ORDINANCE O-4473

AN ORDINANCE OF THE CITY OF KIRKLAND AMENDING ORDINANCE NO. 4175 AND RELATING TO LAND USE AND PLANNING; ESTABLISHING A PLANNED ACTION FOR THE PARKPLACE SITE IN THE MOSS BAY NEIGHBORHOOD GENERALLY LOCATED EAST OF PETER KIRK PARK, SOUTH OF CENTRAL WAY/NE 85TH STREET, WEST OF 6TH STREET, AND NORTH OF KIRKLAND WAY PURSUANT TO THE STATE ENVIRONMENTAL POLICY ACT, RCW 43.21C.031.

WHEREAS, the State Environmental Policy Act ("SEPA", RCW 43.21C) and implementing rules (WAC 197-11) provide for the integration of environmental review with land use planning and project review through designation of "Planned Actions" by jurisdictions planning under the Growth Management Act ("GMA"); and

WHEREAS, designation of a Planned Action expedites the permitting process for subsequent, implementing projects whose impacts have been previously addressed in a Planned Action environmental impact statement ("EIS"), and thereby encourages desired growth and economic development; and

WHEREAS, the Planned Action EIS and EIS addendum identify impacts and mitigation measures associated with planned development in the Planned Action Area;

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

Section 1. Purpose. The purpose of this ordinance is to:

A. Combine environmental analysis with land use planning;

B. Streamline and expedite the development permit review process by relying on the environmental impact statement ("EIS") Supplemental EIS and EIS Addendum completed for the Planned Action;

C. Establish criteria and procedures, consistent with state law, that will determine whether subsequent projects qualify as Planned Actions;

D. Provide the public with an understanding of Planned Actions and how the City will process Planned Actions; and

E. Apply the City's development regulations together with the mitigation measures described in the EIS, supplemental EIS, EIS
Addendum and this Ordinance to address the impacts of future
development contemplated by the Planned Action.

Section 2. Findings. The City Council finds as follows:

A. The City is subject to the requirements of the Growth
Management Act ("GMA"), RCW 36.70A, and is located within an Urban
Growth Area;

B. The City has adopted a Comprehensive Plan complying with
the GMA;

C. The City is adopting development regulations applicable to
the proposed development concurrent with adoption of this Planned
Action Ordinance to address many of the impacts of future
development;

D. The City has prepared an EIS, a Supplemental EIS and an
EIS Addendum complying with the State Environmental Policy Act
("SEPA") for the area designated as a Planned Action ("Planned-Action
EIS") and finds that these documents adequately addresses the
probable significant environmental impacts associated with the type and
amount of development planned to occur in the designated Planned
Action Area;

E. The mitigation measures identified in the Planned Action EIS
Addendum are attached to this Ordinance as Exhibit B. These mitigation
measures, together with City development regulations, will adequately
mitigate significant impacts from development within the Planned Action
Area;

F. The Planned-Action EIS Addendum and this Ordinance
identify the location, type and amount of development that is
contemplated by the Planned Action;

G. Future projects that are consistent with the Planned Action
will protect the environment, benefit the public and enhance economic
development;

H. The City has provided numerous opportunities for meaningful
public involvement in the proposed Planned Action; has considered all
comments received; and, as appropriate, has modified the proposal or
mitigation measures in response to comments;

I. The proposal is not an essential public facility as defined by
RCW 36.70A.200(1);
J. The Planned Action Area applies to a defined area that is smaller than the overall City boundaries; and

K. Public services and facilities are adequate to serve the proposed Planned Action with the mitigation measures identified in Exhibit B.

Section 3. Procedures and criteria for evaluating and determining projects as Planned Actions:

A. Planned Action Area. The Planned Action designation shall apply to the two areas in the Moss Bay Neighborhood as are specifically shown in Exhibit A, “Planned Action Area”: the 11.5 acres of property at 457 Central Way known as the Parkplace Mall and generally located east of Peter Kirk Park (Area A on Exhibit A); and the parcel at 229-6th Street and the parcel at 603 and 611 4th Avenue to the north on 0.9 acres of land (Area C on Exhibit A). Additionally, the Planned Action designation shall apply to any off-site improvements necessitated by proposed development on the subject sites, where the off-site improvements have been analyzed in the Planned Action EIS, Supplemental EIS and EIS Addendum.

