

RESOLUTION NO. R- 2563

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF A PRELIMINARY PLANNED UNIT DEVELOPMENT AS APPLIED FOR IN DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. P-PUD-78-7(H) BY JAMES C. FORBES FOR HUNTINGTON WOODS ON 108TH AVENUE N.E. BETWEEN WATERSHED PARK AND THE BELLEVUE CITY LIMITS, BEING WITHIN AN RS12.5(S) 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 James C. Forbes, the owner of said property described in said application and located within an RS 12.5(S) zone, and

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 October 12, 1978 and October 3, 1978, respectively, and

WHEREAS, pursuant to City of Kirkland Ordinance No. 2319 concerning environmental policy of the State Environmental Policy Act, an environmental Impact Statement has been submitted to the City of Kirkland.

WHEREAS, said environmental impact statement has 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 impact statement did adopt certain Findings, Conclusions and Recommendations and did recommend approval of the Preliminary 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. P-PUD-78-7(H) are adopted by the Kirkland City Council as though fully set forth herein.

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 providing that Recommendation 17, adopted herein above, shall not be an imposed condition of approval.

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

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

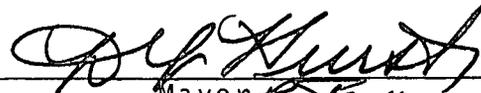
Section 5. Notwithstanding, the recommendations heretofore given by the Houghton Community Council, the subject matter of this Resolution and the Preliminary Planned Unit Development herein granted are, pursuant to Ordinance 2001, subject to the disapproval jurisdiction of the Houghton Community Council, 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 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 and Fire Department of the City of Kirkland
- (d) Parks 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.

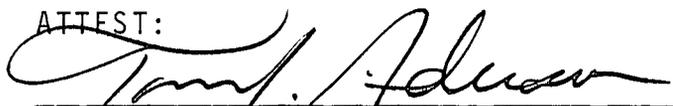
ADOPTED in regular meeting of the City Council on the 6th day of November , 1978.

SIGNED IN AUTHENTICATION thereof on the 6th day of November 1978.



Mayor Peterson

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 October 12, 1978
____ ADOPTED BY _____ DATE _____

____ STAFF _____

____ BOARD OF ADJUSTMENT _____

____ HOUGHTON COMMUNITY COUNCIL _____

XX PLANNING COMMISSION _____
David Russell
David Russell, Chairperson

____ CITY COUNCIL AS INCORPORATED IN _____

____ RESOLUTION _____ ORDINANCE
NUMBER _____
DATE _____

FILE NUMBER P-PUD-78-7(H)

APPLICANT JAMES C. FORBES

PROPERTY LOCATION 108th Ave. N.E. betw. Watershed & Bellevue City Limits

SUBJECT PRELIMINARY PLANNED UNIT DEVELOPMENT OF "HUNTINGTON WOODS"

HEARING/MEETING DATE November 6, 1978

BEFORE KIRKLAND CITY COUNCIL

EXHIBITS ATTACHED "A" Application "B" Final E.I.S. "C" Location Map "D" Proposal "E"
Proposed Access Road Plan View "F" Proposed Access Road Profile "G" Revised Site Plan
"H" Tree Retention Plan "I" Access Road Comparison "J" Letter from Laurel Ewing

I. SUMMARY:

A. DESCRIPTION OF THE PROPOSAL:

1. This is an application for a Preliminary Planned Unit Development of 52 townhouse units on a 12-acre site. This 12 acres includes .67 acre of contiguous undeveloped City park land which the applicant proposes to trade for 2.25 acres of land on the west side of 108th Avenue N.E. 3.65 of the 12 acres is proposed to remain as open space. The 52 units are proposed to be located on the eastern two-thirds of the subject property. These units would be served by a 20 foot wide access road which would meander up the west slope from 108th Avenue N.E. The applicant proposes two-story units having a maximum height of 26 to 27 feet above grade. The applicants propose a total of 198 parking spaces including 100 open air spaces and 98 spaces within garages. This would be a ratio of 4.0 stalls per unit.
2. The subject property is located immediately east of 108th Avenue N.E. south of the Kirkland Watershed Park immediately adjacent to the south boundary line of the City limits of Kirkland.

