



**CITY OF KIRKLAND**  
**Planning and Building Department**  
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**ADVISORY REPORT**  
**FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS**

**To:** Kirkland Hearing Examiner

**From:**  Tony Leavitt, Project Planner

 Adam Weinstein, AICP, Planning and Building Director

**Date:** March 23, 2020

**File:** Rose Hill Elementary Master Plan Amendment, ZON19-00742

**Hearing Date and Place:** April 6, 2020; 7:00 p.m.  
Public Teleconference

**TABLE OF CONTENTS**

<b><u>Section</u></b>	<b><u>Page</u></b>
<b>I. INTRODUCTION</b> .....	2
<b>A. APPLICATION</b> .....	2
<b>B. RECOMMENDATIONS</b> .....	2
<b>II. FINDINGS OF FACT AND CONCLUSIONS</b> .....	2
<b>A. SITE DESCRIPTION</b> .....	2
<b>B. HISTORY</b> .....	3
<b>C. PUBLIC COMMENT</b> .....	3
<b>D. STATE ENVIRONMENTAL POLICY ACT (SEPA)</b> .....	4
<b>E. CONCURRENCY</b> .....	4
<b>F. APPROVAL CRITERIA</b> .....	4
<b>G. DEVELOPMENT REGULATIONS</b> .....	5
<b>H. COMPREHENSIVE PLAN</b> .....	7
<b>I. DEVELOPMENT STANDARDS</b> .....	7
<b>III. SUBSEQUENT MODIFICATIONS</b> .....	7
<b>IV. CHALLENGES AND JUDICIAL REVIEW</b> .....	7
<b>A. CHALLENGE</b> .....	7
<b>B. JUDICIAL REVIEW</b> .....	8
<b>V. LAPSE OF APPROVAL</b> .....	8
<b>VI. APPENDICES</b> .....	8
<b>VII. PARTIES OF RECORD</b> .....	8

## **INTRODUCTION**

### **A. APPLICATION**

1. Applicant: Karen Wood of Mahlum Architects, Lake Washington School District
2. Site Location: Rose Hill Elementary School at 8110 128<sup>th</sup> Avenue NE (see Attachment 1)
3. Request: Application for approval of an amendment of an existing Master Plan for the Rose Hill Elementary School. The proposal includes the following improvements (see Attachments 2):
  - a. Phase I: Approximately 22,720 square foot, two-story, 12-classroom addition to the south end of the existing building.
  - b. Phase II: Approximately 7,600 square foot dining commons addition and approximately 3,200 square feet of covered play area to the northwest corner of the buildings.
4. Review Process: Process IIB, Hearing Examiner conducts public hearing and makes recommendation; City Council makes final decision.
5. Summary of Key Issues and Conclusions:
  - Compliance with Zoning Permit Approval Criteria (see Section II.F.1)

### **B. RECOMMENDATIONS**

Based on Statements of Fact and Conclusions (Section II), and Attachments in this report, we recommend approval of this application subject to the following conditions:

1. This application is subject to the applicable requirements contained in the Kirkland Municipal Code, Zoning Code, and Building and Fire Code. It is the responsibility of the applicant to ensure compliance with the various provisions contained in these ordinances. Attachment 4, Development Standards, is provided in this report to familiarize the applicant with some of the additional development regulations. This attachment does not include all of the additional regulations. When a condition of approval conflicts with a development regulation in Attachment 3, the condition of approval shall be followed.
2. As part of the building permit application, the applicant shall:
  - a. Submit plans to install 2 onsite parking stalls (see Conclusion II.G.3).
  - b. Provide a lighting plan showing the location, height, fixture type and wattage of all proposed exterior lights. The lighting plan shall be consistent with the requirements in KZC Section 115.85 (see Conclusion II.G.4).

