

RESOLUTION NO. 2220

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING ISSUANCE OF AN UNCLASSIFIED USE PERMIT AS APPLIED FOR IN DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. UUP-CPA-73-7(P) BY ROBERT DAVIS FOR CONSTRUCTION AND OPERATION OF A MOTOR HOME SALES AND DISPLAY BUSINESS WITHIN THE SOUTHWEST QUADRANT OF THE FREEWAY ZONE ESTABLISHED BY CHAPTER 23.31 OF THE KIRKLAND ZONING CODE FOR THE INTERCHANGE OF I-405 AND SR-908.

WHEREAS, the Kirkland Department of Community Development has received an application for Unclassified Use Permit filed by Robert Davis, owner or agent for the owner of the property described in said application and located within the southwest quadrant of the freeway zone established for the interchange of I-405 and SR-908 for the construction and operation of a motor home sales and display business, and

WHEREAS, the application has been assigned for identification file No. UUP-CPA-73-7(P) and submitted to the Kirkland Planning Commission, who held public hearing thereon on October 11, 1973, and

WHEREAS, pursuant to City of Kirkland Resolution No. 2181 dealing with environmental policy and the State Environmental Policy Act an environmental assessment has been submitted to the City, reviewed by the responsible official of the City of Kirkland, and a negative declaration reached, and

WHEREAS, the Kirkland Planning Commission after said public hearing and consideration of the recommendations of the Department of Community Development, and having available to it during said hearing and consideration the environmental assessment and negative declaration, did adopt certain Findings, Conclusions, Conditions and Recommendations approving issuance of the Unclassified Use Permit,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Kirkland as follows:

Section 1. Thee Unclassified Use Permit applied for by the above named applicant, being Unclassified Use Permit No. UUP-CPA-73-7(P), shall issue subject to the conditions set forth in the Findings, Conclusions and Recommendations of the Kirkland Planning Commission, as signed by the Chairman thereof and filed in said file, which Findings, Conclusions, Conditions and Recommendations are by this reference adopted by the Kirkland City Council as though fully set forth herein.


Section 2. A certified copy of this resolution, together with the Findings, Conclusions, Recommendations and Conditions therein adopted, shall attach to and become a part of the Unclassified Use Permit or evidence thereof delivered to the permittee.

Section 3. Failure on the part of the holder of the Unclassified Use Permit to initially meet or maintain strict compliance with said standards and conditions shall be grounds for revocation in accordance with Section 23.30.100 of Ordinance 2183, the Kirkland Zoning Code.

Section 4. Certified or conformed copies of this resolution shall be delivered to or filed with the following:


- A. Applicant
- B. Department of Community Development
- C. Kirkland Building Official
- D. Department of Public Services for the City of Kirkland
- E. Department of Fire Services for the City of Kirkland
- F. Police Department for the City of Kirkland
- G. Office of Director of Administration & Finance
(ex officio City Clerk)

ADOPTED in regular meeting of the Kirkland City Council on the 5th day of November, 1973.



Mayor

Attest:



Director of Administration & Finance
(ex officio city clerk)

Mailing Address: Gerald K. Eischen
1200 112th Ave. N.E.
Bellevue, Wa. 98044

AMENDED

ADMINISTRATIVE REPORT:

10/19/73

DATE PREPARED: October 4, 1973 FILE NO.: UUP-CPA-73-7(P)
APPLICANT: Robert Davis HEARING BODY: Planning Commission
PROPERTY LOCATION: Approx. S.E. corner of N.E. 85th St. & Kirkland Ave. HEARING DATE: October 11, 1973
SUBJECT: Unclassified Use Permit and Comprehensive Plan Amendment Applications

BACKGROUND ANALYSIS:

The applicant is applying for the above permits in order to locate a motor home sales and display business on the site. This action is being applied for in conjunction with Chapter 23.31, FREEWAY INTERCHANGE DISTRICTS, of the Kirkland Zoning Ordinance.

The applicant originally applied for a Rezone and Change in the Comprehensive Plan application on January 26, 1973. This was considered at several various meetings by the Planning Commission and finally tabled indefinitely on June 12, 1973 until the Freeway Interchange Districts was adopted.

On August 6, 1973, the Kirkland City Council adopted the Freeway Interchange Districts by Ordinance No. 2232. This has been incorporated into the Kirkland Zoning Ordinance as Chapter 23.31.

