

RESOLUTION NO. R- 2594

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF AN INTENT TO REZONE PERMIT FROM RESIDENTIAL SINGLE FAMILY 35,000 (RS 35) TO PROFESSIONAL OFFICE (PO) AS APPLIED FOR IN DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. R-78-94(P), BY MICHAEL TAVOLARELLA, BLT ASSOCIATES, TO CONSTRUCT A 2-STORY 19,000 SQUARE FOOT MEDICAL OFFICE BUILDING WITH 95 ASSOCIATED PARKING STALLS EAST OF 120TH AVENUE N.E., APPROXIMATELY 400 FEET SOUTH OF N.E. 132ND STREET, AND SETTING FORTH CONDITIONS TO WHICH SUCH INTENT TO REZONE PERMIT SHALL BE SUBJECT.

WHEREAS, the Department of Community Development has received an application for an Intent to Rezone Permit filed by Michael Tavolarella, BLT Associates, the owner of said property described in said application and located within a Residential Single Family 35,000 zone.

WHEREAS, the application has been submitted to the Kirkland Planning Commission who held public hearing thereon at their regular meeting of February 15, 1979, 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 Intent to Rezone 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-78-94(P) are adopted by the Kirkland City Council as though fully set forth herein.

Section 2. The City Council approves in principal, the request for reclassification from RS 35 to PO and pursuant to Chapter 23.62 of Ordinance 2183, the Council shall by Ordinance, effect such reclassification upon being advised that all of the conditions, stipulations, limitations and requirements contained in this Resolution, including those adopted by reference, have been met within six months of the date of enactment of this Resolution.

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 Intent to Rezone 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 Intent to Rezone permit to initially meet or maintain strict compliance with the standards and conditions to which the Intent to Rezone permit is subject shall be grounds for revocation in accordance with 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.

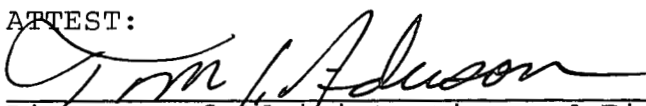
ADOPTED in regular meeting of the City Council on the 5th day of March, 1979.

SIGNED IN AUTHENTICATION thereof on the 5th day of March 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 _____
xxx RECOMMENDED BY _____ DATE February 15, 1979
ADOPTED BY _____ DATE _____

STAFF _____

BOARD OF ADJUSTMENT _____

HOUGHTON COMMUNITY COUNCIL _____

xx PLANNING COMMISSION Kay Haenggri
Kay Haenggri, Chairperson

CITY COUNCIL AS INCORPORATED IN _____

RESOLUTION _____ ORDINANCE _____

NUMBER _____

DATE _____

FILE NUMBER R-78-94 (P)

APPLICANT BLT ASSOCIATES

PROPERTY LOCATION E. of 120th Ave. N.E., 400' S. of N.E. 132nd St.

SUBJECT INTENT TO REZONE from RS 35 to PO for professional office bldg.

HEARING/MEETING DATE March 5, 1979

BEFORE KIRKLAND CITY COUNCIL

EXHIBITS ATTACHED "A" Application "B" Environmental Information
"C" Vicinity Map "D" Proposal

I. SUMMARY:

A. DESCRIPTION OF THE PROPOSED ACTION:

1. This is an application for a Resolution of Intent to Rezone the subject property. Included in the application is a proposal for a two-story 19,000 square foot medical office building with 95 associated parking stalls. Two access points are proposed to the parking area: One from 120th Avenue N.E., and the other from the easement road on the south side of the subject property.
2. The subject property is located just east of 120th Avenue N.E. approximately 400 feet south of N.E. 132nd Street.

