

RESOLUTION NO. 2154

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND GRANTING AN UNCLASSIFIED USE PERMIT FOR EXCAVATION AND FILL TO THE LAKE WASHINGTON SCHOOL DISTRICT NO. 414 FOR AN EXCAVATION SITE LOCATED AT 53rd STREET AND 108TH AVENUE AND A FILL SITE AT 68th STREET AND STATE STREET AND SETTING FORTH THE CONDITIONS TO WHICH SUCH UNCLASSIFIED USE PERMIT SHALL BE SUBJECT.

WHEREAS, the Kirkland Planning Department has received from the Lake Washington School District (King County School District No. 414) an application for Unclassified Use Permit to excavate material from a site located at 53rd Street and 108th Avenue and to use said material to fill a site located at 68th Street and State Street and said joint application being assigned Planning Department File No. UUP-72-20, and

WHEREAS, both of said properties are owned by the School District, used for school and administration sites and are zoned P, and

WHEREAS, pursuant to Chapter 23.30 of Ordinance 2183 an unclassified use permit is required for excavation and land fill, and

WHEREAS, the application has been submitted to the Houghton Community Council as to the excavation site within the Houghton Community who held public hearing thereon on November 7, 1972, and both the excavation and land fill sites have been submitted to the Kirkland Planning Commission who held public hearing thereon on November 9, 1972, and

WHEREAS, pursuant to Chapter 23.30 of Ordinance 2183 the Houghton Community Council and the Kirkland Planning Commission have both recommended approval of the Unclassified Use Permit for grading and excavation and the Planning Commission pursuant to Section 23.30.070 has forwarded to the City Council its Findings and recommendations in regard to said application which are as follows:

A. Background and analysis:

1. Excavation site (53rd Street and 108th Avenue):

The borrow area contains concrete foundations that will be removed and used in the deep portion of the fill on the Lake View School site. The intent of the School District is to leave the borrow area with smooth flowing contours with no slopes exceeding 4 horizontal to 1 vertical. Trees are planned for being preserved, and no excavation is planned within 50 feet of any exterior property line.

The property west of the excavation site also belongs to the School District. The entire parcel slopes gently (0-4%) toward 108th Avenue N.E. Our City Engineer indicates there are two existing catch basins on the western portion of the property that should be left, and that there will be no drainage problems from this excavation site if properly seeded.

2. Landfill Site (68th St. and State St.):

The play field to be filled at the Lake View Elementary School Site at present does not provide a year around playfield due to high water table during wet weather.

The proposal is to bring in approximately 9,000 cubic yards of fill material with associated drainage facilities that would provide a 120' X 240' all weather play area. The fill material to be brought in is alderwood gravelly sandy loam soil which is stable and drains well.

B. FINDINGS AND CONCLUSIONS :

1. Findings on Excavation site:

The Planning Department sees the following Findings relevant to the proposed excavation site:

- a. The area contains old building foundations which will be removed.
- b. The existing playfield area will be enlarged.
- c. The reclaimed site will have no slopes greater than 4 horizontal to 1 vertical.
- d. The slope will be smoothed and reseeded.
- e. There are no apparent drainage problems.
- f. Subsection 23.30.030(a) & (b) of the Kirkland Zoning Ordinance allows the City to impose time limits and/or a bond, if so desired.

2. CONCLUSIONS ON EXCAVATION SITE:

The Planning and Public Works Departments jointly recommend this Unclassified Use Permit be granted for the excavation site. We recommend this be given without requiring a bond, but with the following requirements:

- a. No excavation to occur within 50 feet of exterior property lines.
- b. No slope to exceed 4 horizontal to one vertical.
- c. Area to be excavated to be defined by locating corner stakes prior to beginning excavation.
- d. Vegetation (reseeding) to be restored or control measures installed at the earliest possible date, with exposure limited to no more than 120 days on slopes with sufficient size to allow scouring of silt-size soil particles. At the end of the 120 day period, erosion control measures are to be fully implemented and 90% effective within 60 days thereafter.

3. FINDINGS ON LANDFILL SITE:

The following findings are pertinent to the land fill site at Lake View Elementary School.

- a. Unsuitable soils conditions and inadequate drainage make the playfield unusable during wet weather.
- b. The slope on the existing field is too great for soccer-base-ball playfield.
- c. Drainage facilities will be installed that have been deemed adequate by the City Engineer (This includes storm drain pipe, catch basins and a drainage control berm on the western edge of the playfield.)
- d. No slopes will exceed 4 horizontal to 1 vertical.
- e. The Kirkland Zoning Ordinance does allow the City to impose time limits and/or a bond.

4. CONCLUSION ON LANDFILL SITE:

The Planning and Public Works Departments recommend the landfill site of this Unclassified Use Permit be granted with the following requirements:

- a. No slope to exceed 4 horizontal to 1 vertical.
- b. Filled area to be defined by corner stakes prior to beginning work on fill.
- c. Drainage facilities to be installed as indicated on drawings submitted.
- d. Vegetation (reseeding) to be restored or control measures installed at the earliest possible date, with exposure limited to no more than 120 days on slopes with sufficient size to allow scouring of silt-size soil particles. At the end of the 120 day period, erosion control measures are to be fully implemented and 90% effective within 60 days thereafter.

5. RECOMMENDATION:

Subject to the foregoing, the application meets the criteria established by Section 23.30.080 of the Kirkland Zoning Ordinance for the granting of an Unclassified Use Permit to cover both sites and the Planning Commission recommends same to the City Council.

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

Section 1. Acting pursuant to Chapter 23.30 of Ordinance 2183 (Unclassified Uses) the City Council hereby adopts the Findings, Conclusions, Recommendations and Conditions of the Planning Commission as set forth above.

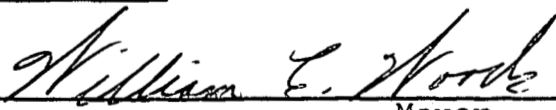
Section 2. The Unclassified Use Permit applied for by Lake Washington School District for excavation and fill as described in their application being Unclassified Use Permit No. UUP-72-20 shall issue subject to the performance standards and other conditions of approval set forth hereinabove and included by reference in the foregoing Findings, Conclusions, Recommendations and Conditions. Failure on the part of the holder of the Unclassified Use Permit to initially meet or to maintain strict compliance with said standards and conditions shall be grounds for revocation in accordance with Section 23.30.100 of Ordinance 2183.

Section 3. A certified copy of this resolution shall be delivered to the permittee, or applicant, to-wit: Lake Washington School District and conformed copies shall be filed with the following City of Kirkland Departments:

Department of Administration and Finance
Department of Planning
Department of Public Services
The Building Department
The Police Department
The Department of Fire Services


Section 4. This Resolution and the Unclassified Use Permit herein authorized shall become effective either upon approval of the Houghton Community Council or failure of said Community Council to disapprove within 60 days from the date of passage of this Resolution. The disapproval jurisdiction of the Houghton Community Council being limited solely to the excavation site (53rd Street and 108th Avenue) located within the Houghton Community.

ADOPTED at regular meeting of the Kirkland City Council on the 4th day of December, 1972.



Mayor

ATTEST:



Director of Administration and Finance
(ex officio City Clerk)