

RESOLUTION NO. R-2538

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-78-18(P), BY S. W. BUSHNELL, JR., dba Genie Industries TO CONSTRUCT A WAREHOUSE/INDUSTRIAL TYPE ADDITION TO AN EXISTING BUILDING LOCATED EAST OF 5TH STREET SOUTH BETWEEN 7TH AVENUE SOUTH AND 4TH AVENUE SOUTH, 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 S. W. Bushnell, Jr., 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 hearing thereon at their regular meeting of June 29, 1978, and

WHEREAS, pursuant to City of Kirkland Ordinance No. O-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 after their public hearing 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 Statements of Fact, 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 Statements of Fact, 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-78-18(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.

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,

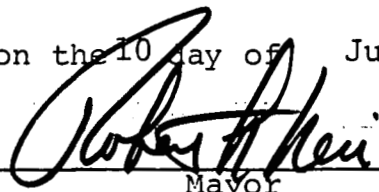
Section 5. Failure on the part of the holder of the Conditional Use Permit to initially meet or maintain strict compliance with the standards and conditions to which the Conditional Use Permit is subject shall be grounds for revocation in accordance with Section 23.56.110 of Ordinance No. 2183, the Kirkland 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) Fire and Building Department of the City of Kirkland
- (d) Parks 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 10th day of July, 1978.

SIGNED IN AUTHENTICATION thereof on the 10 day of July, 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 29, 1978

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

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

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

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

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

A handwritten signature in dark ink, appearing to read "David Russell", is written over the line for the Planning Commission.

David Russell, Chairperson

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

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

NUMBER \_\_\_\_\_

DATE \_\_\_\_\_

FILE NUMBER CUP-78-18(P)

APPLICANT S. W. BUSHNELL, JR.

PROPERTY LOCATION E. of 5th St. S., betw 7th Ave. S. & 4th Ave. So.

SUBJECT CONDITIONAL USE PERMIT TO CONSTRUCT A WAREHOUSE/INDUSTRIAL TYPE ADDITION TO AN EXISTING BUILDING.

HEARING/MEETING DATE JULY 10, 1978

BEFORE KIRKLAND CITY COUNCIL

EXHIBITS ATTACHED "A" Application "B" Env. Info. "C" Vicinity Map

"D" Present Proposal "E" Applicant's Letter "F" Notice of Approval (R-2462),

"G" Site Plan approved under R-2462.

STATEMENTS OF FACT:

A. SUMMARY OF THE PROPOSED ACTION:

1. This is an application for a Conditional Use Permit to construct a warehouse/industrial type addition to an existing building. The proposed addition would total 6,720 square feet of area to be constructed on a portion of an approximately 2 acre site in Planned Area 6B. The proposed addition would be utilized approximately half for warehousing and half for manufacturing. As indicated in the applicant's letter (Exhibit "E") the proposed addition would not result in any additional truck traffic other than one additional truck occasionally on Thursday afternoons when the additional manufacturing space is in full use. An additional five or six employees may be required in the future thus generating approximately five or six automobile round trips per day to the subject property.

The applicant's parking plan in the current proposal is a revision of the parking plan approved under Resolution No. R-2462. The number of parking stalls has been increased from 50 under the approved plan to 54 under the proposed plan.

2. The subject property is located east of 5th Street South between 7th Ave. So. and 4th Ave. So.

B. HISTORICAL BACKGROUND:

3. On October 3, 1977, the Kirkland City Council adopted Resolution No. R-2462. This resolution approved the applicant's Conditional Use Permit which allowed the construction of a 9800 square foot industrial building on the subject property. The Notice of Approval related to this resolution is contained in Exhibit "F".

C. GOVERNMENTAL COORDINATION:

4. Police Department.

Adequacy of emergency access: "Okay"

5. Parks Department.

Landscaping: "Request to see landscape plan please -- insufficient buffer shown between neighboring houses."

6. Building Department.

Relevant building code requirements: "Fire zone 2: Area increases have already been granted for the original building; based on type of construction some severe code limitations may be placed on the building in this project."

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Statements of Fact, Cont'd

C. 6. (Cont'd)

Other: "Will 7th Ave. So. support the additional traffic?"

7. Fire Department.

Adequacy of Emergency Access: "Okay".

