



CITY OF KIRKLAND

Planning and Community Development Department
123 Fifth Avenue, Kirkland, WA 98033
425.587-3225 - www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager **QUASI-JUDICIAL**

From: Janice Coogan, Senior Planner
Eric Shields, Planning Director

Date: July 10, 2013

Subject: C&G PROPERTY PRELIMINARY AND FINAL PUD AND PRELIMINARY
SUBDIVISION, PCD FILE NO. SUB12-00560

RECOMMENDATION

Consider the Hearing Examiner Recommendation for the proposed C&G Property preliminary and final planned unit development (PUD) and preliminary subdivision application by Toll WA, LP and direct staff to return to the August 6, 2013 City Council meeting with a final ordinance to either:

- Grant the application as recommended by the Hearing Examiner; or
- Modify and grant the application; or
- Deny the application.

The City Council may, by a vote of at least five members, suspend the rule to vote on the matter at the August 6, 2013 meeting and vote on the application at this meeting. An Ordinance reflecting the recommendation of the Hearing Examiner is enclosed.

In the alternative, direct the application to be considered at a reopening of the hearing before the Hearing Examiner and specify the issues to be considered at the hearing.

The Hearing Examiner Recommendation for approval along with her Findings, Conclusions, Exhibits and Public Comments received into the public record is available at http://www.kirklandwa.gov/depart/planning/Development/CG_Project.htm#CNG

RULES FOR CITY COUNCIL CONSIDERATION

The City Council shall consider the Process IIB Zoning Permit for the preliminary and final PUD and preliminary subdivision application based on the record before the Hearing Examiner and recommendation of the Hearing Examiner. A Process IIB does not provide for testimony and oral arguments before the City Council. However, the City Council in its discretion may ask questions of the applicant and staff regarding facts in the record, and may request oral argument on legal issues.

BACKGROUND DISCUSSION

Proposal

Mike Smith of Toll WA LP, representing the property owners, submitted an application for a preliminary and final planned unit development and preliminary subdivision to subdivide a 6.38 acre parcel into 35 lots. The property is located at 7707 129th Avenue NE in an RSX 7.2 zone (see Enclosure 1).

The components of the development proposal are described below:

1. A preliminary subdivision to subdivide one 278,113 square foot parcel into 35 separate lots with access from both NE 75th Street and NE 80th Street. A modification request to the right of way standards of Chapter 110 KZC to construct a narrower internal street, with a sidewalk and landscape strip on one side instead of both sides of the street, in exchange for construction of off-site street improvements from the north property line to NE 80th Street. Three vehicular access tracts will provide access from the new street to interior lots on the west side of the plat.
2. A preliminary and final planned unit development (PUD) with a 10% density bonus for three additional lots and modification of the following Zoning Code requirements:
 - a. Provide lots smaller than the 7,200 square foot minimum lot size required in the RSX 7.2 zone, with an average lot size of 5,435 square feet.
 - b. Calculate the maximum lot coverage at 50% on a project wide, rather than on a per lot basis as required by Code.
 - c. Calculate the maximum floor area ratio (FAR) of 50% on a project wide, rather than on a per lot basis.
3. The PUD proposal includes the following benefits to the City beyond the improvements that would typically be required:
 - a. Increased open space and landscaping including common open space above the underground storm detention facility with recreational amenities (sports court, play equipment and picnic bench). At the north and south entrances, landscape tracts incorporating existing and new trees and landscaping. A six foot tall wood fence along the east and west property lines.
 - b. Superior site design and architectural home design. The applicant proposes 14 home designs that range in size from 2,600 to 3,750 square feet. The homes will be two stories with varied roof forms, porches, decks and a variety of exterior materials including stone, brick, vertical and horizontal siding, and shakes. As noted above, large open space tracts will be provided at the north and south boundaries of the subdivision.
 - c. Installation of a flashing Rectangular Rapid Flash Beacon (RRFB) to the existing crosswalk at NE 80th Street and 128th Avenue NE to improve pedestrian access to Rose Hill Elementary School.

- d. Installation of two sidewalk sections along NE 80th Street at the southwest and southeast corners of the intersection with 128th Avenue NE to improve the pedestrian crossing across 128th Avenue NE to the crosswalk across NE 80th Street.
- e. Installation of offsite street improvements from the north property line to NE 80th Street, which will provide a vehicular and pedestrian street connection between NE 75th and NE 80th Streets within the 128th Avenue NE right-of-way.

