

RESOLUTION NO. R-2408

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE PRELIMINARY PLAT OF CRESTWOOD LANE AS APPLIED FOR BY CHARLES HENDERSON BEING DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. SUB-76-62(P) AND SETTING FORTH CONDITIONS TO WHICH SUCH PRELIMINARY PLAT SHALL BE SUBJECT.

WHEREAS, the Department of Community Development has received an application for a preliminary plat, said application having been made by Charles Henderson, and said property as legally described in the application is within an RS 8,500 zone, and

WHEREAS, the application has been submitted to the Kirkland Planning Commission who held public hearing thereon at their regular meeting of November 11, 1976, and

WHEREAS, pursuant to City of Kirkland Ordinance No. O-2319 concerning environmental policy and the State Environmental Policy Act, an environmental checklist 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 checklist and declaration have been available and accompanied the application throughout the entire review process, and

WHEREAS, the Kirkland Planning Commission, after public hearings and consideration of the recommendations of the Department of Community Development, did adopt certain Findings, Conclusions and Recommendations and did recommend approval of the preliminary plat, subject to the specific conditions set forth in said recommendation,

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 the Department of Community Development File No. SUB-76-62(P) are hereby adopted by the Kirkland City Council as though fully set forth herein, with the exception of Conclusions 17.b. and 19, and Recommendations 3 and 14.

Section 2. The preliminary plat of Crestwood Lane is hereby given approval, subject to the conditions set forth in the Findings, Conclusions and Recommendations hereinabove adopted by the City Council, and further conditioned upon the following:

"Conclusion 17.b. Improvements to 6th Street shall include a 20 foot wide asphalt pavement to the entrance of Crestwoods Park from 18th Avenue and then continue with a 12 foot wide asphalt strip to 20th Avenue and the north end of the subject property. (Refer to Exhibit "D" Revised Plat Plan.)

Conclusion 19. Sidewalks should be developed with this proposed plat due to its' relationship to Crestwoods Park and Kirkland Junior High School to the south. Sidewalk improvements should be required as indicated in Exhibit "D" Revised Plat Plan. This will provide a 5 foot wide walkway adjacent to the 20 feet of asphalt on 5th Avenue from 19th Avenue to the south property of the plat. There to be continued along 5th Avenue and into 19th Place with a 5 foot wide concrete sidewalk and extending to the 10 foot pedestrian easement between Lots 17 and 18. There a 10 foot pedestrian easement with a 5 foot wide asphalt walkway connects to the 12 foot asphaltic paving on 6th Avenue. No sidewalk or walkway would be provided along 6th Avenue and in lieu of this the street has been paved from 19th Avenue to 20th Avenue. Said pedestrian easement should be fenced at the edge of the easement with a 4-5 foot wooden fence.

Recommendation 3. Sidewalks shall be developed with this proposed plat due to its' relationship to Crestwoods Park and Kirkland Junior High School to the south. Sidewalks improvements shall be required as indicated in Exhibit "D" Revised Plat Plan. This will provide a 5 foot wide walkway adjacent to the 20 feet of asphalt on 5th Avenue from 19th Avenue to the south property of the plat. There to be continued along 5th Avenue and into 19th Place with a 5 foot wide concrete sidewalk and extending to the 10 foot pedestrian easement between Lots 17 and 18. There a 10 foot pedestrian easement with a 5 foot wide asphalt walkway connects to the 12 foot asphaltic paving on 6th Avenue. No sidewalk or walkway would be provided along 6th Avenue and in lieu of this the street has been paved from 19th Avenue to 20th Avenue. Said pedestrian easement shall be fenced at the edge of the easement with a 4 to 5 foot wooden fence.

Recommendation 14. The applicant shall be required to improve adjacent right-of-way as indicated in Exhibit "D" Revised Plat Plan."

Section 3. A certified copy of this Resolution, along with the Findings, Conclusions and Recommendations hereinabove adopted shall be attached to and become a part of the evidence of preliminary approval of said preliminary plat to be delivered to the applicant.

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

Section 5. Certified or conformed copies of this Resolution shall be delivered to the following:

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

ADOPTED in regular meeting of the Kirkland City Council on the  
7th day of February , 1977.



\_\_\_\_\_  
Mayor, pro tem

ATTEST:



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

DEPARTMENT OF COMMUNITY DEVELOPMENT

M E M O R A N D U M

Memo to City Council  
January 24, 1977  
Page 2

January 24, 1977

To: Kirkland City Council  
From: Department of Community Development *Smith*  
Subject: Charles Henderson - Crestwood Lane Subdivision  
File No. SUB-76-62(P)

house setbacks adjacent to the swail should be determined by an on-site inspection by the soils engineer. Also, the City staff and the Kirkland Planning Commission are concerned about such an area becoming a trap for litter and refuse.

