

RESOLUTION NO. 2749

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF A CONDITIONAL USE PERMIT AS APPLIED FOR IN DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. CZ-80-46, BY SEATTLE-FIRST NATIONAL BANK FOR A BRANCH BANK AT TOTEM LAKE BEING WITHIN A PLANNED AREA 8 ZONE, AND SETTING FORTH CONDITIONS TO WHICH SUCH CONDITIONAL USE PERMIT SHALL BE SUBJECT.

WHEREAS, the Department of Community Development has received an application for a Conditional Use Permit filed by Seattle-First National Bank, the owner of said property described in said application and located within Planned Area 8.

WHEREAS, the application has been submitted to the Kirkland Planning Commission who held hearing thereon at their regular meeting of July 31, 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 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 Conditional Use Permit 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. CZ-80-46 are adopted by the Kirkland City Council as though fully set forth herein.

Section 2. The Conditional Use Permit 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 Conditional Use Permit or evidence thereof delivered to the permittee.

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

Section 5. Failure on the part of the holder of the permit to initially meet or maintain strict compliance with the standards and conditions to which the Conditional Use Permit is subject shall be grounds for revocation in accordance with Section 23.56.110 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 18th day of August, 1980.

SIGNED IN AUTHENTICATION THEREOF on the 18th day of August, 1980.

  
\_\_\_\_\_  
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 \_\_\_\_\_

XX RECOMMENDED BY \_\_\_\_\_ DATE July 31, 1980

ADOPTED BY \_\_\_\_\_ DATE \_\_\_\_\_

STAFF \_\_\_\_\_

BOARD OF ADJUSTMENT \_\_\_\_\_

HOUGHTON COMMUNITY COUNCIL \_\_\_\_\_

XX PLANNING COMMISSION Kay Haenggi  
Kay Haenggi, Chairperson

CITY COUNCIL AS INCORPORATED IN \_\_\_\_\_

RESOLUTION \_\_\_\_\_ ORDINANCE \_\_\_\_\_

NUMBER \_\_\_\_\_

DATE \_\_\_\_\_

FILE NUMBER CZ-80-46

APPLICANT SEATTLE-FIRST NAT'L BANK

PROPERTY LOCATION S.E. corner of intersection of Kingsgate Way & 120th Ave. N.E.

SUBJECT CONDITIONAL USE PERMIT TO CONSTRUCT A BRANCH BANK

HEARING/MEETING DATE August, 1980

BEFORE KIRKLAND CITY COUNCIL

EXHIBITS ATTACHED EXHIBITS "A" through "K" LISTED ON REVERSE SIDE.

LIST OF EXHIBITS, CZ-80-46, SEATTLE FIRST NATIONAL BANK

- "A" - Application & Environmental Checklist
- "B" - DECLARATION
- "C" - VICINITY MAP
- "D" - SITE PLAN
- "E" - LANDSCAPE PLAN
- "F" - TEMPORARY STORM DRAINAGE
- "G" - PERMANENT STORM DRAINAGE
- "H" - Metro Bus Stop & PM Peak Traffic Circulation
- "I" - Kingsgate Way & 120th Ave. N.E. Traffic Lane Revisions
- "J" - Easement for Northern Driveway
- "K" - Elevations (See enclosed Blue Line Drawing)
- "L" - Applicant's Display Photograph (on file with Department of Community Development)

## I. DESCRIPTION

Harold Snow, agent for the Sea-First National Bank, has submitted an application to construct a bank on the south-east corner of the intersection of Kingsgate Way and 120th Avenue N.E. The site is located in Planned Area 8 next to Totem Lake. The applicant wishes to construct a 5,098 square foot one-story branch bank with four drive through bank lanes on a 1.12 acre site. The site is relatively flat with no significant vegetation.

## II. MAJOR ISSUES

The major issues in this report include, traffic access on and off the site, traffic volume along Kingsgate Way and 120th Avenue N.E., landscaping plans on site and right-of-way improvements, controlled signage, the State Environmental Policy Act, and Conditional Use Permit criteria.