Public Hearing

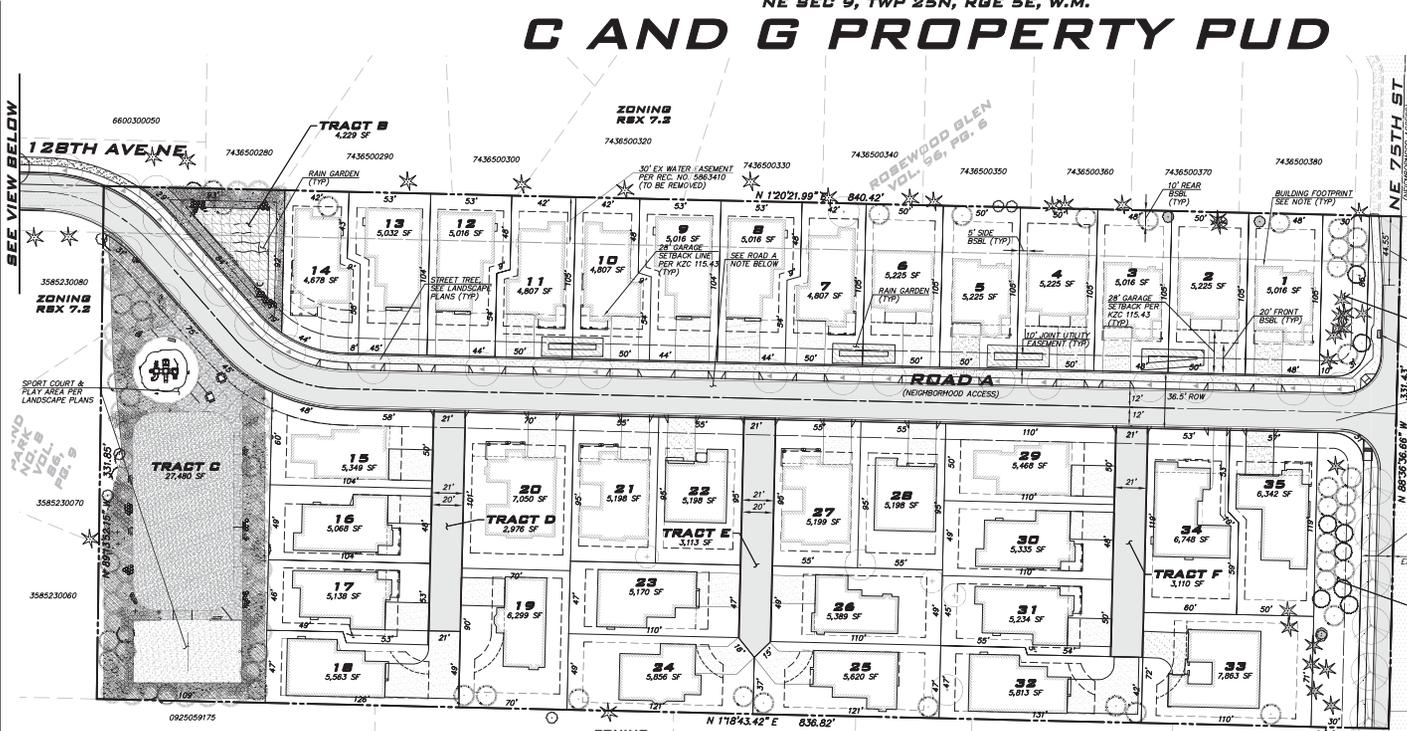
The Hearing Examiner held a public hearing on June 5, 2013. City Staff, applicant and approximately 12 people testified and answered questions from the Hearing Examiner during the hearing. The [staff advisory report](#) link including attachments, parties of record comments and minutes are available for viewing at the Hearing Examiner's page on the Planning and Community Development Department webpage.

On June 10, 2013 the Hearing Examiner recommended approval of the application per the Staff's recommendation and revised conditions. No challenges were filed.