For these reasons, the Department of Community Development does hereby recommend the acceptance of this preliminary plat with the above listed modifications and the payment of "fee-in-lieu" as indicated in the Kirkland Planning Commission report dated November 11, 1976.

bk

The applicant for the Crestwood Lane Subdivision, Charles Henderson, has submitted a revised plat plan, herein noted as Exhibit "D", for this proposed subdivision. He has included further details on pavement improvements on 5th and 6th Streets in relationship to vehicle and pedestrian access.

The following modifications have been made to the subdivision subsequent to its submission to the Kirkland Planning Commission:

1. The applicant proposes to extend the pedestrian walkway from 19th Avenue to the southern portion of the subject property on 5th Street. This would include a 5 foot walkway adjacent to vehicle lanes separated by an extruded curb.
2. A 5-foot concrete walk between the cul-de-sac and 6th Avenue has been changed to an asphaltic walkway with chain link fence rather than a wooden fence.
3. The applicant has proposed to extend asphaltic pavement on 6th Street from the north property line of proposed lot 16 (the entrance to Crestwoods Park) to 20th Avenue, 12-foot wide pavement. This would be done in lieu of providing a 5 foot concrete walk from 20th Avenue to 19th Avenue.

The Department of Community Development does not foresee any major difficulties with the aforementioned changes, however the applicant in his letter to the City Council dated January 13, 1977 wished to have the provisions of the open space section waived for his application. The Kirkland Planning Commission, Park Department and Department of Community Development have all recommended for the payment of the appropriate fees for this subdivision, and have left the applicant the option to re-aggregate proposed Tract "A" back into the adjoining two lots. As indicated by the data submitted by the applicant and the City, the area which would be dedicated is extremely steep sloping and the soils engineer has indicated that minimum

Recommendations, Cont'd

6. The applicant shall be required to provide the Department of Community Development with the assessed valuation of the entire subdivision as determined by the King County Assessor for general tax purposes for the year during which the application is made. Prior to the City Council review of the final subdivision, the applicant shall be required to pay either 10% of the assessed valuation of the proposed subdivision into the Park and Municipal Facilities Cumulative Reserve Fund, or \$200 per dwelling unit, whichever is greater.
7. The applicant will be required to work with the Fire Department regarding water line improvements and fire hydrant location.
8. The applicant will be required to work with the Park Department regarding street tree planting and any potential landscaping within any cul-de-sac turn-around islands. No beauty bark shall be permitted within any proposed island.
9. Development within this plat shall be consistent with the enclosed soils report by Rittenhouse, Zeman and Associates dated August 20, 1976, File W-2323 and as identified in Exhibit "C".
10. The applicant shall be required to submit a tree cutting plan for each individual lot prior to receiving a building permit on said lots pursuant to Ordinance No. 2393.
11. A 10 foot drainage easement parallel to and measured in terms of the centerline of that watercourse shall be noted on the final plat as from the north right-of-way line of 19th Place to 20th Avenue. Building construction should be located as far away from this drainage easement as possible to minimize erosion and downstream sedimentation, and the bank of the watercourse shall be preserved in a natural state to the maximum possible extent.
12. All required utilities shall be undergrounded.
13. After preliminary plat approval, land surface modification shall only be allowed within proposed right-of-way utility easements as designated on the preliminary plat drawing, pursuant to Ordinance No. 0-2393.
14. Pursuant to the recommended street improvements by the Public Service Department as listed in Conclusion No. 17, a 20 foot wide asphalt pavement strip shall be installed on 6th Street from 19th Avenue to the entrance of the Crestwoods Park parking area. This shall be permitted with an open ditch drainage system.

11/11/76  
11/8/76

Conclusions, Cont'd

F. 17. a. (Cont'd)

extend from the southerly property line of Lot 1 to the northerly right-of-way line of 19th Place. The right-of-way section north of 19th Place should be graded to match the existing pavement and 10 foot gravel strip placed from 19th Place to 20th Avenue. This gravel extension will provide access to proposed sewer extension from the subject property to the pump station at 4th Place and 20th Avenue. The interior roadways of 19th Place and 6th Place shall be improved to minimum City standards including curb and gutter, and a sidewalk along one side of 19th Place from 5th Street to the cul-de-sac turn-around.

b. Improvements to 6th Street shall include a 20 foot wide asphalt pavement strip running from 19th Avenue to the entrance of Crestwoods Park parking area. This improvement would be permitted with an open ditch drainage system.

18. A 10 foot drainage easement parallel to and measured in terms of the centerline of that watercourse shall be noted on the final plat as from the north right-of-way line of 19th Place to 20th Avenue. Building construction should be located as far away from this drainage easement as possible to minimize erosion and downstream sedimentation, and the bank of the water course shall be preserved in a natural state to the maximum possible extent.

