

RESOLUTION NO. R-2462

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-77-63(P), BY BUD BUSHNELL, GENIE INDUSTRIES, INC., TO CONSTRUCT ONE WAREHOUSE/INDUSTRIAL TYPE BUILDING, BEING WITHIN A PLANNED AREA 6B 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 Bud Bushnell, Genie Industries, Inc., the owner of said property described in said application and located within a Planned Area 6B zone.

WHEREAS, the application has been submitted to the Kirkland Planning Commission who held public hearings thereon at their regular meeting of September 8, 1977 and a special hearing on September 29, 1977, 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 after their public hearings 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 the Department of Community Development File No. CUP-77-63(P) 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 as modified in regards to landscaping by the letter dated October 3, 1977, submitted by Genie Industries, which is also incorporated herein.

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.

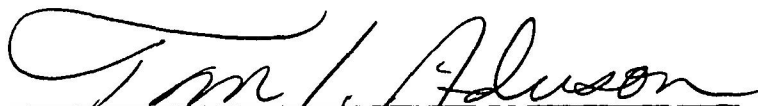
Section 6. Certified or conformed copies of this Resolution shall be delivered to the following:

- (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 3rd day of October, 1977.

  
\_\_\_\_\_  
Mayor

ATTEST:

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



DEPARTMENT OF COMMUNITY DEVELOPMENT

ADVISORY REPORT  
FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

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

XX RECOMMENDED BY \_\_\_\_\_ DATE September 29, 1977

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

\_\_\_ STAFF \_\_\_\_\_

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

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

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

*David Russell*  
David Russell, Chairperson

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

\_\_\_ RESOLUTION \_\_\_\_\_ ORDINANCE

NUMBER \_\_\_\_\_

DATE \_\_\_\_\_

FILE NUMBER CUP-77-63(P)

APPLICANT Bud Bushnell Genie Industries

PROPERTY LOCATION 504 7th Ave. So.

SUBJECT Conditional Use Permit for industrial warehouse  
in Planned Area 6B zone.

HEARING/MEETING DATE OCTOBER 3, 1977

BEFORE KIRKLAND CITY COUNCIL

EXHIBITS ATTACHED "A" Vicinity Map "B" Site Plan-Existing Conditions "C" Site  
Map-Proposed Buildings "D" Section through site; "E" Application for CUP "F" Environ-  
mental Checklist "G" Zoning "H" Current Traffic Patterns "I" Letter from Burlington  
Northern Railroad

FINDINGS:

A. SUMMARY OF THE PROPOSED ACTION:

1. This is an application for a Conditional Use Permit to construct one warehouse/industrial type building totalling 9800 square feet of area to be constructed on a portion of an approximately two acre site in Planned Area 6B. An associated issue is to have the City review the overall development plan for this site which could include three warehouse/industrial type buildings.
2. The applicant has indicated that the first phase of the proposal will proceed in 1977 and will be limited to one industrial building of 9800 square feet and associated parking and landscaping improvements (see attached Exhibit "C"). This phase would constitute approximately 36% of the total building area envisioned in the proposal as well as 50% of the total lot area. Also, parking for 22 cars would be provided in the first phase, out of a total of 33 for the entire project. The applicant has indicated that subsequent phases of the proposal would proceed probably in 1980. A total of 370 linear feet of landscaping is proposed along Fifth Street South, to a width of 25 feet. Approximately 250 linear feet of this berm and plant screen is proposed to be installed in conjunction with phase 1 of the proposal (see Exhibit "D" - Section through Site).
3. Approval of this application will constitute a "major action" under the provisions of RCW 43.21C and WAC 197-10. The applicant submitted an Environmental Checklist with the application (see Exhibit "F") which was reviewed by the lead agency, the Kirkland Department of Community Development. After reviewing the Environmental Checklist, the Director of this Department made a negative threshold determination on July 20, 1977, that approval of this application will not have a significant adverse impact upon the quality of the environment and that an Environmental Impact Statement is not required. After the lapse of 15 days following that threshold determination, the Director of the Department of Community Development, on August 4, 1977, adopted the proposed declaration as a final declaration of nonsignificance.

B. HISTORICAL BACKGROUND:

Prior to the adoption of the Land Use Policies Plan and Zoning Amendments in May of 1977, the zoning for the subject property was Light Industrial (LI). This was the condition that existed when Genie Industries relocated to Kirkland in 1975.

C. GOVERNMENTAL COORDINATION:

4. The Kirkland Building Department. "The proposed setback on building No. 2 does not reflect the allowance area increase granted for the existing building."

