

RESOLUTION NO. R-2809

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-81-11, BY THE CITY OF KIRKLAND TO CONSTRUCT A TWO-STORY CITY HALL BEING WITHIN THE PLANNED AREA 7 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 the City of Kirkland, the owner of said property described in said application and located within a Planned Area 7 zone.

WHEREAS, the application has been submitted to the Kirkland Planning Commission who held hearing thereon at their regular meetings of February 19, 1981 and March 5, 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 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, 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-81-11 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 expressly set forth herein.

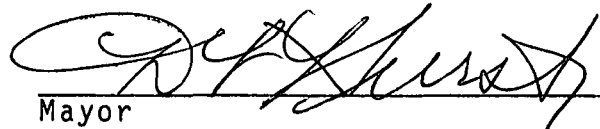
Section 5. Failure on the part of the holder of the permit to initially meet or maintain strict compliance with the standards and conditions to which the Conditional Use Permit is subject shall be grounds for revocation in accordance with Ordinance No. 2183, the Kirkland Zoning Ordinance.

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

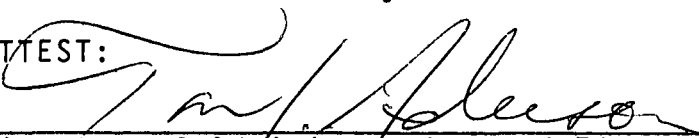
- (a) Applicant
- (b) Department of Community Development of the City of Kirkland
- (c) Fire and Building Departments of the City of Kirkland
- (d) Public Service Department of the City of Kirkland
- (e) The Office of the Director of Administration and Finance (ex officio City Clerk) for the City of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

ADOPTED in regular meeting of the City Council on the 16th day of March, 1981.

SIGNED IN AUTHENTICATION THEREOF on the 16th day of March, 1981.



Mayor

ATTEST:


Director of Administration and Finance
(Ex officio City Clerk)

4481A



DEPARTMENT OF COMMUNITY DEVELOPMENT

ADVISORY REPORT
FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

PREPARED BY _____ DATE _____
XXX RECOMMENDED BY _____ DATE March 5, 1981
ADOPTED BY _____ DATE _____

STAFF _____
BOARD OF ADJUSTMENT _____
HOUGHTON COMMUNITY COUNCIL _____
XX PLANNING COMMISSION Carl Goddard
CITY COUNCIL AS INCORPORATED IN
RESOLUTION _____ ORDINANCE _____
NUMBER _____
DATE _____

FILE NUMBER CZ-81-11
APPLICANT CITY OF KIRKLAND
PROPERTY LOCATION Old Central School Site between 1st and 2nd Sts. and between 5th Ave. and the alley south of 4th Ave.
SUBJECT CONDITIONAL USE PERMIT FOR NEW CITY HALL
HEARING/MEETING DATE March 16, 1981
BEFORE KIRKLAND CITY COUNCIL

EXHIBITS ATTACHED Exhibits "A" through "P" listed on reverse

- "A" Application
- "B" Vicinity Map
- "C" Site Plan
- "D" Lanscaping
- "E1" North and West Elevations
- "E2" East and South Elevations
- "F1" Main Story
- "F2" Lower Story Floor Plan
- "G" Figure 33, LUPP
- "H" Figure 35, LUPP
- "I" Figure 36, LUPP
- "J" Neighborhood Uses
- "K" Additional Landscaping
- "L" LUPP Policy 3
- "M" Environmental Information
- "N" Survey of Existing Site
- "O" Memo of 2-12-81
- "P" Slides (in file)

- "Q" Exhibits Presented at Planning Commission Hearing (Photographs in file)
- "R" Letter from P. Whitely dated 3/5/81

In

I. SUMMARY

A. PROJECT DESCRIPTION

Jerry Cichanski, Project Architect, has acted as an agent for the City of Kirkland. He has submitted an application for a Conditional Use Permit to construct a two-story 32,000 square foot City Hall on a 3.77 acre parcel. The building would be developed on the old Central School site, between 1st and 2nd Streets and between 5th Ave. and the alley south of 4th Avenue. The project will require the demolition of Central School.

Major issues found in analysis of this development proposal include: State Environmental Policy Act, Conditional Use Permit criteria, compliance with the Zoning Ordinance, compliance with the Land Use Policies Plan, right-of-way improvements and traffic.

