

RESOLUTION NO. 2745

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. PP-80-41, BY CUMBERLAND NORTHWEST TO CONSTRUCT "PARKPLACE" BEING WITHIN A PLANNED AREA 4 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 Cumberland Northwest, the owner of said property described in said application and located within a Planned Area 4 zone.

WHEREAS, the application has been submitted to the Kirkland Planning Commission who held hearing thereon at their regular meetings of July 10, 1980 and July 17, 1980, and

WHEREAS, pursuant to City of Kirkland Ordinance No. 0-2319 concerning environmental policy and 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 hearings and consideration of the recommendations of the Department of Community Development and having available to them the environmental checklist and negative declaration did adopt certain Findings, Conclusions and Recommendations and did recommend approval of the Preliminary Planned Unit Development subject to the specific conditions set forth in said recommendations, and

WHEREAS, the City Council, in regular meeting, did consider the environmental documents received from the responsible official, together with the recommendation of the Planning Commission.

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

Section 1. The Findings, Conclusions and Recommendations of the Kirkland Planning Commission as signed by the Chairman thereof and filed in the Department of Community Development File No. PP-80-41 are adopted by the Kirkland City Council as though fully set forth herein, providing that Recommendation D-1 is not adopted.

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, together with the following condition:

The project site plan shall be revised to reflect the following:

- a. The bandstand shall be eliminated;
- b. Vehicular access onto Second Avenue shall not be permitted until such time as the City Council may hereafter specifically approve such vehicular access.

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.

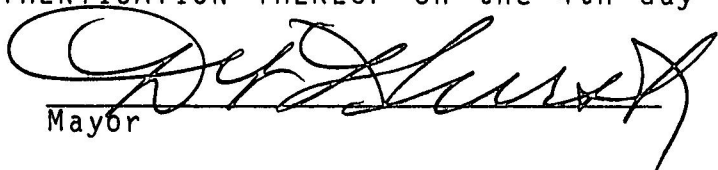
Section 5. Failure on the part of the holder of the permit to initially meet or maintain strict compliance with the standards and conditions to which the Preliminary Planned Unit Development is subject shall be grounds for revocation in accordance with Section 23.28 of Ordinance No. 2183, the Kirkland Zoning Ordinance.

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

- (a) Applicant
- (b) Department of Community Development of the City of Kirkland
- (c) Fire and Building Departments of the City of Kirkland
- (d) Public Service Department of the City of Kirkland
- (e) 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 4th day of August, 1980.

SIGNED IN AUTHENTICATION THEREOF on the 4th day of August, 1980.



Mayor

ATTEST:



Director of Administration and Finance
(Ex officio City Clerk)



DEPARTMENT OF COMMUNITY DEVELOPMENT

ADVISORY REPORT
FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

____ PREPARED BY _____ DATE _____
XX RECOMMENDED BY _____ DATE July 17, 1980
____ ADOPTED BY _____ DATE _____

____ STAFF _____
____ BOARD OF ADJUSTMENT _____
____ HOUGHTON COMMUNITY COUNCIL _____
XX PLANNING COMMISSION Kay Haenggi
____ CITY COUNCIL AS INCORPORATED IN Kay Haenggi, Chairperson

____ RESOLUTION _____ ORDINANCE
NUMBER _____
DATE _____

FILE NUMBER PP-80-41
APPLICANT CUMBERLAND NORTHWEST

PROPERTY LOCATION Between Central Way, 6th St., Kirkland Ave. & Peter Kirk Park

SUBJECT PRELIMINARY PLANNED UNIT DEVELOPMENT FOR KIRKLAND PARKPLACE

HEARING/MEETING DATE August 4, 1980

BEFORE KIRKLAND CITY COUNCIL

EXHIBITS ATTACHED Exhibits "A" through "CC" are listed on reverse side.

