

RESOLUTION NO. R-2546

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AMENDING AN APPROVED UNCLASSIFIED USE PERMIT WHICH WAS GRANTED BY RESOLUTION R-2493 AND AS APPLIED FOR IN DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. R-UUP-77-53(P), BY LEROY M. JOHNSON dba LEE JOHNSON CHEVROLET TO AMEND THE BUFFERING REQUIREMENTS ON LOTS 4 AND 5, BEING WITHIN AN RS 35,000 ZONE, AND SETTING FORTH CONDITIONS TO WHICH SUCH AMENDED UNCLASSIFIED USE PERMIT SHALL BE SUBJECT.

WHEREAS, the Department of Community Development has received an application for an amendment to an approved Unclassified Use Permit filed by Leroy M. Johnson, the owner of said property described in said application and located within an RS 35,000 zone.

WHEREAS, the application has been submitted to the Kirkland Planning Commission who held public hearing thereon at their regular meeting of August 10, 1978, and

WHEREAS, the Kirkland Planning Commission, after public hearing and consideration of the recommendations of the Department of Community Development, did adopt certain Findings, Conclusions and Recommendations and did recommend approval of the Amendments to Unclassified 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. R-UUP-77-53(P) are now adopted by the Kirkland City Council as though fully set forth herein.

Section 2. The Amended Unclassified 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 Unclassified 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 Unclassified Use Permit to initially meet or maintain strict compliance with the standards and conditions to which the Unclassified Use Permit is subject shall be grounds for revocation in accordance with 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) 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.

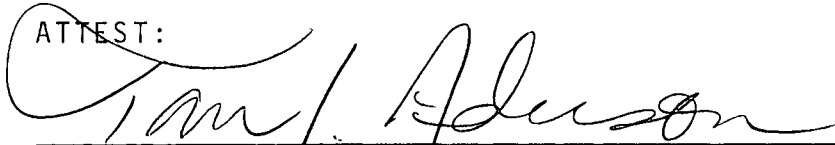
ADOPTED in regular meeting of the City Council on the 21st day of August, 1978.

SIGNED IN AUTHENTICATION thereof on the 21st day of August 1978.

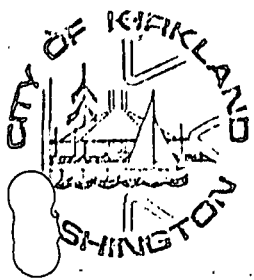


Mayor

ATTEST:



Director of Administration and Finance
(ex officio City Clerk)



DEPARTMENT OF COMMUNITY DEVELOPMENT

ADVISORY REPORT
FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

PREPARED BY _____ DATE _____

XXX RECOMMENDED BY _____ DATE August 10, 1978

ADOPTED BY _____ DATE _____

STAFF _____

BOARD OF ADJUSTMENT _____

HOUGHTON COMMUNITY COUNCIL _____

XX PLANNING COMMISSION _____
(Original signed by)
-Howard Peterson, Acting Chairperson

CITY COUNCIL AS INCORPORATED IN _____

RESOLUTION _____ ORDINANCE _____

NUMBER _____

DATE _____

FILE NUMBER R-UUP_77-53(P) REV.

APPLICANT LEE JOHNSON CHEVROLET

PROPERTY LOCATION N.E. 85th St. and 120th Ave. N.E.

SUBJECT REQUEST TO AMEND APPROVED UUP & INTENT TO REZONE (BUFFERING

REQUIREMENTS ON LOTS 4 and 5)
HEARING/MEETING DATE August 21, 1978

BEFORE KIRKLAND CITY COUNCIL

EXHIBITS ATTACHED "A" Letter from Lee Johnson dated 5/30/78 "B" Letter from Dick Turner,

"C" Vicinity Map "D" Existing Conditions Map "E" Aerial View of Lots 4, 5 and 17

"F" Portion of R-UUP-77-53(P) Report

STATEMENTS OF FACT:

A. SUMMARY OF THE PROPOSED ACTION:

1. This is a request from Lee Johnson to amend an already approved Unclassified Use Permit and Intent to Rezone (City of Kirkland File No. R-UUP-77-53(P)) to amend the buffering requirements with respect to lots 4 and 5. (See Exhibit "A" - Letter from Lee Johnson dated May 30, 1978.)
2. The above cited approved application allows Lee Johnson to park automobile inventory on Lots 3, 4, 5 and 17 (See Exhibits "C", "D", and "E"). The approval of the above-cited file contained some conclusions and recommendations with respect to landscaping materials (see Exhibit "F").