## III. RECOMMENDATIONS

Based on the Statements of Fact, Conclusions, Exhibits and review of the Environmental Checklist as found in this report, we hereby recommend approval of this application with the following conditions:

1. This application is subject to City of Kirkland standards and regulations. A "Development Standards" section in this report outlines some regulations of particular importance. The applicant is responsible for compliance with all applicable regulations.
2. Any changes, revisions or additions, constituting a major departure from the approved site plan shall be fully processed by the Planning Commission and the City Council in the same manner as a new Conditional Use Permit application.
3. The Kingsgate entrance/exit shall be redesigned to prohibit left turns to or from Kingsgate Way onto or off of the site. This redesign may take the form of a physical median barrier in the right-of-way (the applicant shall reimburse the City for this expense) or may result in a redesign of the driveway. The proposed modification must meet with Public Service and Community Development approval.
4. A 5 foot concrete sidewalk with curb, gutter, storm drainage and matching asphalt is required along the full right-of-way. The sidewalk edge shall be flush with the property line.

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5. Site construction methods shall be approved by the Public Service Department and may require a bottom layer of hog fuel or ground organic material, filter fabric, 4" of crushed rock, 2" of A.T.B.
6. The applicant shall revise his landscaping plan to include Golden Pfitzers and a berm 3 to 4 feet high along the right-of-way. This revision shall be approved by the Parks Department and Community Development. The Douglas Firs on the southerly perimeter of the site shall be evaluated and a possible substitution made by agreement with the Parks and Community Development Departments.
7. A pedestrian trail shall be installed with a 5 foot gravel width which connects with the trail to the north. The trail location shall be approved by Community Development and with the permission of King County Conservation District may be located off site. The applicant shall record a public access and maintenance easement for that portion of the trail which crosses private property. The easement shall be approved by the City Attorney, and shall allow King County Conservation District to maintain the trail.
8. The applicant shall bring back a Comprehensive Sign Program for Planning Commission and City Council approval.
9. Applicant shall follow the recommendations in the soils report (See Exhibit "A" - Appendix C). The Public Service Department should reevaluate the requirement for parking lot water retention in light that it is not viewed by the Planning Commission as an acceptable way of retaining the water and with the thought that it should pump directly into the lake rather than in the outfall of the lake. Visual impact of the outfall pipes should be minimized possibly by the use of screening.

#### IV. MAJOR ISSUES:

##### A. COMPLIANCE WITH THE ZONING ORDINANCE STANDARDS.

###### 1. Statements of Fact.

- a. The Zoning Ordinance dimensional standards and proposed standards by this project are listed below.

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Required Dimensions

17 parking stalls  
Landscape bed 4' wide  
Landscape plants 4' high  
35% lot coverage  
30' in height  
20' front yard setback  
Minimum 5' side yard setback  
15' total side yard setback  
10' rear yard setback  
  
60' lot width  
7200 sq. ft. in size

Proposed Dimensions

40 parking stalls  
Landscape bed 8' wide  
Landscape plants 4' high  
10% lot coverage  
16 1/2' in height  
90' + front yard setback  
Minimum 15' side yard setback  
60' total side yard setback  
This is a corner lot - no  
rear yard setbacks.  
226' lot width  
1.12 acres in size.

- b. Chapter 23.27 of the Ordinance lists appropriate uses for Planned Area 8 and includes limited commercial as a development use requiring a PUD or a CUP. The Code states that limited commercial uses shall refer to the Neighborhood Business zone (Chapter 23.16) except: That any one use permitted in this zone may be processed separately; and that dimensional requirements of the Professional Office Chapter (23.14) apply.

The City of Kirkland defines a bank as a retail use.

2. Conclusions.

The bank as a retail use fits into the limited commercial concept and requires Conditional Use Permit approval. The bank meets the dimensional requirements of the Zoning Ordinance.