B. Environmental Documents.

(i) Depending on the specific context, this Ordinance may refer to the 2008 Draft and Final Planned Action EISs, the 2010 Planned Action Supplemental EIS, or the 2015 EIS Addendum for the Downtown (Parkplace) Planned Action. Together, these documents comprise the Planned Action EIS for purposes of environmental review.

(ii) A Planned Action determination for a site-specific permit application shall be based on the environmental analysis contained in the Draft Planned Action EIS issued by the City on April 4, 2008, and the Final Planned Action EIS published on October 16, 2008; the Final Planned Action Supplemental EIS published on August 16, 2010, and the EIS Addendum published on January xx, 2015, which addressed proposed revisions to Parkplace.

(iii) The mitigation measures contained in Exhibit B, which is attached hereto and adopted by reference as though fully set forth herein, are based upon the findings of the 2008 Draft and Final EISs, the Supplemental EIS and the EIS Addendum and shall, along with existing City codes, ordinances, and standards, provide the
framework that the City will use to impose appropriate conditions on qualifying Planned Action projects. The Draft and Final EISs shall comprise the Planned Action EIS.

C. Planned Action Designated. Land uses described in the Planned Action EIS Addendum, subject to the thresholds described in Subsection D of this Section and the mitigation measures contained in Exhibit B, are designated Planned Actions pursuant to RCW 43.21C.031. A development application for a site-specific Planned Action project located within the Planned Action Area shall be designated a Planned Action if it meets the criteria set forth in Subsection D of this Section and applicable laws, codes, development regulations and standards of the City.

D. Planned Action Thresholds. The following thresholds shall be used to determine if a site-specific development proposed within the Planned Action Area is contemplated by the Planned Action and has had its environmental impacts evaluated in the Planned Action environmental documents EIS. Thresholds and required mitigation measures are based on the 2014 Revised Proposal evaluated in the Parkplace Planned Action EIS Addendum, FEIS Review Alternative contained in the Planned Action Final EIS:

(1) Land Uses. Subject to the mitigation measures described in Exhibit B, the following land uses, together with the customary accessory uses and amenities described in the Planned Action EIS Addendum, are Planned Actions pursuant to RCW 43.21C.031.

(a) The following uses are the primary uses analyzed in the Parkplace Planned Action EIS Addendum for Area A:

(i) Office; and
(ii) Retail and Other Commercial, including a hotel, restaurants, supermarket, mixed retail, athletic/health club and theater; and
(iii) Residential.

(b) The following uses are the primary uses analyzed in the Planned Action EIS for Area C:

(i) Office; and
(ii) Residential.

(2) Land Use Review Threshold.
(a) The Planned Action designation applies to future development proposals that are comparable or within the ranges established by Planned Action FEIS Review Alternative the EIS Addendum, as shown below:

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Area A (Parkplace)</th>
<th>Area C (Altom)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office</td>
<td>650,000</td>
<td>101,234 sq. ft.</td>
</tr>
<tr>
<td>Residential</td>
<td>300 units</td>
<td>20 dwelling units</td>
</tr>
<tr>
<td></td>
<td>(300,000 sq. ft.) Net Analyzed</td>
<td></td>
</tr>
<tr>
<td>Retail/Commercial(^1)</td>
<td>225,000</td>
<td>Not-Analyzed</td>
</tr>
<tr>
<td></td>
<td>592,700 sq. ft.</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>1,175,000</td>
<td>101,234 sq. ft.</td>
</tr>
<tr>
<td></td>
<td>1,792,700 sq. ft.</td>
<td>20 dwelling units</td>
</tr>
</tbody>
</table>

1. All uses listed in the "Retail and Other Commercial" category in Subsection D(1)(a) are included in the 225,000 592,700 sq. ft. total.

2. If residential uses are included, the amount of permitted office use square footage would be reduced proportionately to meet zoning standards.

