not anticipated that it should have any adverse impacts on the entire project. (Refer to Exhibit "F" - Soils Report).
13. Hydrology. Although there are no active streams on the existing site, the aforementioned spring has been noted. The subject property would normally drain into the southern ravines and into Totem Lake, however through interception the storm drainage will be taken out to N.E. 128th Street and deposited in the outflow of Totem Lake just north of the Totem Lake Shopping Center.
14. Vegetation. Please refer to Exhibit "A" which indicates existing trees on site at the present time. Exhibit "J" indicates the proposed landscaping to be installed with the project.

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E. PUBLIC UTILITIES:

15. Streets/Internal Access. In this phase, the applicant would propose to continue the looped main access road which will serve all five phases of the complex. Additional traffic would enter through the existing access point onto N.E. 132nd from 125th Avenue N.E. Refer to Findings 6 and 11 regarding Public Service comments on existing street system.
16. Sanitary Sewers. Exhibit "B" indicates that all proposed structures will be served by sanitary sewer and that said line will be connected to sanitary sewer connection on N.E. 132nd Street by connecting to the existing sewer stub located in Phase I. No sanitary sewer connections will be needed through the steep slope area.
17. Storm Sewers. As indicated by Exhibit "B", the storm sewer system will be installed to handle existing drainage and storm water retention. Said storm water runoff will be taken to the pedestrian dogleg on the southern portion of the property and connected to the storm sewer system line in N.E. 128th Street. Please refer to the enclosed portion of a letter from Dodd's Engineers, dated May 9, 1977:

"Item 12. We have made preliminary calculations of the storage/retention quantities which will be required on the site -- for both Phase II and the remaining property. Phase II will be the last leg of the storm sewer which will serve the remainder of the site. It has therefore been necessary to estimate the ultimate outflow to assure that the Phase II system will be of sufficient capacity to handle the remaining phases. We estimate the ultimate retention capacity to be 20,000 cubic feet of which 6,000 cubic feet will be provided in Phase II. The peak outflow from this system to 128th Street will be 3 to 4 cfs. I have enclosed a copy of a cross easement between Evergreen General Hospital and Puget South Land Associates which should be adequate proof that the legal right for installation of these utilities exists."

18. Paths/Trails. The applicant proposes to provide a pedestrian path and trail system consistent with the Preliminary Planned Unit Development which will connect the subject property with Phase I and N.E. 132nd Street. Further, the applicant has proposed some paths in the open space tract to the south, and included the pedestrian connection from Phase II along the southern dogleg to N.E. 128th Street. However, no physical connection from the subject property to N.E. 128th Street has been indicated in this plan. Cross easements presently exist between the subject property and Evergreen General Hospital for pedestrian easement from the southern dogleg to N.E. 128th Street. (Refer to Exhibit "H")

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Findings, Cont'd

- E. 19. Domestic Water/Fire Hydrants. Although the subject property is located in an adjacent water district, the project will need to meet the requirements of the Public Service and Fire Departments regarding the sizing of water lines and location of fire hydrants.

F. NEIGHBORHOOD CHARACTERISTICS:

20. Zoning. The subject property is located south of Phase I portion of Salish Village Planned Unit Development. The undeveloped portion of the subject property is presently zoned Residential Single Family 35,000 square feet, however, Phase I has now been rezoned to Residential Multi-Family (RM-1800) as per Final Planned Unit Development approval. Those properties to the east and north of the subject property include Suburban Residential lots at a 7200 sq. ft. minimum lot size. To the south is located Light Industrial activities, however these are located at the bottom of the slope in both King County and the City of Kirkland. To the west is located Planned Area No. 8 which includes Evergreen General Hospital. Also to the west is located large tracts of undeveloped Residential Single Family 35,000 square foot property north of Planned Area 8 and to the south is located a tract of RM-3600 property which is presently being developed as an elderly housing complex.
21. Land Use. In reference to the aforementioned Finding, those properties located to the east and north of the subject property are Residential Single Family in character. Most of the property to the south and southeast is undeveloped, as is adjacent property south of the southern dogleg. Evergreen Hospital is developed toward the west end of the subject property, and there is a remaining undeveloped tract between the hospital and N.E. 132nd Street.