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Findings, Continued:

- C. 5. Department of Fire Services. "Fire alarm systems will be required in each building as well as on-site hydrants. Present fire flow may be insufficient. The property is within Fire District 4."
6. Public Services Department. "Proposed roadways and parking areas should be built to City standards."

D. EXISTING PHYSICAL CHARACTERISTICS:

7. Topography. The subject property is generally flat with slightly higher elevation along the railroad tracks sloping gently west toward the Lake.
8. Soils. Local soil mapping indicates that the subject property is located partially within an Alderwood Association and partially within an Indianola Association. Such soils are normally used for urban development. Applicant proposes removing some soil from the east side of the property and using it to create berms along the west edge.
9. Geology. Local geologic mapping indicates the subject property to be located within a Vashon Till (Qt) unit.
10. Hydrology. There are no water courses on or near the subject property.
11. Flora/Fauna. Four trees presently exist on the subject site, one of which the applicant is proposing to remove. No other significant vegetation exists on the site. Applicant is proposing a new landscaping to include trees, shrubs, and ground cover as indicated on the site plan (see Exhibit "C"). Fauna currently existing on the subject site is limited to rodents, birds, and other low order species. There are no known endangered species in the area.

E. PUBLIC UTILITIES:

- NOTE\* See Addendum Findings E.12.*
12. Streets. The entire eastern portion of the State Street area is serviced by a series of dead-end roads which empty onto State Street itself (see Exhibit "A"). All of the existing industrial uses in this area are presently serviced by Seventh Avenue South, including the existing Genie Industries building. No access currently exists to the industrial areas from Sixth Avenue South, because part of the Genie Industries building sits in the former right-of-way. This building has primary access from Seventh Avenue South, to which it is connected by a 20 foot wide length of asphalt roadway within the old County right-of-way adjacent to the Burlington Northern tracks (see Exhibit "B"). Applicant has proposed to extend this roadway in order to serve the proposed industrial buildings (see Exhibit "C"). Sixth Avenue South as well as Fifth Avenue

Findings, Continued:

- E. 12. South currently serve only residential uses. Fifth, Sixth and Seventh Avenues South are connected by Fifth Street South, a narrow, unimproved City right-of-way.

There has been concern about the level of industry traffic along Seventh Avenue South and the impact on the residential neighborhood. Currently industrial traffic comes from Genie (about two truck visits or four vehicle trips per day) and from Pace National (about eight truck visits or 16 vehicle trips per day). About half of the trucks visiting Pace National are of the smaller box-type (two axle) and about half are of the trailer type (three or more axles). The trucks visiting Genie are generally of the former type. Most truck deliveries occur between the weekday hours of 7:00 a.m. to 11:00 a.m. and 3:00 p.m. to 6:00 p.m. More detailed truck visit frequency data is not available.

The applicant has indicated that long term traffic impacts from phase 1 would be "approximately three to five employees autos making one daily round trip and a few small truck daily round trips."

13. Sewer. The existing Genie Industries building as well as the surrounding uses are currently serviced by six inch sewers in both Sixth Avenue South and Seventh Avenue South. Hook-ups from the proposed site do not appear to be a problem.
14. Water. Existing buildings in the area are serviced by six inch and ten inch water mains in the Fifth Street South right-of-way. Hook-ups to the proposed development do not appear to be a problem.
15. Storm Drainage. There has been some problem handling storm drainage from land in this vicinity in the past. Applicant states that the buildings would cover 30% of the site, while another 30% would be taken by parking, paving and dock loading facilities. This would increase runoff potential.
16. Railroad. The Burlington Northern track borders the east property line and currently has spur lines to serve industrial customers on both sides of the tracks (see Exhibit "A"). Applicant has proposed an additional spur line and the addition of about two railcar deliveries per month (see Exhibit "C"). Other owners in the area have approached Burlington Northern about an additional grade crossing of their 100 foot right-of-way for the purpose of exiting industrial traffic to the east. They have reported a reluctance on the railroad's part to permit any additional grade crossings in this area. Burlington Northern has written to the City stating their position in this matter (see Exhibit "I").

