

RESOLUTION NO. R- 2583

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF AN UNCLASSIFIED USE PERMIT AS APPLIED FOR IN DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. UUP-78-85(P), BY DR. MARK ENGEN, TO CONSTRUCT A VETERINARY CLINIC IN A LIGHT INDUSTRIAL ZONE, AND SETTING FORTH CONDITIONS TO WHICH SUCH UNCLASSIFIED USE PERMIT SHALL BE SUBJECT.

WHEREAS, the Department of Community Development has received an application for an Unclassified Use Permit filed by Dr. Mark Engen, the owner of said property described in said application and located within a Light Industrial Zone.

WHEREAS, the application has been submitted to the Kirkland Planning Commission who held public hearing thereon at their regular meeting of January 18, 1979, and

WHEREAS, pursuant to City of Kirkland Ordinance No. 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 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. UUP-78-85(P) are adopted by the Kirkland City Council as though fully set forth herein except for Recommendation 1-b and 1-e.

Section 2. The Unclassified Use Permit shall be issued to the applicant subject to the conditions set forth in the Recommendations hereinabove adopted by the City Council together with the following:

"The access point to the site must be at least 24 feet wide."

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) 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)

ADOPTED in regular meeting of the City Council on the 5th day of February , 1979.

SIGNED IN AUTHENTICATION THEREOF on the 5th day of February 1979.



Mayor pro tem

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 January 18, 1979

___ ADOPTED BY _____ DATE _____

___ STAFF _____

___ BOARD OF ADJUSTMENT _____

___ HOUGHTON COMMUNITY COUNCIL _____

XX PLANNING COMMISSION _____

[Signature]
Chairperson

___ CITY COUNCIL AS INCORPORATED IN

___ RESOLUTION _____ ORDINANCE

NUMBER _____

DATE _____

FILE NUMBER UUP-78-85(P)

APPLICANT DR. MARK ENGEN

PROPERTY LOCATION 636 7th Avenue

SUBJECT UNCLASSIFIED USE PERMIT for veterinary surgical clinic in LI zone

HEARING/MEETING DATE February 5, 1979

BEFORE KIRKLAND CITY COUNCIL

EXHIBITS ATTACHED "A" Application "B" Vicinity Map "B2" Vicinity Land Use
"C" Existing Site Features "D" Proposed Site Plan & Sections "E" Environmental
Information

I. SUMMARY

A. DESCRIPTION OF THE PROPOSED ACTION

Dr. Mark H. Engen is applying for an Unclassified Use Permit to construct a veterinary surgical clinic in a Light Industrial Zone.

The new building would be approximately 2200 square feet. An 11 car parking lot would access off of 7th Avenue. (See Exhibit "D" - Site Plan)

The subject property is located at 636 7th Avenue. (See Exhibit "B" - Vicinity Map)

B. RECOMMENDATIONS

Based on the Statements of Fact, Conclusions, and Exhibits "A" through "E", we hereby recommend approval of this application subject to the following recommendations:

1. Prior to issuance of a Building Permit the applicant shall submit building plans which incorporate the following:
 - a. The portion of this structure used for housing animals must be built from material which is effective in reducing noise.
 - b. The access point ^{to the site} must be at least 24 feet wide.
 - c. A 6 foot high, solid cedar fence must be constructed on the west side of the property for the length of the building.
 - d. A landscape plan showing species, size, and spacing of plant materials must be included. The landscape plan must show screening materials along the perimeter of the parking lot as per Section 23.40.060 of the Zoning Ordinance.
 - e. To reduce the extent of impervious surfaces on the subject property the number of parking stalls shall be reduced from 11 to 9.
2. Prior to the issuance of any Certificate of Occupancy for the subject property the applicant shall sign a "no protest" agreement, in a form approved by the City, in regard to a possible L.I.D. for sidewalks.

II. MAJOR STATEMENTS OF FACT AND CONCLUSIONS

A. HISTORICAL BACKGROUND - Not applicable

B. GOVERNMENTAL COORDINATION

1. Statements of Fact

- a. Kirkland Fire Department. Access as shown on Vicinity Map is adequate for Fire Department apparatus. Present hydrant locations and fire flow are adequate. Fire extinguishers will be required per NFPA pamphlet no. 10, contact Fire Department (827-4606) approximately four weeks prior to occupancy for specific requirements and locations.

1/18/79

1/2/79 eb

II. MAJOR STATEMENTS OF FACT AND CONCLUSIONS: Continued

B. 1. Continued

- b. Police Department. Access would be adequate. We anticipate many complaints from near-by residents due to closeness of this to residences.
- c. Building Department. Relevant building code requirements: the project is located in Fire Zone 2. If the building is designed as shown parapets will be required on the north, east, and west sides of the building. The buildings and site must be designed for the accessibility of the disabled. Other: I feel that perhaps this use is too close to existing single family residences and that barking of dogs will become a problem.
- d. Public Service.

