

RESOLUTION NO. R 2307

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND SETTING FORTH THE INTENT OF THE CITY COUNCIL TO RECLASSIFY CERTAIN SPECIFICALLY DESCRIBED REAL PROPERTY FROM NEIGHBORHOOD BUSINESS (BN) TO PROFESSIONAL RESIDENTIAL (PR) AS APPLIED FOR BY GENERAL TELEPHONE, BEING DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. R-75-18(H) AND SETTING FORTH CONDITIONS TO WHICH SUCH RECLASSIFICATION SHALL BE SUBJECT.

WHEREAS, The Department of Community Development has received an application for rezone of real property, said application having been made by General Telephone, and

WHEREAS, the application has been submitted to the Houghton Community Council and to the Kirkland Planning Commission who held public hearings thereon at their regular meetings of May 6, 1975 and May 8, 1975, respectively, and

WHEREAS, pursuant to City of Kirkland Resolution No. R-2181 concerning environmental policy and 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, said environmental assessment and declaration have been available and accompanied the application through the entire review process, and

WHEREAS, the Kirkland Planning Commission, after public hearing and consideration of the recommendations of the Department of Community Development and having available to them the environmental assessment and negative declaration, did adopt certain Findings, Conclusions and Recommendations and did recommend approval of this application for rezone of the real property therein described from Neighborhood Business to Professional Residential on a "Resolution of Intent to Reclassify" basis, subject to the specific conditions set forth in said Recommendations.

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

Section 1. The Findings, Conclusions and Recommendations of the Kirkland Planning Commission as signed by the Chairman thereof, and filed in the Department of Community Development File No. R-75-18(H) are by this reference adopted by the City Council as though fully set forth herein, except that Recommendation No. 6 therein is not adopted.

Section 2. Pursuant to Chapter 23.62 of the Kirkland Zoning Ordinance, 2183, the City Council does approve in principal the request for reclassification from Neighborhood Business to Professional Residential as to the property described in said application and identified in Exhibit "A" attached to and by this reference made a part of the Resolution as though fully set forth herein, and subject to the following:

a. Fulfillment of all conditions, stipulations, limitations and requirements contained in this Resolution of Intent to Reclassify, including those adopted by reference, shall be brought to the attention of the City Council, who shall then by Ordinance affect such reclassification.

b. The failure of the applicant to meet or fulfill all or any of said conditions, stipulations or limitations contained in this Resolution, including the time limit herein established, which requires the building permit to be applied for within 6 months of the date of enactment of this Resolution, shall render this Resolution and tentative reclassification herein approved, null and void.

Section 3. A certified copy of this Resolution, together with the Findings, Conclusions and Recommendations herein adopted shall be delivered to the applicant.

Section 4. Nothing in this resolution shall be construed as excusing the applicant from the compliance with any federal, state or local statutes, ordinances or regulations applicable to this project, other than expressly set forth herein.

Section 5. Notwithstanding the recommendations heretofore given by the Houghton Community Council, the subject matter of this Resolution and intent to rezone herein granted, are, pursuant to Ordinance 2001 subject to the disapproval jurisdiction of the Houghton Community Council and therefore this Resolution shall become effective only upon approval of the Houghton Community Council or the failure of said Community Council to disapprove this Resolution within 60 days of the date of passage of this Resolution.

Section 6. Certified or conformed copies of this Resolution shall be delivered to the following:

- (a) Applicant
- (b) Department of Community Development of the City of Kirkland
- (c) Building Department of the City of Kirkland
- (d) Fire Department of the City of Kirkland
- (e) Police Department of the City of Kirkland
- (f) Public Service Department of the City of Kirkland
- (g) Office of the Director of Administration and Finance (ex officio City Clerk) for the City of Kirkland

ADOPTED in regular meeting of the Kirkland City Council on the 19th day of May, 1975

Robert R. Heiri

Mayor

ATTEST

Tom P. Aduson

Director of Administration & Finance
(ex officio City Clerk)

FINDINGS:

Findings, Cont'd

A. Summary of the Proposed Action:

1. This is an application for a rezone of the property within the triangle of the intersection of Lake Washington Boulevard and Lakeview Drive, from the existing zoning of Neighborhood Business (BN) which allows for incidental retail commercial, and professional office building serving the neighborhood area; to Professional Residential (PR) which would allow the development of an office structure with one primary user.
2. The one primary user would be General Telephone Company of the Northwest, Inc., which is proposing to locate the northern area office complex at this location.
3. Justification for locating this proposal at the subject property, as stated by the applicant, has a high visibility, being located on a major arterial, with visual access to the water and adequate vehicular access to the site from Lake Washington Blvd. and Lakeview Drive.