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

22. This application must be consistent with the following sections of the Kirkland Zoning Ordinance No. 2183.
- a. Section 23.10, RM zoning,
 - b. Section 23.28, PUD Section,
 - c. Section 23.34, Parking Section,
 - d. Section 23.40, Landscaping Section, and
 - e. Section 23.60, Rezoning Provisions
23. This application must be consistent with the approved Planned Unit Development recommendations, File No. 75-46(P) which are as follows:

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G. 23. (Cont'd)

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

2. Phase I shall be commenced consistent with the requirements of Section 23.28.160(4) of the Kirkland Zoning Ordinance; each phase thereafter shall make Final Planned Unit Development application in any sequence the applicant wishes, provided that Phase V shall make application last in the total development of this proposal. Each phase of development may be a separate Final Planned Unit Development and rezone application. Thereafter the remaining phases shall be completed within 8(eight) calendar years provided that the approval and construction of any subsequent phase, after Phase I, shall begin within 12(twelve) calendar months after the issuance of all Certificates of Occupancy of any preceding phase. In the event that construction of any subsequent phase is not begun in accordance with the above, additional development improvements within the preceding phase shall be required where appropriate, such as cul-de-sac turn-arounds at street-ends, looping of water lines to increase water flow if required, etc. The purpose of such improvements is to insure compliance with Rec. #1 above. Notwithstanding compliance with the foregoing, the developer may request additional extensions of time to commence any subsequent phase, in the event that the developer has good cause, such as pending litigation, lack of ability to obtain utility services, etc. Applications for extensions must be applied for, before the end of the twelve (12) calendar month period after the issuance of all Certificates of Occupancy of the preceding phase, at the Department of Community Development, and approved in writing by the Planning Commission. The above contingency requirements shall be so specified within the Final Planned Unit Development approval of any Phase and performance bonds filed as appropriate. The term "construction" as used herein shall mean the issuance of a valid building permit then in force.

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Findings, Cont'd

G. 23. (Cont'd)

3. Adequate security measures (i.e. lighting, signing and door locks), shall be designed and built into this development.
4. Motorcycle barriers shall be constructed at both ends of the pedestrian trail to the cul-de-sac at N.E. 128th Street and at the dead-end street in Forest Grove, N.E. 129th Street.
5. No sight-obscuring construction, land modifications or landscaping, between 3 feet and 8 feet above grade, shall be located at either entrance to the subject property.
6. The applicant shall be required to submit a detailed landscaping plan developed by a licensed landscape architect, with each specific phase when Final Planned Unit Development approval is requested. The use of "beauty" bark shall be limited in all landscaping plans due to its adverse effect upon storm drainage management systems. The detailed landscaping plan submitted with Phases I and III shall indicate that proposed landscaping adjacent to the northern border of the subject site fronting on N.E. 132nd St. will be expected to form an effective visual and noise buffer both to the subject property and adjacent single family residences. The adequacy of this buffer area shall be determined by the Department of Community Development.
7. The applicant shall be required to leave all existing vegetation in the proposed 50 foot vegetative buffer zone between the subject property and the Forest Grove Subdivision.
8. Additional landscaping shall be required adjacent to the Forest Grove Subdivision and small ranch house and property at the north-east corner of the subject property and extending the full length of the eastern property line of the subject property from N.E. 132nd Street to the southern boundary line of Forest Grove. This additional landscaping shall be required to be installed at the time of development of Phase I to allow for a greater period of growth of an effective visual buffer between development of Phase I and the time at which development occurs adjacent to existing single family development. This additional landscaping shall be of a variety, size and density that will be expected to form an effective visual buffer between the subject property and all existing single family development to the east, within six years. The adequacy of the submitted landscaping plan shall be determined by the Planning Commission. The adequacy of the buffer area to form an effective visual buffer shall be determined by the Planning Commission at the time of application for Final Planned Unit Development for Phase V. In the event that the buffer area has been found inadequate at said time, the Planning Commission shall withhold approval for said application until the Planning Commission is satisfied that an effective visual buffer exists. At the time of development of Phase V, the buffer area shall be physically roped off to prohibit the destruction of any vegetative material within this area.

