

RESOLUTION NO. 2781

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-80-65, BY RICHARD GULSTROM AND GARY KAUFFMAN TO CONSTRUCT ATTACHED RESIDENTIAL DWELLING UNITS BEING WITHIN A RESIDENTIAL SINGLE FAMILY 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 Richard Gulstrom and Gary Kauffman, the owner of said property described in said application and located within a RS 8500 zone.

WHEREAS, the application has been submitted to the Kirkland Planning Commission who held hearing thereon at their regular meeting of November 20, 1980, and

WHEREAS, pursuant to City of Kirkland Ordinance No. 0-2473 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 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-80-65 are adopted by the Kirkland City Council as though fully set forth herein, provided that Recommendation 2 on page 1, that portion of Recommendation 3 on page 2 which reads "design the site at a density of 6 units per acre", and Recommendations 3.b.(10) on page 5 are not adopted. Also not

adopted is conclusions 1.2. on pages 22 and 23. The City Council concludes that the proposed density of 7 dwelling units per acre meets the criteria listed in the Land Use Policies will not exclusively impact the areas to the south, and adequate public benefits are demonstrated by the public pedestrian path through the site. Furthermore, it is concluded that the slope along the southeast portion of the site is 10%, not 15% as incorrectly stated at I.l.g. on page 22, and I.g. on page 17.

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 Resolution 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 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.

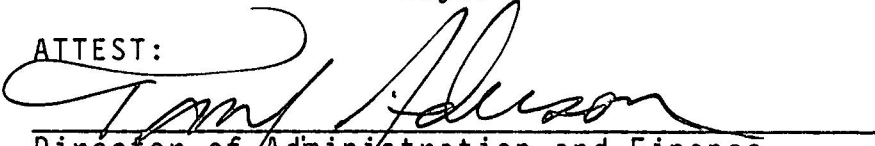
ADOPTED in regular meeting of the City Council on the 15th day of December, 1980.

SIGNED IN AUTHENTICATION THEREOF on the 15th day of December, 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 November 20, 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 PP-80-65

APPLICANT Gary Kauffman and Rick Gulstrom

PROPERTY LOCATION S. of NE116th St. at approx. 115th Pl. N.E.

SUBJECT PRELIMINARY PLANNED UNIT DEVELOPMENT

HEARING/MEETING DATE December 15 1980

BEFORE KIRKLAND CITY COUNCIL

EXHIBITS ATTACHED "A" Application "B" Environmental Info. "C" Vicinity Map "D" Proposed Site Plan "E" Landscape Plan "F" Bldg. Elevations "G" Sanitary Sewer Plan "H" Prelim. Drainage Plan "I", Preliminary Water Plan "J" Landscape, Pedestrian Access & Fire Imprvts "K" Approved Subdivision and School Location

I. SUMMARY

A. DESCRIPTION OF PROPOSED ACTION

Gary Kaufmann and Rick Gulstrom have submitted a Preliminary Planned Unit Development application to construct 33 attached residential dwelling units with a private road and common open space on a 4.8 acre parcel of land. The property is located south of N.E. 116th Street at 115th Place N.E. The Land Use Policies Plan has designated the area for low density residential use at 5 to 7 units per acre. The site is zoned RS 8500. The applicants have submitted a Preliminary Sub-division application with modifications to the lot width and lot area requirements (File SP-80-69) in conjunction with the Preliminary Planned Unit Development application.

Some of the major issues are landscaping, pedestrian access, street improvements on N.E. 116th Street, utility service, requirements of the Zoning Code, traffic, storm retention, eight conditions of the Land Use Policies Plan, and increasing the density.

B. RECOMMENDATIONS

Based on the major issues, facts, conclusions and Exhibits "A" through "K" contained herein, we hereby recommend approval of this application subject to the following conditions:

1. This application is subject to the various requirements contained in the Land Use Policies Plan and the Zoning Ordinance. It is the responsibility of the applicants to assume compliance with the various provisions contained in these ordinances.
2. The applicant shall design the Planned Unit Development at a density of 6 units per acre (29 units), rather than the proposed 7 units per acre (33 units).
3. Prior to approval of the Final Planned Unit Development, the applicants shall submit a detailed landscape plan; note on the final site plan the greenbelt buffer, the public walkway, relocation of the retention pond,