3. The Retail/Commercial development (including accessory uses and restaurants) must be equal to at least 25 percent of the amount of office space. Therefore, it must include a minimum of 162,500 300,000 square feet of retail development (up to 20 percent of the total retail square footage may consist of theater space), or at least 25% of the office square footage must be retail.

(b) If future development proposals in the Planned Action Area exceed the maximum development parameters reviewed in the Planned Action EIS Addendum, further environmental review may be required under SEPA, as provided in WAC 197-11-172. If proposed plans significantly change the location of development or uses in a manner that would alter the environmental determinations in the Planned Action EIS and EIS Addendum, additional SEPA review would also be required. Shifting development proposals between categories of land uses may be permitted so long as the resulting development does not exceed the trip
generation thresholds (see sub-section 4(a) below) reviewed in the Planned Action EIS Addendum and does not exceed the proportions or minimums noted in sub-section 2(a) above.

(3) Building Heights, Bulk, and Scale. Building heights, bulk, and scale shall not exceed the maximums reviewed in the Planned Action EIS and EIS Addendum.

(4) Transportation.

(a) Trips Ranges: The range of maximum number of trips reviewed in the Planned Action EIS Addendum are as follows:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>PM Peak Hour</td>
<td>3,531±1,680</td>
<td>±74</td>
</tr>
</tbody>
</table>

(b) Trip Threshold. Development proposals that would exceed the maximum trips levels shown above will require additional SEPA review.

(c) Public Works Discretion. The City Public Works Director shall have discretion to determine incremental and total trip generation, consistent with the Institute of Traffic Engineers (ITE) Trip Generation Manual (latest edition) or an alternative manual accepted at the City Public Works Director’s sole discretion, for each Planned Action Project permit application proposed under this Planned Action. It is understood that development of the Planned Action may occur in parts and over a period of years. The City shall require that off-site mitigation and transportation improvements identified in the Planned Action EIS be implemented in conjunction with development to maintain adopted levels of service standards.

(d) Transportation improvements.

(i) Intersection Improvements. The Planned Action will require off-site transportation
improvements identified in Exhibit B to mitigate significant impacts. These transportation improvements have been analyzed in the Planned Action EIS, Supplemental EIS and EIS Addendum. The need for, extent and/or design of some potential improvements, such as turn lanes, however, will depend on decisions regarding the project master plan and access to the site, which will be made subsequently by the Design Review Board and the Public Works Department as part of the project review process. The City Public Works Director shall have the discretion to adjust the allocation of responsibility for required improvements as between individual planned action projects based on their identified impacts.

(ii) Significant changes to the City's transportation improvement plan proposed as part of any Planned Action Project that have the potential to significantly increase impacts to air quality, water quality, fisheries resources, noise levels or other factors beyond the levels analyzed in the Planned Action EIS may require additional SEPA review.

(iii) Transportation Management Program. The owners or operators of development projects within Parkplace Areas A and C shall prepare and implement a Transportation Management Programs ("TMP") as a means to encourage alternatives to single-occupant vehicles, including transit, and to thereby reduce traffic generation and parking demand. The TMP for Area A shall include the TMP elements identified in the transportation mitigation measures in the Planned Action EIS, attached as Exhibit C to this ordinance. The City Public Works Director shall have the discretion to modify the individual elements of a TMP as a means to accomplish its objectives and to enhance its effectiveness. The goal of the TMP shall be that no more than 77 percent of the project trips shall be by single-occupant vehicles. A detailed TMP shall be submitted prior to building permit issuance.

(iv) Parking Management. Parking to support development within Areas A and C shall be provided as required by the Kirkland Zoning Code Chapter 105. Consistent with the incentive provision of Section 105.103.3c of the Zoning Code, a developer may
choose to reduce the number of parking spaces based on a demand and utilization study prepared by a licensed transportation engineer. The City's Transportation Engineering Manager must approve the scope and methodology of the study as well as the effectiveness of the TMP and parking management measures.

(e) Transportation Impact Fees. All Planned Action Projects shall pay, as a condition of approval, the applicable transportation impacts fees according to the methodology contained in the ordinance adopting such impact fees. The City may adjust such fees from time to time.

