

RESOLUTION NO. R-2539

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-78-10(P), BY REYNOLDS, NEWHALL AND JONES TO ALLOW TWELVE MULTI-FAMILY UNITS IMMEDIATELY SOUTHEAST OF THE 7TH AVENUE SOUTH-4TH STREET SOUTH INTERSECTION, 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 Reynolds, Newhall and Jones, 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 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 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-78-10(P) are adopted by the Kirkland City Council as though fully set forth herein except for Recommendation No. 1.

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 and further conditioned upon elimination of the south vehicular entry as it appears on "Exhibit C".

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,

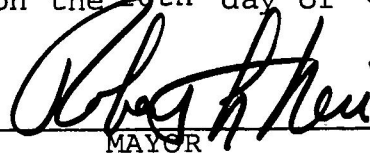
Section 5. Failure on the part of the holder of the Conditional Use Permit to initially meet or maintain strict compliance with the standards and conditions to which the Conditional Use Permit is subject shall be grounds for revocation in accordance with Section 23.56.110 of Ordinance No. 2183, the Kirkland Zoning Ordinance.

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

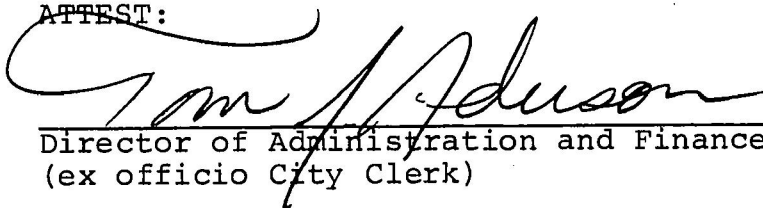
- (a) Applicant
- (b) Department of Community Development of the City of Kirkland
- (c) Fire and Building Department of the City of Kirkland
- (d) Parks Department of the City of Kirkland
- (e) Police Department of the City of Kirkland
- (f) Public Service Department of the City of Kirkland
- (g) The 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 10th day of July , 1978.


MAYOR

ATTEST:


Director of Administration and Finance
(ex officio City Clerk)

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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 _____
CITY COUNCIL AS INCORPORATED IN _____

David Russell
David Russell, Chairperson

RESOLUTION _____ ORDINANCE _____
NUMBER R-2539
DATE _____

FILE NUMBER CUP-78-10(P)
APPLICANT REYNOLDS, NEWHALL, AND JONES
PROPERTY LOCATION S.E. of 7th Ave. So.-4th St. So. intersection

SUBJECT CONDITIONAL USE PERMIT FOR 12 MULTI-FAMILY UNITS IN PLA-6B.
HEARING/MEETING DATE JULY 10, 1978
BEFORE KIRKLAND CITY COUNCIL

EXHIBITS ATTACHED "A" Application "B" Env. Infor. & Declarations
"C" Site Plan & Vicinity Map "D" Topography "E" Figure 26 of Land Use
Policies Plan

STATEMENTS OF FACT:

A. SUMMARY OF THE PROPOSED ACTION:

1. This is an application for a Conditional Use Permit to allow twelve multi-family units within Planned Area 6B. The applicant proposes three buildings containing four units each and twenty-seven parking spaces, twelve of which would be contained within three carport structures. The applicants propose to access from the northwest corner of the subject property from 7th Avenue South. The maximum height of the proposed structures would be thirty feet.
2. The property is located immediately southeast of the 7th Ave. So.-4th St. So. intersection

B. HISTORICAL BACKGROUND: (Not applicable)

C. EXISTING PHYSICAL CHARACTERISTICS:

3. Topography. The subject property slopes down from east to west.
4. Soils/Geology. The subject property contains soils classified as Alderwood Gravelly Sandy Loam.
5. Vegetation. The subject property supports a variety of coniferous and deciduous trees as well as a large expanse of blackberry bushes in the center portion of the subject property. The existing trees include some large cedar, fir, chestnut, oak, as well as other species.

D. PUBLIC UTILITIES:

6. Streets. The subject property fronts on 7th Ave. So. which is a 40-foot wide right-of-way improved with approximately 20 feet of asphalt paving and no curb, gutter or sidewalk. The unimproved 60 foot wide 4th St. So. right-of-way extends northward from 7th Ave. So. north of the subject property.
7. Domestic Water. There is a 10" waterline within the right-of-way of 7th Ave. So.

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Statements of Fact, Cont'd

- D. 8. Sanitary Sewer. There is a 6" sewer line within the right-of-way of 7th Ave. So.

E. NEIGHBORHOOD CHARACTERISTICS:

9. Zoning. The subject property is zoned Planned Area 6B as are properties to the east, west, and north of the subject property. The property to the north of the subject property has the potential for RS 5000 density. The property to the east of the subject property has the potential for Light Industrial. The property to the west of the subject property has the potential for multi-family at a density of 3600. The property to the south of the subject property is zoned Residential Single Family 8500 square feet minimum lot area.
10. Land Use. The subject property is currently occupied by a vacated single family residence. Immediately to the south of the subject property is a single family residence and further south is the Lakeview School. To the west of the subject property are multi-family and a single family residence. To the north of the subject property are a variety of single family residences. The property to the east of the subject property is occupied by an industrial firm.

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

11. The Land Use Policies Plan designates the 4th St. So. corridor, which includes the western edge of the subject property, as a primary pedestrian way. This primary pedestrian way is proposed as a connection between Lakeview School on the south and the Peter Kirk Park north of Kirkland Avenue on the north. (See Exhibit "E" Figure 26 in Land Use Plan)
12. The Kirkland Zoning Ordinance states that, for the subject property, any development consisting of more than three units requires a Conditional Use Permit.

