

## RESOLUTION NO. R- 2520

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF A FINAL PLANNED UNIT DEVELOPMENT PERMIT AS APPLIED FOR IN DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. F-PUD-78-21(H), BY COLDWELL BANKER MANAGEMENT CORPORATION FOR THE YARROW BAY OFFICE COMPLEX AT N.E. 38th STREET AND N.E. 38TH PLACE, BEING WITHIN A PROFESSIONAL OFFICE ZONE, AND SETTING FORTH CONDITIONS TO WHICH SUCH FINAL PLANNED UNIT DEVELOPMENT PERMIT SHALL BE SUBJECT.

WHEREAS, the Department of Community Development has received an application for a Final Planned Unit Development Permit filed by Coldwell Banker Management Corporation, the owner of said property described in said application and located within a Professional Office zone.

WHEREAS, the application has been submitted to the Kirkland Planning Commission and Houghton Community Council who held public hearings thereon at their regular meetings of April 4, 1978 and April 13, 1978 respectively, and

WHEREAS, pursuant to City of Kirkland Ordinance No. 0-2319 concerning environmental policy of the State Environmental Policy Act, an environmental checklist 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 checklist and declaration have been available and accompanied the application through the entire review process, and

WHEREAS, the Kirkland Planning Commission and Houghton Community Council after their public hearings and consideration of the recommendations of the Department of Community Development and having available to them the environmental checklist and negative declaration did adopt certain Findings, Conclusions and Recommendations and did recommend approval of the Final Planned Unit Development Permit subject to the specific conditions set forth in said recommendations.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Kirkland as follows:

Section 1. The Findings, Conclusions and Recommendations of the Kirkland Planning Commission as signed by the Chairman thereof and filed in the Department of Community Development File No. F-PUD-78-21(H) 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.

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 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 Permit to initially meet or maintain strict compliance with the standards and conditions to which the Final Planned Unit Development Permit is subject shall be grounds for revocation in accordance with Ordinance No. 2183, the Kirkland Zoning Ordinance.

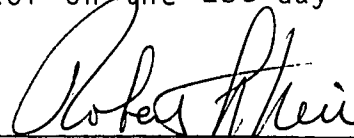
Section 6. Notwithstanding, the recommendations heretofore given by the Houghton Community Council, the subject matter of this Resolution and the Final Planned Unit Development Permit herein granted are, pursuant to Ordinance 2001, subject to the disapproval jurisdiction of the Houghton Community Council, and therefore this Resolution shall become effective only upon approval of the Houghton Community Council or the failure of said Community Council to disapprove this Resolution within 60 days of the date of the passage of this Resolution.

Section 7. 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 and Fire Department of the City of Kirkland
- d. Police Department of the City of Kirkland
- e. Park 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)

ADOPTED in regular meeting of the City Council on the 1st day of May, 1978.

SIGNED IN AUTHENTICATION THEREOF on the 1st day of May, 1978.



MAYOR

ATTEST:



Director of Administration and Finance  
(ex officio City Clerk)



DEPARTMENT OF COMMUNITY DEVELOPMENT

**ADVISORY REPORT**  
FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

\_\_\_ PREPARED BY \_\_\_\_\_ DATE \_\_\_\_\_  
XX RECOMMENDED BY \_\_\_\_\_ DATE April 13, 1978  
\_\_\_ ADOPTED BY \_\_\_\_\_ DATE \_\_\_\_\_

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

*David Russell*  
David Russell, Chairperson

NUMBER \_\_\_\_\_  
DATE \_\_\_\_\_

FILE NUMBER E-PUD-78-21(H)  
APPLICANT COLDWELL BANKER MANAGEMENT CORPORATION  
PROPERTY LOCATION N.E. 38th Place  
SUBJECT Application for Final Planned Unit Development of "Yarrow Bay Office Complex"  
HEARING/MEETING DATE May 1, 1978  
BEFORE KIRKLAND CITY COUNCIL

EXHIBITS ATTACHED "A" Proposed Area for Final P.U.D. "B" Approved Preliminary PUD "C" Letter from James Troxel

STATEMENTS OF FACT:

A. SUMMARY OF THE PROPOSED ACTION:

1. This application is proposed by the Coldwell Banker Management Corporation, Park Place, Seattle, Washington. This application proposes to finalize the Planned Unit Development for a portion of the subject property at N.E. 38th Place and N.E. 38th Street in Kirkland. The three acres proposed for final P.U.D. are a part of the entire 25.5 acre ownership (see Exhibit "A").
2. The applicant has already received Final Planned Unit Development approval for the two existing office quads and the Plankhouse Restaurant. This application for Final Planned Unit Development applies only to the parking areas indicated on Exhibit "A". The Metro Park and Ride Facility will be required to apply for a separate Final PUD when they are ready to proceed.

