

RESOLUTION NO. R- 2358

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF AN UNCLASSIFIED USE PERMIT AS APPLIED FOR IN DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. UUP-76-07(P), BY STONEBRIDGE COMPANY TO DEVELOP A 24-UNIT ELDERLY HOUSING PROJECT, BEING WITHIN AN RM-1800 ZONE, AND SETTING FORTH CONDITIONS TO WHICH SUCH UNCLASSIFIED USE PERMIT SHALL BE SUBJECT.

WHEREAS, the Department of Community Development has received an application for an Unclassified Use Permit filed by Stonebridge Company, the owner of said property described in said application and located within an RM-1800 zone.

WHEREAS, the application has been submitted to the Kirkland Planning Commission who held public hearing thereon at a special meeting of March 18, 1976, and

WHEREAS, pursuant to City of Kirkland Resolution No. 2181 concerning environmental policy of the State Environmental Policy Act, an environmental worksheet has been submitted to the City of Kirkland, reviewed by the responsible official of the City of Kirkland and a negative declaration reached, and

WHEREAS, said environmental worksheet and declaration have been available and accompanied the application through the entire review process, and

WHEREAS, the Kirkland Planning Commission after the public hearing and consideration of the recommendations of the Department of Community Development and having available to them the environmental worksheet and negative declaration did adopt certain Findings, Conclusions and Recommendations and did recommend approval of the Unclassified Use Permit subject to the specific conditions set forth in said recommendations.

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

Section 1. The Findings, Conclusions and Recommendations of the Kirkland Planning Commission as signed by the Chairman thereof and filed in the Department of Community Development File No. UUP-76-07(P) are adopted by the Kirkland City Council as though fully set forth herein.

Section 2. The Unclassified Use Permit shall be issued to the applicant subject to the conditions set forth in the Findings, Conclusions and Recommendations hereinabove adopted by the City Council.

Section 3. A certified copy of this Resolution, together with the Findings, Conclusions and Recommendations therein adopted shall be attached to and become a part of the Unclassified Use Permit or evidence thereof delivered to the permittee.

Section 4. Nothing in this section 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 expressly set forth herein,

Section 5. Failure on the part of the holder of the Unclassified Use Permit to initially meet or maintain strict compliance with the standards and conditions to which the Unclassified Use Permit is subject shall be grounds for revocation in accordance with Section 23.30.100 of Ordinance No. 2183, the Kirkland Zoning Ordinance.

Section 6. Certified or conformed copies of this Resolution shall be delivered to the following:

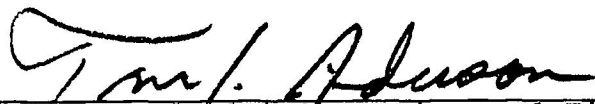
- (a) Applicant
- (b) Department of Community Development of the City of Kirkland
- (c) Building Department of the City of Kirkland
- (d) Fire Department of the City of Kirkland
- (e) Police Department of the City of Kirkland
- (f) Public Service Department of the City of Kirkland
- (g) The Office of the Director of Administration and Finance (ex officio City Clerk) for the City of Kirkland.

ADOPTED in regular meeting of the City Council on the 5th day of April, 1976.



Mayor

ATTEST:



Director of Administration and Finance
(ex officio City Clerk)

