

RESOLUTION NO. R-2527

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF A PRELIMINARY PLANNED UNIT DEVELOPMENT PERMIT AS APPLIED FOR IN DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. P-PUD-77-75 (P), BY DONALD HILL AND GERALD SCHLATTER TO CONSTRUCT A 115 UNIT RESIDENTIAL DEVELOPMENT NAMED "FORBES CREEK", BEING WITHIN A RS 35,000 ZONE, AND SETTING FORTH CONDITIONS TO WHICH SUCH PRELIMINARY PLANNED UNIT DEVELOPMENT PERMIT SHALL BE SUBJECT.

WHEREAS, the Department of Community Development has received an application for a Preliminary Planned Unit Development filed by Donald Hill and Gerald Schlatter, the owners 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 hearings thereon at their regular meetings of April 13, 1978 and April 27, 1978 respectively, and

WHEREAS pursuant to City of Kirkland Ordinance No. O-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 positive declaration reached, and

WHEREAS, said environmental checklist and declaration have been available and accompanied the application through the entire review process, 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 hearings and consideration of the recommendations of the Department of Community Development and having available to them the environmental impact statement did adopt certain Findings, Conclusions and Recommendations and did recommend approval of the Preliminary 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 Chairperson thereof and filed in the Department of Community Development File No. P-PUD-77-75(P) are adopted by the Kirkland City Council as though fully set forth herein provided, however, that Recommendations Number 21 and Number 28 are not adopted.

Section 2. The Preliminary 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 and further providing that the road width of the interior loop road system shall be a minimum of 28 feet from back of curb to back of curb. There shall be rolled curb and gutter improvements on both sides of the access road and the loop road. ~~There shall be no parking allowed along the interior loop road.~~ The Planning Commission and the Department of Community Development shall work with the applicant ~~to see if there was an alternate method to insure the passage of our emergency vehicles, such as widening the street to provide parking on each side.~~ (Refer to correction in Council Minutes of June 5, 1978.)

Section 3. The applicant shall continue to work with the Park Department on a detailed design of the proposed park. A finalized park design shall be made a part of the final Planned Unit Development application.

Section 4. 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 Preliminary Planned Unit Development Permit or evidence thereof delivered to the permittee.

Section 5. 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 6. Failure on the part of the holder of the Preliminary Planned Unit Development to initially meet or maintain strict compliance with the standards and conditions to which the Preliminary Planned Unit Development Permit is subject shall be grounds for revocation in accordance with Ordinance No. 2183, the Kirkland Zoning Ordinance.

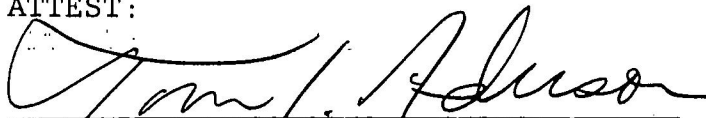
Section 7. Certified or conformed copies of this Resolution shall be delivered to the following:

- a. Applicant
- b. Department of Community Development of the City of Kirkland
- c. Building Department of the City of Kirkland
- d. Fire Department of the City of Kirkland
- e. Police Department of the City of Kirkland
- f. Park Department of the City of Kirkland
- g. Public Service Department of the City of Kirkland
- h. The Office of the Director of Administration and Finance (ex officio City Clerk) for the City of Kirkland

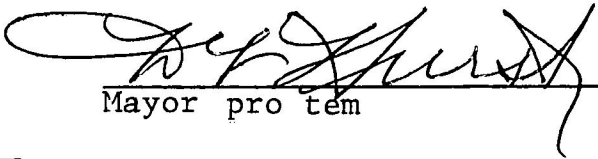
ADOPTED in regular meeting of the City Council on the 15th day of May, 1978.

SIGNED IN AUTHENTICATION THEREOF on the 15th day of May, 1978.

ATTEST:



Director of Administration & Finance
(ex officio City Clerk)



Mayor pro tem



DEPARTMENT OF COMMUNITY DEVELOPMENT

ADVISORY REPORT
FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

___ PREPARED BY _____ DATE _____
__XX__ RECOMMENDED BY _____ DATE April 27, 1978
___ ADOPTED BY _____ DATE _____

___ STAFF _____
___ BOARD OF ADJUSTMENT _____
___ HOUGHTON COMMUNITY COUNCIL _____
__XX__ PLANNING COMMISSION _____
___ CITY COUNCIL AS INCORPORATED IN _____

Howard Peterson for
David Russell, Chairperson

___ RESOLUTION _____ ORDINANCE _____
NUMBER _____
DATE _____

FILE NUMBER P-PUD-77-75(P)

APPLICANT DONALD S. HILL AND GERALD SCHLATTER

PROPERTY LOCATION Between 116th Ave. N.E. and I-405

SUBJECT PRELIMINARY PLANNED UNIT DEVELOPMENT OF "FORBES CREEK"

HEARING/MEETING DATE May 15, 1978

BEFORE KIRKLAND CITY COUNCIL

EXHIBITS ATTACHED "A" Application "B" Vicinity Map "C" Site Plan "D" Proposed Plat
"E" Phasing Plan "F" Architecture "G" Topography "H" Letter from Dept. of Transportation
"I" Memo from Public Service Dept. "J" Applicant's PUD considerations "K" Environmental
Checklist "L" Environmental Declaration "M" Environmental Impact Statement
"N" Alternative Site Plan "O" Memo from Dave Brink



STATEMENTS OF FACT:

