

RESOLUTION NO. R- 2577

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-78-65(P) BY JUANITA BAY ASSOCIATES TO CONSTRUCT 33 TOWNHOUSE UNITS ON A 4.71 ACRE SITE, BEING WITHIN A RS 8500 ZONE, AND SETTING FORTH CONDITIONS TO WHICH SUCH PRELIMINARY PLANNED UNIT DEVELOPMENT SHALL BE SUBJECT.

WHEREAS, the Department of Community Development has received an application for a Preliminary Planned Unit Development filed by Juanita Bay Associates, the owner of said property described in said application and located within a Single Family Residential 8,500 zone, and

WHEREAS, the application has been submitted to the Kirkland Planning Commission who held public hearing thereon at their regular meeting of December 7, 1978, and

WHEREAS, pursuant to City of Kirkland Ordinance No. 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, after their public hearing 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 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-78-65(P) 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 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 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.

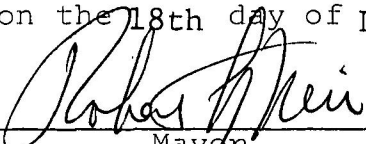
Section 5. Failure on the part of the holder of the Preliminary Planned Unit Development to initially meet or maintain strict compliance with the standards and conditions to which the Preliminary Planned Unit Development is subject shall be grounds for revocation in accordance with Ordinance 2183, the Kirkland Zoning Ordinance.

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

- (a) Applicant
- (b) Department of Community Development of the City of Kirkland.
- (c) Fire and Building Department of the City of Kirkland
- (d) Police Department of the City of Kirkland
- (e) Parks 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 18th day of December , 1978.

SIGNED IN AUTHENTICATION THEREOF on the 18th day of December 1978.



Mayor

ATTEST:



Director of Administration and Finance
(ex officio City Clerk)

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DEPARTMENT OF COMMUNITY DEVELOPMENT

ADVISORY REPORT
FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

___ PREPARED BY _____ DATE _____
XXX RECOMMENDED BY _____ DATE December 7, 1978
___ ADOPTED BY _____ DATE _____

___ STAFF _____

___ BOARD OF ADJUSTMENT _____

___ HOUGHTON COMMUNITY COUNCIL _____

XX PLANNING COMMISSION Kay Haeniggi for
David Russell, Chairperson

___ CITY COUNCIL AS INCORPORATED IN _____

___ RESOLUTION _____ ORDINANCE _____
NUMBER _____
DATE _____

FILE NUMBER P-PUD-78-65(P)

APPLICANT JUANITA BAY ASSOCIATES

PROPERTY LOCATION So. of NE 116th St., E. of Springtree Condom. on
105th Ave. N.E.

SUBJECT PRELIMINARY PLANNED UNIT DEVELOPMENT OF 33 TOWNHOUSE UNITS

HEARING/MEETING DATE _____

BEFORE KIRKLAND CITY COUNCIL

EXHIBITS ATTACHED "A" Application "B" Environmental Info. "C" Vicinity Map
"D" Site Plan "E" Site Section

I. SUMMARY:

A. DESCRIPTION OF THE PROPOSAL:

1. This is an application for a Preliminary Planned Unit Development consisting of 33 townhouse units on a 4.71 acre site. The proposed density is 7.0 dwelling units per acre.
2. The subject property is located immediately south of N.E. 116th Street, just east of Springtree Condominiums at 105th Avenue N.E.
3. The proposal includes three buildings containing 4 units each, one building containing 5 units, and two buildings containing eight units each. All of these buildings will maintain a setback of at least 40 feet from the side and rear property lines and about 30 feet from the property line adjoining N.E. 116th St. The proposal also includes a tennis court which will have a setback of approximately 8 feet from the east property line. Seventy-three parking stalls are proposed for a ratio of 2.2 stalls per unit. A pedestrian path is proposed from the southwestern corner of the subject property to N.E. 116th Street.
4. The 33 units will access from NE. 116th St. along a 24 foot wide internal road.

B. RECOMMENDATIONS:

Based upon the Statements of Fact, Conclusions, and Exhibits "A" through "E" contained herein, we recommend that this application be approved subject to the following conditions:

1. A 5 foot wide gravel walkway shall be provided where the subject property abuts N.E. 116th Street.
2. "No Parking - Fire Lane" signs shall be provided every 150 feet along the main internal road.
3. Prior to issuance of any grading permits on the property, the applicant shall:
 - a. Physically rope off the 40 foot setback areas, except in the location of the tennis courts, to delineate those areas that are to remain completely untouched. This roping off shall be inspected for adequacy by the Department of Community Development.
 - b. Physically stake all trees outside of the 40 foot setback area which are to be retained. These shall be inspected for approval by the Department of Community Development and the method of staking the trees shall meet with the operating procedures of that Department.

