

PLANNING CONDITIONS – Contact Kyle Cotchett, Phone Number 425-587-3254:

Conditions applying to *almost* all permit types:

Note: consult the Kirkland Zoning Code (KZC) online at <http://www.codepublishing.com/wa/kirkland/?html/KirklandZNT.html>

- PBD 1. **PLANNING TO PERFORM FINAL INSPECTION PRIOR TO BUILDING - BUILDING PERMIT INSPECTION CARD MUST BE SIGNED OFF BY PLANNING PRIOR TO ANY REQUEST FOR FINAL BUILDING INSPECTION.** You can request an inspection through www.mybuildingpermit.com. **24 HOUR ADVANCE NOTICE REQUIRED FOR INSPECTION.** Please consult these conditions before scheduling a Planning inspection.
- PBD 2. **HEIGHT VERIFICATION** – A completed, signed and dated height verification form must be submitted to the building inspector at either the underfloor inspection or the slab insulation inspection.
- PBD 3. **HEIGHT SURVEY** – A height survey, by a licensed surveyor, must be submitted to the building inspector at time of the roof sheathing inspection for structures that will be within one foot of the maximum allowed height.
- PBD 4. **REVISED SITE PLAN** - Any proposed changes to the approved site plan, such as but not limited to, added hard surfaces, HVAC units, accessory structures, or tree removals, must be submitted as a revision to the building permit for review and approval prior to implementation.
- PBD 5. **LOT COVERAGE** - Any proposed increase in the total impervious and/or hardscape surfaces on the site must be submitted for review as a revision to this building permit prior to the addition of impervious/and or hardscape area.
- PBD 6. **LOT COVERAGE APPROVED PLANS** - The approved plans do not show any areas of synthetic turf. This material shall not be installed unless a revision to this permit is submitted and approved by the City. For lot coverage purposes, synthetic turf is considered impervious by the Kirkland Zoning Code.
- PBD 7. **ADDITION/ALTERATION TREE RETENTION** - No tree removal is allowed unless approved on your site plan. No damage to tree root systems is allowed. No heavy equipment and stockpiling of materials within tree drip lines. Any additional tree removal must be authorized by the Planning & Building Department prior to removal. Call the planner noted above for more information.
A minimum of two trees must be on the lot following the requirement set forth in KZC 95.33(4).
- PBD 8. **NOTICE OF GEOLOGIC HAZARD** - Prior to final inspection of any development permit, the applicant shall record (unless legally prohibited from doing so), on the title of the property, a notice stating that the property is potentially located in a geologically hazardous area. This notice will inform future owners that, at the time of the permit's issuance, the property was potentially located in a geologically hazardous area.

- PBD 9. **GEOTECHNICAL REPORT** - All development activity shall follow the recommendations of the geotechnical report prepared by dated and submit additional geotechnical information as specified in the report.
- PBD 10. **ALL - HOURS OF CONSTRUCTION** - All development activity and heavy equipment operation is restricted to 7:00 AM to 8:00 PM Monday through Friday, and 9:00 AM to 6:00 PM Saturday. Other restrictions on Saturday include: no working in the right-of-way, no work requiring inspection, and no trucking into or out of the site; however, light grading work on-site on Saturday is allowed. NO development activity or heavy equipment operation may occur on Sundays or the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.
- PBD 11. **MAXIMUM NOISE LEVELS** - All mechanical units shall comply with the maximum environmental noise levels established pursuant to the Noise Control Act of 1974, Revised Code of Washington (RCW) 70.107. See Chapter 173-60 Washington Administrative Code (WAC). A link to the WAC and RCW is available at http://www.kirklandwa.gov/Government/Codes_and_Laws.htm.
- PBD 12. **BALD EAGLE PROTECTION** – This permit is conditioned upon strict observance of all applicable federal laws for bald eagle protection. The permittee is responsible for adhering to the applicable bald eagle management guidelines and/or their federal permit. Visit www.fws.gov/pacific/eagle/ if you need assistance with federal permitting requirements.

Commercial and Multi-Family Permit Conditions:

- PBD 13. **HEIGHT SURVEY** – A completed, signed and dated height verification form must be submitted to the building inspector at either the underfloor inspection or the slab insulation inspection.
- PBD 14. **HEIGHT SURVEY** – A height survey, by a licensed surveyor, must be submitted to the building inspector at time of the roof sheathing inspection for structures that will be within one foot of the maximum allowed height.
- PBD 15. **TREE PROTECTION** - The applicant shall install temporary but immovable construction fencing around the drip line of all significant trees to be retained after the pre-construction meeting but prior to any grading or site construction. The Public Works Department MUST inspect and approve all tree fencing prior to the start of any other site work. DO NOT MOVE OR REMOVE THE FENCING UNLESS AUTHORIZED BY THE PLANNING AND BUILDING DEPARTMENT. Please call 425-587-3805 to request inspection. ADVANCE NOTICE OF ONE WORKING DAY REQUIRED FOR INSPECTION.
- PBD 16. **ADR COMPLIANCE** - All items required through the Administrative Design Review process shall be in place and inspected by the Planning & Building Department prior to issuance of a Certificate of Occupancy.

