

RESOLUTION NO. R- 2509

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF A FINAL PLANNED UNIT DEVELOPMENT PERMIT AND INTENT TO REZONE PERMIT FROM RS 35000 TO RM 1800 AS APPLIED FOR IN DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. R-PUD-77-108(P), BY PUGET SOUND LAND ASSOCIATES FOR THE FINAL PLANNED UNIT DEVELOPMENT OF SALISH VILLAGE PHASE III, BEING WITHIN AN RS 35000 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 an Intent to Rezone and Final Planned Unit Development Permit filed by Puget Sound Land Associates, the owner of said property described in said application and located within an RS 35,000 zone.

WHEREAS, the application has been submitted to the Kirkland Planning Commission who held public hearing thereon at their regular meeting of February 23, 1978.

WHEREAS, pursuant to City of Kirkland Ordinance No. O-2319 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 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-77-108(P) are adopted by the Kirkland City Council as though fully set forth herein.

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

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

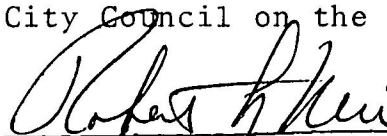
Section 4. Nothing in this section shall be construed as excusing the applicant from compliance with any federal, state or local statutes, ordinances or regulations applicable to this project other than expressly set forth herein,

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

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

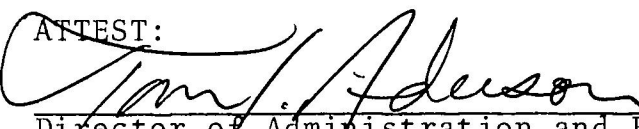
- (a) Applicant
- (b) Department of Community Development of the City of Kirkland
- (c) Building Department of the City of Kirkland
- (d) Fire Department of the City of Kirkland
- (e) Police Department of the City of Kirkland
- (f) Public Service Department of the City of Kirkland
- (g) The Office of 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 6th day of March, 1978.



 Mayor

ATTEST:



 Director of Administration and Finance
 (ex officio City Clerk)

Conclusions, Cont'd

- G. 6. 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 Landscape Plan surrounding these buildings. Evergreens adjacent to the building should be a minimum of 10 feet in height, whereas deciduous trees should be a minimum of 2 inches in caliper.
 - (3) Landscaping located within the access road divider shall be consistent with Phase I.
 - (4) 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.
 - (5) Each parking stall separator should be landscaped.
 - (6) Additional landscaping should be placed along the western property line of the northern portion of this phase. Materials should be 6 feet in height, and of a type which will create a dense visual buffer (evergreen). This landscape buffer should be increased to 10 feet in width.
 - (7) The northern setback area along N.E. 132nd Street should be bermed and landscaped in a manner consistent with Phase I.
 - (8) Two rows of sight-obscuring materials should be provided along the western edge of the main access road.
- 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 development of proposed structures 3-G and 3-H which adequately analyze the feasibility of this development and identify the mitigating measures to be utilized.
- k. (Recommendation 11) - Not applicable.
- l. (Recommendation 12) - The applicant has indicated that an adequate storm water retention design has been proposed and this requirement shall be met.
- m. (Recommendation 13) - This should be made a requirement of this Final Planned Unit Development.
- n. (Recommendation 14) - Not applicable.

Conclusions, Cont'd

- G. 6. o. (Recommendation 15) - With the Final Planned Unit Development application of Phase II, the applicant identified erosion control measures proposed to prevent sedimentation of Totem Lake.
 - p. (Recommendation 16) - When Phase I tied into the water system in N.E. 132nd Street, 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 P.U.D. approval and prior to Building Permit issuance.
 - q. (Recommendation 17) - Due to the fact that N.E. 132nd St. is presently under improvement, there should not be a significant traffic impact on N.E. 132nd St. due to this development, basically because N.E. 132nd St. is being upgraded to accommodate additional traffic.
 - r. (Recommendation 18) - The applicant has paid for necessary street improvements.
 - s. (Recommendation 19) - The applicant shall be required to maintain access with, 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) - Not applicable to this phase.
 - w. (Recommendation 23) - This should be made a recommendation of this Final P.U.D.
 - x. (Recommendation 24) - This Agency is no longer in existence, and therefore this requirement is no longer applicable.
 - y. (Recommendation 25) - Has been completed.
7. Although this phase of development is not subject to the new Land Use Policies Plan, it shall be subject to those appropriate sections of the Totem Lake Plan.

