

RESOLUTION NO. R-2622

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF AN INTENT TO REZONE PERMIT AS APPLIED FOR IN DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. R-79-6(P) BY ED HECHT, COASTATE CONSTRUCTION COMPANY, TO REZONE 43,000 SQUARE FEET OF PROPERTY FROM RS 35,000 TO RM 3600 FOR CONSTRUCTION OF 12 RESIDENTIAL MULTI-FAMILY UNITS, 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 Ed Hecht, the owner of said property described in said application and located within a Residential Single Family 35,000 zone, and

WHEREAS, the application has been submitted to the Kirkland Planning Commission who held public hearings thereon at their regular meetings of March 22, 1979 and May 17, 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 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-79-6(P) are adopted by the Kirkland City Council as though fully set forth herein together with the following:

"The applicant will be required to pay \$10.00 per lineal foot ~~as~~ his fair share of the improvements along N.E. 132nd Street."

Section 2. The City Council approves in principal, the request for reclassification from RS 35,000 to RM 3,600 and pursuant to Chapter 23.62 of Ordinance 2183, the Council shall be 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.

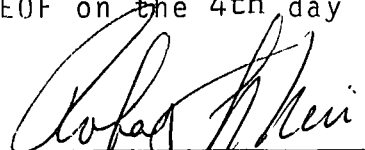
Section 5. Failure on the part of the holder of the Intent to Rezone Permit to initially meet or maintain strict compliance with the standards and conditions to which the Intent to Rezone Permit is subject shall be grounds for revocation in accordance with Section 23.62.120, the Kirkland Zoning Ordinance.

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 4th day of June, 1979.

SIGNED IN AUTHENTICATION THEREOF on the 4th day of June, 1979.

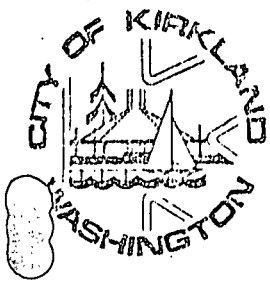


Mayor

ATTEST:



Director of Administration and Finance
(ex officio City Clerk)



DEPARTMENT OF COMMUNITY DEVELOPMENT

ADVISORY REPORT
FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

PREPARED BY _____ DATE _____
XXX RECOMMENDED BY _____ DATE May 17, 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-79-6 (P)

APPLICANT ED HECHT

PROPERTY LOCATION 12611 N.E. 132nd Street

INTENT TO REZONE of one-acre parcel from RS 35,000 to RM 3600. Included
SUBJECT as part of the application is a proposal to develop 12 multi-family units.

HEARING/MEETING DATE June 4, 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 is an application submitted by Ed Hecht for Intent to Rezone of 43000 square feet of property from single family 35000 to multi-family 3600. He proposes the construction of 12 residential units and the associated parking and landscaping of the site. The comprehensive plan indicates this area for multi-family use at a density of 10-14 dwelling units per acre.

The subject property is located at 12611 NE 132nd Street.

B. RECOMMENDATIONS:

Based upon the Statements of Fact, Conclusions, and Exhibits "A" through "D" included with this report, we hereby recommend approval of this proposed Intent to Rezone subject to the following conditions:

1. Prior to the issuance of the Building Permit, appropriate funds should be deposited in the "Fee-in-lieu of Open Space Account" as specified in Section 23.10.110(5) of the Kirkland Zoning Ordinance.
2. Adequate measures be taken to preserve the existing 24" diameter pine. Eight of the surrounding parking stalls may be compact stalls, 8' x 16', to insure adequate space around the drip line of the existing tree. During construction of the parking lot, the tree shall be physically staked and roped off.
3. The walkway in front of Building 1 should be extended north to 132nd Street.
4. Screening should be provided as per Section 23.40.060 along the western edge of the driveway.
5. All landscaping shall be installed by applicant and inspected and approved by the Department of Community Development prior to issuance of any Certificates of Occupancy.
6. The staff shall discuss with owner the concept of leaving a pedestrian access at the south end of the property.

II. MAJOR STATEMENTS OF FACT AND CONCLUSIONS:

A. HISTORICAL BACKGROUND; (Not applicable)

B. GOVERNMENTAL COORDINATION:

1. Statements of Fact,

- a. Building Department. Once rezoned the property will become Fire Zone II.
- b. Police Department. No public safety concerns with the rezone of this property.

