

RESOLUTION NO. R-2796

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF A FINAL PLANNED UNIT DEVELOPMENT AS APPLIED FOR IN DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. PF-80-94, BY CUMBERLAND NORTHWEST TO CONSTRUCT A PROJECT KNOWN AS "KIRKLAND PARKPLACE" BEING WITHIN A PLANNED AREA 4 ZONE, AND SETTING FORTH CONDITIONS TO WHICH SUCH FINAL PLANNED UNIT DEVELOPMENT SHALL BE SUBJECT.

WHEREAS, the Department of Community Development has received an application for a Final 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 meeting of January 15, 1981, and

WHEREAS, the Kirkland Planning Commission after their public hearing and consideration of the recommendations of the Department of Community Development did recommend approval of the Final Planned Unit Development subject to the specific conditions set forth in said recommendations, and

WHEREAS, the City Council, in regular meeting, did consider 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 Chairperson thereof and filed in the Department of Community Development File No. PF-80-94 are adopted by the Kirkland City Council as though fully set forth herein.

Section 2. The Final 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 Final 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.

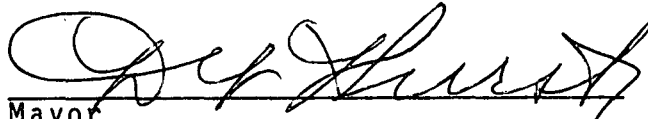
Section 5. Failure on the part of the holder of the permit to initially meet or maintain strict compliance with the standards and conditions to which the Final Planned Unit Development is subject shall be grounds for revocation in accordance with Ordinance No. 2183, the Kirkland Zoning Ordinance.

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.

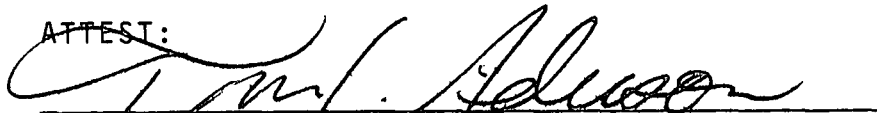
ADOPTED in regular meeting of the City Council on the 2nd day of February, 1981.

SIGNED IN AUTHENTICATION THEREOF on the 2nd day of February, 1981.



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 January 15, 1981
ADOPTED BY _____ DATE _____

STAFF _____
BOARD OF ADJUSTMENT _____
HOUGHTON COMMUNITY COUNCIL _____
xx PLANNING COMMISSION Carol Goddard
CITY COUNCIL AS INCORPORATED IN Carol Goddard, Chairperson

RESOLUTION _____ ORDINANCE _____
NUMBER _____
DATE _____

FILE NUMBER PF-80-94
APPLICANT Cumberland Northwest
PROPERTY LOCATION Planned Area 4
SUBJECT Final Planned Unit Development of "Parkplace"
HEARING/MEETING DATE _____
BEFORE KIRKLAND CITY COUNCIL

EXHIBITS ATTACHED See list on reverse

The LIST OF EXHIBITS
Kirkland Parkplace
PF-80-94

- "A1" - Site Plan
- "A2" - First Level Plan
- "A3" - Second Level Plan
- "A4" - Third Level Plan
- "A5" - Fourth Level Plan
- "A6" - Elevations A, B, C and D
- "A7" - Elevations E, F and G
- "B" - Landscaping Plan
- "C1" - Final Grading and Storm Drainage
- "C2" - Composite Utility Plan
- "C3" - 6th Street Improvement Plan
- "D" - Details
- "E" - Letter of Application
- "F" - Vicinity Map
- "G" - Amended Notice of Approval
- "H" - Zoning Text - Page 46E
- "I" - Letter from Cumberland Northwest
- "J" - Colored Rendering of Northern and Western Building Facades
- "K1" - Perspective: Office View
- "K2" - Perspective: Office View
- "K3" - Perspective: East
- "K4" - Perspective: West
- "L" - Model of Project
- "L2" - Model of Playbarn
- "M" - Recommended Hydrant Locations
- "N" - Pathways to Use CBD Light Standards

) NOTE: These Exhibits are bound together as packet of blackline prints. Sheets 1 through 7 correspond to Exhibits "A1" to "A7". The sheet labeled L1 of 1 is Exhibit "B". Exhibits "C1", "C2" and "C3" are labeled as sheets C1, C2, C3.

