

RESOLUTION NO. 2718

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. CZ-80-1, BY DGH ENTERPRISES TO CONSTRUCT TWO FREE-STANDING SIGNS AT TOTEM SQUARE BEING WITHIN A LIGHT INDUSTRIAL 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 DGH Enterprises, the owner of said property described in said application and located within a Light Industrial zone.

WHEREAS, the application has been submitted to the Kirkland Planning Commission who held hearing thereon at their regular meeting of April 3, 1980, and

WHEREAS, pursuant to City of Kirkland Ordinance No. 0-2319 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 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 Chairman thereof and filed in the Department of Community Development File No. CZ-80-1 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 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.

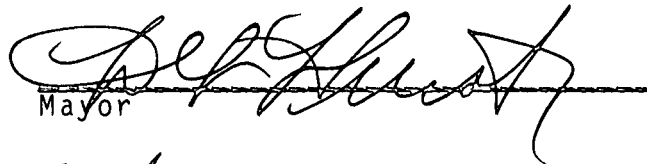
Section 5. Failure on the part of the holder of the permit to initially meet or maintain strict compliance with the standards and conditions to which the Conditional Use Permit is subject shall be grounds for revocation in accordance with Section 23.56.110 of Ordinance No. 2183, the Kirkland Zoning Ordinance.

Section 6. Certified or conformed copies of this Resolution shall be delivered to the following:

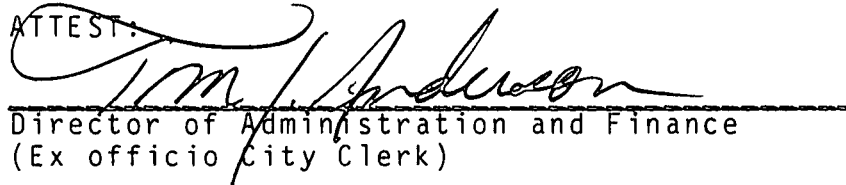
- (a) Applicant
- (b) Department of Community Development of the City of Kirkland
- (c) Fire and Building Departments of the City of Kirkland
- (d) Public Service Department of the City of Kirkland
- (e) The Office of the Director of Administration and Finance (ex officio City Clerk) for the City of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

ADOPTED in regular meeting of the City Council on the 21st day of April, 1980.

SIGNED IN AUTHENTICATION THEREOF on the 21st day of April, 1980..



Mayor

ATTEST: 

Director of Administration and Finance
(Ex officio City Clerk)

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DEPARTMENT OF COMMUNITY DEVELOPMENT

ADVISORY REPORT
FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

PREPARED BY _____ DATE _____
XX RECOMMENDED BY _____ DATE April 3, 1980
ADOPTED BY _____ DATE _____

STAFF _____

BOARD OF ADJUSTMENT _____

HOUGHTON COMMUNITY COUNCIL _____

XX PLANNING COMMISSION Kay Haenggi
Kay Haenggi, Chairwoman

CITY COUNCIL AS INCORPORATED IN _____

RESOLUTION _____ ORDINANCE _____

NUMBER _____

DATE _____

FILE NUMBER CZ-80-1

APPLICANT DGH Enterprises (Totem Square)

PROPERTY LOCATION 124th N.E., north of NE 116th St.

SUBJECT CONDITIONAL USE PERMIT FOR TWO FREE-STANDING SIGNS

HEARING/MEETING DATE April 21, 1980

BEFORE KIRKLAND CITY COUNCIL

EXHIBITS ATTACHED "A" Application "B" Vicinity Map "C" Site Plan "D" Entrance Sign
Elevation and Specs. "E" Entrance Sign Location "F" Letter from Applicant "G" Directory
Sign Elevation and Specs. "H" Sight Triangles, "I" Slides "J" Colored Rendering -
Entrance Sign

I. SUMMARY

A. DESCRIPTION OF PROPOSED ACTION.

This is an application to construct two free-standing signs at Totem Square, located on 124th N.E., north of N.E. 116th St., across from Tom Chapman Ford.