B. RECOMMENDATIONS:

Subject to the Statements of Fact and Conclusions contained herein and as identified in Exhibits "A" through "F", we hereby recommend approval of this application for a Preliminary Planned Unit Development subject to the following conditions:

1. The Final Environmental Impact Statmeent 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.
2. The recommendations of the Soils Report included as Appendix B within the Final Environmental Impact Statement shall be adhered to.
3. All utilities shall be undergrounded.
4. The maintenance of all roadways and pedestrian ways within this development shall be the responsibility of the owners within the PUD.
5. Ongoing maintenance of the storm water collection system shall be the responsibility of the applicant or his assignees except where the City agrees to provide maintenance.
6. Grading should be accomplished during the summer season. If construction is proposed during the period October through May, the applicant shall submit to the City plans

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I. B. 6. (Cont'd)

of the construction and plans of measures to mitigate the increased impact due to construction during the rainy season. These plans shall be reviewed and approved by the City prior to the commencement of construction related to these plans.

7. The applicants shall provide full street improvements on 108th Avenue N.E. where that right-of-way abuts the subject property. These full street improvements shall include curb and gutter. The specific width of paving to be provided shall be determined by the Public Service Department.

In addition, these full street improvements shall include a north-bound right-turn deceleration lane. Sidewalks shall be provided on the west side of the subject property where it abuts 108th Ave. N.E. Provisions for bicycles shall be considered.

8. A sub-surface storm water collection system meeting the standards of the Public Service Department shall be provided on the subject property. The rate of discharge from the site shall be controlled by the storm water collection system to approximate pre-development conditions for a 10-year storm.
9. The applicant shall revise the site plan as follows:
 - a. The internal access road shall be redesigned such that all sharp curves have a minimum inside radius of 30 feet and a road width on the curve of 28 feet. The road width on the straight portions shall be 22 feet. In addition, the improvements recommended on Page 76 of the Final Environmental Impact Statement shall be included in the new design for the internal access road.
 - b. The number of parking stalls shall be 2.2 per unit, and any stalls outside of garages shall be 20 feet in length.
10. Along with the application for a Final P.U.D. for this proposed development, the applicant shall submit:
 - a. Elevations demonstrating that all proposed structures conform to the height regulations of the Zoning Ordinance.
 - b. Detailed plans showing erosion control measures to be used during construction. Erosion shall be minimized.
 - c. Complete storm drainage plans and calculations.

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- I. B. 10. d. A complete landscaping plan. This landscaping plan shall conform to Section II.B.2.c.
 - e. Plans showing the specific location of the water line. In coordination with the Public Service Department alternatives to a Watershed route shall be explored. A reasonable preference shall be given to a route within 108th Ave. N.E.
 - f. A plan for one internal road system on the west slope. This plan should conform with Conclusion II. D. 2. b.
11. Prior to the application for a Final P.U.D., the location of the sewer line shall be resolved and any necessary agreements between the City of Kirkland and the City of Bellevue shall be consummated.
 12. The developer shall indemnify and hold harmless the City in a form approved by the City Attorney. Said agreement shall be consummated prior to City Council review of the Final P.U.D.
 13. No construction relating to any improvements on or off the subject property shall occur before City Council approval of the Final P.U.D.
 14. Prior to any construction on the subject property, the applicant shall contact the Department of Fisheries to obtain their comments on the timing of construction so that spawning and rearing periods are avoided. The Department of Fisheries comments shall be adhered to.
 15. That portion of the subject property north of the top of the north slope as indicated in Figure B-10 of the Final Environmental Impact Statement (Exhibit "B") shall be retained as permanent open space in a natural condition.
 16. Prior to Final Planned Unit Development, applicant shall explore the possibility of minimizing the use of stairs to 108th Ave. N.E. This could include the use of ramp sections or simply a greater linear run for the change in elevation.
 17. Applicant shall extend the 5 foot concrete sidewalk section on the west side of 108th Ave. N.E. to the north, across the City-owned property, to connect with the sidewalk in Sandhurst.
 18. Applicant shall submit, for final PUD review, materials illustrating the relative safety and reasonableness of the parking access/interior road configuration, with particular attention given to sight and stopping distances. Section 23.40.030 of the Kirkland Zoning Ordinance shall be used as a guide. If satisfactory support is submitted illustrating safe and reasonable access and circulation for all 52 units, then the Final PUD may consider approval of that number. If satisfactory support is not made available, the project could be reduced by as many as five units.

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II. MAJOR STATEMENTS OF FACT AND CONCLUSIONS:

A. GOVERNMENTAL COORDINATION:

1. Statements of Fact:

a. Public Services Department.

