

RESOLUTION NO. - 2804

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-81-5, BY PACIFIC TECHNOLOGY, INC. TO CONSTRUCT A 3-STORY LIGHT INDUSTRIAL USE BUILDING BEING WITHIN A PLANNED AREA 11 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 Pacific Technology, Inc., the owner of said property described in said application and located within a Planned Area 11 zone.

WHEREAS, the application has been submitted to the Kirkland Planning Commission who held hearing thereon at their regular meeting of February 19, 1981, and

WHEREAS, pursuant to City of Kirkland Ordinance No. 0-2473 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 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, and

WHEREAS, the City Council, in regular meeting, did consider the environmental documents received from the responsible official, together with the recommendation of the Planning Commission.

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. CZ-81-5 are adopted by the Kirkland City Council as though fully set forth herein, provided that conclusion F.2.e. on page 22 is not adopted. The City Council concludes that the applicant should be permitted to apply for a Grading Permit before a Building Permit because a submitted monetary security device in an amount sufficient to pay for restoration of the site ensures that the site will be restored to its pre-grading condition and the applicant has indicated a commitment to complete the project as proposed.

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, and further subject to the following condition: "A grading Permit may be issued prior to issuance of a Building Permit provided that a monetary security device in an amount sufficient to pay for restoration of the site as determined by the Building Department is submitted before the permit is issued, Condition No. 3 of the Conditional Use Permit is met before the permit is issued, and the site is restored to its pre-grading condition should no Building Permit be obtained" is adopted..

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 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.

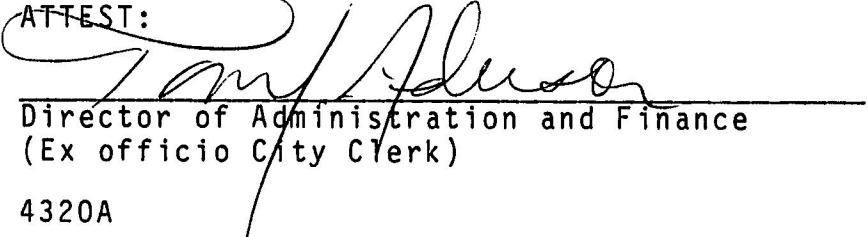
ADOPTED in regular meeting of the City Council on the 2nd day of March, 1981.

SIGNED IN AUTHENTICATION THEREOF on the 2nd day of March, 1981.



Mayor

ATTEST:



Director of Administration and Finance
(Ex officio City Clerk)



Attach to
R-2804

DEPARTMENT OF COMMUNITY DEVELOPMENT

ADVISORY REPORT
FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

PREPARED BY _____ DATE _____
XXX RECOMMENDED BY _____ DATE February 19, 1981
ADOPTED BY _____ DATE _____

STAFF _____

BOARD OF ADJUSTMENT _____

HOUGHTON COMMUNITY COUNCIL _____

XXX PLANNING COMMISSION _____ Carol Goddard
Joseph Tovar, Acting Director

CITY COUNCIL AS INCORPORATED IN _____

RESOLUTION _____ ORDINANCE _____

NUMBER _____

DATE _____

FILE NUMBER CZ-81-5

APPLICANT Pacific Technology, Inc.

PROPERTY LOCATION N. of NE 116th St. at approx. N.E. 118th St.

SUBJECT CONDITIONAL USE PERMIT FOR 3-STORY BUILDING

HEARING/MEETING DATE March 2, 1981

BEFORE KIRKLAND CITY COUNCIL

EXHIBITS ATTACHED "A" through "O" listed on reverse.

Pacific Technology List of Exhibits

- Exhibit "A" - Application
- Exhibit "B" - Environmental Information
- Exhibit "C" - Vicinity Map
- Exhibit "D" - Existing Features (see large plan)
- Exhibit "E" - Proposed Site Plan and Landscape Plan (see large plan)
- Exhibit "F" - Storm Drainage (see large plan)
- Exhibit "G" - Elevations (see large plan)
- Exhibit "H" - Soils Report
- Exhibit "I" - Drainage Report
- Exhibit "J" - Traffic Analysis
- Exhibit "K" - Letter from Applicant responding to Traffic Study
- Exhibit "L" - Required Changes to Site Plan
- Exhibit "M" - Citizen Input
- Exhibit "N" - Aerial Photograph of Site
- Exhibit "O" - Photographs of Terrain

I. SUMMARY

A. DESCRIPTION OF PROPOSED ACTION

Pacific Technology, Inc. has applied for a Conditional Use Permit to construct a 3-story, 46,800 square foot terraced building with 174 associated parking stalls for a light industrial electronic assembly facility in Planned Area 11, and an additional 32,400 square feet of building with 86 associated parking stalls to be constructed within two years. The property is located north of N.E. 116th Street at approximately N.E. 118th Street. The Land Use Policies Plan and the Zoning Ordinance designate the area for light industrial and/or commercial use.