The applicant is proposing a back-lit entrance sign (as shown on Exhibit "D") at the main entrance to the 12-acre complex along 124th N.E. This sign is 60 square feet in area, sitting on a 70 square foot brick base. The sign is 13 feet high, above grade.

Another proposed sign will serve a directory function to identify the office and warehouse tenants in the eastern portion of the site. This sign is shown on Exhibit "G". The size is approximately 103 square feet, with a height of 7 1/2 feet above grade. This sign will not be easily visible or readable from 124th N.E., and mainly serves a directory function once someone enters the complex. Indirect lighting is proposed.

Major issues are: sight distance, compliance with Land Use Policies Plan and compliance with Conditional Use Permit standards.

B. RECOMMENDATIONS:

Based on the Statements of Fact, Conclusions and Exhibits "A" through "J" contained herein, we hereby recommend approval of this application for a Conditional Use Permit to erect two free-standing signs, subject to the following conditions:

1. Prior to issuance of a Sign Permit for the entrance sign (Exhibit "D"), all traffic control devices shown on Exhibit "E" (striping, arrows, stop sign) shall be installed.
2. Additional free-standing commercial signs are not allowed, except through amendment of this Conditional Use Permit.
3. A proportionate share of signage square footage shall be subtracted from each building to allow for the 60 square foot entrance sign.
4. A proportionate share of signage square footage shall be subtracted from each building identified on the 103 square foot directory sign.

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5. Changes in tenant signs on the directory shall not require amendment of this Conditional Use Permit. Other changes in design, colors, message or materials of the directory or entrance signs shall require amendment of this Conditional Use Permit.
6. If 124th NE is ever widened, the Department of Community Development shall review the entrance sign location with regard to adequate sight distance to determine if the sign should be relocated to not impair sight distance.
7. Landscaping between the entrance sign and driveway shall be limited to 2 1/2' in height or eliminated.

II. MAJOR ISSUES, FACTS AND CONCLUSIONS

A. SIGHT DISTANCE:

1. Statements of Fact.
 - a. The "sight triangle" is shown on Exhibit "H" for both signs. Within the sight triangle vision could be impaired by objects over 2 1/2 feet high.
 - b. The directory sign is outside of the sight triangle. The area impacted by this sign is the service area between Buildings C and D.
 - c. The entrance sign is within the sight triangle. Exhibit "E" is a blowup of the entrance, which shows certain traffic control devices and the positions of two exiting cars in relation to the location of the proposed sign. The stop sign and stop bar are located within the right-of-way. As one can see, the car waiting to exit is past the entrance sign. Exhibit "F" is a letter from the applicant discussing sight distance at the entrance.
 - d. It is possible for pedestrians to cut across the driveway from behind the entrance sign, walking from the south portion of the development, north to 124th N.E. This is a major safety factor.

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- e. The entrance sign will serve as a focal point bringing together vehicular, pedestrian and bicycle traffic.
- f. Proposed landscaping between the entrance sign and driveway may impair sight distance of pedestrians walking out from either end of the monument sign.

2. Conclusions.

- a. The location of the directory sign, outside the sight triangle, allows for adequate sight distance for vehicles emerging between buildings C and D (primarily a service area).
- b. The location of the entrance sign in the sight triangle, is setback from the curb 33 feet - a distance which will allow an exiting car to have adequate sight distance. In order to ensure maximum safety, the traffic control devices shown on Exhibit "E" should be installed prior to issuance of a Sign Permit for the entrance sign.
- c. As proposed, there is adequate sight distance around the entrance sign. However, if the curb on 124th NE is ever moved further to the west, sight distance could be impaired. Since the applicant recently widened 124th NE, it is unlikely that further widening will ever occur. If widening does occur, the Department of Community Development should review sight distance to determine whether the entrance sign should be relocated so as not to impair sight distance.
- d. Landscaping between the entrance sign and the driveway should be limited to 2 1/2 feet in height, or eliminated to allow visibility for drivers to see pedestrians emerging from behind the entrance sign.

B. LAND USE POLICIES PLAN:

1. Statements of Fact.

Economic Activities Policy 5E: Control the Use of Signs.