Water. A water main properly sized, at least 8" in diameter, should be extended from the existing 12" main located on 112th Avenue NE at the Watershed Park boundary.

Sanitary Sewer. From an engineering standpoint the most appropriate sewer connection would be within the plat to the south of the subject property within the city limits of Bellevue. The crossing of jurisdictional boundaries, however, may cause some difficulty. We would suggest that this problem be resolved between preliminary and final PUD.

Storm Water Runoff. Given the steep slopes in the watershed caution is necessary in the design of the storm water drainline. This drainline should probably be routed down the access road and then parallel to 108 Avenue NE to discharge into the stream.

Streets. It is a known fact that sooner or later the demand for a bus stop is going to exist on 108 Avenue NE adjacent to the subject property. Widening of 108 Avenue NE to accommodate the turn-out of a bus clear of traffic to pick up passengers should be a requirement.

Other. Pedestrian access should be supplied parallel to the access road on the western portion of the subject property.

- b. Fire Department: Sufficient water supply as well as all hydrants must be installed before the start of building construction. The one road in and out will create a slight handicap. Even though they propose to keep the maximum grade at 15% or less there will still be a problem during snow conditions. Turning radii will have to be maintained with a restriction on parking. The line-of-sight at 108 Avenue NE could also be a problem. Traffic circulation during and after construction could handicap us unless sufficient parking, turn-arounds, etc., are provided.

- c. Building Department. The project will be located in Fire Zone 2. I am concerned about the general slope stability and feel that all possible measures should be taken to eliminate slides and erosion

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I. A. 1. c. Continued

problems both during and after construction.

d. Police Department. The access roads should be of sufficient width to adequately and safely move all types and sizes of vehicles. Adequate sight distance at the entrance on 108 Avenue NE should be provided. Due to limited accessibility we would recommend some fencing of the upper areas adjacent to the Watershed Park.

e. Park Department. The Park property to the east must be adequately buffered.

2. Conclusions: See following sections.

B. EXISTING PHYSICAL CHARACTERISTICS:

1. Statements of Fact:

a. Topography. The subject property has steep slopes in the northern and western portions of the site. The north slope averages approximately 67% (34 degrees) with small slope areas ranging up to 93% (43 degrees). The western slope averages approximately 44% (24 degrees). The majority of the remainder of the site is a moderately sloping stable land with an average grade of approximately 12%. The entire site drains to the west and north.

b. Soils. A description of the existing soils conditions on the subject property can be found in Appendix B of the Final Environmental Impact Statement (Exhibit "B").

c. Hydrology. A small perennial stream flows in a south-western direction at the base of the north slope of the subject property. (For further information on this drainage course see pages 47-52 of the Final Environmental Impact Statement.)

d. Vegetation. A second-growth forest of douglas fir, big leaf maple, and red alder covers the subject property. Interspersed with these primary trees are some western red cedar, western hemlock, and madrona. These trees range in size up to 30 and more inches in diameter. The vegetation on the 3.5 acre northslope is proposed to remain in its natural condition. Approximately two-thirds of the remainder of the vegetation on the subject property would be removed.

e. Fauna. The small stream at the base of the north slope of the subject property is probably used for Coho Salmon spawning.

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II. B. Continued

2. Conclusions:

- a. Topography/Soils. The primary impact on the soils and topography of this proposal involves the access road proposed on the west slope. This access road will necessitate substantial cuts and fills and retaining structures. (See Soils Report, Appendix B, Exhibit "B".) Also the large area to be cleared on the west slope and upper plateau will result in a significant erosion potential. (For further information on the expected impacts from this proposal on the soils and topography of the subject property see Exhibit "B".)

Given the above the following should be required of the applicant:

- (1) Grading should be accomplished during the summer season. If construction is proposed during the period October through May the applicant should submit to the City details of the construction and details of measures to mitigate the greater impact. In any case the detailed recommendation of the Soils Report contained in Appendix B of the Final Environmental Impact Statement should be adhered to.

- (2) To minimize erosion, surface runoff could be intercepted in settling basins and/or siltation removal devices (E.G., straw bales) could be used. Also cleared slopes should be replanted as quickly as possible. Along with the submittal of a Final PUD application the applicant should submit detailed plans showing erosion control measures to be used. These plans should be approved as part of the Final PUD.

