

RESOLUTION NO. R- 2696

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-79-104(H) BY WILLIAM C. NELSON TO ERECT A NUMBER OF FREE STANDING SIGNS FOR THE HOUGHTON SHOPPING CENTER BEING WITHIN A COMMUNITY BUSINESS 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 William C. Nelson the owner of said property described in said application and located within a Community Business zone, and

WHEREAS, the application has been submitted to the Houghton Community Council and Kirkland Planning Commission who held public hearings thereon at their regular meetings of November 13, 1979 and January 17, 1980, respectively, and

WHEREAS, pursuant to City of Kirkland Ordinance No. 2473 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 Houghton Community Council and 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 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 Chairwoman thereof and filed in the Department of Community Development File No. CUP-79-104(H) 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 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 Conditional Use Permit to initially meet or maintain strict compliance with the standards and conditions to which the Conditional Use Permit is subject 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:

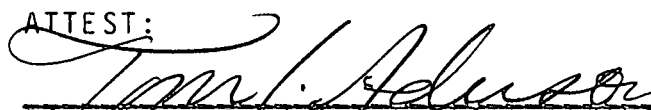
- (a) Applicant
- (b) Department of Community Development of the City of Kirkland
- (c) Fire and Building Department of the City of Kirkland
- (d) Public Service Department of the City of Kirkland
- (e) The Office of the Director of Administration and Finance (ex officio City Clerk) for the City of Kirkland.

ADOPTED in regular meeting of the City Council on the 7th day of April, 1980

SIGNED IN AUTHENTICATION THEREOF on the 7th day of April, 1980.



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 6, 1980
____ ADOPTED BY _____ DATE _____

____ STAFF _____
____ BOARD OF ADJUSTMENT _____
____ HOUGHTON COMMUNITY COUNCIL _____
XX PLANNING COMMISSION Kay Haenggi
____ CITY COUNCIL AS INCORPORATED IN _____
____ RESOLUTION _____ ORDINANCE _____
NUMBER R-2696
DATE _____

FILE NUMBER CUP-79-104(H)
APPLICANT WILLIAM C. NELSON

PROPERTY LOCATION S. side NE 68th between 108th NE & 106th NE

SUBJECT CONDITIONAL USE PERMIT FOR SIGNAGE FOR HOUGHTON SHOPPING CENTER

HEARING/MEETING DATE March
BEFORE KIRKLAND CITY COUNCIL

EXHIBITS ATTACHED "A" Application "B" Vicinity & Zoning Map "C" Site Plan "C2" Revised Site Plan "D" Monument Sign "D2" Revised Monument Sign "E" Entry Sign "F" Proposed Bank Sign "G" Approved Bank Signs "H" Existing Signs "I" Letter from applicant "J" Color Drawings (to be shown at hearing) "K" Sight Triangle "L" Slides (to be shown at hearing)

I. SUMMARY:

A. DESCRIPTION OF PROPOSED ACTION:

This is an application for a Conditional Use Permit to erect a number of free standing signs to be associated with the Houghton Shopping Center at N.E. 68th Street between 108th Ave. N.E. and 106th Ave. N.E. Four signs are involved: (1) The monument sign standing 12 feet above grade, and 6 feet in width, to be placed at the entrance along N.E. 68th Street (see Exhibits "C" and "D"). (2) An entry sign measuring 3 feet by 1 1/2 feet to be placed at the entrance along 108th Ave. N.E. (see Exhibit "C" and Exhibit "E"). (3) An entry sign measuring 3 feet by 1 1/2 feet to be placed at the entrance along 106th Ave. N.E. (See Exhibit "C" and Exhibit "E"). (4) A pole sign for Seattle First National Bank, standing 17 feet above grade, with the sign measuring 7 feet, 9 inches in height and 3 feet, 9 inches in width (see Exhibits "C" and "F").

