

RESOLUTION NO. 2163

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF SUBSTANTIAL DEVELOPMENT PERMIT NO. 9 AS APPLIED FOR IN PLANNING DEPARTMENT FILE NO. SDP-72-2, AND APPROVING THE ISSUANCE OF AN UNCLASSIFIED USE PERMIT AS APPLIED FOR AND IDENTIFIED AS PLANNING DEPARTMENT FILE NO. UUP-72-19, ALL SUBJECT TO CERTAIN CONDITIONS HEREIN SET FORTH.

WHEREAS, C.D. Hadley, Sr., as owner or agent for owner of the real property described in said applications has made and filed proper application for a substantial development permit and for an Unclassified Use Permit for construction of a marina facility, office building and related parking structure, all to be located on the associated wetlands and shoreline of Lake Washington within Government Lot 1, 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 Kirkland Planning Commission following public hearings held on December 14, 1972 and January 11, 1973, have recommended approval of the request for Substantial Development Permit, and

WHEREAS, pursuant to Chapter 23.30 of the Kirkland Zoning Code relating to the issuance of Unclassified Use Permits the Kirkland Planning Commission following public hearings held on December 14, 1972 and January 11, 1973, have recommended the approval of the request for Unclassified Use Permit, and

WHEREAS, proper publication of notice of hearing and mailed notice of hearing as to said public hearings were given, all in accordance with state guidelines and city ordinances in regard to hearings on Substantial Development Permits and Unclassified Use Permits, and

WHEREAS, on February 5, 1973 in regular meeting the Kirkland City Council did consider both applications, the report and recommendations of the Planning Department and the Planning Commission,

NOW, THEREFORE, the City Council makes the following findings, conclusions and resolution:

1. The property of the applicant is located within WD-1 (Waterfront District 1) Zone which, under Chapter 23.12 of the Kirkland zoning ordinance (Ordinance No. 2183) as adopted May 15, 1972, allows a mixture of uses including marinas, office buildings and relating parking structures, pursuant to the issuance of an Unclassified Use Permit from the City of Kirkland, provided that such permit be issued prior to the establishment of such uses.

2. The construction of applicant's marina facilities, office building and related parking structure as indicated on the plans submitted as a part of City of Kirkland Planning Department Files No. SDP-72-2 and UUP-72-19 is substantial development within the shoreline and associated wetlands of Lake Washington and requires a Substantial Development Permit to be issued by the City of Kirkland pursuant to Ordinance No. 2165.

3. Site and development exhibits and plans for the proposed development were exhibited to the City Council at the time of its regular meeting. Said exhibits and plans are by this reference incorporated within the findings of the City Council. Construction and size of all of the requested development and improvements must

conform to said exhibits and plans, which exhibits and plans are marked Exhibits "A" and "B" in each of the aforementioned Planning Department files.

4. The site and development design as set forth in Exhibits "A" and "B" includes the use of the Second South street end from Lake Street South westerly into Lake Washington for both public and private purposes, including vehicular and pedestrian access to applicant's proposed development and to Lake Washington, including portions of the total development which have on said Exhibit A been designated and are to be retained as open and freely available to the general public. The law relating to street vacations does not permit the City to vacate said street end, nor to convey same to any private party. However, the City Council in its municipal capacity may, upon finding the requisite public benefit resulting therefrom, enter into an agreement for a street use permit permitting the applicant to use all or a portion of said street end. Nothing in this resolution shall be taken as granting such a Street Use Permit.

5. The proposed office building does exceed 35 feet in height, which is a qualified height limitation imposed by Section 32 of the Shoreline Management Act. However, the City has found that it will not obstruct the view of a substantial number of residents on the area adjoining the shorelines, and the City Council adopts and confirms that finding.

6. The proposed development which is processed under an Unclassified Use Permit process meets all criteria of Waterfront Districts as adopted January 15, 1973.

7. The City Council finds that the proposal of applicant falls within the criteria for grant of:

(a) A Substantial Development Permit as set forth in Section .05 of Ordinance No. 2165, and the principles for shoreline management as set forth in City of Kirkland "Waterfront: Plans and Programs" adopted by Ordinance No. 2160.

(b) Unclassified Use Permit as set forth in Chapter 23.30 of Kirkland Zoning Ordinance No. 2183, provided that the following conditions are met and maintained as conditions of the Unclassified Use Permit:

(1) The development shall conform to the site plan identified as Exhibit A in the Planning Department File No. UUP-72-19 and No. SDP-72-2. Exhibit A includes:

(a) The specific configuration of the parking structure, office building and marina, including setbacks, building and structure heights and covered and uncovered moorage slips.