19. Sidewalks should be developed with this plat due to its relationship to Crestwoods Park and the Kirkland Junior High School to the south. Sidewalks should be required along with street improvements along the east side of 5th Street from the south lot line of Lot No. 1, then along one side of 19th Place and then connecting to a 10 foot pedestrian easement between Lots 17 and 18 which extends to 6th Street. Further, a 5 foot winding concrete pathway shall also be required for the full length of the subject property along 6th Street. The 10 foot pedestrian easement should be fenced with a 6 foot fence on the edge of the easement, and include a motorcycle barrier at one end. Further, this easement will provide access from the plat to Crestwoods Park, and the improvements along 6th Street will help to implement the City's path and trail network.

20. All required utilities should be undergrounded.

RECOMMENDATIONS:

Based upon the foregoing Findings and Conclusions and as identified in Exhibits "A" through "C", we hereby recommend that this preliminary plat of Crestwood Lane be approved subject to the following:

1. The applicant shall be required to meet with the Public Service Department and have that Department approve street sanitary sewer and domestic water improvements for the proposed plat.
2. Prior to the installation of any required utilities, grading, clearing or development within the plat, the applicant shall submit engineering calculations and a drainage design for the entire plat. Said designs shall include proposals for storm water retention and erosion measures to be taken during construction and after development. Said designs shall be approved by the Public Service Department and the Department of Community Development. The following shall be placed on the face of the plat linen:  

"The regular maintenance and repair of all storm water retention structures in this plat or located beneath the City right-of-way shall be accomplished by the City of Kirkland. The total cost of said maintenance and repair of all storm water retention structures shall be assessed against all property owners within the plat who are served by such, and each property owner served by said system shall be assessed 1/25th of the total cost."

3. Sidewalks shall be required along with street improvements along the east side of 5th Street from the south lot line of Lot 1, then along one side of 19th Place and then connecting to a 10 foot pedestrian easement between Lots 17 and 18 which extends to 6th Street. Further, a 5 foot winding concrete sidewalk shall be provided from 19th to 20th Avenues along 6th Street. (The 10 foot pedestrian easement shall be fenced with a 6 foot fence on the edge of the easement, and include a motorcycle barrier at one end.)

4. If Tract A is left as open space, it should be dedicated to the plat as private open space and have no buildings or structures placed in that area and redesigned so that the south boundary line generally corresponds with the 190 foot contour elevation. The Park Department would not be adverse to enlarging the size of Lots 24 and 25 and deleting Tract A provided that an open space covenant is placed on the northern portion of the subject property which is located in the ravine and generally identified as those properties lower than Elevation 190 feet above mean sea level.

5. The applicant shall be required to work with the Park Department and to propose a joint solution on how to minimize the impact of this plat on the proposed park and 6th Street right-of-way (in terms of garbage debris and dumping).

Findings, Cont'd

D. PUBLIC UTILITIES:

- 7. Streets. The subject property fronts on both 5th Street and 6th Street, and the unimproved right-of-way of 20th Avenue to the north. The improved right-of-way of 19th Avenue lies approximately 100 feet to the south of the subject property and is identified as a neighborhood street. Essentially 6th Street and 5th Street are both unimproved northward of 19th Avenue.
- 8. Pedestrian Ways. 6th Street is identified in the Preliminary Land Use Policy Plan as a major pedestrian way between Juanita Heights and Juanita Slough Valley to Norkirk and the school system located directly south of the subject property. There is an existing path which comes up from Forbes Creek Valley and is located within the right-of-way of 6th Street. The city-wide trail system is located in 6th Street due to the fact that it is adjacent to a city park, almost directly adjacent to an existing junior high school, and all path and trail systems connecting residential areas to schools are highly desirable by the Lake Washington School District #414.
- 9. Domestic water/fire hydrant. At the present time there are not adequate facilities to serve this property with domestic water or fire protection. Improvements will need to be made by the applicant. Existing facilities in the surrounding area include an existing 6" water main in 19th Avenue and a 4" water main partially within 5th Street. There is a fire hydrant located at the intersection of 5th and 6th Streets and 19th Avenue.
- 10. Sanitary Sewer. There is no existing sanitary sewer system servicing the subject property. The developer will need to install sewers to serve the proposed subject property at his own expense. There is an existing pump station at the intersection of 4th Place and 20th Avenue. The applicant will need to gravity flow the sewer lines to this point.
- 11. Storm Sewer. There is no existing storm sewer system in the immediate vicinity. Most storm water runoff would exit the subject property and flow north into Forbes Creek drainage basin.