The approved Intent to Rezone from RM 1800 to BC for this property was approved on May 1, 1978. Condition No. 4 states in part, "The applicant shall be permitted to propose face-mounted signs which are in conformance with the aforementioned Section, however, no other signage will be permitted without submitting a comprehensive signage program for the entire shopping complex." This application for Conditional Use Permit for the aforementioned signs is a response to this condition. The major issues are: obstruction of site distance, compliance with Land Use Policies Plan standards and compliance with Zoning Ordinance criteria.

B. RECOMMENDATIONS:

Based upon the Statements of Fact, Conclusions, and Exhibits "A" through "L" contained herein, we hereby recommend approval of a Conditional Use Permit for a monument sign as identified on Exhibit "D₂" (to be placed along N.E. 68th Street), subject to the following conditions:

1. Free-standing Seattle-First National Bank sign shown on Exhibit "F" and the small entry signs shown on Exhibit "E" are not approved.
2. The monument sign (Exhibit "D₂") shall be placed within the southern 6 feet of the 16 foot wide planting strip along N.E. 68th Street, 70 feet west of the eastern entrance along N.E. 68th (as shown on Exhibit "C₂"). This sign may be back-lit.

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3. Back braces and similar construction items shall not be visible on the approved sign.
4. Existing free-standing signs shall be removed.

II. MAJOR ISSUES:

A. Obstruction of Site Distance

1. Statements of Fact.

Public Service, Fire and Police Departments have expressed concern over possible sight distance obstruction from the monument sign along N.E. 68th Street. The design of this sign (6 feet wide and 12 feet high) may provide some obstruction for vehicles exiting onto N.E. 68th Street to the east of the monument sign.

2. Conclusions.

The proposed location of the monument sign is outside of the sight triangle associated with the intersection of N.E. 68th Street and the driveway east of the monument sign. Since the monument sign will only be 6 feet wide (as measured on a north-south axis), its location outside of the sight triangle will not obstruct sight distance. To assure that sight distance is not obstructed, this sign should be placed within the southern 6 feet of the 16 foot wide planting strip along N.E. 68th Street, 70 feet west of the eastern entrance along N.E. 68th (as shown on Exhibit "C2"). This will allow an exiting car to see around the monument sign.

The small entry signs proposed along 108th Ave. N.E. and 106th Ave. N.E. have been proposed in a location perpendicular to the respective public streets. These signs may produce some sight obstruction for cars entering and exiting the Center. These signs could be placed parallel with the respective streets, however, due to their small size, would not be readily visible for cars travelling on 108th Ave. N.E. and 106th Ave. N.E. Due to the size, and any non-sight obscuring location, the signs would cease to have any useable function and should therefore not be allowed.

The location suggested above will assure that adequate sight distance is available for exiting cars. Proposed free-standing bank sign will not impair sight distance, as it is located on a pole.

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II. B. Compliance with Land Use Policies Plan (LUPP)

1. Statements of Fact

Economic Activities - Policy 5.e.: Control the use of signs.

LUPP Discussion: There should be control of the use of free-standing signs and the size and number of wall mounted signs. In the competition to achieve increased visibility, commercial activity usually creates a confused array of advertising signs. Strip signing should be restricted to a manner in which the signs inform the motorist of available services without competing for attention or detracting from traffic safety signing.

2. Conclusions.

The developer has made an attempt at controlling the number of signs to identify the Houghton Shopping Center. The proposed monument sign along N.E. 68th Street (Exhibit "D₂") should only identify the complex, not the individual tenants. The Center tenants each have adequate face-mounted signs, which serve the public well. As a neighborhood center serving the immediate neighborhood rather than a larger area, the individual tenants are well-known by neighborhood residents and need no further signage for identification. The proposed Seattle First National Bank pole sign is unnecessary. Exhibit "G" shows the locations and types of bank signs that have already been approved under Sign Permit No. 79-500. The bank has not made an effort at controlling the use of signs. If the proposed pole sign for Seattle First is approved, the bank will have the approved pole sign, and a 58 square foot sign on the front of the building along N.E. 68th Street. Although the total signage allowed for Seattle First National Bank is 192 square feet and the bank would be using nearly 87 square feet, (if the pole sign is approved), we feel that the proposed pole sign represents an over-use of signs on the site and should not be approved. The proposed entry signs along 108th Ave. N.E. and 106th Ave. N.E. would not serve any useful purpose due to their small size and possible non-site obscuring locations. The entrances and exits to the Center should be well known to the neighborhood which utilizes the Center, and need no further identification.