LIST OF EXHIBITS

- "A" - Application
- "B" - Vicinity Map
- "C" - Project Drawings
 - "C1" - First Level Site Plan
 - "C2" - Second Level Site Plan
 - "C3" - Third and Fourth Level Site Plans
 - "C4" - Building and Site Sections
 - "C5" - Elevations
 - "C6" - Grading Plan
- "D" - Aerial Perspective Drawing of Proposed Project
- "E" - Summary of Existing Land Use Policies Plan
 - "E1" - Economic Activities Policy 1 - pp. 77-78
 - "E2" - Economic Activities Policy 2 - pp. 79-80, 82, 84
 - "E3" - Economic Activities Policy 5e, 5f - pp. 95-96
 - "E4" - Planned Area 4 Text - pp. 244 through 251
 - "E5" - LUPP Figure 30 - p. 95
- "F" - Resolution R-2715 endorsing the Subregional Plan Policy
- "G" - Current Zoning
 - "G1" - Zoning Text - p. 46E
 - "G2" - Zoning Map
- "H" - Analysis of Proposed Site Plan
- "I" - Summary of Commercial Land Use in City
- "J" - Park Recommendations
 - "J1" - Park Director Comment
 - "J2" - Park Board Comment
- "K" - Examples of Coordinated Sign Programs
- "L" - Environmental Information
- "M" - Aerial Photo of Existing Site
- "N" - Letter from Mark and Peggy Adams
- "O" - Slides shown by staff on 7/10/80
- "P" - Slides shown by D. Carlson on 7/10/80
- "Q" - Colored Aerial Perspective
- "R" - Letter from Derek Arndt
- "S" - Detail of Edge Along Park
- "T" - Letter from Bruce Rawlinson
- "U" - Letter from Professional Travel
- "V" - Comparative Analysis
- "W" - Sketches of Project
- "X" - Letters from Bill Hufty et al
- "Y" - Slide of Revised Site Plan 7/17/80
- "Z" - Slide of NE Corner of Site Plan 7/17/80
- "AA" - Slides shown by D. Carlson 7/17/80
- "BB" - Petition
- "CC" - Planning Commission Minutes of 7/10/80 and 7/17/80

I. SUMMARY

A. DESCRIPTION OF THE PROPOSED ACTION:

This is an application by Cumberland Northwest for a Preliminary Planned Unit Development to construct a project known as "Kirkland Parkplace". The project covers approximately 13.7 acres in Planned Area 4 and is bound on the north, east, south and west by Central Way, 6th Street, Kirkland Avenue and Peter Kirk Memorial Park, respectively.

The total gross floor area proposed is approximately 215,000 square feet including 42,655 square feet of retail, 18,200 square feet of market, 11,850 square feet of drug store, 32,125 square feet of restaurant, 7,000 square feet of bank and approximately 100,000 square feet of office and office/retail. Also, a six-plex cinema of 1200 seats is proposed. Total parking provided as part of this project is 816 stalls.

(See Exhibit "A" - Application and Exhibit "C" - Drawings of the Proposed Project).

B. RECOMMENDATIONS:

Based upon the Findings of Fact and Conclusions contained in this report and as identified in Exhibits "A" through "CC", we hereby recommend that this application for Preliminary Planned Unit Development be approved subject to the following conditions:

1. The project site plan shall be revised to reflect the following:
 - a. The bandstand shall be eliminated.
 - b. No vehicular access onto 2nd Avenue shall be permitted until the balance of properties facing onto said right-of-way are developed.
2. With Final PUD the applicant shall submit:
 - a. Additional drawings indicating the specific character and detail of the western facade of the structures as well as the "Arcade" area shown in the site plan. These larger scale plan and elevation drawings shall describe the material, color and texture of the roof and walls as well as the

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configuration of doors, windows and signs, and the location, size and species of trees. Earth tones and non-glare surfaces are preferred due to the adjacency to the park. Non earth tone colors may be used for contrast and visual accent, as in Exhibit "Q", on such items as awnings, signs, supergraphics, banners and the like. "Street furniture" such as light standards, benches, telephones, bike racks and information boards and the like shall be located and dimensioned. The objective of the design detail is to (1) reduce potential visual impacts on the park and (2) create a pedestrian/street theme and character along the western building facade and arcade area that provides continuity with the established CBD.

- b. A dimensioned drawing of a business directory to be located in some public space in the project. The directory shall be in map format encompassing all of the Central Business District, as well as the Parkplace project, and include a legend or key system that enables maintenance and updating as businesses change.
- c. A revised landscape plan that specifies exact plant species, size, location and spacing and includes the following elements:
 - i. A landscaped earthen berm along the Central Way and 6th Street frontages that measures 3 1/2 feet above grade at the crown and 15 to 20 feet in width at the base. Groundcover (Baltic or English Ivy) and street trees (London Plane or Norway Maple) shall be specified. To the extent possible, the City may allow a portion of the earthen berms to be located on unused portions of right-of-way. The required 6 foot wide concrete sidewalk should generally be located south of the berm on Central and west of the berm on 6th Street.
 - ii. Detailed dimensioned drawings of typical planter "islands", and "peninsulas" used in the parking areas, including construction details regarding eleva-

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tion relative to the asphalt, curb size and location, car overhang, tree trunk and guy wire locations and watering and drainage systems. The information submitted shall be used to determine if the islands and peninsulas as shown will be adequately protected and maintained or if some adjustment is appropriate with Final P.U.D. such as increasing the outside dimension of such beds.