E. NEIGHBORHOOD CHARACTERISTICS:

- 12. Zoning. The subject property is zoned Residential Single Family 7,200 square feet. The property directly to the north is zoned Residential Single Family 35,000 square feet.
- 13. Land Use. The subject property is presently undeveloped. The adjacent property to the south has not been entirely developed as the adjacent property to the west. Lake Washington School District No. 414 has developed the subject

11/11/76  
11/8/76

Findings, Cont'd

E. 13. (Cont'd)

- property south of 19th Avenue as Kirkland Junior High site, and the City of Kirkland is presently developing the Crestwoods Park area to the east of the subject property. Property to the north of this proposed plat is of an undeveloped nature and is heavily wooded.
- 14. Public recreation/open space. Crestwoods Park is located directly east of the subject property. This park is identified as a community park facility, and is partially developed at the present time. The Kirkland Junior High School athletic field is located to the south of the subject property between 5th Street and 6th Street, and generally contains athletic fields and tennis courts.
- F. LOCAL ZONING AND/OR LAND USE POLICIES AND PLANS:
  - 15. The applicant has submitted an environmental checklist which did receive a final negative declaration from the responsible official on October 6, 1976.
  - 16. The proposed development is generally consistent with the Kirkland Subdivision Ordinance No. 2178 with the following specifics noted for the applicant's benefit:
    - a. In areas where slopes are greater than 15% (or in environmentally sensitive areas) a detailed soils and engineering report will be required prior to approval of any preliminary plat. (Section 2.5.4)
    - b. A tree cutting plan for all development shall be required indicating those trees over 6" in caliper which will be cut and which will remain. (Section 2.5.5)
    - c. The use of water retention basins to minimize surface runoff or erosion damage potential may be required. (Section 2.5.6).
    - d. In lieu of providing 5% open space within the project the applicant will be required to deposit in the fee-in-lieu of open space account of the "Park and Municipal Facilities Cumulative Reserve Fund" an amount not less than 10% of the assessed valuation of the entire subdivision as determined by the King County Assessor for general tax purposes for the year during which the subdivision is recorded, or \$200 per dwelling unit, whichever is greater. (Section 2.5.9).

11/11/76  
11/8/76



DEPARTMENT OF COMMUNITY DEVELOPMENT  
**ADVISORY REPORT**  
 FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

SU 76-62(P)  
 Henderson (Crestwood Lane)  
 Page 1 of 10

**FINDINGS:**

**A. SUMMARY OF THE PROPOSED ACTION:**

1. This is an application for a Preliminary Plat approval of the plat of Crestwood Lane located between 5th and 6th Streets and north of 19th Avenue. (Exhibit "A" - Proposed Plat).
2. The application proposes to create 25 lots from a parcel of approximately 6.6 acres.

**B. HISTORICAL BACKGROUND: (Not applicable)**

**C. EXISTING PHYSICAL CHARACTERISTICS:**

3. Topography. The average slope of a major portion of the subject property is in a south to north direction at an approximately 0-5% slope. However, there is an extremely steep ravine located in the northwest corner of the subject property adjacent to Lots 24 and 25 generally identified within the proposed open space area of Tract A. The ravine begins within the subject property and travels in a northerly direction to Forbes Creek approximately one-quarter mile to the north.
4. Environmentally sensitive areas/soils/geology. The northern portion of the subject property is located within the City of Kirkland's environmentally sensitive areas map. Due to this requirement, the applicant did retain a soils/geology engineer which provided a geotechnical survey of the northern portion of the subject property. Please refer to enclosed soils report by Rittenhouse Zeman and Associates dated August 20, 1976, File N-2323, Exhibit "C". This report indicates no severe development constraints within the subject property other than those located generally in Tract A, and adjoining Lots 24 and 25 which are located along the edge of the ravine. The soil engineer recommends that he be contacted by the builder regarding the building location on these lots rather than applying an arbitrary setback along the edge of this ravine.
5. Groundwater. In the soils/geology report mentioned above, groundwater was not present on the site at the time of the exploration, however it is considered in the technical report that a purged water table may be exposed between impervious interbedded silts and fine sand layers during the wintertime.
6. Vegetation. The subject property is generally wooded with associated natural grasses and some deciduous and evergreen undergrowth located on the north and northwest corners of the property.

PREPARED BY \_\_\_\_\_ DATE \_\_\_\_\_  
 RECOMMENDED BY \_\_\_\_\_ DATE November 11, 1976  
 ADOPTED BY \_\_\_\_\_ DATE \_\_\_\_\_

STAFF \_\_\_\_\_  
 BOARD OF ADJUSTMENT \_\_\_\_\_  
 HOUGHTON COMMUNITY COUNCIL \_\_\_\_\_  
 PLANNING COMMISSION \_\_\_\_\_  
 CITY COUNCIL AS INCORPORATED IN \_\_\_\_\_  
 JOHN CUSHING, Chairman

RESOLUTION \_\_\_\_\_ ORDINANCE \_\_\_\_\_  
 NUMBER \_\_\_\_\_  
 DATE \_\_\_\_\_

FILE NUMBER SUB-76-62(P)  
 APPLICANT Charles Henderson  
 PROPERTY LOCATION Between 5th and 6th Sts. north of 19th Avenue

SUBJECT Application for Preliminary Subdivision of CRESTWOOD LANE  
 HEARING/MEETING DATE December 6, 1976  
 BEFORE KIRKLAND CITY COUNCIL

EXHIBITS ATTACHED "A" Proposed Plat Map "B" Environmental Checklist  
 and Declaration "C" Soils Report "D" Revised Plat Plan



Conclusions, Cont'd

F. 14. (Cont'd)

If the cul-de-sac turn-around islands are placed in 19th Place or 6th Place, there shall be a landscaping plan included for final plat review. No beauty bark shall be used in landscaping island due to the storm drain obstruction problems associated with this landscaping material.

