

RESOLUTION NO. R- 2619

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF AN INTENT TO REZONE PERMIT FROM RESIDENTIAL SINGLE FAMILY 7,200 TO PROFESSIONAL RESIDENTIAL AS APPLIED FOR IN DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. R-79-25(P) BY HJC REAL ESTATE TO PERMIT THE USE OF AN EXISTING STRUCTURE AS A PROFESSIONAL OFFICE 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 HJC Real Estate, the owner of said property described in said application, and located within an RS 7.2 zone.

WHEREAS, the application has been submitted to the Kirkland Planning Commission who held public hearing thereon at their regular meeting of April 19, 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 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-79-25(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 7.2 to PR 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 requests 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 Section 23.62.120 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

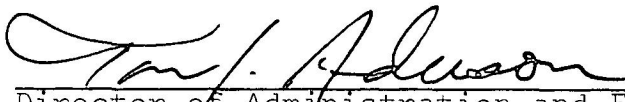
ADOPTED in regular meeting of the City Council on the 7th day of May, 1979.

SIGNED IN AUTHENTICATION THEREOF on the 7th day of May, 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 _____
XXXX RECOMMENDED BY _____ DATE April 19, 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-79-25(P)

APPLICANT HJC PROPERTIES

PROPERTY LOCATION 801 Market Street

SUBJECT Application for Intent to Rezone from
RS 7200 to PR

HEARING/MEETING DATE May 7, 1979

BEFORE KIRKLAND CITY COUNCIL

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

SUMMARY

A. DESCRIPTION OF THE PROPOSED ACTION:

1. This is an application for Intent to Rezone submitted by Harry Cummings for HJC Properties. The proposed zone change is from RS 7200 to Professional Residential (PR).

A 660 square foot house now stands on the site, and is proposed for office use. The address is 801 Market Street.

B. RECOMMENDATIONS:

Based on the Statements of Fact, Conclusions and Exhibits "A" through "D" included in this report, we hereby recommend approval of this application for Intent to Rezone, subject to the following Conditions:

1. A Certificate of Occupancy shall be required prior to occupancy of the building as an office.
2. A solid fence shall be provided along the north property line as far east as necessary to screen parking stall "2".
3. No backlit illuminated signs shall be permitted. Maximum sign area shall be 25 square feet and no ground mounted sign shall exceed 5 feet above grade.
4. The driveway into the garage shall be paved with asphalt surfacing.

II. MAJOR STATEMENTS OF FACT AND CONCLUSIONS:

A. HISTORICAL BACKGROUND: (Not relevant)

B. GOVERNMENTAL COORDINATION:

1. Statements of Fact.

- a. Kirkland Police Department. Access is adequate. No public safety concerns with this Rezone.
- b. Building Department. Will be considered Fire Zone II. Certificate of Occupancy required prior to occupancy of the building.
- c. Fire Department. Present emergency access is adequate. Existing fire hydrants and present fire flow are adequate.
- d. Parks Department. Drive into garage should be paved, and fence on 8th should be removed.
- e. Public Service Department. No additional improvements required providing no exterior structural changes occur.

II. B. 2. Conclusions.

Police, Fire and Public Service Departments will not require any additional improvements with this Intent to Rezone. A Certificate of Occupancy will be required prior to occupancy as an office, and the driveway should be paved. The picket fence does not appear to be an issue with this application.

C. EXISTING PHYSICAL CHARACTERISTICS:

1. Statements of Fact.

- a. Topography. The site slopes gently towards the southwest.
- b. Soils. The soils classification is Alderwood Gravelly Sandy Loam.
- c. Vegetation. The site is landscaped as a single family residence.

2. Conclusions.

The applicant does not propose any physical changes to the site or its topography, vegetation, or structures.

D. PUBLIC UTILITIES:

1. Statements of Fact.

- a. Streets. The site fronts on Market Street and 8th Avenue, both fully improved public rights-of-way.
- b. Water and sewer are available in both 8th Ave. West and Market Street.

2. Conclusions.

Public utilities are adequate.