The major issues are compliance with the standards for granting a Conditional Use Permit, traffic, parking, alternative vehicular access, public improvements, landscaping and tree retention.

B. RECOMMENDATIONS

Based on the major issues, facts, conclusions and Exhibits "A" through "O" contained herein, we hereby recommend approval of this application subject to the following conditions:

1. This application is subject to the various requirements contained in the Land Use Policies Plan and the Kirkland Zoning Ordinance. It is the responsibility of the applicant to assure compliance with the various provisions contained in these ordinances.
2. Prior to issuance of a Grading Permit, the applicant shall:
 - a. Designate on the grading and building plans a 'No Clear Cutting' and 'No Grading' area 25 feet in width along the entire length of the west property line and 10 feet from the south parking lot and from the access road to the south and east property lines for the construction stage. No grading, excavation or clear cutting shall occur in

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these areas, except for the 5 foot wide pedestrian walkway. Within the 10 foot wide grading area between the parking lot and access road and the 'NO CLEAR CUTTING' area, all significant trees 6" in caliper or greater shall be preserved as determined upon site inspection by the Department of Community Development staff (see Exhibit "L").

- b. Stake, rope and mark with brightly colored construction tape along the 'No Clear Cutting' and 'No Grading' areas. This shall be inspected and approved by the Department of Community Development before any on-site grading is allowed (see Exhibit "L").
3. Prior to the issuance of a Building Permit, the applicant shall:
 - a. Sign a concomitant agreement for the shared costs of all future traffic improvements at the intersections of N.E. 116th St. and 120th Ave. N.E., N.E. 116th St. and the I-405 northbound off-ramp, and N.E. 124th St. and 116th Ave. N.E. as related to Pacific Technology's traffic impact.

The agreement shall stipulate that in the future Pacific Technology will contribute an equitable share of the total cost of traffic design and construction improvements for the three intersections. An equitable share will be based on the extent of Pacific Technology's impact on the intersections. Traffic improvements would include but not be limited to signal installations or improvements, additional lanes, lane reconfiguration and traffic controls.

The Public Services Department will determine Pacific Technology's equitable share when improvements to the intersections are warranted. In the event that Pacific Technology disagrees with the Public Services Department's determination, the amount of the equitable share will be settled through binding arbitration. The form of the arbitration agreement shall be approved by the City Attorney.

- b. Revise the Conditional Use Permit application and Exhibit "E" and show on the Building Permit plan a reduction in the total number of parking stalls from 174 to 93 for 1981 and from 260 to 225 for 1985. After completion of Phase I or Phase II and associated parking, if the applicant can demonstrate a definite need for more parking, the Director of Community Development may approve up to 81 more additional stalls for Phase I and 35 additional parking stalls after Phase II (see Exhibit "E").
- c. Revise the Conditional Use Permit application and Exhibit "E" and show on the Building Permit plan a maximum two-way driving lane width of 24 feet along the north and south perimeters of both parking lots (see Exhibit "L").
- d. Revise the Conditional Use Permit application and Exhibit "E" and note on the Building Permit plan no alternative access road accessing to N.E. 116th Street (see Exhibit "E").
- e. Revise the Conditional Use Permit application and Exhibit "E" and show on the Building Permit plan a pedestrian walkway from the south parking lot to N.E. 116th St. The pedestrian walkway shall be improved with a 5 foot wide crushed rock walkway with bollards at each end. To install the walkway, grading shall be kept to a minimum and shall not exceed beyond 5 feet of either side of the walkway. The pedestrian walkway shall be lit to provide safety and security (see Exhibit "L").
- f. Note on the Building Permit plan a 5 foot wide 3/4" minus crushed rock walkway or similar improvement along N.E. 116th St. in front of the subject property as determined by the Public Service Department (see Exhibit "L").