Findings, Cont'd

- D. 9. Geology. Local geologic mapping indicates the subject property to be within a sand and gravel lenses and older clay, till and gravel (Qcg). This unit is classified as having good foundation stability if there is a moderate slope with no hydrological problems.
10. Hydrology. There is no evidence of streams, springs or excess runoff on the subject property.
11. Flora/Fauna. There are existing laurel trees and one large cedar tree along the southern property boundary. The remainder of the subject property is covered with meadow grasses, scotch broom and blackberry bushes. Animal life existing on the subject property is expected to be small herbaceous mammals and birds.
- E. PUBLIC UTILITIES:
12. Streets. The subject property is bounded by 6th Avenue on the south, and on the north by 7th Avenue which is a secondary arterial.
13. Paths/Trails. There is an existing sidewalk on the north side of 6th Avenue, connecting to 3rd Street. There are existing sidewalks on both sides of 3rd Street, leading to the Central Business District.
14. Domestic Water Supply. There is an existing 6" water line on the north side of 7th Avenue.
15. Fire Hydrants. There is an existing fire hydrant at the southeast intersection of 6th Avenue and 3rd Street.
16. Sanitary Sewers. There is an existing 6" sanitary sewer within 7th Avenue.
17. Storm Sewers. There are no existing storm sewers in the area.
18. Public Transportation. The Metro Bus #255 makes stops on 3rd Street and 6th Avenue.

F. NEIGHBORHOOD CHARACTERISTICS:

19. Zoning. The subject property is zoned Residential Multi-family 800 (RM 1800). All properties to the south are zoned RM 1800, to the west is RM 1800 and Residential Single Family 7200 (RS 7.2). To the north is RS 7.2 and to the east is RS 7.2 and RM 1800. Further to the south is the Central Business District.
20. Land Use. The subject property is presently undeveloped. There are existing single family homes and vacant lands surrounding the subject property.

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3/3/76

Findings, Cont'd

G. LOCAL ZONING AND/OR LAND USE POLICIES AND PLANS:

21. The following are relevant sections of the Kirkland Zoning Ordinance, Section 23.30, Unclassified Uses.
- Section 23.30.020
- a. "The purposes of the review (for Unclassified Uses) before the Planning Commission and City Council shall be to determine that the characteristics of any such use shall not be incompatible with the type of uses permitted in the surrounding areas and for the further purpose of stipulating such conditions upon an operation as it may assure that this basic purpose shall be served."
- b. Section 23.30.030. Uses Requiring Unclassified Use Permit. "Housing designed for the elderly, with the exception of projects which can in all respects comply with the provisions of Chapter 23.10(Residential Multi Family Zoning)."
- c. Section 23.30.040(1) All requirements for setbacks, open space, height, floor area and lot coverage shall be applicable to the underlying zone.
- d. Section 23.30.040(3). "The requirements for provisions of off-street parking and loading areas applicable to the particular use shall prevail, unless, in the findings and conditions recited in the action dealing with each such matter, specific additional requirements are made with respect thereto."
- e. Section 23.30.050(3). A standard survey of the subject property shall be required.
- f. Section 23.30.080. Standards for Granting Unclassified Uses. "The Planning Commission and City Council shall be guided by the following standards and provisions in granting an Unclassified Use Permit:
- (1) The use requested by the Unclassified Use Permit shall be within the intent of this Ordinance, the Comprehensive Plan, and the public interest.
 - (2) The use requested by the Unclassified Use Permit shall demonstrate that it is consistent with the performance standards in Chapter 23.36 of this Ordinance.
 - (3) The use requested by the Unclassified Use Permit shall be made on the basis of site plans submitted pursuant to Section 23.62.030 of this Ordinance.

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Stonebridge Company
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DEPARTMENT OF COMMUNITY DEVELOPMENT
ADVISORY REPORT
FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

PREPARED BY _____ DATE _____
RECOMMENDED BY XX DATE March 18, 1976
ADOPTED BY _____ DATE _____
STAFF _____
BOARD OF ADJUSTMENT _____
HOUGHTON COMMUNITY COUNCIL _____
XX PLANNING COMMISSION _____ /s/ John Cushing, Chairperson
CITY COUNCIL AS INCORPORATED IN _____

R-2358 RESOLUTION _____ ORDINANCE _____

NUMBER _____
DATE _____

FILE NUMBER UUP-76-07(P)
APPLICANT Stonebridge Company

PROPERTY LOCATION 7th Ave. between 3rd & 4th Sts.
SUBJECT Application for Unclassified Use Permit to reduce the required parking ratio for elderly housing project.

