

RESOLUTION NO. R- 2533

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-78-26(H), BY CHRISTENSEN-MAC DONALD, INC., FOR A COMPREHENSIVE SIGNING PROGRAM FOR THREE APPROVED COMMERCIAL STRUCTURES, BEING WITHIN A PROFESSIONAL RESIDENTIAL AND A FREEWAY INTERCHANGE DISTRICT OVERLAY 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 Christensen-MacDonald, Inc., the owner of said property described in said application and located within a Professional Residential and a Freeway Interchange District overlay zone.

WHEREAS, the application has been submitted to the Kirkland Planning Commission and Houghton Community Council who held public hearings thereon at their regular meetings of June 6, 1978 and June 8, 1978 respectively, and

WHEREAS, pursuant to City of Kirkland Ordinance No. 0-2319 concerning environmental policy of 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 through the entire review process, and

WHEREAS, the Kirkland Planning Commission and Houghton Community Council after their public hearings and consideration of the recommendations of the Department of Community Development and having available to them the environmental checklist 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-78-26(H) are adopted by the Kirkland City Council as though fully set forth herein.

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

Section 3. A certified copy of this Resolution, together with the Findings, Conclusions and Recommendations therein adopted shall be attached to and become a part of the Conditional Use Permit or evidence thereof delivered to the permittee.

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

Section 5. Failure on the part of the holder of the Conditional Use Permit to initially meet or maintain strict compliance with the standards and conditions to which the Conditional Use Permit is subject shall be grounds for revocation in accordance with Section 23.56.090 of Ordinance No. 2183, the Kirkland Zoning Ordinance.

Section 6. Notwithstanding, the recommendations heretofore given by the Houghton Community Council, the subject matter of this Resolution- and the Conditional Use Permit herein granted are, pursuant to Ordinance 2001, subject to the disapproval jurisdiction of the Houghton Community Council, and therefore this Resolution shall become effective only upon approval of the Houghton Community Council or the failure of said Community Council to disapprove this Resolution within 60 days of the date of the passage of this Resolution.

Section 7. Certified or conformed copies of this Resolution shall be delivered to the following:

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

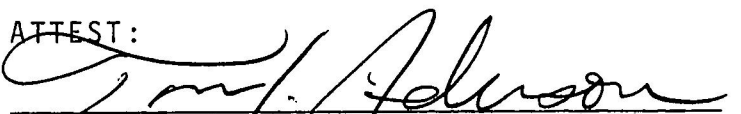
ADOPTED in regular meeting of the City Council on the
day of _____, 1978.

SIGNED IN AUTHENTICATION thereof on the _____ day of _____, 1978.



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 June 8, 1978

___ 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-78-26(H)(P)

APPLICANT CHRISTENSEN-MAC DONALD, INC.

PROPERTY LOCATION Northup Way and Lake Washington Boulevard

SUBJECT Conditional Use Permit for review of a Comprehensive Signing Program for 3 approved commercial structures

HEARING/MEETING DATE JUNE 19, 1978

BEFORE KIRKLAND CITY COUNCIL

EXHIBITS ATTACHED "A" Application "B" Vicinity Map/Existing Land Use "C" SiteMap/ Sign Location Map "D" Elevation-Directory/Monument "E" Elevation-Directional Signs

"F" Face-mounted sign-Japan House "G" Face-mounted sign-Rusty Duck "H" Fac e-mounted sign-Ramada Inn "I" Environmental Checklist "J" Final Decl. of Non-Significance "K" Excerpts from Land Use Policies Plan



STATEMENTS OF FACT:

A. SUMMARY OF THE PROPOSED ACTION

1. This is an application for a Conditional Use Permit to erect a comprehensive signing program for the Christensen-MacDonald restaurant and motor hotel complex on Northup Way in Kirkland. The signs would all be oriented to Northup Way and some would be visible from parts of Lake Washington Boulevard and SR-520 (See Exhibit "A" - Application and "B" - Vicinity Map/Existing Land Use).
2. The proposed sign program consists of two kinds of signs - face mounted on buildings and ground mounted. The applicants have proposed to locate one face-mounted sign on the Japan House Restaurant, two face-mounted signs on the Rusty Duck Restaurant, and one face-mounted sign on the Ramada Inn. (See Exhibit "C" - Site Map/Sign Location Map For Location Of Signs). They have also proposed to locate three smaller directional signs in the parking lot in order to channel traffic flow to the appropriate buildings. Lastly, the applicants have proposed one centralized sign monument or totem to serve as a directory and symbol for the entire complex. This sculptural feature is to be located at approximately the center of the project adjacent to the most southerly access from Northup Way (See Exhibit "C" - Site Map/Sign Location Map).
3. The three directional signs are eight feet high, six feet wide and one foot thick (See Exhibit "E" - Directional Signs). These three signs would rest on two 6" wide concrete pylons and would have a fabricated metal roof. These directional signs would be located at the major ingress points to the project, which are identified with arrows on Exhibit "C". The locations of the signs are indicated on the exhibit as B1, B2, and B3.

The face-mounted sign on the Japan House is 15'6" x 3' or about 46 1/2 square feet total. (See Exhibit "F"). Using the criteria for PR zoning found in the Kirkland Zoning Ordinance at Section 23.32.030, the method of determining allowable sign area for such use in a PR zone is one square foot of sign area for each 100 square feet of floor area. Using this formula, the Japan House building would be allowed approximately 60 square feet of sign area. The location of the sign is indicated on the Site Plan (Exhibit "C") with a capital letter "A". This sign would be backlit, using interior illumination directed through plastic letters. The spaces for the letters would be routed from the wood base face of the sign.

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Statements of Fact, Continued

A. 3. continued

The Rusty Duck Restaurant, located in the middle of the project, has indicated two face-mounted signs, one on the west elevation and one on the south elevation. (See Exhibits "C" and "G"). The sign proposed on the south side is 68 square feet. The other (street) side is 99 sq. feet. The Rusty Duck is approximately 7400 square feet of floor area and thus a total of 74 square feet of sign area would be permitted. The signs are proposed to be painted on the wooden sides of the Rusty Duck.

The sign for the Ramada Inn is three feet by 20 feet, or approximately 60 square feet of area (See Exhibit "H"). The total floor area of the structure is about 13,000 square feet, thus the ratio permitted by the code would be 130 square feet of sign area. The sign would be backlit colored plastic material similar to the technique used for the Japan House.

The directory sign/monument located in the centralized position and identified on the site plan as Sign "A" consists of a pre-cast concrete monument with a raked surface texture and is capped with a fabricated metal roof matching the geometry and color of the buildings in the complex. The letters on this directory sign would be routed from a wood face and illuminated with backlit plastic lettering. The peak of the roof would be 17 feet high while the sign would be ten feet wide and one foot thick (See Exhibit "D"). The area of the lettering alone on this directory is approximately 44 square feet (22 on each face).

4. Approval of this application will constitute a "major action" under the provisions of RCW 43-21(C) and WAC 197-10. The applicants submitted an Environmental Checklist with this Conditional Use Permit application. After reviewing environmental checklist, the Director of the Department of Community Development made a threshold determination that the approval of this application would not have a significant adverse impact upon the quality of the environment and that an environmental impact statement is not required. This determination became final on May 8, 1978, (See Exhibits "I" - Environmental Checklist and "J" - Final Declaration of Non-Significance).

B. HISTORICAL BACKGROUND:

5. The Conditional Use Permit for two restaurants and one motor hotel on the subject property was granted by City of Kirkland Resolution No. 2443. One of the conditions of approval was that the applicants would apply for and receive approval from the City for a Conditional Use Permit for a comprehensive signing program prior to occupancy of any of the buildings.

Statements of Fact, Continued

C. GOVERNMENTAL COORDINATION: Not applicable

D. EXISTING PHYSICAL CHARACTERISTICS:

6. Topography. The subject property has a slope of approximately 5% in the southwest direction. The highest point of the subject property is adjacent to NE 38th Place, whereas the lowest portion of the subject property is along Northrup Way.