B. Historical Background:

4. Cultural. The southern portion of this property was formerly the site of the Hancock Service Station.
5. Legal. The subject property was zoned R-3 in 1960 by Ordinance No. 132 of the Town of Houghton, and was rezoned to C-1 prior to June of 1965. C-1 allowed for a number of commercial type uses, being a local retail and personal service district, whereas R-3 was a high density general residential district. In 1972 during the consolidation of Houghton and Kirkland Zoning Ordinances, the subject property was zoned Neighborhood Business (BN) which was consistent with the C-1 Houghton zoning.

C. Governmental Coordination:

6. The subject property has received a waiver from the City Council of Resolution 2249, Section 4, part b. on October 7, 1974.
7. The following agencies were contacted and the following is a summary of the comments:
 - a. Kirkland Public Service Department:
Verbal communication. Proposed site plan appears to provide adequate ingress and egress from the subject property, however large existing and proposed trees should be limbed up and maintained around entrances and exits to provide maximum site distance on entering either Lake Washington Blvd. or Lakeview Drive. Further, in lieu of requiring the applicant to upgrade Lakeview Drive for that portion of the subject property, the Public Service Department would recommend a fee be paid to the City of Kirkland for upgrading, equal to the proposed cost of the improvement, due to the fact that Lakeview Drive is proposed to be upgraded in the near future by the City.
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- b. Kirkland Dept. of Fire Services - No comment.
- c. Kirkland Building Department - No comment.
- d. Kirkland Police Department - No comment.
- e. Kirkland Park Department.
Verbal communication. Prior to the applicant applying for a building permit, Kirkland Park Department would recommend that prior to building permit approval, landscaping plan include sizes of plantings. Lake Washington Blvd. is a primary and extremely intense bicycle route due to its classification as a regional connector for the East side. Therefore, the City should recommend that the applicant widen the sidewalk on the eastern portion of Lake Washington Blvd. - from the street curb to the property line within the right-of-way.

D. Existing Physical Characteristics:

8. Slope: The terrain appears to be basically sloping toward Lake Washington Blvd. (westerly), with the northeasterly portion of the property approximately 13 feet higher than that along Lake Washington Blvd, with the average slope approximately 10%.
9. Soils: The surficial soils found on the subject property appear to generally consist of Alderwood Gravelly Sandy loam (AgC). A soils test on the site was prepared by Dames and Moore on March 3, 1975, Report No. 3270-030-05, and the soils report indicated a maximum bearing value of 2500 lbs. per square foot.
10. Geology: The geology of the proposed site appears to consist of Vashon till (Qt).
11. Water: The soils indicated a perched water table, observed at a depth of 4.5 to 6.5 feet.
12. Vegetation: The existing landscaping is indicated on Exhibits B and C. The landscaping is proposed to be retained and incorporated into the site design to the greatest possible extent. Smaller shrubs and trees may be removed from the site under the terms of a fill agreement with General Telephone and the seller. Any remaining shrubs and trees left on the site will be incorporated into the new project if possible, or within the landscaping scheme.

E. Public Utilities

13. Streets: Ingress to the site will be from 102nd Ave. N.E. (Lakeview Drive), whereas egress will be onto both Lakeview Drive and Lake Washington Blvd. (State Highway SR-908). As
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DEPARTMENT OF COMMUNITY DEVELOPMENT

ADVISORY REPORT
FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

PREPARED BY _____ DATE _____
XX RECOMMENDED BY _____ DATE May 8, 1975
ADOPTED BY _____ DATE _____

STAFF _____
BOARD OF ADJUSTMENT _____
HOUGHTON COMMUNITY COUNCIL _____
XX PLANNING COMMISSION _____
CITY COUNCIL AS INCORPORATED IN _____
RESOLUTION _____ ORDINANCE _____
NUMBER _____
DATE _____

FILE NUMBER R-75-18(H)

APPLICANT _____
GENERAL TELEPHONE _____

PROPERTY LOCATION Intersection of Lakeview Dr. and Lake Wa. Blvd.
Application for a Rezone from Neighborhood Business (BN) to
Professional Residential (PR).