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C. COMPLIANCE WITH ZONING ORDINANCE CRITERIA

1. Statements of Fact.

Section 23.32.100.

Standards of Approval for Conditional Use: The Planning Department and Planning Commission shall review and evaluate each sign application according to the following criteria:

- (a) A permitted sign shall generally be attractive on all visible sides. There shall be no backside consisting of obviously visible braces and structures that could materially affect other properties.

(Applicant's response: Professional designer has made signs to be visually pleasing from all directions and to blend in with landscaping and new construction in Center. Sign is supported from interior of structure.)

- (b) Each business development under one ownership shall not have more than one principal sign oriented to a single street. Existing business developments under one ownership, revising their signs, shall not have more than one principal sign oriented to a single street.

(Applicant's response: Each tenant has identifying sign facing N.E. 68th Street placed on a building.)

- (c) A permitted sign shall be to scale in size and height with the building and premises to which it is appurtenant.

(Applicant's response: Sign designer made sign to be visually compatible with new construction in shopping center.)

- (d) A permitted sign shall demonstrate an integral relationship to the design of the building and the premises to which it is appurtenant, in its shape, its detail, its materials and its color.

(Applicant's response: By use of wood base and trim, and earth-tone colors, sign will match colors and trim of Shopping Center.)

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- (e) Changes in an existing sign shall require the same review and approval as a new sign.

Section 23.56.080. Standards for Granting CUP: The Planning Commission and City Council shall be guided by the following standards and provisions in granting a CUP:

- a. The use or modification requested by the CUP shall be within the intent of this Ordinance, and in the public interest.

(Applicant's response: Old pylon sign will be removed, and great improvement will be made by installation of a new monument-style sign. Also, two small entry signs are to be placed at side entrances to shopping center.)

II. C. 2. Conclusions.

- a. The proposed signs will "be attractive on all visible sides. Back-braces and other similar construction items will not be visible.
- b. Each business development will not have more than one principal sign oriented to a single street. The shopping center complex will have an identification sign along N.E. 68th. The individual shops within the shopping center all have principal signs oriented to N.E. 68th Street. Seattle First National Bank under the current proposal will have more than one principal sign oriented to N.E. 68th Street. The face-mounted sign on the building and the proposed pole sign are both oriented to N.E. 68th Street. Therefore, the pole sign should not be allowed under this permit. Existing free-standing signs should be removed.
- c. The proposed signs are generally in scale with size and height with the buildings of the Houghton Shopping Center. The main structure is approximately two stories high, with the bank being one story high. The small entry signs are obviously in scale with the buildings, and the monument sign along N.E. 68th St. is only 7 feet above grade - less than the height of the main Houghton Shopping Center building.

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- d. The proposed monument sign is basically a dark brown color, which is consistent with the color of the Houghton Shopping Center which is primarily dark brown and cream colored. Colors of the letters identifying "Houghton Center" are proposed to be yellow and/or orange. There are no other yellow or orange colors on the main shopping center structure, however, these colors should fit in with the general brown tones of the center. The monument sign is proposed to be back-lit.

III. BACKGROUND

A. HISTORY

A portion of the Houghton Shopping Center property was rezoned from RM 1800 to BC as approved by the City Council on May 1, 1978. Condition of Approval No. 4 states "Prior to the issuance of any Certificates of Occupancy for Phase I construction, all non-conforming signs shall be abated and brought into conformance with the current zoning regulations (Section 23.34). This shall apply for all signs that are too large, above roof elevation, or in any other way non-conforming and shall include the free-standing pole sign located on N.E. 68th Street. The applicant shall be permitted to propose face-mounted signs which are in conformance with the aforementioned Section, however, no other signage will be permitted without submitting a Comprehensive signage Program for the entire shopping complex." This application is a response to a condition of approval quoted above.