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the concrete and gravel sidewalks, a utility easement, the average building and lot elevations of each structure, the maximum horizontal dimension of each structure and the location of common recreation space; design the site at a density of 6 units per acre; submit a greenbelt easement document, a private reservation agreement, and a public pedestrian easement document; deposit a fee for park and open space and for street improvements; and submit detail plans of the public pedestrian walkway. The details shall be as follows:

- a. Submit a detailed landscape plan for the Planned Unit Development showing:
 - (1) The location, species, caliper, size and on-center spacing of all 6" in caliper existing trees and all to-be-planted vegetation on the site, except in the 40 foot setback buffer (see Exhibit "E").
 - (2) Three offset rows of evergreen trees, 6 feet high and 10 feet on center where no significant vegetated buffer exists, for an 80 foot area along the exterior edge of the 40 foot setback buffer that is adjacent to each dwelling unit (see Exhibit "J"). The eastern property line does not apply to this condition.
 - (3) A berm along the entire north property, except where existing significant trees will be preserved. Details of the berm's size and construction shall be shown on the plan (see Exhibits "E" and "J").
 - (4) Evergreen trees, 6 feet high and at least 10 feet on center in the greenbelt easement area next to the six proposed dwelling units, except where existing significant trees will be preserved (see Exhibit "J").

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- (5) Lawn or sod in the entire area(s) designated as recreational space (see Exhibit "E").
 - (6) Vegetation in the entrance planter area (see Exhibit "E").
 - (7) Evergreen shrubs or trees next to the vehicular turn-arounds along the west and south property lines. The trees or shrubs shall be a minimum of 4 feet in height at planting and provide a year-round screen in three years (see Exhibit "J").
 - (8) Low vegetation on both sides of the public pedestrian easement walkway from the end of the private road across the 40 foot setback buffer down the undeveloped 116th Ave. N.E. right-of-way to the cul-de-sac on N.E. 113th Place. (See Exhibit "J").
- b. Note on the final site plan:
- (1) The 40 foot setback buffer along the north, west and south property lines as a greenbelt area where "no construction, grading or clearing shall occur, except for normal landscaping, installation of utility lines as shown in Exhibits "G" and "I" and the public access walkway, and a 10 foot wide temporary construction area in the 40 foot setback next to the dwelling units, or as approved by the City of Kirkland (see Exhibits "E" and "J").
 - (2) A 10 foot wide public pedestrian walkway easement from the southern end of the private road.
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- (3) The relocation of the retention pond 10 feet towards the northeast and away from the 40 foot setback buffer, and show the retention pond to be 50% underground. A detailed storm water plan must be submitted (see Exhibit "H").
- (4) A 5 foot wide concrete sidewalk along the entire east side of the private road and locate the 5 foot wide sidewalk in such a fashion to retain as many trees as possible (see Exhibit "J").
- (5) A 5 foot wide gravel walkway along the south side of N.E. 116th Street (see Exhibit "J").
- (6) A 15 foot wide utility easement from the private road to the southwest property line (see Exhibits "G" and "H").
- (7) The average building elevation and maximum height of each structure and the average lot elevation. No structure within 100 feet of the south, west or north property lines shall exceed 25 feet above the average lot elevation and the average building elevation of the structure. Structures not located within 100 feet of the south, west or north property lines, or located adjacent to the east property line can exceed 30 feet above the average lot and building elevations of the structure plus 1 foot for every 4 feet of increased setback (see Exhibits "D" and "F").
- (8) The maximum horizontal dimension of 50 feet for each structure located within 100 feet of the south, west or north property lines. Structures not located within these 100 feet areas, or located adjacent to the east property line can exceed 50 feet in horizontal dimension (see Exhibits "D" and "F").

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- (9) The location and square footage of common recreation space and a play area suitable and safe for children (see Exhibit "E").
- (10) A density of 6 units per acre (for a total of 29 units).
- c. Submit a greenbelt easement document for the 40 foot setback area that states "no construction, grading or clearing shall occur, except for normal landscaping, fencing, and installation of utilities or as approved by the City of Kirkland (see Exhibits "E" and "J").
- d. Submit a private reservation agreement document for the "common open space" the entrance planter, the public walkway and the private road that covers use and maintenance by the residents within the development (see Exhibit "D").
- e. Submit an easement document for public pedestrian use of the private sidewalk and for the pedestrian walkway (see Exhibit "J").
- f. Submit an engineering report to examine the possible swamp problem in the south portion of the property and include feasible measures to mitigate any problems.
- g. Submit a detail construction plan of the pedestrian walkway from the southern end of the private road to the southeast corner of the property and across the undeveloped 116th Ave. N.E. right-of-way to the cul-de-sac of N.E. 113th Place showing a 5 foot wide concrete sidewalk and vegetation planted on each side of the walkway (see Exhibits "C" and "J").