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Findings, Continued:

F. NEIGHBORHOOD CHARACTERISTICS:

*NOTE\* See Addendum at Findings E.12 for more accurate data.*

17. Zoning. The subject property is zoned Planned Area 6B: RS 5000/LI. A two acre tract immediately north of the subject property is zoned similarly (see Exhibit "G" - Zoning). Land to the south of the existing Genie's building is zoned similarly, although without the RS 5000 provision. Lands within the Planned Area which lie to the west of Fifth Street South are designated for residential densities of RS 5000. Lands east of the Burlington Northern tracks are outside of the Planned Area, and are zoned Light Industrial. One of the conditions of the Planned Area zoning is that certain types of development proposals (such as this one) must be processed as either a Conditional Use Permit or Planned Unit Development.
18. Land Use. There are a total of 11.2 acres in Planned Area 6B which could potentially be developed for light industrial use. Of this total only 4.13 acres (about 37%) are currently developed (3.3 acres of Pace National Corp. and .83 acre for the existing Genie Industries building). The 7.07 undeveloped acres are distributed in three ownerships: 1.8 acres owned by Pace National and south of their developed site, 1.97 acres which constitute the subject property, and 2.5 acres which lie immediately north of the subject property.

Pace National has about 30 employees working in 39,000 square feet of floor area (10,000 square feet of office, 4000 square feet of lab, and 25,000 square feet of warehouse). Genie Industries currently employs 15 people and occupies a lone 11,760 square foot building.

To the west are single family detached homes and some multi-family structures (see Exhibit "B"). Also, industrial uses lie across the tracks to the east.

The alternative land use for this part of Planned Area 6B is residential at RS 5000 (9 dwelling units per acre). This would yield about 18 units total. The possible traffic impact of such a use would be from 108 to 180 additional vehicle trips per day using Fifth Avenue South.

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

19. The Planned Area Chapter of the Kirkland Zoning Ordinance states that proposals for development will adhere to the policies, standards and procedures contained in the relevant sections of the Land Use Policies Plan. Reference to the subject area appears in the Plan on pages 242 and 244. The former citation reads as follows:

Findings, Continued:

- G. 19. "There are two existing industrial uses located in the east State Street area which are presently serviced by Seventh Avenue South. The future expansion of industrial uses in the area should be reviewed on a case-by-case basis with particular attention given to traffic impacts on Seventh Avenue South. If it was judged that increased industrial traffic associated with such expansion would have excessive adverse impacts on the residential neighborhood, the developer could be required to gain access from the east. In no case should industrial traffic use Second, Third, Fourth, Fifth, or Sixth Avenues South for access. New industrial developments in the area should be required to gain access to the east unless they would not have significant traffic impacts on Seventh Avenue South. If access is to the east, safe and reasonable intersections and impacts on residential areas are to be evaluated. If these conditions could not be met, the use of these lands would be medium density residential (9 dwelling units per acre)."

The other citation appears as follows:

"To a very limited extent light industry is permitted in the State Street area near the railroad. In order to minimize conflicts with nearby residential uses, industrial activities must conform with the following standards:

1. Industrial activities should not generate heavy volumes of truck traffic along residential streets. Excessive truck frequency, noise, and hazard would constitute a serious nuisance for residential areas. Therefore, the expansion of existing industrial uses should be permitted only if traffic impacts on residential areas are minimal. New industrial uses should be required to access to the east. (*\*Please note that a conflict exists in the wording of this standard and the standard defined in the previous paragraph. Our interpretation is that the standard in the previous paragraph should prevail as being a more reasonable standard based on access limitations and the level of impacts associated with this specific proposal for phase 1.*)
2. Industrial operations (including manufacturing, processing, storage, and shipping/receiving) must not be visible from nearby residential development. Such industrial operations must be oriented away from residential uses, and must be visually screened or completely enclosed within structures.

Findings, Continued:

- G. 19.
3. The height of structures associated with industrial activities may not exceed 20 feet near the perimeter of the development. Taller structures may be permitted if there is additional setback to compensate for the added height and bulk.
  4. Hours of operation should be considered on a case-by-case basis depending on the potential impact on the neighborhood. Industrial activities during evening or weekend hours may be permitted if they are not noticeable from nearby residential areas. The purpose of these requirements is to help maintain the residential character of nearby properties by limiting non-residential uses during hours when families are most likely to be together in their homes.
  5. Industrial uses should not create excessive noise, glare, light, dust, fumes and other adverse conditions which disrupt the residential character of the surrounding area.
  6. Adequate fencing, landscaping and/or other visual screening should be provided between residential uses and adjacent industrial developments and their parking.
  7. Whenever feasible, parking should be located beneath structures in order to minimize impervious surfaces and reduce the visibility of parked vehicles from adjacent properties. Runoff from impervious surfaces should be controlled.

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 and the Land Use Policies Plan as they relate to the State Street area. However, since applicant is presenting detailed information only about phase 1 of the proposal, it is difficult to assess the full impacts of uses associated with subsequent phases.