E. UTILITIES: Not applicable

F. NEIGHBORHOOD CHARACTERISTICS:

7. Zoning. The subject property is presently zoned Professional Residential and lies within a Freeway Interchange District overlay zone (FID). Those adjoining properties in the City of Kirkland are also under this same classification. The zoning surrounding this property located in the City of Kirkland includes Planned Area No. 3 to the west, and single family and professional offices to the north. Those properties located in the City of Bellevue include: single family residences on acre lots and office classification to the east, with a number of general commercial classifications for those properties to the southeast and southwest.
8. Land Use. The Japan House is currently under construction on the subject property. Construction of the other restaurant and the Ramada Inn will begin soon. The Burgermaster Drive-In is to the south and the Velvet Turtle further to the southeast. To the immediate north is undeveloped property while further north are the Plankhouse Restaurant, Yarrow Bay Office complex and west of Lake Washington Boulevard is a Rainier Bank temporary building and a Texaco station. (See Exhibit "B" - Vicinity Map). Recent applications have been made for office uses of the two abandoned gas stations lying on the west side of Lake Washington Boulevard. Other lands west of the Boulevard are undeveloped.

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

9. The following are relevant sections of the Kirkland Zoning Ordinance No. 2183:
- a. The sign ratio for commercial uses in a Professional Residential zone is one square foot of sign for every 100 square feet of usable floor area of the building. (Section 23.32.030).
- b. Standards for approval of free-standing signs under a Conditional Use Permit: The Planning Commission and Community Council shall review and evaluate each sign application according to the following criteria;

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Statements of Fact, Continued

G. 9. b. Continued

- (1) Is the sign generally attractive on all visible sides?

Applicant's Response: "The design shall follow the requirements of Section 23.32.020, paragraph 8. The sign will be an integral part of the development as approved by Resolution No. 2443 of the City of Kirkland."

- (2) Is there any back side consisting of obviously visible braces and structures that could materially affect other properties?

Applicant's Response: "No. All structural standards will be concealed unless aesthetically pleasing."

- (3) Does the business development under one ownership have more than one sign oriented to a single street?

Applicant's Response: "Each building has a sign of identification attached to an exterior."

- (4) Is the sign to scale in size and height with the building and the premises to which it is appurtenant?

Applicant's Response: "Yes. The motor inn being 35 feet in height while emblematic type sign we are proposing will not exceed 17 feet in height."

- (5) Does the sign demonstrate an integral relationship to the design of the building and the premises to which it is appurtenant in its shape, its detail, its material, and its color?

Applicant's Response: "Using materials such as concrete standards, rough sawn wood and planter at base. Fits the aesthetics of the total development."

c. Definitions. Two relevant definitions from the Zoning Ordinance are as follows:

- (1) PUBLIC SIGN shall mean a sign of interest and benefit to the general public, such as a directional sign designating routes or location; traffic control sign such as "Stop", "Speed Limit", etc.; safety sign such as "School Crossing", "Bus Loading", etc.; special event sign or device such as "Firemen's Ball", Fourth of July or Christmas decorations, or "U.G.N." or "Red Cross" drives, etc.

- (2) EMBLEMATIC DESIGN shall mean a sculpture, fountain, landscaping, pylon, wall or lighting which is an

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Statements of Fact, Continued

G. 9. c. (2) Continued

integral part of the total design of a building or site development. An emblematic design will not be considered a commercial sign, provided such development is not a direct source of light. Such design may include, as an incidental element, the name of the location or building or institution or, in directory form, the names of the business occupants of the property. Such developments may extend to the street right-of-way line provided no structure or part is higher than three (3) feet between the building line and the street right-of-way.

10. Land Use Policies Plan. The applicant, in development of the sign program, was supplied with relevant sections of the Kirkland Land Use Policies Plan that have to do with signing. (See Exhibit "K"). The thrust of these policies discusses the need for coordinated carefully designed sign programs to convey necessary information in an efficient and attractive manner while preventing clutter, distraction, and confusion.
11. The existing policy direction of the City of Kirkland has been to limit all free standing signs in commercial zones within the City of Kirkland to 31 1/2 square feet in area and 17 feet in height above grade. However, in certain Freeway Interchange Districts (FIDs) a slightly larger size signing ratio has been permitted which has been a maximum of 45 square feet in area. Of this, the VIPs sign on NE 124th Street was permitted on a cylindrical pylon, whereas the Mobile Gas Station sign located on NE 85th Street was permitted on a pedestal. There have been no comparable previous applications for combined sign packages or programs in this City since the adoption of the Kirkland Zoning Ordinance No. 2183.