- iii. The landscaping adjacent to Peter Kirk Park shall be substantially increased and some attempt made, by working with the Parks Department and Park Board, to "pull the Park theme" into the project. The planting strip parallel to the park shall be modulated in depth and the adjacent street shall be redesigned to a curvilinear alignment similar to that shown in Exhibit "S" or "Y". Large trees shall be massed in clusters as indicated and the colonnade of trees that adjoin the pedestrian pathway shall be extended into the park. Plant materials and the construction or retention of earthen berms, fills or cuts shall be consistent with specific recommendations made by the Parks people prior to Final P.U.D.
 - iv. The street trees shown adjacent to the building mass and in the "Arcade" shall be detailed as noted in 2.a. above. These trees shall be of a species and sufficient size at time of planting to help soften the scale of the new structures immediately.
- d. A revised parking and internal vehicular circulation scheme that reflects the following:
- i. The potential reconfiguration of individual landscaped "islands" and "peninsulas" as noted in c.ii.

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- ii. Locations where the vehicular driving lanes cross the pedestrian/bicycle paths shall be given special design treatment so as to minimize potential safety problems. These crosswalk areas shall be highlighted with a patterned concrete surface (a bomanite or similar process), bollards and signs which are consistent with similar elements used in the Central Business District. These crosswalk improvements are to be reviewed with Final P.U.D. including the curvilinear alignment for the westerly street as shown in Exhibit "S".
- iii. Police cars shall be given some limited access across the western property line and into Peter Kirk Park for surveillance and security purposes. This could include a 10 foot wide driving lane and turnaround projecting from the Parkplace parking lot into the eastern area of the park. Various alternative locations and designs for such a feature shall be discussed with the Park Board and Parks and Police Departments prior to submitting a specific design revision with the Final P.U.D.
- iv. Some design alteration shall be considered to discourage through auto traffic from using the parking lot as a shortcut between Central Way and Kirkland Way. Alternatives shall be explored with the City staff prior to Final P.U.D.
- v. The westerly driveway onto Central Way and the access onto 6th Street shall be detailed with regard to the landscaping berms, the pedestrian/bicycle crosswalk, and the turning movements and sight distance aspects of the center left turn lane. Additionally, the driveway on 6th Street shall be relocated and designed as is necessary, to align with the configuration of the vehicular access into Planned Area 5. Toward this end, the applicant shall coordinate with the Public Services and Community Development Departments prior to submittal of more detailed drawings with Final P.U.D.

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The easterly driveway onto Central Way shall be restricted to right turn movements only, both inbound and outbound.

- vi. An alternative one way traffic flow scheme for parking stall access particularly in the westerly lot. This alternative shall be evaluated with regard to increased pervious surface and traffic safety that might be achieved with one way flow. The two-way flow on the collector roads adjacent to the park and the arcade shall be retained.
- e. Revised storm drainage, retention and detention plans. Storm drainage for the site shall be redesigned so that the flow of the creek across 6th Street at the eastern end of the property shall be carried across the site together with flow collected by drains on site and daylighted in Peter Kirk Park to provide an overland stream. The specific design of this drainage feature will be coordinated with the Public Service and Parks Department prior to Final P.U.D. If it is determined that on site storm water would result in water quality or aesthetic problems if daylighted then the flow into the creek bed in the park shall be restricted to off-site sources only. Also, applicants shall meet with Parks and Public Service Departments to determine the feasibility and desirability of locating a small retention pond or pool in the park to serve as a recreational/aesthetic amenity as well as part of a functional retention system.
- f. Street construction and improvement drawings for Central Way and 6th St., including adjustments to property lines and perimeter landscaping if additional right-of-way is to be dedicated. The scope and detail of these drawings shall be coordinated with the Departments of Public Service and Community Development. The following features shall be included in these designs:

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- i. The installation of signs and landscaped median strips in Central Way to more clearly delineate and channelize the center left turn lane. These medians shall emphasize the westerly driveway as the primary access to the Parkplace project and restrict the easterly driveway to right turn movements only.
 - ii. The installation of 6 foot wide concrete sidewalk along Central Way and 6th St. These may be incorporated with and meander within the required buffer area.
 - iii. A three lane design for 6th St. including one southbound, one northbound and a center left turn lane. This design shall incorporate METRO bus turn-outs and shelters and align into a full intersection the easterly access from Parkplace with the interior access (at 4th Avenue) into Planned Area 5. Crosswalks at this intersection and the potential for a pedestrian actuated traffic light shall be discussed and alternatives evaluated.
 - iv. Underground utilities design including storm water diversion of flow into the Central Way main and emergency valves to control peak flow into Peter Kirk Park.
- g. Detailed drawings of a revised bicycle and pedestrian path. The bicycle path shall be designed for maximum grade separation from vehicular traffic except at designated crosswalks. The route should generally follow the alignment shown in Exhibits "Y" and "Z" which will require the reconfiguration of building, parking and landscaping in the northeast portion of the site. The connection into the park shall be discussed with City staff and the Park Board prior to Final P.U.D. submittal. The bicycle/pedestrian routes across the subject property shall be identified with signs approved by the Department of Community Development. Also,