The applicant shall be required to provide calculations and design drawings which will minimize soil erosion potential and which are consistent with the response given in the environmental assessment (Exhibit "B"). Further, the following should be indicated on the plat linen regarding maintenance and repair of the storm water retention facilities:

"The regular maintenance and repair of all storm water retention structures in this plat and located beneath the City right-of-way shall be accomplished by the City of Kirkland. The total cost of said maintenance and repair of all storm water retention structures shall be assessed against all property owners within the plat who are served by such, and each property owner served by said system shall be assessed 1/25th of the total cost."

Due to the steepness of the slope in the area of proposed Tract A and the recommendation of the soils report from Rittenhouse Zeman and Associates, that area generally identified as being lower than the edge of the ravine (Elevation 190 feet mean sea level) should be either identified as private open space, or be re-allocated as a portion of Lot 24 or 25 and a non-buildable area on the face of the plat linen. Due to the fact that proposed Tract A is a non-buildable area and of little or no value for recreation purposes, and also due to the location of the adjacent recreation facilities of the Kirkland Junior High School and Crestwoods Park, the applicant should be required to pay a fee in lieu of open space in this case. Therefore, the applicant shall be required to provide the Department of Community Development with the assessed valuation of the entire subdivision as determined by the King County Assessor for general tax purposes for the year during which the application is made. Prior to the City Council review of the final subdivision, the applicant shall be required to pay either 10% of the assessed valuation of the proposed subdivision into the Park and Municipal Facilities Cumulative Reserve Fund, or \$200 per dwelling unit, whichever is greater.

All proposed streets adjacent to and within this proposed plat shall be constructed to minimum City standards and Public Service recommendations as listed below:

- a. A 20 foot wide asphalt pavement shall be extended from 19th Avenue north to the southern property line of the subject property, there to be joined with a 1/2 width fully improved street section to include 20 foot of asphalt paving, curb, gutter and sidewalk. This shall

11/11/76  
11/8/76

E. NEIGHBORHOOD CHARACTERISTICS:

10. Zoning. The proposed subdivision application is consistent with the surrounding zoning pattern for the subject area.

11. Land Use. Due to the fact that the property to the north of the subject property is much more steeply sloping, there may be lower land use densities in the future north of the subject property. Access to the properties to the north would be available from either N.E. 106th St. in Forbes Creek Valley or 5th or 6th Streets.

12. This proposed plat will be consistent with surrounding land use and development patterns in this neighborhood area.

13. Public Parks/Open Space. In the past the Park Department has commented on the problem of having developed plats set up against either an undeveloped street and park or a park facility along the rear lot line. Past experience has shown that these areas tend to become private dumping areas at the public expense. The Park Department is concerned about future plats which are platted with backyards abutting public parks and has suggested that one alternative would be to have front yards facing said park, in this case Crestwoods Park. One other alternative to this would be some type of significant screening buffer between the park and the residences.

Due to the amount of available public recreation in this area which includes Crestwoods Park and the junior high school athletic field, there is little or no need for this particular plat to provide open space. The condition in Tract A is one of extremely steeply sloping ravine and is not the type of open space which is conducive to any type of active recreational activity. If Tract A is left as open space, it should be dedicated to the plat as private open space and have no buildings or structures placed in that area. The Park Department would not be adverse to enlarging the size of Lots 24 and 25 and deleting Tract A provided that an open space covenant is placed on the northern portion of the subject property which is located in the ravine and generally identified as those properties lower than Elevation 190 feet above mean sea level.

F. LOCAL ZONING AND/OR LAND USE POLICIES AND PLANS

14. The applicant shall be required to submit a tree cutting plan for each individual lot prior to receiving a building permit on said lot pursuant to Ordinance No. 2393. Some provision for street tree planting should be included in this plat due to the lack of substantial existing vegetation. Such planting might include London Plane Trees, Liquid Ambers, or Norway Maples of a minimum of 2" in caliper and placed 30 feet on center in the street rights-of-way.