CONCLUSIONS:

A. SUMMARY OF THE PROPOSED ACTION:

1. This application for a Conditional Use Permit for a comprehensive signing program for the Christensen-MacDonald motel/restaurant complex on Northup Way appears to be consistent with the spirit and intent of the Kirkland Zoning Ordinance Sign Section, the relevant policies in the Land Use Policies Plan and the past policy directions established by the City.

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Conclusions, Continued

B. HISTORICAL BACKGROUND: Not relevant

C. GOVERNMENTAL COORDINATION: Not relevant

D. EXISTING PHYSICAL CHARACTERISTICS: Not relevant

E. PUBLIC UTILITIES: Not relevant

F. NEIGHBORHOOD CHARACTERISTICS:

2. Zoning/Land Use. The proposed sign package is compatible with the type of signing found in most commercial areas. It represents the first comprehensive sign package proposed in the City and constitutes the first new signing in the immediate vicinity since the Christensen-MacDonald project is the first new development in the area in quite some time. Since the zoning for the area and the emerging land use for the area is definitely freeway oriented commercial use, the signing program proposed by the applicants would be consistent with the zoning and emerging land use for the area.

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

3. Zoning. The following are relevant sections of the Kirkland Zoning Ordinance No. 2183:

- a. The sign ratio for commercial uses in a professional residential zone is one square foot of sign for every 100 square feet of floor area of the building. The Japan House and Ramada Inn fall well within what is already a somewhat restrictive standard. The Rusty Duck Restaurant has signing that is too large for the permitted 74 square feet of sign area. The Rusty Duck should be designated for a sign on only one face of the building which should not exceed 74 square feet in area.

- b. An evaluation of the five standards for approval of free standing signs under a Conditional Use Permit yields the following relevant conclusions:

- (1) The signs proposed are generally attractive on all visible sides, as the applicant states.

- (2) There are no structural standards or braces that are obviously visible that would have a materially detrimental effect on other properties.

- (3) The only business under one ownership that was proposed to have more than one sign oriented to a single street is the Rusty Duck. As noted above, the face-mounted sign, in this case a painted sign, on the Rusty Duck should be limited to 74 square feet of area and should be on only one of the two building

CONCLUSIONS, Continued

G. 3. b. (3) continued

faces.

(4) The signs proposed are to scale in size and height with the buildings and the premises for which they are appurtenant. The signs on the Ramada Inn, Rusty Duck, and Japan House are all quite modest in scale with respect to the total building faces on which they are situated. The monument/directory sign is less than half as high as the motor hotel to which it is adjacent, so that it is smaller than the building to which it is adjacent. In fact, the sculptural mass of the precast concrete monument actually serves to "modify" the architectural scale of the 4-story motel.

(5) The signing package as presented demonstrates an integral relationship to the design of the buildings and the premises to which it is appurtenant. This is reflected in the shape, detail, material, color, geometry, and location of the signs proposed.

c. The definitions of a "public sign" and an "emblematic design" in the Kirkland Zoning Ordinance apply to four of the signs proposed as a part of this comprehensive sign program. The three smaller directional signs located in the parking lot would have more of a public sign function in that they are too small to have a visible impact on motorists on Northup Way or SR-520 and they are simply directional signs designating routes or locations. The directory/monument sign fits within the definition of an emblematic design in that it is a sculpture, a wall, and serves both as an emblematic representation of the entire complex as well as a directory for the uses located therein. The emblematic design will not be considered to be a commercial sign provided that such development is not a direct source of light. The back lighting of the letters for this sign will not actually be a direct source of light, but rather a secondary source.

4. Land Use Policies Plan. The relevant citations in the Land Use Policies Plan are attached as Exhibit "K". The first of these is Community Goals and Policies No. 3 appearing on Page 15 of the Land Use Plan which states that "a coordinated system of street graphics should be developed that will more effectively present needed information while protecting Kirkland's aesthetic character." The policy discussion accompanying that states that "standardized sign systems serve two key functions. First, they clearly give information about the location and qualities of various public and private facilities and services. Second,

Conclusions, Continued

G. 4. Continued

they become a part of the visual landscape and are fixed 'markers' in the public mind." Furthermore, it is stated that "signing should be kept to a minimum in terms of the number and size of signs and the overall information load. Simplicity and standardization are key to the design of such a sign system in order to make an effective and favorable impression on the public."