Fire Hydrants: "On-site hydrants will be required."

Adequacy of Fire Flow: "Not adequate"

Other: "Fire alarm system will be required in buildings 1 and 3. Fire extinguishers required in all buildings."

8. Public Service Department.

Sanitary Sewer: "By developer".

Domestic Water: "By City - (appropriate fees)"

Storm Water: "Retention required."

Right-of-way Improvements: "Extend roadway development across the eastern frontage."

D. EXISTING PHYSICAL CHARACTERISTICS:

9. Topography. The subject property is generally flat with slightly higher elevation along the railroad tracks sloping gently west toward the lake.

10. 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.

11. Geology. Local geologic mapping indicates the subject property to be located within a Vashon Till (Qt) unit.

12. Hydrology. There are no watercourses on or near the subject property.

13. Flora/Fauna. Four trees presently exist on the subject site.

E. PUBLIC UTILITIES:

14. Streets. The subject property is served from 7th Ave. So. which connects to a roadway along the Burlington Northern right-of-way. The applicant has proposed to extend this roadway in order to serve the proposed industrial addition.

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Statements of Fact, Cont'd

E. 14. (Cont'd)

Fifth Street South, 6th Ave. So., and 5th Ave. So. currently serve only residential areas.

15. Sewer. The existing Genie Industries building as well as the surrounding uses are currently serviced by 6" sewer lines in both 6th Ave. S., and 7th Ave. South.

16. Water. The existing buildings in the area are serviced by 6" and 10" water mains in the 5th St. So. right-of-way.

17. Storm Drainage. This proposal would add approximately 6700 square feet of impervious surface to the subject property in addition to the parking and building space approved in the previous Conditional Use Permit.

F. NEIGHBORHOOD CHARACTERISTICS:

18. 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. 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 5th St. So. 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.

19. 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 Corporation and .83 acres 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. To the west are single family detached homes and some multi-family structures. Also, industrial uses lie across the tracks to the east.

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

20. 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.

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CONCLUSIONS:

A. SUMMARY OF THE PROPOSED ACTION:

1. This application for a Conditional Use Permit is generally consistent with the requirements of the Kirkland Zoning Ordinance and the Land Use Policies Plan as they relate to the State Street area. In addition, the modification in the proposed parking plan is consistent with the conditions of the previous Conditional Use Permit approval and should not constrain the Kirkland Planning Commission from making either a negative or positive decision on this application.

B. HISTORICAL BACKGROUND:

2. Where applicable, the conditions of the previously approved Conditional Use Permit should also be placed on any approval of this application.

C. GOVERNMENTAL COORDINATION:

3. Pursuant to the recommendations of the Department of Fire Services, fire hydrants and adequate fire flow should be on line prior to the issuance of a Building Permit. The installation of fire alarms in the proposed building should also be verified prior to the issuance of an Occupancy Permit. In regards to the suggestion by the Public Service Department that the applicant extend the roadway across the eastern frontage, please refer to Condition No. 6 of Resolution No. R-2462.

D. EXISTING PHYSICAL CHARACTERISTICS:

4. Topography/Soils/Geology/Hydrology/Flora/Fauna. (No relevant conclusions)

E. PUBLIC UTILITIES:

5. Streets. The applicant should be limited to one additional truck round trip per week to service the additional floor space under this proposal.
6. Sewer/Water. The availability of these services does not impose a constraint upon the proposed development.
7. Storm Drainage. The applicant should be required to maintain storm water runoff at pre-development levels.

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Conclusions, Cont'd

F. NEIGHBORHOOD CHARACTERISTICS:

8. Zoning. This proposal meets the substance of the relevant chapters of the Zoning Ordinance.
9. 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 screening required under Resolution No. R-2462 and the 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:

10. The applicant's proposal meets the intent of the relevant sections of the Land Use Policies Plan.

RECOMMENDATIONS:

Based upon the foregoing Statements of Fact, Conclusions, and Exhibits "A" through "F", we hereby recommend that this application for a Conditional Use Permit be approved, subject to the following conditions:

1. Conditions No. 2, 3, 4, 6, and 7 of Resolution No. R-2462.
2. The additional truck traffic generated by this proposal shall not be more than one truck round trip per week above the number of truck trips permitted under Resolution No. R-2462.