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- c. Fire Department. The 24 foot wide driveway is adequate for emergency vehicles. A fire hydrant shall be provided, with the location to be on the island between Buildings 2 and 3. A minimum fire flow of 2500 gallons per minute shall be provided for fire fighting purposes. Smoke detectors are required per the 1976 edition of the Uniform Building Code. Fire extinguishers will be required, with one extinguisher per building with a minimum rating of 2A10B.C. They shall be located on the ground floor and it is recommended that fire extinguishers be placed in break-glass cabinets to prevent theft.
- d. Park Department. Sidewalks all along front of building. Austrian and Japanese Black Pine should be used instead of Douglas Fir. Deciduous trees should be planted 30 foot on center on the south and east side of the property.
- e. Public Service. Roof drains must be connected to the storm drain system. Yard drainage must not go over sidewalk. Construction drainage plan must be approved by the Public Service Department prior to any work. Storm water retention plan must be approved by the Public Service Department prior to framing inspection.

2. Conclusions:

The applicant will be required to conform to the standards of the Uniform Building Code, and of the Fire Department. The sidewalk should be extended to NE 132nd Street.

C. EXISTING PHYSICAL CHARACTERISTICS:

1. Statements of Fact.

- a. Topography. The subject property is quite level, dropping only five feet in elevation over its 330 foot depth.
- b. Soils. The soils map indicates that this area is Ragnar fine sandy loam which is a well drained soil by glacial outwash.
- c. Vegetation. Several trees now stand on the site, the noticable specimen tree being a 24" diameter pine in the northwest portion of the site.

2. Conclusions:

The existing physical characteristics do not constrain the development of this property. However, efforts should be made to preserve the existing pine tree. 5/17/79

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D. PUBLIC UTILITIES:

1. Statements of Fact.

- a. Streets. This property accesses from NE 132nd Street, a fully developed right-of-way.
- b. Sewer. This area is sewered by NE Lake Washington Sewer District.
- c. Water. The domestic water is provided by Water District No. 79.
- d. Storm Drainage. Very little of the site is presently covered with an impervious surface.

2. Conclusions:

Sewer and water must be arranged with the proper agencies. Storm water retention and construction drainage plans must be approved by the Public Service Department.

E. NEIGHBORHOOD CHARACTERISTICS:

1. Statements of Facts.

- a. Zoning. The subject property is presently zoned for Residential Single family use with a density of 35000 square feet per lot. This application requests a rezone to the density designated in the Comprehensive Plan, Multi-family 3600. Land to the south, east, and west is a Plan Unit Development with a designated density of 1800 square feet per unit. Land north of NE 132nd is within unincorporated King County. It is zoned for Single Family use.
- b. Land Use. The Planned Unit Development on three sides of the subject property is presently developed with multi-family dwellings. The land north of the subject property is a mix of single family residences and vacant property.

2. Conclusions:

The subject property is surrounded on three sides by multi-family dwellings at a higher density than RM 3600. The proposed rezone would be consistent with the existing land use.

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

1. Statements of Fact.

- a. Zoning. With this proposed rezone, the applicant will be required to meet all applicable sections of

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the Zoning Ordinance. The applicant should note Section 23.10.110 of the Zoning Ordinance, which requires the deposit of an appropriate sum in the "Fee-in-lieu of Open Space Account" of the Park and Municipal Facilities Cumulative Reserve Fund.

- b. Land Use Policies Plan. Any development requiring a zone reclassification pursuant to the designated land uses illustrated in Figure 39 will be subject to the following standards (see Living Environment Policy 2).
- (1) A development proposal shall demonstrate that adequate setbacks and other design standards are included to insure that visual and acoustic characteristics of structures, uses and activities adjacent to low density residential development do not exceed standards normally associated with such residential development. Design standards which shall be considered include building heights; dwelling unit densities; intensity of vehicular traffic; noise levels; ratio of impervious surfaces to natural or landscaped spaces; lighting; signing; and other elements to minimize adverse impacts on the surrounding area.
 - (2) Appropriate setbacks and vehicular, bicycle or pedestrian access shall be incorporated into the development plan in order to insure the effective separation and transition of more intensive land use activities from adjacent low density residential uses.
 - (3) Existing trees, vegetation and topographic characteristics shall be effectively used in the site planning process in order to achieve a compatible relationship between single family uses and more intensive land uses.
 - (4) Special development procedures may be required, especially if proposed developments are adjacent to single family areas or to maintain natural features.

2. Conclusions:

This application appears to be generally consistent with the Zoning Ordinance and the Comprehensive Plan.

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