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- a. lighting plan shall be submitted for review and the luminaires and fixtures shall be similar to the light standards used at Marina Park and on Commercial Avenue. Where these paths parallel and abut Central Way, a combined path of 10 feet of concrete surfacing may be proposed in lieu of 6 feet of concrete and 8 feet of asphalt. Furthermore, a 6 foot concrete sidewalk shall be extended across the south face of the market in order to allow for pedestrian linkage with properties to the east.
- h. Such revisions to the grading and utility plans as are required to accommodate the above mentioned site plan changes.
- i. A detailed drawing of the restaurant and associated parking and landscaping in the northwest portion of the site. The drawing shall locate and dimension entryways, window orientation, service areas, dumpsters and any outdoor seating or dining spaces. The restaurant design should be conducive to access from the park but service and other nuisance aspects should be located away from the park and screened with both vegetation and fencing. Also, the colors and materials used in the design of this structure shall be compatible and consistent with the other structures in the project, for example the color and material of the roof.
- j. Detailed drawings indicating solid waste management features such as dumpsters and screening. This program shall be coordinated with Bayside Disposal, the serving utility.
- k. Revised drawings which locate ramps and elevators to provide access for handicapped to all levels of the project.
- l. Drawings that include several design features to evoke the theme and image of moving water across the site. Rather than using an open channel across the site, these design features shall be more structured, such as fountains, pools, water sculptures or graphics.

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3. A coordinated sign package for the project (see Exhibit "K" - Examples) shall be processed as a separate conditional use or comparable permit process to be heard by the Development Review Committee. The policies found in the Land Use Policies Plan regarding signs shall be used for evaluation of such a package (see Exhibits "E"-3", "E-4" and "E-5") together with the following criteria:
 - a. Identification of individual businesses shall be limited to face mounted or under arcade mounted signs and small grouped directories placed in pedestrian arcade or plaza spaces.
 - b. The only permitted free standing private signs shall be:
 - i. Ground mounted signs no higher than 8' and no wider than 4' located within the site solely for the purpose of directing traffic to specific uses or areas. The design of such directional signs shall be coordinated with other signs and structures as are approved.
 - ii. Ground mounted monument signs may be permitted adjacent and oriented to Central Way and 6th Street. These signs shall serve as primary identification for the entire Kirkland Parkplace Center and be located close by the major vehicular access points. Their design shall be consistent with the materials, shape and character of the structures themselves and be integrated with surrounding landscaping and sight distance criteria. Maximum height above grade should be 17'.
 - c. At time of Final P.U.D., the Planning Commission shall review a conceptual sign package for the project to include dimensioned areas for face mounted signs on the towers shown in Exhibit "AA". The Planning Commission's recommendations at time of Final PUD shall be additional criteria for approval of the comprehensive sign package by the Development Review Committee.

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4. Prior to the Final P.U.D. hearing the applicants shall discuss with the Public Service and Community Development Departments the most appropriate mechanisms for the construction of the public improvements described in 2.f. above. The staff will provide a recommendation on the various public improvement components to the Planning Commission and City Council who shall determine as Final PUD conditions the timing and methods whereby the required improvements will be made. The alternatives to be evaluated are:
 - a. Construction of all or a portion of the required public improvements concurrent with site development.
 - b. The posting of a bond or alternative financial security for all or a portion of the required public improvements.
 - c. The payment of a cash amount into a municipal fund for construction at a later date as part of a larger City program.
 - d. The signing of a "no protest" agreement to the formation of a Local Improvement District which has as its purpose the construction of all or a part of the improvements.
 - e. The assignment to the City of Kirkland of power of attorney or similar authority to participate in a proportional share in the cost of installing the specified public improvements.
5. The applicant shall participate in the funding of a traffic light at the intersection of 3rd St. and Kirkland Ave. The scale of this participation shall be determined by the proportion of additional traffic demand that the project contributes to said intersection - the specific means to effect this participation by the applicant shall be determined at the time of Final P.U.D. The alternatives b. through e. in 4 above shall also be considered with regard to this requirement.