## **II. FINDINGS OF FACT AND CONCLUSIONS**

### **A. SITE DESCRIPTION**

1. Site Development and Zoning:
  - a. Facts:
    - (1) Size: 9.35 Acres
    - (2) Land Use: The subject property contains the existing Rose Hill Elementary School.
    - (3) Zoning: The subject property is zoned RSX 7.2 (Residential Single-family). A 'School Use' is an allowed use, subject to approval of a Master Plan, within this zone.

- (4) Terrain: The site is relatively flat with a slight upward grade change near the south edge of the property near NE 80<sup>th</sup> Street.
- (5) Vegetation: The subject property contains numerous significant trees along the perimeter of the site. The applicant's arborist and the City's Urban Forester identified no impacts to or removal of significant trees on the site as part of the project.

b. Conclusions:

- (1) Size and land use are not relevant factors in the review of this application.
- (2) The topography of the property is not a relevant factor in the review of this application.
- (3) Zoning is a relevant factor in the review of this application, since a 'School Use' occupying a property of more than 5 acres must be approved through a Master Plan process (see Section II.F.1).
- (4) Tree protection and retention on the subject property are not factors in the review of the proposed development.

2. Neighboring Development and Zoning:

- a. Facts: All of the neighboring properties are zoned RSX 7.2 and developed with single-family residences.
- b. Conclusion: The neighboring zoning and development and are factors in the review of the proposed Master Plan application.

**B. HISTORY**

1. Facts:

- (1) In 2004, the City approved a Master Plan for the existing school. The Master Plan approval was required to permit the complete redevelopment of the school and associated sitework.
- (2) In 2005, the Lake Washington School District submitted a Minor Modification request for the Master Plan to allow a structured play facility (baseball/ softball backstops) and removal of significant trees. The request was approved.

- 2. Conclusion: The history of the site is a relevant factor in the review of the proposed Master Plan application.

**C. PUBLIC COMMENT**

The initial public comment period for the project ran from February 6, 2020 to February 25, 2020. Pursuant to KZC 150.35, a Process IIA Staff Report must include all comments received by the City prior to distribution of the staff report. The Planning Department received one comment on the project, included as Attachment 4.

The comment letter expressed concerns about pedestrian access during construction of the addition and an existing situation involving vehicles dropping off students along NE 80<sup>th</sup> Street. Staff confirmed that the sidewalk will be required to remain open during construction of the school. Staff will ask the City's Neighborhood Traffic Coordinator to investigate this existing student drop off issue and determine if any actions are needed to address the issue.

**D. STATE ENVIRONMENTAL POLICY ACT (SEPA)**

1. Facts: Pursuant to WAC 197-11-924, the Lake Washington School District assumed Lead Agency status for the project. A Determination of Non-significance (DNS) was issued by the Lake Washington School District on February 28, 2020. The Environmental Determination and Checklist are included as Attachment 5.
2. Conclusion: The Lake Washington School District has satisfied the requirements of SEPA.

**E. CONCURRENCY**

1. Facts: The Public Works Department has reviewed the application for concurrency. A concurrency test was passed for traffic on October 28, 2019 (see Attachment 6).
2. Conclusion: The applicant and City have satisfied Concurrency requirements.

**F. APPROVAL CRITERIA**

1. Master Plan
  - a. Facts:
    - (1) Kirkland Zoning Code (KZC) Section 15.20.130, Permitted Use Special Regulation 2, requires that a 'School Use' with a property size of five acres or more receive Master Plan approval through a Process IIB review. The Master Plan must show building placement, building dimensions, roadways, utility locations, land uses within the Master Plan area, parking locations, buffering, and landscaping.
    - (2) The applicant has submitted development plans and a narrative proposal that show building locations and dimensions, roadways, utility locations, land uses within the Master Plan area, parking locations, buffering, and landscaping (see Attachments 2).
    - (3) Zoning Code section 152.70.3 states that a Process IIB application may be approved if:
      - (a) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and
      - (b) It is consistent with the public health, safety, and welfare.
  - b. Conclusions:
    - (1) The application complies with the Master Plan requirements outlined in KZC Section 15.20.130 Permitted Use Special Regulation 2 (see Section II.G.1).
    - (2) The proposal complies with the criteria in KZC Section 152.70.3. It is consistent with all applicable development regulations (see Section II.G) and the Comprehensive Plan (see Section II.H). The proposal is consistent with the public health, safety, and welfare requirements. The project will provide the community with additional classroom and amenity space for the education of the community, while minimizing impacts on the surrounding neighborhood.