It is our assessment that the proposed comprehensive sign program is very effective in presenting information to motorists while preserving an overall aesthetic order and avoiding visual clutter and confusion. One key concept which has been embodied in this program is to minimize the number of pieces of information and the overall amount of information conveyed by the various signs.

The next relevant policy statement appears on page 89 of the Land Use Plan in Economic Activities Policy No. 4. This policy states "permit freeway-oriented commercial activities at some freeway interchanges so as not to permit commercial strip development." The policy discussion states that "New developments near the interchanges should seek to mitigate freeway-related impacts, such as noise, through appropriate signing and safe ingress-egress design." Policy 5.e. on page 95 states that "There should be control of the use of free standing signs and the size and number of wall-mounted signs. In the competition to achieve increased visibility, commercial activity usually creates a confused array of advertising signs. Strip signing should be restricted to a manner in which the signs inform the motorist of available services without competing for attention or detracting from traffic safety signing." The proposed signing program clearly delineates ingress-egress flows within the site and gathers information that otherwise could be on three freestanding pole signs into a single directory/monument.

Economic Activities Policy No. 7 on page 97 states "Prohibit new commercial strip development." The illustration accompanying that policy statement shows that signing along commercial strips such as 1st Avenue S. in Burien and Aurora Avenue N. in Seattle usually consist of a large number of free-standing pole-mounted signs with a large amount of copy (information) and various odd shaped symbols and shapes. The proposed program is an alternative to common commercial strip signing.

The discussion of commercial signs is also contained on pages 294 and 295 in the discussion of Economic Activities in the NE 85th Street interchange area. Although this is a different neighborhood plan, the principles and policy statements are relevant to the Lake Washington Blvd. interchange as well.

Conclusions, Continued

G. 4. Continued

Figure 30 indicates some of the problems associated with commercial signs. They are often too many in number and try to convey too much visual information. A preference is indicated for signs that are stationary and wall or ground-mounted. The use of symbols and grouped information is to be encouraged presenting the needed direction in an attractive and efficient manner. An example of one way to group such information and to rely on a lesser number of larger copy items in one sign area is the sign totem or tower shown in Figure 30. The subject comprehensive signing program submitted for this application corresponds quite closely to the concepts and principles discussed in this policy area as well as the above cited sections.

5. As pointed out in Statements of Fact No. 11, past policy of the City concerning free-standing signs in Freeway Interchange Districts has been to allow a maximum of 17 feet in height with a 45 square foot area limitation. The monument/directory sign proposed for this project is within this height maximum that has been established by other precedent while it has approximately half of the sign area allowed as a maximum on any one face of the sign monument. Accordingly, it would appear to be entirely consistent with the precedent that has been set by the City in other interchange areas. Whereas previous applications in the Freeway Interchange District have been limited to 45 square feet in size, they have accommodated only one use and one user. This is somewhat of a different application in that it proposes three separate users, all utilizing the same sign component, a sculptural monument/directory. It appears reasonable to permit this sign and to encourage future commercial sign users in the interchange share a common ground-mounted or pedestal directory feature rather than rely on a greater number of individual free-standing pole-mounted signs for each user.

RECOMMENDATIONS:

Subject to the foregoing Statements of Fact, Conclusions, and as identified in Exhibits "A" through "K", we hereby recommend that this application for a Conditional Use Permit for a sign program for the Christensen-MacDonald motel/restaurant project be approved subject to the following:

1. The signing for the Rusty Duck Restaurant shall be modified so that a sign appears only on one of the two faces of the building. Moreover, the sign shall be no greater than 74 square feet of area.
2. The applicant shall be required to apply for and receive the necessary sign permits from the Building Department for each of the indicated signs.

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RECOMMENDATIONS, Continued

3. No further signs shall be authorized to be erected on the premises without a modification to this Conditional Use Permit application or processing of a future Conditional Use Permit application for that purpose.

4. Landscaping at the base of signs A, B1, B2 and B3 indicated on Exhibit "C" shall be provided in conformance with the materials and arrangement contained in the already approved landscape plan.