B. HISTORICAL BACKGROUND:

3. The approval of the above-named application called for a 6 to 8 foot high fence within 3 feet of the property line and inset with shrubs that will grow no higher than the fence along the western edge of Lot 5. The requirement for the western edge of Lot 4 was for a Laurel hedge. Also, existing vegetation was to be maintained to the maximum extent possible and some regrading of Lots 4 and 5 was to be achieved to lower the effective height of vehicles parked thereon.

C. EXISTING CONDITIONS:

4. Vegetation. As indicated on Exhibits "D" and "E", the only significant existing vegetation on Lots 4 and 5 at this time is a large native Maple. This tree is identified with the letter "x" on Exhibits "D" and "E" and is situated in the northeast corner of Lot 5.
5. Topography. As can be seen from Exhibit "D" the contours of the subject lots fall away from the southeast toward the northwest. The regrading that was required as a condition of approval has largely been achieved on Lots 5 and 4.

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

6. The request to amend a portion of an already approved Unclassified Use Permit and Intent to Rezone permit has been met by the submittal of Mr. Johnson's letter (see Exhibit "A"). In his letter, and in the letter from his landscape architect, (see Exhibit "B"), Mr. Johnson proposes that in lieu of a fence and shrub along the western edge of Lot 5, that he be allowed to plant a number of different kinds of landscape materials. He feels that these will provide an adequate visual and aesthetic buffer along that portion of Lots 4 and 5. The letter from his landscape architect describes the materials that will be planted in great detail (see Exhibit "B").

8/10/78

8/4/78 bk

R-2546

CONCLUSIONS:

A. SUMMARY OF THE PROPOSED ACTION:

1. This application for a revision to the approved application (City of Kirkland File No. R-UUP-77-53(P)), is consistent with the intent of the Land Use Policies Plan and the letter of the Kirkland Zoning Ordinance. These revisions also appear to be consistent with the intent of the Kirkland Planning Commission in approving the above-cited application.
2. The preservation of the native Maple identified with a small letter "x" on Exhibits "D" and "E" would appear to be consistent with condition No. 4 listed on Exhibit "F". To the extent that the requirement for grading on Lots 4 and 5 can be modified so as to preserve this native Maple, then the applicant should be encouraged to do so.

B. HISTORICAL BACKGROUND:

3. The applicant has already achieved much of the regrading that was required, as well as the erection of a site-obscuring fence along the southern side of lot 17. His landscape architect has refined the concept for tree planting materials including spacing and plant size for the southern side of Lot 5 and the western edge of lots 4 and 5.

C. EXISTING CONDITIONS:

4. Vegetation. Existing native Maple in the northeast corner of lot 5 should be preserved.
5. Topography. The regrading of lots 4 and 5 should be finalized with the condition that native Maple mentioned above should be preserved if possible.

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

6. Proposed revisions and the retention of the native Maple would appear to be consistent with the conditions of the Kirkland Zoning Ordinance that are applicable as well as the intent of the Land Use Policies Plan.

RECOMMENDATIONS:

Subject to the foregoing Statements of Fact, Conclusions, and as identified in Exhibits "A" through "F", we recommend approval of this application for a revision to approved Unclassified Use Permit and Intent to Rezone.

8/10/78

8/4/78 bk

LEE JOHNSON CHEVROLET, INC.

"Your Friendly Chevrolet Dealer Since 1933"



11845 N.E. 85th P.O. BOX 'Y'
May 30, 1978

KIRKLAND, WASHINGTON 98033

(206) 827-0521

Gerald Link
City of Kirkland
Department of Community Development
Kirkland, Wa. 98033

Dear Jerry:

A request is hereby made to revise the buffering requirement along the West side of Lot 5 to be consistent with the requirement on the West side of Lot 4.

There already exists a highway right-of-way fence on the West side of Lots 4 and 5. In my opinion it would look better to extend the Laurel the full length of the West boundaries of these two lots rather than having two different types of buffering.