B. DESCRIPTION OF NEIGHBORHOOD:

An RS 5000 zone lies adjacent to the Houghton Shopping Center on the south, an RM 3600 zone lies across 106th Ave. N.E. on the west, and a PR zone (plus a small portion of BC zoning) lies across 108th Ave. N.E. to the east. To the north, across N.E. 68th Street, lies additional BC zoning.

Free standing signs in the vicinity include: 3 gas station signs (approximately 17 feet high) at the intersection of N.E. 68th and 108th N.E.; a new 12 foot high 7-11 pole sign (which will be replacing the ground sign) at N.E. 68th and 108th N.E.; a 20 foot high sign at Ron's Cost Less (on N.E. 68th); a small 6 foot high sign at Lakeview Center (N.E. 68th and 106th N.E.); and a small 4 foot high sign at Tiburon West (N.E. 68th and 106th N.E.).

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IV. ALTERNATIVES:

1. Statements of Fact.

There are a number of alternatives available to the applicant. The large number of alternatives do not need to be specifically spelled out, but mainly consist of different sizes, locations, colors, materials, etc. of the proposed signs.

2. Conclusions.

The number of alternatives available to the applicant for Houghton Shopping Center signing are many. The proposal before you is one of these alternatives. The monument sign along N.E. 68th Street serves to identify the shopping center as a unit.

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V. DEVELOPMENT STANDARDS:

1. Statements of Fact

Section 23.32.030 (BC Zone): Announcement of all permitted uses. Size in square feet: 2 per horizontal or vertical linear foot of face of building.

Section 23.32.040 (Commercial Signs): Commercial signs are permitted in each PR Professional Office Zone, BN Neighborhood Business Zone, BC Community Business Zone, CBD Central Business District Zone and LI Light Industrial Zone and are subject to the following restrictions:

- (1) Advertising sign height shall be limited to the actual height of the primary use structure.
- (2) No commercial sign shall be located on any property other than that property upon which the advertised business is located.
- (3) A permit from the licensing official shall be required as per Section 23.32.130 of this Ordinance.

Section 23.40.030 (Visibility of Intersections): Nothing shall be erected ... in such a manner as materially to impair vision between a height of 2 1/2 feet and 10 feet above the centerline grades of the intersecting streets in the area bounded by the property lines (of the intersecting streets) and a line joining points along said property lines 40 feet from the point of the intersection.

2. Conclusions.

The maximum dimension (length or width) of the Houghton Shopping Center complex is approximately 483 feet. Therefore, twice that amount, or 966 square feet of signage would be allowed. In addition, the Seattle First Bank Building would be allowed 192 square feet of signage. While records of the exact square footage of the existing signs for the Houghton Shopping Center (the ones that will remain) are not available through the Building Department, a visual inspection revealed approximately 304 square feet of signs will remain, in addition to the 83 square feet for the bank, and 63 square feet under this permit (total: 450 square feet - allowed: 1,158 square feet). Of the sign permits that could be found, Fox Cleaners has 30 square feet of sign and Sea-First has 83.25 square feet of sign approved. This application proposes approximately 63 square feet of sign, not including Seattle-First National Bank's pole sign. If

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this permit is approved, the applicant will still need to apply for a Sign Permit through the Building Department for the proposed signs. (See Exhibit "H" - Existing Signs). The monument sign lies outside the "sight triangle" described in Section 23.40.030 (See Exhibit "K"). The proposed small entry signs along 108th Ave. and 106th Ave. N.E. would be the height of approximately two and one-half feet above grade. The proposed location perpendicular to these streets may impair sight distance from exiting cars from the Center.

VI. APPENDICES:

Exhibits "A" through "I" are attached.

Exhibit "J" - Color Drawings - Will be shown at the public hearing.

Exhibit "K" - Sight Triangle is attached.

Exhibit "L" - Slides - Will be shown at the public hearing

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