B. HISTORICAL BACKGROUND:

Applicant located his industrial use in Kirkland partly due to an understanding that the future expansion of industrial uses would be permitted. This contingency is provided for, given certain conditions, within the text of the Zoning Ordinance and Plan.

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Conclusions, Continued:

C. GOVERNMENTAL COORDINATION:

2. Kirkland Building Department. Applicant should relocate or diminish proposed building number 2 (see Exhibit "C") so that it is at least 58 feet from the existing building. This was a condition agreed to by applicant when the permit was issued for the existing building in 1975.
3. Department of Fire Services. Fire hydrants and adequate fire flow should be online prior to the issuance of a building permit. The installation of fire alarms in each building should also be verified prior to the issuance of an occupancy permit.

D. EXISTING PHYSICAL CHARACTERISTICS:

4. Topography/Soils/Geology/Hydrology/Flora/Fauna. The above considerations would not impose a constraint on reaching a positive or negative decision on this proposal.

E. PUBLIC UTILITIES:

*NOTE\* See Addendum at Findings E.12 and Conclusions E.5 for data.*

5. Streets. The alignment of new roadway servicing the proposed development is generally consistent with the policies outlined in the Land Use Policies Plan. New roadways and related parking should be built to City standards.

The 50,000 square feet of gross floor area in the vicinity now creates about ten daily truck visits (20 trips) for an average of one visit for each 5000 square feet of gross floor area. If this norm is projected for the undeveloped 63% of the land which has the potential for Light Industrial use, it is possible that an additional 85,000 square feet of floor area could be built, requiring an additional 17 truck visits (34 trips) per day using Seventh Avenue South. The full development potential for such a scheme would yield 135,000 square feet of gross floor area serviced by 27 daily truck visits (about 54 daily truck trips along Seventh Avenue South). The full development impact, assuming 7-11 a.m. and 3-6 p.m. peak hours, might be seven or eight truck trips per hour. This compares to a current estimate of about three truck trips per hour, given the above assumptions. The added increment of truck traffic serving phase 1 of the proposal would be about two truck visits (four trips) and would raise the peak hourly count to about three and one half truck trips per hour.

Consequently, the added increment of truck traffic from phase 1, as identified by applicant, should not add significantly to the impact on the residential area.

6. Sewers/Water. The availability of these services does not impose a constraint upon the proposed development.

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Conclusions, Continued:

E. 7. Storm Drainage. Applicant should be required to maintain storm water runoff at pre-development levels.

8. Railroad. The addition of a spur line and two rail car visits per month does not appear to involve serious impacts. The prospect of an additional grade crossing and, hence, truck access from the east, appears to be unlikely at this time.

F. NEIGHBORHOOD CHARACTERISTICS:

9. Zoning. This proposal meets the substance of the relevant chapters of the Zoning Ordinance.

10. Land Use. The industrial use of this property would be consistent with the pattern that has been set adjacent to the railroad tracks immediately to the south. The proposed screening and location of structures on the site would appear to minimize visual and functional impacts on surrounding areas.

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

11. The relevant conclusions with regard to the Land Use Policies Plan are made by comparing the proposed project with the policies, standards and procedures outlined on pages 242 and 244 of the Plan (see G.19 of Findings above). Note that these remarks apply only to the first phase of the proposal because this is the only parton which detailed information is available at this time.

With respect to the standards listed on page 244 of the Plan, the following conclusions are relevant. Please refer to the specific wording for standards 1 through 8 as they appear in G.19 of Findings above.

1. Phase 1 of the proposed development would not "generate heavy volumes of truck traffic along residential streets." As mentioned above, the frequency, noise, and hazard aspects of truck traffic serving this building would be similar to that which currently exists in the case of the Genie structure. Such an added increment of impact would not be significant.

2. The 25 foot planted buffer on the west side of the subject property has the potential of providing an effective screen between the site and residential uses to the west. Similarly, the indicated siting of the buildings on the site will diminish potential visual impacts on those areas, as will the routing of industrial traffic along the railroad tracks on the east side of the property.



