

Revised Advisory Report Conditions of Approval Section I.A. 6-5-2013

A. RECOMMENDATIONS-

Based on Statements of Fact and Conclusions (Section II), and Attachments in this report, we recommend approval of this application subject to the following conditions:

1. This application is subject to the applicable requirements contained in the Kirkland Municipal Codes, Zoning Code, and Building and Fire Code. It is the responsibility of the applicant to ensure compliance with the various provisions contained in these ordinances. Attachment 4, Development Standards, is provided in this report to familiarize the applicant with some of the additional development regulations. This attachment does not include all of the additional regulations. When a condition of approval conflicts with a development regulation in Attachment 4, the condition of approval shall be followed (see Conclusion II.G).
2. The applicant shall comply with the applicable tree retention requirements of KZC Chapter 95 throughout each phase of construction including tree protection and tree density requirements. Attachment 7 is the arborist report from Washington Forestry Consultants Inc. dated January 17, 2013. Attachment 4 describes the City's contract arborist's typing of viable trees to be retained along with comments on the applicant's arborist report and additional recommendations for tree retention. (see Conclusion II.E.1 and 5).
- ~~2. The tree retention conditions are outlined in Attachment 4. The applicant shall implement work with the City on the recommendations of the City's Arborist (see Conclusion II.E.5).~~
3. Prior to recording the subdivision and final PUD approval, the applicant shall:
 - a. Record a covenant on the face of the plat that restricts the total lot coverage to not exceed 50% of the area of the 35 lots and Tracts A, B, C, and G. The applicant shall provide tracking of total lot coverage with each building permit in the plat (see Conclusion II.D.3).
 - b. Record a covenant on the face of the plat that restricts the total floor area ratio of all homes to ~~55%~~ 50% of the area of the 35 lots and Tracts A, B, C, and G. The applicant shall provide tracking of total lot coverage with each building permit in the plat (see Conclusion II.D.4)
 - c. Pursuant to KZC 105.10.2.c. rRecord on the face of the plat language that establishes equal maintenance responsibilities for the owners of all lots served by each vehicular access tract (see Conclusions II.E.3).
 - d. As part of the land surface modification, the applicant shall install the required improvements as described in Attachment 4 and as follows:
 - (1) Within the new internal road from NE 75th St. to the north property line, dedicate a 36.5 ft. public right-of-way and install the improvements described in Attachment 4 including :
 - (a) 24 ft. of asphalt paving, vertical curb, gutter and storm collection and conveyance system along both sides of the street. Install no parking signs along the east side of the street.
 - (b) On the west side of the street provide a 5 ft. wide Public Landscape Easement to be recorded with King County Records, with street trees planted 30 ft. on-center.

CITY OF KIRKLAND

Hearing Examiner Exhibit

Applicant _____
Department ✓
Public _____

E

EXHIBIT _____

(c) Along the east side of the street install a 5 ft. wide concrete sidewalk and a 4.5 ft. wide landscape strip with street trees planted 30 ft. on-center.

(2) From the north property line of the subject property to NE 80th St. within the existing 128th Avenue NE right-of-way, install the following ~~required improvements described in Attachment 4. Including paving, curb, gutter, storm drainage on both sides of the street, sidewalk on the east side of the street, street trees.~~ ÷

(a) ~~24 ft. of asphalt paving with vertical curb and gutter along both sides of the street.~~

(b) ~~A 5 ft. wide concrete sidewalk along the west east side of the street with street trees planted 30 ft. on-center, 3 ft. behind the new sidewalk, (within a landscape easement).~~

(c) ~~A storm drainage collection and conveyance system.~~

(3) Install the following improvements incorporated into the proposal (see Conclusions II.C):

(a) A Rectangular Rapid Flash Beacon (RRFB) lighted crosswalk at the intersection of NE 80th Street /128th Avenue NE.

(b) A STOP sign on 128th Avenue NE at NE 75th Street.

(c) A STOP sign on the south leg of the existing intersection of NE 75th Street/128th Avenue NE.

(d) Complete the two small missing sections of sidewalks at the intersection of NE 80th Street/128th Avenue NE with the installation of the RRFB at the NE 80th St. crosswalk.