) NOTE: These Exhibits are on file with the Department of Community Development.

I. SUMMARY

A. DESCRIPTION OF THE PROPOSED ACTION

This is an application by Cumberland Northwest for a Final Planned Unit Development to construct a project known as "Kirkland Parkplace". The project area is approximately 14.55 acres in Planned Area 4. The total gross floor area currently proposed is approximately 220,000 square feet including retail, office, restaurant, bank, grocery store, drug store and live theater.

B. RECOMMENDATIONS

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

1. The project site plan and details shall be revised to reflect the following:
 - a. Fire hydrant final locations shall be coordinated with the Fire Department.
 - b. Screening for all dumpsters shall be provided.
 - c. Lighting fixtures and posts used for the bicycle and pedestrian pathways shown in Exhibit "N" shall be similar to the luminaires used on Commercial Avenue and in Marina Park.
 - d. Any detailed revisions to the grading or construction of the berm next to Peter Kirk Park as determined appropriate by the Parks Department.
2. Prior to issuance of Certificates of Occupancy the applicant shall do the following:
 - a. Install half street improvements to 6th Street between Central Way and Kirkland Way westerly of the centerline of said street. Said improvements shall include curb, gutter and sidewalks as identified in Exhibit "C3".

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- b. Submit a final design for a traffic signal at the intersection of Kirkland Way/3rd Street.
 - c. Deposit \$75,000.00 with the City instead of installing a tight line water system across the project or constructing a stream bed in Peter Kirk Park.
 - d. Complete all of the utility improvements identified in Exhibit "C2". These shall be inspected and approved by the City of Kirkland.
 - e. Receive an approved C.U.P. from the Kirkland Planning Commission for the sign program for the entire project. The criteria to be used in evaluating this program shall include Exhibit "D" - Details, Sheets 1 through 10 as well as the sign policies found in the Land Use Policies Plan. Also to be considered as a part of this sign program is a kiosk type business directory which shall include both the Parkplace Project and the existing Central Business District.
3. Subsequent changes in use within the project shall be permitted so long as the proposed uses are permitted by the PLA-4 zoning. Alterations to the building bulk and footprint of a minor nature may be administratively approved only if they are consistent with all the other conditions of this PUD and the PLA-4 zoning requirements.
 4. It is the responsibility of the applicant to insure compliance with all other applicable requirements of the Preliminary P.U.D., of the Zoning Ordinance and the Uniform Building Code (U.B.C.).

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5. The applicant shall sign a "No Protest" agreement to a Local Improvement District formed to provide a pedestrian safety cross-walk improvement in the mid-block of Central Way between 3rd Street and 6th Street. Said agreement shall be in a form acceptable to the City Attorney.
6. The color of the roof shall correspond to the blue colored roof indicated in Exhibit "K4".

II. MAJOR FINDINGS AND CONCLUSIONS

A. COMPLIANCE WITH CONDITIONS OF APPROVAL OF PRELIMINARY PLANNED UNIT DEVELOPMENT

1. Findings of Fact - The specific conditions imposed on the Preliminary P.U.D., as amended, are contained in Exhibit "G". Listed in this section below are Findings of Fact as to how the materials submitted for Final P.U.D. have addressed those specific conditions. These Findings are arranged by number corresponding to the specific conditions listed in the Notice of Approval in Exhibit "G".

(1) The project site plan was revised to eliminate the bandstand and to indicate that no vehicular access onto 2nd Ave. shall occur until those other properties are developed.