E. NEIGHBORHOOD CHARACTERISTICS:

1. Statements of Fact.

- a. Zoning. The subject property is presently zoned RS 7200, as are properties to the west. Properties to the north and south along Market are zoned for professional offices, commercial business, multi-family residences at a density of 3600 square feet per unit, and some retain the zoning of Single Family 7200 square feet per lot.

- b. Land Use. A 40-year old house stands on the subject property. Many older homes lie to the west of the subject property. A mixture of offices, multi-family residences, and businesses are along Market Street, including a car dealer to the south.

II. E. 2. Conclusions.

Office use of an existing single family home would fit in very well with the existing land use and zoning. The use would conform to the Land Use Policies Plan, and would be similar to other uses on Market Street. The appearance of the use would be of the same character as the single family uses to the west. Recycling of residences along Market for Commercial use is consistent with the policies in the Plan and an emerging trend of development along Market Street.

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

1. Statements of Fact.

- a. Zoning. Section 23.34.020 requires one parking space per 300 square feet of gross floor area of the office structure.

Section 23.40.040 requires that off-street parking areas in a PR zone shall be screened by either a fence or a 4 foot landscaping strip.

- b. Land Use Policies Plan.

Pages 317, 318 & 319 (Economic Activities Section):

" Along Market Street there are various commercial developments in addition to many residential uses. The primary Policies in this Plan prescribe a clustering of commercial uses (see Economic Activities Policy 1). In this respect, existing commercial uses are to be contained within their present locations. No new service stations will be permitted along Market Street.

Offices of a residential scale as well as medium density residential uses are a desirable form of development along Market Street. High land costs along Market Street may make quality single family development uneconomic to developers. It is a desirable area for offices due to high visibility with easy access. However, in order to minimize adverse impacts on the surrounding single family area, development should be subject to certain performance standards:

- (1) Development should not extend beyond 19th Avenue at the northern end of Market Street.

II. F. 1. b. (LUPP Quotation, Cont'd)

- (2) Due to the unique pattern of intersecting streets, the western boundary of office use along Market Street is to be established so as to prevent further intrusion into the single family area. Office development must be oriented toward Market Street and must not significantly affect residential areas to the west. The western portion of the development must be an integral part of the office use fronting on Market Street.

Development on the west side of Market Street should be evaluated on its own merits with regard to adjacency to Market Street; the unique merits of the proposed development (for example: the relationship to its surroundings; recycling of existing structures); and the standards discussed above and below:

- (3) The eastern boundary of the professional office use is limited to the middle of the block (between Market Street and 1st Street), where the topography generally separates offices from nearby residential developments.
- (4) All new office development in the Market Street corridor must also meet the following standards:
- (a) Structures adjacent to single family areas may not exceed a height normally associated with single family houses. The height of structures should be kept as low as possible as measured from Market Street to prevent significant view obstructions.
 - (b) Development along Market Street should not significantly alter the exterior

II. F. 1. b. (LUPP Quotation, Cont'd)

appearance of historic buildings. Restoration of such buildings is encouraged.

- (c) Signing and lighting are to be controlled to be compatible with surrounding scale.
- (d) Primary vehicular access must be directly to and from Market Street or side streets.
- (e) Office development is required to provide large, densely landscaped setbacks as a visual buffer between residential and non-residential uses. Parking would not be allowed in this setback area.
- (f) The dedication of development rights to the City in the required buffer strip around the development facing the low density residential areas."

2. Conclusions.

Since the structure is being retained, it will visually blend with the single family residences to the west. The land directly to the north is a non-residential use. The only policy of the Land Use Policies Plan that should be particularly noted is that "signing and lighting are to be controlled to be compatible with surrounding scale."

In order to comply with zoning regulations, a fence should screen parking stall 2 from the property to the north.

To be consistent with neighborhood scale and character, signing for this structure should be limited to wall mounted or ground mounted signs. Signs should not be a direct source of light (backlit) and should not exceed 25 square feet. If ground mounted, the sign should not exceed 5 feet above grade.

III. APPENDICES:

Exhibits "A" through "D" are attached as a part of this report.

4/19/79

4/10/79 bk R-2619