On September 26, 1973, the applicant re-submitted an Unclassified Use Permit in lieu of the Rezone Application as authorized by the Planning Commission and as required under the Freeway Interchange Districts.

FINDINGS:

1. An Environmental Assessment has been submitted as required by the Freeway Interchange Districts.
2. The size of the property has been expanded from the original application to include Lots 23, 24, 25, 26, 27, 28, 29, 30, 31 and 32.
3. The only proposed building will measure 90 feet by 36 feet and vary from 14 to 20 feet in height. The applicants have indicated that it will take on the character of a forest service building.
4. The existing zoning on this parcel is RS-8.5, single family. (It has single family zoning to the south, light industrial to the west, multiple family to the north on the opposite side of N.E. 85th St. and Interstate 405 to the east. There are five single family homes located within the short distance from the southeast portion of the property.)
5. The Comprehensive Plan for the entire parcel is single family, with the exception of approximately 3,000 square feet in the N.E. corner of the property, which has been designated "potential neighborhood business".

6. Noise from Interstate 405 and N.E. 85th St. is high. (This was determined from site inspection at 3:00 P.M. on Monday, January 29, 1973.)
7. A 12" water main is available on Kirkland Avenue and an 8" main on Slater Avenue.
8. An 8" sewer main is available on Slater Avenue. Sewage would have to be pumped to this according to our Public Service Director. (Our Public Service Director has indicated that a septic tank may be used if the ground perks since this is a low volume use.)
9. Average daily traffic flow was measured for the surrounding streets in the City's Arterial Circulation Plan (1970), and indicates the following:

	1969 Actual		1975 Estimated		1990 Estimated	
	Peak Hour-Daily		Peak Hour-Daily		Peak Hour-Daily	
I-405	N.A.*	N.A.*	9,190	76,580	9,000	75,000
N.E. 85th Street	N.A.*	N.A.*	1,670	15,200	3,120	28,400
Kirkland Avenue	400	4,700	720	6,000	1,870	15,600

*N.A. = Not available.

10. The land is well wooded and has an extremely attractive natural setting.
11. Storm water would drain into an open ditch on Kirkland Ave.
12. Specific details on the proposed structure and signing have not been submitted to the City.
13. Site plans submitted do not show inclusion of Lots 23 and 24 to the south adjacent to Odie Avenue.
14. Plans submitted do not indicate any covers being installed over the proposed motor home units. Records indicate that the applicant would like to construct red cedar shake canopies over each unit.
15. The main structure will be used for sales and servicing of motor homes.
16. It is anticipated that this type of a business will not generate a high amount of traffic.

CONCLUSIONS:

1. An environmental assessment has been submitted and the responsible official has reached a negative declaration. Because of this, an environmental impact statement will not be required.

2. The fact that the area under the application has been expanded to Odie Street solves the problem of future pressures on that site and allows for an expanded buffer strip.
3. No further comments are offered on the size of the structure.
4. Based on the surrounding uses, a substantial landscape buffer should be required adjacent to the single family area to the south and southeast.
5. Even though the comprehensive plan for this parcel is basically single family, noise characteristics and average daily traffic flows surrounding the property would create an undesirable single family living environment.
6. The conclusion drawn from noise factors are related to Item 5 above.
7. Adequate domestic and emergency waterflow is available to the property.
8. The applicant should not be allowed to use a septic tank if sanitary sewers are within 200 feet of the property. This requirement may be waived if the Public Service Director feels it is not feasible to connect to sanitary sewers at this time. No building permit should be allowed until they will either guarantee connecting to sanitary sewers or provide information to the City indicating that the ground does perk for the use of a septic tank system.
9. The traffic flows adjacent to the property would indicate that the area would not be desirable for single family living.
10. The applicant should be required to maintain a maximum amount of tree coverage and buffer zone to the south and southeast adjacent to the single family areas.
11. With the low amount of impervious surfaces, it is anticipated that the open ditch on Kirkland Avenue would be adequate to handle the storm water. In conjunction with this, the applicant should not be allowed to use any asphaltic or concrete surfaces in his development to minimize runoff.
12. Specific details on the building and signing should be submitted to the City to be approved in conjunction with this Unclassified Use Permit application and Conditional Use Permit application.
13. Revised site plans should be submitted which would clearly show that Lots 23 and 24 are included in this application and also how they are proposed to be developed.
14. If canopies are desired over the motor homes, site plans should be submitted for review by the Planning Commission prior to allowing their location.
15. Since servicing will be done in the proposed structure which will generate noise, this structure should be oriented in such a way that no additional noises will be generated toward the single family area to the south and to the southeast.