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- g. Incorporate the recommendations of the Earth Consultants Inc.'s soils engineering report dated April 18, 1979 in the design and construction of the building and site (see Exhibit "H").
 - h. Note on Exhibit "E" of the Conditional Use Permit and the Building Permit plan that the 25 foot wide greenbelt buffer shall be planted with 8 foot high evergreen trees at 10 feet on center as determined by the staff upon site inspection (see Exhibit "E").
 - i. Show on the Building Permit plan a 4 foot wide planter with 4 foot high evergreen shrubs planted approximately 3 feet on center to provide a year-around screen in three years along the entire edge of both parking lots or a 4 foot high berm, except the areas directly in front of the building. The screening planters or berms along the south and east borders of the south parking lot may be eliminated if upon site inspection the Department of Community Development staff determines that the parking lot is not visible from N.E. 116th St. and adjacent properties (see Exhibit "E").
4. Prior to issuance of a Certificate of Occupancy Permit, the applicant shall:
- a. Submit an engineering design plan for construction of a northbound right turn lane at the intersection of N.E. 116th St. and 120th Ave. N.E. as recommended in the traffic study (Figure 11). The cost of the engineering design will be deducted from the total shared amount determined for traffic improvements at the intersection of N.E. 116th and 120th Ave. N.E. as stipulated in the concomitant agreement in Condition 4.a. above (see Exhibit "L").
 - b. Install the 5 foot wide pedestrian crushed rock walkway from the south parking lot to N.E. 116th St. (see Exhibit "L").

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- c. Install a 5 foot wide crushed rock walkway or similar improvement along N.E. 116th St. in front of the subject property as determined by the Public Services Department (see Exhibit "L").
- d. Deposit a frontage fee of \$11 per linear foot of frontage road of property along N.E. 116th St. to the Public Services Department (see Exhibit "C") to be used in funding future improvements to said right-of-way.
- e. Plant the evergreen trees along the 25 foot wide greenbelt buffer and the evergreen shrubs along the parking lot border. The planting of evergreen trees may be eliminated in the southwest corner of the property if, upon site inspection, the Department of Community Development's staff determines that the building and parking lot are blocked by the hill in the southwest corner (see Exhibit "L").

II. MAJOR ISSUES

A. STANDARDS FOR GRANTING A CONDITIONAL USE PERMIT

1. Applicant's Response:

- (1) Does the use or modification requested by the conditional use fit within the intent of the Kirkland Zoning Ordinance, and in the public interest? If so, indicate the proposed use and how it fits the above: "This light electronic industry with its professional design, engineering and corporate administrative offices are entirely within the published Planned Area 11 usage, contribute to the area economy and are in the public interest."
- (2) The applicants for a conditional use permit in any zone, for any business use, shall also provide the Planning Commission with an economic feasibility study to show the soundness of his

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business venture. The Planning Commission and City Council shall evaluate this study as consideration for approval or denial. "The management of this intended facility are personally and corporately committed to the preservation of natural beauty, environment and vegetation. Unusually strong emphasis is being placed upon land use planning, building design compatible with the surroundings and will equal or exceed all local regulations for maintaining the aesthetic and human values of the area. Any manufacturing or transportation noise will be exceedingly slight and there are no other foreseeable problems. In fact, some shielding of freeway noise will occur for residential property to the west of the project site."

- (3) Is the use or modification requested by this application for the continuation or enlargement of a non-conforming use? If so it shall be made on the basis of a site plan showing proposed landscaping, building renovation, and other site improvements. If the improvements are to be made over a period greater than two years, the time of improvements shall be indicated. "No."

2. Statements of Fact

a. Kirkland Zoning Ordinance

Section 23.27.020 - Planned Area 11:

Professional office or light industrial uses are permitted with a PUD or CUP.

Section 23.22.070 - LI - Area and Dimensional Requirement:

Front yard setback requirement is 30 feet. There are no side or rear yard setback requirements.

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Height:

Section 23.22.080 - LI: Building

There is no maximum building height, however, either one of the following alternatives must be met for buildings exceeding thirty (30) feet in height:

- (1) The front building line and each side building line shall be set back one (1) additional foot for each foot of height added above the first thirty (30) feet; or,
 - (2) A conditional use permit must be obtained to permit an alternative other than the height-setback relationship specified above.
- b. The Land Use Policies Plan has designated the area for light industrial or commercial use (p. 389).
 - c. The applicant proposes to construct a light industrial electronic assembly facility in Planned Area 11. The proposed structure is 37 feet above the average building elevation (see Exhibits "E" and "G").
 - d. The proposed front yard setback is 178 feet and the side yard setbacks are 100 feet (west side) and 310 feet (east side) including the 1985 addition (see Exhibit "E").
 - e. The applicant has submitted an economic feasibility business history fact sheet (see Exhibit "A").
 - f. The industrial electronic assembly business will be a light industrial operation done indoors with no excessive noise, lighting or glare and no heavy truck use as indicated by the applicant (see Exhibits "A" and "J").