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4. Prior to issuance of a Grading Permit, the applicants shall:
 - a. Stake and rope along the 40 foot setback buffer on the south, west and north property lines, except next to the proposed dwelling units and at the road entrance. Stake and rope 10 feet from the dwelling units and from the edge of the road entrance in the 40 foot setback buffer. Place signs along the 40 foot setback buffer denoting the area as a "Greenbelt" (see Exhibits "E" and "J").
 - b. Stake and rope around the dripline of all trees 6" in caliper or greater located along the edge of the private road designated to be preserved (see Exhibit "E").
 - c. Stake and rope the area along the public pedestrian walkway (see Exhibit "J").

5. Prior to the issuance of a Building Permit, the applicant shall:
 - a. Deposit a fee of \$350.00 per new dwelling unit in the "In Lieu of Park and Open Space Fund".
 - b. Submit a frontage fee of \$11 per linear foot of frontage property (see Exhibit "D").

6. Prior to the issuance of a Certificate of Occupancy, the applicants shall:
 - a. Install the approved landscaping plan for the entire site (see Exhibits "E" and "J").
 - b. Submit a two-year monetary security device for landscape maintenance once the landscaping has been approved by the Department of Community Development staff (see Exhibits "E" and "J").

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- c. Record the 40 foot wide greenbelt easement, the 15 foot wide utility easement, the public pedestrian easement for the sidewalk and the private reservation agreement for the entrance planter the road and common open space at the King County Department of Records and Elections (see Exhibit "D" and "J").
- d. Install the 5 foot wide concrete sidewalk next to the private road, the 5 foot wide gravel along N.E. 116th St. and the public pedestrian walkway (see Exhibit "J").

II. MAJOR ISSUES, FACTS, CONCLUSIONS

A. LANDSCAPING

1. Statements of Fact

a. Kirkland Zoning Ordinance

Section 23.28.100 - General Requirements, All PUD Projects:

(3) Preservation of a natural asset, such as a historic landmark or a specimen tree, or a grove of woods, or a stream or a view.

(7) Where a PUD abuts residential zoned property, the screening requirement shall be a depth of 12 feet from the property line and maintained as a sight screen with evergreen shrubs or a combination of lawn, evergreen or deciduous shrubs and trees, and perennials or annual flowers, to create and maintain a maximum residential character.

Section 23.40.040 - Screening of Parking Areas:

Off-street parking areas provided in RM zones shall be sight screened from view from adjoining properties by a strip at least four feet wide, densely planted

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with shrubs or trees at least four feet high at the time of planting, and which are of a type which may be expected to form a year-round dense screen within three years.

b. Land Use Policies Plan - Juanita Heights Area

Living Environment: ..slightly higher densities (up to 7 dwelling units per acre) may be permitted on lands fronting on N.E. 116th Street subject to the visual buffering by a landscaped setback (normally 40 feet) to separate slightly higher density development from single family adjacent uses (p.362).

c. The City has a continuous and consistent policy of requiring greenbelt easements to assure the indefinite retention of trees and open space.

d. Morning Star, Juanita Bay Associates and Springtree Planned Unit Developments south of N.E. 116th Street all have vegetated setback buffers.

e. The applicants propose a 33-unit Planned Unit Development at 7 dwelling units per acre (medium density) with a 40 foot landscaped setback on the south, west and north sides and a 10 foot setback on the east side (see Exhibits "D" and "E").

f. The property is located adjacent to low density residential uses (RS 8500) on the south, west and north sides and light industrial use on the east side. There is a 100 foot wide greenbelt buffer separating the proposed Planned Unit Development and the light industrial use which was required for the Rezone of the American Prefinish business (see Exhibit "C").