B. Based on the Facts, Conclusions and Exhibits found in this report, we hereby recommend approval of this application subject to the following conditions:

1. The applicant must obtain all necessary permits before development of the site. These permits include and are not limited to: Grading Permit, Building Permit, Electrical Permit, and Plumbing Permit.
2. Prior to issuance of the Building Permit, the applicant shall meet with the Park Department to discuss refinements and revisions to the landscaping plan. Attention shall be given to plant materials, soils and construction techniques and the following revisions considered:
 - a. Revise the landscaping plan to provide:
 - i. Additional landscaping islands in the parking area, per Exhibit "K". The islands shall each contain a tree 2 1/2" in caliper and other vegetation.

3/5/81 (P.C.)
3/5/81 (Staff)
2/11/81/4197A/0052A/bk

- ii. An earthen mound no taller than three feet adjacent to parking areas along 1st and 2nd Sts to facilitate internal drainage and to screen headlight glare into residential areas.
 - iii. An appropriate parking buffer for the southern parking lot to comply with Section 23.40.060 of the Zoning Ordinance. The buffer may be plant materials or earthen mounds or a combination of both.
- b. Revise the site plan to indicate:
- i. Low level lighting along the interior pedestrian walkways. A lighting plan shall be approved by the Department of Community Development at the time of the Building Permit. Lights in the parking area shall not glare onto neighboring residences.
 - ii. A 5 foot wide concrete sidewalk along 5th Ave. The applicant shall also replace a sidewalk section at the intersection of 1st Street and 5th Avenue and at 2nd Street and 4th Avenue.
 - iii. Bicycle racks located near the public entrance but carefully segregated from potential automobile or foot traffic.
 - iv. Pedestrian walkways crossing the parking lot shall be clearly marked. A concrete surface shall be considered, especially for the walkway from 1st Street, past the cherry tree and to the main entrance.
3. Signs for the site shall be kept to a minimum. Off-site signs may be allowed at the following intersections: 3rd and Central, 4th and Market, 1st and Central, 3rd and 5th and 1st St. and 7th Ave.

3/5/81 (P.C.)
3/5/81 (Staff)
2/11/81/4197A/0052A/bk

4. The three existing hydrants shall be replaced and a 12" waterline installed in 1st St. to connect to the 12" line in Central Way. An additional hydrant shall be installed per the requirements of the Fire Department.
5. The final roofline may not exceed a 24-foot maximum. The skylights may extend up to 35 feet in height.
6. Emergency siren testing by the Police is not allowed on the site.
7. A turnout to provide parking for one automobile shall be provided on the south side of 4th Avenue, as depicted in the Site Plan Exhibit.
8. The parking lot design shall be modified to reflect the zoning standards for multi-family, to increase landscaping and to reduce impervious surfaces.

II. SITE DESCRIPTION

1. Statement of Fact

- a. The Central School building and an asphalt parking lot exists on the site. Significant vegetation includes an 8" cherry tree (planted at the time Central School was built), two 24" in diameter maples, several cedar trees ranging in size from 5" to 12" in diameter, and four birches. The site has been graded into two terraces. The upper terrace houses the building and the asphalt parking lot; the lower terrace is planted in grass and was a playfield. A 9 foot retaining wall separates the upper and lower terrace. There is a gentle slope running north to south on each terrace and a swale in the center of the site.

2. Conclusions.

The site has been previously graded and developed. Unusual features found on the site include a 9 foot high rock retaining wall, the existing school structure, and the 8" in diameter cherry tree. Demolition of the school building is a separate action which has met City Council approval.

III. MAJOR ISSUES

A. STATE ENVIRONMENTAL POLICY ACT

1. Statement of Fact

An Environmental Checklist, pursuant to the State Environmental Policy Act, was submitted December 12, 1980. After thorough review and request for additional information, the Responsible Official signed a Declaration of Non-significance on February 6, 1981. (See Exhibit "M" - Environmental Information).

2. Conclusions.

The requirements of the State Environmental Policy Act have been met.