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3. Conclusions

- a. The proposed business fits within the intent of the Kirkland Zoning Ordinance and Land Use Policies Plan and is in the public interest. The facility is a permitted use in Planned Area 11, meets the development requirements for a light industrial use, will provide employment for local residents and will add to the economic base of the community.
- b. The business is not a continuation or enlargement of a non-conforming use.
- c. The proposed structure can exceed 30 feet in height because the building has the required additional setbacks.

B. TRAFFIC

1. Statements of Fact

- a. Wilsey and Ham, Inc. submitted a traffic study on January 19, 1981 at the request of the Department of Community Development for the State Environmental Policy Act (SEPA) review (see Exhibit "J").
- b. In the traffic study, Wilsey and Ham makes the following conclusions (see Exhibit "J"):
 - (1) By 1985, the intersections of N.E. 116th St. and 120th Ave. N.E. and of N.E. 124th St. and 116th Ave. N.E., with or without Pacific Technology, will be extremely congested causing a greater flow of traffic into the intersections than out of the intersections (see Table 2A in letter dated February 5, 1981 of traffic study). 116th Ave. N.E. is the new extension of 120th Ave. N.E..

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- (2) By 1985, Pacific Technology will contribute approximately 4.6% (AM) and 3.6% (PM) to the intersection condition at N.E. 116th St. and 120th Ave. N.E. and 1.6% (AM and PM) of the intersection condition at N.E. 124th St. and 116th Ave. N.E. (see Table 3A in letter dated February 5, 1981 of traffic study).
- (3) Due to the construction of the proposed Pacific Technology, Inc. facility, a northbound right turn lane will be necessary at the intersection of N.E. 116th St. and 120th Ave. N.E. (see Figure 10 and Mitigating Measures discussion in traffic study).
- (4) By 1985, Pacific Technology will contribute approximately 47.6% (AM) and 1.3% (PM) to the northbound right turn condition at N.E. 116th St. and 120th Ave. N.E. (see Table 3A in letter dated February 5, 1981 in traffic study).
- (5) By 1985, the northbound off-ramp of I-405 at N.E. 116th St. will have a severe traffic flow problem with or without Pacific Technology (see Signal Warrant Checks discussion in traffic study).
- (6) By 1985, Pacific Technology will contribute approximately 4% to the northbound off-ramp of I-405 at N.E. 116th St. (see letter dated January 28, 1981 in traffic study).
- (7) By 1985, no traffic signal or lane reconfiguration is necessary at the intersection of N.E. 118th St. and 120th Ave. N.E. (See Signal Warrant Checks discussion in traffic study.)

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- c. Street improvements are scheduled for N.E. 116th St. in 1984 - 1986 and for N.E. 124th St. in 1981 as part of the Six-Year Road Improvement Plan (see Exhibit "C").
- d. The Public Services Department will consider improving the traffic conditions at the intersections of N.E. 116th St. and 120th Ave. N.E., N.E. 124th St. and 116th Ave. N.E., and the I-405 off-ramp at N.E. 116th St. in the next few years. In conjunction with these improvements, a share-cost study will be done to determine the extent of impact and the amount of contribution owed by surrounding business (see Exhibit "J").
- e. The Public Service Department cannot determine at this time Pacific Technology's contribution for future traffic improvements or if the suggested percentage of contributions (Table 3A) in Wilsey and Ham's traffic study are adequate. The Public Services Department recommends that the traffic improvement contribution be determined at the time of City's share-cost study as noted above in d.
- f. The Public Services Department states that a right turn lane is not needed for a few years. The Department recommends that the northbound right turn lane at N.E. 116th St. and 120th Ave. N.E. be installed after a design construction plan has been studied. The right turn lane would involve relocating the existing traffic signal, widening the paved road from 36 feet to 44 feet and constructing a retaining wall. Private property need not be acquired through condemnation to construct the right turn lane (see Exhibits "J" and "M").
- g. The applicant agrees to contribute to the right turn lane (see Exhibit "K").

