

RESOLUTION NO. R-2676

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING A DEVELOPMENT PROPOSAL SUBMITTED UNDER THE INTENT TO REZONE PROVISIONS OF CHAPTER 23.62 OF THE KIRKLAND ZONING ORDINANCE AS APPLIED FOR IN DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. R-79-83(P) BY REV. W. J. ANTISDALE TO CONSTRUCT AN OFFICE BUILDING AND SETTING FORTH CONDITIONS TO WHICH SUCH DEVELOPMENT PROPOSAL SHALL BE SUBJECT AND SETTING FORTH THE INTENTION OF THE CITY COUNCIL TO, UPON APPROVED COMPLETION OF SAID DEVELOPMENT, REZONE THE PROPERTY FROM RESIDENTIAL SINGLE FAMILY 7200 TO PROFESSIONAL RESIDENTIAL.

WHEREAS, the Department of Community Development has received an application filed by Rev. W. J. Antisdale as owner of the property described in said application requesting a permit to develop said property in accordance with the intent to rezone procedure established in Chapter 23.62 of Ordinance 2183; and

WHEREAS, said property is located within a Residential Single Family 7,200 zone and the proposed development is a permitted use within the Professional Residential zone; and

WHEREAS, the application has been submitted to the Kirkland Planning Commission who held a public hearing thereon at their regular meeting of October 18, 1979; and

WHEREAS, pursuant to City of Kirkland Ordinance No 2319, concerning environmental policy, and 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 to the City Council approval of the proposed development and the intent to rezone pursuant to Chapter 23.62 of Ordinance 2183, all subject to the specific conditions set forth in said recommendation.

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-79-83(P) are hereby adopted by the Kirkland City Council as though fully set forth herein.

Section 2. A Development Permit, pursuant to the intent to rezone procedure of Chapter 23.62 of Ordinance 2183, shall be issued to the applicant subject to the conditions set forth in the Recommendations hereinabove adopted by the City Council; provided however, that installation of the bench referred to in Recommendation No. 5 shall be optional.

Section 3. The City Council approves in principle, the request for reclassification from RS 72 to PR, pursuant to the provisions of Chapter 23.62 of Ordinance 2183, and 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 4. A certified copy of this Resolution, together with the Findings, Conclusions, and Recommendations herein adopted shall be attached to and become a part of the development permit or evidence thereof, delivered to the permittee.

Section 5. 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 the proposed development project, other than as expressly set forth herein.

Section 6. Failure on the part of the holder of the development permit to initially meet or maintain strict compliance with the standards and conditions to which the development permit and the intent to rezone is subject shall be grounds for revocation in accordance with Ordinance 2183, the Kirkland Zoning Ordinance.

Section 7. Certified or conformed copies of this Resolution shall be delivered to the following:

- (a) The 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.

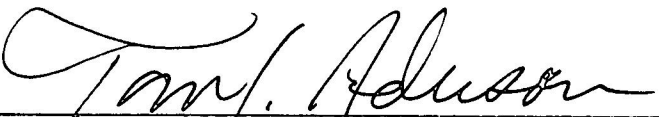
PASSED by majority vote of the Kirkland City Council in regular meeting on the 5th day of November, 1979.

SIGNED IN AUTHENTICATION thereof on the 5th day of November, 1979.



Mayor

ATTEST:



Director of Administration & Finance
ex officio City Clerk)

R-2676



DEPARTMENT OF COMMUNITY DEVELOPMENT

ADVISORY REPORT
FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

PREPARED BY _____ DATE _____

XXX RECOMMENDED BY _____ DATE October 18, 1979

ADOPTED BY _____ DATE _____

STAFF _____

BOARD OF ADJUSTMENT _____

HOUGHTON COMMUNITY COUNCIL _____

XXX PLANNING COMMISSION Kay Haenggi

KAY HAENGGI, CHAIRWOMAN

CITY COUNCIL AS INCORPORATED IN _____

RESOLUTION _____ ORDINANCE _____

NUMBER _____

DATE _____

FILE NUMBER R-79083 (P)

APPLICANT REV. W. J. ANTISDALE

PROPERTY LOCATION S.E. corner 16th Ave. and Market St.

