

RESOLUTION NO. R- 2610

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF A CONDITIONAL USE PERMIT AS APPLIED FOR IN DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. CUP-79-4(P), BY FIRST BAPTIST CHURCH TO CONSTRUCT A GYMNASIUM AND FELLOWSHIP HALL WITH SUPPORT FACILITIES INCLUDING RESTROOMS, LOCKERS AND A KITCHEN AT 7TH AVENUE AND FIRST STREET, BEING WITHIN A RESIDENTIAL SINGLE FAMILY 7200 ZONE, AND SETTING FORTH CONDITIONS TO WHICH SUCH CONDITIONAL USE PERMIT SHALL BE SUBJECT.

WHEREAS, the Department of Community Development has received an application for a Conditional Use Permit filed by First Baptist Church, the owner of said property described in said application and located within a Residential Single Family 7,200 zone.

WHEREAS, the application has been submitted to the Kirkland Planning Commission who held public hearing thereon at their regular meeting of March 22, 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 Conditional 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. CUP-79-4(P) are adopted by the Kirkland City Council as though fully set forth herein.

Section 2. The Conditional Use Permit shall be issued to the applicant subject to the conditions set forth in the 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 Conditional 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 Conditional Use Permit to initially meet or maintain strict compliance with the standards and conditions to which the Conditional Use Permit is subject, including maintenance of landscaping improvements, shall be grounds for revocation in accordance with Section 23.56.110 of 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

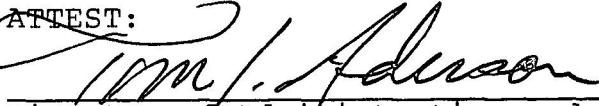
ADOPTED in regular meeting of the City Council on the 2nd day of April, 1979.

SIGNED IN AUTHENTICATION THEREOF on the 2nd day of April, 1979.



Mayor

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 March 22, 1979
____ ADOPTED BY _____ DATE _____

____ STAFF _____

____ BOARD OF ADJUSTMENT _____

____ HOUGHTON COMMUNITY COUNCIL _____

XX PLANNING COMMISSION Kay Haenggi
____ CITY COUNCIL AS INCORPORATED IN Kay Haenggi, Chairperson

____ RESOLUTION _____ ORDINANCE
NUMBER _____
DATE _____

FILE NUMBER CUP-79-4(P)

APPLICANT First Baptist Church

PROPERTY LOCATION 1st St. and 7th Ave.

SUBJECT Conditional Use Permit to allow construction of a gymnasium addition to an existing church including 50 parking stalls on 2 parcels.

HEARING/MEETING DATE April 2, 1979

BEFORE KIRKLAND CITY COUNCIL

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

I. SUMMARY

A. DESCRIPTION OF PROPOSED ACTION:

This application is a request by First Baptist Church of Kirkland for a Conditional Use Permit to construct a gymnasium and fellowship hall with support facilities including restrooms, lockers and a Kitchen. The new construction would be an addition to the existing Church complex. The proposed addition would be approximately 5,514 square feet.

The proposed addition would eliminate a parking area which is not striped but accomodates 18 cars. The applicants propose 18 new parking stalls in the southwest quadrant of 7th Avenue and First Street. In addition, the existing parking on the southeast quadrant of 7th Avenue and First Street would be improved with striping and some landscaping.

The proposed addition would have a front yard setback along First Street of 5.3 feet. A Variance from the normal 20 foot setback requirement was granted by the Board of Adjustment.

B. RECOMMENDATIONS:

Based upon the following Statements of Fact , Conclusions, and Exhibits "A" through "D" we hereby recommend approval of this application for a Conditional Use Permit subject to the following conditions:

1. The access points on 7th Avenue be eliminated.
2. The landscape plan be amended to provide an effective screen of the parking lot with plant materials designed to create a residential character. This plan shall be approved by the Department of Community Development and shall include:
 - a. A 3 foot high berm along the east side of First Street. This berm is to be properly retained and planted with site screening shrub material, ground cover, and street trees 30 feet on center. The berm should taper off towards the intersection of 7th Avenue and First Street to provide for adequate sight distance. The "sight triangle" at the intersection of 7th Avenue and First Street should be planted with landscape materials of a residential character which will not exceed 3 feet in height. The parking must be screened using a site screening shrub material interspersed with either evergreen or deciduous trees.

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- I. B. 2. b. The landscaping plan must be designed so that the buses parked in the southeast lot are adequately screened from neighboring residences and 1st Street.
 - c. Adequate, residential scale lighting shall be required with the landscaping plan.
 - d. Street trees shall be planted thirty feet on center except within forty feet of the intersection.
 - e. Landscaping must be fully installed prior to the issuance of a Certificate of Occupancy.
3. The west parking lot should be reconfigured with compact stalls on the western edge to allow for a landscaping strip. In the eastern parking area, a planting strip should be added along the eastern edge. These revisions must be approved by the Planning Department.
 4. Hours of use should not overlap between the existing church use and the new proposed addition.
 5. Pedestrian crossings shall be indicated with white paint striping at the intersection of 1st Street and 7th Avenue. The striping should connect the southern and western corners of the intersection.
 6. The church should discourage on-street parking by its members.