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- g. The property is vegetated with cedar, maple, fir, hemlock, dogwood, cottonwood and alder. The applicant had the entire site surveyed for existing trees, except for the 40 foot setback buffer area. The trees in the setback buffer will be retained (see Exhibit "E").
- h. The applicants propose to place four landscaped berms along N.E. 116th Street, retain some of the existing trees on the site, plant new vegetation, construct a planter at the entrance of the private road, and landscape the common open space with groundcover (see Exhibit "E").
- i. Lawn or sod is considered the suitable vegetation cover for recreational space because of the normal outdoor activities occurring in this space.
- j. The City has a continuous and consistent policy of requiring 3 offset rows of 6 foot high evergreen trees planted 10 feet on center along protective buffer strips to insure a protective vegetated screen.
- k. The applicants propose to construct six of the dwelling units and three vehicular turnarounds next to the 40 foot landscape setback (see Exhibits "D" and "J").
- l. A 10 foot wide construction area in the 40 foot setback buffer is necessary around the six dwelling units for construction (see Exhibit "D").

2. Conclusions

- a. To assure retention of the 40 foot setback buffer, the applicants must designate the area as a greenbelt on the final plat linen and record a greenbelt easement with the King County Department of Records and Elections as noted in Conditions No. 3, 4 and 6.

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- b. The applicant shall submit a detailed landscape plan for the entire site including the entrance planter, the 40 foot setback buffer, the berm, around the vehicular turn-arounds and next to the proposed six dwelling units along the setback buffer as outlined in Conditions No. 3 and 4 to ensure adequate screening of the medium density residential use next to the low density residential uses.
- c. The 10 foot setback from the east side is adequate because of the existing 100 foot wide greenbelt buffer and the light industrial zone located to the east.

B. PEDESTRIAN ACCESS

1. Statements of Fact

a. Kirkland Zoning Ordinance

Section 23.28.100 - General Requirements, All PUD Projects:

(2) Additional public-use facilities such as, but not limited to, pedestrian walks providing a service and convenience to the vicinity, streets improving local circulation or public access to a lake or stream.

(6) Projects shall be complete developments and may be required to include facilities such as paved streets, curb, sidewalks...(p. 51)

b. Land Use Policies Plan - Juanita Heights Area

Living Environment: Slightly higher densities (up to 7 dwelling units per acre) may be permitted on lands fronting on N.E. 116th Street subject to a pedestrian access through the development which should be required as a condition for approval, if appropriate, to facilitate access to schools (p. 362).

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Public Services Facilities: Of special concern is the safe movement of children to and from the neighborhood elementary school (p. 366).

- c. The Alexander Graham Bell Elementary School is located on N.E. 112th Street at 112th Ave. N.E. to the southwest of the subject property (see Exhibit "K").
- d. Children living around N.E. 116th Street walk down 120th Ave. N.E. or through 110th Ave. N.E. to get to the elementary school (see Exhibit "K").
- e. The recently approved Final Subdivision of Heatherbrook (112th Pl. N.E.) and Preliminary Subdivision of Copperwood (113th Pl. N.E.) located along N.E. 116th St. were required to provide improved 10 foot wide pedestrian access walkways to the elementary school and 5 foot wide concrete sidewalks along the east sides of the subdivision roads (see Exhibit "K").
- f. No sidewalks currently exist along either side of N.E. 116th near the proposed Preliminary Planned Unit Development (see Exhibit "C").
- g. There is a 30 foot wide unimproved 116th Ave. N.E. right-of-way abutting the southeast corner of the subject property. The unimproved right-of-way connects with an improved cul-de-sac at N.E. 113th Place (see Exhibit "C").
- h. Alexander Graham Bell Elementary School is accessible from N.E. 113th Place down 115th Place N.E. and along an asphalt walk on N.E. 112th Street (see Exhibit "K").
- i. The applicants propose a private road ending at the southeast corner of the property (see Exhibit "D").
- j. There are existing trees located on the east side of the private road (see Exhibit "D").

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2. Conclusions

- a. To provide safe and convenient movement for school children and others coming from the proposed Planned Unit Development and around N.E. 116th Street, an improved 10 foot wide public pedestrian walkway must be installed from the end of the private road, across the 40 foot setback buffer, along the unimproved 116th Ave. N.E. to the N.E. 113th Pl. cul-de-sac as noted in Conditions No. 3 and 4.
- b. To provide safe and convenient pedestrian movement within the proposed Planned Unit Development and to the pedestrian walkway, a 5 foot wide concrete sidewalk must be installed along the east side of the private road as noted in Conditions No. 3 and 6.
- c. To retain the trees along the east side of the private road, the applicant shall wind the sidewalk around the trees as noted in Condition No. 3.