B. SEPA COMPLIANCE

1. Statements of Fact

- a. The applicant has submitted an Environmental Checklist with appendices per the revised State Environmental Policy Act. Appendix A explains in greater detail the applicant's response to the checklist questions. Appendix B presents a traffic impact analysis for the proposal. The traffic impact analysis points out that:

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- 1) A METRO Transit Route 255 provides hourly service in the general area. (Staff has indicated the location of the bus stop on Exhibit "H".
- 2) There is a "... probable difficulty in making a left turn exit onto Kingsgate Way." (Page 8) and "A disadvantage of the proposed on-site circulation plan is that the level of street traffic may limit the number of left turns to or from the site at the Kingsgate Way entrance/exit" Page 11..
- 3) An estimation that 160 one-way vehicular trips to enter and leave the site will occur during peak periods. Available traffic volume data for Kingsgate Way/and 120th, N.E. 124th and N.E. 132nd are shown in Table 1 page 3 of the Appendix B.
4. Planned roadway and traffic control improvements are also listed on page 8.
- 5) The traffic impact analysis summarizes that there will be no difference in the level of service for traffic between the no build condition and the build condition of the bank. This is because the application of a growth factor implies future development will occur in the area and that the volumes of traffic are so small that even when superimposed on the estimated 1983 volumes no significant change in level of service would occur.

- b. APPENDIX C includes the Soil and Foundation Investigation. The soils report states that due to sub-surface conditions of the site piles would provide the most feasible foundation to support the proposed branch bank. Five borings were taken on the site. The borings encountered peat and soft organic silt to depths of 25 to 50 feet. Boring No. 5, which occurred in the center of the proposal, indicated a ground water table 4 feet below the surface. The ground surface on

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the site has many deep ruts and is covered with tall grasses, brush, vines, scotch broom, and small alder trees. The open water of Totem Lake lies several hundred feet east of the property. Lake water encroaches on the site at the southwest corner, where the lake outfalls through two corrugated metal culverts that cross the site from east to west along the south property margin. The lot drains eastward to the lake, which is 8-10 feet lower than the typical elevations on the site.

- c. A Final Declaration of Non-Significance was signed by Jerry Link, the responsible official, on July 17, 1980.

## 2. Conclusions.

The proposed development will not have an adverse impact. The left-turn from Kingsgate Way onto the bank site does present a potential impact, which can be mitigated through site redesign.

## C. TRAFFIC AND ACCESS

### 1. Statements of Fact

- a. The City of Kirkland proposes a traffic lane revision along Kingsgate Way and N.E. 120th Ave. The redesign is shown in Exhibit "I". The proposal will include three lanes in Kingsgate Way, two running westbound and one running eastbound. There will also be three lanes on 120th Ave., two running northbound and one running southbound.
- b. The proposed site plan allows traffic eastbound on Kingsgate Way to turn left onto the site. The traffic impact analysis indicates a heavy volume of traffic during peak hours on Kingsgate Way running both east and westbound. With the traffic signal located at the intersection of Kingsgate Way and 120th, the left-turning vehicle would be only 110 feet from the traffic light. During peak volume hours, traffic turning left would have to wait until the westbound lane clears. With heavy volume, left-turning vehicles would have a delayed wait, and traffic would back up behind the vehicles.

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- d. A left turn lane was explored conceptually by the City. A left turn lane would not provide enough vehicle storage and cars would rear end out onto the eastbound traffic lane.
- e. The northern access follows an easement across the adjoining northerly parking lot (Exhibit "J").

2. Conclusions.

Left-turn traffic from Kingsgate Way onto the bank site presents a public safety hazard. Cars waiting to turn left would back traffic up into the intersection. A left turn lane does not appear feasible. Left turns from Kingsgate Way onto the site must be prohibited. This can be done by either a physical median barrier in the traffic roadway or an entrance design which barricades drivers turning left onto the site. There does not appear to be any difficulty with cars turning right onto or off of the site, or cars turning left off of the site onto Kingsgate Way. Cars turning left off of the site can safely wait on-site until the traffic lanes clear.