Statements of Fact, Cont'd

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

16. 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.
17. This application must be consistent with the approved Preliminary Planned Unit Development recommendations, File No. PUD-75-46(P), the Notice of Approval to which is attached and identified as Exhibit "E".
18. 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 and the guiding Comprehensive Plan.

CONCLUSIONS:

A. SUMMARY OF THE PROPOSED ACTION:

1. This application is generally consistent with the approved Preliminary P.U.D. under Resolution No. R-2342. Minor building location modification has been made since Preliminary P.U.D. approval. These modifications were necessitated by the inclusion of three-bedroom units into this development.

B. HISTORICAL BACKGROUND:

2. The applicants have submitted a parking plan consistent with the recommendations of the Kirkland Board of Adjustment for the parking Variance which was granted on February 2, 1978 for this phase. Exhibit "F" - Site Plan indicates the proposed parking layout per the ratios approved by the Board of Adjustment. Exhibit "G" shows a parking scheme based upon a 2.2 stall per unit ratio.

C. GOVERNMENTAL COORDINATION:

3. Kirkland Fire Department. The applicant should be required to comply with the recommendations of the Fire Department as indicated in Statements of Fact C.6. above.

Conclusions, Cont'd

D. EXISTING PHYSICAL CHARACTERISTICS:

4. Topography/Soils/Geology/Environmentally Sensitive Areas. The Department of Community Development foresees no serious constraints for development of this Phase. However, the applicant should be required to comply with all recommendations included in the Soils Report which was submitted for this Phase.

E. PUBLIC UTILITIES:

5. Paths/Trails. The applicant should be required to submit with his application for a Building Permit, a site plan which indicates the pedestrian trail system to be installed from N.E. 132nd Street along the entire western edge of the proposed access drive from that street, and connecting to the interior pedestrian system. Such a pedestrian system would be consistent with the Preliminary Planned Unit Development for this phase.

F. NEIGHBORHOOD CHARACTERISTICS: (No relevant conclusions)

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

6. This applicant is consistent with the approved Preliminary Planned Unit Development File No. PUD-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 frame 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 St., the applicant will be required to install motorcycle barriers at both ends of this pedestrian trail.
 - e. (Recommendation 5) - The landscaping plan submitted by the applicant indicates conformance with this provision. The applicant has proposed lawn and low shrubs at the main entrance to this development.

Statements of Fact, Cont'd

- B. 5. c. This Variance application shall be contingent upon approval of the Final Planned Unit Development application for Phase III of Salish Village before the Kirkland Planning Commission and City Council.
- d. Approved P.U.D. plans for Phase III shall provide an acceptable design for parking at a 2.2 ratio. Additional parking, up to a 2.2 ratio, shall be provided at any time there is shown to exist a shortage of parking which can reasonably be expected to be a long term or permanent condition and if shown to be necessary. Additional parking shall be installed in accordance with the approved P.U.D. documents for this development. At the time of 80% occupancy, the Department of Community Development staff shall survey the parking situation to determine if additional parking will be necessary with this phase.

C. GOVERNMENTAL COORDINATION: (Note: The following comments are in addition to those requirements of the Preliminary Planned Unit Development as identified in Statements of Fact 17.)