(f) Capital Facilities. Improvements to water and sewer facilities are identified in Exhibit B. The City's Public Works Director shall have the discretion to determine and allocate responsibility for required improvements as between individual Planned Action projects.

(5) Changed Conditions. Should environmental conditions or assumptions change significantly from those analyzed in the Planned Action EIS, the City's SEPA Responsible Official may determine that the Planned Action designation is no longer applicable until supplemental environmental review is conducted.

(6) Additional Mitigation Fees. The City may adopt and apply such other fees as may be deemed necessary and appropriate to mitigate impacts to other capital facilities in the City and to accommodate planned growth. Such fees, if adopted, shall be in addition to the fee required in item (4)(e) of this subsection, and shall apply only to required improvements that are not addressed in this subsection.

E. Planned Action Review Criteria.

(1) The City's Planning and Community Development Director or designee is authorized to designate a project application that meets all of the following conditions as a Planned Action pursuant to RCW 43.21C.031(2)(a) 43.21C.440, WAC 197-11-164, 197-11-168 and 197-11-172.

(a) The project is located within the Planned Action Area identified in Exhibit A, pursuant to Section 3(A) of this Ordinance or is an off-site improvement directly
related to a proposed development within the Planned Action Area;

(b) The project is consistent with the City of Kirkland Comprehensive Plan and the Comprehensive Plan policies for the Moss Bay Neighborhood Plan and Downtown Plan area;

(c) The project's significant adverse environmental impacts have been adequately addressed in the Planned Action EIS, Supplemental EIS and EIS Addendum;

(d) The proposed uses are consistent with those described in the Planned Action EIS Addendum and Section 3(D) of this Ordinance;

(e) The project is within the Planned Action thresholds of Section 3(D) and other criteria of this section of this Ordinance;

(f) The project's significant impacts have been mitigated by application of the measures identified in Exhibit B, as well as other City, county, state and federal requirements and conditions, including compliance with any conditions agreed to pursuant to a development agreement between the City and applicant if executed, which together constitute sufficient mitigation for the significant environmental impacts associated with the proposed project;

(g) The proposed project complies with all applicable local, state and/or federal laws and regulations, and where appropriate, the proposed project complies with needed variances or modifications or other special permits which have been identified; and

(h) The proposed project is not an essential public facility.

F. Effect of Planned Action.

(1) Upon designation by the City's Planning and Community Development Director that the project qualifies as a Planned Action pursuant to this Ordinance and WAC 197-11-172, the project shall not require a SEPA threshold determination, preparation of an EIS, or be subject to further review under SEPA.
(2) Being designated as a Planned Action means that a proposed project has been reviewed in accordance with this Ordinance and found to be consistent with the development parameters and environmental analysis contained in the Planned Action EIS, Supplemental EIS, and EIS Addendum.

(3) Planned Actions that meet all criteria established in this Ordinance will not be subject to further procedural review under SEPA. However, projects will be subject to conditions as outlined in this document and the attached Exhibit B which are designed to mitigate any environmental impacts which may result from the project proposal. Additionally, projects will be subject to applicable City, state, and federal regulatory requirements. The Planned Action designation shall not excuse a project from meeting the City’s code and ordinance requirements apart from the SEPA process.

G. Planned Action Permit Process. The City’s Planning and Community Development Director or designee shall review projects and determine whether they meet the criteria as Planned Actions under applicable state, federal, local laws, regulations, codes and ordinances. The procedures shall consist, at a minimum of the following:

(1) Development applications shall meet the applicable requirements of the Kirkland Municipal Code (“KMC”) and Kirkland Zoning Code (“KZC”). Applications shall be made on forms provided by the City and shall include a SEPA checklist, revised SEPA checklist or such other environmental review forms provided by the City;

(2) The City’s Planning and Community Development Director shall determine whether the application is complete;

(3) If the application is for a project within the Planned Action Area, shown on Exhibit A, the application will be reviewed to determine if it is consistent with and meets all of the qualifications of Section 3 of this Ordinance;