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- h. The Public Services Department does not foresee any serious traffic problems at the intersection of N.E. 118th St. and 120th Ave. N.E. caused by the embankment and the large cedar trees (see Exhibits "J" and "M").

2. Conclusions

- a. Overall, Pacific Technology will not have a substantial traffic impact on the adjacent uses or the nearby intersections. No immediate traffic revisions are required as a result of the project.
- b. The applicant should sign a concomitant agreement for the shared costs of all future traffic improvements at the intersections of N.E. 116th St. and 120th Ave. N.E., N.E. 116th St. and the I-405 northbound off-ramp, and N.E. 124th St. and 116th Ave. N.E. as outlined in Condition No. 3.a.
- c. The applicant should submit an engineering design plan for construction of the northbound right turn lane at the intersection of N.E. 116th and 120th Ave. N.E. The cost of the plan should be deducted from the amount of contribution determined in the concomitant agreement as outlined in Condition No. 4.a.

C. PARKING

1. Statements of Fact

- a. Kirkland Zoning Ordinance

Section 23.34.020 - Required Number of Spaces:

Manufacturing Uses - 1 (stall) for each 2 employees. Not less than 1 per 1,000 square feet.

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Business or Professional Offices - 1 for each 300 square feet of gross floor area of the building.

b. The applicant proposes 81 extra parking stalls in 1981 and 135 extra parking stalls in 1985 as shown below (see Exhibit "E"):

<u>Square Feet By Use</u>		<u>Required No. of Stalls</u>	<u>Proposed No. of Stalls</u>	<u>Extra Stalls</u>
1981	Office-19,800 s.f.	66	66	0
	Mfg. - 27,000 s.f.	<u>27</u>	<u>108</u>	<u>81</u>
	TOTAL	93	174	81
1985	Office-19,800 s.f.	66	66	0
	Mfg. - 59,400 s.f.	<u>59</u>	<u>194</u>	<u>135</u>
	TOTAL	125	260	135

c. Based on Wilsey and Ham's traffic study, in 1981 there will be 490 visitor and delivery parking spaces and 315 visitor and delivery parking spaces in 1985 made available throughout each day (PTI will operate on a 10-hour day) as outlined below (see Exhibit "J" - Employee Commuting Habits and Site Parking Needs):

	<u>No. of Employee Cars Per Day</u>	<u>No. of Visitors Stalls Provided</u>	<u>Visitor Stall Turnover at 2/Hr.</u>	<u>Visitor Stall Per 10 Hr. Da</u>
1981	76	174 - 76 = 98	98 x 2 = 196	196 x 5 = 490
1985	197	260 - 197 = 63	63 x 2 = 126	126 x 5 = 315

d. The number of employee cars per day (first column) is based on 21 percent of the employees carpooling and 6 percent walking or riding to work (see Exhibit "J").

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- e. The nature of selling and distributing electronic equipment does not entail a considerable number of retail customers coming to the facility. As a manufacturing business with an associated office, some number of visitors will patronize the business throughout the day (see Exhibit "A").
- f. Pacific Technology's electronic facility is a labor-intensive use employing up to 260 people by 1985 (see Exhibit "A").
- g. The intent of the Kirkland Zoning Ordinance parking requirement is to establish a general standard for the needed amount of visitor, delivery and employee parking. The parking requirement for industrial uses is based on warehouse square footage space and is not applicable for labor intensive uses.
- h. Having 93 parking stalls (amount required by the Zoning Ordinance), the applicant would provide 76 employee stalls and 17 visitor and delivery stalls in 1981 for Phase I. With a visitor turnover every two hours, 17 visitor and delivery stalls would provide 85 spaces (17 x (10 hr divided by 2)) throughout the day for customers.
- i. In 1985, the square footage of the building will increase by 67 percent (41,400 sq. ft. to 73,800 sq. ft.). A 67 percent increase of the 17 (1981) visitor stalls would be a new total of 28 visitor stalls. At a two hour turnover, 28 stalls would provide 140 spaces (28 (10 hr. divided by 2)) throughout the day for customers. With 197 stalls required for the employees in 1985 and 28 stalls for visitors and deliveries, a total of 225 stalls would meet the parking needs in 1985 for Phase II.