ENCLOSURES

1. C&G site plan and vicinity map
2. Ordinance

NE SEC 9, TWP 25N, RGE 5E, W.M.
C AND G PROPERTY PUD



BLUELINE

SCALE: AS NOTED
 PROJECT MANAGER: TODD A. OBERG, PE
 PROJECT ENGINEER: TODD A. OBERG, PE
 DESIGNER: ADAM KAY
 ISSUE DATE: 5/2/2013

PROJECT TEAM

OWNER
 CAMWEST - A TOLL BROTHERS COMPANY
 9120 NE 30TH PL, SUITE 100
 KIRKLAND, WA 98034
 (425) 825-1222
 CONTACT: MIKE SMITH

SURVEYOR
 MEAD GILMAN & ASSOCIATES
 PROFESSIONAL LAND SURVEYORS
 P.O. BOX 289
 WOODVILLE, WA 98072
 (425) 486-1222
 CONTACT: SHANE BARNES, PLS

CIVIL ENGINEER
 THE BLUELINE GROUP
 25 CENTRAL WAY, SUITE 400
 KIRKLAND, WA 98033
 (425) 216-4001 x224
 CONTACT: TODD OBERG, PE

ARBORIST
 WASHINGTON FORESTRY CONSULTANTS, INC.
 1919 SELWYN ST.
 OLMPIA, WA 98501
 (360) 943-1723
 CONTACT: GALEN WRIGHT

LANDSCAPE ARCHITECT
 THOMAS RENSTORF ASSOCIATES
 911 WESTERN AVE, SUITE 202
 SEATTLE, WA 98104
 (206) 465-7262
 CONTACT: THOMAS RENSTORF

SITE DATA

PROJECT DESCRIPTION: 35 LOT PUD
 ZONING: RBX 7.2 (LOW DENSITY RESIDENTIAL)
 TAX PARCEL NUMBER: 0925059010
 SITE ADDRESS: 7707 128TH AVE NE
 ADJACENT DEVELOPMENT: SINGLE FAMILY AND CHURCH PROPERTY
 PROPOSED USE: SINGLE FAMILY RESIDENTIAL
 DENSITY: 5.49 DU/AC
 GROSS SITE AREA: 278,113 SF (6.38 AC)
 PROPOSED ROW AREA (INCLUDES ROW AREA FOR ROAD A, 31,334 SF, & ROW DEDICATION AREA FOR NE 74TH ST, 6,784 SF): 36,328 SF (0.88 AC)
 NET SITE AREA (GROSS AREA LESS PROPOSED ROW AREA): 239,785 SF (5.50 AC)
 ACCESS / UTILITY TRACTS
 TRACT A: 3,054 SF
 TRACT B: 5,813 SF
 TRACT C: 3,113 SF
 TRACT D: 2,976 SF
 TRACT E: 3,113 SF
 TRACT F: 3,110 SF
 TOTAL LOT AREA: 189,822 SF
 TOTAL LOTS: 35
 SMALLEST LOT SIZE: 4,678 SF (LOT 14)
 AVERAGE LOT SIZE: 5,435 SF
 SETBACKS: 20' FRONT, 10' REAR, 5' SIDE
 TRACT B: 20' FRONT, 10' REAR, 5' SIDE
 WATER DISTRICT: LAKE WASHINGTON #414
 CITY OF KIRKLAND
 CITY OF KIRKLAND
 CITY OF KIRKLAND
 TELEPHONE SERVICE PROVIDER: FRONTIER
 ELECTRICAL POWER PROVIDER: PUGET SOUND ENERGY
 CABLE TV PROVIDER: COMCAST

LEGEND

EXISTING FEATURES

- RIGHT-OF-WAY / EX. LOTS
- CENTERLINE
- EASEMENT
- SURFACE FEATURES
- BUILDING FOOTPRINT
- EDGE OF WETLAND
- 10' CONTOURS
- 2' CONTOURS
- STORM DRAIN PIPE
- SEWER MAIN
- WATER MAIN
- AERIAL POWER LINE
- BURIED POWER LINE
- GAS MAIN
- BURIED TELEPHONE LINE
- WIRE FENCE
- CHAINLINK FENCE
- BOARD FENCE
- CATCH BASIN, TYPE I
- CATCH BASIN, TYPE II
- SD PIPE FLOW
- SEWER MANHOLE
- SS PIPE FLOW
- SEWER STUB
- FIRE HYDRANT
- WATER METER
- GATE VALVE
- BLOW OFF
- POWER POLE
- GUY ANCHOR
- TELEPHONE RISER
- SIGN
- SOIL LOG TEST PIT
- CONIFEROUS TREE
- DECIDUOUS TREE
- CONIFEROUS TREE TO BE SAVED
- DECIDUOUS TREE TO BE SAVED
- ASPHALT
- CONCRETE
- GRAVEL
- WETLAND