- I. B. 4. Along with an application for the Final Planned Unit Development, the applicant shall submit the following:
 - a. A plan showing the internal pedestrian system. Low lighting shall be provided along all pedestrian walkways. This plan shall indicate the location and design of such lighting, including anti-glare hoods or similar devices.
 - b. Plans demonstrating that all proposed structures will be no more than 25 feet above the existing grade and will be set back at least 40 feet from the rear and side property lines.
 - c. A complete landscaping plan. As part of the application for a Final Planned Unit Development, the applicant shall submit a complete landscaping plan for the subject property. This landscaping plan shall indicate the size, species, and location of all existing trees 6" or greater in caliper and indicate which of these trees will be cut and which will remain. In addition, this landscaping plan shall indicate the size, location, and species of all proposed plantings.
 - d. Detailed plans indicating the measures to be used to control runoff and erosion during construction. Runoff and erosion shall be minimized.
 - e. Complete utility plans conforming to the standards of the Public Service Department.
 - f. A statement of the assessed valuation of the property and the most recent taxable sales price.
 - g. A physiographic map indicating springs and streams. This shall be used in the development of a detailed storm water management plan to include measures to minimize runoff and erosion during construction.
 - h. A 'no protest' agreement to the formation of a Local Improvement District along N.E. 116th St. for the provision of roadway and walkway improvements. Said agreement shall be in a form approved by the City Attorney and shall include reference to a potential joint City of Kirkland/King County project and it shall also include consideration to be given for properties which may have participated in earlier funding or installation of improvements.
5. Prior to City Council review of the Final Planned Unit Development the applicant shall:
 - a. Deposit with the City a sum of money equal to \$10 per front foot of the subject property along N.E. 116th Street for future improvements to that right-of-way.
 - b. Deposit into the "In Lieu Open Space Account" of the Park and Municipal Facilities Cumulative Reserve Fund an amount of money equal to 6% of the assessed valuation of the subject property or \$200 per unit, whichever is greater.

II. MAJOR STATEMENTS OF FACT AND CONCLUSIONS:

A. HISTORICAL BACKGROUND: (Not relevant)

B. GOVERNMENTAL COORDINATION:

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II. B.

1. Statements of Fact.

- a. Parks Department. A walkway should be provided along N.E. 116th Street, and sidewalk should be provided along the main interior road.
- b. Fire Department. A minimum width of 24' shall be maintained for the ingress and egress of emergency vehicles. Fire hydrants will be required. The number of hydrants and their exact location can be determined when a detailed set of prints is provided to the Fire Department. The minimum fire flow requirements cannot be determined until more detailed plans are provided. "No Parking" signs will be required in those areas where parking could hinder or delay the response of Fire Department vehicles.
- c. Police Department. Emergency access appears to be adequate. Pedestrian walkways should be adequately lighted.
- d. Building Department. Building code data is correct as shown. Handicapped units should be provided per the State building code.

- II. B. 1. e. Public Service Department. Adequate sanitary sewer service is available. The main sewer line will be extended at the expense of the developer. The design of the domestic water system and the storm water system will be approved by the City and constructed by the developer. A temporary walkway along N.E. 116th St. should be provided. In addition \$10 per front foot should be provided for future improvements on N.E. 116th St.

2. Conclusions.

- a. A 5 foot gravel walkway should be provided where the subject property abuts N.E. 116th Street.
- b. A plan showing the internal pedestrian system should be submitted along with the application for a Final Planned Unit Development. Low lighting should be provided along any pedestrian walkways. The above plan should indicate the location and design of such lighting.
- c. "No Parking - Fire Lane" signs should be provided every 150 feet along the main internal road.
- d. Complete utility plans which conform to the standards of the Public Service Department should be submitted as part of the application for a Final Planned Unit Development.
- e. Prior to City Council review of the Final Planned Unit Development, the applicant should deposit with the City a sum of money equal to \$10 per front foot of the subject property along N.E. 116th Street. These moneys will be for future improvements on N.E. 116th Street.

C. EXISTING PHYSICAL CHARACTERISTICS:

1. Statements of Fact.

- a. Topography. The subject property slopes down gradually from northeast to southwest.
- b. Vegetation. The subject property contains primarily deciduous growth, consisting of alder and maple trees for the most part, with the normally associated undergrowth. The site supports a few scattered coniferous trees.