**G. DEVELOPMENT REGULATIONS**

1. School Location Criteria

a. Facts:

- (1) KZC Section 15.20.130 Permitted Use Special Regulation 4, states that a 'School Use' may be located in a RSX zone only if:
  - (a) It will not be materially detrimental to the character of the neighborhood in which it is located.
  - (b) Site and building design minimize adverse impacts on surrounding residential neighborhoods.
  - (c) The property is served by a collector or arterial street (does not apply to existing school sites).
- (2) The site contains an existing school that includes recreational, parking, and other facilities normally associated with a school use.
- (3) The classroom addition is located on the south side of the existing building. An existing one story portion of the building will be demolished to accommodate a portion of the building. The structure will be located 50 feet from the east and south property lines and 55 feet from the west property line. The applicant is proposing extensive landscaping along the southern edge of the building.
- (4) The commons and covered play area additions will be attached to the northwest corner of the existing building. The structure will be located over 250 feet from the west and north property lines and 190 feet from the east property line. Existing landscaping and school structure will help to screen the new structures.
- (5) The proposed additions have been designed to use the same materials as the existing building.
- (6) NE 80<sup>th</sup> Street and 128th Avenue NE are both designated as collector streets.

b. Conclusions: The proposal is consistent with the criteria established in KZC Section 15.20.130 Permitted Use Special Regulation 4 as follows:

- (1) The proposal will not introduce new facilities or activities which would materially impact the character of the neighborhood.
- (2) The site plan and building additions have been designed to minimize impacts on surrounding residential development by incorporating substantial setbacks and supplemental landscaping. Additionally, the proposed additions have been designed to use the same materials as used on the existing building which help to create a consistent building design.
- (3) The property is served by two collector streets.

2. Building Height

a. Facts:

- (1) The RSX 7.2 zone has a maximum height of 30 feet above average building elevation (ABE) for a school use.

- (2) KZC Section 15.03.130, Density Dimensions Special Regulation 31 permits the structure height of schools to be increased to up to 35 feet, if:
      - (a) The school use can accommodate 200 or more students; and
      - (b) The required side and rear yards for the portions of the structure exceeding the basic maximum structure height are increased by 1 foot for each additional 1 of structure height; and
      - (c) The increased height is not specifically inconsistent with the applicable neighborhood plan provisions of the Comprehensive Plan; and
      - (d) The increased height will not result in a structure that is incompatible with surrounding uses or improvements.
    - (3) KZC Section 115.120.3 states that new construction shall, to the extent feasible, visually screen rooftop appurtenances by incorporating them into the roof form, or by using architectural designs such as clerestories having a slope of at least 3 feet vertical to 12 feet horizontal or roof wells. Such roof forms and architectural designs may extend 5 feet above the height limit.
    - (4) The 2004 Master Plan approved an increased height from 30 feet to 35 feet for the center portion of the structure. The setback was increased to 55 feet from the east property line for that portion of the structure. Additionally, rooftop appurtenances were allowed to exceed the height limit by 4 feet pursuant to KZC Section 115.120.4.a.
    - (5) The proposed commons and play area additions will comply with the 30-foot height limit.
    - (6) The classroom addition will also comply with the 30-foot height but will also utilize a roof form to screen rooftop appurtenances. The roof form will be 5 feet above the height limit.
  - b. Conclusion: The proposed additions comply with the height requirements of the Kirkland Zoning Code.
3. Parking
- a. Facts:
    - (1) KZC Section 15.40.130 does not establish a required parking ratio for school uses. Instead, it defers to KZC Section 105.25, which authorizes the Planning Official to establish required parking on a case-by-case basis.
    - (2) The City's Transportation Engineer has concluded that the required parking ratio should be 0.13 parking spaces per student (see Attachment 7). Based on the maximum capacity of 714 students, the required number of parking stalls is 93 stalls.
    - (3) The site currently contains 91 parking stalls.
  - b. Conclusion: As part of the building permit application, the applicant shall submit plans to install 2 onsite parking stalls.