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G. 23. (Cont'd)

9. All construction on the subject property shall be required to be within conformance of the Kirkland Land Modification Ordinance No. 2293.
10. Prior to the development of proposed structures IIIG and H and all of Phase IV, detailed soils reports shall be required which adequately analyze the feasibility of this development and clearly identify all mitigating measures to be utilized.
11. Any proposal to locate public service facilities within steep slope areas shall be accompanied by an adequate investigation by qualified soils or geologic engineer which addresses the possible environmental impacts of this development and all necessary mitigating measures to be utilized.
12. An adequate on-site retention system shall be developed that will maintain on site a quantity, quality and velocity of storm water runoff that is equal to or better than the existing runoff conditions. The applicant shall be required to submit specific calculations and design of the storm water retention system for each phase proposal. This system shall be designed to maintain a minimum of a 10 year storm, and be designed with oil and sediment traps as appropriate.
13. This on-site retention system shall be designed so that it will not force water into the sub-stratum or direct concentrated surface runoff in the direction of the steep slope area.
14. If storm sewer lines are proposed within these steep slope areas, they shall follow the proposed pedestrian trail through this area to the extent practical, and where it is determined, by sound engineering practices, and subject to the approval of the Department of Community Development, that storm sewer lines shall not follow the proposed pedestrian trails, through the steep slope areas, construction shall be in such a manner so as to reduce erosion and to minimize destruction of the natural environment.
15. Erosion control measures shall be proposed to prevent sedimentation of Totem Lake and erosion within the steep slope area associated with this Planned Unit Development. Drainage from impervious areas shall be directed away from the steep slope area. No loose fill shall be pushed onto the steep slopes during site development.
16. Prior to filing for final approval of any portion of the Planned Unit Development, the developer shall submit to the City of Kirkland system improvements which insure that adequate water is available to the site for domestic and fire flow requirements of each "phase".

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G. 23. (Cont'd)

17. Only Phase I of the proposed Planned Unit Development will be considered for Final Planned Unit Development approval prior to the improvement of N.E. 132nd Street by King County as presently being designed between 100th Ave. N.E. and 132nd Ave. N.E. In the event that the King County improvement program for N.E. 132nd Street is not begun prior to any phase subsequent to Phase I, and if otherwise determined that the existing configuration (at the time of final application for any phase) of N.E. 132nd Street could satisfactorily serve subsequent development phases, then development of subsequent phases could begin. Such determination shall be based upon a thorough traffic engineering analysis to be conducted at the cost of the applicant by a competent authority, acceptable to the City of Kirkland and approved by the Planning Commission.
18. The applicant will be required, as determined by the Kirkland Public Service Department, to pay for curbs, gutters, sidewalks and associated labor costs on the south side of N.E. 132nd Street adjacent to the Planned Unit Development site as part of the N.E. 132nd Street improvement program and provide additional slope easements on the south side of N.E. 132nd St., adjacent to the subject property.
19. Private roads within the subject property shall have -posted signs that read "FIRE LANE - MAINTAIN 12 FOOT WIDTH CLEARANCE". These signs shall be 18" x 24" and placed every 150 feet along the loop roadway. The signs shall be purchased, installed and maintained at the expense of the developer and/or owner.
20. The applicant shall be required to install and maintain special handicapped parking facilities and shall be required to demonstrate that ground floor units could adequately serve the handicapped. These special parking areas shall be posted with "HANDICAPPED PARKING ONLY" signs and the applicant shall be given credit for four standard parking stalls for every three installed handicapped parking stalls.
21. The applicant shall be required to provide pedestrian walkways as proposed along the main access street, and where appropriate, walkdowns from pedestrian walkways to street level at all street crossings and dwelling unit access areas.
22. The applicant shall be required to investigate with the City of Seattle prior to Phase II approval, the possibility of developing a pedestrian walkway along the Seattle City Light, Property Management Division, Skagit Transmission Line Easement, which would connect the subject property from the end of the proposed pedestrian trail within the 30 foot property section in the southwestern section of the subject property to an existing cul-de-sac at N.E. 128th St. and thence to the Totem Lake Shopping Center. If this development would be feasible to Seattle City Light, Property Management Division, the applicants shall be required to develop this pedestrian walkway section concurrently with development of Phase III-B.

