

RESOLUTION NO. R-2395

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF A CONDITIONAL USE PERMIT AS APPLIED FOR IN DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. CUP-76-63(H), BY THE CITY OF KIRKLAND TO CONSTRUCT A NEW FIRE STATION FACILITY ON 108th AVENUE N.E. BEING WITHIN A RS 8.5 ZONE, AND SETTING FORTH CONDITIONS TO WHICH SUCH CONDITIONAL USE PERMIT SHALL BE SUBJECT.

WHEREAS, the Department of Community Development has received an application for a Conditional Use Permit filed by the City of Kirkland, the leasee of said property described in said application and located within a RS 8.5 zone.

WHEREAS, the application has been submitted to the Kirkland Planning Commission and Houghton Community Council who held a public hearing thereon at a special meeting of September 28, 1976, and

WHEREAS, pursuant to City of Kirkland Ordinance No. 2319 concerning environmental policy of the State Environmental Policy Act, an 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 and Houghton Community Council 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 Chairman thereof and filed in the Department of Community Development File No. CUP-76-63(H) are adopted by the Kirkland City Council as though fully set forth herein.

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

Section 3. 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, the Kirkland Zoning Ordinance.

Section 6. Notwithstanding, the recommendations heretofore given by the Houghton Community Council, the subject matter of this Resolution and the Conditional Use Permit 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 the passage of this Resolution.


Section 7. 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 4th day of October, 1976.


 Mayor pro tem

ATTEST:


 Director of Administration and Finance
 (ex officio City Clerk)

Findings, Cont'd:

- D. 6. Geology. Local geologic mapping indicates the subject property to be located within a Vashon Till (Qt unit).
7. Flora/Fauna. The subject property contains few significant trees and generally includes natural grasses and scotch broom. Refer to Exhibit "C" for existing vegetation.
- E. PUBLIC UTILITIES:
8. Streets. At the present time there is an existing street which bisects the subject property and is not located within any public right-of-way, alleyway, or easement. The street is identified as N.E. 62nd Street however the proper right-of-way is located some 100 feet to the south.
9. Sanitary sewer. There is an existing 8 inch sanitary sewer located on 108th Avenue N.E.
10. Domestic water/Fire hydrants. There is an existing 8 inch water main on 108th Avenue N.E. and a 5-inch fire hydrant located on the subject property.

F. NEIGHBORHOOD CHARACTERISTICS:

11. Zoning. The subject property is zoned Residential Single Family 8500 square feet as are all properties to the east, south and west of the property. The adjacent property north is zoned Residential Single Family 8500 square feet however more northerly properties are zoned Residential Multi-Family 1800 square feet.
12. Land Use. Land surrounding the subject property is of a single family detached residential character, with a church located somewhat to the north. To the east Lake Washington School District #414 has additional properties and a special education school.

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

13. The applicant has submitted an environmental worksheet which did receive a "Final declaration of Non-Significance" from the responsible official on September 28, 1976.
14. The Preliminary Land Use Policy Plan dated September 3, 1976 contains the following policy regarding limitations of Fire Station Location Plan:
- Public Services/Facilities - Fire Protection - Policy 1. Limitations of Fire Station Location Plan adopted by City and Fire District #41 based on the present growth trends.
- "The Kirkland Fire Station Location Plan was adopted by Ordinance 2141 in February, 1971. The Plan encompasses 9/28/76
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Findings, Cont'd:

- G. 14. (cont'd)

almost all of the Planning Area. At the present time there are four stations; Fire District 41 station number 25 at Juanita Drive and Holmes Point Drive (Finn Hill), Fire District 41 station number 27 at 11210 N.E. 132nd Street (Juanita/Kingsgate); Fire District 41 station 26 at 12400 N.E. 85th Street (Rose Hill); and Kirkland station number 21 at 210 Main Street (downtown). The downtown Kirkland station is proposed to be relocated in the South Kirkland/North Houghton area.

The fire station locations and response areas would be sufficient to the year 1990 or beyond. This would maintain and possibly improve the City's fire insurance rating based on current growth rates and patterns. However, the plan should be reassessed if there are significant increases in commercial, industrial, or other high value development."