2. Conclusions.

- a. As part of the application for a Final Planned Unit Development, the applicant should submit detailed plans showing the measures to be used to control runoff and erosion during construction. Runoff and erosion should be minimized.

- II. C. 2. b. As part of the application for a Final Planned Unit Development, the applicant should submit a complete landscaping plan for the subject property. This landscaping plan should indicate the size, species, and location of all existing trees 6" or greater in caliper and indicate which of these trees will be cut and which will remain. In addition, this landscaping plan should indicate the size, location, and species of all proposed plantings.

D. PUBLIC UTILITIES:

1. Statements of Fact.

- a. Streets. The subject property fronts on N.E. 116th St., which is a 60 foot wide right-of-way. N.E. 116th Street is improved with approximately 22 feet of asphalt without curb, gutter, or sidewalk.
- b. Sewer/Water. Existing 8" sewer lines exist within the Springtree development and within the right-of-way of N.E. 116th Street west of the subject property. An 8" water main exists within the right-of-way of N.E. 116th Street.
- c. Improvements to N.E. 116th Street are contemplated but would not be constructed for several years. These improvements would most likely consist of wider asphalt paving than now exists as well as curb, gutter, and sidewalk.

2. Conclusions. See Governmental Coordination, above.

E. NEIGHBORHOOD CHARACTERISTICS:

1. Statements of Fact.

- a. Zoning. The subject property as well as all surrounding properties within Kirkland other than Springtree is zoned RS 8500. The Springtree property is zoned RM 3600.
- b. Land Use. Bordering the southern portion of the western property line of the subject property is the Springtree multi-family Planned Unit Development. Further west is the recently approved Planned Unit Development for the Baycrest Townhouses; just west of 101st Place N.E. All other nearby uses are detached single family.

2. Conclusions. The proposed land use is consistent with the developing land use pattern in the area.

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

1. Statements of Fact.

- a. The following extract from the Juanita Heights area section of the Land Use Policies Plan is applicable (pages 362 and 363):

" Slightly higher densities (up to 7 dwelling units per acre) may be permitted on lands fronting on NE 116th Street subject to the following conditions:

- (1) This added increment of density would be allowed only on a planned unit development basis.
- (2) Visual buffering by a landscaped setback (normally 40 feet) should separate slightly higher density development from single family adjacent uses.
- (3) There is no direct access from individual dwelling units onto NE 116th Street. Access to NE 116th Street would be limited to interior loop roads, cul-de-sacs or similar streets. This added increment of density should not be available to properties where topographic conditions pose traffic hazards due to line-of-sight problems. Furthermore, access should be limited to NE 116th Street and not onto residential streets to the south.
- (4) Pedestrian access through the development should be required as a condition for approval, if appropriate, to facilitate access to schools.
- (5) Extensions of higher density development should not penetrate into lower density areas and should therefore be permitted only within a specified distance from NE 116th Street.

II. F. 1. a. (Cont'd)

- (6) Height of structures does not exceed that of adjacent residential uses.
- (7) Some open space is to be included on site in addition to that required under the "in lieu" provisions to meet community needs.
- (8) A slope analysis indicates that this higher density would be suitable on the potentially unstable slope east of 100th Avenue NE (see the Natural Elements section for the location of the slope and additional information).

Common wall or cluster housing will be encouraged. "

- b. The following extract from the Kirkland Zoning Ordinance is applicable (Section 23.28.131):

..."all Planned Unit Developments which propose residential uses shall be subject to the provisions of Section 23.10.110(5) of this Ordinance if the residential density is greater than one (1) dwelling unit per 7200 square feet of land area subject to residential use."

- c. Section 23.10.110(5) states that moneys equal to 6% of the assessed valuation of the property or \$200 per unit, whichever is greater, shall be deposited into the "In Lieu Open Space Account" of the Park and Municipal Facilities Cumulative Reserve Fund for all new residential development in RM zones.

2. Conclusions:

- a. The site plans submitted along with the application for the Final PUD should indicate that no structures will exceed a height of 25 feet above the existing grade and that structures will be set back at least 40 feet from the side and rear property lines.
- b. This proposal, with a density of one unit per 6223 square feet of land area, is subject to Section 23.10.110(5) of the Zoning Ordinance. Prior to City Council review of the Final Planned Unit Development the applicant should deposit into the "In Lieu Open Space Account" of the Park and Municipal Facilities Cumulative Reserve Fund an amount of money equal to 6% of the assessed valuation of the subject property or \$200 per unit, whichever is greater.
- c. The application meets criteria (1) through (7) of the relevant section of the Land Use Policies Plan.

III. APPENDICES: Exhibits "A" through "E" are attached.

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