PROPOSED FEATURES

- BOUNDARY
- RIGHT-OF-WAY
- LOT LINE
- FLOW & CURB
- CENTERLINE
- SAW CUT
- EASEMENT
- 10' PROPOSED CONTOURS
- 2' PROPOSED CONTOURS
- STORM DRAIN PIPE
- ROOF & FOOTING DRAIN
- SEWER MAIN
- SEWER SERVICE
- WATER MAIN
- ROCKERY
- CATCH BASIN, TYPE I
- CATCH BASIN, TYPE II
- PIPE FLOW
- STORM CLEANOUT
- YARD DRAIN
- SEWER MANHOLE
- PIPE FLOW
- SEWER CLEANOUT
- WATER METER
- FIRE HYDRANT
- GATE VALVE
- W/ C/ WC BLOCKING
- COUPLING
- ASPHALT PAVEMENT
- SEWER SERVICE
- SIDEWALK/DRIVEWAY
- RAIN GARDEN

BENCHMARKS

ORIGINAL: CITY OF KIRKLAND CONTROL POINT DESIGNATION 20- FOUND CONC MON WITH 3" BRASS DISC & PUNCH DOWN 1.2" IN A CASE AT INTX. OF 127TH AVE NE & NE 75TH ST. ELEV. = 457.17'
 TEM - A: ROADSIDE CAP BOLT OF FIRE HYDRANT IN SOUTHEAST QUADRANT OF INTX. OF 127TH AVE NE & NE 75TH ST. ELEV. = 460.10'
 TEM - B: FOUND RAILROAD SPIKE IN SOUTH FACE OF POWER POLE IN NORTHWEST QUADRANT OF INTX. OF 128TH AVE NE AND NE 80TH ST. ELEV. = 430.13'

BASIS OF BEARING

BASED ON BEARING TO THE INTERSECTION MONUMENT LOCATED AT NE 75TH STREET AND 129TH AVENUE NORTHEAST AS SHOWN ON THE PLAT OF FIRE ALARM ADDITION NO. 2 AS RECORDED IN VOLUME 78 OF PLATS, AT PAGE 20, AND THE CUL-DE-SAC MONUMENT LOCATED AT THE SOUTH END OF 127TH PLACE NORTHEAST AS SHOWN ON THE PLAT OF INLAND PARK NO. 8 AS RECORDED IN VOLUME 88 OF PLATS, AT PAGE 5. A BEARING OF NORTH 16°45'18" WEST WAS HELD BETWEEN THESE MONUMENTS AND A DISTANCE OF 1023.07' WAS MEASURED COMPARED TO THE CALCULATED DISTANCE OF 1022.92'

DATUM
 NAVD 88

SHEET INDEX

- 1 SP-01 PRELIMINARY SITE PLAN
- 2 UP-01 PRELIMINARY UTILITY PLAN
- 3 GP-01 PRELIMINARY GRADING PLAN
- 4 GP-02 PRELIMINARY GRADING PLAN
- 5 TR-01 TREE RETENTION PLAN

1 OF 2 ALTA/ACSM LAND TITLE SURVEY
2 OF 2 ALTA/ACSM LAND TITLE SURVEY

TRACT TABLE

TRACT	DESIGNATION	AREA
A	OPEN SPACE	3,054 SF
B	OPEN SPACE	4,229 SF
C	DETENTION / OPEN SPACE	27,480 SF
D	ACCESS / UTILITY	2,976 SF
E	ACCESS / UTILITY	3,113 SF
F	ACCESS / UTILITY	3,110 SF
G	OPEN SPACE	5,619 SF

U. S. POSTAL SERVICE
 (APPROVED FOR MAILBOX LOCATIONS)

BY: _____
 US POSTAL SERVICE
 DATE: _____

UNDERGROUND UTILITY NOTE

UNDERGROUND UTILITIES ARE SHOWN IN THE APPROXIMATE LOCATION. THERE IS NO GUARANTEE THAT ALL UTILITY LINES ARE SHOWN, OR THAT THE LOCATION, SIZE AND MATERIAL IS ACCURATE. THE CONTRACTOR SHALL UNCOVER ALL INDICATED PIPING WHERE CROSSING, INTERFERENCES, OR CONNECTIONS OCCUR PRIOR TO TRENCHING OR EXCAVATION FOR ANY PIPE OR STRUCTURES. TO DETERMINE ACTUAL LOCATION, SIZE AND MATERIAL, THE CONTRACTOR SHALL MAKE THE APPROPRIATE INVESTIGATION FOR PROTECTION OF SAID FACILITIES. THE CONTRACTOR SHALL NOTIFY ONE CALL AT 1-800-424-5555 AND ARRANGE FOR FIELD LOCATION OF EXISTING FACILITIES BEFORE CONSTRUCTION.