16. Since this type of business is not anticipated to initiate a high amount of traffic volume, this use would be a good solution for this property.

RECOMMENDATIONS:

Based on the above Findings and Conclusions we hereby recommend that this Unclassified Use Permit application and Comprehensive Plan Amendment Application for the location of a motor homes sales and servicing use in a Freeway Interchange District Zone be approved. It is recommended that this approval be subject to the following conditions:

1. That a new site plan be submitted incorporating all the property indicated in the legal description, (Specifically, Lots 23 through 32). This site plan is to include all the applicable requirements that follow in these recommendations.
2. That the following specific requirements shall be conformed to:
 - a. That all exterior property lines of Lots 23 and 24 shall meet the setback requirements of the Light Industrial Zone designation (Section 23.22.070) and the landscape requirements of the Light Industrial Zone (Section 23.40.080). Specifically, this would require a 30 foot setback in these areas and a 25 foot landscaped area. The setback requirement on the east side of Lots 31 and 32 shall be 12 feet.
 - b. That the landscape requirements for all other lots shall conform to the landscape requirements under a BN type zoning (Section 23.40.070). Specifically, this requires a 12 foot deep landscaped area.
 - c. All other setback requirements, except for those mentioned in Item a. above, shall be 20 feet, as required under the RS-8.5 zoning (single family). Specifically, a 20 foot setback shall be required in these areas.
 - d. Even though the underlying zoning in this case is single family, all construction must conform to Fire Zone 2 building code requirements. This is consistent with the building code.
 - e. Height restrictions of all buildings shall be limited to that allowed in the RS-8.5 zone. Specifically, 25 feet maximum above average grade.
3. The applicant shall be required to install a fire hydrant if deemed necessary by the City of Kirkland Fire Chief.
4. The applicant shall be required to connect any bathroom facilities to a sanitary sewer system unless otherwise approved by the Public Service Director.

No impervious surfaces such as asphalt or concrete shall be allowed which would tend to increase runoff, except asphalt paving should be provided from Kirkland Way into the site to the interior loop road. All hard surfacing shall be of a type of material that will minimize runoff and maximize water infiltration into the ground to minimize the necessity of additional storm drainage facilities. Upon construction of the proposed building, the applicant shall be required to install a water retention system that will handle all runoff from the roof.

6. Prior to the City of Kirkland approving any building permits on the principal building proposed on this property or canopies over the motor homes, they shall be submitted to the Kirkland Planning Commission, reviewed and approved.
 7. Since servicing is to be conducted in the proposed structure, it shall be oriented in such a manner that additional noise will not be generated toward the single family areas toward the south or the southeast. Specifically, this would mean that there should be no openings toward those directions. The applicant shall be required to demonstrate this at the time the building permit is applied for.
 8. No sign has been applied for under this application. Should the applicant wish to locate signs at a later date, he must conform to the requirements of the Kirkland Zoning Ordinance. This would include the requirement of applying for a Conditional Use Permit before the Kirkland Planning Commission and City Council should he want to install a free standing sign.
 9. That this Unclassified Use Permit and Change in the Comprehensive Plan application is approved for this use only. If the use is to change in any manner it shall first be required to apply for an Unclassified Use Permit under a new application which must be approved by the City of Kirkland prior to its locating. This is consistent with the newly adopted Freeway Interchange Districts.
- Fencing shall be installed along the southern portion of Lot 32 and the eastern portions of Lots 23 and 24.
11. A maximum of 12 parking spaces for guests and employees will be provided and the number of motor homes allowed on the site will be limited to 20 (plus 3 in service bay). Parking spaces shall be numbered and labeled for guests, employees and motor homes.
 12. A landscaping plan and revised site development plan shall be submitted incorporating the above conditions and approved by the Planning Commission prior to a building permit being issued.
 13. Repair work on this site shall be limited to minor repair. There shall be no major body or motor work done on this site.
 14. A waste material handling, storage and disposal plan shall be incorporated in the landscaping plan.


Gerald F. Link, Director
DEPT. OF COMMUNITY DEVELOPMENT

hereby recommend approval of this action subject to the Findings, conclusions and Recommendations above or as herein modified.

10/29/73
Date


John Cushing, Chairman
KIRKLAND PLANNING COMMISSION