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- j. Additional employee parking demands may occur after completion of the project because of the labor intense use.
- k. The Kirkland Zoning Section 23.34.040 - Appendix I notes that a 24 foot wide driving lane is adequate between the parking lanes.
- l. The applicant proposes to provide a 40 foot wide driving lane along the north and south perimeter driving lanes of both parking lots (see Exhibit "E").
- m. The area between the south parking lot and the south property line has a 13.5 percent southerly slope (see Exhibits "D" and "E").
- n. Planned Area 11 is on a potentially unstable slope (PS) as designated in the Environmentally Sensitive Areas Map.
- o. Land Use Policies Plan - Par Mac Area - Planned Area 11:
 - (1) Natural constraints to development include potentially unstable slopes (p. 384). In these potentially unstable areas, development should be regulated to minimize the likelihood of damage (p. 34).
 - (2) Most of the existing vegetation should be preserved (p. 384).

2. Conclusions

- a. The number of proposed parking stalls should be reduced from 174 to 93 for 1981 and from 260 to 225 for 1985 because an excessive number of visitor parking stalls are proposed that are not necessary for a manufacturing business. The number of parking stalls noted in Condition 3.b. provide adequate parking for the employees and visitors based on the Wilsey and Ham

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traffic study and the Kirkland Zoning Ordinance parking requirement. Reducing the number of parking stalls will preserve more of the existing vegetation, maintain the potentially unstable slope between the south parking lot and the south property line and reflect the amount of parking stalls actually needed.

- b. Should the applicant demonstrate that more parking stalls are required after completion of Phases I or II, it seems reasonable to administratively approve the additional stalls. In this event the Director of Community Development should be authorized to approve up to 81 more additional parking stalls for Phase I (for a total of 174 stalls - the maximum number of employees planned for the business in 1981) and up to 35 more additional parking stalls for Phase II (for a total of 260 stalls - the maximum number of employees planned for the business in 1985).
- c. To preserve the existing vegetation and maintain the slope as noted above, the north and south driving lanes on the perimeter of both parking lots should be reduced to the minimum required width of 24 feet as stipulated in Condition 3.c.

D. ALTERNATIVE VEHICULAR ACCESS

1. Statements of Fact

a. Land Use Policies Plan - Par Mac Area - Planned Area 11:

- (1) Natural constraints to development include potentially unstable slopes. Regulate development on potentially unstable slopes (p. 384). In these potentially unstable areas, development should be regulated to minimize the likelihood of damage (p.34).

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- (2) Most of the existing vegetation should be preserved.
 - (3) (Not Applicable)
 - (4) Access to N.E. 116th St. should be limited because of the terrain.
- b. Planned Area 11 is on a potentially unstable slope (PS) as designated on the Environmentally Sensitive Areas map.
 - c. The area between the south parking lot and the south property line has a 13.5 percent southerly slope (see Exhibits "D" and "E").
 - d. The applicants proposes an alternative access road from the south parking lot to N.E. 116th St. down the 13.5 percent slope (see Exhibit "E").
 - e. Vehicular access is available to the subject property via the private road of N.E. 118th St. An easement agreement (No. 8005280051) has been recorded between Northwest Construction Co. and Pacific Technology, Inc. for use and maintenance of N.E. 118th St. (see Exhibit "E").
 - f. The Fire and Public Services Departments would not use the alternative access road for emergency services because of the slope and width of the road.
 - g. Wilsey and Ham's traffic study does not address traffic impacts from the alternative access road to N.E. 116th St. (see Exhibit "J").

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- h. According to the traffic study, 6 percent of the PTI employees will walk or ride the bus (see Exhibit "J").
- i. Metro bus No. 255 stops along N.E. 116th St. There is a bus stop one block west of the intersection of N.E. 116th St. and 120th Ave. N.E. (see Exhibit "C").

2. Conclusions

- a. To be in conformance with the Land Use Policies Plan and to preserve the existing vegetation and the potentially unstable slope, the applicant should not construct an alternative access road and should delete the road from the site plan as stipulated in Condition 3.d.
- b. To provide pedestrian access to N.E. 116th St. for employees who ride the bus or walk to work, the applicant should install a 5 foot wide crushed rock walkway from the south parking lot to N.E. 116th St. Bollards should be placed at each end of the walkway to discourage motor bikes and other motorized vehicles from using the walkway. To provide safety and security, the pedestrian walkway should be lit as outlined in Condition 3.e.

E. PUBLIC IMPROVEMENTS

1. Statements of Fact

- a. N.E. 116th St. will be improved in 1984-1986 as part of the Six-Year Road Improvement Plan (see Exhibit "C").
- b. As authorized under the Public Improvement Ordinance (Ordinance 2431), the Public Services Department requires that all new developments along N.E. 116th St. submit a frontage fee of \$11 per linear frontage foot of property along the road.