- PBD 17. **SIGNS** - A sign permit must be obtained from the Planning & Building Department prior to installation of any new or additional signs. Call the Planning and Building Department at 425-587-3600 for information on sign allowances.
- PBD 18. **ASPHALT PARKING AREA** - All parking areas and driving lanes must be of asphalt or superior material.
- PBD 19. **STRIPED PARKING AREA** - All parking areas and driving lanes must be striped and surrounded by six-inch vertical concrete curb.
- PBD 20. **ROOFTOP APPURTENANCES** - All rooftop appurtenances must be screened in accordance with Zoning Code Section 115.120.
- PBD 21. **COMMERCIAL / MULTI-FAMILY-ROOFTOP SCREENING REQUIRED** – Prior to calling for a Planning Final Inspection, all rooftop screening must be installed.
- PBD 22. **LANDSCAPE PRIOR TO FINAL INSPECTION** - Prior to final inspection by the Planning & Building Department all landscaping and other required improvements must be installed. All installation and maintenance standards shall conform to Kirkland Zoning Code Sections 95.45 and 95.50. Any changes to the approved landscaping plan must be submitted for review and approved as a revision to this building permit prior to implementation.
- PBD 23. **DRIVEWAYS AND PAVING** - Prior to final inspection by the Planning & Building Department, all driveways, parking areas, and curbing must be installed.
- PBD 24. **LANDSCAPE AS-BUILT LANDSCAPE PLAN** - Prior to final inspection by the Planning & Building Department, an as-built landscape plan must be submitted to the Planning & Building Department.
- PBD 25. **MAINTENANCE OF REQUIRED LANDSCAPING** - All required landscaping shall be maintained throughout the life of the development. The applicant shall submit an agreement to the city to be recorded with King County which will perpetually maintain required landscaping. Prior to issuance of a certificate of occupancy, the proponent shall provide an agreement to maintain and replace all landscaping that is required by the City.

Mechanical

- PBD 26. **ROOFTOP APPURTENANCES** - All rooftop appurtenances must be screened in accordance with Zoning Code Section 115.120.
- PBD 27. **UTILITY STRUCTURES IN SETBACKS** - Utility structures which extend more than four inches above finished grade may be constructed within a required setback yard provided no other location within the public right-of-way is feasible and prior approval of the City (Planning and Public Works Departments) is obtained. Any franchise agreement between the City and a utility company may supersede this requirement.

- PBD 28. **MECHANICAL IN SETBACKS** - HVAC and similar types of mechanical equipment may be placed no closer than five feet to a side or rear property line, and shall not be located within a required front yard (unless specifically approved pursuant to KZC 115.115(3)(p)(2)); provided, that such equipment may be located in a storage shed approved pursuant to KZC 115.115(3)(m) or a garage approved pursuant to KZC 115.115(3)(o)(2).

All HVAC and similar types of mechanical equipment shall be baffled, shielded, enclosed, or placed on the property in a manner that will ensure compliance with the Noise Control Act of 1974, Revised Code of Washington (RCW) 70.107. See Chapter 173-60 Washington Administrative Code (WAC).

Sign

- PBD 29. **REMOVE EXISTING SIGNS** - All existing signs shall be removed prior to the installation of new signs.
- PBD 30. **LANDSCAPING REQUIRED** - Prior to final inspection, an area around the base of each pedestal and monument sign equal to the sign area must be landscaped.
- PBD 31. **PROHIBITED DEVICES** - Applicant is advised to review Zoning Code Section 100.85 which specifies prohibited types of signs and other advertising devices, including banners, flashing lights, and balloons. These devices are not approved as part of this permit application.
- PBD 32. **CHANGING MESSAGE CENTERS** - Changing message centers may display only public service time and temperature information.
- PBD 33. **WIRING** - No overhead wiring to freestanding signs allowed. Wiring must be placed underground.