6. Kirkland Fire Department. Memorandum from Dale Decker dated January 10, 1978: "Fire Department requirements for the subject complex are as follows: (1) The fire lane shown on the west side of Building 3-B shall be a minimum of 12 feet wide. (2) The fire lane in Item No. 1 shall be posted with approved "NO PARKING - FIRE LANE" signs. (3) Portable fire extinguishers to be installed at the second floor level in exterior stairwells of all buildings. These extinguishers shall have a minimum classification of "2A-10B; C". (4) One fire extinguisher with a minimum classification of "2A-10B;C" shall be installed in the recreation building. (5) The fire hydrant located in front of Building 3-F shall be moved to a point approximately 125 feet east of the location shown."

Mr. Decker further indicated that all fire hydrants and water mains are to be installed and fully operational prior to the beginning of building construction, in that "NO PARKING - FIRE LANE" signs are to be posted along the access drive.

D. EXISTING PHYSICAL CHARACTERISTICS:

7. Topography/Soils/Geology/Environmentally Sensitive Areas. As required by Recommendation No. 10 in the Preliminary Planned Unit Development, the applicant has submitted a soils engineering report by Earth Consultants, Inc., dated February 21, 1978. The soils report generally indicates there to be no foreseeable problems with development of this Phase, but that certain construction recommendations should be followed, as identified in Exhibit "H" - Soils Report.

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Statements of Fact, Cont'd

D. 8. Vegetation. Please refer to Exhibit "J", which indicates existing trees on site at the present time. Exhibit "I" indicates the proposed landscaping to be installed with the project.

E. PUBLIC UTILITIES:

9. 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. There would be an access point onto N.E. 132nd from the northeast corner of this Phase. This main access route would continue along the east of Phase III in a southerly direction, and is intended to connect to future phases. In addition, traffic circulation has been provided for between Phases I and III.
10. Sanitary Sewers. The applicant is proposing to connect the sewer system with the existing sewer system which has been installed for Phase II of this development.
11. Storm Sewers. As indicated in Exhibit "F" - Site Plan, the applicant intends to store the storm water runoff in underground storage pipes, which will generally be located along the eastern portion of Phase III.
12. Paths/Trails. The applicant has proposed a pedestrian trail system consistent with the Preliminary Planned Unit Development throughout the interior of this Phase, which will connect to other phases in the overall development.
13. 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 Department's regarding the sizing of water lines and location of fire hydrants.

F. NEIGHBORHOOD CHARACTERISTICS:

14. Zoning. The subject property is presently zoned Single Family Residential, RS 35,000 square feet. Phases I and II have now been rezoned to Residential Multi-Family (RM-1800) as per Final Planned Unit Development approval.
15. Land Use. Most of the subject property is undeveloped. However, there is an existing house and barn on the southern portion of this Phase which the applicants propose to remove. To the west of the site are Phases I and II of this development. A portion of Phase III is separated by Phase I by a large tract of land which is occupied by a single family residence. To the east and north of the subject property is single family development.

RECOMMENDATIONS:

Subject to the foregoing Statements of Fact, Conclusions and Exhibits "A" through "K", we hereby recommend that this application for a Final Planned Unit Development and "Resolution of Intent to Rezone" for Phase III of Salish Village be approved subject to the following:

1. This application shall be subject to a Variance by the Board of Adjustment from 224 parking spaces to at least 172 parking stalls.
2. Construction of this development shall be consistent with the recommendations included in the Soils Report submitted for this Phase, where that Report is applicable.
3. The following items shall be completed prior to the applicant receiving a Building Permit 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 for a 10 year storm. The applicant shall be required to submit specific calculations and design for the storm water retention system for Phase III. 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 mains. 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" by 24" and placed every 150 feet along the looped roadway. These signs are to be purchased, installed and maintained at the expense of the property owner and/or developer. Watermains 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 into Phase III of this development and shall be approved by the Kirkland Police Department as will the adequate identification of buildings which can easily be seen from the access road.)