B. CONDITIONAL USE PERMIT CRITERIA

1. Statement of Fact

a. Does the use or modification requested by the Conditional Use Permit 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.

i. Applicant's Response: "Yes, the proposed Kirkland City Hall on the site fits within current Community Development zoning and City Council approved goals."

ii. Analysis: Subsequent sections analyzing compliance with the Kirkland Zoning Ordinance and Land Use Policies Plan presents an in-depth response to this question. Ordinance 2558 allows public facilities to be located in a Planned Area through a Conditional Use Permit or Planned Unit Development Permit. The site is located in Planned Area 7, and the applicant is processing this Conditional Use Permit for the City Hall proposal.

b. Indicate why the use or modification requested by this application for the operation of a permitted business in a residential zone will not do damage to adjacent residential property values, creating excessive noises, or creating other nuisances; the applicant 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 business venture. The Planning Commission and City Council shall evaluate this study as consideration for approval or denial.

i. Applicant's Response: "The use as a city hall and police facility on this site speaks for itself as serving in the community interest. The scale of the proposal is compatible with its neighbors."

ii. Analysis: The new City Hall is not a business, therefore, this criteria does not apply. However, as noted in the remainder of this report impacts on adjacent residential uses will be mitigated through screening and traffic routing.

iii. It should also be noted that Police vehicles are required to test their sirens at the start of each shift. To prevent this noise impact on the surrounding residential homes to the south, east and west; the Police Department will not test sirens on the City Hall site.

c. Is the use or modification requested by this application for the continuation or enlargement of a non-conforming use?

i. Applicant's Response: "Not applicable."

ii. Analysis: This is not applicable criteria.

3/5/81 (P.C.)
3/5/81 (Staff)
2/11/81/4197A/0052A/bk

2. Conclusions

Based on the evaluation in the Kirkland Zoning Ordinance and Land Use Policies Plan Sections of this report and the provision that a public facility may situate in a Planned Area through the Conditional Use or Planned Unit Development permits, this proposed City Hall does fit within the intent of the Kirkland Zoning Ordinance and is in the public interest.

Excessive noise will not be created on-site since the Police Department will require emergency siren testing to occur off site.

B. LANDSCAPING AND BUFFERING

1. Statement of Fact

a. Section 23.40.040 and Section 23.40.060 of the Zoning Code requires parking be screened from all adjoining lots by either:

(1) A strip at least 4 feet wide, densely planted with shrubs or trees at least 4 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 3 years, measured with reference to the elevation of the parking or loading area, or

(2) A wall or barrier or uniformly finished fence of a 6 feet high, but not more than 8 feet above finished grade, (or above the roof level, if on a roof). Such wall, barrier or fence may be opaque or perforated providing that not more than 50% of the face is open.

b. The applicant is parking within the required 20 foot front yard setback in the following manner:

3/5/81 (P.C.)
3/5/81 (Staff)
2/11/81/4197A/0052A/bk

Parking has a 12 foot setback along 1st Street, a 15 foot setback along 5th Ave., and a 13 foot setback along 2nd Street.

c. The Zoning Ordinance, Section 23.34.100 states that "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."

d. The perimeter landscape plan submitted (see Exhibit "D") proposes trees and grass. The trees are predominantly deciduous and the 2 1/2" caliper size will have branches roughly 5 or 6 feet above the ground.

e. The multi-family residential development criteria applies to the City Hall proposal per Section 23.27.020 (Introduction). Applicable criteria requires:

3/5/81 (P.C.)
3/5/81 (Staff)
2/11/81/4197A/0052A/bk

Section 23.34.040

Parking lots in multi-family residential developments containing fourteen (14) or more stalls shall be arranged so that there are no more than eight (8) contiguous parking stalls. A landscaped area shall separate each group of stalls. This area shall be an island or peninsula measuring at least six (6) by eighteen (18) feet, landscaped with trees or shrubs. The Director of the Department of Community Development may modify these requirements if the applicant demonstrates that existing vegetation or topography make modification more beneficial to the interests of the City.

Thirty-three (33) percent of the required number of parking spaces may be designed and designated for use by compact cars and shall measure eight (8) by sixteen (16) feet.

2. Conclusions

- a. The parking falls within the required front yard setback and thus a superior landscaping alternative is required. The applicants must also provide appropriate grades for drainage flow. An earthen mound along 1st and 2nd Sts., no more than three feet high, will establish a correct drainage grade and screen the lower portion of parked cars. It is important to provide some additional visual screening of the parking areas adjacent to these two streets because this is the location of abutting single family homes (see Exhibit "J"). The earthen mound will not be high enough to create a security problem but will be high enough to prevent headlights from glaring into adjacent residential areas.