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- c. The Public Services Department has been requiring 5 foot wide gravel walkways or similar improvements along N.E. 116th St. as temporary pedestrian access until the road is improved.

2. Conclusions

As part of the road improvement contribution, the applicant should submit a frontage fee of \$11 per frontage foot of property along N.E. 116th St. and install a 5 foot wide 3/4" minus crushed rock walkway or similar improvement such as a Metro bus turnout in front of the subject property along N.E. 116th St. as outlined in Conditions 4.c. and d.

F. LANDSCAPING AND TREE RETENTION

1. Statements of Fact

- a. Kirkland Zoning Ordinance

Section 23.40.060 - Landscaping:

All open off-street parking or loading areas shall be screened from all adjoining lots by either:

- (1) A strip at least four feet wide, densely planted with shrubs or trees at least four feet high at the time of planting to provide a year-round dense screen within three years, or
- (2) A wall or fence at least six feet high that is not more than 50 percent open.

- b. The applicant shows a 4 foot wide planter only along the west side of the south parking lot, but not along the south and west sides of the south parking lot, or around the north parking lot (see Exhibit "E").

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- c. Due to the existing trees that will be preserved and the distance from the south parking lot to the south property line (221 feet) and to the east property line (385 feet), the south parking lot may not be visible from the eastern or southern adjacent properties (see Exhibit "E").

- d. Kirkland Zoning Ordinance
Section 23.40.080 - Landscaping For Industrial Zone:

A protective strip of land 25 feet in width bordering the external boundaries of the Light Industrial zone shall be devoted exclusively to the planting and cultivation and maintenance of sight obscuring trees, shrubs and plants.

- e. The Department of Community Development has a continuous policy of requiring 3 offset rows of 8 foot high evergreen trees planted 10 feet on center in the 25 foot wide protective strip.

- f. The west property line of the subject property is on the external boundary of a light industrial zone (see Exhibit "C").

- g. The applicant shows a 25 foot wide greenbelt buffer along the west property line planted with 3 rows of 6 to 8 foot high evergreen trees. The on center planting and a specific height of 8 feet are not noted on the site plan (see Exhibit "E").

- h. Land Use Policies Plan - Par Mac Area - Planned Area 11:

(1) Natural constraints to develop include potentially unstable slopes (p. 384). Manage development according to the severity of natural constraints in order to reduce risks and minimize damage

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to life and property (p. 27). In these potentially unstable areas, development should be regulated to minimize the likelihood of damage. Regulation could take the form of site design requirements, structural standards, erosion control measures, vegetation removal plans, reduced densities or other measures to prevent risk to life and property (p. 34).

- (2) Most of the existing vegetation should be preserved (p. 384).
 - (3) Heavily vegetated visual and noise buffering should be maintained or developed where necessary towards the residences to the west (p.384).
- i. Single family residences are located to the west of the subject property in King County (see Exhibit "C").
 - j. The site is covered with ash, alder, cedar, fir, maple trees (see Exhibit "D").
 - k. The property is on a potentially unstable slope as noted on the Environmentally Sensitive Areas map. The property slopes 13.5 percent towards the south between the southern parking lot and N.E. 116th St. (see Exhibits "D" and "E").
 - l. Earth Consultants, Inc. submitted a soils report and concluded that the site is buildable with specific construction guidelines (see Exhibit "H").
 - m. The applicant wishes to begin grading before the issuance of a Building Permit so as not to further delay completion of the project and to meet a pre-arranged construction schedule.
 - n. The Building Department requires issuance of a Building Permit before any grading occurs on a site. However, the Building Department can issue a Grading Permit before a Building Permit if a monetary security device is submitted to insure that the site will be restored to its pre-grading condition should a Building Permit not be obtained.