(2) The applicant has submitted materials for Final P.U.D. as follows:

- a. This condition required that the applicant submit information concerning the western facade of the structures and to submit detailed drawings concerning the arcade area, the color and nature of this facade and walkway area and the use of architectural details such as awnings, signs, and the like. The applicants have submitted Exhibits "A6" and "A7" which are elevations of the proposed structures as well as "J" which is a colored rendering of the north and west building facades. Detailed on those drawings is the informa-

tion requested in Condition 2.a. of the Notice of Approval. Furthermore, Exhibit "D" - Details of this Final PUD Application, contains a number of drawings of such street furniture items as bicycle racks, benches, crosswalk improvements, the directory of uses and sign parameters for the project.

- b. The applicants have submitted dimensioned drawings of several alternatives for the business directory as requested (see Exhibit "D" - Details, Sheets 11 and 12).
- c. The landscape plan has been revised to specify specific plant species, size and location as specified in Condition No. 2.c. This information is contained in Exhibit "B" - the landscaping plan for Final P.U.D., as well as in Exhibit "D" - Sheets 14, 15, 16, 17 and 18. Also, the circulation of vehicles across the western portion of the site has been realigned as requested in Condition C. iii. so as to cut down on through traffic and "pull the park theme" into the project.
- d. The applicants have submitted revised parking and internal vehicular circulation schemes to reflect the above stated requirements in c. as well as to give special consideration for pedestrian crosswalks and the provision of some police surveillance capacity next to the park. These design considerations have been shown on both Exhibit "A1", site plan, and Exhibit "B", landscaping plan as well as Exhibit "D" - Details, Sheet 18. Also, the applicants have shown a one-way traffic flow for the parking stalls as called for in Condition 2.c.vi.

- e. The requirement for revising the storm drainage system of the project which was originally imposed upon the project at the time of Preliminary P.U.D. has been deleted.
- f. Also required was street construction and improvement drawings for Central Way and 6th Street. The applicants have shown a design for 6th Street on Exhibit "C3". This includes street, sidewalk and curb improvements as well as bus turnouts and a space for a Metro bus stop pad or shelter. Along the Central Way boundary, the applicants have shown the deletion of the easterly driveway which was approved at time of Preliminary P.U.D. (see Exhibit "A1" - Site Plan. The applicants are now showing just a single entry from Central Way on that exhibit. No improvements in the center left turn lane of Central Way are shown since the Public Service Department felt that this was unnecessary and would potentially create turning problems for properties located on the north side of Central Way. Lastly, the requirement of undergrounding utilities design for diversion of the creek flow from Planned Area 5 to Peter Kirk Park has been deleted as a requirement.
- g. Applicants were required to submit detailed drawings of a revised bicycle and pedestrian path together with details of the specific design. This has been done and is reflected on Exhibit "B" - Landscaping Plan, as well as in Exhibit "D" - Details, Sheets 14, 15, 16, 18, 21 and 23.
- h. Revisions required to the grading and utility plans were submitted.

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- i. More detailed drawings of the restaurant and associated parking in the northwest corner of the project was requested. This information has been submitted on Exhibit "A1" - Site Plan and Exhibit "A6" - Elevations.
 - j. Also required were drawings indicating solid waste management features such as dumpsters and screening. These have not been indicated on the drawings submitted.
 - k. The requirement for indicating handicapped access to all levels of the project has been incorporated into the design of the project showing elevators and ramps (see Exhibit "A1" - Site Plan and Exhibits "A6" and "A7" - Elevations).
 - l. Applicants have shown several design features on the site that evoke the theme and image of water. This includes a pool in the central public plaza area on the western side of the project (see Exhibit "A1" - Site Plan and Exhibit "D" - Details, Sheet 13).
- (3) The applicants were required at time of Final P.U.D. to submit a conceptual sign package for the project. This has been done and is contained primarily in Exhibit "D" - Details, Sheets 1 through 10. The proposed location for these signs is indicated on the elevations found in Exhibits "A6" and "A7". Once this conceptual package is approved as part of the Final P.U.D., the applicants must then make independent applications for a Conditional Use Permit from the Development Review Committee. That Conditional Use Permit will then constitute the basis for issuance of individual sign permits.