SUBJECT INTENT TO REZONE FROM RS 7.2 TO PR FOR OFFICE BUILDING

HEARING/MEETING DATE NOVEMBER 5, 1979

BEFORE KIRKLAND CITY COUNCIL

EXHIBITS ATTACHED "A" Application "B" Vicinity Map "C" Survey "D" Site Plan
"E" Landscape Plan "F" Elevations "G" Building Section "H" Environmental
Information

I. SUMMARY

A. DESCRIPTION OF THE PROPOSED ACTION:

This is an application for a Rezone from RS 7200 to PR at the S.E. corner of 16th Ave. and Market. The existing house and garage would be removed. The proposed building is 7,330 sq. feet gross floor area in 2 floors, with a maximum height of 19.5 feet above the average lot elevation of 221.5 feet. Lot coverage is 23% (below the maximum allowable of 35%). Major issues are: vehicular access and parking, landscaping, lighting and public utilities. A bus stop bench is also proposed on the applicant's property.

B. RECOMMENDATIONS:

Based on Statements of Fact, Conclusions and Exhibits "A" through "H" contained herein, we hereby recommend approval of this Intent to Rezone from RS 7200 to PR subject to the following conditions:

1. This application is subject to the various requirements contained in the Kirkland Zoning Ordinance, the Uniform Building Code, Kirkland Municipal Code, and various regulations of the Fire Department. It is the responsibility of the applicant to comply with various provisions contained in these ordinances and regulations.
2. Any major changes, revisions or additions, constituting a departure from the approved site plan applied for by the applicant or developer shall be fully processed by the Planning Commission and the City Council in the same manner as an amendment to the Zoning Ordinance and/or zoning map.
3. Adequate fire flow (2500 gallons per minute) must be available prior to the framing stage of construction. The applicant shall make the necessary system improvements prior to issuance of a Building Permit, if required by the Public Service and Fire Departments.
4. The northern curb cut along Market Street shall be restricted to exiting cars only.
5. It is the applicant's responsibility to maintain the proposed bus stop bench.
6. Prior to issuance of Grading Permit, the applicant shall:
 - a. Submit detailed engineering drawings for a 12 foot wide asphalt improvement (with an inverted crown) extending to the southern property line within the alley right-of-way to the east to be approved by the Department of Public Service.

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R-2676

- I. B. 6. b. Revise the site plan to show parking stalls 1, 4, 8, 11, 12, 19, 22 and 23 enlarged to provide a 16 foot length by removing part of the planting area at the end of each stall. Stall 25 shall be placed parallel to the southern property line.
- c. Stake and fence the existing trees that will remain (identified on Exhibits "C" and "E"), to be approved by the Department of Community Development.
7. Prior to issuance of a Building Permit, the applicant shall:
 - a. Submit a more detailed landscaping plan conforming to the requirements of Section 23.40.060(1) of the Kirkland Zoning Ordinance, for approval by the Department of Community Development.
 - b. Reimburse the City for removal of the Washington Hawthorne tree along Market Street, for installation of the northern curb cut. The amount shall be determined by the Kirkland Parks Department. No other City trees on Market Street shall be removed.
 - c. Submit a lighting plan to the Department of Community Development for approval. Lighting shall be directed toward Market Street and away from surrounding properties. Fixtures may be on poles or on the building, but shall extend no higher than the top of the building's roof.
8. Prior to issuance of Certificates of Occupancy the applicant shall:
 - a. Install traffic directional signs at the curb cuts on Market Street; near Stall #19; and, at the loading area along the alley. The wording and type of signs shall conform to U.T.C.D. standards and be approved by the Department of Public Service.
 - b. Replace any ivy removed or destroyed in the Market Street planting strip next to the sidewalk, to the specifications and approval of the Kirkland Parks Department.
 - c. Submit a two-year landscaping maintenance bond. The amount and type shall be determined by the Kirkland Parks Department and Department of Community Development.
9. Signing must be oriented toward Market Street and may be facade mounted or ground-mounted. If ground-mounted, height of the sign shall not exceed 5 feet above grade. The applicant may propose signing which is consistent with the size limitations (in square feet) of Zoning Ordinance Section 23.32.030. Signs shall not be back-lit.

