

RESOLUTION NO. R- 2661

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-79-64(P) BY DAN BAGGENSTOS, TO REZONE TWO LOTS FROM RS 7200 TO RM 3600 FOR A DUPLEX, BEING WITHIN A RESIDENTIAL SINGLE FAMILY 7,200 ZONE, 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 Dan Baggenstos, Baggenstos Homes, Inc., the owner of said property described in said application and located within a Residential Single Family 7,200 zone, and

WHEREAS, the application has been submitted to the Kirkland Planning Commission who held public hearing thereon at their special meeting of September 6, 1979, and

WHEREAS, pursuant to City of Kirkland Ordinance No. 2473 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-79-64(P) are adopted by the Kirkland City Council as though fully set forth herein.

Section 2. The Intent to Rezone Permit shall be issued to the applicant subject to the conditions set forth in the Recommendations hereinabove adopted by the City Council. The City Council approves in principal the request for reclassification from RS 7200 to RM 3600 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 resolution 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 as expressly set forth herein.

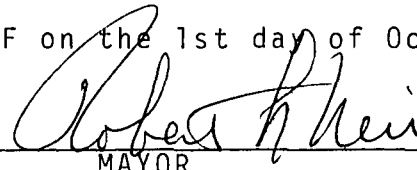
Section 5. Failure on the part of the holder of the Intent to Rezone Permit to initially meet or maintain strict compliance with the standards and conditions to which the Intent to Rezone Permit is subject shall be grounds for revocation in accordance with Section 23.62.070 of Ordinance No. 2183, the 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) Public Service Department of the City of Kirkland
- (e) The Office of the Director of Administration and Finance (ex officio City Clerk) for the City of Kirkland

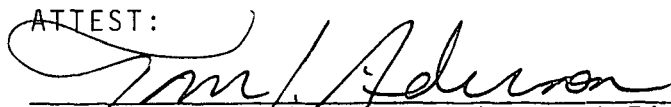
ADOPTED in regular meeting of the City Council on the 1st day of October, 1979.

SIGNED IN AUTHENTICATION THEREOF on the 1st day of October, 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 September 6, 1979

____ ADOPTED BY _____ DATE _____

____ STAFF _____

____ BOARD OF ADJUSTMENT _____

____ HOUGHTON COMMUNITY COUNCIL _____

XX PLANNING COMMISSION Kay Iaenggi
Kay Iaenggi, Chairwoman

____ CITY COUNCIL AS INCORPORATED IN _____

____ RESOLUTION _____ ORDINANCE

NUMBER _____

DATE _____

FILE NUMBER R-79-64 (P)

APPLICANT Dan Baggenstos

PROPERTY LOCATION 6th St. So. & 9th Ave. So. (southeast corner)

SUBJECT INTENT TO REZONE FROM RS 7200 to RM 3500

HEARING/MEETING DATE October 1, 1979

BEFORE KIRKLAND CITY COUNCIL

EXHIBITS ATTACHED "A" Application "B" Vicinity Map "C" Site Plan

"D" Existing Conditions "E" Landscaping "F" Environmental Info. "G" Bldg.
Elevations "H" Proposed Development

I. SUMMARY

A. DESCRIPTION OF THE PROPOSAL:

This is an application for Intent to Rezone from RS 7200 to RM 3600 for two lots located on the southeast corner of 6th Street South and 9th Avenue South. Lot A is 7,756 square feet and Lot B is 7,755 square feet. A duplex is proposed for each lot, with associated parking and landscaping.

B. RECOMMENDATIONS:

Based on the following Statements of Fact, Conclusions and Exhibits "A" through "I", we hereby recommend approval of this application for Intent to Rezone subject to the following conditions:

1. Prior to the issuance of a Building Permit or the recording of the subdivision on the property, whichever is first, the applicant shall submit plans for curb, gutter, a five foot wide concrete sidewalk, and plans for completion of the existing storm drainage system from its current ending, to the eastern edge of the property, all along the southern edge of 9th Avenue So.. In addition, the existing asphalt along 9th Avenue So. should be extended to the curb and gutter to provide a consistent surface. Plans for all these improvements shall be submitted by the applicant for review and approval by the Public Service Department.
2. Prior to issuance of a Building Permit, plans for permanent and interim storm drainage and erosion control must be approved by the Public Service Department. Interim erosion control facilities are to be maintained until all construction activities are complete.
3. Underground wiring shall be provided if determined feasible, at the expense of the subdivider or developer in accordance with the serving utility's current standards and specifications. Determination of feasibility shall be submitted to the Department of Community Development prior to the issuance of a Building Permit, by the Building Permit applicant and the utilities in question.
4. Prior to issuance of Grading Permits, the applicant shall shift the proposed buildings slightly to take greater advantage of the view (for example, sliding the southern building closer to 6th Street).
5. The landscaping plan should be re-designed to reflect a substantial reduction in the use of beauty bark on the site. No greater than a 4 foot wide strip of beauty bark, as part of the 4 foot wide site screening landscaping buffer shall be allowed around the parking area. Curbs, screeds, railroad ties, or similar barriers shall be placed along the edge of the parking area to keep beauty bark from entering the parking area, and possibly the storm drainage system. The proposed barrier shall be shown on

I. B. 5. (Cont'd)

the revised landscaping plan. The proposed azaleas on the north side of the southern building shall be planted along the northern edge of the southern building, in the beauty bark area shown on Exhibit "E". Additional screening materials, to reach a minimum height of six feet and to provide adequate site screening from the adjacent Puget Power substation to the south, will be required as shown on Exhibit "E". A revised landscaping plan containing all the above items shall be submitted for review and approval by the Department of Community Development prior to issuance of Building Permits on the subject property.

6. Prior to the issuance of Certificates of Occupancy the applicant shall:
 - a. Install the improvements required in Recommendation No. 1 to the satisfaction of the Department of Public Service.
 - b. Install the approved landscape materials to the satisfaction of the Department of Community Development.
7. Prior to issuance of a Certificate of Occupancy on the subject property, the applicant shall remove the existing curb cut on 6th St. So., to be replaced with curb, gutter, and if necessary, sidewalk, all to be approved by the Public Service Department.

II. MAJOR STATEMENTS OF FACT AND CONCLUSIONS:

A. HISTORICAL BACKGROUND:

1. Statements of Fact.

- a. On July 12, 1979 the Planning Commission approved the Southwest Everest Area Rezone which proposed a change in the zoning on this parcel from RS 8500 to RS 7200. The City Council approved the Rezone of the Southwest Everest Area from RS 8500 to RS 7200 on August 6, 1979.
- b. A Short Subdivision of this property into two lots was heard by the Development Review Committee on August 13, 1979. The outcome will be reported at the Planning Commission hearing.

2. Conclusions.

The present zone allows the subdivision of this property into parcels not less than 7200 square feet. This multi-family configuration could be built on the property with or without the subdivision. Utilities were required to be underground with the subdivision.

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II.

B. GOVERNMENTAL COORDINATION:

1. Statements of Fact.

- a. Public Service Department. Curbs, gutter and sidewalk will be required along 9th Avenue South.
- b. Building Department. Will change from Fire Zone III to Fire Zone II.
- c. Parks Department. Five foot concrete sidewalk on 9th Ave. So.
- d. Fire Department. The existing fire hydrant on the southwest corner of 6th St. So. and 9th Ave. So. meets the minimum fire hydrant requirements. Access is adequate.

2. Conclusions.

Curb, gutter and sidewalk on the frontage of 9th Ave. So. will be required with the Intent to Rezone application.

C. EXISTING PHYSICAL CHARACTERISTICS:

1. Statements of Fact.

- a. Topography. The lot slopes gently toward the west with less than an 8% slope.
- b. Soils. The soils on the subject property are indicated as Alderwood Gravelly Sandy Loam which is moderately well drained and has only slight erosion hazards.
- c. Vegetation. Substantial vegetation on the property includes two ash trees in front of the existing house, several older fruit trees, and a large madrona on the north property line.