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6. The recommendations for site preparation and foundation design contained in the March 21, 1980 Soils Report from Rittenhouse-Zeman shall be followed.
7. No exposed roof ventilators, compressors, ducts or masses of wires shall be readily visible from the perimeter of the site. Such roof elements shall be so located, grouped, and painted or screened as may be necessary to prevent such unsightly appearance.
8. The applicants may propose to grade all or portion of the site after preliminary P.U.D. approval but prior to Final P.U.D. approval. Review and approval of such request shall be by the Building Department with coordination and concurrence from Community Development, Public Service and Parks. Such approval shall only be given if an adequate performance guarantee for restoration, hydroseeding and erosion control can be posted in a form acceptable to the City Attorney.
9. Fire hydrants, fire lane signs and building sprinklers shall be installed per the specifications of the Department of Fire Services. The theatre shall be provided with an automatic fire alarm system. All required hydrants shall be charged and operational prior to framing stage of construction.
10. The applicants shall provide certain improvements in Peter Kirk Park in lieu of the "bandstand" in order to meet the "public benefit" requirements of a Planned Unit Development. The specific nature and location of such improvements within Peter Kirk Park shall be discussed with the Park Board and City staff prior to Final P.U.D. A specific proposal shall then be brought before Planning Commission and City Council at time of Final P.U.D. for approval. Alternatives to be considered are: (1) bicycle and pedestrian paths within the park, (2) restoration and enhancement of the creek bed in the park, (3) a small footbridge across the creek bed, (4) a stage or shelter structure in the park which could be incorporated with design of an outdoor amphitheatre and (5) a colonnaded seating and picnic area.

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II. MAJOR FINDINGS AND CONCLUSIONS

A. LAND USE POLICIES PLAN (LUPP) AND ZONING

1. Findings of Fact.

- a. Land Use Policies Plan. There are a number of citations in LUPP that have relevance to the Cumberland proposal. Exhibits "E1" through "E5" are extracts from portions of the LUPP including both text and graphics.

Exhibit "E1" concerns Economics Activities Policy 1 and the accompanying discussion. The thrust of this policy is to encourage that new commercial uses be located in established areas and that in-filling, such as at the east end of the CBD, be preferred over the creation of completely new commercial uses on the fringe or further eastward in unincorporated areas. This policy is reenforced by the more recent adoption by City Council of a portion of the King County Subregional Plan (see Exhibit "F").

Exhibit "E2" contains Economic Activities Policy 2 and the accompanying discussion. This policy focuses on the Central Business District and the study that was done in 1975 concerning future growth and development options for the Downtown. It is in this policy section that the subject property is discussed as the easterly extension of the CBD.

Exhibit "E3" concerns Economic Activities Policies 5E and 5F. This policy has as its thrust the imposition of development standards on new commercial development in Kirkland, particularly with regard to signs and other visual impacts.

Exhibit "E4" summarizes the text of the Land Use Policies Plan that deals specifically with Planned Area 4. Criteria are cited with regard to limiting access on the perimeter roads, landscaping, buffering, massing of buildings, provision for bicycle and pedestrian paths, control of signs and the aggregation of development into large coordinated parcels.

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Exhibit "E5" is Figure 30 from the Land Use Policies Plan. It illustrates graphically certain development principles concerning signs, landscaping and parking lot design.

- b. Zoning The Zoning text for Planned Area 4 is contained in Exhibit "G". Listed therein are the range of commercial uses that are permitted in Planned Area 4 together with the requirement for some development permits such as a Planned Unit Development and a reference to the policy in LUPP cited above. Exhibit "G2" shows the zoning map for the area.

2. Conclusions.

- a. Land Use Policies Plan. The project proposal is highly consistent with the Land Use Policies Plan. The site configuration, proposed access and internal circulation, and proposed uses are in accord with LUPP. Certain adjustments to specific elements of the project are needed in order to bring the proposal more in line with LUPP. One example is the need for a more coherent and direct bicycle path across the site. Another is the need for a coordinated sign program. Other appropriate revisions are indicated in Exhibit "H" - Analysis of the Proposed Plan).
- b. Zoning. The project conforms to all requirements of the Code. The parking shown (816) exceeds minimum code requirements (800). Landscaped islands in the parking lot are used in greater frequency than the minimum requirements. Maximum building height (four stories) is permitted under the PUD provisions and minimum building setback is exceeded on every side. All of the proposed uses are permitted by the Planned Area 4 zoning and the special review procedure required by the code has been used (a Planned Unit Development).

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B. SURROUNDING LAND USE

1. Findings of Fact.

The subject property is within the central area of Kirkland lying immediately to the west of Peter Kirk Memorial Park (see Exhibits "B" - Vicinity Map and Land Use and "M" - Aerial Photo). This park is approximately 10 acres in size and is largely undeveloped. Some of the park has been used for organized sports activities although the long range master plan for the park is still being developed. To the north of the subject property is Central Way and on the north side of that major arterial are a number of small commercial operations. The north side of Central Way in many ways resembles a strip commercial environment including miscellaneous retail outlets, automobile service stations, limited light industrial type uses and some undeveloped property. To the east of the subject property is Planned Area 5. This area is largely undeveloped but does contain some single family homes and limited office uses. To the southeast of the subject property are older single family homes and large undeveloped parcels of land. To the south of the subject property is the existing Coast to Coast Hardware store and further to the south, across Kirkland Way, are a mixture of single family and multi-family developments. To the southwest of the subject property is the Kirkland Library and Senior Center.