- I. B. 10. Proposal for site-screening fence along the eastern property line will be reviewed by the Department of Community Development for adequate safety and sight distance for vehicles exiting onto 16th Avenue.

II. MAJOR ISSUES, FACTS AND CONCLUSIONS:

A. VEHICULAR ACCESS AND PARKING

1. Statements of Fact

The applicant proposes two primary points of access from Market Street, and a secondary access along the alley to the east for passenger loading and unloading, and for trash pickup.

The southern Market Street access is for entry only. Angle parking is provided in front of the building. Stall No. 25 may be difficult to park in and back out. Stalls 19, 22 and 23 do not meet the compact stall length requirement of 16 feet.

The northern Market Street access is proposed for both entry and exit. Stalls 1, 4, 8, 11, 12 and 18 do not meet the compact stall length requirement of 16 feet. Stalls 1 and 12 are against a retaining wall; it may be difficult to park and depark.

The eastern alley is proposed for secondary access (passenger loading and unloading and trash pickup). The Land Use Policies Plan does not prohibit secondary access in the alley (see Section V of this report). Two residences along the eastern side of the alley use it for access to parking.

The walkway into the building will be exposed aggregate concrete.

2. Conclusions

- a. The northern entrance may pose a traffic hazard. Entering cars may not see a car proceeding northbound in the lot, and vice-versa. In addition, cars entering the northern entrance would need to turn directly in front of a Metro bus - another possible hazard. Therefore, the northern curb cut should be restricted to exiting cars only.

- II. A. 2. b. Due to the "one-way" configuration in the parking area, traffic directional signs and arrows should be installed prior to issuance of Certificates of Occupancy. For example, an "entry" sign at the southern curb cut, an "exit only" sign at the northern curb cut, a "do not enter" sign near stall 19, "right turn only" at the northern curb cut, and "no parking anytime" at the rear entry along the alley. Wording and exact locations should be approved by the Public Service Department and conform to U.T.C.D. standards.
- c. The eastern alley may be used for secondary access and should be paved with 12 feet of asphalt with an inverted crown, to the southern property line. The asphalt improvement should extend to the rear asphalt parking areas of the homes to the east. Detailed engineering drawings should be approved by the Department of Public Service prior to issuance of a Grading Permit.
- d. Compact stalls 1, 4, 8, 11, 12, 19, 22 and 23 should be enlarged to provide a 16 foot length by removing part of the planting area at the end of each stall. A revised site plan should be submitted prior to issuance of a Grading Permit. Although difficult, compact cars should be able to park in stalls 1 and 12.
- e. Stall 25 should be redesigned to be parallel with the southern property line. This will eliminate the difficult parking situation.

B. LANDSCAPING

1. Statements of Fact.

The landscaping plan (Exhibit "E") is very general. Existing trees to be saved are: Elm trees along Market, and the two Mountain Ash trees along 16th. Washington Hawthorne tree on Market Street, planted by the City, will be removed for the northern parking access. Matching ivy has been planted along Market Street by the City. The applicant is proposing a bus stop bench on Market.

2. Conclusions

- a. A revised, more detailed landscaping plan should be submitted for approval by the Department of Community Development prior to issuance of Building Permits. This plan shall conform to the requirements of Section 23.40.060(1) of the Kirkland Zoning Ordinance (see Section V of this report).

- II. B. 2. b. The applicant should reimburse the City for removal of the Washington Hawthorne tree on Market Street. The amount should be determined by the Parks Department, prior to issuance of a Building Permit. No other City trees should be removed.
- c. Any ivy removed or destroyed in the Market Street planting strip next to the sidewalk should be replaced prior to issuance of Certificates of Occupancy to the standards and specifications of the Parks Department.
- d. The bus stop bench should be maintained by the applicant.
- e. To assure retention of the major trees on the subject property, the trees to be retained (see Exhibits "C" & "E") should be staked and fenced, to DCD approval, prior to Grading Permit issuance.