A. SUMMARY OF THE PROPOSED ACTION:

1. This is an application for the Preliminary Residential Planned unit Development of "Forbes Creek", being proposed by Mr. Don Hill and Mr. Gerald Schlatter. The subject property is located in the North Highlands Neighborhood, between 116th Ave. N.E. and Interstate 405, in the N.E. quadrant of the intersection of N.E. 104th St. and 116th Ave. N.E. (Refer to Exhibit "B" - Vicinity Map).
2. The applicants have also submitted a Preliminary Subdivision application, for the division of the subject property into 24 lots. The subdivision includes the P.U.D. area and approximately four additional acres of area, being owned by various parties. (Refer to Exhibit "D" - Proposed Plat).
3. The applicants intend to file a Rezone application with the processing of the Final Planned Unit Development and Final Subdivision of this property. The intended Rezone would be from Single Family Residential (RS 35,000) to Single Family Residential (RS 8,500).
4. The applicants propose to construct 115 dwelling units on a site containing 23.36 acres. The applicants are proposing three general types of housing, including 22 units on single family lots using zero lot line setbacks, 24 4-unit attached, and 69 townhouse units. In addition, the applicants are proposing to develop a publicly-dedicated park containing 2.2 acres on the western portion of the subject property, along the east side of 116th Ave. N.E. (Refer to Exhibit "C" - Site Plan and Exhibit "N" - Alternate Site Plan).
Construction of the project is to occur in three phases, with the final phase being completed by summer of 1980. (See Exhibit "E" - Phasing Plan).
5. An Environmental Impact Statement has been prepared for this project. The Final Environmental Impact Statement is attached to this report. The Environmental Impact Statement is referenced throughout the text of this report for more thorough discussion of the issues involved in this project, as well as for general background information. (Refer to Exhibit "M" - Final Environmental Impact Statement).

B. HISTORICAL BACKGROUND:

6. The P.U.D. site presently contains a vacant house. The southern one-third of the site was at one time used as a borrow pit for freeway construction. More recent activities have included some private grading on the site as well as the storage of construction equipment and materials.

Statements of Fact, Cont'd

C. NEIGHBORHOOD CHARACTERISTICS:

7. Zoning. The subject property is presently zoned RS 35,000, as is the property to the south. To the west and southwest is RS 8,500 zoning. To the north are properties zoned Light Industrial, and to the east is King County residential zoning, separated by Interstate 405.
8. Land Use. The subject property presently contains one vacant house, with the majority of the site being undeveloped. Throughout the site, there are many fallen trees and is much debris, resulting largely from construction activity which has occurred in recent months.

Directly to the north and south of the proposed park are single family residences. The property to the south of the overall site is presently being developed as a 53-lot residential subdivision. To the west is another subdivision presently being developed for 20 lots. To the north of the site, separated by a steep slope, is the Par Mac Industrial Park. Directly to the east is Interstate 405.

9. Parks/Recreation. Highlands Park is located approximately 1,000 feet to the southwest of the site. Seven hundred feet to the south of the site is a recently acquired public parcel of property, which at this time is undeveloped, but is expected to be used in the future for recreational purposes. The Land Use Policies Plan has indicated the need for additional park facilities in this neighborhood.

In addition to the publicly-dedicated park mentioned above, the applicants are proposing to construct a recreation building and swimming pool for the private owners within this development.

D. EXISTING PHYSICAL/ENVIRONMENTAL CHARACTERISTICS:

10. Topography. The majority of the subject property is gently sloping in an easterly and northerly direction at approximately 5%. In the northeast corner of the subject property is a steep ravine, which contains slopes up to 40%. Along the north and south property lines of the subject property are slopes reaching 100%.
11. Hydrology. Forbes Creek runs through the ravine found on the northeastern corner of the site. In addition, there is a minor watercourse to the south of the ravine which drains into Forbes Creek. Forbes Creek cuts a diagonal line across the northeast corner, and is in a natural condition.

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Statements of Fact, Cont'd

D. 11. (Cont'd)

West of the ravine, near the center of the site, is a poorly drained area which is characterized by marshy conditions. (See Exhibit "G" - Topography).

12. Soils/Geology. Local soil mapping indicates the subject property to be located within an Alderwood Arents (AgC) classification. The geologic unit is Vashon Till (Qt). For a detailed description of the soils conditions, refer to Appendix I-B of the Environmental Impact Statement.

13. Vegetation. The southern one-third of the subject property is sparsely vegetated, due to the property's history as a borrow pit. The northern two-thirds of the site is densely vegetated with both deciduous and coniferous vegetation. There is an additional cleared area in the north central portion of the site.

In the marshy area to the west of the ravine is a variety of vegetative materials normally associated with wetlands areas, identified in the Final Environmental Impact Statement.

14. Noise. An acoustic study was conducted on the subject property, and discovered that freeway-caused noise, entering the site at the southeast corner, exceeds the 1973 EPA sleep interference criteria of 60 dBA by 9 dBA. The applicants are proposing to place an earth berm along the southeast corner of the property to reduce existing noise levels. For a more complete discussion of the noise study conducted for this proposal, refer to Appendix I-C of the Environmental Impact Statement.

E. PUBLIC UTILITIES/SYSTEMS:

15. Sanitary Sewer. The applicants propose to connect an 8-inch sewer line to an existing 8-inch sewer line located in 116th N.E. right-of-way, which then connects to the 72-inch Metro force main line to the north. The sewer line within the project could be extended to the presently developing properties to the south.

16. Water. An 8-inch water main supplying approximately 90 pounds of pressure at the northern end of the subject property will serve this site from 116th Avenue N.E. This dead-end line will be tied into a 12-inch line on N.E. 100th Street.