- (4) As required by Condition 4, the applicants have met a number of times with the Departments of Public Services and Community Development in order to discuss the proposed methods of construction of public improvements required. In conjunction with those Departments, the applicants have submitted Exhibit "C2" - Composite Utility Plan and Exhibit "C3" - 6th Street Improvement Plan. The applicants have proposed to construct the required half street improvements in 6th Street prior to the occupancy of the project. This conforms with the recommendations of both the City Departments involved.
- (5) The applicants are required to participate in the funding of a traffic light at the intersection of 3rd Street and Kirkland Avenue. After meeting with the City departments involved, the applicants have agreed that the best method to participate in this improvement would be to do the detailed design for the traffic light. The City indicates that the percentage of traffic warrants at this intersection to be created by the Parkplace project are approximately the same as the total design and construction costs for such a signal (approximately 10%).
- (6) The applicants are required to conform to the recommendations found in the Soils Report dated March 21, 1980.
- (7) This condition stated that no exposed elements on the roof would be permitted to be visible from the perimeter of the site. The applicants have shown these to be located inside a "well" feature sunken into the spine of the roof design of most of the buildings. This shows most clearly in Exhibit "A1" - Site Plan.
- (8) This condition authorized the applicants to propose grading prior to Final P.U.D. approval. No such request was made.

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- (9) This condition notes that the conditions and requirements of the Fire Department must be adhered to concerning fire hydrants, fire lane signs and sprinklers in some buildings.
- (10) This condition required the applicants provide certain improvements in Peter Kirk Park in lieu of the "bandstand" which was deleted in order to meet the public benefit requirements of the P.U.D. As required by that condition, the applicants met a number of times with the City staff who in turn met with the Park Board. A number of alternatives are identified and each of these was evaluated by the City staff and the Park Board. It was determined that rather than make the public improvements in the park at this time that the applicants should instead deposit funds with the City for the installation of like or similar improvements at a later date. The amount so designated and agreed to by the City staff and the applicant is \$40,000.00 (see Exhibit "I" - Letter from Bob Miulli). Also, an additional \$35,000 was proposed in lieu of the requirement that the stream be tight-lined across the Parkplace site. Therefore, a total of \$75,000 has been offered by the developer to meet Condition 10.
- (11) Applicants were required to explore alternative driveway accesses onto Kirkland Way. They met with Public Services and the alternatives were discussed. The City has recommended that the driveway be approved as originally shown.
- (12) Applicants were required to incorporate the .85 acre parcel adjacent to Kirkland Way into the lighting, walkway, drainage and landscaping for the rest of the project. This has been done.

2. Conclusions

Stated below are the conclusions which have been reached regarding the way in which the submitted Final P.U.D. addresses the conditions listed in the Notice of Approval for the Preliminary Planned Unit Development.

(1) The bandstand was eliminated and the prohibition on direct vehicular access to 2nd Ave. was noted as directed. This condition has been met.

(2) a. The submitted materials illustrate the type and level of detail that was requested. The colors, building forms and details will achieve a visual product that recognizes the mixed use nature of the project while also providing a visual unity and identity. The visual character will be consistent with the policy objectives for Planned Area 4 - a unified, coordinated development that will constitute the easterly extension of the Central Business District, provide for linkages to the east and west, and be complimentary to the small town flavor of the existing C.B.D. The pedestrian areas, visual detail and interest, landscaping and other amenities will echo similar themes in the existing C.B.D.

b. The alternative business directories would all achieve the desired function of providing information. The kiosk is preferred since it is more visible and would be consistent with similar structures in the C.B.D.

c. The landscape materials shown will fulfill their objectives. Detailed construction of the berms, particularly next to the park, should be coordinated with the Parks Department, as should grading for specific walkway connections.