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G. 23. (Cont'd)

23. All construction activities shall be confined to working hours as stipulated within the Kirkland Zoning Ordinance.
24. The applicant shall be required to apply for and receive a pre-construction review under Article 18, Puget Sound Air Pollution Control Regulation 1, prior to applying for final approval of Phases II through V.
25. The entire slope area, identified as Phase I-B, shall be designated as permanent common open space for the community purposes and benefit associated with that area as related to the visual and aesthetic open space, slope and soils retention and stability, the maintenance of air quality in the general area and the management of urban runoff. Except as hereinafter stipulated, said area shall be defined and recorded as a privately owned open space as a requirement of the Final Planned Unit Development approval of the first phase of development and so recorded with the King County Department of Records and Elections, and so annotated on the official zoning map of the City of Kirkland. Proof of recording shall be filed with the City of Kirkland, Department of Community Development. All open space shall be available for the use of all the property contained in this Planned Unit Development, even if only a portion of said ownership is utilized for said Planned Unit Development or if only a portion of said ownership shall have had approval of a Final Planned Unit Development. In addition to the above, the applicant shall dedicate to the City of Kirkland for the benefit of the public the air space and view subject only to natural plants and foliage and subject to the right to make such minor improvements as may be set forth in the Planned Unit Development approval or subsequently approved by the City of Kirkland as necessary for use as private open space. Said dedication shall be a condition of the Final Planned Unit Development approval of the first phase of the proposal.
24. Due to the fact that this Preliminary Planned Unit Development Permit was approved prior to the adoption of the Land Use Policies Plan, it shall not be applied to this Phase or any subsequent phase due to the timing of the original Planned Unit Development. The Preliminary P.U.D. was reviewed on the basis of the Totem Lake Land Use Plan as the guiding Comprehensive Plan.

CONCLUSIONS:

A. SUMMARY OF THE PROPOSED ACTION:

1. This application is generally consistent with the approved Preliminary Planned Unit Development under Resolution No. R-2342. Minor building location modification has been made since Preliminary PUD approval. Also, a recreation building and swimming pool has been added to the Phase II complex.

B. HISTORICAL BACKGROUND:

2. Based on the data collected by the Department of Community Development for the parking ratio, it is apparent that the ratios of 1.2/1.4 and 1.8 work well with large apartment complexes. They provide enough parking without creating excessive paved area. These ratios should be extended to Phase II, III, IV and V based upon the approval for a Variance to Section 23.28.120(2)(d) of the PUD Chapter.

C. GOVERNMENTAL COORDINATION:

3. The Kirkland Public Service Department/King County Department of Public Works. It is apparent that these two traffic agencies feel that the additional vehicular impacts of the traffic generated from Phase II development will not adversely impact N.E. 132nd St. as that street is presently undergoing upgrading. Therefore, it is upon their recommendation, and expertise of the existing situation that the Department of Community Development recommends that Recommendation No. 17 be withdrawn as consideration of this Preliminary Planned Unit Development procedure. The applicant will be required to meet all other requirements of the Public Service Department regarding water, sewer, storm drainage as indicated in the Preliminary Planned Unit Development and as indicated in the Exhibits herein attached.
4. The Kirkland Department of Fire Services. The applicant will be required to provide accurate information to the Department of Fire Services regarding location of fire hydrants and water mains. Further, the applicant will be required to meet all requirements of the Department of Fire Services prior to any permits being issued for this project.
5. Kirkland Police Department. Identification numbers and/or street numbers should be provided on the sides of the buildings to meet the requirements of the Police Department.
6. Kirkland Park Department/Building Department. The applicant will be required to meet the requirements of these Departments where appropriate.

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Condlusions, Cont'd

D. EXISTING PHYSICAL CHARACTERISTICS: (No relevant conclusions)

E. PUBLIC UTILITIES:

7. Paths/Trails. Upon submittal of Building Permit plans, the applicant should be required to indicate any areas where paths will be located in the steep slope area and how said trails will be surfaced. Further, the applicant should be required to extend the pedestrian pathway from the eastern-most extent of the southern dogleg to N.E. 128th Street to provide adequate pedestrian connection from this project to Totem Lake.