Conclusions, Continued:

- G. 11. 3. The 35 foot height that has been indicated for the building in phase 1 is generally consistent with this standard in the Plan. Although it is 15 feet higher than the 20 foot high buildings on the western perimeter of the property, it is about 200 feet away from the nearest single family homes and has the benefit of a 25 foot planted buffer along the western property edge as well. The same remark applies to proposed building 3, with the exception that additional landscaping may be necessary along the northern property boundary in order to completely visually screen this structure from the apartments to the northwest.
4. No relevant conclusions can be reached with regard to this standard because the applicant did not indicate what hours of operation were being considered.
5. The expansion of the Genie Industries use into building 1 would be consistent with this standard, because the current building does not create "excessive noise, glare, light, dust, fumes, or other adverse conditions which are disrupting the residential character of the surrounding area". This conclusions cannot be reached with regard to phases 2 and 3 of the proposal, again, because the specific use and nature that will locate in those two buildings is not set at this time.
6. The proposal appears to meet the requirements of the standard for fencing, landscaping, and visual screening. Evergreen trees planted within a 25 foot wide buffer and atop a six foot berm should effectively screen the site. However, landscaping for phase 1 should more thoroughly screen the building from the areas to the northwest. This should be achieved by including all of the westerly buffering and the westerly 100 feet of the northern buffer with phase 1.
7. Applicant has not placed parking beneath structures. However, the buffers discussed above, if properly designed and maintained, will obviate such a need. Applicant has indicated that surface runoff can be controlled.

RECOMMENDATIONS:

Based upon the foregoing Findings and Conclusions and as identified in Exhibits "A" through "I", we hereby recommend that this application for a Conditional Use Permit be approved, subject to the following conditions:

Recommendations, Continued:

1. This CUP shall apply only to the first phase of the proposal as identified on Exhibit "C" as well as part of phase 3 identified below. Subsequent phases of this development shall be required to apply for separate Conditional Use Permits.
2. Prior to applying for a Building Permit, the applicant shall furnish the Department of Community Development with a detailed landscaping plan, which will contain the following features:
  - a. The landscape buffer indicated for phase 1 shall be extended to include all of the buffer shown along the westerly side of the property line as well as the westerly 100 feet of the northern property line. Configuration of this buffer area will correspond to the dimensions shown on Exhibit "C" and will be undertaken as a part of phase 1 regardless of the timing of subsequent actual building construction.
  - b. In the 25 foot landscaping buffer along the westerly and northerly property lines there should be included six foot berms and three offset rows of Douglas Fir (or similar evergreen trees) planted eight to ten feet on center.

The western and northern rows should be eight to ten feet in height while the others may be six to seven feet in height. Applicant shall agree to maintain this vegetation and replace any trees which do not survive where necessary to maintain adequate screening.
  - c. The applicant shall indicate the location of the existing trees on the site plan.
3. Prior to obtaining a Building Permit for the subject property, the applicant shall record with the King County Department of Records and Elections an open space easement identified with an attached drawing indicating the required 25 foot buffer strips along the western and northern property lines. A copy of the recording shall be filed with the Department of Community Development prior to obtaining a building permit. The open space easement agreement shall be similar to the following:

"

being the owner of the real estate described below and made a part hereof, does hereby certify, establish, and declare that the airspace above the privately owned open space identified on the attached drawing are hereby dedicated to the City of Kirkland for the benefit of the public, subject to the rights of the owner, his heirs, successors or assigns, to plant or grow plants, shrubs, or trees, and subject to the right of the owner, his heirs, successors or assigns, to enter upon said premises to install utilities and appurtenances in said open space, to maintain the same, to construct, improve, or maintain, any appurtenances normally used or associated with the use of such open space land.

Recommendations, Continued:

3. Cont'd.

Nothing in this dedication shall preclude the owner, his heirs, successors or assigns from going on or utilizing said property as privately owned open space, or going upon said property for maintaining slopes, plantings, trees or shrubs, soil retention and stability, or any other use normally associated with privately owned open space.

Said real property shall remain under private ownership and this dedication shall not surrender rights of trespass to the public."

4. When applying for a building permit, the applicant shall also submit a design and calculations for a storm water retention system which will not decrease the quality or increase the quantity or velocity of water leaving the site from a ten year storm. This shall include an oil and sediment separator system to protect water quality.

- NOTE\* See Addendum at item 5 of Recommendations. It supercedes this one.*
5. Future truck traffic serving uses on the subject two acre site shall be limited to a total of no more than an average of one daily truck visit (roundtrip) for each 5000 square feet of gross floor area. No more than half of such visits shall be by trucks with more than two axles. These overall limitations shall apply to phase 1 as well as establish a standard for future development of this site. If a new tenant proposes to move into structures previously approved by this CUP procedure, the occupancy permit for that use shall be reviewed with respect to the traffic, buffer, and other conditions discussed herein.