17. Storm Drainage. The subject property presently drains in a northerly direction, with the southern two-thirds of the site draining directly into Forbes Creek. The northern one-third of this site has a sheet flow condition, which drains over the slope to the north, and eventually enters Forbes Creek.

The applicants are proposing to install a storm water management system, to include the use of retention basins equipped

Statements of Fact , Cont'd

E. 17. (Cont'd)

with restricted outlets and oil/silt separators to maintain water runoff quality and quantity found at pre-development conditions. In addition, energy dissipating devices will be installed to reduce the potential for erosion and eventual stream sedimentation.

18. There are presently no sidewalks within the immediate neighborhood. However, with the developments presently under construction to the west and south of the site, 5 foot wide, concrete sidewalks will be installed along portions of 116th Ave. N.E. The applicants are proposing to install a similar improvement along their portion of 116th Ave. N.E. as well as an interior pedestrian system to serve the P.U.D. The interior system would include 5 foot wide, concrete sidewalks along one side of the interior loop road, with a trail system extending throughout the project.
19. Streets. The subject property fronts on 116th Ave. N.E. which is a 30 foot wide right-of-way, existing in a graded condition. The applicants are proposing to dedicate an additional 30 feet of right-of-way to result in a full 60 foot wide street. Recent developments in the area have been required to upgrade portions of this street to include, on their respective sides of the centerline of the street, twelve feet of asphalt with a six foot wide graveled shoulder and open-ditch drainage system, accompanied by a five-foot wide concrete sidewalk. The applicants have indicated that they propose to provide an alternative type of improvement to 116th, to include underground drainage.
20. Access. The applicants are proposing one access point from 116th Ave. N.E. to serve their project. The interior system would include a loop drive, with driveways connecting to building clusters.
- There are only two real points of access to the neighborhood in which the present site is located. The primary access point is at the intersection of 114th Ave. N.E. and SR-908. Secondary access would be provided by N.E. 87th Street, providing access to downtown Kirkland.
21. Traffic. Traffic information prepared for this project indicates that up to 1150 vehicle trips per day could be generated by this P.U.D. With this maximum, traffic on this street between the P.U.D. entrance and the intersection of 114th Ave. N.E. and SR-908 could increase from the present 1500 vehicle trips to 2400 trips per day. Present carrying capacity of this street has been estimated by the Public Service Department to be 11,000 trips per day (see memo from Art Knutson to Jerry Link dated March 31, 1978 - Exhibit "I").

Statements of Fact, Cont'd

E. 21. (Cont'd)

Traffic generated by this project may affect vehicular movement at the intersection of 114th Ave. N.E. and SR-908. Potential impacts and mitigating measures are discussed on pages 52 through 60 and Appendix E of the Environmental Impact Statement.

It should be noted that, in a letter dated February 28, 1978, the Washington State Department of Transportation indicated that the intersection of 114th Ave. N.E. and SR-908 will be signalized at the State's expense in the fall of 1979 (see Exhibit "H" - Letter from Department of Transportation).

F. GOVERNMENTAL COORDINATION:

22. Park Department. "I concur with Park Board's recommendations on the Forbes Creek PUD. The Park Department will not accept the slope areas as the land dedication in the fee in lieu of open space. Should the applicant wish to use the areas for open space and trails it is commendable and most certainly will add to the sales potential.

The 116th Ave. N.E. site is the only agreeable site in the area. The Barta property is not reachable and the Borrow Pit site would only minimally service the area. We are looking at a small site approximately 1 1/2 acres that would serve as a neighborhood playground to be developed by the owner. I have no disagreement with the developer who wishes to have the site complement the P.U.D. We would be most pleased to work with the developer in creating an environment that would serve as a proper entryway to the new community.

I wish to stress heavily the need for connecting walkways throughout the PUD to 116th Ave. N.E. and out along 116th Ave. N.E. These are to be concrete, 6' in width on 116th Ave. N.E. and a minimum of 5' in width elsewhere. I wish to preclude lot owners being required to build pathways between their houses in order to permit youngsters to be able to walk to schools and parks as has happened in Mr. Hill's first project.

Additionally, with the increase in number of residents from this PUD as well as others, the need for a pedestrian overcross at N.E. 100th continues to grow. There are an estimated 75 junior high students using our paths two times per day now. This is a major problem that needs to be shared by all developers in the area, as well as City staff." (Memo dated 2/23/78)

The Park Department has also submitted recommendations for buffering around the tennis courts, which are included in Exhibit "O".

