

RESOLUTION NO. R-2595

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF AN INTENT TO REZONE AS APPLIED FOR IN DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. R-79-3(P), BY LYLE R. MATZNICK TO REZONE A PARCEL FROM RS (RESIDENTIAL SINGLE FAMILY) 35,000 TO PROFESSIONAL OFFICE (PO) FOR "TOTEM LAKE PLAZA, 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 Lyle Matznick, 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 hearings thereon at their regular meetings of February 15, 1979 and February 22, 1979, and

WHEREAS, pursuant to City of Kirkland Ordinance No. 0-2319 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 hearings 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-79-3(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 Residential Single Family 35,000 to Professional Office 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,

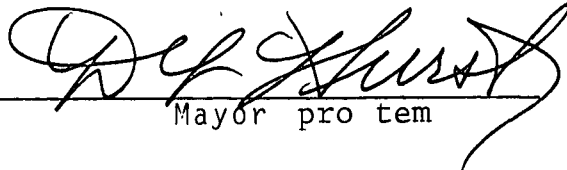
Section 5. Failure on the part of the holder of the Intent to Rezone permit to initially meet or maintain strict compliance with the standards and conditions to which the Intent to Rezone permit is subject shall be grounds for revocation in accordance with Ordinance No. 2183, the Kirkland Zoning Ordinance.

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) Police Department of the City of Kirkland
- (e) Public Service Department of the City of Kirkland
- (f) The Office of the Director of Administration and Finance (ex officio City Clerk) for the City of Kirkland.
- (g) Parks Department of 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 _____
XX RECOMMENDED BY _____ DATE February 22, 1979
____ ADOPTED BY _____ DATE _____

____ STAFF _____
____ BOARD OF ADJUSTMENT _____
____ HOUGHTON COMMUNITY COUNCIL _____
XX PLANNING COMMISSION Kay Chonggi
Chairperson
____ CITY COUNCIL AS INCORPORATED IN _____
____ RESOLUTION _____ ORDINANCE _____
NUMBER _____
DATE _____

FILE NUMBER R-79-3(P)
APPLICANT TOTEM LAKE PLAZA
PROPERTY LOCATION So. of N.E. 132nd St. on 112th Ave. N.E.
SUBJECT APPLICATION FOR INTENT TO REZONE
HEARING/MEETING DATE March 5, 1979
BEFORE KIRKLAND CITY COUNCIL

EXHIBITS ATTACHED "A" Application "B" Environmental Information
"C" Vicinity Map and SiteMap "D" Public Service Dept. Memo "E" Stream
Locatin Proposed by Public Service Department

I. SUMMARY

A. DESCRIPTION OF THE PROPOSED ACTION:

1. This is an application for a Resolution of Intent to Rezone the subject property to Professional Office. Included in this application is a proposal to construct a 3-story, 38,631 square foot office building with 130 associated parking stalls. Parking would be contained within two parking areas both accessing from 120th Avenue N.E.
2. The subject property is located immediately west 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 "E", contained herein, we hereby recommend approval of this application for a Resolution of Intent to Rezone subject to the following conditions:

1. Prior to the submittal of a Building Permit application the applicant shall:
 - a. Modify the site plan such that the southern parking area contains only one access point from 120th Ave. N.E. Preferably, the most southern access point should be eliminated; and
 - b. Submit for review and approval by the Department of Community Development a revised parking lot configuration. This shall include a landscaped strip running east-west through the center of the southern lot and include provisions for additional landscaped islands, an internal north-south circulation corridor approximately in the center of the lot and adequate room for turning movements.
 - c. Submit for review and approval by the Department of Community Development a revised landscaping plan which will be consistent with the approved parking configuration and also show: red maples, at least 2" in caliper at planting, located 30' on center along the east property line; additional trees and shrubs along the face of the building and along the west property line as are deemed necessary by said Department to break up the mass of the 3-story building as well as screen the parking from areas to the west; such ground cover trees and shrubs as are deemed appropriate within the parking lot in landscaped islands.
 - d. Modify the proposed building size, if necessary, so that no less than one stall is provided for every 300

I. B. 1. d. (Cont'd)

square feet of gross floor area of the building. No more than 120 stalls shall be provided. In addition, the building shall be no more than 30 feet in height; and

- e. Provide plans indicating the proposed construction practices to minimize sedimentation and erosion. Sedimentation and erosion in both the existing and newly constructed stream shall be minimized; and
- f. Submit plans for the stream relocation. The stream shall remain open as shown in Exhibit "C". In addition, in regard to the stream relocation, the applicant shall adhere to the recommendations contained in the memo which is Exhibit "D". The applicant shall also obtain a hydraulics permit from the Department of Fisheries and Game. These plans for the relocation of the stream shall be reviewed, modified if necessary to conform to City criteria, and approved by the Public Service Department and the Department of Community Development.

2. Prior to the issuance of a Certificate of Occupancy for the subject property, the applicant shall:

- a. Provide a bond for the maintenance of landscaping for a period of two years. The amount of this bond shall be determined by the Department of Community Development.
- b. Install a 5-foot wide concrete sidewalk along the length of the eastern property line.
- c. Install all materials described in the approved landscaping plan. No performance bonds for construction or materials will be accepted except in unusual circumstances.