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II. B. 2. Continued

- b. Hydrology. For erosion control and maintenance of water quality during construction see above. To handle post-construction storm water runoff the normally required storm water drainage system should be provided. The storm drainage facilities should control the rate of runoff to approximate the pre-development condition for a 10-year storm. Complete storm drainage plans and calculations should be submitted along with the application for a Final PUD.
- c. Vegetation/Fauna. To partially mitigate the large amount of clearing proposed on the subject property, the cleared areas should be replanted as quickly and completely as possible. The applicant, along with the submittal of an application for a Final PUD, should provide a complete landscaping plan of the subject property. This landscaping plan should show the size, species, and location of each existing tree that will remain. Also, the size at time of planting, species, and location of all trees and shrubs to be planted should also be given on this landscaping plan. Prior to any construction the applicant should contact the Department of Fisheries to obtain their comments on the timing of construction so that spawning and rearing periods are avoided. The Department of Fisheries' comments should be supplied to the City prior to the commencement of any construction on the subject property.

C. PUBLIC UTILITIES:

1. Statements of Fact:

- a. Streets. The subject property is served from 108 Avenue NE. 108 Avenue NE is currently a two-lane road without curb, gutter, or sidewalk. 108th south of the subject property, within the city limits of Bellevue, is being improved in conjunction with the development south of the subject property and an LID.
- b. Sewer. A sewer line is being constructed within the Yarrow Bay Village PUD adjacent to the subject property on the south. There is no existing sewer line within the right-of-way of 108 Avenue NE where that right-of-way abuts the subject property.
- c. Water. The nearest existing adequate water main is located at the intersection of NE 45th Street and 112 Avenue NE on the northside of the Kirkland Watershed Park. An inadequate low pressure main presently terminates at the intersection of 108th Avenue NE and NE 45th Street. An adequate waterline connection may be possible from existing mains at NE 47th-108th Avenue NE, NE 48th-108th Avenue NE, or 110th Avenue NE.

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II. C. 1.

- d. Storm Drainage. This proposal would result in a significant increase in the impervious surface on the subject property.
- e. Pedestrian Access. Within the City of Kirkland the nearest sidewalks to the subject property are at the junction of 108th Avenue NE and the north edge of the Watershed Park.
- f. For further information on public utilities see pages 72-98 of the Final Environmental Impact Statement (Exhibit "B").

2. Conclusions:

- a. Streets. The applicants should provide full street improvements on 108 Avenue NE where that right-of-way abuts the subject property. As 108 Avenue NE is designated as a collector arterial and as improvements are being made to this right-of-way immediately south of the city limits of Kirkland the specific width of paving to be provided should be determined by the Public Services Department. These full street improvements should include curb and gutter. In addition, based on the Transpo Group Traffic Analysis (see Appendix D, Final Environmental Impact Statement) and the comments of the Public Services Department, these full street improvements should include a north-bound right-turn deceleration lane. Sidewalks, where the subject property abuts 108th Avenue NE, shall be provided, and provisions for bicycles shall be considered.
- b. Sewer. The location of the sewer lines should be resolved and any necessary agreements between the City of Kirkland and the City of Bellevue should be consummated prior to the application for a Final PUD.
- c. Water. Plans showing the specific location of the waterline should be provided along with the application for a Final PUD. In coordination with the Public Services Department alternatives to a Watershed route should be explored. A reasonable preference should be given to a route within 108th Avenue NE.
- d. Storm Water. A subsurface storm water collection system meeting the standards of the Public Services Department should be provided on the subject property. The rate of discharge from the site should be controlled by the storm water collection system to approximate pre-development conditions for a ten-year storm.

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I. C. 2. Continued

- e. Timing of Construction. Given the severe physical limitations of the subject property the specific design of all improvements as well as the specific design of measures to mitigate the impact of these improvements should be subject to public review. Consequently, no improvements should be made on or off the subject property until Final PUD approval has been received.
- f. All utilities should be undergrounded.

D. NEIGHBORHOOD CHARACTERISTICS:

1. Statements of Fact:

- a. Zoning. The subject property is zoned Residential Single Family 12,500 square feet minimum lot size (slope). This slope designation indicates that the base density for the subject property is three dwelling units per acre with the possibility of higher densities based on certain standards (see below).
- b. Land Use. The subject property is currently vacant. To the north and east of the subject property is the undeveloped Kirkland Watershed Park. To the south of the subject property, within the city limits of Bellevue, is a large parcel of land currently being developed with detached and attached single family dwellings.

The internal private access road is designed to have a width of 20' and an inside curve radius of 30'. For more information concerning the internal access road see pages 75-77 of the Final Environmental Impact Statement.

