

RESOLUTION R- 4654

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELATING
TO THE REDEVELOPMENT OF THE KIRKLAND PARKPLACE CENTER.

WHEREAS, Touchstone Corporation ("Touchstone") is the prospective purchaser of the Kirkland ParkPlace Center ("ParkPlace"), located on an 11.7 acre parcel in the City of Kirkland; and

WHEREAS, Touchstone plans to pursue redevelopment of ParkPlace with up to 1,700,000 gross square feet of space, including office, retail, restaurants, two hotels, a sports club and approximately 3,410 parking stalls; and

WHEREAS, the City Council recognizes that the redevelopment of ParkPlace represents a unique opportunity to create a successful employment, shopping and entertainment center that is pedestrian friendly, is oriented towards Peter Kirk Park, and ties the downtown and eastern cores of the City; and

WHEREAS, the City Council, through the Comprehensive Plan, has identified the Central Business District ("CBD") 5 as the appropriate location for office uses in the downtown and one which provides a unique opportunity to maintain and enhance community-serving retail uses; and

WHEREAS, Touchstone has submitted a Kirkland Comprehensive Plan and Zoning Code private amendment request which Touchstone deems necessary to accomplish the successful redevelopment of ParkPlace; and

WHEREAS, the private amendment request is to increase allowed building height in the CBD-5 planning area from 3 to 5 stories to 4 to 8 stories as measured from the grade of 6th Street and Central Way and to allow taller buildings next to Central Way and 6th Street, and to reduce building setbacks from 20 feet to 0 feet on Central Way and 6th Street, and from 10 feet to 0 feet next to Peter Kirk Park and allow flexibility in other regulations such as lot coverage; and

WHEREAS, the City Council has decided to study the private amendment request in conjunction with the City's annual amendments to the Comprehensive Plan; and

WHEREAS, the City Council wishes to outline a process, subject to the outcome of the City's study of and public comment upon the private

amendment request in conjunction with the City's annual amendments to the Comprehensive Plan, and subject to the outcome of the City's environmental review of the proposed annual amendments to the Comprehensive Plan, by which to consider the proposed redevelopment of ParkPlace; and

WHEREAS, under Kirkland Municipal Code 3.30.030, the Design Review Board, in addition to its responsibilities under the Zoning Code, has such advisory functions related to design issues as designated by the City Council;

NOW, THEREFORE, be it resolved by the City Council of the City of Kirkland as follows:

Section 1. Consistent with Kirkland Municipal Code 3.30.030, the Design Review Board is hereby authorized and directed to assist the Planning Commission in its consideration of the Touchstone Comprehensive Plan and Zoning Code private amendment request. The role of the Design Review Board, in addition to its responsibilities under the Zoning Code, shall be to review a Conceptual Development Plan prepared by Touchstone for ParkPlace.

Section 2. The Conceptual Development Plan shall include:

- a. The location of all site improvements including, but not limited to vehicular and pedestrian access and site circulation, buildings, parking areas, public spaces and landscaped areas;
- b. The location and arrangement of proposed land uses and site activities; and
- c. The three dimensional arrangement and massing of structures and improvements shown in relationship to existing structures surrounding the ParkPlace Center.

Section 3. Following Design Review Board review, the Conceptual Design Plan shall be forwarded, along with Design Review Board comments, to the Planning Commission. The Planning Commission shall consider the Conceptual Design Plan and Design Review Board comments during its review of the Touchstone private amendment request and incorporate them, as appropriate, into any recommended amendments to the Comprehensive Plan and Zoning Code.

Section 4. Subject to the Planning Commission's study and recommendation on the Comprehensive Plan and Zoning Code private amendment request, public participation, and the City Council's consideration

of the recommendation from the Planning Commission, the City Council may enter into a Development Agreement with Touchstone which may include agreement to fund or provide right-of-way improvements and or expansions, signalization, waiver of traffic impact fees, storm water detention, connectivity to Peter Kirk Park, parking, public plazas, art, or other facilities, if the City Council is satisfied that sufficient public benefit can be demonstrated.

Section 5. The City will work cooperatively with Touchstone and use its best, good faith efforts to complete negotiations and to enter a Development Agreement no later than January 31, 2008.

Section 6. Any City financial participation in the redevelopment of ParkPlace will be dependent upon a benefit cost analysis which reflects adequate forecasted revenues from sales tax on construction, increased on-going sales tax revenues from redevelopment of ParkPlace, increased property taxes, and other revenues generated by ParkPlace after redevelopment, such as admissions tax or business license fees, to fund the City's financial participation.

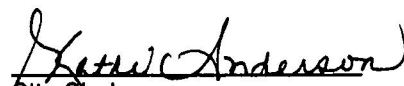
Section 7. To the extent permitted by law, the City shall expedite and give priority status to the processing of City land use, permit applications, construction drawings, plans and specifications, and similar or related submissions by Touchstone associated with the ParkPlace redevelopment.

Passed by majority vote of the Kirkland City Council in open meeting this 17th day of July, 2007.

Signed in authentication thereof this 17th day of July, 2007.


MAYOR

Attest:


City Clerk