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			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure					
				Front	Side	Rear							
.010	Restaurant or Tavern	D.R., Chapter 142 KZC.	None	0'	0'	0'	80%	30' above average building elevation. See Gen. Reg. 4.b.	C See Spec. Reg. 4.	E	1 per each 100 sq. ft. of gross floor area.	1. This use is limited to 4,000 sq. ft. maximum. 2. Drive-in or drive-through facilities are not permitted. 3. Prior to issuance of a development permit, documentation must be provided by a qualified acoustical consultant, for approval by the Planning Official, verifying that the expected noise to be emanating from the site adjoining any residentially zoned property complies with the standards set forth in WAC 173-60-040(1) for a Class B source property and a Class A receiving property. 4. Any outdoor seating areas are subject to Landscape Category B.	

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.020	Any Retail Establishment other than those specifically listed in this zone, selling goods, or providing services including banking and related financial services	D.R., Chapter 142 KZC.	None	0'	0'	0'	80%	30' above average building elevation. See Gen. Reg. 4.b.	C	E	1 per each 300 sq ft. of gross floor area.	<div>1. Gross floor area for this use may not exceed 4,000 square feet maximum.</div> <div>2. The following uses are not permitted in this zone:<div><div>a. Vehicle service stations.</div><div>b. Automotive service centers.</div><div>c. Uses with drive-in facilities or drive-through facilities.</div><div>d. Retail establishments providing storage services unless accessory to another permitted use.</div><div>e. Retail establishments involving the sale, service or repair of boats, recreational vehicles, heavy equipment and similar vehicles except those existing as of June 15, 2007.</div><div>f. Storage and operation of heavy equipment, except delivery vehicles associated with retail uses.</div><div>g. Storage of parts unless conducted entirely within an enclosed structure.</div></div></div> <div>3. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if:<div><div>a. The assembled or manufactured goods are directly related to and are dependent upon this use, and are available for purchase and removal from the premises.</div><div>b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other retail uses.</div></div></div> <div>4. A delicatessen, bakery, or other similar use may include, as part of the use, accessory seating if:<div><div>a. The seating and associated circulation area does not exceed more than 10 percent of the gross floor area of the use; and</div><div>b. It can be demonstrated to the City that the floor plan is designed to preclude the seating area from being expanded.</div></div></div> <div>5. Prior to issuance of a development permit, documentation must be provided by a qualified acoustical consultant, for approval by the Planning Official, verifying that the expected noise to be emanating from the site adjoining any residentially zoned property complies with the standards set forth in WAC 173-60-040(1) for a Class B source property and a Class A receiving property.</div>

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.030	Office Use	D.R., Chapter 142 KZC.	None	0'	0'	0'	80%	30' above average building elevation. See Gen. Reg. 4.b.	C	D	If a medical, dental or veterinary office, then 1 per each 200 sq. ft. of gross floor area. Otherwise, 1 per each 300 sq. ft. of gross floor area.	<div>1. The following regulations apply to veterinary offices only:<div><div>a. May only treat small animals on the subject property.</div><div>b. Outside runs and other outside facilities for the animals are not permitted.</div><div>c. Prior to issuance of a development permit, documentation must be provided by a qualified acoustical consultant, for approval by the Planning Official, verifying that the expected noise to be emanating from the site adjoining any residentially zoned property complies with the standards set forth in WAC 173-60-040(1) for a Class B source property and a Class A receiving property.</div></div></div> <div>2. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if:<div><div>a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use.</div><div>b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.</div></div></div>

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.040	Hotel or Motel	D.R., Chapter 142 KZC.	None	0'	0'	0'	80%	30' above average building elevation. See Gen. Reg. 4.b.	C	E	1 per each room. See also Spec. Reg. 2.	1. May include ancillary meeting and convention facilities. 2. Excludes parking requirements for ancillary meeting and convention facilities. Additional parking requirement for these ancillary uses shall be determined on a case-by-case basis. 3. Prior to issuance of a development permit, documentation must be provided by a qualified acoustical consultant, for approval by the Planning Official, verifying that the expected noise to be emanating from the site adjoining any residentially zoned property complies with the standards set forth in WAC 173-60-040(1) for a Class B source property and a Class A receiving property.
.050	A Retail Establishment providing entertainment, recreational or cultural activities									1 per every 4 fixed seats.	1. Prior to issuance of a development permit, documentation must be provided by a qualified acoustical consultant, for approval by the Planning Official, verifying that the expected noise to be emanating from the site adjoining any residentially zoned property complies with the standards set forth in WAC 173-60-040(1) for a Class B source property and a Class A receiving property.	
.060	Private Lodge or Club									B		
.070	Stacked Dwelling Unit. See Special Regulation 1.									Same as the regulations for the ground floor use. See Spec. Reg. 1.		