C. STREET IMPROVEMENTS ON NE. 116TH STREET.

1. Statements of Fact

a. Kirkland Zoning Ordinance

Section 23.28.100 - General Requirement, All PUD Projects:

(2) Additional public-use facilities, such as, but not limited to, pedestrian walks providing a service and convenience to the vicinity, street improving local circulation or public access to a lake or stream.

(6) Projects shall be complete developments and may be required to include facilities such as paved streets, curbs, sidewalks, street lights, ...(p. 51).

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- b. The City of Kirkland is scheduled to improve N.E. 116th St. as part of the 1984-1986 Road Improvement Plan and is requiring a frontage fee for all developments along the street. The Public Service Department requests a frontage fee of \$11 per linear front of property.
- c. There are no sidewalks near the property on either side of N.E. 116th St. (see Exhibit "C").
- d. The recently approved Final Subdivision of Heatherbrook (112th Pl. N.E.) and Preliminary Subdivision of Copperwood (113th Pl. N.E.) were required to install temporary 5 foot wide gravel walkways along the south side of N.E. 116th St. (see Exhibit "K").

2. Conclusions

- a. A 5 foot wide gravel walkway must be installed along the south side of N.E. 116th St. as noted in Conditions No. 3 and 6.
- b. The applicants shall submit a \$11 per linear foot of frontage property for street improvement frontage fee as noted in Condition 5.b.

D. UTILITY SERVICE

1. Statements of Fact

- a. Kirkland Zoning Ordinance

Section 23.28.100 - General Requirements, All PUD Projects:

(5) Other general public benefit features which contribute to improving the environment of the vicinity (p.51).

- b. The residences to the west of the subject property are not serviced by sanitary sewer, but are on septic tanks (see Exhibit "C").

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c. The applicants propose extending a sewer line across the southeast corner of the property and under the private road (see Exhibit "G").

2. Conclusions

The applicants shall record a 15 foot wide utility easement from the private road to the southwest property line as noted in Conditions No. 3 and 6 for assuring future sewer service hook-up for the residences to the west.

E. REQUIREMENTS OF THE ZONING ORDINANCE

1. Statements of Fact

<u>Section</u>	<u>Required or Permitted</u>	<u>Proposed</u>
<u>Building Horizontal Dimension</u> (23.10.080)		
Adjacent to low density	50 feet	50 feet
Adjacent to other density	No limit	50 ft. to 167 ft. (See Cond. 2.b.9)
<u>Building Height</u> (23.28.090-1)		
Adjacent to low density	25 feet	25 ft. approx.
Adjacent to other density	30 feet plus 1 foot for each 4 ft. of setback	30 ft. approx. (See Condition 2.b.8.)
<u>Lot Coverage</u> (23.28.090-2)	35%	19.5%
<u>Number of Dwelling Units</u> (23.28.090-3)	33 units (7 per acre)	33 units (7 x 4.8 acres)
<u>Additional or Better - related open space</u> (23.28.100(1))	Between buildings or in setbacks	77 ft. front yard setback. 40 ft. side and rear yard setback. 10 ft. side yard setback 25 ft. - 70 ft. setback between buildings.
<u>Common Open Space</u> (23.28.130-1)	Minimum 10% of total area dedicated or reserved as useable "common open space" land.	28.6% "common open space"

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(23.28.130-2)	Record private reservation of the "common open space" and submit proof to City.	See Condition 4.c.
<u>Additional Provision for Park/Open Space-Fee</u> (Section 23.28.131)	\$350.00 per unit	See Condition 2.f.
<u>Parking</u> (Section 23.34.020)	2 for each dwelling unit	2.3 for each dwelling unit
<u>Parking Setback</u> (Section 23.34.100)	Parking may be provided in the required yards if superior landscaping is provided.	Parking is provided in the 10 ft. east setback where additional landscaping is provided.
<u>Ingress and Egress</u> (Section 23.34.040)	20 ft. road width for two-way traffic.	20 ft. road width

2. Conclusions

- a. The applicants have met the building horizontal dimension lot coverage, number of dwelling units, additional or better-related open space, common open space, parking, parking setback, and ingress/egress requirements for the proposed Planned Unit Development.
- b. The requirements for a recorded private reservation of the "common open space", the "In Lieu of Park and Open Space Fund" and a detail of the building heights are met in Conditions No. 3 and 5.