ADDENDUM TO ADVISORY REPORT

FINDINGS:

E.12. There are many types and sizes of trucks that currently use 7th Avenue South in the State Street Area. Employees drive vans, pickups, and campers to work in the area and regular mail and United Parcel Service deliveries occur. The vehicles servicing the industrial uses in the area (primarily Genie Industries and Pace Chemical) fall in a range from 2,000 lbs. up to 80000 lbs. Vehicle types and gross weights listed below will be represented in a slide show Monday evening.

4000	Compact pickup
6000	Full size pickup
9000	Ford Econoline Van
10000	Furniture truck - box rig
14000	UPS truck - step van
16000	Fruit and produce - box rig
18000	U-Haul - box rig
20000	Box rig
22000	Oil truck
24000	Box rig
26000	Meat truck - box rig
28000	Beer truck
30000	Meat truck - box rig
40000	Semi-truck and trailer
78000	Semi-truck and trailer

TABLE 1

Summary of Data. Truck trip data was collected over a 6-day period from September 14 to September 21. The period monitored was a total of 48 hours ranging from 7 A.M. to 5 P.M. weekdays. Counts were made of trucks in increments of 2000 lbs. (gross weight) as well as by type of truck (semi, box rig, vans, and pickups). Also, note was made of truck trips that crossed the tracks.

A total of 124 trips were made during that period by trucks weighing 10,000 or more pounds (gross). This does not include UPS, mail, or garbage trucks, nor employee passenger vehicles. These 124 truck trips over 48 hours averaged 2.6 trips per hour. Thirty-four of the total truck trips (27.4%) were by semi rigs. About 75 of the total truck trips (60%) were either by semis or trucks weighing 24,000 lbs. or more.)

Twenty-six of the 124 trips were made by trucks that crossed the Burlington Northern tracks. This represents about 21% of the total truck trip use of 7th Avenue South and 24% of the total current semi rig use of that street. The overall hourly average truck trip use of 7th Avenue South was 2.6. The figure for semi rigs was about .7 trips per hour.

Addendum to Advisory Report, Cont'd

Findings, Cont'd

(Cont'd)

If we exclude those truck trips that crossed the train tracks, we are left with numbers corresponding to the current Genie and Pace operations.

The 48 hour total for Genie and Pace (alone) was 98 trips by trucks of 10,000 lbs. or greater, 26 of this total were by semi rigs (about 26% of the total) and 57 of this total were by either semis or trucks of 24,000 lbs. or more (58%). This comes to an hourly average of 2.0 truck trips using 7th Avenue South to reach Genie or Pace. The maximum hourly use by Genie and Pace was 8 trips which occurred between 4 and 5 P.M. on Wednesday, September 21.

Projections

If we project the average hourly truck trip figure for Genie and Pace (2.0) over an 8 hour day, we find a daily average of 16 truck trips on 7th Avenue South. There is about 50,000 square feet of gross floor area in the two operations combined. Thus, we see that current industrial uses west of the Burlington Northern tracks generate one truck trip (10,000 lbs. gross or more) for each 3125 square feet of gross floor area. This equals one truck round trip for every 6,250 square feet of gross floor area.

Also, the data indicates that 58%, or about 3 out of every 5, trucks visiting Genie and Pace today are either semis or trucks in excess of 22,000 lbs. gross.

It is useful to keep in mind the current level and type of truck traffic now using 7th Avenue South when attempting to evaluate full development potentials. The ratio of one truck round trip daily for every 6,250 square feet of gross floor area is a yardstick against which future developments may be measured.

There remain an undeveloped 6.5 acres of land in the area that could be developed into about 120,000 square feet of light industrial structures. If the truck service standard were applied to the development of this additional 120,000 square feet of gross floor area, it would yield 19.2 additional daily round trips. This would mean about 38 additional daily truck trips along 7th Ave. So. and add 4.7 trips to the hourly average. The total load on 7th Ave. So. (from uses located west of the tracks) would then rise to 54.0 trips per day with an hourly average of 6.8.

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Addendum to Advisory Report, Cont'd

Findings, Cont'd

(Cont'd)

To reiterate, full development of the Light Industrial Area, at the current trip-to-square footage ratio, could create hourly and daily loads that are roughly three times the current level for Genie and Pace alone. The comparison to actual current levels (including the cross-track trips) would be roughly 2.6 times the current levels.

ALTERNATIVES

The use of 6250 square feet of gross floor area as a standard enables us to look at various potential levels of future individual truck service (measured in round trips) and the various increments of full development impacts that they imply.