(b) Public pier and breakwater to be open for public use at all times, with temporary boat tie-up to be integrated into the pier design on the west and south sides.

(c) The westerly 23 feet which is the high-water line setback area to be designated and available for public use, along with adequate and proper access by the public from public rights of way.

(c) The plaza elevation or level to be as close or identical to the elevation or level to Lake Street as possible, and to be integrated with the surrounding pedestrian walkways and systems.

(2) The parking structure and specific number of offstreet parking stalls shall be subject to the analysis identified as Exhibit B in the Planning Department files referred to in Item (1) above.

(3) Prior to issuance of building permits, all final design documents shall be submitted to the Planning Commission for review and approval.

Based upon the foregoing findings, conclusions and conditions specifically therein set forth or incorporated by reference to Planning Department files and exhibits, the Council makes the following

O R D E R

1. The Substantial Development Permit applied for by the above named applicant, being Substantial Development Permit No. 9, and the Unclassified Use Permit applied for by the same applicant, being Unclassified Use Permit No. UUP-72-19, shall issue subject to the conditions set forth or included by reference in the foregoing findings. The property subject to said permits is described in Appendix A attached hereto.

2. A certified copy of this resolution and order shall attach to and become a part of the Substantial Development Permit and of the Unclassified Use Permit or evidence thereof delivered to the permittee.

3. Nothing in this resolution, order or permit shall be construed as a grant or authorization of issuance of a street Use Permit, easement or license of any nature as to Second South Street end lying westerly of Lake Street South. Nothing in this permit 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 as expressly set forth herein, or other than the permit requirements of the Shoreline Management Act of 1971.

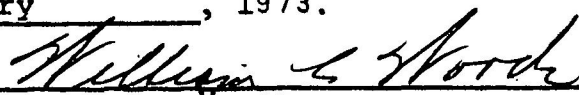
4. This permit may be rescinded pursuant to Section 14.(7) of the Shoreline Management Act of 1971 in the event the permittee fails to comply with any condition hereof.

5. Construction pursuant to this permit shall not begin or be authorized within 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.

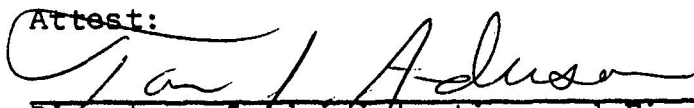
6. Pursuant to the Shoreline Management Act of 1971 and Section 8 of Ordinance 2165 of the City of Kirkland, certified or conformed copies of this resolution shall be delivered to the following:

- (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 Fire Services for the City of Kirkland;
- (f) The Police Department of the City of Kirkland;
- (g) The Department of Ecology for the State of Washington;
- (h) The office of Attorney General for the State of Washington.

PASSED in regular meeting of the Kirkland City Council
on the 5th day of February, 1973.



Mayor

Attest:


Director of Administration and Finance
(ex officio City Clerk)

AREA ANALYSIS - BLDG

PENTHOUSE	24 x 18 = 432		
	30 x 24 = 720	=	1,152 SF
OFFICE	57 x 145 = 8265	x 4 FLR =	33,060
1:1 FLR	141 x 45 = 6345		
	100 x 6 = 600	=	6,945
MARINA OFF	30 x 20	=	600