ROAD A NOTE

MINIMUM 4.5' WIDE PLANTER STRIP ON EAST SIDE OF ROAD WILL BE PROVIDED. STREET TREES AT 30' O.C. WILL BE PROVIDED TO THE MAXIMUM EXTENT FEASIBLE.



NOTE

ALL EXISTING STRUCTURES LOCATED ONSITE ARE TO BE REMOVED UNLESS OTHERWISE NOTED.

PRELIMINARY SITE PLAN
C AND G PROPERTY PUD
CAMWEST - A TOLL BROTHERS COMPANY
PARCEL NO. 0925059010
KIRKLAND WASHINGTON

5/2/13

JOB NUMBER: 11-070

SHEET NAME: SP-01

SHT 1 OF 5

May 26, 2013 - 5:08pm - User: eadcock
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ORDINANCE O-4415

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO LAND USE, APPROVAL OF A PRELIMINARY (AND FINAL) PUD AND PRELIMINARY SUBDIVISION AS APPLIED FOR BY TOLL WA, LP IN DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT FILE NO. SUB12-00560 AND SETTING FORTH CONDITIONS OF SAID APPROVAL.

WHEREAS, the Department of Planning and Community Development has received an application, pursuant to Process IIB, for a Preliminary (and Final) Planned Unit Development (PUD) and Preliminary Subdivision filed by Toll WA, LP as Department of Planning and Community Development File No. SUB12-00560 to construct a 35 lot planned unit development and subdivision within a RSX 7.2 zone; and

WHEREAS, pursuant to the City of Kirkland's Concurrency Management System, KMC Title 25, a concurrency application has been submitted to the City of Kirkland, reviewed by the responsible Public Works official, the concurrency test has been passed, and a concurrency test notice issued; and

WHEREAS, pursuant to the State Environmental Policy Act, RCW 43.21C, and the Administrative Guideline and local ordinance adopted to implement it, an environmental checklist was submitted to the City of Kirkland, reviewed by the responsible official of the City of Kirkland, and a negative determination was issued; and

WHEREAS, said environmental checklist and determination have been available and accompanied the application through the entire review process; and

WHEREAS, the application was submitted to the Kirkland Hearing Examiner who held a public hearing on June 5, 2013; and

WHEREAS, the Kirkland Hearing Examiner after a public hearing and consideration of the recommendations of the Department of Planning and Community Development did adopt certain Findings, Conclusions and Recommendations and did recommend approval of the Process IIB 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 Hearing Examiner; and

WHEREAS, the Kirkland Zoning Ordinance requires approval of this application for PUD and Preliminary Subdivision to be made by ordinance or resolution.

NOW, THEREFORE, the City Council of the City of Kirkland do ordain as follows:

Section 1. The Findings, Conclusions and Recommendations of the Kirkland Hearing Examiner as signed by her and filed in the Department of Planning and Community Development File No. SUB12-00560 are adopted by the Kirkland City Council as though fully set forth herein and the Kirkland City Council hereby approves the Preliminary (and Final) PUD and Preliminary Plat application filed by Toll WA, LP.

Section 2. The Process IIB PUD Permit shall be issued to the applicant subject to the conditions set forth in the Findings, Conclusions and Recommendations hereinabove adopted by the City Council.

Section 3. Nothing in this ordinance 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 4. 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 Process IIB PUD Permit is subject shall be grounds for revocation in accordance with Ordinance No. 3719, as amended, the Kirkland Zoning Ordinance.

Section 5. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

Section 6. A complete copy of this ordinance, including Findings, Conclusions and Recommendations adopted by reference, shall be certified by the City Clerk, who shall then forward the certified copy to the King County Department of Assessments.

Section 7. A certified copy of this ordinance, together with the Findings, Conclusions, and Recommendations herein adopted shall be attached to and become a part of the Process IIB PUD Permit.

Passed by majority vote of the Kirkland City Council in open meeting this ____ day of _____, 20____.

Signed in authentication thereof on this ____ day of _____, 20____.

MAYOR

Attest:

City Clerk

Approved as to Form:

City Attorney