F. TRAFFIC

1. Statements of Fact

- a. N.E. 116th St., designated as a second arterial in the Land Use Policies Plan, serves all the north-south feeder streets in the Juanita Heights area (see Exhibit "C").
- b. Average daily traffic count for N.E. 116th St. from 100th to 120th Ave. N.E. is as follows:

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1976	1979	1980	FUTURE
8,586 cars a day	1.7% increase ----- 1976 traffic + approved site traffic = 9,229 cars a day.	1.7% increase ----- 1976 traffic + 1979 traffic + approved Cop- perwood Subdivi- sion (180 cars) and proposed PUD (184 cars) = 9,593 cars a day.	1.1% increase ----- Future maximum single family density traffic = 10,598 cars a day.

Approved sites include Hogue, Shangri-La, Juanita Bay Associates and Heatherbrook. (The traffic projections are based on 10 vehicular trip ends a day for each detached single family home and 5.6 vehicular trip ends a day for each attached multiple family unit.)

- c. The proposed Planned Unit Development will increase N.E. 116th St. traffic on a daily basis by approximately .01% (184 cars).
- d. The area north of N.E. 116th is in King County. Traffic generation for this neighboring area is approximately 1,950 cars per day. There is some undeveloped land along N.E. 116th that could be developed and generate additional traffic (see Exhibit "C").
- e. The Public Services Department will be making improvements to N.E. 116th St. as part of the 1984-1986 Road Improvement Plans.

2. Conclusions

The proposed subdivision will only increase traffic on N.E. 116th St. by .01%, thus not causing a dramatic increase in traffic. However, as the neighborhood is developed to its maximum density, the future traffic flow on N.E. 116th may become a problem.

G. STORM RETENTION

1. Statements of Fact

- a. Kirkland Zoning Ordinance
Section 23.28.100 - General Requirements, All PUD Projects:

(6) Projects shall be complete developments and may be required to include facilities such as ... underground storm drainage ... (p. 51)
- b. The Land Use Policies Plan - Juanita Heights Area Section requires that developments of 7 dwelling units per acre provide a 40 foot landscaped setback to visually buffer the single family adjacent uses (p. 362).
- c. There is an existing drainage course on the property that flows to the southwest (see Exhibits "C" and "H").
- d. The off-site drainage course flows southwest to N.E. 112th St. There are catch basins east of 112th Ave. N.E. on both sides of N.E. 112th St. (see Exhibit "K").
- e. Property owners along N.E. 112th St. to the south of the subject property have on-site storm drainage problems (see Exhibit "K").
- f. The City of Kirkland is scheduled to improve the storm retention system along N.E. 112th St. in early 1981 (see Exhibit "K").
- g. The property has a 5% slope towards the south and a 15% slope at the southeast corner (see Exhibit "H").
- h. Standing water can be found in the southern portion of the site during part of the wet season (see Exhibits "D" and "H").

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- i. The Department of Community Development staff inspected the southern portion of the site this last summer and found no standing water in the area (see Exhibits "D" and "H").
- j. The applicant proposes an above-ground site retention pond in the southwest corner of the site partially within the 40 foot setback buffer. Construction of the retention pond requires the removal of trees on the site (see Exhibit "H").
- k. The Public Services Department has a policy of requiring site retention ponds to be 50% underground. Placing the site retention pond underground provides more recreational space and reduces the size of the above ground retention structure.
- l. The retention pond must be placed at least 10 feet from the 40 foot setback buffer to retain significant vegetation. Excessive storm runoff can damage tree root systems (see Exhibits "H" and "J").

2. Conclusions

- a. The storm drainage problems along N.E. 112th Place will be corrected in the near future.
- b. The Public Services Department indicates that the storm drainage flow from the property to the south in the natural drainage course will be minimized with an extensive on-site drainage retention system.
- c. The applicant must show on the Final Planned Unit Development drainage plan a site retention pond that is placed 50% underground and relocated 10 feet towards the northeast and away from the 40 foot setback buffer as noted in Condition No. 3.

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d. Detailed storm water plans and an engineering report examining the possible swamp problem in the south portion of the site must be submitted as noted in Condition No. 3.