C. LIGHTING

1. Statements of Fact

There is no lighting shown on any of the attached exhibits.

2. Conclusions

A lighting plan should be submitted for DCD approval prior to issuance of Building Permits. Lighting should be directed toward Market Street and away from surrounding properties. Fixtures may be on poles or on the building, but should extend no higher than the top of the building's roof.

D. PUBLIC UTILITIES

1. Statements of Fact

Both Market Street and 16th Avenue are fully developed, with curb, gutter and sidewalk. Existing fire flow estimate is 1,170 gallons per minute. The Fire Department requires 2,500 gallons per minute for this development.

Metro needs a minimum of 60 feet for a bus stop to serve the articulated coaches.

2. Conclusions.

Street related improvements to Market Street and 16th Ave. should not be required. Adequate fire flow for this development may not be available. The applicant should be responsible for assuring adequate flow to serve the proposed development, if a new fire flow estimate shows inadequate. (A new estimate cannot be taken until parts arrive to repair the pressure reducing valve at 16th Ave. and 1st Street.)

The 65 foot long bus stop complies with Metro standards.

II. E. SIGNING

1. Statements of Fact

Past rezones along Market Street corridor have been limiting the height and placement of free standing signs. This helps to bring the entire development more into character with surrounding single family areas.

2. Conclusions.

To reduce the impact on surrounding single family and residential uses, proposed signing must be oriented toward Market Street and be either face-mounted or ground-mounted. If ground-mounted, signing should not exceed 5 feet above grade. The size in square feet of the signs will be determined by the Kirkland Zoning Ordinance Section 23.32.030. In addition, signs should not be back-lit.

III. BACKGROUND

A. NEIGHBORHOOD DESCRIPTION

1. Statements of Fact

An apartment building is located to the south, and single-family homes on the north and east. To the northwest lies a single family home, to the west are some apartment buildings and to the southwest are some retail shops. The two homes to the east, and the apartments to the south, use the alley for trash pickup and access. The homes on the east lie approximately 9 feet higher than Market Street. The building to the south is within 5' of subject property's southern property line.

2. Conclusions.

The proposed Rezone is consistent with the trend of redevelopment along Market. Some views from the homes to the east may be blocked. However, the building height is within the maximum allowed. (See Section V of this report.)

III. B. CITIZEN INPUT

1. Statements of Fact

Mrs. Hallen (1517 1st St.) lives directly east of the proposed building. She was concerned with the height of the proposed structure, and was also concerned that the proposed sight screening fence along the eastern property line would obstruct sight distance for cars exiting the alley onto 16th.

George Olson (1510 Market St.) owns the apartment buildings adjacent to the proposed rezone on the south. Mr. Olson was concerned about many things, including movement of the Metro bus stop, the width of the alley, the southern property line setback, and also asked whether a 6 foot high fence would be required on the southern property line.

Dixie Breelan (1503 1st St.) lives east of the subject property. She questioned whether the alley would be totally paved or asphalt or partially paved with asphalt.

2. Conclusions

- a. The fence along the eastern property line may prove to be a sight distance problem for exiting cars from the alley onto 16th Avenue. The Department of Community Development should review this situation.
- b. The height of the proposed structure is within the limits set by the Land Use Policies Plan and the Kirkland Zoning Ordinance.
- c. Metro bus stop meets Metro Transit standards and is contained entirely along the frontage of the subject property.
- d. The 16 foot wide alley will be paved with 12 feet of asphalt along the eastern property line of the subject property.
- e. The Zoning Ordinance does not require a 6 foot high fence along the southern property line. The proposed building has a 5 foot setback along the southern property line which meets the requirements of the Zoning Ordinance.

IV. ALTERNATIVES

1. Statements of Fact.

A. MULTI-FAMILY UNITS

This alternative was explored in a pre-application conference with the applicant. Four dwelling units could be constructed, with 8 parking stalls. This alternative could save more existing trees, and could reduce the curb cuts on Market Street.

B. OFFICE - TALLER BUILDING

The maximum height could be increased to 25 feet if the maximum horizontal dimension was reduced from 74 feet to 50 feet. This may save more trees, but substantial view blockage could occur.