Full development potentials 120,000 sq.ft. gross floor area 50,000 sq. ft.	Total daily Truck trips		Average Hourly
	Current Level (Genie and Pace only)	16	2.0
Current Level (Genie, Pace, and cross track trips to Seattle Door and Western Pneumatic	21	2.6	
Continue current operations at current levels, but add 1 truck round trip for @ 6250 sq.ft. of gross floor area. (This is the same as current ratio)	54	6.8	
Same as above, except project 2 round trips @6250	93	11.6	
Same as above, except project 3 round trips @6250	131	16.4	
Same as above, except project 4 round trips @6250	170	21	
Same as above, except project 5 round trips @6250	208	26	*
Same as above, except project 6 round trips @6250	246	30.8	
Same as above, except project 7 round trips @6250	284	35.6	
Same as above, except project 8 round trips @6250	323	40.4	
Same as above, except project 9 round trips @6250	361	45	
Same as above, except project 10 round trips @6250	400	50	

Also note that if the northernmost 2.5 acre property with its potential for about 45,000 square feet of gross floor area is excluded, the overall full development traffic impacts drop by about 33%. Thus, at a level of service corresponding to 5 truck round trips per 6250 sq. ft. of gross floor area, the full development daily impacts on 7th Avenue South would be 136 truck trips while the hourly would be 17 truck trips.

\*Recommended Standard

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Findings, Cont'd

Notice that this table simply projects potential truck trips by vehicles over 10,000 lbs. gross weight. However, as was done at the beginning of the data analysis, a further distinction can be made between trucks that are either, on one hand, between 10,000 and 22,000 lbs. gross weight, or, on the other hand, are semi rigs or trucks weighing 24,000 lbs. or more. The projection of the current mix of 'light-heavies' to 'heavy-heavies' would yield trips in a ratio of 2:3. That is to say, 60% would continue to be either semi rigs or trucks weighing 24,000 or more pounds. It may be appropriate to consider regulating not only the trip frequency of trucks to the area, but also the mix of 'light-heavies' and 'heavy-heavies'.

CONCLUSIONS:

E.5. An analysis of the truck types shown in Table 1 indicates that some logical grouping can occur with respect to the level of impact on a residential street. This 'impact potential' is a function of vehicle size, weight, bulk and noise as well as the particular character or image it evokes.

In the first class are truck vehicles that are commonly used by employees purely as passenger vehicles. These include pickups, campers, el caminos, and vans that weigh in the range of 4,000 to 9,000 lbs. gross weight. Since these are commonly found on neighborhood streets, it is possible to consider their 'impact potential' as very minor.

The second class would include such vehicles as mail, garbage, and United Parcel Service trucks. These also are vehicles commonly found on residential streets and thus have a relatively minor 'impact potential'.

The third class includes those vans of 9,000 lbs. gross weight or less that do in fact carry industrial payloads but which generally match passenger vehicles in size, scale, and character. These vehicles can be said to have a very moderate 'impact potential'.

The fourth class includes those vehicles in the range from 10,000 pounds gross weight up to 22,000 pounds. These are generally box and cab trucks on two axle chassis. These can carry any of a number of items from furniture to produce to electronic components. The 'impact potential' for such vehicles is significant as opposed to the first three classes above, but less so than the fifth class.

The fifth class includes vehicles of 24,000 lbs. gross weight or more, including semi truck and trailer rigs. The latter can range from 40,000 to 80,000 lbs. gross weight. The two axle vehicles in this class are either very heavy box rig trucks, oil tank trucks, or beverage trucks (See Table 1). These vehicles are generally

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Conclusions, Cont'd

E.5. (Cont'd)

considered to be trucks associated with a heavy industrial use and have a greater weight, bulk, and visual character impact than vehicles in the previous four classes.

After analyzing the alternatives cited in the table and discussing future development requirements with the applicant, staff has concluded that an equitable and reasonable truck traffic standard for an individual use may result in an overall full development impact that is unacceptable for the neighborhood.

The situation appears to be such that there is simply too much light industrial land that could potentially use 7th Ave. So. as an industrial access. For example, staff has concluded that 5 truck round trips per 6,250 square feet of gross floor area may be a reasonable and workable standard for Phase One of the proposed development. This increment alone, assuming no further cross truck traffic, would raise the daily average to 32 truck trips and the hourly average to 4.0. But taken as the standard for the rest of the area, it could result in a full development daily average of 208 truck trips and an hourly average of 26. It is obvious that while the increase from 2.0 truck trips per hour to 4.0 is relatively moderate, this cannot be said for a tenfold increase from 2.0 to 26. Conversely, an acceptable level of full development truck impacts on 7th Ave. So. may well result in an inadequate level of truck service to individual light industrial operations.