(4) After the City receives and reviews a complete application, the City’s Planning and Community Development Director shall determine whether the project qualifies as a Planned Action. If the project does qualify, the Director shall notify the applicant and the project shall proceed in accordance with the applicable permit review procedure, except that no SEPA threshold determination, EIS, or additional SEPA review shall be required. The decision of the Director regarding qualification as a Planned Action shall be final;
(5) Public notice and review for projects that qualify as Planned Actions shall be tied to and shall follow the procedural requirements of the underlying development permit and shall also satisfy any net-to-SEPA-notice requirements in the SEPA rules or statute specific to planned actions. If notice is otherwise required for the underlying permit, the notice shall state that the project has qualified as a Planned Action. If notice is not otherwise required for the underlying permit, no special notice is required by this ordinance;

(6) If a project is determined not to qualify as a Planned Action, the City's Planning and Community Development Director shall so notify the applicant and the SEPA Responsible Official shall prescribe a SEPA review procedure consistent with the City's SEPA regulations and the requirements of state law. The notice shall describe the elements of the application that result in failure to qualify as a Planned Action. If deemed ineligible, the application may be amended to qualify; and

(7) Projects that fail to qualify as Planned Actions may incorporate or otherwise use relevant elements of the Planned Action EIS, as well as other relevant SEPA documents, to assist in meeting SEPA requirements. The SEPA Responsible Official may limit the scope of SEPA review for the non-qualifying project to those issues and environmental impacts not previously addressed in the Planned Action EIS.

H. Development Agreements. The City or an applicant may request consideration and execution of a development agreement for a Planned Action project. The development agreement may address the following: review procedures applicable to a planned action project; permitted uses; mitigation measures; construction, financing and implementation of improvements, including methods of financing and proportionate shares, and latecomers agreements; payment of impact fees; phasing; and any other topic that may properly be considered in a development agreement consistent with RCW 36.70B.170 et seq.

I. Monitoring and Review.

A. The City shall monitor the progress of development in the designated Planned Action area to ensure that it is consistent with the assumptions of this Ordinance and the Planned Action EIS, Supplemental EIS and EIS Addendum regarding the type and amount of development and associated impacts, and with the mitigation measures and improvements planned for the Planned Action area.
B. This Planned Action Ordinance shall be reviewed by the SEPA Responsible Official as part of the City's ongoing Comprehensive Plan update procedure to determine its continuing validity with respect to the environmental conditions of the Planned Action Area, the impacts of development, and the adequacy of required mitigation measures. Based upon this review, this Ordinance may be amended as needed, the City may supplement or revise the Planned Action EIS, and/or another review period may be specified. Subsequent reviews of the Planned Action Ordinance shall occur as part of the City's Comprehensive Plan amendment process.

Section 4. Conflict. In the event of a conflict between this Ordinance or any mitigation measures imposed pursuant thereto and any ordinance or regulation of the City, the provisions of this Ordinance shall control, except that the provisions of the state building code shall supersede this Ordinance. In the event of a conflict between this Ordinance (or any mitigation measures imposed pursuant thereto) and any development agreement between the City and a Planned Action applicant(s), the provisions of the development agreement shall control.

Section 5. Severability. Should any section, subsection, paragraph, sentence, clause or phrase of this Ordinance or its application be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or its application to any other person or situation.

Section 6. Sunset. The provisions of this Ordinance shall be of no force and effect on and after March 1, 2025, unless the Ordinance is extended by the City Council following a report from the SEPA Responsible Official and a public hearing.

Section 7. This Ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication pursuant to Section 1.08.017, Kirkland Municipal Code in the summary form attached to the original of this Ordinance and by this reference approved by the City Council.

Passed by majority vote of the Kirkland City Council in open meeting this 17th day of February, 2015.

Signed in authentication thereof this 17th day of February, 2015.

Signed: ________________________
MAYOR
Attest:

[Signature]
City Clerk

Approved as to Form:

[Signature]
City Attorney

Publication Date: February 23, 2015
EXHIBIT B. PLANNED ACTION ORDINANCE MITIGATION MEASURES

Exhibit B lists required mitigation measures to be applied to Planned Actions within the Planned Action Area defined in Exhibit A.

Capacity Improvements to Address Transportation Impacts

Planned Action Applicants shall implement required improvements associated with the proposal consistent with the following table.