Statements of Fact, Cont'd

- F. 23. Fire Department. "Fire Department requirements for the subject PUD are as follows: 1. Fire hydrants to be installed as required by city ordinance. 2. All fire hydrants and water mains serving these hydrants shall be installed and fully operational prior to beginning of construction. 3. Section 13.301 of the 1973 Uniform Fire Code permits the fire department to require additional fire hydrants and paved access roads on premises where buildings or portions of buildings are located more than 150 feet from a public street providing access to such premises. Because of the close proximity of the proposed buildings to this maximum 150 feet requirement, the fire department will not require that additional hydrants or access roads be provided. However, if the buildings are located other than as shown on the present site plan then this requirement may need to be reevaluated. 4. Minimum fire flow required, 2500 GPM. 5. A minimum of 12 feet horizontal and vertical clearance required on all streets and access drives." (Memo dated 9/20/77)
24. Police Department. "After reviewing this and also thinking back on the various discussions concerning this development, I am still of the opinion that a northerly access should be provided. From a public safety standpoint, this would be very advantageous. Our north patrol unit works the area from NE 85th to NE 132nd. If he were to be in the Juanita, Par Mac or Totem Lake area and received an emergency call in this development, it would take several extra minutes to respond due to no northerly access. These minutes could be extremely valuable depending on the situation, to both police and fire. Also, I feel that overall, better total traffic circulation will be attained by having this north access/exit." (Memo dated 2/17/78)
25. Public Service Department. "1. Present traffic counts:
Approximately 1,500 on 116th Avenue NE
" 1,500 on 112th Avenue NE
3,000 on 114th Avenue NE
2. Present capacity: 112th Avenue NE or 116th Avenue NE
 $2,000 \times .62 \times .96 = 1,178 \text{ V.P.H.} = 11,000 \text{ C.P.D.}$
3. Full improvement capacity: The maximum capacity of a 2-lane 2-way roadway regardless of improvements with 12' driving lanes, and lateral clearance to obstructions 6' or more is approximately 19,000 cars per day.
4. The current volume on 116th Avenue NE is approximately one-third of the capacity of the street. The limiting factor is the intersection of NE 85th and 114th Avenue NE. At this existing intersection, the capacity on 114th Avenue NE is approximately 5,000 cars per day. However, the delay of traffic would be excessive.
5. With the installation of a signal at the intersection of 114th NE and NE 85th the capacity of 114th Avenue NE would increase to approximately 7,000 cars per day with acceptable delays. The traffic on NE 85th will however, experience additional delays.

Statements of Fact, Cont'd

F. 25. Public Service Department Memo, Cont'd

6. See #4.

7. See #5.

8. See #3.

9. State statute requires that improvements made will be paid for by abutting property owners (LID). However, if a grade separated crossing of BNRR can be obtained, this route would be a good candidate for grant funding.

10. None.

11. N.A.

12. A total of 60' of right-of-way should be provided to avoid foreclosure on future extensions of 116th Avenue N.E. A turn-around easement should be provided at the end of development of the right-of-way. Portions of existing driveways may be used for this purpose. The roadway improvements should be consistent with other subdivisions, ordinances, and policies.

13. The interior of this proposed PUD should be developed as a subdivision with the exception of right-of-way dedication. Pedestrian easements should be provided for access to any public facilities located within the PUD." (Memo dated 3/31/78 - Exhibit "I")

26. Other Agencies. Many other interested agencies and individuals provided input into this proposal in response to the Draft Environmental Impact Statement. These comments and responses thereto, are included as a part of the Final Environmental Impact Statement (Exhibit "M").

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

27. The Land Use Policies Plan has designated this property for residential use, at a density of 5 dwelling units per acre. The 115 units proposed by the applicants for this 23.36 acre parcel of property computes to 4.93 dwelling units per acre.

28. This project will be subject to the following policies of the Land Use Policies Plan (complete wording of all policies in Appendix I-D of the Environmental Impact Statement):

a. Natural Elements Policies 1, 1a, 1b, 1c, 2, 3a, 3c, 4, 5, 5a, and 5b.

b. Living Environment Policies 1c, 2, 3c, 3d, 3f, 3h, 3i, 4, 5, 5a, 5b, 5c, 5d, and 5e.

c. Open Space Parks Policies 1, 1a, 1c, 2, 3, 3d, 3e, and 4.

d. Public Services/Facilities Policies:

Drainage: 1, 1a, 1c, 1d, 1e, 2, 2a, 2b, 2c, and 3.

Transportation: 1, 1a, 1b, 1c, 2, 2a, 2b, 2c, 3, 3a, 3c & 3e.

Water/Sewer: 1, 1a, 1b, and 1e.

Quasi Public: 1 and 2

Statements of Fact, Cont'd

G. 29. This project will be required to comply with the following sections of the Zoning Ordinance:

- 23.08 Single Family
- 23.28 Planned Unit Developments
- 23.36 Performance Standards
- 23.34 Parking
- 23.40 Landscaping
- 23.50 Hazardous Slopes
- 23.62 Amendment and Rezone

The CONCLUSIONS section begins on Page 9.

CONCLUSIONS:

A. SUMMARY OF THE PROPOSED ACTION:

1. This proposal for a Preliminary Planned Unit Development is generally consistent with the applicable policies and regulations of the Land Use Policies Plan and Kirkland Zoning Ordinance. There are some modifications, however, which should be made to this proposal, which are referenced in the remainder of this report. In order to complete this development, 3 future applications will need to be filed and approved by the Kirkland City Council: Final Plat Application, Final PUD Application, and Rezone Application. It is recommended that the Final Plat Application be reviewed by the Planning Commission prior to review of the Final PUD, along with all appropriate signatures, to insure that all parties owning land involved in the subdivision and rezone are represented, and that no building construction within the PUD will occur without a legal subdivision of the PUD area from the larger parcel of property.

Along with the filing of the Final Subdivision application, the applicants should submit a Rezone application for lots 1, 2, 3, 4, 5, and 6. This application will need to include all appropriate signatures. A Rezone application should also accompany each Final PUD application for each development phase.

2. Because lot 21 of the proposed subdivision would have no access if segregated as shown, we would recommend that lot 21 be included in the parameters of the PUD, and indicated as such in future applications.
3. The Environmental Impact Statement prepared for this proposal should be included as part of the permanent record of this application, and should be included as a part of the adopting Resolution for this project.