H. EIGHT CONDITIONS OF THE LAND USE POLICIES PLAN

1. Statements of Fact

a. Land Use Policies - Juanita Heights Area:

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:

<u>Required</u>	<u>Proposed</u>
(1) This added increment of density would be allowed only on a planned unit development basis.	(1) A Planned Unit Development is proposed at 7 units per acre (see Exhibit "A").
(2) Visual buffering by a landscaped setback (normally 40 feet) should separate slightly higher density development from single family adjacent uses.	(2) A 40 foot landscaped setback buffer is proposed along the north, south and west side (see Exhibits "D" and "E").
(3) There is no direct access from individual dwelling units onto NE 116th Street. Access to NE 116th St. 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 St. and not onto residential streets to the south.	(3) No direct access is available from individual units onto N.E. 116th. There is no line-of-sight problems to the street from the proposed PUD. No vehicular access is available to the south (see Exhibits "C" and "D").
(4) Pedestrian access through the development should be required as a condition for approval, if appropriate, to facilitate access to schools.	(4) Pedestrian access through the development is required in Conditions 2, 3 and 4 for access to Alexander Graham Bell School (see Exhibit "J"). 11/20/80(P.C.) 11/12/80bk/3370A

(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.	(5) The proposed higher density development is directly south of NE 116th St. (see Exhibit "C").
(6) Height of structures does not exceed that of adjacent residential uses.	(6) The proposed structures located within 100 feet of the adjacent residential uses do not exceed 25 feet in height (see Exhibit "F").
(7) Some open space is to be included on site in addition to that required under the "in lieu" provisions to meet community needs.	(7) 28.6% of common open space is included in the site (see Exhibit "F").
(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).	(8) Not applicable.
Common wall or cluster housing will be encouraged. No commercial expansion into this area would be permitted.	Common wall housing is proposed. No commercial expansion is proposed (see Exhibits "D" and "F").

I. INCREASING THE DENSITY

1. Statements of Fact

a. Kirkland Zoning Ordinance

Section 23.28.090 - Number of Dwelling Units: Three acre developments having residential uses may exceed the average dwelling unit density per residential acre permitted by the underlying zoning as provided in the Land Use Policies Plan.

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Section 23.28.100 - General Requirements, All PUD Projects. all PUD Projects shall bear the burden of perimeter transition and demonstrate that there is a general public benefit to be gained by such a degree of deviation from the underlying zoning regulation, such as:

- (4) Better or more convenient services, or recreation facilities, such as parks and playgrounds, convenient and desirable to the vicinity and the project or improvement in public utilities, mail or bus services.
 - (5) Other general public benefit features which contribute to improving the environment of the vicinity (p. 51).
- b. The Land Use Policies Plan has designated the area at 5 to 7 residential dwelling units per acre (p. 362).
 - c. Public benefit features of a public pedestrian path across the southeast portion of the property, a 5 foot wide concrete sidewalk along the east border of the road and a public pedestrian easement across the private sidewalk are required in Conditions No. 3, 4 and 6. A 40 foot wide greenbelt buffer, planted with additional evergreen trees, is provided along the north, west and east sides.
 - d. No parks, playgrounds, recreation facilities or other general public features are provided (see Exhibits "D" and "E").
 - e. There are detached single-family homes to the south and west of the subject property at 5 dwelling units per acre. The properties to the west can be proposed to be developed at 5 to 7 dwelling units per acre (see Exhibit "C").
 - f. The applicant proposes to increase the underlying density from 5 to 7 units per acre, the maximum allowable under a Planned Unit Deveopment. The proposed 33 units will be attached townhouses (see Exhibits "D" and "F").

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- g. The property has a 5% southerly slope and a 15% slope along the southeast portion of the site (see Exhibit "D").
- h. Standing water can be found in the southern portion of the site during part of the wet season (see Exhibits "D" and "H").
- i. The Department of Community Development staff inspected the southern portion of the site this last summer and found no standing water in the area (see Exhibits "D" and "H").
- j. Eight of the units are proposed to be constructed in the southeast portion of the site where the slope is greater than 5% (see Exhibit "D").
- k. The dwelling units are faced east to west. The site design does not take advantage of the solar access available on the south slope (see Exhibit "D").

2. Conclusions

- a. The applicant shall design the Planned Unit Development at a density of 6 units per acre (29 units), rather than the proposed 7 units per acre (33 units). The density should be reduced because of the following reasons:
 - (1) Sufficient public benefit features have not been provided to gain the increased density.
 - (2) The increased density and the attached townhouses are incompatible with the existing single family residences to the west and south. The increased density and attached units will have a detrimental impact on the adjacent uses that cannot be mitigated by the 40 foot vegetated setback buffer.