C. OFFICE - SHORTER BUILDING

If height was reduced, horizontal dimension may be increased to provide for the same square footage as currently proposed. This would remove parking spaces that would be required. There would be less view blockage potential, and greater lot coverage.

D. NO ACTION

This alternative would allow the existing house and garage to remain in an RS 7200 zone. Traffic would probably not be increased.

IV. 2. Conclusions

The proposed development will possibly increase traffic during daylight hours. The height of the structure is within zoning limitations, but may impair some views. A lower building may make development of the property economically unfeasible, and may exceed the maximum 35% lot coverage, if the structure is enlarged linearly.

V. DEVELOPMENT STANDARDS

1. Statements of Fact

A. LAND USE POLICIES PLAN

LUPP designates Market Street as a major arterial and the subject property as office/multi-family.

Economic Activities(pages 318-319)

Small offices/medium density residential uses permitted along Market Street, subject to standards.

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.
- (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

V. 1. A. (Economic Activities, 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.

The following provisions of the Kirkland Zoning Ordinance, Municipal Code, Building Code and Fire Department requirements are reproduced for the benefit of the applicant, and must be complied with.

B. ZONING ORDINANCE

23.14.060 (PR Zone - Height)

Small professional offices are to conform to the height and bulk of the surrounding residential area. Small professional offices shall not exceed two stories and not be higher than twenty-five (25) feet above the average lot and building elevations. The maximum horizontal dimension of structures adjacent to low density areas as defined in the Land Use Policies Plan shall not exceed fifty (50) feet in order to achieve a maximum height of twenty-five (25) feet. If the maximum horizontal dimension exceeds fifty (50) feet, the structure shall not be higher than twenty (20) feet above the average lot and building elevations. (Ord. 2347, May 16, 1977)

V. 1. B.

23.14.070 Outdoor storage: There shall be no outdoor storage of goods or materials, and there shall be no warehousing or indoor storage of goods and materials beyond that normally incidental to the above permitted occupations.

23.32.030 (PR - Signs)

One square foot of sign per 100 sq. ft. of gross floor space.

23.32.040(1) (Commercial Signs)

Advertising sign heights shall be limited to the actual height of the primary use structure.

23.34.040 Off-Street Parking Areas: The following requirements shall pertain to off-street parking areas:

- (1) The party developing an off-street parking area shall submit a plan showing adjacent streets, circulation of traffic, drainage, lighting, landscaping, fencing and screen planting to the Department of Community Development for approval.
- (4) Construction: All required off-street parking areas shall be surfaced to a standard comparable to the public street providing access thereto. A parking area shall be developed and completed to the required standards before an occupancy permit for the building is issued. All traffic control devices such as parking stripes designating car stalls, directional arrows or signs, bull rails, curbs and other improvements, shall be installed and completed as shown on the approved plans. Hard surfaced parking areas shall use paint or similar devices to delineate car stalls and direction of traffic. Where pedestrian walks are used in parking lots for the use of foot traffic only, they shall be curbed, or raised 6 inches above the lot surface.

V. 1. B.

23.100

Required Yards: No parking shall be allowed in required yards, provided, however, that this restriction may be modified by the Department of Community Development under the following conditions:

- (1) Perimeter landscaping may be proposed subject to the minimum requirements of Section 23.40.060(1).
- (2) Maintenance and visibility at intersections shall be complied with (reference Section 23.40.020 and 23.40.030). A maintenance bond as provided for in Section 23.40.130 shall be required.
- (3) The landscaping alternative provided herein shall demonstrate a superior solution to more restrictive setbacks in terms of additional amenities and overall aesthetic qualities. The Department of Community Development, in applying this alternative, may modify to a greater or lesser extent the strict provision of Section 23.40.060(1) in approving a landscape plan which meets the objectives herein stated.

23.40.060

- (1) 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, or
- (2) A wall or barrier or uniformly finished fence at least six feet high, but not more than eight feet above finished grade (or above the roof level, if on a roof). Such wall, barrier or fence may be opaque or perforated provided that not more than 50 percent of the face is open.