2. Conclusions.

While the proposal is unlike the land uses that immediately surround it, it is consistent with existing zoning and policy. The project does "fit" with the existing land use pattern in the area to the degree that it ties into the surrounding circulation (street and bike/pedestrian) system and through its use of building location and landscaping manages to ameliorate the potential visual impacts of large new structures.

C. SUBREGIONAL CONTEXT

1. Findings of Fact.

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- a. The Subregional Plan as adopted by the City of Kirkland contains policy statements that have relevance to this application. Chief among these are the policy statements concerning the preference for locating new commercial floor area in established activity centers in urban areas (see Exhibit "F").
- b. City-wide land use inventory indicates that this is the last remaining large undeveloped parcel of commercial land close to the established Central Business District. A comparative summary of other vacant lands available for future commercial development as well as other established commercial areas is summarized in Exhibit "I".
- c. The Central Business District currently contains over 446,721 square feet of gross floor area consisting of retail, office, restaurant, and miscellaneous other commercial uses. This is approximately 50% larger than the current proposal which constitutes 215,000 square feet of mixed commercial uses. (See Exhibit "V" - Comparative Analysis).

2. Conclusions.

Both regional and local policy documents clearly establish that major new commercial growth should occur in the established urban and suburban centers. Planned Area 4 is identified by LUPP specifically as the logical area for "extending" and "infilling" Kirkland's major center. It represents an increase for Kirkland's activity center, in terms of floor area, of from approximately 446,000 to over 660,000 square feet. Thus, it can be concluded that Parkplace will contribute to the growth and expansion of an established suburban activity center and is thus consistent with public policy at the regional as well as local level.

D. STREETS

1. Findings of Fact.

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- a. Central Way. Central Way is a major arterial that is on the State system and currently consists of two lanes of moving traffic in either direction and a center left turn lane. Central Way has controlled and channelized traffic signals where it intersects both 3rd St. and 6th St. It is estimated (see Exhibit "L" - Environmental Information) that 40% of the traffic from Kirkland Parkplace will access onto Central Way. This would add approximately an additional 3600 to 4000 vehicle trips per day (VPD) to Central Way. The traffic analysis by Transpo Group (see Exhibit "L") states that this is within the road's capacity but suggests re-design of the driveways on Central.
- b. 6th Street. Although currently designated as a secondary arterial, 6th St. adjacent to the subject property is currently developed with one lane of moving traffic in either direction and no curb, gutter or sidewalk. The Transpo Group analysis estimates that 10% of total VTD from the project will be added to 6th Street. The recommendation is made that a center left turn lane be added and that this will then provide adequate capacity for this street.
- c. Kirkland Avenue. Kirkland Avenue consists of one lane of moving traffic in each direction together with parking lanes and curb, gutter and sidewalk. This street between 6th St. and the Senior Center was reconstructed within the last three years through an urban arterial board project.

The traffic analysis by Transpo identifies an increased increment of impact from the Parkplace project on the intersection of Kirkland Avenue and Third Street. It states that demands for a traffic light will become greater, but only partly as a result of this project. The recommendation is made that some mechanism be used to have the project contribute some proportional share toward the installation of a traffic light.

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- d. 2nd Avenue. This 60 foot wide right-of-way is currently unimproved. Several small houses access from this dead-end system.

2. Conclusions.

The project will create additional traffic on the street network. If the recommended improvements are made to Central Way and 6th Street, then the streets will be able to safely accommodate the project. These improvements should be made conditions of approval and some mechanism should be invoked to secure participation on the projected installation of a traffic light at Kirkland Avenue and 3rd Street.

III. ADDITIONAL FINDINGS AND CONCLUSIONS

A. HISTORY

1. Findings of Fact.

- a. Prior to May 16 of 1976 all of Planned Area 4 was then zoned CBD, Central Business District.
- b. On May 16, 1976 the City Council adopted Ordinances 2346 and 2347. These ordinances established Planned Area 4 both in the Comprehensive Plan and as a zoning district. With the imposition of the Planned Area 4 zoning the range of commercial uses was kept the same essentially as under the CBD zoning. The major differences were with regard to the imposition of a number of development criteria, minimum aggregation for certain uses, and the requirement for public hearing process and special review procedures.
- c. No development permits have been applied for under the Planned Area 4 zoning until the current proposal.