B. HISTORICAL BACKGROUND: (No relevant conclusions)

C. NEIGHBORHOOD CHARACTERISTICS:

4. Zoning. The proposal is consistent with the densities proposed by the Land Use Policies Plan for this property. However, to achieve that zoning, it will be necessary for the applicant to submit, and receive approval for, a Rezone application. Relation of this proposal to specific provisions of the Zoning Ordinance are discussed below, under "G. Local Zoning and/or Land Use Policies and Plans".

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Conclusions, Continued

- C. 5. Land Use. The proposed land use is generally consistent with the usage prescribed by the Land Use Policies Plan. The relation of the proposal to the Land Use Policies Plan will be more fully discussed under "G. Local Zoning and/or Land Use Policies and Plans".

Should this application be approved, the applicant should be required to clean up all of the debris which now exists on the site. This includes all refuse, fallen trees, and debris which exists on the north slope of the property and in the ravine.

6. Parks/Recreation. The Parks Department and Park Board has agreed to accept the proposed park dedication as opposed to collecting a sum under the "fee in lieu of open space account" provisions. At \$200 per dwelling unit, that amount would have been \$23,000. The 2.2 acres being dedicated to the City for park use composes 9.4% of the total PUD acreage, and 8.1% of the subdivision area of 27 acres. The applicant has indicated that he will continue to work with the Parks Department on a detailed design of this park facility. It is possible that the final park design, which should be submitted as part of Final PUD application, should show a relocation of the entrance to this project further to the south so that most of the park area is in one piece. In anyevent, we would recommend that provisions for 2 to 4 cars to park in a parallel manner be made along one side of the entrance for park users.

D. EXISTING PHYSICAL/ENVIRONMENTAL CHARACTERISTICS:

7. Topography. The topographic characteristics of this site will create a visual and functional separation of the subject property from those properties to the north, south, and west.

To maximize future stability of the west and south slopes, the applicant should submit, as part of any Final PUD application, plans for stabilization of these slopes to include at least landscaping.

Due to the steep slope and other characteristics of the ravine on the northeast portion of this site, buildings proposed to be constructed near this ravine should be relocated farther to the west in so far as possible.

In order to preserve the natural character of the ravine, a "native vegetation" easement should be established around the ravine. The boundaries of the easement should be located near the top of the ravine. Prior to application for final subdivision of this property, the applicants should work with the Department of Community Development to establish the boundaries of this easement.

Conclusions, Continued

- D. 8. Hydrology. With introduction of a storm water management run-off system to the subject property, there will be a reduction of recharge and run-off into the ground. The applicants have indicated that the water leaving their storm water control system will incorporate all measures necessary to insure that the quality of Forbes Creek is not diminished by this development.

Applicants have proposed no structures to be constructed on the portion of the site indentified as the "marshy area". However, the retention basin and some improvements such as a road and parking area will occupy much of this area.

9. Soils/Geology. A Department of Community Development foresees no major constraints to development on the soils of this property. However, the recommendations including in the Soils Report conducted for this project be followed in the development of this site, particularly those recommendations relating to timing of grading and encroachments on the top of the ravine.
10. Noise. Acoustical buffering should be required along the east property line, where there is presently no natural buffering of the noise generated by the freeway. The top of this berm should reach elevation 250 at the southeast property corner, with the northern elevation being no less than elevation 240. This would result in a varying barrier height of 10 to 15 feet, depending on location. In addition, landscaping should be located on the top of this berm to provide additional acoustical buffering, as well as for aesthetic purposes. We would further recommend that the glass used in the structures in this project have an acoustical performance equal to or better than 1/4 inch plate glass, as discussed in Appendix I-C in the EIS.

Further mitigating measures concluded in Appendix I-C of the Environmental Impact Statement should be followed in development of this project. With application for Final PUD approval, the applicants should specify exactly what noise mitigation measures will be utilized in this project.

E. PUBLIC UTILITIES/SYSTEMS:

11. Sewer/Water. Prior to construction of these utilities, the applicant shall submit to, and receive approval from, the Public Service Department detailed drawings for the construction of these utilities.
12. Storm Drainage. Prior to the installation of any required utilities, grading, clearing or development on the subject property, the applicant shall be required to submit for review, engineering calculations and plans for the storm water run-off and drainage system to the Department of Public Services. This system will be designed so that the water leaving the site from a storm having an intensity equal to or less than a ten year storm will not have a lesser quality or greater quantity than that which currently leaves the site under identical storm condi-

Conclusions, Continued

- E. 12. tions. Due to the proximity of the surface of the site to the layer of hard pan, the storm drainage system should not include any ground water recharge system.

The storm drainage system should include oil and silt separators, and energy dissipating devices, to maintain the quality of water in Forbes Creek, as well as to reduce the potential for erosion and eventual stream sedimentation.

In addition, the applicant should submit to the Public Service Department an interim storm drainage/erosion control plan for their approval. This plan is to be approved by the Public Service Department prior to any grading on the site. Also, the developer should submit a bond to the City in an amount determined by the Public Service Department for the maintenance of the interim drainage/erosion control facility.

The proposed retention basins should not be designed to hold any dead storage at any time, as to do so could increase the temperature of the water, thereby reducing the quality of water in the creek, possibly affecting water-dependent life. Further, these retention basins should be seeded or graveled, to create an aesthetic appearance when they are dry. Logs should not be incorporated into the side walls of these basins, due to the possibility of decomposition over a period of time.