- 2. Conclusions. Applicant must meet all applicable Building and Fire Code requirements. Provision should be made to mitigate potential noise problems.

C. EXISTING PHYSICAL CHARACTERISTICS

1. Statements of Fact

- a. Soils. The soil is Alderwood Gravelly Sandy Loam, which is moderately well drained.
- b. Topography. The lot rises to the north with an average slope of about 11%.
- c. Vegetation. The site is vegetated with shrubs and a few small trees.

- 2. Conclusions. The physical characteristics of this site do not constrain development of the proposed use.

D. PUBLIC UTILITIES

1. Statements of Fact

- a. Streets. 7th Avenue is a 60 foot right-of-way improved with 48 feet of asphalt and curb and gutter. No sidewalks exist on the north side of 7th Avenue.
- b. Water. An 8 inch water line exists in 7th Avenue.
- c. Sewer. A 6 inch sewer line is in 7th Avenue. The sewer is 9 feet deep.

2. Conclusions

Utilities are available to the property subject to payment of appropriate fees. To provide for the possibility of sidewalks on the north side of 7th Ave. in the future, the applicant, prior to the issuance of a Certificate of Occupancy, should sign a "no protest" agreement in regard to a possible L.I.D. for sidewalks.

1/18/79
1/2/79 eb

MAJOR STATEMENTS OF FACT AND CONCLUSIONS: Continued

E. NEIGHBORHOOD CHARACTERISTICS

1. Statements of Fact

- a. Zoning. This property is zoned Light Industrial, as are all contiguous properties. A residential zone lies 125 feet to the west.
2. Conclusions. This area is zoned for Light Industry. The impact of this use may be less than many other industrial uses, so long as a reasonable effort is made to reduce noise.

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

1. Statements of Fact

a. Land Use Policies Plan

"The only other concentration of economic activities in the Norkirk area exists along 8th Street near the railroad. This area is a mixture of small industrial developments, storage yards and undeveloped land. In the past, industrial activities in this area have created conflicts with near-by single family residential areas to the west. The boundary between Light Industry and Single Family Residential areas should be designated so that the two adjacent uses are separate, yet complementary to the maximum extent possible." p. 331.

"Landscaping and vegetative buffering can provide important screen and transition between the Light Industrial and Residential uses." p. 343

b. Kirkland Zoning Ordinance

The applicant will be required to comply with all the applicable sections of the Zoning Ordinance, including Chapter 23.22, Light Industrial Zone, Chapter 23.40, Landscaping, Chapter 23.36, Performance Standards, and Chapter 23.34, Parking.

2. Conclusions. This area is a Light Industrial Zone near a residential district. The proposed use should meet the intent of the Land Use Policies Plan and the regulations of the Zoning Ordinance.

City of Kirkland
Department of Community Development

APPLICATION FOR UNCLASSIFIED USE PERMIT

NOTE: Before preparing this application, please read information on cover page of this form.

Name of Applicant Dr. Mark H. Engen Phone 821 1106

Company Name _____

Mailing Address 13603-100th. Ave. N.E. City Kirkland Zip 98033

1. The undersigned applicant(s) is(are) the owners of the property described as follows: (Give complete legal description.)

The East 1/2 of lot 32 and Lot 33 Block 185 Town of Kirkland

2. The property for which this application is made is located at: (Give street address, if any, or location by reference to streets, alleys, property lines, etc.)

636 - 7th. Ave. Kirkland, Washington

3. The present zoning is Industrial

4. Is the use requested by this permit within the intent of the Zoning Ordinance, the Comprehensive Plan, and the public interest? If yes indicate how: yes

The use will be no more intense then other buildings in the area.

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PLANNING DEPARTMENT

(over)

BY JJ

UUP

5. Demonstrate by written text how the use requested in this permit is consistent with the performance standards in Chapter 23.36 of the Zoning Ordinance No. 2183 (water, air, noise, light, heat, junk, etc.)

The performance standards will be adhered to.

6. Is the use requested by this permit made on the basis of site plans as required by Chapter 23.62.030 of the Zoning Ordinance No. 2183? (If the improvements are to be made over a period of greater than two years, indicate the time of improvements):

Yes, plans are part of this application.

A F F I D A V I T

STATE OF WASHINGTON)
COUNTY OF KING)
CITY OF KIRKLAND)

Dr. Mark H. Engen, being first duly sworn depose and say, that I am (~~wife~~) the owner (s) of the property involved in this application and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects true and correct to the best of my (~~own~~) knowledge and belief.

Dr. Mark H. Engen
(Owner)

(Owner)

Subscribed and sworn to before me this 13th day of October, 1978.

Carol Smith
Notary Public in and for the
State of Washington residing at

Street