Given this condition, the most equitable solution may be to limit the use of 7th Ave. So. solely to those uses which have no other potential truck access. This would effectively exclude the northernmost 2.5 acres from consideration for use of 7th Ave. So. at this time. The full development impact on 7th Ave. So., for example at 5 truck round trips per 6,250 sq. ft. of gross floor area, would now be 17 trips per hour rather than 26. This is a full 33% less truck trips at full development.

RECOMMENDATIONS:

Based on the foregoing Findings and Conclusions, staff recommends approval of this application for a Conditional Use Permit subject to the recommendations 1 through 4 on Page 11 of the prior Advisory Report as well as the conditions outlined below.

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Recommendations, Cont'd

5. Truck traffic to the subject property, via 7th Avenue South, shall total no more than five daily truck round trips for each 6250 square feet of gross floor area by vehicles weighing 10,000 or more pounds (gross weight). Furthermore, no more than 40% of such truck trips shall be by vehicles that are either semi truck trailer rigs or weigh 24,000 lbs. gross weight or more, which vehicles shall be limited to the hours between 7 A.M. to 7 P.M.

The first three classes of vehicles described above in 1 of Conclusions shall not be counted toward such a limitation.

This action shall not be deemed a precedent for the future development of any adjacent or nearby land with any industrial potential because the traffic problems generated on the residential areas of 7th Avenue South are severe and perhaps insoluble with any further development.

6. The frontage road along the Burlington Northern line that serves the Genie property shall not be extended to the undeveloped ownership to the north until such time as certain conditions are met. Those conditions shall include the submission to the Planning Commission by such applicants of convincing evidence to the effect that absolutely no other "safe and reasonable" access routes are possible and that the added increment of truck usage of 7th Avenue South would "not have significant traffic impacts on 7th Avenue South". These factors would have to be addressed in an application for a Conditional Use Permit for that property. Development of such frontage road may be required along with diversion of truck traffic eastward in the event that the county road and/or some route eastward shall be deemed feasible.
7. The developer of this property shall agree to a 'no protest' to a potential Local Improvement District for improvement of that easterly route. Also, he shall dedicate a 15 foot right-of-way along the west property line north from 5th Avenue South. This feature would enable three access points to service the 2.5 acre property to the north in the event it develops in a residential use. This right-of-way would be in the area designated a landscaped buffer and thus could potentially reduce said buffer to a 10 foot width if and when the City was desirous of gaining such an access route. In the meantime it shall be planted and maintained by applicant under the provisions of Recommendation 2.

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# Genie Industries

504 7th Avenue South  
Post Office Box 626  
Kirkland, Washington 98033  
206/827-0464

October 3, 1977

Kirkland City Council  
CITY OF KIRKLAND  
Kirkland, WA 98033

Re: Conditional Use Permit  
File # CUP-77-63(P)

Gentlemen:

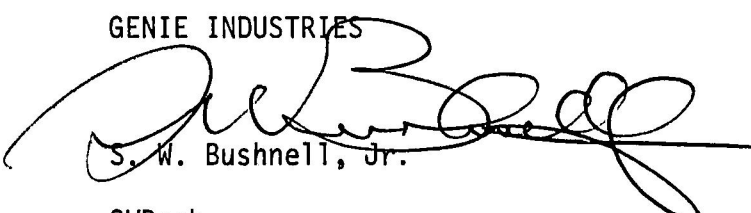
The purpose of this letter is to request a change in the landscaping requirements of the Conditional Use Permit approved by the Planning Commission at their meeting on September 29, 1977.

In the original CUP application we had requested approval of an over-all development plan to be undertaken in three phases. The landscaping requirements recommended by the Planning Commission were intended to provide adequate screening for all the phases of the project. In a subsequent action the Planning Commission recommended construction approval of only Phase 1 of the development. As a result some of the landscaping is unnecessary at this time.

In our site development plan we have shown the landscaping that would be required to adequately screen Phase 1 construction. This will also provide the required screening for Phase 2 in the event this should be approved at some future time. The balance of the landscaping which we are requesting to be deleted would only be necessary at such time as Phase 3 is started. We would like to avoid the cost of installing and maintaining this landscaping which serves no useful function at this time.

Cordially yours,

GENIE INDUSTRIES

  
S. W. Bushnell, Jr.

SWB:gh

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OCT 3 1977

PLANT  
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RECEIVED

OCT 3 - 1977

9:14 AM  
CITY OF KIRKLAND  
BY: 

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