HEARING/MEETING DATE _____
BEFORE _____

EXHIBITS ATTACHED "A" Site Plan "B" Location Map "C" Letter Chas. Morgan, Architect for Applicant, 1/29/76 & Application "D" Memo Bruce Lorentzen & Dale Decker 9/10/75 "E" Environmental Assessment "F" Landscaping Plan

FINDINGS:

A. SUMMARY OF THE PROPOSED ACTION:

1. The applicants are proposing to develop a 24 unit apartment complex designed for the elderly. This project has received approval for funds from the Federal Department of Housing and Urban Development under the Section 8 program. (Exhibit "A" - Siteplan).
2. The proposed project is located at 7th Avenue, between 5rd and 4th Streets. (Exhibit "B" - Location Plan).
3. This project is proposed by Stonebridge Co., K. L. Anderson, General Partner.
4. This application has been justified by the applicant in the following:

"The plans meet all requirements of the existing RM 1800 zoning with the exception of parking requirements. The existing zoning requires 2.2 cars per unit. This is not required for this type of housing. The tenants are over 62 and are on limited and lower income. Very few have need, nor can afford, cars. This is the reason the location within 2 to 3 blocks of the downtown area is needed." "Our plans show 14 cars. We feel this is satisfactory for our project, and hope that this request will be granted." (Exhibit "C" - Letter from Charles Morgan, Architect for the developers, 1/29/76 and application).

B. HISTORICAL BACKGROUND: (Not applicable)

C. GOVERNMENTAL COORDINATION

5. Kirkland Public Service Department. (No comment)
6. Kirkland Dept. of Fire Services. Approved automatic fire detection systems and sufficient clearance for the maneuvering of the Fire Department ladder truck shall be required. Water availability for fire protection is sufficient, however, an additional fire hydrant may be required on the property. This determination will be made when a more detailed set of plans is submitted for building permit purposes. (Exhibit "D" - Memo from Bruce Lorentzen and Dale Decker - 9/10/75).
7. Police Department. The applicant should be required to design and install adequate security measures to reduce the demand on police protection for this proposed development.

D. EXISTING PHYSICAL CHARACTERISTICS:

8. Soils/Topography. Local soils mapping indicates the subject property to be located within an Alderwood Gravelly Sandy Loam (AGC) 6-15% slopes classification. The actual topography on the subject property is approximately 6%, with a slope from northwest to southeast.

3/18/76
5/17/76

Conclusions, Cont'd

- G. 14. e. Section 23.30.080. Standards for Granting Unclassified Uses:
- (1) The use requested by this Unclassified Use Permit is within the intent of this Ordinance, the Comprehensive Plan, and the public interest due to the fact that multi-family development is permitted in this project and in all respects complies with the underlying zoning with the exception of the proposed parking.
 - (2) This use requested by this Unclassified Use Permit demonstrates that it is consistent with the performance standards in Chapter 23.36. of this Ordinance due to the fact that it will be a residential project.
 - (3) The use requested by this Unclassified Use Permit application is made on the basis of site plans submitted pursuant to Section 23.62.030 of this Ordinance.
 - (4) This application is in conformance with the underlying Comprehensive Plan due to the fact that it is a multi-family development.
15. The following sections of the Kirkland Zoning Ordinance Section 23.30 should be required to be addressed pursuant to building permit approval.
- a. Section 23.30.050(3). A standard survey of the subject property by a licensed land surveyor by the State of Washington should be submitted in conjunction with the building permit application.
 - b. Section 23.30.080(3). The applicant should indicate if improvements are to be made over a period greater than 2 years, and the time of improvements should be indicated.
 - c. Section 23.30.090. Expiration and Renewal: Upon the issuance of this Unclassified Use Permit, it shall be revoked unless a building permit conforming to plans upon which the permit was granted is obtained within 6 (six) months of the date of the issuance of this permit. Substantial construction shall be completed within one (1) year from the date the permit becomes effective unless a renewal is granted or unless the grant of the Unclassified Use Permit specifically provides for a period greater than one year. An approved application for an Unclassified Use Permit may be renewed by the Planning Commission for one (1) year. No more than one renewal may be issued for any Unclassified Use Permit.