F. NEIGHBORHOOD CHARACTERISTICS: (No relevant conclusions)

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

8. This application is consistent with the approved Preliminary Planned Unit Development File No. 75-44(P) with the following listed for the benefit of the applicant:
 - a. (Recommendation 1) - This development and phase has demonstrated adequate setbacks and all other development provisions of the Kirkland Zoning Ordinance.
 - b. (Recommendation 2) - This application has been submitted in a timely fashion and is consistent with the time frames set up in the Preliminary Planned Unit Development file.
 - c. (Recommendation 3) - Specific lighting and door lock plan shall be submitted with the Building Permit application. Further door locks shall specifically be approved by the Police Department and meet their standards.
 - d. (Recommendation 4) - With the development of the pedestrian trail to the cul-de-sac at N.E. 128th Street, the applicant will be required to install motorcycle barriers at both ends of this pedestrian trail.
 - e. (Recommendation 5) - Not applicable.
 - f. (Recommendation 6) - The applicant has submitted detailed landscape plans developed by a licensed landscape architect. The following comments should be incorporated into a landscape plan at the time of Building Permit applications.
 - (1) Limitations on the use of beauty bark should be noted on the plans.
 - (2) Due to the size of the buildings and based on the experience with Phase I landscaping, larger species of specimens should be incorporated into the Plan.

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Conclusions, Cont'd

g. 8. f. (2) (Cont'd)

Evergreens adjacent to the building should be a minimum of 10 feet in height, whereas deciduous trees should be a minimum of 2" in caliper.

- (3) The area west of the main access road to Phase I should be landscaped to standards of Section 23.40.060 (4 foot sight obscuring landscaping screen).
 - (4) One or two additional trees should be added at the west end of Building 2H.
 - (5) Landscaping located in the access road divider shall be consistent with Phase I.
 - (6) Those trees located in the landscaping buffer adjacent to Phase V which are dead or dying shall be replaced with similar species of like size.
 - (7) Each parking stall separator should be landscaped.
- g. (Recommendation 7) - Not applicable.
- h. (Recommendation 8) - Not applicable.
- i. (Recommendation 9) - This should be made a condition of this Planned Unit Development.
- j. (Recommendation 10) - A detailed soils report has been submitted regarding the feasibility of this development and clearly identifies mitigating measures.
- k. (Recommendation 11) - Refer to the above conclusion.
- l. (Recommendation 12) - The applicant has indicated that accurate storm water retention design has been proposed and this requirement shall be met.
- m. (Recommendation 13) - This should be a requirement of this Final Planned Unit Development.
- n. (Recommendation 14) - Methods of the construction of any proposed pedestrian trails through the steep slope area should be identified at the time of the issuance of the Building Permit and should be concluded with an on-site investigation by the Department of Community Development.

Conclusions, Cont'd

- G. 8. o. (Recommendation 15) - The applicant has identified erosion control measures proposed to prevent sedimentation of Totem Lake. Further, storm water retention is being diverted from this slope to storm sewer system, and therefore intercepted prior to reaching Totem Lake.
- p. (Recommendation 16) - When Phase I tied into the water system in N.E. 132nd St., this entire complex was supplied with adequate water. It will be necessary for the applicant to work with the Kirkland Fire Department and Public Service Department to adequately identify the necessary size and fire flow requirements for this phase. This may be completed after Final PUD approval and prior to Building Permit issuance.
- q. (Recommendation 17) - As per Findings 6 and 11, it appears that King County Department of Public Works and the Kirkland Public Service Department do not foresee a significant traffic impact on N.E. 132nd St. due to this development basically because N.E. 132nd St. is being upgraded at the present time.
- r. (Recommendation 18) - The applicant has paid for necessary street improvements.
- s. (Recommendation 19) - The applicant shall be required to maintain access width and post signs as required by this Recommendation.
- t. (Recommendation 20) - The applicant has proposed special handicapped parking facilities.
- u. (Recommendation 21) - Proposed pedestrian walkways are consistent with those which were approved in the Preliminary Planned Unit Development file.
- v. (Recommendation 22) - The applicant has provided easements which indicate the possibility of connecting pedestrian pathway system between the cul-de-sac on N.E. 128th St. and the southern dogleg of the subject property which should be completed with this Final PUD.
- w. (Recommendation 23) - This should be made a recommendation of this Final P.U.D.
- x. (Recommendation 24) - This should be made a recommendation of this Final P.U.D.
- y. (Recommendation 25) - Has been completed.
9. Although this phase of development is not subject to the new LUPP, it shall be subject to those appropriate sections of the Totem Lake Plan.