B. HISTORICAL BACKGROUND:

3. Coldwell Banker Management Corporation was given approval for an amended Preliminary Planned Unit Development containing two office quads, a restaurant, parking and a potential Metro Park and Ride Facility on March 5, 1978 (see Exhibit "B").

C. EXISTING PHYSICAL CONDITIONS:

4. Topography/Soils. Virtually all of that portion of the site that is proposed for Final Planned Unit Development is either covered with asphalt or bear earth. Existing vegetation is sparse.
5. Geology. No relevant findings.
6. Hydrology. No relevant findings.
7. Flora. There is very little existing vegetation on the site.
8. Fauna. Not applicable.

D. PUBLIC UTILITIES:

9. Streets. The subject property is served by N.E. 38th Street on its eastern limits and N.E. 38th Place on the south. The existing office quads access onto N.E. 38th Place while the METRO Park and Ride facility accesses onto N.E. 38th Street. Applicants propose to continue this arrangement.
10. Domestic Water Supply. The existing office quads are currently served by a 10" water main.

Statements of Fact, Cont'd

- D. 11. Sanitary Sewer. There is an 8 inch sewer line along N.E. 38th Place. This currently serves the existing office quads within the area of the P.U.D.
12. Public Transportation. The interim park and ride lot on the southern portion of the site currently contains 400 stalls. Metro has been negotiating with Coldwell Banker for the purpose of acquiring the property and making a permanent facility on the site. Metro has indicated a desire for a 645 stall permanent facility. Approval of this amendment would define an area somewhat smaller than Metro's wishes. This lot provides a park and ride facility for commuters in the South Kirkland and North Bellevue areas. The negotiations for the acquisition of this property have not yet been resolved by the parties involved.

E. NEIGHBORHOOD CHARACTERISTICS:

13. Zoning. The zoning for the subject property is PO (Professional Office) while lands to the southwest are zoned PR (Professional Residential).
14. Land Use. There are currently two office quads and the Plankhouse Restaurant on the northern section of the 25.5 acre site in addition to the interim Metro Park and Ride Lot and various areas of asphalt and bare earth. To the east, outside the City limits, are the Yarrow Bay Condominiums, high density residential units. To the southeast of the subject property is the Christensen-MacDonald property which has recently been approved for development as two restaurants and a hotel/motel facility. Other recent applications nearby were also proposed for hotel/motel restaurant facilities and some retail office space (Wright/Pollard). To the south, again in the City of Bellevue, is the Velvet Turtle Restaurant.

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

15. This application has been made subject to the provisions in the Zoning Ordinance at 23.28.190(2).
16. The relevant sections of the Land Use Policies Plan (revised copy) are Figure 17 on Page 173, and the discussion of Economic Activities appearing on Pages 214 and 215. Among the references found therein are the following:

"Much of the NE quadrant of the SR-520/Lake Washington Blvd. interchange has already been committed to certain economic activities including large office structures and a restaurant. Due to the availability of adequate public services, easy access to major arterials and to the freeway, and the overall compatibility with adjacent uses, the northeast quadrant of this interchange can be devoted to commercial activities. The most appropriate use of this land could include such activities as office structures, and some freeway oriented uses, such as

Statements of Fact, Cont'd

F. 16. (Cont'd)

motel facilities. Limited convenience commercial facilities may be included as part of the office structures or with freeway oriented uses, but not as a primary use."

CONCLUSIONS:

A. SUMMARY OF THE PROPOSED ACTION:

1. This applicatin for Final Planned Unit Development for the Yarrow Bay Office Complex is generally consistent with established City codes and policies.

B. HISTORICAL BACKGROUND:

2. Applicant has proceeded in accordance with direction provided by the Department of Community Development.

C. EXISTING PHYSICAL CONDITIONS:

3. Topography/Soils/Geology/Hydrology/Flora/Fauna. None of these factors represent a constraint on the proposed revision to the development concept.

D. PUBLIC UTILITIES:

4. Streets. The proposed site plan would not affect the access points onto N.E. 38th Place and N.E. 38th Street currently servicing the office quads and park and ride lot, respectively.
5. Domestic Water Supply/Sanitary Sewer. These factors do not represent a constraint on the proposed revision of the development concept.
6. Public Transportation. Final P.U.D. would not affect the disposition of the Metro Park and Ride Lot. A separate final P.U.D. ACTION WILL BE REQUIRED WHEN Metro is prepared to proceed.

E. NEIGHBORHOOD CHARACTERISTICS:

7. Zoning. Office parking and a park and ride facility are consistent with the standards for Professional Office zoning.
8. Land Use. Office parking and a park and ride facility are consistent with the existing land use.

Conclusions, Cont'd

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

9. The proposed final P.U.D. is consistent with the provisions found in both the Kirkland Zoning Ordinance and the Land Use Policies Plan.

RECOMMENDATIONS:

Based on the foregoing Findings and Conclusions and as identified in Exhibits "A" through "C", we hereby recommend that this application be approved.