13. Sidewalks. The overall pedestrian system proposed by the applicant appears to be workable. However, we feel that the following modifications should be made:
- a. All units should be provided with 5-foot wide, concrete, sidewalks extending from the parking lots to the entrances of the units;
 - b. A concrete stairway should be provided up the slope to connect to the pedestrian walkway provided on the plat directly to the south of the subject property. The location of this stairway would be approximately 555 feet west of the east property line of the subject property. This stairway should be connected to the rail system in the PUD;
14. Streets. Based upon road improvements which have been required for other developments in the vicinity, the Public Service Department has indicated that the following improvements should be made with this development:
- a. The applicants should be required to dedicate 30 feet of right-of-way east of center line of 116th Avenue NE, to create a total right-of-way width of 60 feet;
 - b. The applicant should provide 18 feet of asphaltting with under ground drainage and curb and gutter improvements. East of the curb should be a 5 foot wide, concrete sidewalk. These improvements should be allowed to meander within the right-of-way to save existing vegetation.

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Conclusions, Cont'd

14. c. The interior roadway should be asphalted to a width of 24 feet, and should be accompanied by rolled curb and gutter improvements on both sides. No parking should be allowed along the interior loop road. One-way driveways should be asphalted to a minimum width of 12 feet, while 2-way driveways should be asphalted to a minimum width of 24 feet. Driveways and parking lots should also be accompanied by rolled curb and gutter improvements.
15. Access. The single access point proposed to serve this PUD appears to be adequate.

The question of an additional access route to the North Highlands Neighborhood has been a subject of much discussion in recent months. The Department of Community Development has been evaluating various alternatives for access of this neighborhood from the north. It should be noted that development of this site would not preclude any desirable access route, due primarily to topographic characteristics of the site, as well as the site's relationship to the ParMac Industrial Park. The Department of Community Development's staff, in conjunction with the other City Departments, will continue to look at the merits and disadvantages of a northern access route, and possible route alternatives. For the time being, the subject property, as well as the entire neighborhood, will continue to be served by the primary access intersection of 114th Avenue NE and SR 908. Table 6, Page 59 of the EIS, summarizes alternative northerly access routes being discussed at the present time.

One factor which demands consideration of an additional access to the North Highlands Neighborhood is the present characteristic of the intersection of 114th NE and SR 908. This intersection presently meets State warrants for signalization. The Department of Transportation, in a letter dated February 28, 1978, has indicated that they will find signalization of this intersection, and that such signalization will occur in the fall of 1979. The traffic consultant for this project, and the Kirkland Public Service Department, feel that signalization of this intersection will significantly reduce traffic problems which now exist at this intersection.

16. Traffic. According to the aforementioned memorandum from the Public Service Department, projected traffic for this proposal should be well within the carrying capacity of affected streets. However, this increase in traffic will likely have an adverse impact on the intersection of 114th NE and SR 908, until signalization occurs.

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Conclusions, Continued

F. GOVERNMENTAL COORDINATION:

17. Parks Department, Fire Department. The applicants have indicated they will comply with the recommendations of these Departments.
18. Police Department. Refer to Conclusion E. 15 above.
19. Public Service Department. Refer to Conclusion E. 16 above.

The applicants have indicated they will provide the necessary public improvements to interior and surrounding streets.

20. Other Agencies. Responses to the comments submitted by other individuals and agencies are included in the Final Environmental Impact Statement.

Many of these comments have been incorporated into the recommendations which will be made for this proposal.

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

21. This proposal is generally consistent with the provisions of the Land Use Policies Plan. However, there are a few modifications to the proposal which need to be made. A discussion of the proposal and its relation to the LUPP provisions follows:

- a. Natural Elements. The proposal has taken into consideration the natural constraints of the site. Buildings are being located away from slopes and the ravine to the northeast. Additionally, measures to reduce erosion potential and water quality reduction are being incorporated into construction activities. The applicants propose to leave the ravine in a natural condition, and have indicated that they plan to take any steps necessary for the maintenance of Forbes Creek in its present condition.
- b. Living Environment. As pointed out in the Environmental Impact Statement, there may be some question concerning the appropriateness of the proposed four-family attached units in this project. Although the zoning does not specifically prohibit the proposal of this housing type, it would appear that the intent of the zoning and Land Use Policies Plan provisions is to encourage clustered or common-walled units, rather than stacked units, which would more appropriately be located in a multi-family zone. Therefore, these structures should be removed from the site plan and replaced with townhouse garden court units.

Also, to create a better transition between the project and existing residences along 116th N.E., two of the garden court houses in the southwest portion of the project should be relocated to the interior of the site. In addition, the townhouses shown in the northwest corner should be broken up to result in smaller structures.

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Conclusions, Continued

- G. 21. c. Open Space/Parks. The proposed development and dedication of an 2.2 acre park at the entrance of the PUD is a desirable alternative to collecting from the developer \$23,000 under the "fee in lieu of open space" account provisions. This park would supply a needed recreational facility for this neighborhood. It should be re-emphasized that financing for development of this park will be the responsibility of the developer of this PUD.

The applicant has indicated that the ravine is to be left in a natural state. We would further recommend that the construction of pedestrian trails not occur in this ravine to reduce slippage potential.

- d. Public Service/Facilities. The developer would provide the necessary utilities to serve this development. All utilities should be undergrounded.

As mentioned earlier, the State Department of Transportation has indicated that they will install signalization at the intersection of 114th Avenue NE and SR 908 in the late fall of 1979. This will generally correspond to the timing of development of this PUD, and should significantly reduce existing and anticipated traffic problems at this intersection. As indicated in the memorandum cited earlier from the Public Service Department, it is not expected that traffic generated from this development will exceed the capacity of the 116th Avenue NE street system.

22. The following is a discussion of this proposal's relation to the applicable chapters of the Kirkland Zoning Ordinance:

- a. 23.08 Single Family. The proposal is consistent with the Single Family Zoning of this neighborhood, and with the densities prescribed by the Land Use Policies Plan.