11/11/76  
11/8/76

Findings, Cont'd

- F. 16. e. A drainage easement, parallel to and measured in terms of the centerline of all minor or major watercourses, shall be required. Any disturbance of the natural state or construction in the designated easement will not be allowed unless approval is received from the Planning Commission, concurrent with the approval of the subdivision. In all cases, the bank of the watercourse shall be preserved in as natural a state as practical. (Section 2.10.6)
- f. All proposed streets within this subdivision must be constructed to minimum City specifications. (Section 2.11.3).
- g. Where a subdivision abuts existing roads, sidewalks or walkways will be required to be installed in or adjacent to the abutting right-of-way. (Section 2.11.9(e)).
- h. All subdivisions shall be provided with underground utility lines in accordance with the serving utility's current standards and specifications. (Section 2.12.5)
17. Pursuant to the Kirkland Land Modification Ordinance, Ordinance No. O-2295, subsequent to the approval of any preliminary plat, land surface modification or grading permit may be issued for land surface modification or grading work to be done only within the right-of-ways or utility easements as designated on the approved preliminary plat drawings.

CONCLUSIONS:

- A. SUMMARY OF THE PROPOSED ACTION:  
1. This application is generally consistent with the Kirkland Subdivision Ordinance as indicated in the following sections.
- B. HISTORICAL BACKGROUND: (Not applicable)
- C. EXISTING PHYSICAL CHARACTERISTICS:  
2. Topography. The subject property generally located north of proposed Lots 24 and 25 exhibits extremely steep topographic conditions. As recommended by the soils report of Rittenhouse-Zeman and Associates, no development should occur in this area and building sites on proposed Lots 24 and 25 should be approved by the soils engineer prior to construction. The northern portion of Lots 24 and 25 do not appear to relate to any topographic relation to the edge of the ravine. Therefore, Tract A boundary lines should be located on the edge of the ravine, or Lots 24 and 25 may be extended to 20th Ave. thereby deleting Tract A, however requiring the following to be placed on the face of the plat linen: "No buildings or structures shall be permitted in this area." The proposed line should generally follow the topography elevation of 190 feet above mean sea level.

Conclusions, Cont'd

- C. 3. Soils/Geology. None of these factors should pose a constraint for making either a positive or negative declaration on this application. Any approved preliminary plat should be subject to the recommendations found in the Soils Report by Rittenhouse, Zeman and Associates dated August 20, 1976, File W-2323 as identified in Exhibit "C".
4. Vegetation. Due to the fact that there is no substantial vegetation on the existing property, consideration should be given to requiring street tree plantings along the improved rights-of-way within this plat.
- D. PUBLIC UTILITIES:  
5. Streets. The adjoining street rights-of-way of 5th and 6th Avenues will be required to be upgraded to minimum City standards and to provide access from developed lots in this plat to 19th Avenue.  
6. Pedestrian Way. Due to the fact that 6th Street is a major city-wide pedestrian way adjacent to a City park and almost directly adjacent to an existing City school, improvements to that right-of-way would help the City implement an overall path and trail system which would be highly desirable to Lake Washington School District No. 414. Sidewalks should be required within this plat due to its specific location which is adjacent to a public school and the City park, and on a major community path and trail system.  
7. Domestic Water/Fire Hydrants. The applicant will be required to provide appropriate fees or upgrade existing systems to meet minimum City standards and fire flow requirements.  
8. Sanitary Sewer. The applicant will be required to provide sanitary sewer for the subject property and should also provide a means to serve those properties to the south of the subject plat which could also be served by gravity sewer to the 4th Place pump station.  
9. Storm Sewers. Prior to the installation of any required utilities, grading, clearing or development within the plat, the applicant should be required to submit for review engineering calculations and plans for the storm water runoff and drainage system to the Department of Public Service and the Department of Community Development. The system shall be designed for a minimum of a 10-year storm and shall include methods of handling said storm water runoff during construction and after full development of the proposed utilities and residences.

Conclusions, Cont'd

F. 11. 1. (Cont'd)

ward pointing arrow. Further, a "No Right Turn" sign shall be installed in the patient parking lot onto the alley. Finally, an "Entrance Only" sign needs to be located at the entrance of the patient parking lot with an arrow pointing into the lot.

12. Due to the fact that the City Council adopted Resolution R-2249, the former Kirkland Land Use Plan does not provide enough guidance to review new development applications for Resolutions of Intent to Rezone. Therefore, all applications should be reviewed pursuant to performance standards within the Preliminary Land Use Policy Plan.

13. The Kirkland Planning Commission finds that along with the dedication of air rights and the buffer along the south and west property lines, the applicant should be required to convey to the City all development rights of the 25 foot landscaping buffer on the westerly property line and the 15 foot landscaping buffer on the southerly property line, provided that employee and patient parking ingress and egress points are excluded. Please refer to Exhibit "N" and the attached proposed Quit Claim Deed for the subject property.