<table>
<thead>
<tr>
<th>ID</th>
<th>Location</th>
<th>Improvement</th>
<th>2014 Revised Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>Central Way/West Parkplace Driveway</td>
<td>Install Signal and manage coordination with the intersection of Central Way/4th Street.</td>
<td>X(2)(3)</td>
</tr>
<tr>
<td>7</td>
<td>Parkplace Driveway/Kirkland Way</td>
<td>Improve the internal roadway to include a sidewalk or pathway on one or both sides.</td>
<td>X(4)</td>
</tr>
<tr>
<td>105</td>
<td>Central Way/6th Street</td>
<td>Construct dual westbound left turn lane. Add second southbound receiving lane on 6th Street between Central Way and 4th Avenue, which would serve as a southbound right-turn lane into the site. Modify signal to provide westbound left/northbound right overlap phase.</td>
<td>X(2)(3)</td>
</tr>
<tr>
<td>110</td>
<td>4th Avenue/6th Street</td>
<td>Restripe eastbound right-turn lane to shared thru-right, and extend lane westward. Add second northbound right-turn lane.</td>
<td>X</td>
</tr>
<tr>
<td>109</td>
<td>NE 85th Street/114th Avenue NE</td>
<td>Install a traffic signal. North-south through movement between the site driveway and 5th Street should be prohibited to discourage cut-through traffic in the neighborhood north of the site.</td>
<td>X(3)</td>
</tr>
<tr>
<td>128</td>
<td>Central Way/5th Street</td>
<td>Extend two-way-left-turn lane by moving crosswalk to Parkplace Signal at the current site driveway.</td>
<td>X(2)(3)</td>
</tr>
</tbody>
</table>

1TIA = Traffic Impact Analysis; Conc = Concurrency

2With reduced trips generated by the 2014 Revised Proposal compared to the previous Proposed Action, and with mitigation at Central Way/5th Street, the Revised Proposal is not projected to exceed TIA mitigation thresholds at intersections #4 (Central Way/Parkplace Driveway), #105 (Central Way/6th Street), and #129 (Central Way/4th Street). However, the City may require mitigation at these locations to the extent warranted by site access and circulation conditions; further some are included in the Master Plan and Design Guidelines applicable to the property (#105). As part of project permitting, detailed site-level traffic analysis that reflects the effects of parking garage design, driveway design, other design elements such as signage and parking management measures, shall be required to determine the timing and extent to which the improvements would be needed to accommodate site access and circulation for vehicles and pedestrians. The required analysis may include capacity improvements or additional trip reduction measures. If nearer-term conditions do not warrant improvement at some or all of these locations, the City shall require that redevelopment on the site be designed to leave the space needed to accommodate the identified improvements in case they are warranted in the future.

3 Coordinate signals on streets adjacent to Parkplace site: Central Way between 3rd Street and 6th Street, and 6th Street between Central Way and Kirkland Way.
The improvement is identified to improve access and safety for pedestrians entering and exiting the site to and from the south.

Transportation and Parking Management Plan

Planned actions shall provide a Transportation and Parking Management Plan to reduce parking demand and manage the available supply; this could include but is not excluded to some or all of the following elements. The Transportation and Parking Management Plan shall be approved by the Public Works Director.