41,757 SF

PARKING ANALYSIS

① USAGE REQUIREMENTS

RECEIVED

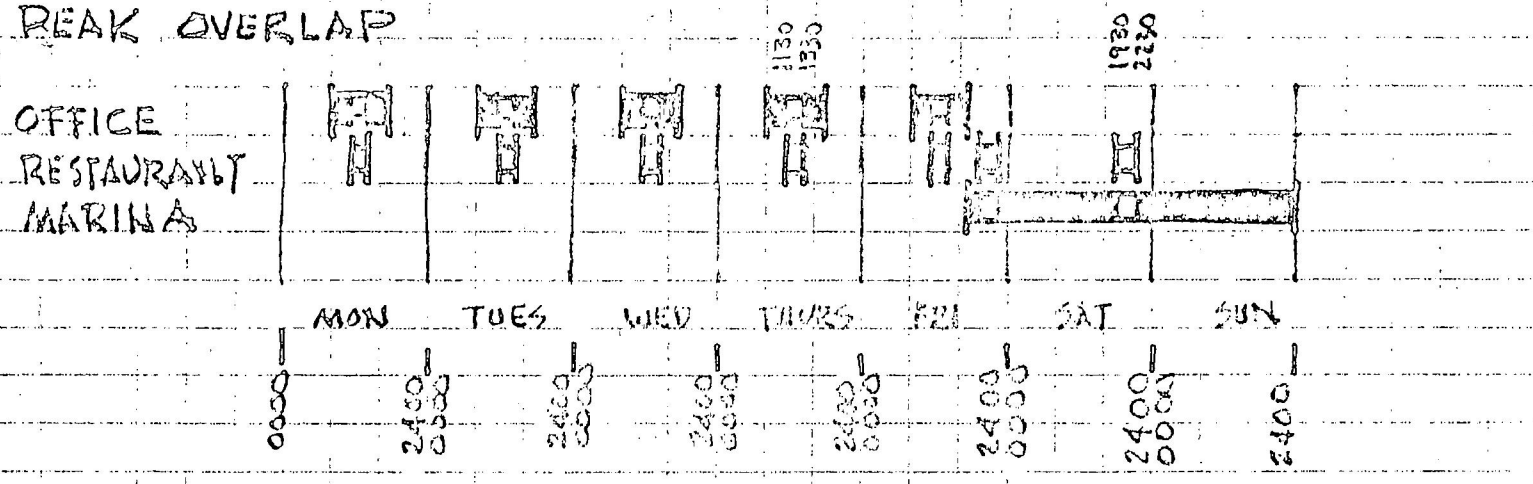
OFFICE	41,757 SF @ 1/300	=	139 STALLS	JAN 11 1972
MARINA	100 SLIPS @ 1/.75	=	75 "	AM
RESTAURANT	ASSUME	=	75 "	PLANNING DEPARTMENT

BY: *Stunt*

② PEAK DEMAND

OFFICE	@ 100%	MON - FRI	0800 - 1130	1330 - 1700
	@ 90%	MON - FRI	1130 - 1330	
RESTAURANT	@ 100%	MON - FRI	1130 - 1330	
		FRI - SAT		1930 - 2130
MARINA	@ 100%	FRI - SUN	(NON-INTERRUPTED)	1700 - 2100