RECOMMENDATIONS:

Based upon the foregoing Findings and Conclusions and as identified in Exhibits "A" through "O", we hereby approve this application for an "Intent to Rezone" subject to the following conditions:

1. The applicant shall be permitted to use the subject property for a professional office as requested. The first floor of the existing residence and the addition to the structure may be used as office space, whereas the basement shall only be used for storage. Any modification to this proposed plan shall be handled as an amendment to the "Intent to Rezone" application.

2. Due to the unique locational characteristics of the subject property this shall be the only non-single family use within Block 15, Town of Kirkland.

3. Prior to applying for a building permit the applicant shall modify the proposed site plan and landscaping plan to include the following:

- a. Contact the serving solid waste utility and locate an approved site-screening solid waste dumpster.
- b. Provide a 25 foot landscaping buffer area along the west property line to include a minimum of two rows of off-set evergreen trees 10-15 feet on center being 8-10 feet in height and integrated within existing vegetation.

1/13/77  
12/3/76

Conclusions, Cont'd

F. 11. b. (Cont'd)

would be adjacent to the already existing commercially zoned areas along Market Street.

c. The applicant has proposed to utilize the western and southern areas along the subject property so that a landscaping buffer will be located in these areas.

d. The structure and proposed addition are of a single family residential character in regard to height, size, and architecture.

e. Proposed signing should be limited to 2nd Street West with either a maximum 12 square foot face mounted sign or a 10 square foot ground mounted sign 10 foot in from the property line as provided for in the Kirkland Zoning Ordinance No. 2183, Section 23.32.030..

f. Lighting of the subject property should be from the existing residence and proposed additions toward 2nd Street West. Further, fixtures should not exceed 10 feet in height and should be directed away and shielded from adjoining properties.

g. As previously discussed, the preliminary access to and from the subject property will be off of the primary arterial of Market Street via 2nd Street West (south bound) or 7th Ave. W. and 2nd Street W. (northbound). Both are side streets of Market and traffic should not extend further into existing single family residential neighborhoods than is occurring at the present time due to the existing commercial activities located along Market Street and 2nd St. West.

h. If this application is approved, special provisions should be placed on this application so that the permitted use of this property is only for professional office due to the fact that the professional residential zone permits the option of professional office or multi-family units. Further, any additional construction or development on the subject property would require amendment to this rezoning application.

i. Finally, if through the adoption of the Land Use Policy Plan, any zoning modifications are made to Resolution 2183 to provide for a professional office zone, this subject property be so designated on the official zoning map at such time as modification is approved by the Kirkland City Council.

j. Said employee parking shall be permitted with gravelled parking and bull rails.

k. A "Left Turn Only" sign should be installed from the employee parking lot onto the alley.

1. An "Exit Only" sign should be located on the alley from the egress point of the employee parking lot with an out-

1/13/77  
12/3/76

Conclusions, Cont'd

- F. 9. c. The Department of Community Development and Public Service Department have reviewed the proposed site plan, and would recommend that the aforementioned modifications should be conditions of approval if this application is approved:
- (1) The applicant be required to make a contribution toward stop sign at 7th Ave. W., on 2nd Street West, and
  - (2) Design and construction of the storm water retention facility for a 10-year storm should be required with the building permit application.
  - (3) Further, the applicant should be required to contact the serving solid waste utility and with building permit application, locate approved site-screened solid waste disposal.
10. The following comments are relevant to discussion of this Intent to Rezone application with the following sections of the Kirkland Zoning Ordinance No. 2183:
- a. Professional Residential Zone requirements: The proposed development plan as identified in Exhibit "D" conforms to the Professional Residential (PR) zone requirements regarding setbacks, height, and lot coverage.
  - b. The proposed parking plan for the subject property conforms to the Kirkland Zoning Ordinance requirements regarding numbers of patient parking stalls, handicapped parking stalls, and contains 3 more parking spaces than is required by the Kirkland Zoning Ordinance.
  - c. Landscaping Requirements. The applicant has generally proposed landscaping plan which is consistent with the spirit and intent of both the emerging Land Use Policy Plan and the Kirkland Zoning Ordinance. Recommended modification to the proposed landscaping plan include the following:
    - (1) Provide a 25 foot landscaping buffer area along the west property line to include a minimum of 2 rows of off-set evergreen trees 10 to 15 feet on center being 8-10 feet in height and also integrated among existing vegetation.