The alternative site plan depicted by Exhibit "N" appears to be superior to the original site plan proposed, as it places all recreational facilities in one area, and offers a more pleasing entrance into the project.

As mentioned earlier, the proposed 4-plex units may not be consistent with the zoning of this area, and therefore should be deleted from this site plan, and replaced with townhouse or garden court units. The townhouse units, which would not be an acceptable building style under a standard subdivision of property, are permitted in a residential PUD, under Section 23.28.110 of the Zoning Ordinance.

The height of many of the proposed townhouse units would be approximately 30 feet, whereas Single Family Zoning normally restricts structures to 25 feet in height. However, Chapter 23.28.090 of the Kirkland Zoning Ordinance allows the height of buildings in a PUD to exceed the height limit of a zone, provided that for each additional 1 foot of height, the sum of all the minimum yard setbacks shall be increased 4 feet

Conclusions, Continued

G. 22. a. and provided the view from the surrounding properties is not substantially impaired by the additional height. At the time of final PUD application, the applicant should verify the height of every building in relation to the setbacks provided, and shall insure compliance with this formula for increased height. Due to the topographic conditions of the site, it does not appear that the proposed height of the structures will affect views of surrounding property owners.

b. 23.28 Planned Unit Developments. This proposal appears to meet the provisions and intent of the Planned Unit Development Chapter. The impact upon the environment appears to be less than that which would occur with the standard subdivision of the property. This proposal takes into consideration the natural constraints of the site, as well as providing less impervious surface to the subject property than would a standard subdivision of the property. Also, because of the efficiencies gained in attaching units to one another, it will be possible to satisfy the demand of many people who prefer not to rent or live in the common apartment-type condominium and/or cannot afford traditional new detached single family homes. (See Exhibit "J" - Applicants' PUD Considerations).

c. 23.36 Performance Standards.

Noise: with the proposed berming along the eastern property line, existing noise levels on the subject property should be reduced by development of this property. As indicated in the noise study appended to the Environmental Impact Statement, such berming should help bring the noise levels into acceptable standards. However, further noise mitigation measures should be detailed by the developer with the application for Final PUD.

Water Pollution: the applicant has indicated that all necessary measures will be taken to insure the quality of the water in Forbes Creek.

Construction and Equipment Activities: all such activities shall be restricted to the hours between 7 am and 8 pm on week days, and prohibited on Sundays.

Junk: all existing junk and vegetative debris, as well as any additional debris resulting from construction activities on this property, shall be removed with development of this proposal.

d. 23.34 Parking. The 269 parking stalls proposed for this development exceeds by 19 the number of stalls required by the Zoning Ordinance to serve this project. The general parking concept appears viable with one exception. The stalls which are proposed to have access directly on to the main loop road are potentially hazardous, and therefore should be deleted.

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Conclusions, Continued

6. 22. e. 23.40 Landscaping. At present, approximately 15% of the total site is vegetated. The project would involve removal of approximately 42% of existing vegetation, much of which is to be replaced with new landscaping. After construction, the vegetation coverage would be approximately 40% of the site. With the Final PUD application for this project we would recommend that a detailed landscaping plan be submitted, specifying the sizes and types of existing and proposed vegetation. We would encourage adjustment of buildings and improvements to maintain as much vegetation as possible. No vegetation should be removed from the ravine area.
- f. 23.50 Hazardous Slopes. None of the proposed development will occur within Hazardous Slope areas. Structures have been located away from the top of the ravine to minimize surface slippage potential.
- g. 23.62 Amendment and Rezone. As explained previously, in order for development of this project to occur, it will be necessary to rezone the site from Single Family Residential RS 35,000 to Single Family Residential RS 8500. Application procedures should be as outlined in section "A. Summary of the Proposed Action" of this report.

The Recommendations section begins on Page 18.

RECOMMENDATIONS:

Subject to the foregoing Statements of Fact, Conclusions, and Exhibits "A" through "D", we hereby recommend approval of this application for a Preliminary Planned Unit Development, subject to the following conditions:

1. The applicants shall obtain approval of their Preliminary Plat application for this property, applied for under File No. SUB-77-77(P).
2. The final platting of the subject property shall obtain approval from the Planning Commission prior to Planning Commission review of any Final Planned Unit Development application for this property.
3. Applications for all future action on this property shall include the names and signatures of all parties owning property on behalf of which applications are filed.
4. A Rezone application shall accompany the final plat application for the subject property. This Rezone application should pertain to proposed lots 1 through 6 only. With application for Final Planned Unit Development approval, Rezone applications should accompany each phase. If the applicants request approval for all three phases at one time, one Rezone application should be filed covering the total P.U.D. site.
5. Lot 21 of the proposed subdivision shall be included in the PUD boundaries. This shall remain as an undeveloped parcel.
6. The Environmental Impact Statement prepared for this project shall be included as part of the permanent record of this application, and shall be made a part of the adopting Resolution for this application.
7. The recommendations of the Soils Report submitted for this project by Rittenhouse-Zeman and Associates, dated November 11, 1977, shall be adhered to, particularly as they relate to timing of grading and location of buildings near slopes.
8. To the maximum extent possible, buildings along the north slope in the ravine shall be pulled away from these slopes.
9. The ravine shall be left in a natural condition. No construction of trails shall occur in this area.
10. The applicants shall work with the Department of Community Development to establish a specific "natural vegetation" easement around the area of the ravine. No construction whatsoever shall occur within this easement.
11. Forbes Creek shall be left in a natural condition, and shall be kept free of debris. The on-going maintenance of this creek shall be the responsibility of the owners within this development.