2. Conclusions.

The age and condition of the existing substantial vegetation is such that special measures need not be taken to preserve the trees now existing on the site. Supplemental landscaping will be installed as per the landscaping plan. The use of beauty bark on the subject property should be reduced. Beauty bark should only be placed in those areas designated on Exhibit "E". The azaleas shown on the north side of the southern building should be planted along the building in the beauty bark area shown on Exhibit "E". Additional screening should be planted along the southern property line to screen the Puget Power substation to the south from the proposed duplexes. Since beauty bark may constitute a hazard to

II. C. 2. (Cont'd)

the storm drainage system, curbs, screeds, railroad ties, or similar barriers should be placed along the edge of the parking area to keep the beauty bark from entering the parking area and subsequently, the storm drainage system. A revised landscaping plan should be submitted to the Department of Community Development for review and approval, prior to issuance of Building Permit.

D. PUBLIC UTILITIES:

1. Statements of Fact.

- a. Sewer. Eight inch mains exist in 6th St. So. and 9th Ave. So.
- b. Water. Eight inch lines now exist in 6th St. So. and 9th Ave. So.
- c. Streets. 9th Ave. So. is a 60 foot right-of-way improved with asphalt surfacing. 6th St. So. is a secondary arterial improved with paving, curb, gutter and sidewalk. There is an existing curb cut approximately 20' north of the southern property line along 6th Street South.

2. Conclusions.

Sewer and water facilities are adequate. Curb, gutter, and a 5' concrete sidewalk should be provided along 9th Avenue South. Direct access to 6th St. So., a secondary arterial, should be limited. To alleviate potential traffic problems on 6th St. So., access should be to 9th Ave. So. The existing curb cut on 6th Street South should be replaced with curb, gutter, and if necessary, sidewalk, to be approved by Public Service. If a bond is submitted in lieu of this improvement, a barrier preventing vehicular access at this point should be installed prior to Certificate of Occupancy issuance.

E. NEIGHBORHOOD CHARACTERISTICS:

1. Statements of Fact.

- a. Zoning. The subject property is now zoned RS 7200 as are properties immediately to the east and properties to the northeast. Directly north the land is zoned for professional office or multi-family residential use. Across 6th St. So., the land is zoned for Light Industrial use. Community Business zoning lies to the southwest. To the southeast, the zoning is a mixture of Single Family, 7200 square foot zoning and of Multi-Family zoning with 3600 square feet per unit. A view of the lake is available to the northwest.

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II. E. NEIGHBORHOOD CHARACTERISTICS (Cont'd)

1. b. Land Use. An older single family house now stands on the property. Surrounding land uses reflect the zoning, with Light Industrial to the west, Community Business to the southwest, a mix of Single Family and Multi-Family to the southeast, a mix of Professional Office, Multi-Family and Single Family to the north. A Puget Power substation lies adjacent to the subject property to the south.
2. Conclusions.

Duplex scale structures would be compatible with the existing land use pattern and zoning of the area. Additional landscaping screening should be required along the southern property line as shown in Exhibit "E" to screen the Puget Power substation from the proposed duplexes. Prior to issuance of Grading Permits, the applicant should shift the proposed buildings slightly to take greater advantage of the view (for example, sliding the southern building closer to 6th Street).

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

1. Statements of Fact.

- a. Zoning. An RS 7200 zone requires a 7200 sq. ft. minimum, a minimum of 60 ft. of width and a minimum of 80 ft. of depth.
- b. Land Use Policies Plan. This property is indicated for Multi-Family development by the Comprehensive Plan. The applicable section of the Land Use Policies Plan reads as follows: "The southern portion of the Everest Area is impacted by the existence of a freeway interchange and by heavy traffic volumes along N.E. 68th St. The land south of 9th Ave. So. is primarily in some sort of residential use. There are both large and small multi-family complexes as well as older single family homes and some undeveloped land. Future multi-family development in this area could be considered at a maximum of 10-14 dwelling units per acre." (Page 285).

2. Conclusions.

The Land Use Policies Plan recommends this area for use as multi-family residential use at a density of 10-14 units per acre. The duplexes proposed for the subject property would bring the land use into line with the policy for the area.

G. CITIZEN INPUT

1. Statements of Fact. There was no input opposing the Rezone.
2. Conclusions. There was no input opposing the Rezone.

APPENDICES: Exhibits "A" through "I" are attached.

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