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2. Conclusions:

The current Zoning Ordinance does not control number of free-standing signs. It is possible for each use in the 12-acre development to have its own free-standing sign. Therefore, in order to control the use of signs, additional free-standing signs should not be allowed, except through amendment of this Conditional Use Permit.

C. COMPLIANCE WITH CONDITIONAL USE PERMIT STANDARDS

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: The two signs have been designed by the project architect, to reflect the emblematic design of the building. They will be professionally constructed and finished. There are no visible bracings.)

- (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: No.)

- (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: The overall height of the monument sign is 13 feet, the directory, 7'6". The buildings in the center are 16' high.)

- (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: The monument sign features the brick, glue-lam beams and paint colors of the buildings. The directory is constructed of precast concrete, like the buildings it identifies.)

- (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: The proposed signs will benefit the general public by: 1) identifying the location of the 12 acre business park; 2) identifying the main entrance; 3) direct center visitors to their destination; provide emblematic symbols of the center incorporating materials and designs of the buildings.)

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. Tenants in Buildings A,B,C,J,K, and L may have face-mounted signs oriented to 124th N.E., but will not be individually identified on the entrance sign. Tenants in Buildings D-I will be identified on the directory sign, which is oriented toward 124th N.E., but located over 400 feet from that street.

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- c. The proposed signs are generally in scale (size and height) with the buildings in the 12-acre development. Buildings are 16 feet high - signs are 13 feet high (entrance) and 7 1/2' high (directory).
- d. Both signs are constructed from materials and colors identical to Totem Square buildings, providing a visual relationship between the signs and buildings.
- e. Changes in design, colors, message or materials of the signs should require amendment to this CUP (except for changes in individual tenant signs on the directory).
- f. The proposed signs will serve the public by identifying the main entrance and exit to Totem Square and by identifying the uses in Buildings D-I which are office/warehouse.

III. BACKGROUND

A. HISTORY:

Totem Square received Building Permits in late summer of 1979. The project will eventually consist of 12 buildings on a 12-acre site, with a mixture of office, retail and industrial uses. The applicant received a Variance from the Board of Adjustment on June 13, 1979 to reduce the 25 foot wide buffer on the edge of a Light Industrial zone to 4 feet.

B. DESCRIPTION OF NEIGHBORHOOD:

The subject site is zoned Light Industrial. Directly north (Simpson Timber) is a BC zone, while the building to the south is also zoned Light Industrial. The free-standing Tom Chapman Ford sign (in King County) is 162 square feet. A large residential area is within walking distance, to the south and east in King County.

IV. ALTERNATIVES

There are many alternatives available involving different design, size and placement of the proposed signs.

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V. DEVELOPMENT STANDARDS

1. Statements of Fact

Section 23.32.030(LI Zone) Announcement of all permitted uses. Size in square feet:

- 1) Professional Offices: One per 100 square feet of gross floor space.
- 2) Uses permitted in the BN, BC, CBD zones, other than professional offices: Two per horizontal or vertical linear foot of face of building.
- 3) Other permitted uses: One per 500 square feet of gross floor area.

Location: Not closer than one-half the required setback, if any (front setback in LI zone is 30 feet).

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): On a corner lot in any residential district 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.

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2. Conclusions.

In order to assemble the 60 square feet of signage needed for the entrance sign, a proportionate share of the 60 square feet should be subtracted from maximum allowable signage for each building. In addition, a proportionate share of the 103 square feet of signage for the directory sign should be subtracted from each building identified on the directory sign.

The sight triangle is a standard used by the Departments of Community Development and Public Service to evaluate when sight distance will be impaired. In this case, sight distance will not be impaired by locating the entrance sign 33 feet from the 124th N.E. curb (15 feet from the property line) although the sign is within the sight triangle. Exhibit "E" clearly illustrates this conclusion.

VI. APPENDICES

Exhibits "A" through "H" are attached.
Exhibit "I" (slides) and Exhibit "J" (Colored Rendering - Entrance Sign) will be shown at meeting.

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