2. Conclusions:

- a. Zoning. This proposal, with a density of 4.4 dwelling units per acre, meets the substance of the relevant chapters of the Kirkland Zoning Ordinance. However, given the traffic situation on 108th Avenue, the needs of the community at-large, and the cumulative impacts of such developments over the entire community the number of units should be reduced from 52 to 47.
- b. Land Use. Due to the proximity of the subject property to the Kirkland Watershed Park and given the comments of the Police Department, the applicant should consult with the City regarding the possibility of providing buffering on the eastern portion of the subject property adjacent to the Watershed Park. If such buffering is determined to be necessary the specific design of this buffering should be shown on the landscaping plan to be submitted with the Final PUD.

II. D. 2. b. Continued

The applicants should design the internal access road such that all sharp curves have a minimum inside radius of 30' and a road width on the curve of 28'. Although, based on public input, it appears that large moving vans will overhang the opposite lane by a few feet on the curves, this situation should be a sufficiently rare occurrence that a larger radius is not warranted. In addition, the improvements recommended on page 76 of the Final Environmental Impact Statement should be incorporated in the new design. A road width of 22' on the straight portions should be provided. Plans showing the road configuration should be submitted along with an application for a final PUD. These plans should indicate the extent of cuts and fills necessary. In addition, to improve the safety at the intersection of the access road with 108th Avenue NE, these plans should include provisions for stacking of two cars at the base of the access road and should include plans for landscaping at the intersection such that adequate sight distance will be provided. To provide for the stacking of two cars the access road between 108th Avenue NE and a point 40' east of 108th Avenue NE should have a maximum grade of 6%. A pedestrian walkway should be provided adjacent to and along the length of the internal access road.

Given the recommended changes in the access road design and the uncertainty as to the cuts and fills resulting from these changes, the design of the interior access road should be subject to public review prior to the commencement of construction. Consequently, no construction relating to any improvements on the subject property should occur prior to Final PUD approval.

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

1. Statements of Fact:

- a. The following standards and extract from pages 191 and 192 of the Land Use Policies Plan apply to this proposal:

"Residential densities on the unstable slope may be increased by an extra one to two dwelling units per acre (up to five dwelling units per acre) depending upon the degree to which the development proposal conforms to the following standards:

- (1) Soils and geologic analysis are required. The City will select an appropriate Consultant and establish reasonable study perimeters. Analysis would cover the area of the site to be developed as well as adjacent sites.

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II. E. 1. a. Continued

- (2) The developer will indemnify and hold harmless the City.
- (3) The clustering of structures is required.
- (4) The vegetative cover is maintained to the maximum extent possible.
- (5) Water courses are to be retained in a natural state.
- (6) Surface runoff is to be controlled at pre-development levels.
- (7) Points of access to arterials are to be minimized.
- (8) The City has the present ability to provide the necessary emergency services.
- (9) A minimum level of aggregation of land may be desirable in order to minimize adverse impacts.
- (10) There will be public review of the development proposal."

2. Conclusions: The applicant's proposal with the recommended changes is consistent with the ten standards given above. Specifically:

- (1) A soils and geologic analysis has been performed on the subject property and is included in the Final Environmental Impact Statement (Exhibit "B").
- (2) The developer should indemnify and hold harmless the City in a form approved by the City Attorney. Said agreement should be consummated prior to City Council review of the Final PUD.
- (3) The proposed structures are clustered.
- (4) Vegetation cover is maintained to the maximum extent possible. Given the existence of the Watershed Park on the north and east of the subject property and a developing parcel of land on the south the only reasonable access to the subject property is from 108th Avenue NE. Given this and the City standards for access roads (15% maximum grade, adequate turning radii, etc.) any development on the subject

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II. E. 2. (4) Continued

property would result in the nearly total removal of vegetation on the west slope. Replanting of vegetation should to some extent mitigate the impact of the removal of existing vegetation.

- (5) The one water course on the subject property, at the base of the north slope, will be retained in a natural state.
- (6) With a storm water collection system designed to the standards of the Public Services Department, surface run-off will be controlled at pre-development levels.
- (7) There will be one point of access to an arterial.
- (8) With the recommended design changes to the interior access road, the City will have adequate ability to provide the necessary emergency services.
- (9) The 12 acres aggregated within this proposal is above the minimum level of aggregation of land that is desired.
- (10) Under the PUD procedure there will be adequate public review of the development proposal.

III. APPENDICES:

Exhibits "A" through "F" are attached.