(4) The following half-street improvements within the NE 75th St. right-of-way bordering the subject property described in Attachment 4 including dedication of right of way, sidewalks, street trees in landscape strips, storm draining. The landscape strip on the east side of the driveway may be modified to save additional significant trees (see Conclusion II.E.2):

(a) ~~Widen the street to 28 ft. from the existing curb on the south side of the street to the new face of curb; the new curb should align with the existing curb to the east.~~

(b) ~~Install storm drainage, curb and gutter, a 4.5 ft. planter strip with street trees 30 ft. on-center, and a 5 ft. wide sidewalk provided no planter strip will be included east of the new street intersection for tree preservation.~~

(c) ~~Dedicate right-of-way to encompass said improvements.~~

(5) ~~Install the three vehicular access tracts to the requirements in KZC 105.10) with code-prescribed pavement widths, a 16 or 20 foot wide paved road within a 21-foot wide tract. Vehicular access rights for each lot served by the tract shall be established by segregating each roadway into a separate tract in which each lot served has an undivided ownership interest and maintenance responsibilities by recording the tract document or showing the ownership interest on the face of the plat.~~

EXHIBIT _____

- (6)(5) Prior to installing the above improvements, plans must be submitted for approval by the Department of Public Works.
- (7)(6) In lieu of completing these improvements, the applicant may submit to the Department of Public Works a security device to cover the cost of installing the improvements and guaranteeing installation within one year of the date of final plat approval (see Conclusion II.E.).
- e. Submit for approval by the Department of Planning and Community Development a Landscape Greenbelt Easement to be shown on the face of the plat for the landscape buffer areas along the south entrance to the development (approximately 30' in width) to retain existing trees designated for retention and proposed new landscaping (see Conclusion II.E.5).
- f. ~~Combined with Condition 2. Attachment 7 is the arborist report from Washington Forestry Consultants Inc. dated January 17, 2013. Attachment 4 describes the trees to be retained along with the City's contract arborist's comments on the arborist report. As part of the building permit for each lot, the applicant shall meet the tree density requirements of KZC section 95.33 (see Conclusion II.E.1).~~

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 - a. Record a covenant on the face of the plat that restricts the total lot coverage to not exceed 50% of the area of the 35 lots and Tracts A, B, C, and G. The applicant shall provide tracking of total lot coverage with each building permit in the plat (see Conclusion II.D.3).
 - b. Record a covenant on the face of the plat that restricts the total floor area ratio of all homes to 50% of the area of the 35 lots and Tracts A, B, C, and G. The applicant shall provide tracking of total lot coverage with each building permit in the plat (see Conclusion II.D.4)
 - c. Pursuant to KZC 105.10.2.c. record on the face of the plat language that establishes equal maintenance responsibilities for the owners of all lots served by each vehicular access tract (see Conclusions II.E.3).
 - d. As part of the land surface modification, the applicant shall install the required improvements as described in Attachment 4 and as follows:
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 - (b) On the west side of the street provide a 5 ft. wide Public Landscape Easement to be recorded with King County Records, with street trees planted 30 ft. on-center.
 - (c) Along the east side of the street install a 5 ft. wide concrete sidewalk and a 4.5 ft. wide landscape strip with street trees planted 30 ft. on-center.

- (2) From the north property line of the subject property to NE 80th St. within the existing 128th Avenue NE right-of-way, install the required improvements described in Attachment 4. Including paving, curb, gutter, storm drainage on both sides of the street, sidewalk on the east side of the street, street trees.
 - (3) Install the following improvements incorporated into the proposal (see Conclusions II.C):
 - (a) A Rectangular Rapid Flash Beacon (RRFB) lighted crosswalk at the intersection of NE 80th Street /128th Avenue NE.
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 - (5) Install the three vehicular access tracts to the requirements in KZC 105.10) with code-prescribed pavement widths. Prior to installing the above improvements, plans must be submitted for approval by the Department of Public Works.
 - (6) In lieu of completing these improvements, the applicant may submit to the Department of Public Works a security device to cover the cost of installing the improvements and guaranteeing installation within one year of the date of final plat approval (see Conclusion II.E.).
- e. Submit for approval by the Department of Planning and Community Development a Landscape Greenbelt Easement to be shown on the face of the plat for the landscape buffer areas along the south entrance to the development (approximately 30' in width) to retain existing trees designated for retention and proposed new landscaping (see Conclusion II.E.5).

Combined with Condition 2.