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.080	Church	D.R., Chapter 142 KZC.	None	0'	0'	0'	80%	30' above average building elevation. See Gen. Reg. 4.b.	C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See also Spec. Reg. 2.	1. May include accessory living facilities for staff persons. 2. No parking is required for day-care or school ancillary to this use.
.090	School or Day-Care Center								D		See KZC 105.25.	1. A six-foot-high fence is required only along the property lines adjacent to the outside play areas. 2. Hours of operation may be limited to reduce impacts on nearby residential uses. 3. An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading areas on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on nearby residential uses. 4. May include accessory living facilities for staff persons. 5. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses.
.100	Mini-School or Mini-Day-Care											1. A six-foot-high fence is required along the property lines adjacent to the outside play areas. 2. Hours of operation may be limited by the City to reduce impacts on nearby residential uses. 3. An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting right-of-way improvements. 4. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses. 5. May include accessory living facilities for staff persons.
.110	Assisted Living Facility								Same as the regulations for the ground floor use. See Spec. Reg. 3.			

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.120	Convalescent Center or Nursing Home	D.R., Chapter 142 KZC.	None	0'	0'	0'	80%	30' above average building elevation. See Gen. Reg. 4.b.	C	B	1 for each bed.	1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.130	Public Utility								A		See KZC 105.25.	
.140	Government Facility Community Facility								C See Spec. Reg. 1			
.150	Public Park	Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.										

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.010	Restaurant or Tavern	D.R., Chapter 142 KZC.	None	0'	0'	0'	80%	30' above average building elevation. See Gen. Reg. 4.b.	C See Spec. Reg. 4.	E	1 per each 100 sq. ft. of gross floor area.	1. This use is limited to 4,000 sq. ft. maximum. 2. Drive-in or drive-through facilities are not permitted. 3. Prior to issuance of a development permit, documentation must be provided by a qualified acoustical consultant, for approval by the Planning Official, verifying that the expected noise to be emanating from the site adjoining any residentially zoned property complies with the standards set forth in WAC 173-60-040(1) for a Class B source property and a Class A receiving property. 4. Any outdoor seating areas are subject to Landscape Category B.

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			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.120	Convalescent Center or Nursing Home	D.R., Chapter 142 KZC.	None	0'	0'	0'	80%	30' above average building elevation. See Gen. Reg. 4.b.	C	B	1 for each bed.	1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.130	Public Utility								A		See KZC 105.25.	
.140	Government Facility Community Facility								C See Spec. Reg. 1			
.150	Public Park	Development standards will be determined on a case-by-case basis. See Chapter 49 KZC for required review process.										



January 11, 2023

City of Kirkland
c/o Kyle Cotchett
Planning and Building Department
123 Fifth Avenue
Kirkland, WA 98033
www.kirklandwa.gov

RE: Public Notice of Application – Applicant, Case No. DRV22-00693
Site Address – 601 Market Street, Kirkland, WA

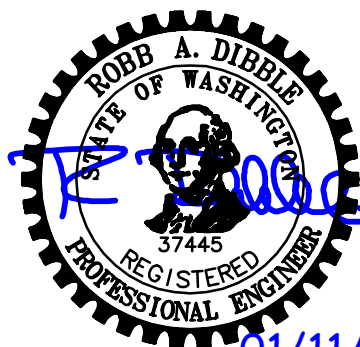
Dear City of Kirkland Project Planner:

With response to the application notice and the upcoming teleconference to be held by the Kirkland DBR on January 23, 2023, at 7:00pm, the proposed project requesting to implement improvements for the Market Street corridor and in support of a local business area appears both compatible with the street needs and with the existing Market Street business district. The project description as stated for a proposed new 2-story mixed-use building with ground floor medical office use and a single-residential 2-bedroom unit on the second floor that is owner-occupied. This is a value add through investment and redevelopment of our community and this corridor. Helping local businesses succeed through redevelopment, value add, and business retention are all high value needs for the city.

I lend my support to the development and improvement for this request. The compatibility and improvement are all positives. I'm happy to support this business and this project.

Sincerely,
DIBBLE ENGINEERS, INC.
A Market Street Business.

Robb A. Dibble, PE
Principal, Owner, and Kirkland Resident
robb@dibbleengineers.com



01/11/2023

Kyle Cotchett

From: Bob McConnell <bob@bobmcconnell.com>
Sent: Thursday, January 12, 2023 2:52 PM
To: Kyle Cotchett
Cc: Carolyn McConnell
Subject: 601 Market Street, DRV22-00693

CAUTION/EXTERNAL: This email originated from outside the City Of Kirkland. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Kyle,
My wife, Carolyn, and I both think that the plans for 601 Market are very appropriate for the neighborhood. We do not see a parking issue. It will be a welcome change to have only a 2 story building and not a 3 story box. We want to keep the business in the neighborhood.

Bob McConnell
bobmcconnell421@gmail.com
US mobile: +1 425 999 6755
WhatsApp: +1 425 999 6755