

RESOLUTION NO. R- 2596

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF AN INTENT TO REZONE FROM RESIDENTIAL SINGLE FAMILY (RS 35,000) TO PROFESSIONAL OFFICE (PO) AS APPLIED FOR IN DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. R-78-93(P), BY BRUCE NEU AND PAUL LUND TO CONSTRUCT AN 11,400 SQUARE FOOT MEDICAL OFFICE BUILDING AND 60 ASSOCIATED PARKING STALLS (EVERGREEN PARK NORTHWEST) IN THE SOUTHEAST QUADRANT OF THE N.E. 132ND STREET - 120TH AVENUE N.E. INTERSECTION, 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 Evergreen Professional Estates, a Washington Limited Partnership, the owner of said property described in said application and located within an RS 35 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-78-93(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 35,000 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,

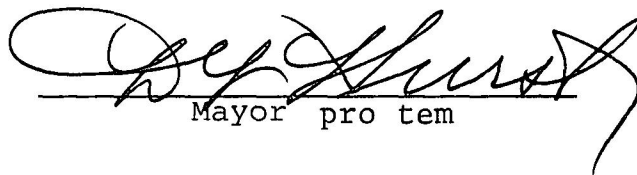
Section 5. Failure on the part of the holder of the Intent to Rezone Permit to initially meet or maintain strict compliance with the standards and conditions to which the Intent to Rezone Permit is subject shall be grounds for revocation in accordance with Ordinance No. 2183, the Kirkland Zoning Ordinance.

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) 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 _____

xxx PLANNING COMMISSION Kay Haenggi
Kay Haenggi, Chairperson

CITY COUNCIL AS INCORPORATED IN _____

RESOLUTION _____ ORDINANCE _____

NUMBER _____

DATE _____

FILE NUMBER R-78-93(P)

APPLICANT Bruce Neu and Paul Lund et al

PROPERTY LOCATION SW corner 120th Ave. N.E. and N.E. 132nd St.

SUBJECT INTENT TO REZONE from RS 35 to Professional Office
in "Evergreen Professional Estates" for "Evergreen Park North-
west".

HEARING/MEETING DATE March 5, 1979

BEFORE KIRKLAND CITY COUNCIL

EXHIBITS ATTACHED "A" Application "B" Environmental Information

"C" Vicinity Map "D" Proposal (Large folded map)

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 this application is a proposal for an 11,400 square foot medical office building and 60 associated parking stalls. The parking area would access at two points from 120th Avenue N.E.
2. The subject property is located in the southeast quadrant of the N.E. 132nd Street-120th Avenue N.E. intersection.

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 which runs along the southern property line.
2. Along with the submittal of any application for a Building Permit, the applicant shall:
 - a. Submit plans for construction practices indicating the means by which erosion and sedimentation will be controlled. Erosion and sedimentation in the stream on the southern portion of the subject property shall be minimized, and
 - b. Shall modify the landscaping plan to indicate red maples 30 feet on center along the length of the western property line. These trees shall not be placed within 40 feet of the northwest property corner. These trees shall be at least two inches in caliper at time of planting, and
 - c. Shall modify the parking plan such that no more than 8 stalls are in a row without a landscaped island. This landscaped island shall be at least 8 feet by 16 feet in dimension. Also, the southerly driveway shall be shifted north so that it aligns directly opposite from the northerly driveway indicated on the property to the west of 120th Avenue N.E.
3. Prior to the issuance of any Certificate of Occupancy for the subject property the applicant shall:
 - a. Provide a 5 foot wide concrete sidewalk where the subject property abuts 120th Ave. N.E.; and

2/15/79

2/8/79 bk

R-2596

- I. B. 3. b. Provide a bond for the maintenance of landscaping for 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 as shown on the drawing appears to be adequate for Fire Department emergency apparatus. Existing fire hydrants as shown on drawing appear to be adequate. We are unable to determine the adequacy of fire flow until more detailed drawings of the building are submitted to the Fire Department. A Type B fire alarm system shall be provided per City of Kirkland Operating Policy No. 8.
- b. Police Department. Emergency access is adequate as shown.
- c. Building Department. This project is located in Fire Zone II. The building must be designed to be accessible by the physically handicapped.
- d. Parks Department. Red maples should be provided rather than London Plane trees along the western property line as London Plane trees can present serious problems to nearby public improvements. In addition, sidewalks should be provided along 120th Avenue N.E.
- e. Public Service Department. A construction drainage plan is required. In addition, a storm water retention plan will be required. A sidewalk should be provided adjacent to the curb on 120th Ave. N.E.
- 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 recommendations of the various Departments as stated above.

C. CITIZEN INPUT: (None to date)

D. EXISTING PHYSICAL CHARACTERISTICS:

1. Statements of Fact.

- I. D. 1. a. Topography. The subject property slopes up slightly from south to north.
- b. Vegetation. Vegetation on the subject property consists primarily of small deciduous shrubs and trees.
- c. Hydrology. Area-wide storm water retention ponds exist on the eastern portion of the subject property. The stream which drains these retention ponds runs along the southern property line.
2. Conclusions. (See below)

E. PUBLIC UTILITIES:

1. Statements of Fact.
- a. Sanitary Sewer/Domestic Water. Sanitary sewer would be provided by the 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 currently zoned Residential Single Family 35,000 square feet minimum lot size as are properties to the west, south and east of the subject property.
- b. Land Use. The subject property is currently vacant as are properties to the west, south and east of the subject property. Properties further to the west, southwest and east of the subject property contain multi-family and office structures. Evergreen Hospital is further to the southeast. Properties to the north of the subject property across N.E. 132nd Street for the most part contain single family dwellings.
2. Conclusions.
- This proposal would be consistent with the zoning and land use in the area.

2/15/79
2/8/79 bk

R-2596

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

1. Statements of Fact.

- a. The Land Use Policies Plan designates the subject property for offices.
- b. The following extracts from the Land Use Policies Plan are applicable to this application:
 - (1) "Goal 2. To recognize the amenity and utilitarian functions provided by natural elements, and to incorporate these functions into developments." (Natural Elements, Page 25)
 - (2) "Regulate the location of structures near water-courses and smaller wetlands in order to reduce the impact of flooding and allow for natural drainage....". (Natural Elements, Policy 1c, Page 33).
 - (3) "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).
 - (4) "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).

2. Conclusions.

- a. No grading or construction should occur within 10 feet of the thread of the stream running along the southern property line.
- b. The applicant should provide a bond for the maintenance of landscaping for two years. This bond should be in the amount of \$750.
- c. To reduce the amount of contiguous paved surface the applicant should modify the site plans such that no more than 8 stalls are in a row without a landscaped island. These landscaped island should be at least 8 feet by 16 feet in dimension. This requirement would be consistent with what is now required in multi-family zones and would also be consistent with Goal 2 of the Natural Elements Section of the Land Use Policies Plan as stated above.

II. G. 2. d. This proposal is consistent with the Land Use Policies Plan.

III. APPENDICES:

Exhibits "A" through "D" are attached.

2/15/79

2/8/79 bk

R-2596