Such screening and landscaping may be interrupted by normal entrances and exits. There shall be no signs hung or attached thereto.

23.40.130 Performance Bond: No Certificate of Occupancy may be issued until a performance bond has been posted to insure completion of any landscaping, screening or fencing required by this Ordinance. The bonds shall be established as provided in Chapter 23.54 of this Ordinance. Nothing in this Chapter shall prevent the City of Kirkland and its authorized representatives from taking any other action necessary to insure full compliance with these landscaping provisions in order to prevent or remedy any violation, expressly including injunctive relief. A maintenance bond may be required for maintenance as well as initial planting.

V. 1. B. 23.62.070 (Rezone - Action by City Council)

Any major changes, revisions or additions constituting a departure from the approved site plan applied for by the applicant or developer shall be fully processed as herein provided by the Planning Commission and the City Council in the same manner as an amendment to this Ordinance or zoning map.

C. UNIFORM BUILDING CODE

The Uniform Building Code requires that a parapet be constructed along the southern edge of the building, due to the 5 foot setback. In addition, protected openings must be used along that side. The building will be in Fire Zone 2.

D. FIRE DEPARTMENT

A type "B" fire alarm system is required. This system shall be installed in accordance with the City of Kirkland Rules and Regulations for fire alarm systems, available upon request.

Fire extinguishers will be required. One per each floor. The rating of these fire extinguishers shall be no less than 2A 10 B:C. They shall not exceed 5 feet from the top of the extinguisher to the finished floor after mounting.

Fire Department Operating Policy #4, Paragraph 20, requires 2,500 gallons per minute fire flow. Existing fire flow is 1,170 g.p.m. Paragraph 21 states "It shall be the responsibility of the property owner(s) to provide a system to handle the required fire flow commensurate with the type of occupancy hazard involved."

E. KIRKLAND MUNICIPAL CODE AND OTHER CITY ORDINANCES

Ordinance 2430: An interim (construction) drainage plan is required.

K.M.C. 15.36: This chapter requires a permanent storm drainage system to be installed, approved by the City Engineer.

F. SIGNS

All directional signs should conform to Uniform Traffic Control Devices standards.

V. 2. Conclusions

A. LAND USE POLICIES PLAN

- (1) The proposed development, located at 16th Avenue, does not extend beyond 19th Avenue at the northern end of Market Street.
- (2) The proposed development (which is adjacent to a single family area) does not exceed a height normally associated with single family homes. The height limitation in the RS 7200 zone to the east is 25 feet. The proposed office structure has a maximum height of 19.5 feet. To be compatible with the surrounding scale, interior lighted signs should not be permitted. If a free standing sign is proposed with a sign permit, it should not impair sight distance looking south along Market Street.
- (3) Primary vehicular access is from Market Street.
- (4) The large, densely landscaped setback usually required as a visual buffer between residential and non-residential uses may not be applicable in this case. The proposed development will lie substantially below the elevation of the abutting single family homes to the east. If a landscape buffer was planted, it would need to be below the grade of the alley, and would provide no screening for abutting single family residences. The applicant has proposed a 4 foot high sight screening fence along the alley to help meet this requirement. Parking is not normally allowed in this setback area, however, the substantial grade difference and the sight screening fence will shield cars from view from the single family homes to the east.
- (5) The dedication of development rights in the buffer strip, usually required, again may not be applicable. The purpose of this requirement is to keep the vegetative buffer from being developed or altered in any way. Since a vegetative buffer is not being recommended for this development, there is no reason to require dedication of development rights.

B. This application is subject to the various requirements contained in the KIRKLAND ZONING ORDINANCE, UNIFORM BUILDING CODE, KIRKLAND MUNICIPAL CODE AND VARIOUS FIRE DEPARTMENT REGULATIONS. It is the responsibility of the applicant to comply with the various provisions contained in these Ordinances and Regulations. Any major changes, revisions, or additions constituting a departure from the approved site plan applied for by the applicant or developer shall be fully processed by the Planning Commission and the City Council in the same manner as an amendment to the Kirkland Zoning Ordinance and/or Zoning Map.

VI. APPENDICES: Exhibits "A" through "H" are attached.

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