B. RECOMMENDATIONS:

Based upon the statements of Fact, Conclusions, and Exhibits "A" through "D" contained herein, we hereby recommend approval of this application for a Resolution of Intent to Rezone subject to the following conditions:

1. No grading or construction shall occur within 10 feet of the thread of the stream on the northwest portion of the subject property.
2. Along with any application for a Building Permit the applicant shall:
 - a. Submit plans for construction practices which will minimize erosion and sedimentation. Erosion and sedimentation in the existing stream on the northwest portion of the subject property shall be minimized. These plans shall be reviewed and approved by the Public Service Department and the Department of Community Development prior to the issuance of any Building Permit, and
 - b. Accurately locate the existing stream on the northwest portion of the subject property on all Building Permit plans, and
 - c. Submit a complete soils engineering report for the subject property, and
 - d. Revise the parking plan such that the access from 120th Avenue N.E. is moved 10 feet to the north, and
 - e. Modify the landscape plan to indicate red maple trees 30 feet on center along the length of the west and south property lines. These maple trees shall not be planted within 40 feet of the southwest property corner. Additional trees shall also be provided within the interior of the parking area. In addition,

I. B. 2. e. (Cont'd)

the perimeter of the parking area shall be landscaped with site obscuring vegetation, four feet high at planting

3. Prior to the commencement of any grading or construction on the subject property the two existing trees on the northeastern portion of the subject property shall be staked and fenced. This fencing shall prevent all removal or addition of earth within a radius of 10 feet of the center of each tree. The fencing shall be approved by the Department of Community Development prior to the commencement of any grading.
4. Prior to the issuance of any Certificate of Occupancy for the subject property the applicant shall:
 - a. Provide a 5 foot concrete sidewalk where the subject property abuts 120th Avenue N.E. and the easement road running along the southern property line. In addition, the applicant shall provide curb and gutter where the subject property abuts the above-mentioned easement road, unless the Public Service Department determines that gutters are not necessary. The Public Service Department shall determine the specific location of these improvements, and
 - b. Install all landscaping indicated on the approved plan. No performance bonds shall be accepted unless unusual circumstances can so justify.
 - c. Provide a bond for the maintenance of landscaping for a period of two years. The amount of this bond shall be \$750.

II. MAJOR STATEMENTS OF FACT AND CONCLUSIONS:

A. HISTORICAL BACKGROUND: (not applicable)

B. GOVERNMENTAL COORDINATION:

1. Statements of Fact:

- a. Fire Department. Access for emergency vehicles is adequate. A fire hydrant will be required. This fire hydrant should be located in the landscape island approximately 88 feet north of the southern property line and 138 feet east of the western property line. The required fire flow is 2800 gallons per minute. The available fire flow is unknown at this time, but a flow test is forthcoming. A Type B fire alarm system will be required unless the building is fully sprinklered.

The required fire hydrant shall be installed, operational, and charged with water before the framing stage of construction commences. Approved protective posts shall be provided at the required fire hydrant. Fire extinguishers shall be provided per NPFA Pamphlet No. 10.

- II. B. 1. b. Police Department. Access for emergency vehicles is adequate.
- c. Building Department. This project will be in Fire Zone II. A minimum 10 foot setback should be maintained to eliminate protected openings and parapets. Due to the recent fill on the subject property a soils engineering report will be required along with the submittal of a Building Permit application.
- d. Parks Department. Red maples 30 feet on center should be provided on the west and south property lines. In addition, a 5 foot wide concrete sidewalk should be provided along 120th Avenue N.E. and the easement road running along the south side of the subject property.
- e. Public Service Department. Construction drainage plans are needed as well as storm water retention plan. Sidewalk adjacent to the curb on 120th Ave. N.E. should be provided. The access point off 120th Ave. N.E. should be placed so that it either directly aligns with the access across the street or is separated from that access as far as possible.
- f. SEPA. A Declaration of Non-Significance was made by the Responsible Official on December 22, 1978.

2. Conclusions.

The applicant should adhere to the comments given by the various Departments above.