4. Site Lighting

- a. Facts: KZC Section 115.85 requires that the applicant use energy efficient light sources, comply with the Washington Energy Code with respect to the selection and regulation of light sources, and select, place, and direct light sources both directable and nondirectable so that glare produced by any light source, to the maximum extent possible, does not extend to adjacent properties or to the right-of-way. The current submittal does not contain a detailed lighting plan that would show the location, height, fixture type, and wattage of proposed lights.
- b. Conclusion: As part of its building permit application, the applicant shall provide a lighting plan showing the location, height, fixture type and wattage of all proposed exterior lights. The lighting plan shall be consistent with the requirements in KZC Section 115.85.

**H. COMPREHENSIVE PLAN**

1. Fact: The subject property is located within the South Rose Hill neighborhood. The South Rose Hill Neighborhood Land Use Map designates the subject property as a public facility use (see Attachment 8).
2. Conclusion: The proposal is consistent with the public facility use designation.

**I. DEVELOPMENT STANDARDS**

1. Fact: Additional comments and requirements placed on the project are found on the Development Standards, Attachment 3.
2. Conclusion: The applicant should follow the requirements set forth in Attachment 3.

**III. SUBSEQUENT MODIFICATIONS**

Modifications to the approval may be requested and reviewed pursuant to the applicable modification procedures and criteria in effect at the time of the requested modification.

**IV. CHALLENGES AND JUDICIAL REVIEW**

The following is a summary of the deadlines and procedures for challenges. Any person wishing to file or respond to a challenge should contact the Planning Department for further procedural information.

**A. CHALLENGE**

Section 152.85 of the Zoning Code allows the Hearing Examiner's recommendation to be challenged by the applicant or any person who submitted written or oral comments or testimony to the Hearing Examiner. A party who signed a petition may not challenge unless such party also submitted independent written comments or information. The challenge must be in writing and must be delivered, along with any fees set by ordinance, to the Planning Department by 5:00 p.m., seven (7) calendar days following distribution of the Hearing Examiner's written recommendation on the application. Within this same time period, the person making the challenge must also mail or personally deliver to the applicant and all other people who submitted comments or testimony to the Hearing Examiner, a copy of the challenge together with notice of the deadline and procedures for responding to the challenge.

Any response to the challenge must be delivered to the Planning Department within seven (7) calendar days after the challenge letter was filed with the Planning Department. Within the same time period, the person making the response must deliver a copy of the response to the applicant and all other people who submitted comments or testimony to the Hearing Examiner.

Proof of such mail or personal delivery must be made by affidavit, available from the Planning Department. The affidavit must be attached to the challenge and response letters and delivered to the Planning Department. The challenge will be considered by the City Council at the time it acts upon the recommendation of the Hearing Examiner.

**B. JUDICIAL REVIEW**

Section 152.110 of the Zoning Code allows the action of the City in granting or denying this zoning permit to be reviewed in King County Superior Court. The petition for review must be filed within twenty-one (21) calendar days of the issuance of the final land use decision by the City.

**V. LAPSE OF APPROVAL**

Under KZC 152.115 of the Zoning Code, the applicant must begin construction or submit to the City a complete building permit application for the development activity, use of land or other actions approved under this chapter within five (5) years after the final approval of the City of Kirkland on the matter, or the decision becomes void; provided, however, that in the event judicial review is initiated per KZC, KZC 152.110, the running of the five (5) years is tolled for any period of time during which a court order in said judicial review proceeding prohibits the required development activity, use of land, or other actions.