1. Implement a Transportation Management Plan (TMP) for office tenants and provide a transportation coordinator to manage and promote the TMP. The cumulative parking demand estimates for the office use assume that 23% of trips would occur by non-vehicular modes. To encourage use of these other modes, the following TMP measures are suggested.
   a. Provide transit pass subsidy to employees who commute by transit. The value of the subsidy would equal or exceed 50% of the cost of a two-zone King County Metro Transit pass or equivalent ORCA pass.
   b. Charge for daily parking. Employees of the offices should be charged a fee to park on site.
   c. Offer a part-time parking pass option. Employees who desire to use alternative modes of transportation (or telecommute) one or more days per week should be offered a parking pass that is only charged for the days parked. These types of passes work like a debit card, and the pass holder is only charged for parking on the days they park.
   d. Provide ride-match information. The developer should encourage its tenants to provide information to employees about ride-match programs that are available through King County Metro and other transit agencies. These programs can help match an employee with potential carpool mates who live in close proximity.
   e. Provide free parking for vanpools. Vanpools registered with a public transit agency should be provided free on-site parking. At least six of the riders in each of vanpool must be employed at the site to qualify for free parking.
   f. Provide reserved parking spaces for vanpools. Parking in a preferred location within the garage should be reserved for registered vanpools.
   g. Provide shower and locker facilities. The complex should have at least one shower and locker facility (outside of the on-site health club) for commuters who walk or bike to work.
   h. Provide bike storage. Bicycle corrals should be provided within the garage for employees who commute by bike. These should be in an easily-accessible location, and have good lighting and security.
   i. Provide parking for a car-sharing program. The developer should provide up to five parking spaces for car-sharing program to support employees who commute by alternative modes of travel by providing vehicles that can be used for daytime errands or meetings.
   j. Offer guaranteed ride home to employees who commute by alternative modes. The developer should encourage employers to provide guaranteed rides home for commuters who use alternative forms of transportation but need to get home quickly in an emergency or after available transit service has stopped. The ride home can be by taxi, company-owned vehicle, or car-sharing vehicle. The number of rides available per month or year may be limited. This program reassures employees that they will have transportation during emergencies so they are more comfortable using transit or carpools.
k. Install electronic kiosks with travel information. The developer should install up to three electronic kiosks that provide up-to-date information about transportation services. This could include transit route maps and stop times, commuter congestion, parking rates, and information about alternative modes of travel.

I. Do not reserve individual spaces for office parking. No parking space in the garage may be reserved for an individual user. This allows all office parking to be shared by employees.

2. Monitor success of TMP. The on-site transportation coordinator should conduct biennial surveys of site tenants and employees regarding the modes of travel used and the success of various TMP programs. The first survey should be performed within one year of the first tenant's occupancy. Results are to be compiled and sent to the City of Kirkland. The survey questionnaire and reporting requirements must be approved by City of Kirkland staff before the first survey is taken.

3. Reserve areas of the garage for short-term parking by customers and visitors. Designate 640 parking spaces for short-term parking only. This parking would be for customers and visitors. The initial limit should be set to three hours, which is sufficient time for most daytime dining and entertainment users. The short-term parking restrictions could apply during just midday weekday hours when office users are on-site.

4. Reserve parking for residents. Reserve up to 1.7 spaces per residential unit (estimated to be 510 spaces). Of these, a portion should be designated for residential visitors. The remaining spaces could be assigned to individual units, if desired.

5. Implement measures to discourage hide-and-ride, if needed. Measures may be needed to prevent outsiders from parking at the site (for example, commuters who use the near-by transit center). Such programs could include enforcement of short-term parking restrictions, permit parking for site employees, pay parking, and customer validation programs. These can be implemented by site management, when and if needed.

6. Monitor garage use. Monitor the allocation of the parking supply to various users during weekday hours. Adjust allocation or implement additional management measures, if needed.

7. Provide a Bike Share station. Bike sharing allows individuals to check out bicycles for short trips. Individuals purchase a membership or pass to check out bicycles, which are obtained from and returned to stations located throughout the program area.

8. Share office parking on weeknights and weekends. All parking in the garage, other than residential, shall be available for customers and the general public on weeknights and weekends.

Police

• Provision of on-site security services, which may include video surveillance systems, to the Planned Action Area in particular, shall be incorporated into the development to reduce the increased need for police response to that area. This reduction is largely dependent on the nature of the incident.

• Security-sensitive design of buildings and the landscaping environment, such as installing only moderate height and density border shrubs, shall be considered during design and/or development review to reduce certain types of crimes, such as auto and store-front breakins.

Fire

• The City may condition Planned Action proposals during development review to include a staffed medical aid station serving employees and customers, based on Proposal size, phasing, likely calls of service, or other parameters related to the potential demand for emergency medical services.
• Increased tax revenues from increased retail activity and increases in property values could address the additional costs to the Fire Department identified in the Addendum for the Revised Kirkland Parkplace Redevelopment Proposal (2014 Revised Proposal) January 2015.