II. MAJOR STATEMENTS OF FACT AND CONCLUSIONS:

A. HISTORICAL BACKGROUND:

1. Statements of Fact.

First Baptist originally applied for a Variance for a larger addition. On January 5, 1978, their application for Variance from setback and lot coverage requirements was denied. After revising their plans for the proposed addition, First Baptist applied for and received a Variance for a 5.3 foot frontyard setback from First Street. The Variance was approved on November 2, 1978. The Board of Adjustment found that a 5.3 foot setback from First Street was adequate and appropriate.

B. GOVERNMENTAL COORDINATION:

1. Statements of Fact.

- a. Police Department. Emergency access appears adequate as shown. Lighting should be required in the parking areas.
- b. Park Department. The landscape plan is inadequate.
- c. Building Department. The addition should be designed for Fire Zone II.
- d. Fire Department. The access facilities as shown on the blue print are adequate for emergency vehicles. There are existing 4" fire hydrants at the intersection of First Street and 7th Avenue, and the hydrant at the intersection of First Street and 8th Avenue shall be replaced with approved 5" fire hydrants. Fire flow will be determined when detailed plans of the building have been submitted. A fire alarm system may be required, but this cannot be determined until more detailed plans are submitted to the Fire Department.
- e. Public Service. Construction drainage plans must be approved by the Public Service Department prior to any work, and storm water retention plan must be approved prior to asphaltting.

2. Conclusions.

The landscaping plan must be redesigned to promote a residential character and an effective screen of the parking areas.

The applicant will be required to meet all Fire Department regulations. The hydrant at the intersection of First Street and 8th Avenue must be replaced with approved 5" hydrants.

C. EXISTING PHYSICAL CHARACTERISTICS:

1. Statements of Fact.

- a. Topography. First Street slopes down slightly from north to south. Seventh Avenue and 8th Avenue slope down rather steeply from east to west.
- b. Vegetation. The existing vegetation is shown on Exhibit "D".

2. Conclusions.

First Street provides safer access to the parking areas than 7th Avenue.

D. PUBLIC UTILITIES:

1. Statements of Fact.

First Street, 8th Avenue and 7th Avenue are fully improved rights-of-way. Seventh Avenue is an 80' right-of-way, First Street is a 70' right-of-way, and 8th Avenue is a 60' right-of-way. Two "Yield" signs have been installed at the 8th Avenue/First Street intersection. The "Yield" sign faces along 8th Avenue.

2. Conclusions:

The rights-of-way are improved and adequate to handle the proposed addition.

E. NEIGHBORHOOD CHARACTERISTICS:

1. Statements of Fact.

- a. Zoning. The subject property is zoned Residential Single Family 7200 square feet as are

properties to the north, east and south. The property to the west, along Market Street, is zoned Community Business.

- b. Land Use. The subject property currently contains a Church on the south and a parking lot on the north. Properties to the north, east, and south contains single family residences. To the west of the subject property, along Market Street, there exists several businesses.

2. Conclusions.

See Local Zoning and/or Land Use Policies section below.

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

1. Statements of Fact.

- a. Zoning. Section 23.08.030 of the Kirkland Zoning Ordinance reads in part as follows:

"Conditional Uses: The following uses require a Conditional Use Permit from the City Council as provided in Chapter 23.56 of the Ordinance...

(3) Churches, provided the following conditions are conformed to:

- a. The height limits shall apply, except as provided in Chapter 23.48. Reference Chapter 23.04 (Building Height).
- b. Yards and setbacks shall be no less than the front yard setback requirements of the underlying zone classification.
- c. Off street parking areas shall conform to the screening requirements of Section 23.40.040.
- d. All light provided to illuminate any parking area or building shall be so arranged as to direct light away from any adjoining premises.

Section 23.40.060 gives minimum landscape requirements for parking:

"A strip at least four feet wide, densely planted with shrubs or trees at least four feet high at the time of planting, and which are of a type which may be expected to form a year-round dense screen within three years, measured with reference to the elevation of the parking or loading area."

- b. The following extracts from the Living Environment

Policy discussion section of the Land Use Policies Plan are relevant to this application. "The scope, scale and design of all uses and structures in a residential area should be compatible with the existing residential character in the area."
(Page 58)

"Residential and non-residential uses should be appropriately landscaped to retain the residential appearance of the neighborhood." (Page 58)

2. Conclusions:

The Zoning Ordinance recognizes that churches are appropriate uses in single family areas if they meet certain criteria.

The Land Use Policies Plan also recognizes that churches can be appropriate in a residential area, so long as the scope, scale, design, and landscaping are compatible and retain the residential appearance of the neighborhood.

The Church use is pre-existing, and the addition would be utilized during times when Church is not in session. In this way, a new recreational facility could be provided without aggravating the existing parking situation.

The existing parking facilities for the Church are now un-striped and without substantial landscaping. Through the Conditional Use Permit, the parking could be upgraded. This action would produce only a small new amount of impervious surface, adding only the asphalt parking near the existing Church annex.

For the above reasons, we find that this Conditional Use Permit would be generally consistent with the zoning and plans for this area with an improved landscaping plan and fewer access points.