- d. The new circulation and parking configuration achieve the stated objectives of discouraging through auto traffic, reducing unnecessary paving, providing for police surveillance into the park and improving pedestrian connections through Planned Area 4.
- e. Since the Preliminary P.U.D. was amended, the revision of the storm drainage system became unnecessary.
- f. The improvement drawings for 6th St. are the product of extensive coordination between the applicant and the Public Services Department. The half street, curb, gutter and sidewalk to be installed between Central Way and Kirkland Way should be installed prior to occupancy. The use of a single access point onto Central Way is safer and more desirable than the two driveways previously approved. Islands or other channelization improvements in Central Way are not necessary at this time based on the judgment of the Public Services Department.
- g. The details of the bicycle and pedestrian path show locations and dimensions which are acceptable. It should be noted that all such surfaces shall be concrete in order to provide a safe and permanent improvement that will provide a clear contrast to asphalt vehicular areas.
- h. The revisions to the grading and utility plans now conform to the new site plan and the technical criteria of the City Departments.

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- i. The drawings indicate that the restaurant will fit within the architectural theme of the project while not creating vehicular circulation problems on the one hand or interface problems with the Park on the other.
 - j. The applicant should meet with the serving solid waste utility and include screening for all dumpsters.
 - k. The modification of the project to incorporate ramps and elevators will make it accessible to handicapped people.
 - l. The deletion of the requirement for cross site water flow reduces the need for "several design features that evoke the theme and image of water". Nevertheless, a small pool is shown on the site plan and will provide an amenity in the open plaza area.
- (3) The conceptual sign package submitted successfully outlines a system that would provide needed information while preventing confusion and visual blight.
 - (4) The construction of half street improvements to 6th St. is consistent with the Preliminary P.U.D. These should be installed before the project is occupied.
 - (5) The submittal of a design for the traffic light at Kirkland Ave./3rd St. is an equitable, effective and practical way to involve this project in the eventual construction of that improvement.
 - (6) The applicants should conform to the recommendations of the Soils Report dated March 21, 1980.

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- (7) The roof design successfully precludes unsightly roof appurtenances.
- (8) No grading was proposed prior to Final P.U.D.
- (9) The revision to the hydrant locations noted by the Fire Department should be made.
- (10) The cash contribution of \$75,000 is an agreeable alternative to both the applicant and City staff. It will provide a source for matching funds and thus increase the potential public benefits at a later date. This alternative is also desirable because it does not delay the construction of the project contingent upon what ultimately does or does not happen with Peter Kirk Park.
- (11) The driveway to Kirkland Way shown in Exhibit "A1" is the best solution to the access question.

B. CONFORMANCE WITH ZONING FOR PLANNED AREA 4

1. Findings of Fact

The Kirkland Zoning Ordinance describes uses permitted in Planned Area 4 as well as dimensional and other procedural requirements (see Exhibit "H - Zoning Code Text Page 46E). All the conditions found there and referenced therein shall continue to apply to the project as well as any specific conditions of approval imposed upon the Final P.U.D. permit.

2. Conclusions

The application as submitted is consistent with the provisions with the Planned Area 4 zoning regarding permitted uses, dimensional regulations and parking.

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C. INTERDEPARTMENTAL COORDINATION

1. Findings of Fact.

The various City Departments made the following comments:

- a. Building Department - "All areas to be provided with proper exiting per Chapter 33 of Uniform Building Code (U.B.C.) Stage to be constructed in conformance with Chapter 39 of U.B.C. Occupancy and area separations to be constructed and maintained in conformance with Chapter 5 of the U.B.C.
- b. Fire Department -
 - (1) Adequacy of emergency access: "Access roadways shall be a minimum width of 20 feet unobstructed with a minimum turning radius on all turns of no less than 45 feet."
 - (2) Fire Hydrants: "The seven hydrant locations as shown on the attached blueprint are adequate. Landscaping around the fire hydrants shall be kept low making the fire hydrants readily accessible in the event of a fire."
 - (3) Adequacy of fire flow: "The minimum fire flow shall be determined when more details plans of the building(s) are submitted."
 - (4) Other: "The water system as well as the fire hydrants shall be installed, charged and fully operational before the framing stage of construction on any or all of the buildings begins."
- c. Police Department - "Emergency access is good on all sides. Views into Peter Kirk park appear good depending on the plants, etc. on the west side of the development.