SUBJECT _____
HEARING/MEETING DATE MAY 19, 1975
BEFORE KIRKLAND CITY COUNCIL

EXHIBITS ATTACHED (A) Vicinity Map (B-2) Altern Site Map (C-2) Altern Landscap
Plan (D) Elevations (E) Survey (F) Large Vicinity Map (G) Topography
(H) Zoning Map (I) Soils Report (J) Environmental Assessment (K) Applic.



DEPARTMENT OF COMMUNITY DEVELOPMENT

ADVISORY REPORT
FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

PREPARED BY _____ DATE _____
RECOMMENDED BY _____ DATE _____
XX ADOPTED BY _____ DATE May 19, 1975

STAFF _____
BOARD OF ADJUSTMENT _____
HOUGHTON COMMUNITY COUNCIL _____
PLANNING COMMISSION _____
XX CITY COUNCIL AS INCORPORATED IN _____
RESOLUTION _____ ORDINANCE _____
NUMBER R-2307
DATE May 19, 1975

FILE NUMBER R-75-18(H)

APPLICANT _____
GENERAL TELEPHONE _____

PROPERTY LOCATION Lake Washington Boulevard and Lakeview Drive
Application for a Rezone from Neighborhood Business (BN) to
Professional Residential (PR).

SUBJECT _____
HEARING/MEETING DATE May 19, 1975
BEFORE KIRKLAND CITY COUNCIL

EXHIBITS ATTACHED (L) Vicinity Map (B-2) Altern Site Map (C-2) Altern.
Landscaping Plan (D) Elevations (E) Survey (F) Large Vicinity Map
(G) Topography (H) Zoning Map (I) Soils Report (J) Environmental Assessment
(K) Application

Findings, Cont'd

25. Parking. Based upon an 8,000 square foot building, the parking requirements are 1 parking stall per 300 square feet, totalling 27 parking stalls. The applicant has proposed to provide 55 parking stalls, 27 of these stalls being undercover of the building. The applicant has indicated that 27 of these parking spaces would be for building employees, 14 for company vehicles, and 12 for visitors on an average daily basis.
26. Lot coverage/landscaping: Subject property contains a total of 47,116 square feet with approximately 28,300 square feet with approximately 28,300 square feet of impervious cover, 10,500 being a roofed surface and the remaining 16,800 being asphalt or concrete. This is approximately 65% lot coverage of which the remaining 35% is landscaped.
27. A tentative City of Kirkland policy requiring all new commercial, subdivision or industrial developments to maintain on-site runoff for a 10 year 1 hour storm would require storage of approximately 1000 gallons with a maximum runoff rate no greater than pre-development which is approximately .16 cubic feet per second.
28. The subject property is approximately 210 feet to the Lake Washington shoreline at the nearest point.
29. A consistent policy of the City of Kirkland requiring new developments to improve the street out to the center line of right-of-way, is recommended to be held in lieu, due to Public Service Department comments. The fact that Lakeview Drive is proposed to be improved with curbs, gutters and sidewalks within the next two years is the basis for this recommendation.
30. Circulation Policy 1. Lake Washington Blvd. and Waverly Way should be scenic roadways.
31. Policy 3, Pedestrian and Bicycle Pathways, including provisions for maintenance, operations and security, should be provided along the lake, consistent with property rights. Lake Washington Blvd. has been located in the Shoreline Master Program as a shoreline pedestrian way (being part of the Lake Washington loop trail).

CONCLUSIONS:

A. Summary of the Proposed Action:

1. This application for a rezone would not substantially change the permitted uses for the subject property, however, it would allow one primary user, that being General Telephone Company.