2. Conclusions.

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The subject property has been contemplated for several decades to be developed as commercial use. The creation of Planned Area 4 and the associated policy statements and design principles in 1976 (Exhibits "D" and "E") was intended to insure that the type and configuration of new commercial development would be coordinated rather than haphazard, large scale rather than piecemeal and in keeping with Kirkland's established character. The Kirkland Parkplace project represents over 3/4 of the entire Planned Area and thus largely achieves these public policy goals.

B. EXISTING PHYSICAL CHARACTERISTICS:

1. Findings of Fact.

- a. Topography. The land is generally flat except for a slight increase in elevation on the south and east sides of the property. Drainage is to the north and west. The project would incorporate and accentuate the grade differential between the eastern and western portions of the site (see Exhibits "C4" - Building and Site Sections and "C6" - Grading Plan).
- b. Soils. A sub-surface soil investigation was conducted in March of 1980. Sub-surface conditions on the site were found to be relatively variable depending on location. A minimum of fill material was noted except in the southwest portion of the site where 3 to 10 1/2 feet of fill was observed. Native soils were found to be generally firm although the soils type varied. Generally, native sub-surface conditions consisted of silty sands with gravels interbedded with clayey silts. The soils report established that the proposed development program could proceed provided that adequate standard precautions were observed. (See Exhibit "L", Environmental Information).
- c. Vegetation. Vegetation on the site consists of a central grassy area bordering the Peter Kirk Park and Central Way and more heavily vegetated areas along the south and east boundaries (see Exhibit "M" - Aerial Photo). Vegetation in those areas is primarily scrub growth consisting of blackberry, shrubs and some larger trees which are associated with poorly drained soils.

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2. Conclusions.

The existing topography change will be accentuated by the project to take advantage of certain space design opportunities (see Exhibit C4 - Building and Site Sections). The existing soils conditions call for further detailed analysis and the specific construction and building foundations recommendations that are found in the soils report should be followed. The removal of existing vegetation will create a potential erosion problem, therefore grading and erosion control methods should be implemented by the applicant under the close monitoring of the City. The importing of new landscaped materials will be consistent with specific site design objectives.

C. UTILITIES

1. Findings of Fact.

- a. Sanitary Sewer. There is currently a 12" sanitary sewer line in Central Way which discharges into the METRO pump station at 3rd and Commercial. It is estimated that flow from the project (72 gallons per minute) would use approximately 3% of the total capacity of the 12" line in Central Way and less than 2% of the total capacity of the pump station itself. (See Exhibit "L" - Environmental Information).
- b. Storm Drainage. The site currently serves as a natural catch basin for storm water. Due to soils conditions (see Exhibit "L" - Environmental Information) percolation is limited and some ponding occurs. The proposed project would overcover soils on most of the site so that increased runoff will occur. On site storm water retention/detention systems with oil/silt separators will be a required component of the project improvement to manage this runoff. The storm drainage was proposed to gravity flow to a 48" pipe in Central via a route through Peter Kirk park. Although originally designed to be carried through pipes in the park, it has been proposed by City staff that it may be desirable to "daylight" this

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flow in a natural ravine that traverses the park and thus provide the public amenity of a perennially flowing open creek. Such a scheme could also draw on the diversion of the natural creek which currently flows from Planned Area 5 into a culvert in 6th St. and thence into Central Way's 48" pipe. A valve could be designed as part of street and utility improvements to 6th St. so that a constant flow could be piped across the site and then "daylighted" in the park.

- c. Domestic Water/Fire Flow. Domestic water is available from mains located in Central Way, 6th St. and Kirkland Avenue. Adequate fire flow for a project of this type would be in the range of 80 to 85 gallons per minute. The Public Service Department indicates that these capacities will be available without alterations to the City system. The Department of Fire Services has indicated the appropriate location for hydrants and signs delineating required fire lanes. Since the City has no ladder truck apparatus, the sprinkling of the third and fourth levels of the project may be necessary to provide adequate fire suppressant capacity.

2. Conclusions.

Adequate utilities systems exist to serve the site. Certain improvements are necessary on site. Detailed sanitary sewer line engineering should be coordinated with Public Service. The storm water management systems should be re-designed to achieve a potential watercourse flow in a route through Peter Kirk Park. Prior to Final PUD this should be refined with City staff and specific engineering drawings prepared. The facilities requested by the Department of Fire Services (hydrants, sprinklers, fire lane signs) should be installed to that Department's specifications.

