

RESOLUTION NO. R-2332

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF A CONDITIONAL USE PERMIT APPLIED FOR IN COMMUNITY DEVELOPMENT FILE NO. CUP-75-38(P) BY DREVER MCINTOSH AND COMPANY TO PERMIT A FREE STANDING SIGN 10 FEET ABOVE GRADE AND 12.5 SQUARE FEET IN AREA WITHIN THE LAKE VISTA APARTMENTS, BEING WITHIN AN RM-1800 (RESIDENTIAL MULTI-FAMILY) ZONE.

WHEREAS, the Department of Community Development has received an application for a Conditional Use Permit filed by the Drever McIntosh Company, the owner of said properties described in the said application, and located within an RM-1800 zone; and

WHEREAS, the application has been submitted to the Kirkland Planning Commission who held public hearings thereon at their regular meeting of October 9, 1975; and

WHEREAS, pursuant to City of Kirkland Resolution No. R-2181 concerning environmental policy and the State Environmental Policy Act, and environmental worksheet has been submitted to the City of Kirkland, reviewed by the responsible official of the City of Kirkland and a negative declaration reached; and

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

WHEREAS, the Kirkland Planning Commission after their public hearing and consideration of the Recommendations of the Department of Community Development and having available to them the environmental worksheet and negative declaration did adopt certain Findings, Conclusions and Recommendations and did recommend approval of the Conditional Use Permit 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 Chairperson thereof and filed in Department of Community Development File No. CUP-75-38(P) are adopted by the Kirkland City Council as though fully set forth herein.

Section 2. The Conditional Use Permit CUP-75-38(P) 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. A certified copy of this Resolution, together with the Findings, Conclusions and Recommendations therein adopted shall be attached to and become a part of the Conditional Use Permit or evidence thereof delivered to the permittee.

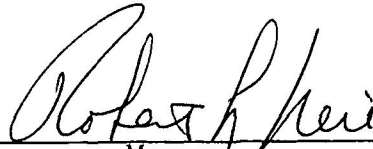
Section 4. Nothing in this Section shall be construed as excusing the applicant from compliance with any federal, state or local statutes, ordinances or regulations applicable to this project other than expressly set forth herein.

Section 5. Failure on the part of the holder of the Conditional Use Permit to initially meet or maintain strict compliance with the standards and conditions to which the Conditional Use Permit is subject shall be grounds for revocation in accordance with Section 23.56.110 of Ordinance No. 2183, Kirkland Zoning Code.

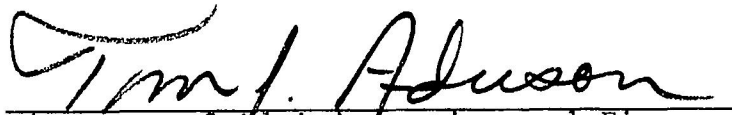
Section 6. Certified or conformed copies of this Resolution shall be delivered to the following:

- 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. The Office of the Director of Administration and Finance (ex officio City Clerk) for the City of Kirkland

ADOPTED in regular meeting of the City Council on the 20th day of October, 1975.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Director of Administration and Finance  
(ex officio City Clerk)

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Findings, Cont'd

- D. 7. Soil. The subject property appears to consist of Alderwood Gravelly Sandy Loam (AgB), 0-6% slope.
- 8. Geology. The subject property appears to consist of Vashon Till (Qt).

E. PUBLIC UTILITIES:

- 9. Streets. The new sign is proposed to be located approximately 35 feet in from the right-of-way of N.E. 68th Street.

F. NEIGHBORHOOD CHARACTERISTICS:

- 10. Zoning. The zoning of the subject property is residential multi-family 1800, as are all of the adjacent properties on the west side of Lakeview Drive. The properties on the east side of Lakeview Drive are within a residential single family 7,200 zone classification.
- 11. Adjacent Land Use. Adjacent land use to the east and south of the subject property consists of residential multi-family complexes. Generally, the other areas of existing single family residential character is that property located on the east side of Lakeview Drive.

G. LOCAL ZONING AND/OR LAND USE POLICIES AND PLANS:

- 12. Regarding the location and size of permitted signs within an RM zone, signs shall be located no closer than one-half (1/2) the required setback to any abutting property line or right-of-way is permitted, provided no individual sign shall exceed the size of ten (10) square feet. (Section 23.32.030). Further, free standing signs when over 10 square feet in area or over 6 feet in height as measured from grade shall require a Conditional Use Permit (Section 23.32.090).
- 13. Regarding standards of approval for Conditional Use Permits for a free standing sign, the Planning Commission shall be guided by the following: (Section 23.32.100):
  - a. A permitted sign shall generally be attractive on all visible sides. There shall be no back side consisting of obviously visible braces and structures that could materially affect other properties.
  - b. Each business development under one ownership shall have not more than one principal sign oriented to a single street. Existing business developments under one ownership, revising their signs, shall have not more than one principal sign oriented to a single street.

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Findings, Cont'd

- G. 13. c. A permitted sign shall be to scale in size and height with the building and the premises to which it is appurtenant.
- d. A permitted sign shall demonstrate an integral relationship to the design of the building and the premises to which it is appurtenant, in its shape, its detail, its materials, and its color.
- e. Changes in an existing sign shall require the same review and approval as a new sign.