D. THE METRO BUS STOP

1. Statements of Fact.

- a. A METRO bus stop serving Route 255 is located on 120th Ave. approximately 110 feet from the Kingsgate Way/120th Ave. intersection. (Exhibit "H").
- b. Chuck Gehrts, Senior Facilities Planner for METRO Transit Development stated over the phone on July 24, 1980 that this bus stop was considered a minor stop. He indicated that with the proposed double lane northbound traffic revision on 120th Ave., the bus stop would not present a traffic hazard; nor did he feel that it was necessary to require additional public right-of-way dedication for a bus stop turn-out. Cars which may be backed up with the bus stopping can pass the bus with the left hand northbound lane. METRO transit will consider moving the bus stop several feet farther north to bring the bus as far away from the intersection as possible.

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2. Conclusions.

The bus stop located adjacent to the site on the western border will not present a traffic hazard with the traffic revision planned. Additional dedication by the applicant is not necessary.

E. ON-SITE AND RIGHT-OF-WAY IMPROVEMENTS

1. Statements of Fact.

- a. The Public Service Department generally endorses the storm water retention system but requires that the retention ponds be placed in the driveable area no closer than 10 feet from the wheel stops. The temporary erosion control proposed is fine. This is a mandatory requirement and is found in the Development Standards Section of this report. A 5 foot concrete sidewalk with curb, gutter, storm drainage and matching asphalt is required in the adjacent right-of-way, with the sidewalk edge flush with the property line.
- b. During the July 31, 1980 public hearing, Planning Commission members felt that draining runoff directly into the Totem Lake outfall, and then into Forbes Creek would be inappropriate. This system contributes to the volume and velocity of water running into Forbes Creek.
- c. The Building Department requests that an asphalt base be placed on site during construction, to minimize the mud and muck created by heavy equipment. To achieve this, the Public Service Department requests a bottom layer of hog fuel or ground existing organic material overlaid by filter fabric, a layer of crushed rock with 4" minimum depth, and 2" of ATB.
- d. During the public hearing on July 31, 1980, the applicant states that the pile driving equipment would tear up the asphalt. The pile drivers would be on sleds and no base is necessary.

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- e. The Fire Department has requested that the bank post "NO PARKING - FIRE LANE" signs on site. A fire hydrant must also be located as shown.
- f. King County Conversation District has indicated that a pedestrian trail would benefit their intention to create a trail around Totem Lake. King County Conversation District has acquired Totem Lake and the surrounding property for a public park. They are requesting that the applicant install a pedestrian trail which runs the length of their property and connects with the trail at the edge of the northern development. This pedestrian trail may fall on the applicant's property or may fall on the King County Conversation District property, or a combination of both. The trail shall be improved with two feet of gravel walkway and have a recorded access and maintenance easement. Ella Snyder, King County Conservation District requests that the Conservation District be allowed to maintain the trail.

## 2. Conclusions.

Site construction methods shall be approved by the Public Service Department to minimize soil disturbance by heavy equipment. The applicant shall also install improvements in the public right-of-way which would include sidewalks, curb, gutter and matching asphalt. A pedestrian trail which may be located on the applicant's property and/or the King County Conservation District property, along the Totem Lake side of the parcel shall be installed with a recorded easement for access and maintenance. The Public Service Department should reevaluate the requirement for parking lot water retention, and explore channeling the storm water into the lake directly.

## F. LANDSCAPING

### 1. Statements of Fact.

- a. The Parks Department has requested a berm 8' wide and recommends the use of Thundercloud Plum and Golden Pfizers to relate to the Totem Lake Shopping Center landscaping. These plants have a lower cost of maintenance. The Thundercloud and Rose Hill Ash shall be 2 to 2 1/2" in caliper, with no height requirement.

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- b. The Department of Community Development requests the berm to be 3 or 4 feet in height.
- c. The shopping area just north of the site has a berm treatment along its entire length.
- d. Douglas Firs do not grow well with a high water table. The southern perimeter has a high water table due to its close relationship with Totem Lake.

2. Conclusions.

Requiring a berm on this site will continue the berm treatment along the 120th Ave. N.E. right-of-way. Similar plantings are also required to create an "identity". The Parks Department has requested a tree size and species with low maintenance. The Douglas Firs along the southern perimeter should be reevaluated by the Parks and Community Development Departments.