③ PEAK OVERLAP



☐ OVERLAP
 ☐ NO OVERLAP

9 JAN 72

OVERLAP DEMAND

MON - FRI	1130 - 1330 (2 HRS)	OFFICE	90% OF 139 STALLS =	125
		RESTAURANT	ASSUME	<u>55</u>
			TOTAL	180

FRI - SAT	1930 - 2230 (3 HRS)	RESTAURANT	ASSUME	55
		MARINA		<u>75</u>
			TOTAL	130

PARKING REQUIREMENT

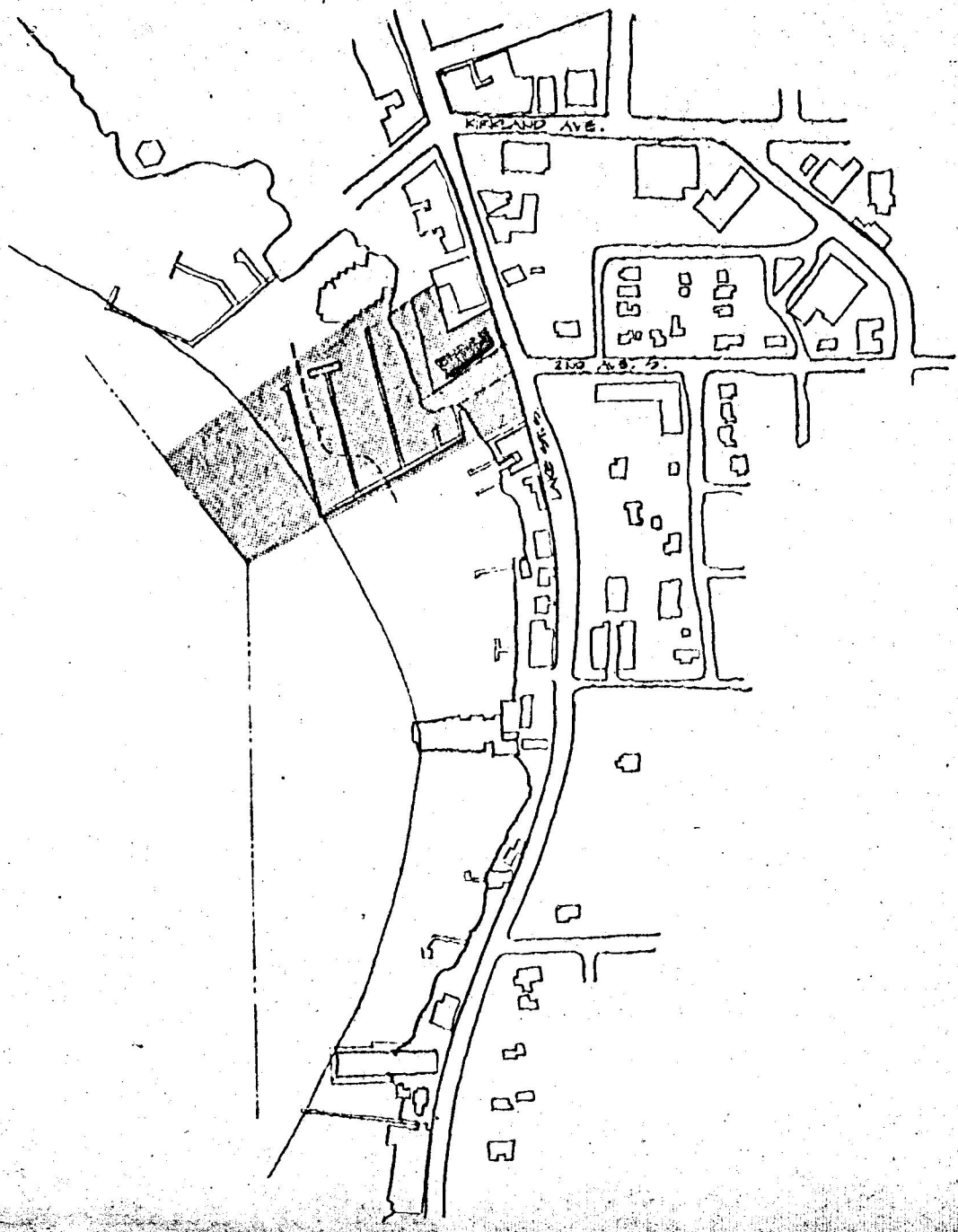
OVERLAP DEMAND (OFFICE/RESTAURANT)		180
JOINT USAGE ALLOWANCE (CODE)	10%	<u>- 18</u>

BALANCE REQUIRED 162

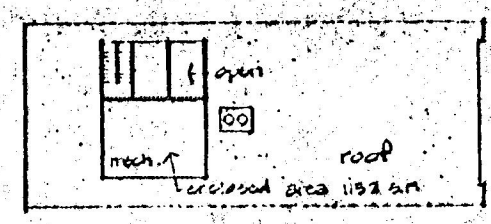
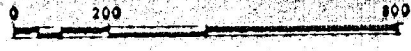
PROVIDED 164

RECEIVED

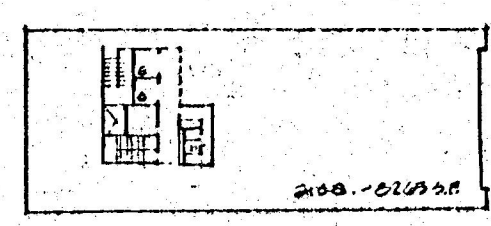
JAN 11 1972
 9:02 AM
 PLANNING DEPARTMENT
 BY: *Stark*