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Conclusions, Cont'd

- A. Existing Zoning: Neighborhood Business (BN)
At least two primary uses providing services to meet the everyday needs of the neighborhood area.
Permitted: (1) Retail shops and stores -(7-11 facilities).
(2) Professional Offices (3) Off-street parking.
- B. Proposed Zoning: Professional Residential (PR)
Permitted: (1) Single family residences (2) Multi-family residences (RM-1800), (3) Professional offices.
- B. Historical Background:
- C. Governmental Coordination:
- D. Existing Physical Characteristics:
4. Soils: Construction of the proposed office building should be subject to all recommendations by Dames and Moore Soils Report No. 3270-030-05, dated March 3, 1975.
5. Vegetation: As proposed, the applicant should endeavor to retain as many existing trees and shrubs on site as possible, and incorporate them into the landscaping plan. Further sizes of vegetation should be indicated on the landscaping plan for a building permit.
- E. Public Utilities:
6. Streets: No additional right-of-way will be necessary to be dedicated along either Lake Washington Blvd. or Lakeview Drive pursuant to the Kirkland Circulation and Arterial Plan.
7. Paths/Trails: The applicant should be required to widen the sidewalk along Lake Washington Blvd. from the street curb to the property for the length of the subject property.
8. Water supply: The existing water supply to the subject property is adequate for both domestic and Fire Department use.
9. Sanitary sewer: The subject property contains adequate facilities for sanitary sewer.
- F. Neighborhood Characteristics:
10. Zoning: This "Intent to Rezone" may or may not create a precedent within the immediate property to the north. As noted earlier, the use of the subject property for office structure would be allowed under either zoning, however, BN zoning would require at least two uses, oriented to serve the everyday needs of the neighborhood area. It is likely that this action will initiate further property redevelopment and/or rezoning to a PR zone and/or a RM-1800 zone. "Downzoning" of subject property to the north would reduce the commercial activity potential of this zone, and

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identified in the Kirkland Arterial Circulation Plan, Lake Washington Blvd. is a major arterial, whereas Lakeview Drive is a secondary arterial

14. Paths/Trails: Sidewalks exist along both Lake Washington Boulevard and Lakeview Drive, and is designated a major pedestrian and bicycle trail route.

15. Water supply: At the present time there is an existing 12" water main along Lakeview Drive, and a 10" water main on Lake Washington Boulevard. There are two fire hydrants located within the subject property as shown on Exhibit B.

16. Sanitary sewers: There is an existing 8" sewer main on site which empties into a 12" sewer at the western line of Lake Washington Boulevard.

17. Storm sewer. There is presently a 21" storm sewer line along the east side of Lake Washington Blvd. No provisions have been made for on-site storage of runoff.

18. Public transportation: METRO Transit currently serves the site through Route No.'s 251 and 254.

F. Neighborhood Characteristics:

19. Zoning: The zoning of surrounding property can best be described in Exhibit H. The only adjoining property is to the north, which is Neighborhood Business (BN).

20. Adjacent land use: Adjacent land uses consist of a major portion of vacant land directly to the east of subject property, with isolated residential multi-family units to the northwest and southwest, integrated within single family residences. The property to the north is residential north to the Light Industrial zone. Those properties on the western side of Lake Washington Blvd. are the City of Kirkland's Houghton Beach to the extreme northwest with the Parkside Apartments adjacent thereto, and with vacant land directly west of the subject property and the Houghton Shipyards further to the southwest.

21. Population/Density: Generally, this area is low density population, with approximately 80 apartments within 500 feet of the subject property, at a density of approximately 10 dwelling units/acre.

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G. Local Zoning and/or Land Use Policies and Plans:

22. This application has been prepared by a licensed professional, and a survey of the property has been made as required by Section 23.62.030 of the Kirkland Zoning Ordinance. See Exhibit E.

23. Consideration of an amendment to the zoning map should include the following criteria pursuant to Section 23.62.050 of the Zoning Ordinance:

- a. The use or change in the zoning requested shall be in conformity with the adopted Comprehensive Plan, the provisions of this Ordinance, and the public interest.
- b. The use or change in zoning requested shall be accompanied by an architectural site plan showing the proposed development and its relationship to surrounding areas.
- c. Analysis of physiographic elements, existing and planned municipal services not to be limited to sewage collection and treatment, or storm water control.
- d. The applicant shall provide further evidence that there is an additional need for the type of land classification for which the applicant is applying.

24. Regarding the subject property, development must be subject to the dimensional regulations and performance standards of the Kirkland Zoning Ordinance, Section 23.14 if approved.

Dimension	PR Zone Requirements	Proposed
Front Setback (Lake Wa. Blvd.)	20 Feet	20 Feet
Front Setback (Lakeview Drive)	20 Feet	58 Feet
Sideward Setback (North)	5 Feet	50 Feet
Minimum Lot Area	7200 Square Feet	47,116 Sq.Ft.
Minimum Lot Width	60 Feet	+300 Feet
Maximum Building Coverage	35% = 16,490 sq. ft./22%	= 10,500 sq.ft.
Parking	11,300 sq.ft. = 27 stalls	55 Stalls
Height Restriction	30 Feet	26 Feet
Landscaping of Parking	4 Feet minimum	Min. 5-10 Ft.