II. MAJOR STATEMENTS OF FACT AND CONCLUSIONS:

A. HISTORICAL BACKGROUND: (Not applicable)

B. GOVERNMENTAL COORDINATION:

1. Statements of Fact.

- a. Fire Department. As shown on the proposed site plan, emergency access is adequate. Two on-site fire hydrants will be required. These fire hydrants should be located approximately 110 feet west of the eastern property line on each side of the building and approximately 65 feet from the building. The required fire flow for the building is 4,000 gallons per minute. The amount available at this time is unknown. A flow test is forthcoming. A type "B" fire alarm system is required unless the building is fully sprinklered. The two required fire hydrants shall be installed, operational, and charged before the framing stage of construction commences. Protective posts (two at each hydrant) approved by the Fire Department, shall be provided. Fire extinguishers shall be provided per NFPA Pamphlet No. 10.

- II. B. 1. b. Police Department. Emergency access is adequate. We would recommend eliminating one of the driveways on the south parking area.
- c. Building Department. This project will be in Fire Zone II. The setback on the west side should be 10 feet to eliminate protected openings and parapets. Three points of access to 120th N.E. may not be necessary.
- d. Parks Department. To coordinate with other developments in the area red maples should be provided along 120th Avenue N.E.
- e. Public Service Department. A construction drainage plan will be required. Sidewalk adjacent to the curb on 120th Avenue N.E. should be provided. There should be a maximum of two driveways to serve the entire site. The minimum distance between these driveways should be 100 feet.
- f. SEPA. A Declaration of Non-Significance was made by the Responsible Official on January 18, 1979.

2. Conclusions. The applicant should adhere to the recommendations of the various City Departments as given above.

C. CITIZEN INPUT: (None to date.)

D. EXISTING PHYSICAL CHARACTERISTICS:

1. Statements of Fact.

- a. Topography. The subject property slopes down from north to south at an average grade of approximately 10%. The northern portion of the subject property contains steeper slopes which average approximately 13%.
- b. Vegetation. Vegetation on the subject property consists primarily of shrubs and small deciduous trees. The majority of the site is not covered by any significant vegetation.
- c. Hydrology. A stream currently runs from east to west across the subject property. This stream is open for its entire length on the subject property. This stream drains the area-wide retention ponds located approximately 300 feet to the east of the subject property.

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II. D. 2. Conclusions. (See below.)

E. PUBLIC UTILITIES:

1. Statements of Fact.

- a. Sanitary Sewer/Domestic Water. Sanitary sewer is provided by N.E. Lake Washington Sewer District. Domestic water would be provided by 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 area as is the property immediately to the north and properties immediately to the east. To the west of the subject property is a large parcel of property zoned RM 1800. To the south of the subject property are properties zoned Professional Residential. To the southeast of the subject property is a large parcel of property zoned Planned Area 12.

- b. Land Use. The subject property is currently vacant as are properties to the north and east of the subject property. Multi-family residences exist to the west of the subject property. To the south of the subject property are a variety of office structures. To the southeast of the subject property is Evergreen Hospital.

2. Conclusions.

The applicant's proposal is generally consistent with the zoning and land use in the area.

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

1. Statements of Fact.

- a. The Land Use Policies Plan designates the subject property as appropriate for offices and multi-family residences.

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- II. G. 1. b. The following extracts from the Land Use Policies Plan are applicable to this proposal:

"Goal 2. To recognize the amenity and utilitarian functions provided by natural elements and to incorporate these functions into developments." (Natural Elements, Page 25)

"Regulate the location of structures near watercourses and smaller wetlands in order to reduce the impact of flooding and allow for natural drainage...." (Policy 1c, Natural Elements, Page 33)

"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)

"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 ground-cover removed during construction." (Natural Elements, Page 39)

2. Conclusions.

- a. Except as noted in this report, the applicant's proposal is consistent with the Land Use Policies Plan.
- b. The applicant should modify the site plan to reduce the contiguous extent of paved parking areas. To this end, no more than eight stalls should be in a row without an intervening 8 foot by 16 foot landscaped island. This requirement is consistent with what is now required in multi-family developments.
- c. At the time of application for a Building Permit, the applicant should submit plans showing construction practices which will minimize sedimentation and erosion. In particular, sedimentation and erosion should be minimized in the existing and to be constructed streams on the subject property.
- d. To provide for the maintenance of all landscaping on the subject property for a period of two years the applicant should submit a bond in the amount of \$750. This bond should be submitted prior to the issuance of a Certificate of Occupancy.
- e. At the time of Building Permit application the applicant should provide plans for the relocation of the existing stream. These plans should be reviewed, modified if necessary to meet City criteria, and approved by the Public Service Department and the Department of Community

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II. G. 2. e. (Cont'd)

Development. These plans should conform to the recommendations contained in the memo which is Exhibit "D". In addition, the location of the stream should be as shown in Exhibit "E". A hydrology permit from the Department of Fisheries and Game for all stream work will be required prior to Building Permit approval.

III. APPENDICES:

Exhibits "A" through "E" are attached.