CONCLUSIONS:

A. SUMMARY OF THE PROPOSED ACTION:

- 1. This application for a Conditional Use Permit appears to be consistent with the spirit and intent of Section 23.32 of the Kirkland Zoning Ordinance.

B. HISTORICAL BACKGROUND:

C. GOVERNMENTAL COORDINATION:

D. EXISTING PHYSICAL CHARACTERISTICS:

- 2. It does not appear that any existing physical characteristics at the subject site would pose a constraint upon reaching a decision regarding this application.

- 3. Due to the existing bank along the southern boundary of the subject site, it appears that a sign would need to be located further back from the existing right-of-way of N.E. 68th Street and higher than would be allowed pursuant to Section 23.32.030, in order for a sign to be seen from N.E. 68th Street as has been indicated by the applicant.

E. PUBLIC UTILITIES:

F. NEIGHBORHOOD CHARACTERISTICS:

- 4. Zoning/Adjacent Land Use: It does not appear that this sign would be inconsistent with the visual identify of the surrounding neighborhood or be generally unattractive from the surrounding properties.

G. LOCAL ZONING AND/OR LAND USE POLICIES AND PLANS:

- 5. The applicant has received a Variance to allow a sign in an RM zone to exceed the size of 10 square feet. The proposed sign is to be located approximately 35 feet from the existing right-of-way of N.E. 68th Street which exceeds the requirements of Section 23.32.030.
- 6. Regarding standards of approval for a Conditional Use Permit for a free standing sign: (Section 23.32.100):

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DEPARTMENT OF COMMUNITY DEVELOPMENT

ADVISORY REPORT FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

PREPARED BY \_\_\_\_\_ DATE \_\_\_\_\_

RECOMMENDED BY \_\_\_\_\_ DATE October 9, 1975

ADOPTED BY \_\_\_\_\_ DATE \_\_\_\_\_

STAFF \_\_\_\_\_

BOARD OF ADJUSTMENT \_\_\_\_\_

HOUGHTON COMMUNITY COUNCIL \_\_\_\_\_

PLANNING COMMISSION \_\_\_\_\_

CITY COUNCIL AS INCORPORATED IN \_\_\_\_\_

R-2332 SOLUTION \_\_\_\_\_ ORDINANCE

NUMBER \_\_\_\_\_

DATE \_\_\_\_\_

FILE NUMBER CUP-75-38 (P)

APPLICANT Boyd Sign Co. (Lake Vista Apartments)

PROPERTY LOCATION N.E. 63th St. and Lakeview Drive

SUBJECT Applic. for Conditional Use Permit for Free Standing Sign

HEARING/MEETING DATE \_\_\_\_\_

BEFORE \_\_\_\_\_

EXHIBITS ATTACHED "A" Vicinity Map "B" Site Map "C" Sign Plan "D" Application "E" Environmental Information Worksheet & Declaration

CUP-75-38 (P) Boyd Sign (Lake Vista Apts) Page 1 of 4

FINDINGS:

A. SUMMARY OF THE PROPOSED ACTION:

- 1. This is an application for a Conditional Use Permit to erect a free standing sign to be located within the Lake Vista Apartment Complex.
2. The proposed sign is to be located along and oriented to N.E. 68th Street and will be 12.5 square feet in area and 10 feet in height above grade. Support piling will extend to 15 feet above grade. The proposed sign is to be located 35 feet from the N.E. 68th Street right-of-way. The proposed sign is to be constructed of wood and mounted on pilings. (Exhibit "A", "B", and "C").

3. Justification of this proposed action has been identified by the applicant as:

- a. "The signs are attractive and unobtrusive and should be harmonious with the neighborhood.
b. Due to the curb of the adjacent road and an abrupt slope away from the entrance to the property, it is necessary to position a sign well into the complex. To be visible from the street, it will therefore need to be raised higher than would otherwise be necessary.
c. The sign is well designed and attractive and will make locating the complex much easier.
d. The previous sign (which was blown down) was located on the street right-of-way and would not be able to be re-built."

B. HISTORICAL BACKGROUND:

4. The applicant has applied for and received a Variance from the Board of Adjustment, File No. V-75-37(B), to allow for this proposed sign to exceed the maximum area of 10 square feet as per the Kirkland Zoning Ordinance, Section 25.32.030.

C. GOVERNMENTAL COORDINATION:

5. The Kirkland Public Service Department, Department of Fire Services, Building Department, Park Department and Police Department have no comment on this proposal.

D. EXISTING PHYSICAL CHARACTERISTICS:

6. Topography. The subject property appears to slope in a westerly direction with a slope of approximately 6%. There is an existing 6 foot high bank along the southern boundary of the subject site.

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Findings, Cont'd

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Jyd Sign (Lake Vista Apts.)  
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- a. The proposed sign appears to be generally attractive on all visible sides and there will be no back side consisting of obviously visible braces and structures that could materially affect other properties.
- b. It does not appear that there will be more than one principal sign oriented to a single street.
- c. The proposed sign appears to be to scale in size and height with the building and the premises to which it is appurtenant.
- d. The proposed sign appears to demonstrate an integral relationship to the design of the building and the premises to which it is appurtenant, in its shape, its detail, its material and its color.

RECOMMENDATIONS:

Based upon the foregoing Findings and Conclusions and as located in Exhibits "A" through "E", the KIRKLAND PLANNING COMMISSION hereby recommends that this application for a Conditional Use Permit be approved.

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