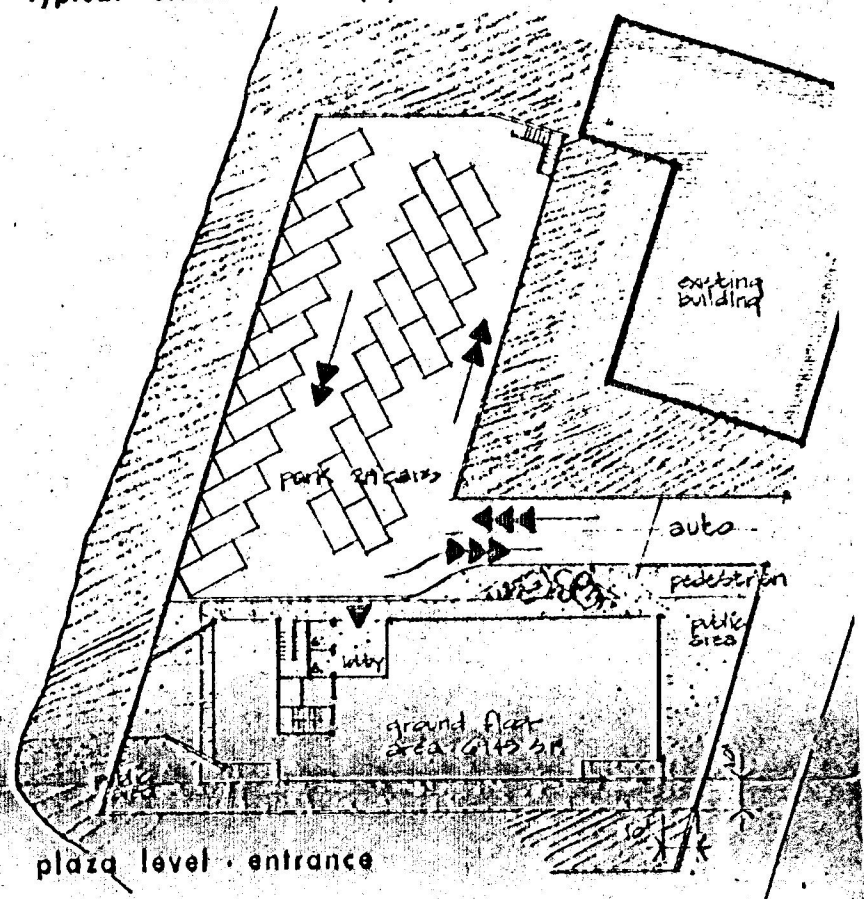
vicinity map



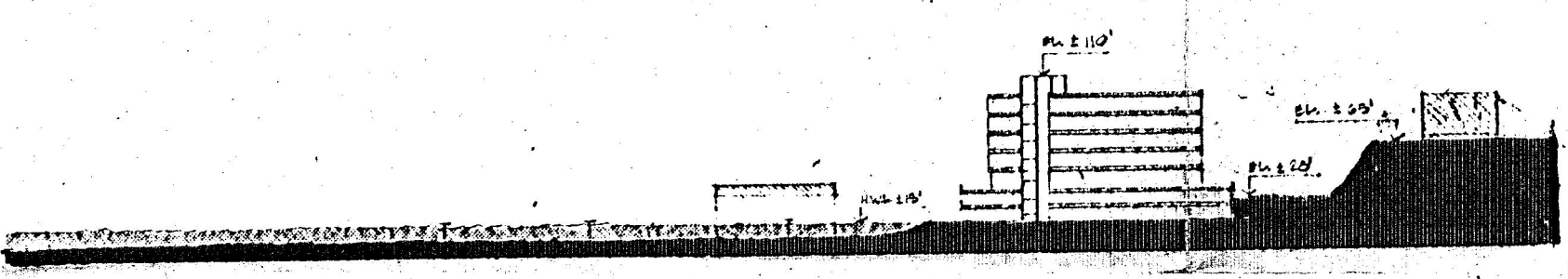
mechanical penthouse



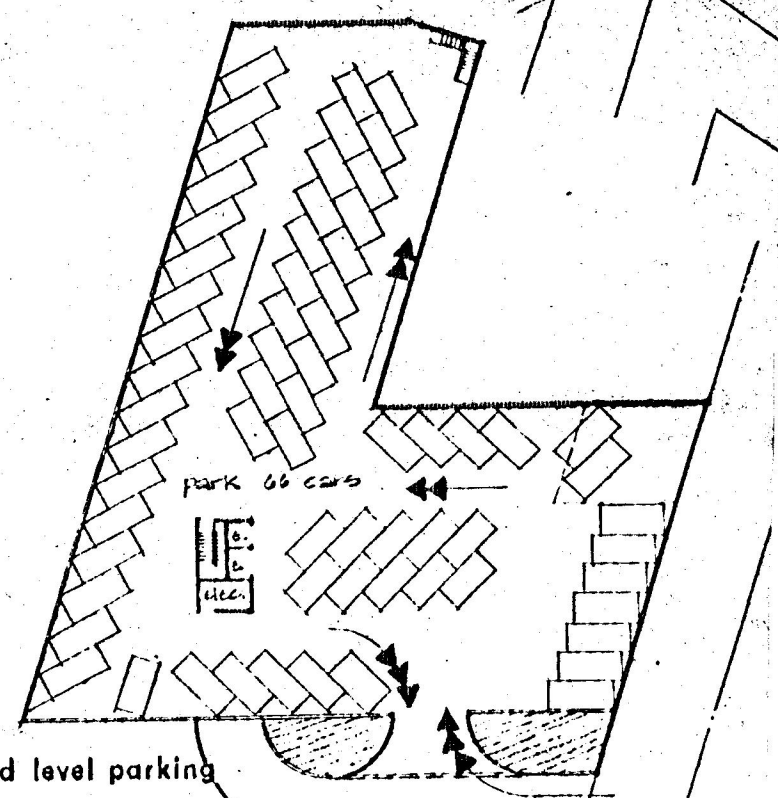
typical office floor (4)