Sincerely,

LEE JOHNSON CHEVROLET, INC.

L. M. Johnson
President

LW:jaf

Heid Landscape Nursery

Everything for your out of doors

12218 N.E. 132
KIRKLAND, WASHINGTON 98033
822-3188

To Whom it may concern:

Concerning the landscaping to be done at Lee Johnson Chevrolet Dealership Lot 4 and Lot 5.

Heid Landscape is going to use 3 to 4 foot Thuja Occidentalis Pyramidalis on 3 foot centers on the east side of Lot 5. On the north side of lot 5 will be 24in. to 30in. Prunus Lavrocerasus on 4 foot centers. Shrubs to be used on the west side of Lot 4 and Lot 5 will be on 4 foot centers, 24in. to 30in. in size. West side will start with Buxus Sempervirens for 80 feet then a pattern of 1 Prunus Lusitanica and three Juniperus Squamata Meyeri until the last 80 feet, which will then be Buxus Sempervirens, again on 4 foot centers.

All plants to be used are of the hedge type, that can be maintained at maturity at 6 to 8 feet. Healthy nursery grown stock shall be used, while standard landscape planting procedures are to be followed.

Dick Turner

Gen. Mgr. Heid Landscape Co.

RECEIVED

MAY 31 1978

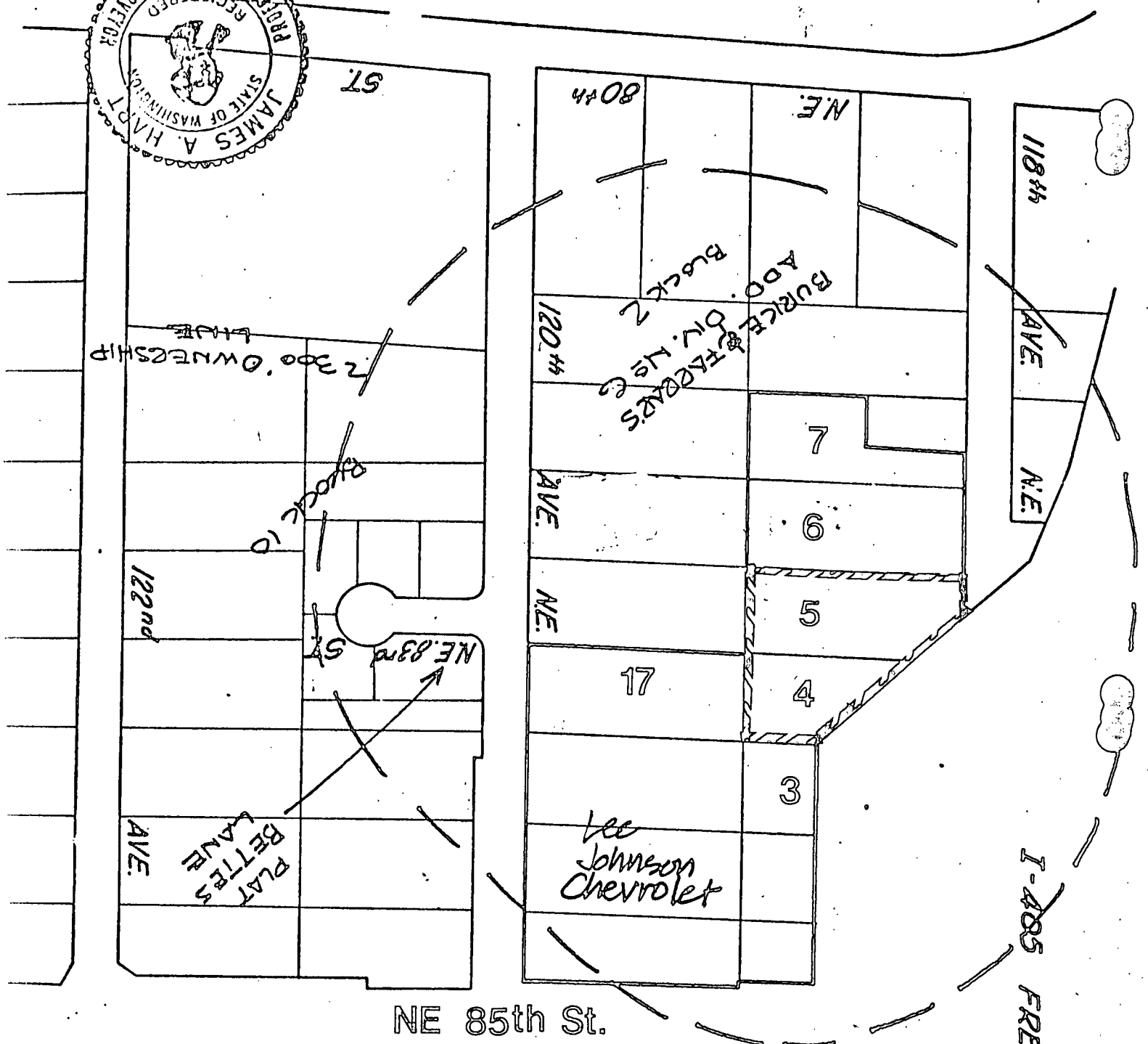
PLANNING DEPARTMENT

BY

EXHIBIT "A"
LETTER FROM LEE JOHNSON
R-UUP-77-53(P) REV. REQ.
LEE JOHNSON CHEVROLET

Exhibit "B"
Letter from Dick Turner
R-UUP-77-53(P) REV. REQ.
Lee Johnson Chevrolet

R-2546



NE 85th St.

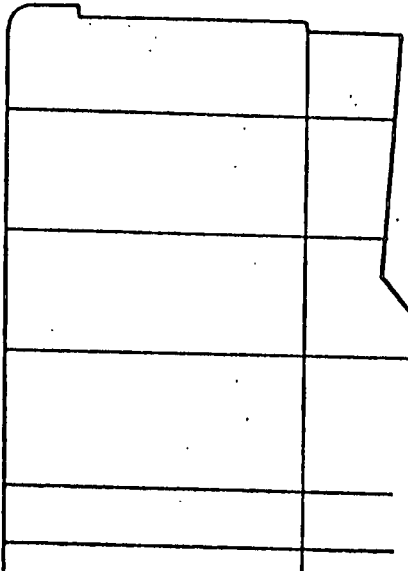
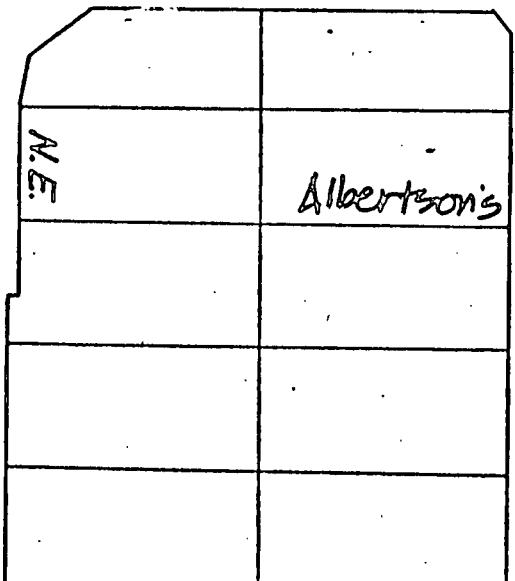