(See Exhibits A through G and I)

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7. The exit route onto Lake Washington Boulevard shall be eliminated.
8. Work within public rights-of-way will be subject to approval by the Police Department as to hours and procedures.
9. The applicant shall be required to keep the adjacent paved surfaces free of debris and mud as possible during the excavation operation.
10. Plant materials that are not removed shall be protected during construction so that compaction around root systems and grazing does not occur.

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Conclusions, Cont'd

possibly direct it towards professional offices.

11. Population/density: The development of this subject property will decrease the number of dwelling units within this area by one, therefore not have a substantial impact upon the surrounding dwelling units, and will have no direct impact upon the School District.

G. Local Zoning and/or Land Use Policies and Plans:

12. Pursuant to Section 23.62.050 of the Kirkland Zoning Ordinance; (a) The Houghton Land Use Plan identifies the subject property as being Community Commercial, which is defined as stores selling a wide range of items and facilities serving the needs of all persons residing in and around Kirkland. It would therefore appear that this type of use and zone is applicable for the subject property.

(b) The applicant has submitted architectural site drawings showing the proposed development and its relationship to the surrounding area (See Exhibits A through G.).

(c) The applicant has submitted an analysis of physiographic elements including municipal facilities, sewage collection; however does not address mitigation of storm water runoff.

(d) The applicant has indicated that justification for requiring this type of land classification is basically due to the requirement of the BN zone to have two principal uses developed as a unit within undeveloped BN zone. Professional residential zoning would be a down-zone from the previous classification, and would allow for the project as proposed for one principal user.

13. As indicated in the original proposal, the applicant only indicated a 10 foot setback off Lake Washington Blvd. Subsequent to this, an alternative site plan has been provided which meets the requirements of Section 23.14. See Alternative Site Plan, Exhibit B-2.

14. Parking: The applicant has provided more than the required number of parking stalls for this development.

15. Lot coverage/landscaping: The applicant has provided approximately 35% landscape of the subject property, in conformance with Section 23.40 of the Kirkland Zoning Ordinance.

16. Prior to obtaining a building permit, the applicant will be required to submit engineering calculations and drawings which will indicate that the increased runoff from the developed site will be maintained for a 10 year one hour storm.

17. The subject property is not governed by the Shoreline Management Act due to its being 210 feet from Lake Washington.

18. The applicant should be required to deposit a fee to the City of Kirkland in a sum equal to the cost of 5/6 & 5/8/75 5/19/75 4/21/75

Conclusions, Cont'd

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improving Lakeview Drive with curbs, gutters and sidewalks for the length of the subject property. By using this money the City can match it with state funds, the requirements for improving Lakeview Drive will be waived in this case, and will be improved by the City of Kirkland at such time as Lakeview Drive is improved by the City.

RECOMMENDATIONS:

Based upon the foregoing Findings and Conclusions, we hereby recommend that this application for an "Intent to Rezone" as located on Exhibits A through K be approved subject to the following conditions:

1. Construction of the proposed office building shall be subject to the recommendations by Dames and Moore Soils Report No. 3270-030-05, dated March 3, 1975.
2. The applicant shall retain as many existing trees and shrubs on site as possible, and incorporate them into the landscaping plan. Further, sizes of vegetation shall be indicated on the landscaping plan.
3. The applicant shall be required to widen the sidewalks along Lake Washington Blvd. for the length of the subject property to minimum City standards, pursuant to review and approval by the Public Service Department, Department of Community Development, and the Park Department. Said improvement will save existing trees to the greatest extent possible and will not be inconsistent with Recommendation 2 above.

4. Prior to obtaining a building permit, the applicant will be required to submit and receive approval from the Department of Community Development for: a) engineering drawings and calculations which will indicate that increased runoff from the development site will be maintained on site for a 10 year one hour storm so that quantity of runoff will not be increased; and b) require the applicant to deposit a fee to the City of Kirkland, c/o Lakeview Drive Reserve Fund, in a sum equal to the cost of improving Lakeview Drive with curbs, gutters and sidewalks for the length of the subject property not presently improved.

5. Sufficient landscaping or berming shall be provided to screen the parking from view on the south portion of the property (when driving north on Lake Washington Boulevard).

6. No vents, exhaust fans, or etc. will be permitted on the rooftop.