RECOMMENDATIONS:

Subject to the foregoing Findings and Conclusions we hereby recommend that this application for a Final Planned Unit Development and "Resolution of Intent to Rezone" for Phase II of Salish Village be approved based upon Exhibits "A" through "J" and subject to the following:

1. This application shall be subject to a Variance by the Board of Adjustment from 352 parking spaces to 247 parking spaces.
2. The following items shall be completed prior to the applicant receiving a Building Permit application for the subject property.
 - a. The applicant shall provide specific detailed drawings regarding the on-site retention system that will maintain on-site 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 for the storm water retention system for Phase II. Said system shall be designed to maintain a 10 year storm and shall be designed with oil and sediment traps where appropriate. Further, storm water retention facilities must be accessible by vehicle with pavement or improved gravel with an adequate base.
 - b. The applicant shall be required to provide accurate information to the Department of Fire Services regarding location of fire hydrants and water main. Further, the applicant will be required to meet all requirements of the Department of Fire Services prior to any improvements being issued for this project which shall include the posting of signs along the main access road to read: "Fire Lane - Maintain 12 Foot Width Clearance". These signs are to be 18" x 24" and placed every 150 feet along the looped roadway. These signs to be purchased, installed and maintained at the expense of the property owner and/or developer. Water mains and fire hydrants shall be installed and fully operational prior to the construction of any fire susceptible portions of the building (prior to framing of the building).
 - c. Adequate security measures (i.e. lighting, signing and door locks) are to be designed and built in to Phase II of this development and shall be approved by the Kirkland Police Department as will the adequate identification of buildings which can be easily seen from the access road.
 - d. Interior street signs shall be provided by the applicant/developer and shall be installed as per Building Department requirements.
 - e. The applicant shall modify the landscaping plan as per an agreement with the Park Department surrounding the recreation building. Further, the following items shall also be modified in the final landscaping plan.
 - (1) Limitations on the use of beauty bark shall be noted on the plans.

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Recommendations, Cont'd

2. e. (2) Due to the size of the buildings and based on the experience with Phase I landscaping, larger species of specimens shall be incorporated into the Plan. Evergreens adjacent to the building shall be a minimum of 10 feet in height, whereas deciduous trees shall be a minimum of 2" in caliper.
- (3) The area west of the main access road to Phase I shall be landscaped to standards of Section 23.40.060 (4 foot sight obscuring landscaping screen).
- (4) One or two additional trees shall be added at the west end of Building 2.F.
- (5) Landscaping located in the access road divider shall be consistent with Phase I.
- (6) Those trees located in the landscaping buffer adjacent to Phase V which are dead or dying shall be replaced with similar species of like size.
- (7) Each parking stall separator shall be landscaped.
- (8) The applicant shall have the flexibility in the landscaping and parking plan to slightly modify this plan to reflect the location of existing vegetation which might be saved.
- f. The applicant shall be required to indicate any areas where paths will be located in the steep slope area and how said trails will be surfaced. Further, the applicant shall be required to extend the pedestrian pathway from the easternmost extent of the southern dogleg of the subject property to N.E. 128th Street. Said pedestrian pathway shall include motorcycle barriers at both ends of the pedestrian trail.
- g. All construction on the subject property shall be required to be in conformance with the Land Surface Modification Ordinance No. 2293.
- h. Drainage and erosion control measures to be taken during the construction phase of those buildings adjacent to the steep slope area shall be identified and shall include comments as to how drainage shall be directed away from the steep slope area. Further, no loose fill shall be pushed onto the steep slope area during site development. Required on-site retention system shall be designed so it will not force water into the sub-stratum or directly concentrate surface runoff in the direction of the steep slope area.
- i. The applicant will be required to meet all other requirements of the Public Service Department regarding water, sewer, storm drainage as indicated in the aforementioned and as indicated in Exhibits attached herein.
3. All construction activities shall conform to working hours as stipulated within the Kirkland Zoning Ordinance.
4. The applicant shall be required to apply for and receive any necessary permits from Puget Sound Air Pollution Control Agency where appropriate.