Conclusions, Cont'd

- F. 10. c. (2) A 15-foot landscaping buffer area along the southerly property line to include a minimum of two rows of off-setting evergreen trees 10-15 feet on center being 8-10 feet in height and also integrated among existing vegetation.
- (3) Angling all access points through the southerly buffered area toward 2nd Street West.
  - (4) Landscaping adjoining the patient parking area should include a mixture of evergreen plants and ground cover a minimum of 6 feet in height which will meet the spirit and intent of Section 23.40.060, and is to be integrated among existing vegetation. A 20 foot corner at the intersection of 8th Avenue West and 8th Street West shall only contain a low planting with a maximum height of 30 inches, and deciduous trees a minimum of 2 inches in caliper to permit site obstruction at the intersection.
  - (5) The applicant shall be permitted to landscape up to the existing sidewalk along both right-of-ways and is recommended to do so along 2nd Street West.
  - (6) Landscaping adjoining the employee parking ingress and egress point; and the egress point from the patient parking area, shall be so landscaped as to permit adequate visibility when exiting from the parking lot onto the alleyway.
11. Conclusion 9.a. discussed this application's general conformance with the economic activities policies, and policy discussion sections. Regarding the conformance of this proposed plan with the Preliminary Market Neighborhood Area in the Land Use Policies Plan, the following are relevant:
- a. If a substantial landscaping buffer and dedication of air rights of this area to the City of Kirkland is accomplished, then the west and south boundary lines could be established between this proposed use (Professional Office) and the adjoining single family residential neighborhood. By physically and visually separating the adjacent uses, this should allay residents' fears of further encroachment into the single family residential area and hence mitigate potential blighting effect of activities along Market Street. The Kirkland Planning Commission has determined that this would be the maximum extent of any multi- or professional office areas in this block.
  - b. Although the subject property does not physically abut against Market Street, it is visually oriented to that street and the majority of the activity on this site



3. A 15-foot landscaping buffer area along the southerly property line to include a minimum of two rows of off-setting evergreen trees 10-15 feet on center being 8-10 feet in height and also integrated among existing vegetation.
- d. The landscape plan shall provide site obscuring landscaping materials on the north and east sides of the patient parking lot (adjacent to 2nd Street West). Said materials shall include a mixture of evergreen plants and groundcover a minimum of 6 feet in height which will meet the spirit and intent of Section 23.40.060. (However, the 20 foot corner at the intersection of 8th Avenue W., and 2nd Street W., shall not be bermed and shall only contain low plantings with a maximum height of 30" and deciduous trees a minimum of 2" in caliper, to prevent site obstruction at this intersection.)
- e. The applicant shall be permitted to landscape up to the existing sidewalk along both right-of-ways and is recommended to do so along 2nd Street W.
- f. Propose signing which will be limited to 2nd Street W. with either a maximum 12 square foot face mounted sign or a 10 square foot ground mounted sign 10 feet in from the property line as provided for in the Kirkland Zoning Ordinance No. 2183, Section 23.32.030.
- g. Propose a lighting plan which directs light toward 2nd Street West. Further, fixtures shall not exceed 10 feet in height and shall be directed away and shielded from adjoining properties.
- h. At such time as this project conforms to all the provisions of this "Intent to Rezone" approval, the City shall rezone this property to a Professional Office (PO) zone in lieu of a Professional Residential (PR) zone if such a zone has been added to the Kirkland Zoning Ordinance No. 2183.
- i. The alley shall be paved with 12 feet of asphalt on center from 2nd Street West to the furthest point of access into the employee parking lot. Said pavement shall include thickened edge and shall be inverted so that drainage will be collected in the center of the pavement. The said paving shall be tapered into the employee parking lot which shall be of gravel configuration with bull rails.
- j. A "Left Turn Only" sign shall be installed from the employee parking lot onto the alley.
- k. An "Exit Only" sign shall be located on the alley from the egress point of the employee parking lot with an outward pointing arrow. Further, a "No Right Turn" sign shall be

Recommendations, Cont'd

3. k. (cont'd)

- installed in the patient parking lot onto the alley. Finally, an "Entrance Only" sign shall be located at the entrance of the patient parking lot with an arrow pointing into the lot.
4. At the time of building permit application, the applicant shall:
  - a. Make a \$50 contribution to a stop sign at 7th Avenue West on 2nd Street West.
  - b. Design and construct a storm water retention system which will not increase the velocity or quantity or decrease the quality of water leaving the site at the present time for a 10-year storm.
5. Prior to obtaining a Building Permit or Occupancy Permit for the subject property, the applicant shall record a Quit Claim Deed similar to Exhibit "N" which indicates a legal description of the subject property where development rights are being conveyed to the City, and should include a map of the same and identified as Exhibit "A". Said legal description and map shall indicate the west 25 feet and the south 15 feet of the subject property, but shall provide for ingress and egress points through these areas for parking as indicated in Exhibit "O". A copy of this recording shall be on file with the City Clerk of the City of Kirkland and a copy shall be provided the Department of Community Development.
6. Exhibit "O" is the site and landscaping plan which was approved by the Kirkland Planning Commission and hereby supersedes Exhibits "p" Proposed Site Plan/Landscaping; "j" Revised Site Plan Alternative I; "k" Revised Site Plan Alternative II; "l" Revised Site Plan Alternative III; "m" Revised Site Plan Alternative IV.