Recommendations, Cont'd

12. To minimize erosion potential, the slopes along the west and south property lines of the PUD boundaries shall be stabilized. Stabilization plans shall include, at least, landscaping of these banks. Prior to the installation of any required utilities, grading, clearing, or development on the subject property, the applicant shall be required to submit for review, engineering calculations and plans for the storm water runoff and drainage system to the Department of Public Services. This system will be designed so that the water leaving the site from a storm having an intensity equal to or less than a 10-year storm will not have a lesser quality or greater quantity than that which currently leaves the site under identical storm conditions. Due to the proximity of the surface of the site to the layer of hardpan, the storm drainage system shall not include any ground water recharge system.

The storm drainage system shall include oil and silt separators, and energy dissipating devices to prevent soil erosion.

In addition, the applicant shall submit to the Public Service Department an interim storm drainage/erosion control plan for their approval. This plan is to be approved by the Public Service Department prior to any grading on the site. Also, the developer shall submit a bond to the City in an amount determined by the Public Service Department for the maintenance of the interim drainage/erosion control facility.

13. The proposed retention basins shall not be designed to hold any dead storage at any time. These retention basins should be seeded or graveled, to create an aesthetic appearance when they are dry. Logs shall not be incorporated into the sidewalls of these basins.
14. The cost of maintenance of the storm drainage system shall be a responsibility of the owners within this development.
15. The applicant shall submit to the Public Service Department, detailed sewer plans for the proposed sewerage of this project. As much as possible, the sewer lines shall be located within the streets serving this project, and shall not be located near the top of the ravine.
16. All utilities shall be undergrounded.
17. The applicant shall remove the debris and fallen trees which now exist throughout the site. This includes the ravine area.
18. The applicants shall construct an earth berm along the east property line, where there is presently no natural buffering from freeway-generated noise. This berm shall be constructed in a manner described in Conclusion D.10. of this report.
19. The applicants shall heavily landscape the noise berm with coniferous materials of approximately 8 to 10 feet in height. With the application for Final PUD approval, the applicants shall submit detailed information explaining what other noise mitigation measures will be incorporated into the project.

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Recommendations, Cont'd

20. With the development of this project, the following street improvements shall be made:
 - a. The applicants shall dedicate a strip of land, 30 feet in width, to the City of Kirkland for right-of-way purposes where the property, both in the PUD and Subdivision, abut 116th Ave. N.E.
 - b. The applicants shall provide 18 feet wide asphaltting with underground drainage, and curb and gutter improvements, and a 5 foot wide concrete sidewalk along 116th Avenue N.E. The street improvements may be meandered within the right-of-way to maintain as much vegetation as possible.
 - c. A turn-around shall be provided at the northern extent of the improvements to 116th Ave. N.E.
21. The road width of the interior loop system shall be a minimum of 24 feet. There shall be rolled curb and gutter improvements on both sides of the access and the loop road. There shall be no parking allowed along the interior loop road.
22. All one-way parking areas shall have a minimum width of 12 feet. All two-way parking areas shall have a minimum width of 24 feet. All parking areas shall be accompanied by curb and gutter improvements.
23. There shall be 5 foot wide concrete sidewalks on both sides of the PUD entrance, and along one side of the loop road. Five foot wide concrete sidewalks shall be provided from the entrances of all dwelling structures to the parking lots. There shall be a concrete stairway with metal handrails on the south slope, connecting to the pedestrian easement provided in the plat of Kirkwood Manor, the subdivision to the south of the property. The stairway shall be connected to the trail system in the PUD.
24. The maintenance of all roadways and pedestrian ways within this development shall be the responsibility of the owners within the PUD.
25. The applicants shall grant to the public an easement allowing public use of the PUD entrance road to the extent necessary to allow access to the park.
26. The parking stalls which access directly off of the loop road shall be deleted.
27. Parallel parking shall be provided for 2 to 4 cars along one side of the PUD entrance road to serve the park facility.
28. The applicants shall continue to work with the Park Department on a detailed design of the proposed park. A finalized park design shall be made a part of the Final PUD application.

The final park design shall indicate a shifting of the PUD entrance road to the south, with a buffer provided between the entry road and the single family dwellings to the south.

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Recommendations, Cont'd

29. The development of the proposed park shall be the responsibility of the applicants, and shall be completed at the applicant's expense.
30. As part of the Final PUD application, the applicants shall demonstrate that all proposed structures conform to the height regulations of the Zoning Ordinance.
31. The proposed 4-family attached units shall be deleted from this proposal, and substituted with either townhouse or garden court units.
32. The site plan indicated as Alternative C, (Exhibit "N") shall be the approved site plan subject to the other recommendations included in this report.
33. Two of the garden court houses proposed in the southwest portion of the project, adjacent to the existing neighboring residences, shall be relocated to the interior of the project. Additionally, the townhouse units in the northwest corner shall be broken up, to result in smaller structures.
34. With application for Final PUD, the applicants shall submit a detailed landscaping plan for the project. The adjustment of buildings to maintain existing vegetation wherever possible is encouraged. This detailed landscaping plan shall include areas such as the west and south banks, as well as the proposed noise berm. The site shall be landscaped at least as densely as indicated in the Preliminary PUD drawings. Proposed landscaping should be incorporated into the existing landscaping on the site, and existing vegetation shall be maintained as much as possible.
35. All construction activities shall be restricted to the hours between 7 a.m. and 8 p.m. on weekdays, and prohibited on Sundays.

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