C. CITIZEN INPUT: (none to date)

D. EXISTING PHYSICAL CHARACTERISTICS:

1. Statements of Fact.

- a. Topography. The subject property is generally flat.
- b. Vegetation. Vegetation on the subject property is nearly non-existent. There are two large Douglas Fir trees on the northeast portion of the subject property.
- c. Hydrology. A large area-wide retention pond exists on the north portion of the subject property. The stream draining that retention pond runs along the northwest property line.

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2/8/79 bk

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II. D. 1. d. Soils. The majority of the property is covered by several feet of unsupervised fill.

2. Conclusions.

The two existing fir trees on the northeastern portion of the subject property should be preserved and protected during construction. This protection should consist of fencing which would prevent any earth removal or addition within a radius of 10 feet of each tree.

Due to the soils conditions on the subject property, the applicant should submit a soils engineering report along with an application for a Building Permit.

E. PUBLIC UTILITIES:

1. Statements of Fact:

a. Sanitary Sewer/Domestic Water. Sanitary sewer would be supplied through N.E. Lake Washington Sewer District. Domestic water would be supplied through King County Water District No. 79.

2. Conclusions.

Public utilities are adequate to serve the subject property.

F. NEIGHBORHOOD CHARACTERISTICS:

1. Statements of Fact:

a. Zoning. The subject property is zoned Residential Single Family 35,000 square feet minimum lot size as are properties to the north, west and east of the subject property. Property to the south of the subject property is zoned Planned Area 12.

b. Land Use. The subject property is vacant as are properties to the west, north and east of the subject property. Property to the south of the subject property contains Evergreen Hospital. Properties further to the east and west of the subject property contain multi-family uses. Southwest of the subject property are properties which contain office uses. The north side of N.E. 132nd Street is primarily devoted to single family uses.

The easement road running along the south side of the subject property serves Evergreen Hospital and will likely also serve future developments on the southern portion of the property to the east of the subject property.

II. F. 2. Conclusions.

Except as noted in this report, this proposal is consistent with the zoning and land use in the area.

Due to the increasing usage, both pedestrian and vehicular, expected on the easement road running along the south side of the subject property, half-street improvements should be provided on the north side of that road. These improvements should consist of curb, gutter, and a 5 foot concrete sidewalk. The specific location of these improvements should be determined by the Public Service Department. These improvements should be in place prior to the issuance of any Certificate of Occupancy.

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

1. Statements of Fact.

The following extracts from the Land Use Policies Plan are relevant to this application:

- a. "Goal 2. To recognize the amenity and utilitarian functions provided by natural elements, and to incorporate these functions into developments." (Natural Elements Page 25)
- b. "Regulate the location of structures near water-courses and smaller wetlands in order to reduce the impact of flooding and allow for natural drainage....". (Policy 1c, Natural Elements, Page 33)
- c. "Policy 4. Maintain or improve the functional integrity of watercourses, wetlands, and small bodies of water by keeping them in a natural condition and by placing appropriate restrictions on dredging, filling and other land surface modifications." (Natural Elements, Page 37)
- d. "Maintain existing vegetative cover to the greatest extent feasible. In cases where development necessitates removal of vegetation, a reasonable amount of landscaping should be required to replace trees, shrubs, and groundcover removed during construction." (Policy 5, Natural Elements, Page 39)

The subject property is designated for offices in the Land Use Policies Plan.

2. Conclusions.

- a. No grading or construction should occur within 10 feet of the thread of the stream on the northwest portion of the subject property.

- II. G. 2. b. A bond for the maintenance of landscaping for a period of two years should be provided by the applicant. The amount of this bond should be \$750.
- c. The stream on the northwest portion of the subject property should be accurately located on all Building Permit plans.
- d. Additional trees should be provided within the interior of the parking area.
- e. The proposed zone classification is consistent with the Land Use Policies Plan.

III. APPENDICES:

Exhibits "A" through "D" are attached.