15. Section 23.56.060 of the Kirkland Zoning Ordinance requires the following: "(4) fire stations, when located in any RS or RM zone, provided the following conditions shall be conformed to: (a) All buildings and structures shall maintain a distance of not less than twenty (20) feet from any property line that is a common property line with RS and RM zoned property; and (b) Any building from which fire fighting equipment emerges onto a street shall maintain a distance of thirty-five (35) feet from such street."
16. Further standards for granting a Conditional Use Permit are subject to the following: "(1) The use or modification requested by the CUP shall be within the intent of this Ordinance, and in the public interest. (2) The use or modification requested by the CUP for the operation of a permitted business in a residential zone will not do damage to adjacent residential property by decreasing property values, creating excessive noises, or creating other nuisances; the applicant for a CUP in any zone, for any business use, shall also provide the Planning Commission with an economic study to show the soundness of his business venture. The Planning Commission and City Council shall evaluate this study as consideration for approval or denial. (3) The use or modification requested by the CUP for the construction or enlargement of a non-forming use shall be made on the basis of a site plan showing proposed landscaping, building renovation, and other site improvements. If the improvements are to be made over a period greater than two years, the time of improvements shall be indicated." (Section 23.56.080, Kirkland Zoning Ordinance)

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DEPARTMENT OF COMMUNITY DEVELOPMENT
ADVISORY REPORT
FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

R - 2395

CUP-76-63(H)
Fire Station Facility
Page 1 of 6

FINDINGS:
A. SUMMARY OF THE PROPOSED ACTION:

1. This is an application for a Conditional Use Permit to construct a fire station on 108th Avenue N.E. at approximately N.E. 62nd Street. (Exhibit "A" - Vicinity Map). The City of Kirikland is the applicant and proposes to construct a fire station facility at this location as proposed in Exhibit "D" - Site Plan.

2. The subject property is 236 feet wide along 108th Avenue N.E. and approximately 301 feet deep. The subject property is approximately 1.6 acres and is slightly irregularly shaped. (Exhibit "B" - Survey).

3. The proposed station is to be of a type III, one hour construction, of brick for low maintenance and low insurance rating and is designed to serve the community through the year 2000. The building is to be 8586 square feet on the first floor; 880 square feet on the second floor; and 236 square feet on the third floor. The second and third floor is combination drill and hose tower which is part of the building. As indicated on Exhibit "D" - Site Plan, the height of the building would be limited to single family scale generally 20 feet in height except for the necessity of 35 foot hose tower.

Justification for this proposed project is identified as follows:
It was determined that the fire station at 210 Main Street was (1) outdated; (2) too far north (and too close to the Rose Hill station); (3) is not an efficient location over the long term. The plan adopted by the City Council of the City of Kirikland in February 1971, Ordinance - 2141 adopting the Fire Station Location Plan indicates that it would be appropriate at that time to relocate this station to the south. The area in which the station should be built was within a diamond shaped area one-half mile each direction from the intersection of N.E. 68th Street and 108th Avenue N.E."

- B. HISTORICAL BACKGROUND: (Not applicable)
- C. GOVERNMENTAL COORDINATION: (Not applicable)
- D. EXISTING PHYSICAL CHARACTERISTICS:
 - 4. Topography: Please refer to Exhibit "C" which indicates topography of the subject property which is relatively flat and within 0-5% slope.
 - 5. Soils: Local soil mapping indicates the subject property to be located within an AgC - Alderwood Gravelly Sandy Loam (6-15% slope classification).

PREPARED BY _____ DATE _____

RECOMMENDED BY _____ DATE September 28, 1976

ADOPTED BY _____ DATE _____

STAFF _____

BOARD OF ADJUSTMENT _____

HOUGHTON COMMUNITY COUNCIL /s/ Phyllis Needy, Chairperson

PLANNING COMMISSION /s/ John Cushing, Chairperson

CITY COUNCIL AS INCORPORATED IN _____

RESOLUTION _____ ORDINANCE _____

NUMBER _____

DATE _____

FILE NUMBER CUP-76-63(H)

APPLICANT CITY OF KIRIKLAND

PROPERTY LOCATION N.E. 62nd St. and 108th Ave. N.E.

SUBJECT Application for Conditional Use Permit for a Fire Station

HEARING/MEETING DATE October 4, 1976

BEFORE KIRIKLAND CITY COUNCIL

EXHIBITS ATTACHED "A" Vicinity Map "B" Survey "C" Topography/Vegetation "D" Site Plan #2 "E" Site Plan #3/Road Relocation "F" Environmental Checklist "G" Application.

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Conclusions, Cont'd:

G. 10. b. (cont'd)

It should be noted however that WAC-60-050(4)(f) states that "sounds created by emergency equipment and work necessary in the interest of law enforcement or for health, safety, or welfare of the community" are exempt from the provisions of chapter 173-60 Washington Administrative Code as relates to maximum noise levels. This building and its operations would fit into this category.

Yard lights will be lit on an average of two nights a week for drill purposes which would again terminate at 10:00 P.M. Lighting shall be directed away and shielded from adjoining properties.