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- d. Public Services Department - "Right-of-way improvements (should be made) to the west side of 6th Street. Design drawings should be submitted for a traffic signal at Kirkland Avenue and 3rd Street. Only one access should be permitted onto Central Way, one onto 6th St."
- e. Parks - "Recommend asking for cross sections on berm and parking lot islands as well as tree planting plan. Need to discuss with landscape architect the interface with park, e.g. lineup of walkway, type of lights used in parking lot, if there is a necessity to cut berm."

2. Conclusions

- a. The applicant should be advised that all structures will be subject to the requirements of the U.B.C. as adopted by the City of Kirkland.f
- b. The location of hydrants should be revised to match the site plan corrected by the Fire Department dated December 22, 1980 and in the official file. The other technical requirements of the Fire Department, which are noted above should be met.
- c. Emergency access is adequate as judged by both Fire and Police. The westerly access road which parallels the park provides an opportunity for police surveillance into the Park.
- d. The applicants should install the half street improvements in 6th St. as shown in Exhibit "C3". These should be installed prior to occupancy and the creation of additional traffic impacts on 6th Street. A detailed design for a traffic light at Kirkland Ave./3rd Street should be submitted prior to occupancy.

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- e. The detailed grading and landscaping of the western portion of the site should continue to be coordinated with the Parks Department, particularly as it relates to Peter Kirk Park. Any revisions or adjustments to the lighting, landscape materials or construction should be done only at the discretion of that Department.

D. BACKGROUND

1. Findings of Fact

The original Preliminary P.U.D. for the project was approved on August 4, 1980. Subsequent to that approval, the applicants met many times with the City staff in order to generate information requested on the Notice of Approval. Also during that process, the applicants procured an additional amount of acreage to be included in the site and proposed an additional use, the live theater. Consequently, an amendment was proposed to the Preliminary P.U.D. and was approved by the City Council on December 15, 1980. In addition to allowing the additional acreage and the proposed live theater, this amendment also established that future uses could be substituted within the project so long as all other applicable criteria of the Zoning Code were met and no significant alteration was made to the site plan or exteriors of structures. Finally, the amendment to the Preliminary P.U.D. removed as a condition that the applicants deposit any of their own storm water or tightlining of any storm water from east of the project into Peter Kirk Park.

2. Conclusions

The materials submitted for this Final P.U.D. application are based on conditions listed in the amended Notice of Approval (see Exhibit "G").

III. APPENDICES

Exhibits "A" through "N" are included as a part of this report or are on file with the City. 1/15/81 (P.C.)
1/6/81/3777A/bk

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Kobasoc

Seattle
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98101

telephone
206
624-8682

Charles Kober Associates

January 5, 1981

80012

City of Kirkland
210 Main Street
Kirkland, Washington 98033

Attention: Mr. Joseph Tovar

Regarding: Kirkland Parkplace

Gentlemen:

Please find enclosed 26 sets of drawings and detail booklets for the above-noted project, reflecting the following revisions adopted by the City Council December 15, 1980:

1. Addition of Live Theater on First Floor
2. Addition of Norman Property and associated revisions to parking layouts
3. Deletion of Third Floor office space over Bank

In addition, Civil Engineering drawings reflect minor changes to the water loop and hydrant locations, Sixth Street sewer and water stubbs, Sixth Street cross-section, and Norman Property storm water collection, all in accordance with recent discussions with Public Services.

I've also included a separate color board portraying the exterior materials and colors of the western and northern building facades, as you requested.

I trust you will find this in order. If you have any questions, please don't hesitate to call.

Thank you.

Sincerely yours,

CHARLES KOBER ASSOCIATES

Ron Hopper
Ron Hopper

cc: Cumberland Northwest (2)
KPFF
Hunt/Shultz
Jongejan, Gerrard, McNeal

RECEIVED

PLA

EXHIBIT "E"
LETTER OF APPLICATION
PF-80-94
PARKPLACE

BY.....

planningarchitectureengineeringinteriors