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(3) The increased density has caused the placement of some proposed dwelling units on the southeast slope.

(4) The increased density has caused the placement of some proposed dwelling units in a possible swampy area.

III. CITIZEN INPUT

1. Statements of Fact

- a. Two neighbors addressed their concerns about storm drainage problems on N.E. 112th St., flooding on their properties, and additional storm drainage runoff from the proposed PUD.
- b. A neighbor directly south of the subject property stated that there was standing water in the southern portion of the site. The neighbor opposed the proposed Planned Unit Development because of the loss of privacy, the visual impact and incompatibility of the attached dwelling units and the lack of fencing along the west and south sides.

2. Conclusions

- a. The City has scheduled to correct all of the storm drainage problems on N.E. 112th Street in 1981.
- b. The proposed PUD is required to maintain the storm drainage runoff at pre-development levels. The storm drainage system will be built to the City standards for maintaining this level.
- c. Condition No. 2 reduces the number of units. Condition No. 3 requires additional evergreen trees to be planted along the exterior edge of the setback buffer where no significant vegetation exists and requires an engineering report about the possible swamp problem.
- d. The Planning Commission has requested the Public Services Department to make a presentation about the improvements on N.E. 112th Street.

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IV. BACKGROUND

A. NEIGHBORHOOD

1. Statements of Fact

- a. The property is located in the Juanita Heights area of a single family residential neighborhood. To the west and to the south of the property are low density single family homes (5 units per acre). To the east is a 100 foot wide vegetated greenbelt buffer recorded with the Rezone of American Prefinish. American Prefinish is located at 11615 N.E. 116th St. in a Light Industrial zone. Across N.E. 116th St. to the north are single family homes of King County (see Exhibit "C").
- b. The Land Use Policies Plan has designated the area for low density residential use (5 units per acre), but permits a medium density (7 units per acre) with eight conditions as reviewed in the Major Issues Section.

2. Conclusions

- a. The proposed medium density Planned Unit Development (7 units per acre) will be a transitional use between the single family low density use to the north, west and south and the Light Industrial use to the east.
- b. The proposed Planned Unit Development meets the eight conditions required for the increased units per acre.

V. ALTERNATIVES

1. Statements of Fact.

- a. Reduce the number of units. The applicants could reduce the number of units to increase the open space and setback areas and to reduce the generation of vehicular traffic on N.E. 116th Street.

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- b. Detach the units. The applicants could detach the units to make the development more compatible with the adjacent detached single family residences.

VI. DEVELOPMENT STANDARDS

The following development standards, policies and regulations pertain to the development of the property. However, the list does not include all of the requirements and it is the responsibility of the applicant to assure compliance with all provisions contained in the Land Use Policies Plan, the Kirkland Zoning Ordinance and the Uniform Building Code.

1. Statements of Fact

a. Kirkland Zoning Ordinance

Section 23.28.100 - General Requirements,
All PUD Projects:

(5) other general public benefit features which contribute to improving the environment of the vicinity.

Section 23.32.030 - Signs:

... Individual name plates shall not exceed two square feet in area. Signs indicating the name of a multi-family building ... located no closer than one-half the required setback to any abutting property line or right-of-way is permitted, provided no individual sign shall exceed the size of ten square feet.

2. Conclusions

a. The applicants shall install a bored steel casing under N.E. 116th St. for water service to the property as required by Project and Construction Management Department.

b. Traffic sign controls shall be installed at the exit of the private road as required by the Public Services Department.

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- c. Two fire hydrants shall be installed, "No Parking - Fire Lane" signs shall be posted, curbs shall be painted yellow (both vertical and horizontal portion) and stenciled "No Parking - Fire Lane" (for the vertical portion of the curb in red lettering a minimum of three inches high) as required by the Fire Department. A minimum fire flow of 2,500 gallons per minute shall be available at the required fire hydrants (see Exhibit "J").
- d. The applicant shall submit a Sign Permit for any sign placed on the property. An identification sign denoting the sign of the Planned Unit Development cannot exceed 10 sq. ft. in area.

VII. APPENDICES

Exhibits "A" through "K" are attached as a part of this report.

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