G. CONDITIONAL USE PERMIT CRITERIA

- 1. Does the use or modification requested by the Conditional Use fit within the intent of the Kirkland Zoning Ordinance, and in the public interest? If so, indicate the proposed use and how it fits the above:

- a. Applicant's response: "The proposed Seattle-First branch banking facility is seen by the City as a desirable use for the property. Surrounding land uses are compatible and provide other necessary services for Kirkland residents north of the CBD. Recent residential development near the Totem Lake Planned Area has created a demand for a variety of competitive business and commercial establishments that are being developed in the area.

The land use designation for the site and other lots bordering Totem Lake is P.O. (Professional Office). The Kirkland Land Use Policies Plan states that the intention was to keep the property in single ownership and develop it under the P.O. zoning guide-

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lines. Two of the four lots, however, were developed with Conditional Use Permits for commercial use and the area has begun to reflect the BC (Community Business) zoning to the north, west and south (see vicinity map). The proposal will reinforce this pattern and allow the activity to be concentrated in an established commercial area."

b. Statements of Fact.

The applicant will install a public trail connecting with the existing trail to the north. This trail will eventually encircle Totem Lake and will be a part of the park improvement plan. The applicant is requested to redesign his site/or provide a barrier median to prevent cars turning left off of Kingsgate Way onto the site. This was identified earlier in the report as a public safety hazard.

The application has been analyzed in light of the Kirkland Zoning Ordinance and it complies in all respects.

The new bank location will serve the increasing residential use to the north and the east of the site.

Planned Area 8 does allow Neighborhood Business uses which are defined as limited commercial. This bank would fit under that use and requires a Conditional Use Permit.

c. Conclusions.

The bank proposal is in the public interest, in that they are providing a public trail and they are modifying the driveway entrance to alleviate any public safety hazards. The bank has defined a strong market base in the area, due to residential use to the north and the east. The bank does fit within the intent of the Kirkland Zoning Ordinance.

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2. Indicate why the use or modification requested by this application for the operation of a permitted business in a residential zone will not do damage to adjacent residential property values creating excessive noises, or creating other nuisances; the applicant for a Conditional Use Permit in any zone, for any business use, shall also provide the Planning Commission with an economic feasibility study to show the soundness of his business venture. The Planning Commission and the City Council shall evaluate this study as consideration for approval or denial.
  - a. Applicant's response: "Adjacent land uses are all commercial service-oriented developments; the proposal does not threaten a residential use."
  - b. Statements of Fact. The surrounding zone is for professional office or business.
  - c. Conclusions. The use is appropriate for the site.
3. Is the use or modification requested by this application for the continuation or enlargement of a non-conforming use? If so, it shall be made on the basis of a site plan showing proposed landscaping, building renovation, and other site improvements. If the improvements are to be made over a period greater than two years, the time of improvements shall be indicated.

Applicant's response: "The proposal is not an enlargement of an existing use and all improvements will be completed in less than two years."

2. Statements of Fact.

The proposal is not a continuation or enlargement of a non-conforming use.

3. Conclusions.

This Section is not applicable to the proposed development.

H. SIGNS

1. Statements of Fact

- a. The Land Use Policies Plan under Economic Activities Policy 5 states:

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"Require that new and existing industrial and commercial activities conform to performance standards minimizing adverse impacts on adjacent uses, especially residential uses; and other uses within the industrial or commercial area; and on the community at large.

- b. The Policy discussion for Policy 5.e. reads: "There should be control of the use of free standing signs and the size and number of wall mounted signs. In the competition to achieve increased visibility, commercial activity usually creates a confused array of advertising signs. Strip signing should be restricted to a manner in which the signs inform the motorists of available services without competing for attention or detracting from traffic safety signing."
- c. Kingsgate Way and N.E. 120th have a heavy volume of traffic.