Parks and Schools
• New development is subject to collection of park impact fees under Chapter 27.06 of the Kirkland Municipal Code.
• Chapter 27.08 of the Kirkland Municipal Code requires school impact fees on new development, collected by the City on behalf of Lake Washington School District.

Water
The applicant shall provide improvements consistent with the City’s Water System Plan and Municipal Code as determined by the Public Works Director or designee.

Planned Actions shall provide improvements consistent with the 2008 Final EIS, or provide Proposed Action Alternative Modified Water Main Improvements consistent with the Addendum for the Revised Kirkland Parkplace Redevelopment Proposal (2014 Revised Proposal) January 2015, dependent on design.

• 2008 Final EIS Improvements: The improvements included an on-site 12-inch loop with connections at Central Way, 6th Street, and Kirkland Way. The improvements had the capacity to convey the 4,000 gpm fire flow requirement and the 2008 Proposal demands. The improvements for the 2008 Proposal were tested with the 2014 Revised Proposal and the proposed improvements also have the capacity to convey the 4,000 gpm fire flow requirement and the 2014 Proposed Action Alternative demands, which are lower than the 2008 Proposal.
  • 2014 Revised Proposal: The current conceptual plan for the Revised Proposal includes a parking garage near 6th Street where a water main connection was proposed. Therefore, the proposed improvements were analyzed without the connection to 6th Street to determine if the 4,000 gpm fire flow requirement and 2014 Revised Proposal demands could be met with connections at Central Way and Kirkland Way. The connection at Central Way would need to be 16-inch-diameter pipe and the 16-inch water main would need to be extended towards the parking garage if a hydrant is necessary on the west side of the parking garage and south to the connection in Kirkland Way. The water main connection in Kirkland Way may remain 12-inch-diameter pipe. In addition, fire hydrants will be necessary on 6th Street to properly service the buildings on the east side of the Kirkland Parkplace site. During the development review phase, fire flow analyses shall be performed for the actual fire hydrant locations to verify the proposed water main sizing.

Sewer
Downstream improvements shall include upsizing the existing 24-inch pipe at the intersection of Central Way and 3rd Street to 48-inch diameter pipe. This section of pipe installation would involve a crossing perpendicular to multiple lanes of Central Way, and may contain utility conflicts.

The Parkplace redevelopment would contribute to increased flow rates through the undersized pipe, but would not be the primary cause of the capacity issues. The City has identified the project in the Sewer Capital Improvement Plan as project SS 0082 000 and will replace the line in the future. The project will be subject to sewer capital facility charges which help fund system improvements such as the one listed above.
AN ORDINANCE OF THE CITY OF KIRKLAND AMENDING ORDINANCE O-4175 AND RELATING TO LAND USE AND PLANNING; ESTABLISHING A PLANNED ACTION FOR THE PARKPLACE SITE IN THE MOSS BAY NEIGHBORHOOD GENERALLY LOCATED EAST OF PETER KIRK PARK, SOUTH OF CENTRAL WAY/NE 85TH STREET, WEST OF 6TH STREET, AND NORTH OF KIRKLAND WAY PURSUANT TO THE STATE ENVIRONMENTAL POLICY ACT, RCW 43.21C.031.

SECTION 1. Explains purpose of the Planned Action.

SECTION 2. Sets forth City Council findings relative to the Planned Action.

SECTION 3. Outlines procedures and criteria for evaluating and determining projects as Planned Actions.

SECTION 4. Provides that the ordinance and mitigation measures imposed by the ordinance shall control in the event of a conflict with other ordinances and regulations of the City, except in the case of conflicting provisions of the state building code or any development agreement between the City and a Planned Action applicant.

SECTION 5. Provides a severability clause for the ordinance.

SECTION 6. Provides the ordinance shall expire on March 1, 2025, unless extended by the City Council following a report from the SEPA Responsible Official and a public hearing.

SECTION 7. Authorizes the publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code and establishes the effective date as five days after publication summary.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the 17th day of February, 2015.

I certify that the foregoing is a summary of Ordinance 4473 approved by the Kirkland City Council for summary publication.

[Signature]
City Clerk