G. GOVERNMENTAL COORDINATION:

13. Parks Department. "Pedestrian easement must be developed (6 foot asphalt) to school property from 7th Ave. So."
14. Police Department. "North access/exit would be better, just east of the one proposed. No other public safety concerns at this time. When construction is ready, would like to make recommendations on exterior doors, windows, etc."

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Statements of Fact, Cont'd

- G. 15. Fire Department. "1. On-site fire hydrant required.
2. Available water is inadequate for required fire flow.
Fire flow estimated to be 2500 GPM, only 1600 GPM available.
3. Depending on width of access drive, no parking/fire lane signs may be required."
16. Building Department. "This will be Fire Zone 2. I feel the property may be better accessed by moving the entrance east on 7th Ave. So. to a point where the parking now exists and replace the existing drive with landscaping and parking."
17. Public Service Department. "No comment."

CONCLUSIONS:

A. SUMMARY OF THE PROPOSED ACTION:

1. This application for a Conditional Use Permit is generally consistent with the Kirkland Zoning Ordinance and the Land Use Policies Plan.

B. HISTORICAL BACKGROUND: (No relevant conclusions)

C. EXISTING PHYSICAL CHARACTERISTICS: (No relevant conclusions)

D. PUBLIC UTILITIES:

2. Streets. The applicant should not be required to improve 7th Ave. So. as a part of this application. There are two reasons for this conclusion.
- a. The future improvement level of 7th Ave. So. is undecided at this time, and any required improvements might never connect to any future improvements to the west or east.
- b. Based on field inspection, the existing paving appears to be placed toward the south side of the existing right-of-way. With an existing storm water drain to the south of the existing paving there may not be sufficient room for any additional improvements between the subject property and the south edge of the existing paving. Future improvements may be more appropriate on the north side of the existing paving.

Conclusions, Cont'd

E. NEIGHBORHOOD CHARACTERISTICS:

3. The applicant's proposal is consistent with the zoning and land use in the area.
4. Prior to the issuance of any Building Permit, the applicant should be required to design a storm water management system which will meet the standards of the Public Service Department. This storm water management system should be installed prior to the issuance of any Certificate of Occupancy.

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

5. Prior to the issuance of any Certificate of Occupancy, the applicant should provide a 6 foot wide asphalt walkway between 7th Ave. So. and the southwest corner of the subject property. Said asphalted walkway should be located west of the parking area and east of the 15 foot wide easement that exists on the western edge of the subject property. At the southern end of the parking area, the asphalted walkway should enter the 16 foot wide panhandle at the southern end of the property and extend southward to the northern edge of the Lakeview School property. The property immediately to the east of the panhandle is currently surrounded by a chain link fence approximately 3 1/2 to 4 feet high, and consequently, this property should not be unduly affected by possible increases in pedestrian traffic in the vicinity. The exact location and design of the walkway should be reviewed and approved by the Park Department and the Department of Community Development prior to the issuance of any Building Permit.

G. GOVERNMENTAL COORDINATION:

6. Prior to the issuance of any Certificate of Occupancy, the Fire Department should approve the adequacy of fire flows to the subject property.
7. The applicants should shift the proposed access to the parking area to the east. The access point from 7th Ave. So. should lie directly north of the location of the four most northerly parking stalls in the applicant's proposed site plan. The proposed access that would be deleted could be replaced with the required parking stalls and landscaping. As only 26 stalls are required for the 12 units proposed on the site, the applicant should consider eliminating one of his proposed 27 parking stalls as this would reduce the amount of impervious surface and increase the amount of area which would remain vegetated.

Conclusions, Cont'd

6. 8. The applicant should explore with the property owner to the south of the subject property the possibility of re-locating that property owner's easement from the western edge of the subject property to the proposed parking area. Such a shifting of the easement would result in a more efficient use of the subject property as the various vehicular areas would then be consolidated.
9. The applicants should eliminate the 15 foot wide westward extension of the parking area at the southwest corner of the parking area as this appears not to be necessary to the vehicular circulation pattern.

RECOMMENDATIONS:

Based on the foregoing Statements of Fact, Conclusions, and Exhibits "A" through "E", we hereby recommend approval of this application for a Conditional Use Permit subject to the following conditions:

1. The site plan submitted with the applicant's Building Permit application shall show the following revisions to the parking plan:

The access from 7th Ave. So. shall be directly north of the location of the four most northerly parking stalls as shown on the applicant's proposed site plan. Landscaping and required parking stalls shall replace the access way as shown in the applicant's proposed site plan. The applicant shall eliminate the 15 foot wide extension of the parking area on the southwest corner of the parking area. The applicant shall eliminate one parking stall such that the total number of parking stalls on site shall equal twenty-six.
2. The applicant shall provide a 6 foot asphalt walkway from 7th Ave. So. to the northern property line of Lakeview School. In respect to this walkway, the conditions of Conclusions No. 5 shall be adhered to.
3. Prior to the issuance of any Certificate of Occupancy for the subject property the Fire Department shall approve fire flows to the subject property.
4. The applicant shall record an agreement that they will not oppose a future proposal to relocate the access easement to the southerly property owner to a configuration 24 feet wide and overlaying the proposed asphalt driving lanes with the understanding that such relocation shall not occur prior to the redevelopment of said southerly property. Said agreement shall travel with the use and therefore the property. (This agreement should be typed, signed and recorded. A copy should go in this file.)
5. Prior to the issuance of a Building Permit, the applicant will be required to deposit the appropriate "fee in lieu of open space" funds. This fee would be 6% of the assessed valuation of the property or \$200 per unit, whichever is greater."

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