Recommendations, Cont'd

3. 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 to reflect the following:
- (1) Limitations on the use of beauty bark shall 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 shall be incorporated into the Plan. Evergreens adjacent to the buildings shall be a minimum of 10 feet in height, whereas deciduous trees shall be a minimum of 2" in caliper.
 - (3) Landscaping located in the access road divider shall be consistent with Phase I.
 - (4) 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.
 - (5) Each parking stall separator shall be landscaped.
 - (6) 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.
 - (7) Additional landscaping shall be placed along the western property line of the northern portion of this phase. Materials should be 6 feet in height, and of a type which will create a dense visual buffer (evergreen). This landscape buffer shall be increased to 10 feet in width.
 - (8) The northern setback area along N.E. 132nd Street shall be bermed and landscaped in a manner consistent with Phase I.
 - (9) Two rows of sight-obscuring materials shall be provided along the western edge of the main access road.
- f. The final pedestrian system plan shall indicate a pedestrian trail along the entire western edge of the main access route from N.E. 132nd St. This system shall consist of a 5 foot wide concrete walk, and should connect to the interior pedestrian system for this Phase.
- g. All construction on the subject property shall be required to be in conformance with the Land Surface Modification Ordinance No. 2293.

Recommendations, Cont'd

3. (Cont'd)
 - h. The applicant will be required to meet all other requirements of the Public Service Department regarding water, sewer, storm drainage.
4. All construction activities shall conform to working hours as stipulated within the Kirkland Zoning Ordinance.
5. The on-site retention system shall be designed so that it will not force water into the substratum or direct concentrated surface runoff in the direction of the steep slope area.

2/23/78
2/21/78 bk

R-2509

CITY OF KIRKLAND
Department of Community Development

APPLICATION FOR CHANGE IN ZONE CLASSIFICATION

NOTE: BEFORE PREPARING THIS APPLICATION, PLEASE READ INFORMATION ON COVER PAGE OF THIS FORM.

Name of Applicant: JOHN L. STUART Phone: 455-0452

Company: PUGET SOUND LAND ASSOCIATES

Mailing Address: 2122 112th N.E. City: BELLEVUE Zip: 98004

Present Zoning: RS 35000 Requested Zoning: RM 1300 P.U.D.

General Location (Address if available): 122nd BY COTEM LAKE

Approx. Acreage (sq. ft. if less than one acre): 6.90 ACRES

Legal Description: SEE ATTACHMENT

1. Is the change in zoning requested in conformity with the adopted comprehensive plan, the provisions of the zoning ordinance and the public interest? If yes, indicate how so; if no, indicate how this request is justifiable.

YES, SEE PLAN.

2. Is the use or change in zoning requested in the zoning map of the zoning ordinance, for the establishment of commercial, industrial, or residential uses, supported by an architectural site plan showing the proposed development and its relationship to surrounding areas as set forth in the cover sheet of this application and Section 23.62.030 of the Kirkland Zoning Code?

YES, PLANS ARE PART OF APPLICATION

EXHIBIT "A"
REZONE APPLICATION
PUD-77-108(P)
SALISH VILLAGE PH. III

3. Prior to this application being heard by the Planning Commission, an analysis of the physiographic elements, existing and planned municipal services including water supply (domestic and emergency demand), sewerage collection or treatment, and storm water control shall be prepared by the City Planning Staff in conjunction with related City Departments as an element of the administrative report.

4. The applicant must provide further evidence to the Planning Commission's satisfaction that there is an additional need for this type of land classification for which he is applying.

A F F I D A V I T

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

JOHN L. STUART

being duly sworn depose and say, that 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.

John L. Stuart, General Partner
(Owner)

(Owner)

Phone: 455-0452

2122 112th N.E., BELLEVUE
(Mailing Address)

Subscribed and sworn to before me this 16th day of December 19 77

Debra D. Dunlap
Notary Public in and for the
STATE OF WASHINGTON, residing at
Waller Place