3/5/81 (P.C.)
3/5/81 (Staff)
2/11/81/4197A/0052A/bk

- b. The parking plan should be revised per Exhibit "K" to include additional landscape planters. Each island should have at least one tree 2 1/2" in caliper and other vegetation. It should also provide 33% compact car parking per Section 23.34.040. This results in a reduction of impervious surface and off-site drainage.
- c. Additional buffering is not necessary on the northern perimeter because of the 3 foot grade difference between the parking lot and 5th Ave. which provides an adequate buffer.

C. COMPLIANCE WITH THE KIRKLAND ZONING ORDINANCE

1. Statement of Fact

- a. The site is located in Planned Area 7 with a permitted residential density of one dwelling unit for every 3600 square feet. Public facilities may locate within Planned Areas through the Conditional Use Permit or Planned Unit Development Permit process. The definition of public facilities states: "All municipal, county or state-owned facilities including not not limited to governmental administrative offices, libraries, fire stations, police stations, municipal garages and yards, etc."

- b. The chart below compares the proposal with requirements of the Zoning Ordinance.

<u>Item</u>	<u>Ordinance</u>	<u>Proposal</u>
Use	Public Facility	City Hall
Lot Size	7,200 sq. ft.	164,293 square feet
Lot Coverage	35%	19%
Parking Stalls	107	130
Front Setback	20 Feet	150 Feet at 1st Street 90 Feet at 5th Ave. 110 Feet at 2nd Street 143 Feet South Property Line
Sideyard	5 Feet	
Building Height	30 Feet. May increase with increased yard setbacks: 4 feet setback for one foot height.	35 Feet

- c. Height. "In an RM zone no residential building or structure shall exceed a height of thirty (30) feet. In Planned Areas, the height may exceed thirty (30) feet provided that for each additional 1 foot of height, the sum of all the minimum yard setbacks shall be increased 4 feet, and provided further that a site occupied by a building or structure having a height greater than thirty (30) feet shall have no property segregated or subdivided from such site which would reduce the yards and open spaces required or provided to compensate for the greater height, nor which would reduce the total required minimum area of the site upon which the permitted lot coverage was based." (Section 23.10.090)

2. Conclusions

The building meets or exceeds all dimensional regulations found in the Zoning Ordinance. The structure has sufficient additional yard setbacks to allow a 35 foot height.

A City Hall facility meets the above cited definition of "public facility".

D. COMPLIANCE WITH THE LAND USE POLICIES PLAN

1. Statements of Fact

- a. The following land use policies which are extracted from the policy document are applicable to this development:

"ECONOMIC ACTIVITIES
POLICIES

Accommodate expanding business and commercial growth within the CBD by providing additional lands through the relocation of City Hall and the Fire Station; the vacation of streets; the relocation of portions of public lands or other facilities.

3/5/81 (P.C.)
3/5/81 (Staff)
2/11/81/4197A/0052A/bk

The existing City Hall is not well located within the CBD, taking potentially useable commercial lands. Also, this facility is not sufficient to meet the needs of many local governmental functions. On relocation, the City Hall should be somewhere on the perimeter of the CBD so that it continues to function as a part of Kirkland's downtown. Views from adjacent residential properties and adverse impacts will be considered very carefully before any physical development occurs.

The westerly portion of this Planned Area (west of 2nd Street) is the Central School site. In this area, medium density residential uses of 10 to 14 dwelling units per acre are appropriate. There is no present commitment to high density uses in this area, and the policies discussed above are geared to the strict limitation of high density uses to specific areas in order to stop the proliferation of apartments into areas not established as apartment areas. Higher densities in this area would create intolerable traffic loads channelled into the CBD, and could severely impact the traffic circulation system in the CBD. The medium density would also provide a transition from the high density area to the east and the single family area to the north. Development in this area will be subject to the following performance standards:

- (i) The site should be developed as a unit, with the clustering of housing units and the provision of common open space.
- (ii) Parking areas and access points should not be from 5th Avenue, where this area interfaces with the low density residences.

3/5/81 (P.C.)
3/5/81 (Staff)
2/11/81/4197A/0052A/bk

- (iii) Along the interface with the single family area to the north, a wide landscaped buffer will be necessary.
 - (iv) Existing amenities (namely, views and existing vegetation) are to be preserved to the greatest extent possible."
- b. 1st Street is designated as a "bicycle/pedestrian" route in the Land Use Policies Plan (see Exhibit "H").
 - c. Community Goals and Policies #3 in LUPP states that standardized public signs are appropriate to identify facilities such as City offices (see Exhibit "L").