The applicant must substantially complete construction for the development activity, use of land, or other actions approved under this chapter and complete the applicable conditions listed on the notice of decision within seven (7) years after the final approval on the matter, or the decision becomes void.

**VI. APPENDICES**

Attachments 1 through 8 are attached.

1. Vicinity Map
2. Proposed Plans
3. Development Standards
4. Public Comment
5. SEPA Determination and Environmental Checklist
6. Concurrency Test Memo
7. Transportation Review Memo
8. South Rose Hill Comprehensive Plan Map

**VII. PARTIES OF RECORD**

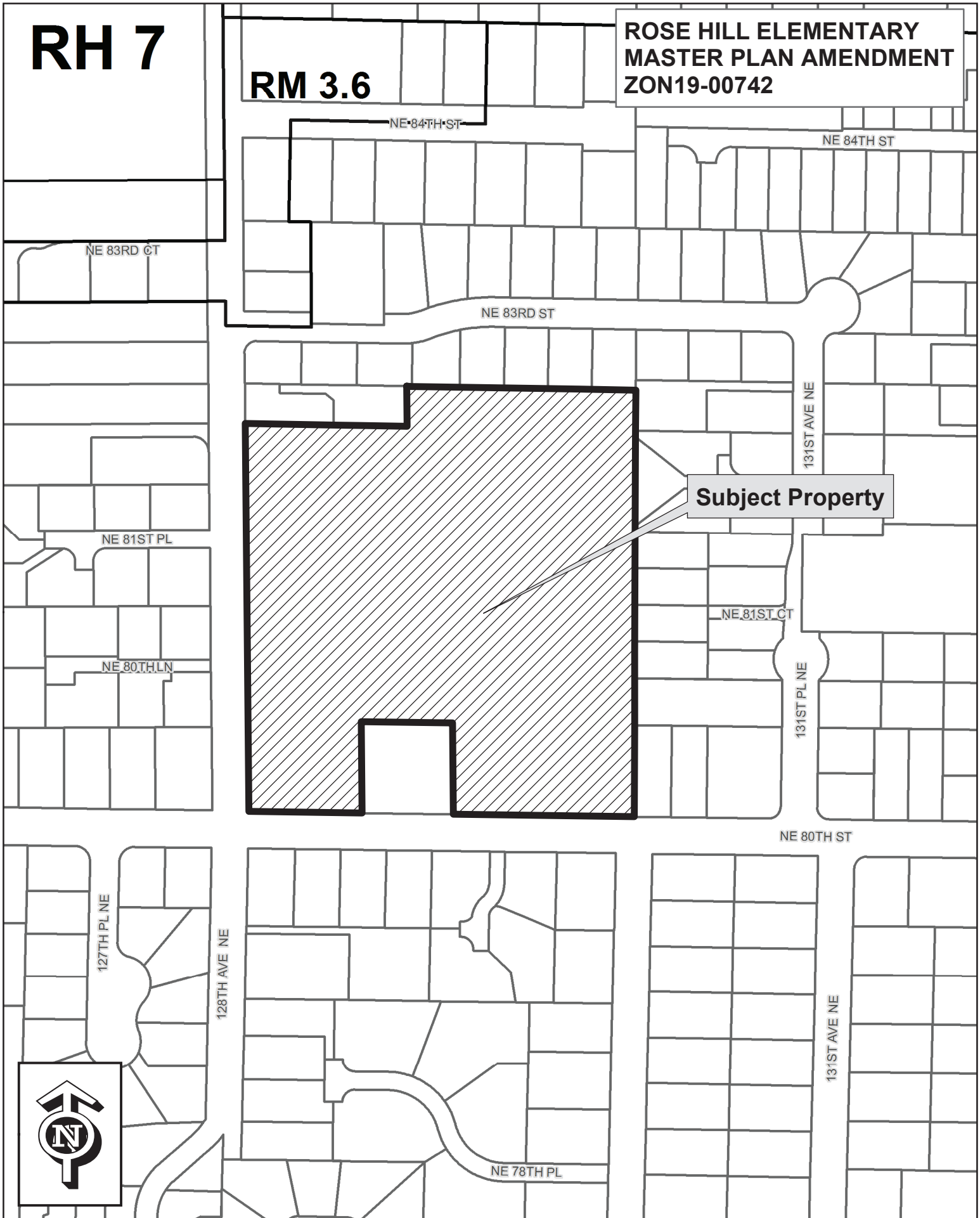
Applicant  
Parties of Record  
Planning and Building Department  
Department of Public Works