## 2. Conclusions.

- a. Signage should be controlled on the bank site. The applicant shall bring back a comprehensive sign program for Planning Commission and City Council approval. Illuminated face mounted signs are preferred over ground mounted or monument type signs, coordinated with the rest of the buildings in the Totem Lake Shopping area.

## I. LAND USE POLICIES PLAN

### 1. Statements of Fact

- a. The Land Use Policies Plan identifies this site as within the Planned Area 8: Totem Lake Neighborhood. "Totem Lake and the surrounding wetlands have been identified as a natural constraint area. These lands have been noted as being subject to possible uneven settlement and have been designated by the Federal Government as a flood hazard zone. Additionally, the lake and wetlands area are to be maintained as functioning elements of the natural drainage system (see

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Natural Elements Policy 4 and Public Services/Facilities: Drainage Policy 1). To protect the lake, to provide visual open space, because most of the land is in a single ownership in considering the natural constraints, the area has been designated a Planned Area. Possible uses would include limited commercial and small office uses. Also permitted would be medium density residential use at 10 to 14 dwelling units per acre. All developments will be subject to the following conditions:

- (1) Developments are to be part of a plan encompassing all of the Planned Area.
  - (2) The assured maintenance of the lake and wetlands as a natural water retention and cleansing system will be required (see Natural Elements Policy 4 and Public Services/Facilities: Drainage Policy 1).
  - (3) The lake is to remain as a visual focal point for the area.
  - (4) No construction over the lake will be permitted.
  - (5) No fill for structures or parking will be permitted within a reasonable distance from the lake.
  - (6) The water surface of the lake is not to be reduced.
  - (7) Lands which have been encumbered with a dedication of open space or development rights to the City may not be included in residential density computations."
- b. The Economic Activities Section for the Totem Lake Area states that "... some limited commercial expansion could occur to the south around Totem Lake itself..."
- c. Figure 42 identifies 120th Ave. N.E. and Kingsgate Way as a major pedestrian/bicycle way. (See Exhibit " ".)

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- d. Under Public Services/Facilities, the Land Use Policies Plan identifies "Totem Lake and the adjacent wetlands are an element of special concern. The lake and surrounding peaty areas store great quantities of storm runoff and reduce suspended sediments. Development around the lake and wetland should not impair these functions of storage and cleansing." (See the Natural Elements Section and the Analysis of Planned Area 8 for more information.)
- e. In order to contribute to a more amenable and safe living environment as well as to enhance the use in a sense of community identity, the undergrounding of utilities is to be actively encouraged (see Public Services/Facilities: Quasi-Public Utilities Policy 2, Community Goals and Policies Policy 2 and Open Space/Parks Policy 2)."

## 2. Conclusions.

- a. The bank use is supported in the Land Use Policies Plan description of Planned Area 8. One area of concern identified in the Land Use Policies Plan, is Storm Water Retention and Drainage from development impacting the lake. As stated earlier, the Public Service Department has carefully reviewed the storm water retention, temporary construction storm water retention, and drainage plans and with certain recommendations finds these plans meet City standards and will not impact the lake. The applicant is aware of the wet and peaty condition of his underlying soils, and proposes to build the bank building and the parking lot on pilings. The City is requiring a sidewalk along the 120th Ave. N.E. and Kingsgate Way right-of-way for pedestrian access, which is supported in Figure 42 of the Land Use Policies Plan. Underground utilities shall be required.

## V. DEVELOPMENT STANDARDS

The applicant is responsible to meet all standards and regulations adopted by the City through Ordinance or Resolution. Of particular interest would be:

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Ordinance No. 2430, regulating water runoff and pollution during construction; Ordinance No. 2431, regulating public improvements associated with the construction within the City of Kirkland; and the Zoning Ordinance. Chapters within the Zoning Ordinance would include Chapter 23.36, Performance Standards; Chapter 23.14, Professional Office Zone; Chapter 23.34, Parking and Loading; Chapter 23.32, Signs, Chapter 48, Dimensional Regulations; Chapter 23.56, Conditional Use Permits; Chapter 23.27, Planned Areas.

The storm water retention ponds shall be placed in the driveable area no closer than 10 feet from the wheel stops.

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