RECOMMENDATIONS:

Based upon the foregoing Findings and Conclusions and as identified in Exhibits "A" through "E" we hereby recommend that this application for a Conditional Use Permit to locate a new fire station on 108th Avenue N.E. at approximately N.E. 62nd Street be approved subject to the following recommendations:

1. That N.E. 62nd Street pavement shall be relocated and improved within the right-of-way of said street, and that a minimum 5-6 foot pedestrian pathway be included with this project. Said improvements shall meet the requirements of the City of Kirkland Public Service Department.
2. The four foot concrete sidewalk in front of the subject property along 108th Avenue N.E. shall be increased in size to a five to six foot sidewalk with rampdowns where applicable.
3. The landscaping of the parking areas adjacent to 108th Avenue N.E., shall be increased pursuant to the requirements of Section 23.40.060 of the Kirkland Zoning Ordinance.
4. Lighting on the subject property shall be so designed as to be directed away from adjacent properties and to not create a negative impact upon the surrounding residences.
5. View restrictions caused by the hose tower should be minimized by design if possible.
6. The applicant shall present preliminary drawings to the Planning Commission and Houghton Community Council for design review prior to development of final bid documents.

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CONCLUSIONS:

- A. SUMMARY OF THE PROPOSED ACTION:
1. This application for a Conditional Use Permit is generally consistent with the requirements of the Kirkland Zoning Ordinance as specified below.
- B. HISTORICAL BACKGROUND: (Not applicable)
- C. GOVERNMENTAL COORDINATION: (Not applicable)
- D. EXISTING PHYSICAL CHARACTERISTICS:
2. Topography/Soils/Geology/Flora/Fauna. The above conditions would not impose constraints upon reaching a positive or negative decision on this proposal.
- E. PUBLIC UTILITIES:
3. Development of this subject property by any use, would require relocation of N.E. 62nd Street pavement to its proper location within N.E. 62nd right-of-way or providing some type of modified street location as identified in Exhibit "E". The alternative as identified in Exhibit "E" would require the least amount of asphalt removal and/or street improvements and therefore would be the alternative of the lowest cost.
 4. Sidewalks. Due to the fact that a portion of the existing 4 foot sidewalk is located on the subject property and not within the public right-of-way, some additional consideration should be given to widening the sidewalk along this area to minimum City standards of 5-6 feet. Also, some permanent type of pedestrian pathway should be included with any street relocation plan on N.E. 62nd Street. This sidewalk should meet minimum City standards as identified below and should be made of some type of hard surface material and meet the approval of the Department of Public Services.
 5. Sanitary Sewer/Domestic Water/Fire Hydrants. The above considerations would not impose a constraint upon reaching a positive or negative decision on this proposal.
- F. NEIGHBORHOOD CHARACTERISTICS:
6. Zoning. The fire station located along the east side of 108th Avenue N.E. may be approved subject to approval of this Conditional Use Permit within an RS 8.5 zone.
 7. Land Use. Due to the extent of the multi-family zoning and the development of a church along the east side of 108th Avenue N.E., it does not appear that this location for a fire station would be inappropriate or adversely impact existing single family residences due to the development along that side of 108th Avenue N.E. Further

Conclusions, Cont'd:

- F. 7. (cont'd)
- extension into the existing single family residential zone on 108th Avenue N.E. would not however be feasible. Access off of a major arterial is a prime consideration for location of a fire station, however location of this facility on a minor street within this Central Houghton neighborhood would unnecessarily adversely impact the existing single family residences in this area.
- G. LOCAL ZONING AND/OR LAND USE POLICIES AND PLANS:
8. This proposal would implement Policy 1 of the Public Services/Facilities element in the Fire Protection section of the Preliminary Land Use Policy Plan.
 9. This application conforms with Section 23.56.060 regarding minimum setbacks for fire stations in RS or RM zones.
 10. Regarding provisions of 23.56.080, the following are relevant:
 - a. It is in the best interest of the City of Kirkland and the public which it served by the Fire District #41 to have a fire station located in the general area (within one-half mile) of the intersection of N.E. 68th and 108th Avenue N.E. This rationale was originally approved by the Kirkland City Council in Ordinance - 2141 which was adopted on February 1, 1971.
 5. The development of this fire station at this particular location should not decrease or damage residential property value or create other nuisances to the surrounding residences. The landscaping which has been proposed which includes a minimum 30 foot landscaping strip along the south and east sides and a 50 foot buffer strip along the north side should significantly reduce any adverse visual impacts of the building and soften and screen the parking areas. Additional landscaping should be located on the north and east side surrounding the parking area adjacent to 108th Avenue N.E. to meet minimum code requirements of Section 23.40.060 of the Kirkland Zoning Ordinance.
 - Noise levels will increase with the response of emergency vehicles located within the fire station to calls. Sirens used on emergency vehicles will reach a decibel level of about 100 dba (at 50 feet). This sound would be for a short duration only and during the time it takes to leave the area. This station will respond to approximately 2.6 calls per day per year. The noise level during drills is on Wednesday evenings will raise somewhat when pumping for drills. Decibel level is approximately 88 dba at 50 feet. This drill period ends before 10:00 P.M.