A written recommendation will be issued by the Hearing Examiner within eight calendar days of the date of the open record hearing.

**RH 7**

**RM 3.6**

**ROSE HILL ELEMENTARY  
MASTER PLAN AMENDMENT  
ZON19-00742**







## ROSE HILL ELEMENTARY SCHOOL CLASSROOM ADDITION

**MASTER PLAN**  
20 DECEMBER 2019

Lake Washinton School District  
8044 128th AVENUE NE  
KIRKLAND WA 98033

**mahlum**

71 COLUMBIA | FLOOR 4  
SEATTLE WA 98104  
(206) 441-4151 OFFICE  
(206) 441-0476 FAX

1231 NW HOYT | SUITE 100  
PORTLAND OR 97209  
(503) 224-4032 OFFICE  
(503) 224-0918 FAX

MAHLUM ARCHITECTS INC.



Lake Washinton School District

ROSE HILL ELEMENTARY  
SCHOOL CLASSROOM ADDITION

8044 128th AVENUE NE  
KIRKLAND WA 98033



KEY PLAN

MARK	DATE	DESCRIPTION
ISSUE DATE:	20 DECEMBER 2019	MASTER PLAN
ISSUE:		
PROJECT NO.	2019061	
DESIGNED BY:	VV	
CHECKED BY:	KW	
DATE: 12/20/2019	12/20/2019	12/20/2019

COVER SHEET

**MP-G-001**

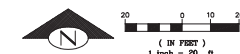
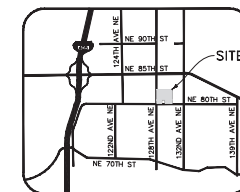


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**USH, ROED & HITCHINGS, INC.**  
**ND SURVEYORS & CIVIL ENGINEERS**