2. Conclusions

- a. To be in conformance with the Kirkland Zoning Ordinance, both parking lots should be screened from all sides, except the areas directly next to the building, with a 4 foot wide dense screen as outlined in Condition 3.i. To add variation and flexibility in site design, a 4 foot high berm may be substituted for a planter with 4 foot high evergreen shrubs. Upon site inspection, the Department of Community Development staff may eliminate the screening requirement for the south parking lot along the south and east sides if the parking lot is not visible from the adjacent properties or from N.E. 116th Street.
- b. To be in conformance with the Department of Community Development's policy for the 25 foot wide protective strip and to provide a heavily vegetated visual and noise buffer for the residences to the west, the applicant should plant 8 foot high evergreen trees at 10 feet on center as noted in Condition 3.h. Upon site inspection, the staff could determine if evergreen trees need to be planted in the southwest corner or other areas along the 25 foot wide protective strip where topographical conditions or existing significant vegetation would preclude the need for the evergreen trees.
- c. To ensure the construction of a safe building, to preserve the slope and to control erosion, the recommendations of the Earth Consultants, Inc.'s soil report should be incorporated in the Grading Permit plans.
- d. To preserve the existing vegetation and the slope, the applicant should designate, stake and rope a 'No Clear Cutting' and 'No Grading' area along the 25 feet wide greenbelt buffer of the west property line and 10 feet from the south parking lot and from the access road for the construction stage. Significant trees 6" in caliper or greater should be preserved in the

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10 foot wide grading area between the parking lot and access road and the 'NO CLEAR CUTTING' area as determined upon site inspection by the Department of Community Development staff as outlined in Condition 2.a. and b.

- e. The applicant should not be permitted to apply for a Grading Permit before a Building Permit because the heavily vegetated and sloped site could not be restored to its pre-grading condition should no Building Permit be obtained.

III. BACKGROUND

A. SITE

As noted in the Earth Consultants, Inc. soils report, the site is underlain by mostly granular soils and glacial till. A small dry watercourse flows from the terraced section towards the north. The site is covered with a thick growth of trees and underbrush (see Exhibit "H"). Ash, alder, cedar, fir and maple trees vegetate the site (see Exhibit "D").

B. NEIGHBORHOOD

To the north are the commercial establishments of Northwest Construction, Fred Meyer and Dunn Lumber in an area zoned for light industrial use. To the east are single family residences, wooded land and the commercial establishment of Eastside Spraying Service in an area zoned as Planned Area 11 zoned for light industrial or professional office use. To the south are industrial establishments in the Par Mac area zoned for light industrial use. To the west are single family residences of King County zoned for residential use.

IV. STATE ENVIRONMENTAL POLICY ACT (SEPA) REVIEW

1. Statements of Fact

After submitting an Environmental Checklist and a traffic study as requested by the Department of Community Development, a Final Declaration of Non-Significance from the Responsible Official was made on January 30, 1981.

2. Conclusions

The applicant has complied with the requirements of SEPA. Due to the Declaration of Non-Significance, an Environmental Impact Statement is not required for the proposed project.

V. DEVELOPMENT STANDARDS

The following development standards, policies and regulations pertain to the development of the property. However, the list does not include all of the requirements, and it is the responsibility of the applicant to assure compliance with all provisions contained in the Land Use Policies Plan and the Kirkland Zoning Ordinance.

1. Statements of Fact

a. Kirkland Zoning Ordinance

Section 23.32.030 - Signs in LI:

One square foot of sign per 500 square feet of gross floor area.

Location of free standing sign: Not closer than one-half of the required setback, if any.

Section 23.32.040 - Commercial Signs:

No commercial sign shall be located on any property other than that property upon which the advertised business is located.

Section 23.34.040 - Off-Street Parking Areas:

All required off-street parking areas shall be paved and striped before an occupancy permit is issued.

Section 23.34.080 - Landscaping:

In an industrial zone, 5 percent of the total area of the development site shall be given over to landscaping and beautification in a manner to be mutually determined and agreed upon by the developer and the Planning Department.

b. Kirkland Fire Department.

A fire hydrant will be required on the site and shall be installed, charged and fully operational before a building permit is issued. Some areas will be required to be painted and posted with "No Parking Fire Lane" signs.

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2. Conclusions

- a. All advertising signs must conform to the Zoning Ordinance requirements. A sign permit must be obtained before erecting any signs.
- b. Should N.E. 118th St. be dedicated to the City, Pacific Technology, Inc. cannot place a sign near 120th Ave. N.E. next to N.E. 118th St. The sign must be placed on the subject property.
- c. The applicant must contact the Fire Department for details on the required fire hydrant and signs.
- d. The parking lots must be paved and striped prior to issuance of a Certificate of Occupancy Permit.
- e. Prior to issuance of a Building Permit, the applicant should submit a landscape plan showing 5 percent of the total site area as landscaped. The landscaping should be installed prior to issuance of a Certificate of Occupancy Permit.

VI. APPENDICES

Exhibits "A" through "O" are attached.

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