EXHIBIT "C"
VICINITY MAP
R-UUP-77-53(P) REV. REQ.
LEE JOHNSON CHEVROLET

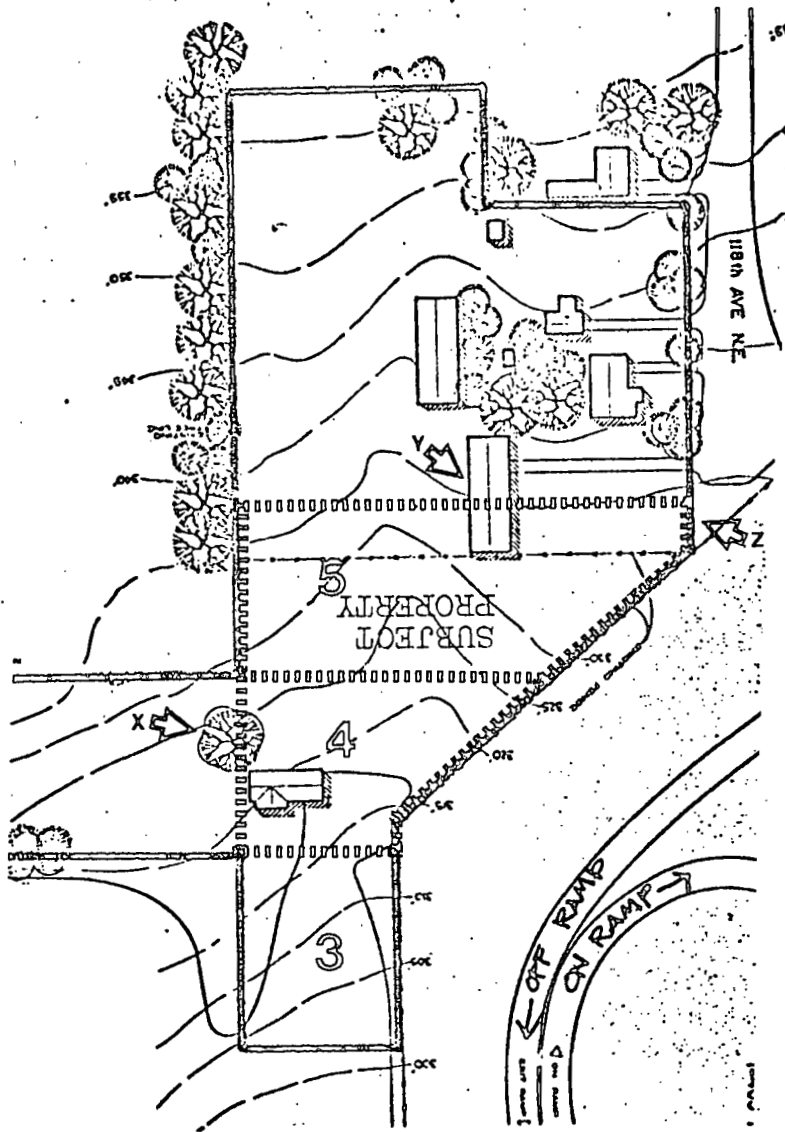


EXHIBIT "D"
 EXISTING CONDITIONS MAP
 R-UUP-77-53(P) REV. REQ.
 LEE JOHNSON CHEVROLET

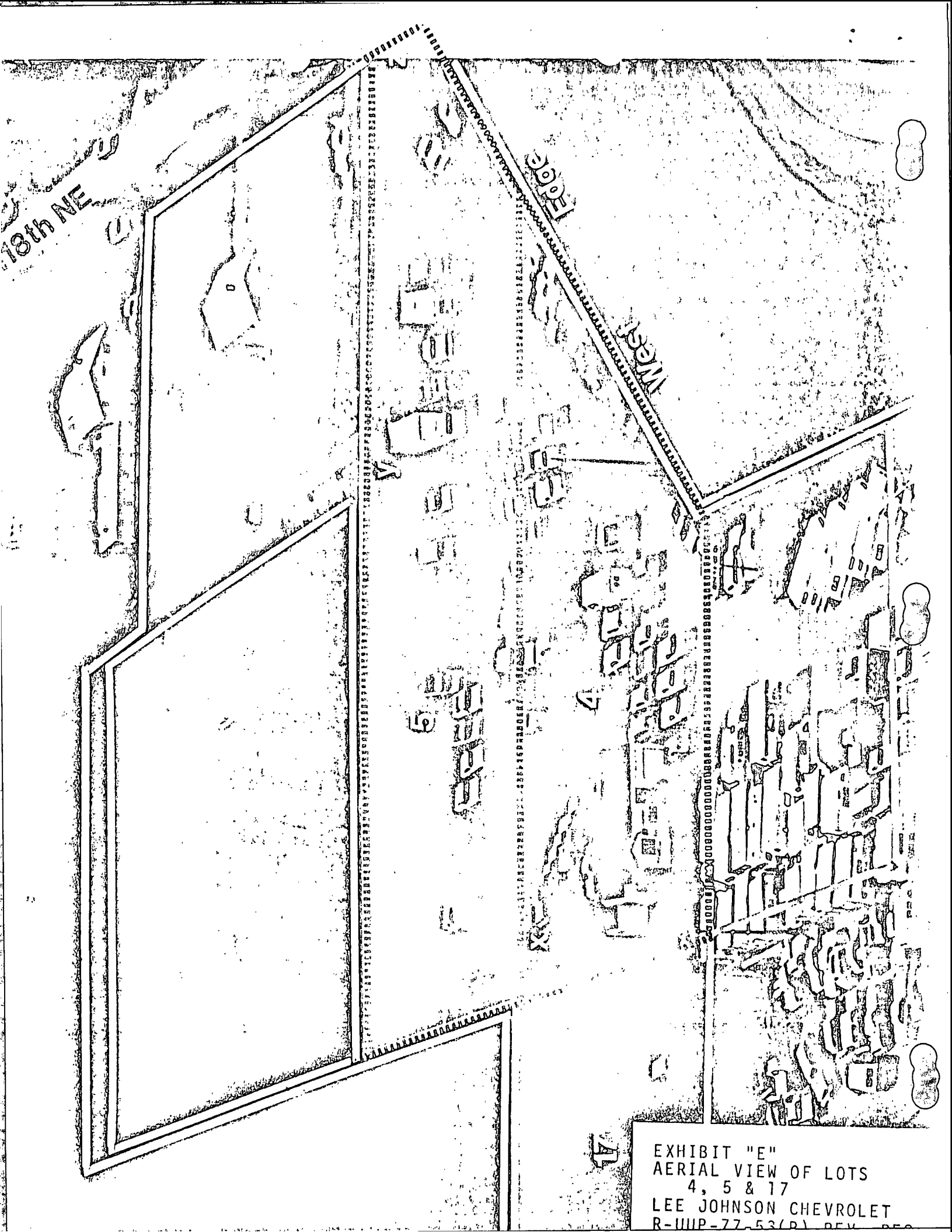
18th NE

10th

West

10th
11th
12th
13th
14th
15th
16th
17th

EXHIBIT "E"
AERIAL VIEW OF LOTS
4, 5 & 17
LEE JOHNSON CHEVROLET
R-UUP-77-53(P) REV. 85



Conclusions, Cont'd

11. The applicant should provide either a site obscuring fence or landscaping on the south property lines of Lots 4 and 17 minus the east 90 feet of the south property line of Lot 17. Laurel should be planted where Lot 4 abuts the I-405 right-of-way. A 6 to 8 foot high fence within 3 feet of the property line and inset with shrubs that will grow no taller than the fence should be provided surrounding the east, south and west sides of the parking area on Lot 5. Also, the parking area on Lot 5 should be graded so that it is 3 to 4 feet below the base of the fence and be so designed as to provide for surface runoff management.

RECOMMENDATIONS:

Subject to the foregoing Statements of Fact, Conclusions, and Exhibits "A" through "E", we hereby recommend: that the Resolution of Intent to Rezone application for Lots 3, 4 and 17 minus the east 90 feet of Lot 17 be approved and that an Unclassified Use Permit be granted on Lot 5 to use that lot as an automobile storage area. We recommend that the foregoing be approved subject to the following conditions:

1. The only access for the proposed storage area shall be from the property to the north.
The applicant shall not provide any additional permanent paving on the subject property.
3. The applicant shall provide landscaping as stated in Conclusion No. 11.
4. Existing vegetation shall be maintained to the maximum extent possible.
5. Motor homes, pickups with campers, and other vehicles larger than automobiles shall be parked in the northern portion of the subject property in preference to automobiles which shall be parked south of vehicles larger than automobiles. At such times as the vehicle storage area is not being entirely used for parking, parking as a whole shall be as northerly as possible on the subject property.
6. At such time that any existing buildings on Lot 5 is removed, the applicant shall provide, in consultation with the Department of Community Development, any additional landscaping which may be needed to provide a sight obscuring buffer along 118th Ave. N.E.

EXHIBIT "F"
PORTION OF R-UUP-77-53(P)
ORIGINAL ADVISORY REPORT
LEE JOHNSON CHEVROLET
R-UUP-77-53(P) REV. REQ.

1/12/78
11/1/77 eb

R-2546