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2009 MINOR AVE, EAST  
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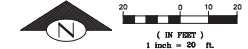
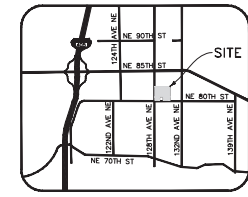
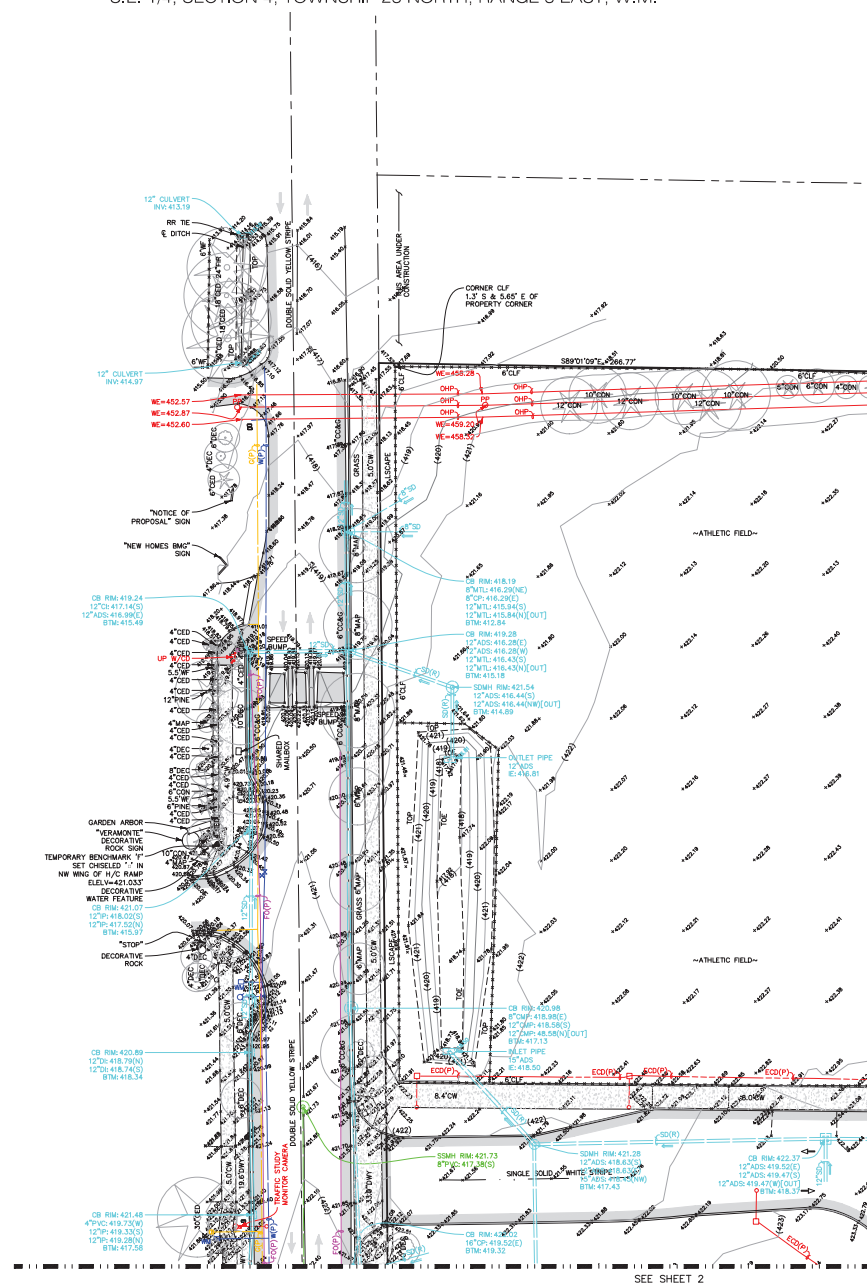
TOPOGRAPHIC SURVEY  
ROSE HILL ELEMENTARY SCHOOL  
LAKE WAHSINGTON SCHOOL DISTRICT  
KING COUNTY WASHINGTON  
BERRY AND

drawn by GLD	checked by JMH
scale 1"=20'	date 9/16/1
job no. 2019101.00	





S.E. 1/4, SECTION 4, TOWNSHIP 25 NORTH, RANGE 5 EAST, W.M.



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**BUSH, ROED & HITCHINGS, INC.**  
**LAND SURVEYORS & CIVIL ENGINEERS**

