

RESOLUTION NO. 2124

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND DIRECTING THE ISSUANCE OF A SUBSTANTIAL DEVELOPMENT PERMIT NO. 5 BEING PLANNING DEPARTMENT FILE NO. SDP-71-5(H) SUBJECT TO CERTAIN CONDITIONS.

BE IT RESOLVED by the City Council of the City of Kirkland as follows:

WHEREAS, Bittman, Sanders, Hasson Corporation has made and filed proper application for a Substantial Development Permit for construction of an eight unit condominium townhouse, one story accessory building and other related improvements to be located on the wet lands of Lake Washington within Government Lot 4, in Section 8, Township 25 North, Range 5 EWM and

WHEREAS, pursuant to Section .01(1) of Ordinance No. 2165 relating to the issuance of Substantial Development Permits, the Planning Commission for the City of Kirkland and the Houghton Community Council following joint public hearing held on April 13, 1972 have recommended to the City Council approval of the request for said Substantial Development Permit, and

WHEREAS, on May 1, 1972, in regular meeting the Council did consider said application, the request and recommendation of the Planning Department, and of the Planning Commission and the Houghton Community Council,

NOW, THEREFORE, the City Council does make the following Findings:

1. The property of applicant is located in an R-4 Waterfront, Residential district which by virtue of Section 22-10 of Ordinance No. 132(H) the Houghton Zoning Ordinance allows multi-family dwellings as a use by right.
2. The construction of applicant's eight unit condominium townhouses, one story accessory building, bath house facility, swimming pool and other related improvements indicated on the submitted site plans are substantial development within a shoreline of statewide significance as defined in Chapter 286, Laws of 1971, 1st Ex Session of the State of Washington and requires a Substantial Development Permit to be issued by the City of Kirkland pursuant to Ordinance No. 2165.
3. Site plans for the proposed substantial development have been submitted to the City and were exhibited to the City

Council at the time of its regular meeting. Said site plans are by this reference incorporated within the Findings of the City Council. Construction and the size of all requested development and improvements must conform to said site plans.

4. The City Council finds that the proposal of applicant falls within the criteria for grant of Substantial Development Permit as set forth in Section 05 of Ordinance 2165 and the principals for Shoreline Management as set forth in the City of Kirkland waterfront plans and program adopted by Ordinance No. 2160 provided that the following conditions are met and maintained:

A. The easterly 10 feet of applicant's property along Lake Washington Boulevard shall be connected with the existing sidewalk and landscaped.

B. The landscape plan shall be brought before the Houghton Community Council for informal review prior to the issuance of a Building Permit.

C. An occupancy permit shall not issue until landscaping requirements are completed.

5. It is the expressed finding of the City Council that the applicant has sufficiently satisfied all local requirements under both the existing Houghton Zoning Ordinance No. 132 and the proposed new Zoning Ordinance for the consolidated City of Kirkland, and that therefore applicant should not be required pursuant to the provisions of the new Zoning Code to apply for a Conditional Use Permit for this development. The controls on development provided by the Substantial Development Permit herein to be granted satisfy the purpose for such Conditional Use Permit and any further permit application or processing would be merely repetitive.

Based upon the foregoing Findings, the Council makes the following Order:

1. The Substantial Development Permit applied for by Bittman, Sanders, Hasson Corporation being Substantial Development Permit No. 5, shall issue subject to the conditions set forth or included by reference in the foregoing Findings. The property subject to Substantial Development Permit No. 5 is described in Exhibit A attached hereto.

2. A certified copy of this Resolution and Order shall be attached to and become a part of the Substantial Development Permit or evidence thereof delivered to the permittee.

3. Nothing in this Permit shall be construed as excusing the applicant from compliance with any Federal, State or Local statutes, Ordinance or regulations applicable to this project, other than as expressly set forth herein, or other than the permit requirements of the Shoreline Management Act of 1971.

This Permit may be rescinded pursuant to Section 14(7) of the Shoreline Management Act of 1971 in the event the permittee fails to comply with any condition hereof.


To the extent that any portion of the Substantial Development authorized and included in this Substantial Permit No.5, was also included within the Substantial Development Permit No. 3 heretofore granted to applicant, Substantial Development No. 3 shall be deemed to be modified and amended by this Substantial Development Permit No. 5.

Construction pursuant to this permit shall not begin or be authorized until 45 days from the date of its final approval by the local government or until all review proceedings initiated within said 45 days from the date of final approval by local government have been terminated.

Pursuant to the Shoreline Management Act of 1971, and Section 8 of Ordinance 2165 of the City of Kirkland, certified or conformed copies of this Resolution shall be delivered to the following:

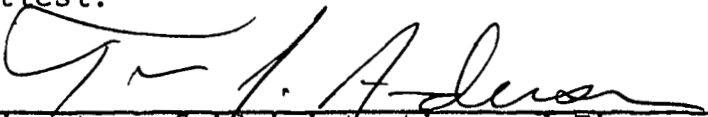
- A. The applicant
- B. The Kirkland Planning Department
- C. The Kirkland Building Official
- D. The Department of Public Services for the City of Kirkland
- E. The Department of Ecology for the State of Washington
- F. The office of the Attorney General for the State of Washington.

ADOPTED in regular meeting of the Kirkland City Council on the 1st day of May, 1972.



Mayor

Attest:



Director of Administration and Finance
(ex officio City Clerk)

EXHIBIT A
TO

RESOLUTION NO. 2124

LEGAL DESCRIPTION OF SHORELINE AND ASSOCIATED WETLANDS SUBJECT
TO CITY OF KIRKLAND SUBSTANTIAL DEVELOPMENT PERMIT NO. 5:

Real property situate in Kirkland, King County,
Washington, and described as follows:

"The North 121.69 feet of Government Lot 4,
In Section 8-25-5, W.M. and of the shorelands
fronting thereon, lying west of Lake Washington
Boulevard as now established, lying South of the
North line produced west of Lot 1 in Block 2
of French's Homestead Villa, together with the
South 43.31 feet of Second Class Shorelands
lying westerly of Lake Washington Boulevard
and easterly of the inner harbor line and
between the North line of Lot 1, Block 1 and
the North line of Lot 1, Block 2, French's Home-
stead Villa; according to plat recorded in Volume
20 of Plats, Page 24, in King County, Washington,
said lines being extended westerly to the inner
harbor line of Lake Washington.