2. Conclusions

- a. Relocation of the City Hall will occur at the perimeter of the Central Business District. The City Hall promotes pedestrian movement from downtown by locating entryways on the south building wall and mall walkways linking the structure to 1st and 2nd Sts.
- b. The site is developed as a unit, with future expansion incorporated in the overall design of Phase I. Large yard setbacks and wide perimeter planter beds contribute to the openness of the site.
- c. Parking access links into 1st St., 2nd Ave., 4th Ave., and 5th Ave. The point of access onto 5th Ave. is situated so that it will not impact single family residences. The entryway is opposite a private lodge. The two single family homes on 5th Ave. are east of this entry point. Allowing access onto 5th Ave. lessens the traffic intensity on single family homes along 1st and 2nd Sts. (See Exhibit "J").

3/5/81 (P.C.)
3/5/81 (Staff)
2/11/81/4197A/0052A/bk

- d. The landscape buffer along the northern perimeter is 16 feet wide. Four feet is required under the Zoning Ordinance.
- e. Existing vegetation will be preserved to the greatest extent possible. However, due to the sensitive roots and proximity the birches have to the building, it is unlikely these trees will be saved. The building will block the views of one single family north of 5th Ave. and 2 houses in from 2nd St.
- f. Ultimate signing and lane designations for a bikeway on 1st Street should be undertaken at a later date as part of a more comprehensive improvement program. Some provision should be made for bicycle racks on site in order to facilitate this alternative mode of transportation.
- g. Public signs identifying the location of City Hall are appropriate (see discussion below under "TRAFFIC").

E. TRAFFIC

1. Statements of Fact

- a. The environmental information assembled for the project is contained in Exhibit "M". The traffic analysis used to support the Declaration of Non Significance identifies problems at the intersections of 4th Avenue/Market Street and Central Way/1st Street with or without the addition of City Hall traffic. It also states that levels of service at 3rd Street/Central Way will remain unchanged even with the addition of City Hall traffic during the evening peak.
- b. Public traffic to City Hall will access primarily from 5th Ave. while employee traffic will access from 1st and 2nd Streets. Most traffic during the day will use 5th Avenue which is adjacent to primarily institutional uses (See Exhibit "J").

3/5/81 (P.C.)
3/5/81 (Staff)
2/11/81/4197A/0052A/bk

- c. The City of Kirkland currently uses off-site signs to direct the public's attention to such facilities as Parks and the Senior Center. These signs are mounted on poles with street signs and are useful in directing traffic.
- d. At present, the single family residence directly south of 4th Avenue uses 4th Avenue for parking. The project would remove parking on 4th Avenue.

2. Conclusions

- a. The additional traffic will not require improvements to surrounding streets or intersections. The evening peak traffic will tend to use to the 3rd St./Central Way intersection which is already signalized. The poor levels of service at Central/1st St. and Market/4th Ave. will worsen regardless of City Hall traffic.
- b. No unreasonable traffic impacts should accrue to the lands immediately surrounding the site.
- c. Off-site signs should be used to aid the public in locating the City Hall.
- d. A turnout to provide parking for one automobile shall be provided on the south side of 4th Avenue, as depicted in the Site Plan Exhibit.

F. RIGHT-OF-WAY IMPROVEMENTS

1. Statements of Fact

- a. Two sections of the sidewalks fronting the site should be replaced, per memorandum dated February 19, 1981 from Public Service. One is at the intersection of First Street and 5th Avenue, the second section is at 2nd Street and 4th Avenue.
- b. Sidewalks fronting the site along 1st and 2nd Sts. are cracked and uneven.

3/5/81 (P.C.)
3/5/81 (Staff)
2/11/81/4197A/0052A/bk

c. No sidewalk exists on the southern edge of 5th Avenue.

2. Conclusion

The sidewalks abutting the site along 1st and 2nd Sts. should be replaced. A new sidewalk should be installed on the southern edge along 5th Ave. as it abuts the site.

Sections of the sidewalks along First and 2nd Streets should be replaced, specifically at their intersections with 5th Avenue and 4th Avenue respectively.

IV. DEVELOPMENT STANDARDS

1. To improve fire flow the three existing hydrants shall be replaced and a 12" water line installed in 1st St. and connected to a 12" line in Central. An additional hydrant is required.
2. The provisions of the Uniform Building Code exist and have force apart from the authority of this zoning permit.

V. APPENDICES

Exhibits "A" through "R" are attached.

3/5/81 (P.C.)
3/5/81 (Staff)
2/11/81/4197A/0052A/bk