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D. GOVERNMENTAL COORDINATION

1. Findings of Fact.

a. State Environmental Policy Act (SEPA). The applicants submitted an Environmental Checklist as required by SEPA. The responsible official issued a Final Declaration of Non-significance on June 12, 1980 (see Exhibit "L" - Environmental Information). The applicants subsequently submitted a revised site plan on June 20, 1980 which is the proposed project as illustrated in Exhibits "C1" through "C5". The responsible official determined that since the originally submitted environmental information described the project accurately in quantitative terms, even including the revision of June 20, that no new SEPA review was necessary.

b. City Line Departments.

i. Parks Department. The project was presented by staff to the Park Board at their meeting of June 11, 1980. At that session and a subsequent study session on June 18 the project was discussed with regard to potential impact on Peter Kirk Park and ways of inter-relating the two areas functionally as well as visually. The comments of the Park Director and Park Board are contained in Exhibits "J1" and "J2" respectively.

ii. Police Department. Increased surveillance capacity in the eastern portions of Peter Kirk Park could be enhanced by the proposed project.

iii. Public Service. The applicants have submitted their preliminary utility drawings for review by this Department. Redesign of the storm drainage system was suggested by this Department as detailed above at II.C.1.b. It was recommended that the applicants coordinate the design of public improvements

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in the Central Way and 6th Street rights of way with the Public Service Department prior to Final P.U.D. Also recommended was the consolidation of the two driveways on Central Way into a single access as well as the re-alignment of the 6th St. access to line up with the major access to Planned Area 5 (4th Avenue).

iv. Department of Fire Services. The site plans have been reviewed and the required locations for three hydrants and "NO PARKING - FIRE LANE" signs have been designated. The accesses to the site, as shown, are deemed adequate. This Department recommends that the theater be provided with an automatic fire alarm and detection system and that all hydrants be fully charged and operational prior to the framing stage of construction.

v. Building Department. All structures shall be required to meet the standards of the Uniform Building Code. All signs shall be required to obtain sign permits beyond whatever zoning permits are required for signs.

2. Conclusions.

All the technical requirements of the Fire and Building Departments should be satisfied. Further refinement of certain design aspects, such as landscaping and public benefit improvements within the park should be discussed with the Park Board prior to Final PUD and specific drawings should be submitted with Final PUD. Likewise, revisions and detailing of utility and street improvements should be explored and refined with the Public Service Department prior to Final PUD.

E. MISCELLANEOUS DEVELOPMENT STANDARDS

1. Findings of Fact.

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- a. Parking. The 816 stalls shown exceed the code requirement by 16. The applicable ratios are found in Sections 23.34.020 and 23.34.030. These surplus stalls may be eliminated and still meet code. The spacing of landscaped islands is consistent with Section 23.34.040(8) although this rigorous requirement currently is enforceable only against multi-family uses.
- b. Signs. The applicants have not shown any proposed signs. The permitted sign area shall be determined by Chapter 23.32 of the code. The location, configuration and number of signs may be reviewed in detail as a separate zoning permit process if so required by the PUD. In such a case, other approved comprehensive sign programs for large commercial projects can be reviewed in order to achieve consistency and provide guidelines.

2. Conclusions.

- a. Parking. The frequency of landscaped islands well exceeds minimum code. Careful review should be undertaken to insure survivability of plant materials in these planters. The excess 16 stalls may be expendable if so dictated by other site design considerations.
- b. Signs. A comprehensive sign program for the project should be initiated for review by the City. Existing LUPP Policy (Exhibits "E1" and "E5" as well as similar programs approved in the past (Exhibit "K") should serve as criteria for approving such a program.

F. PUBLIC INPUT

1. Findings of Fact.

- a. A number of people spoke at the public hearings on July 10 and July 17, 1980. A detailed summary of these oral statements is contained in the minutes of those meetings which are included as Exhibit "CC".

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Those people speaking in favor remarked that the Parkplace project is consistent with the existing policy and regulations for Planned Area 4 and they gave some background and history that led to the Planned Area 4 concept. Reference was made to the many committee meetings and reports including the 1975 Economic and Design Evaluation of the CBD which led directly to the policies adopted in 1977 in the Land Use Policies Plan. Others speaking in favor commented that Parkplace would help rather than harm the downtown and provide additional shopping opportunities for Kirkland residents.

Those speaking against the project stated that it was too big and out of character with Kirkland. Several questioned the traffic impacts and other impacts on nearby Peter Kirk Park. Several stated that they would prefer to see a continuation of the quiet and open character of the subject property rather than the proposed project. Several remarked that Parkplace should not be built until all of the existing CBD is developed.

- b. Correspondence was submitted into the record. See Exhibits "R", "T", "U", "X" and "BB".

2. Conclusions.

Many of those who raised objections against Parkplace seem to take issue with the adopted policy and zoning for Planned Area 4 rather than the specific site plan itself. Substantive negative comment about details of the site plan was not voiced. No one asked if the Parkplace project conforms to the City's Land Use Policies Plan and Zoning Ordinance.

The only comment from the existing business community was favorable. There was no expression of a concern by CBD owners or merchants that the proposal would harm the existing downtown.

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