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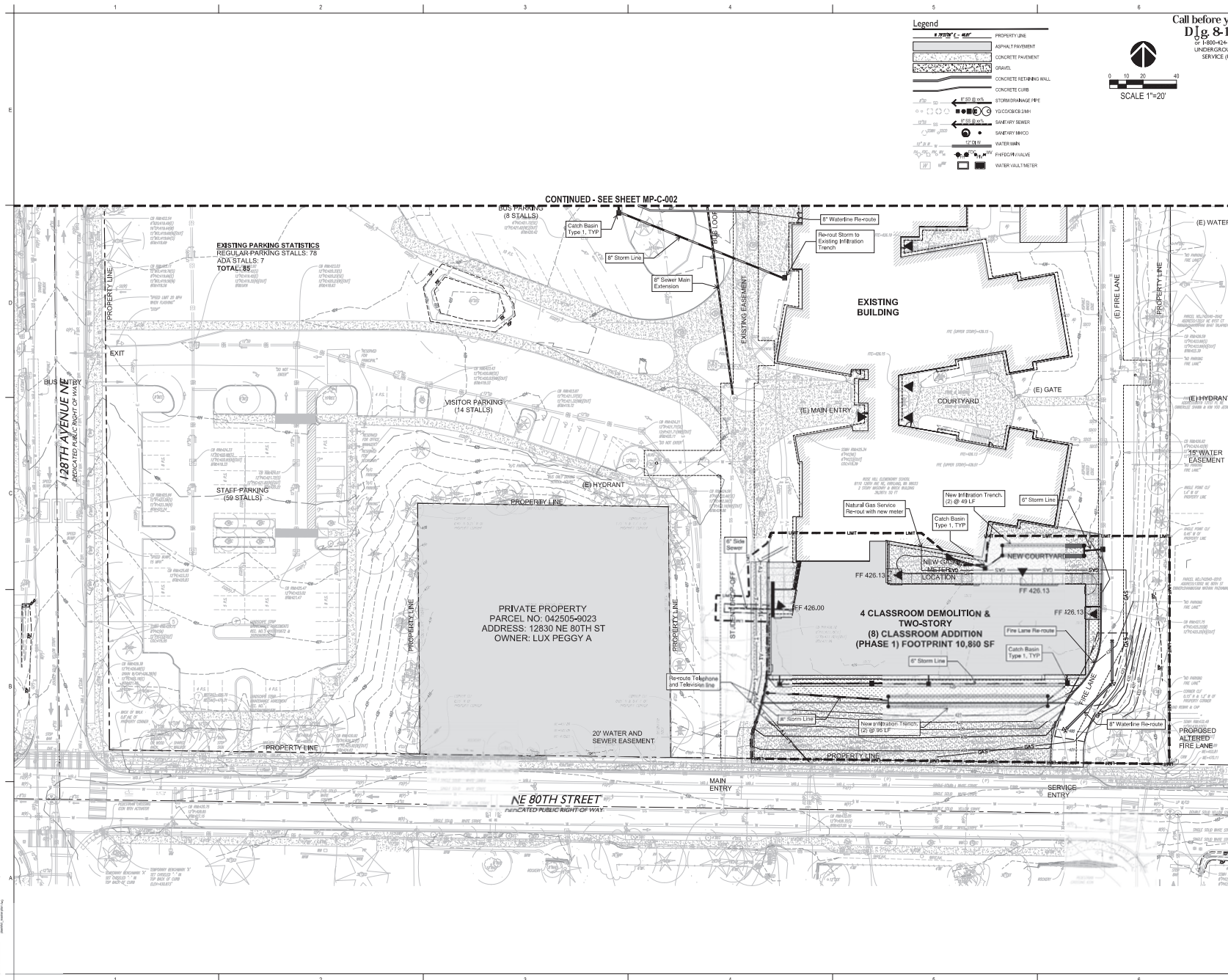
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TOPOGRAPHIC SURVEY  
ROSE HILL ELEMENTARY SCHOOL  
LAKE WAHINGTON SCHOOL DISTRICT  
KIRKLAND KING COUNTY WASHINGTON

drawn by GLD	checked by JMH
scale 1"=20'	date 9/16/19
job no. 2019101.00	
sheet 4 of 5	







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FOR REFERENCE ONLY

Lake Washington School District

ROSE HILL ELEMENTARY SCHOOL CLASSROOM ADDITION

8044 128th Avenue NE  
Kirkland WA 98033



KEY PLAN



COUGHLIN/PORTER/UNDEEN

STRUCTURAL ENGINEERING

MARK DATE DESCRIPTION

ISSUE DATE: 20 DECEMBER 2019

ISSUE: MASTER PLAN

PROJECT NO: C190002-02

DRAWN BY: JAS

CHECKED BY: KNU

DATE: 10/10/2019

CIVIL SITE PLAN

MP-C-001