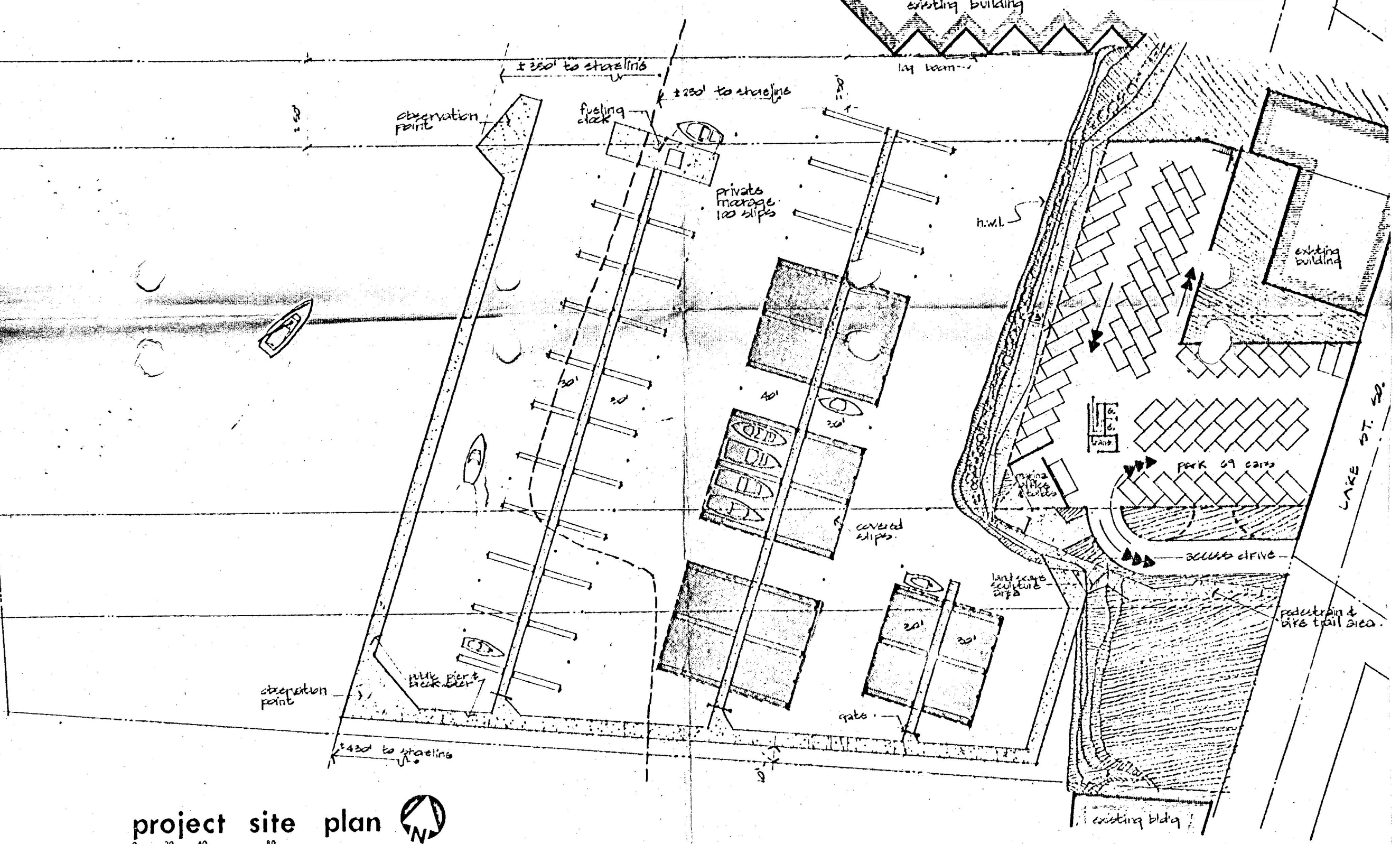
plaza level entrance



section looking north



2nd level parking



project site plan

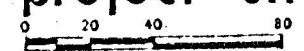


EXHIBIT A