3/18/76
3/3/76

Conclusions, Cont'd

- G. 16. The applicant should be required to design and develop a storm water retention system that will maintain on-site storm water runoff due to development. This on-site retention system should maintain a quantity, quality and velocity of storm water runoffs resulting from a 10 year storm.

RECOMMENDATIONS

Based upon the foregoing Findings and Conclusions, and as identified in Exhibits "A" through "F", we hereby recommend that this application for a Unclassified Use Permit be approved subject to the following:

1. That the applicant shall maintain the existing laurels and one large cedar tree on the southern property boundary for site amenities.
2. A standard survey of the subject property by a licensed land surveyor by the State of Washington shall be submitted in conjunction with the building permit application.
3. The applicant shall indicate if improvements are to be made over a period greater than two years, and the time of improvements shall be indicated.
4. Upon the issuance of this Unclassified Use Permit, it shall be revoked unless a building permit conforming to plans upon which the permit was granted is obtained within six (6) months of the date of the issuance of this permit. Substantial construction shall be completed within one (1) year from the date the permit becomes effective unless a renewal is granted or unless the grant of the Unclassified Use Permit specifically provides for a period greater than one year. An approved application for an Unclassified Use Permit may be renewed by the Planning Commission for one (1) year. No more than one renewal may be issued for any Unclassified Use Permit.
5. The applicant shall be required to design and develop a storm water retention system that will maintain on-site storm water runoff due to development. This on-site retention system shall maintain a quantity, quality and velocity of storm water runoffs resulting from a 10 year storm.
6. A six foot high fence shall be installed along the east property line, adjacent to the parking area, in conjunction with the proposed landscaping. This fence shall extend at least one half of the distance of the property width, beginning at 6th Ave. and landscaped.
7. The middle parking stall within each proposed line of parking shall be eliminated and landscaped.
8. The staff of the Dept. of Community Development shall review the parking situation at this site on or about April 5, 1977, to determine if the developed parking is adequate.

3/18/76
3/3/76

Findings, Cont'd

G. 21. f. (3)(cont'd) If the improvements are to be made over a period greater than two years, the time of improvements shall be indicated."

g. Section 23.30.090 Expiration and Renewal: "Whenever an Unclassified Use Permit has been granted, it shall be revoked unless a building permit conforming to plans upon which the permit was granted is obtained within six (6) months of the date of the issuance of the permit. Substantial construction shall be completed within one (1) year from the date the permit becomes effective unless a renewal is granted or unless the grant of the Unclassified Use Permit specifically provides for a period greater than one year. An approved application for Unclassified Use Permit may be renewed by the Planning Commission for one (1) year. No more than one renewal may be issued for any Unclassified Use Permit."

22. The Kirkland Comprehensive Plan indicates the subject property to be within a multiple housing designation.

23. The policy of the City of Kirkland has been to require a storm water retention system to develop with all multi-family development. This storm water retention system has been required to be designed to maintain a quantity, quality and velocity of storm water runoffs resulting from a 10 year storm, after development.

CONCLUSIONS:

A. SUMMARY OF THE PROPOSED ACTION:
1. This application for an Unclassified Use Permit to develop elderly housing is consistent with the Kirkland Zoning Ordinance and Kirkland Comprehensive Plan.

B. HISTORICAL BACKGROUND: (Not applicable)

C. GOVERNMENTAL COORDINATION:

2. Department of Fire Services. All requirements of the Kirkland Department of Fire Services should be met.
3. Police Department. All requirements of the Police Department with regard to security measures should be required.

D. EXISTING PHYSICAL CHARACTERISTICS:

4. Soils/Topography/Geology/Hydrology. The above characteristics would not pose a constraint upon a negative or positive decision on this application.

5. Flora/Fauna. The existing laurels and large cedar tree along the southern property boundary should be retained as site amenities.

E. PUBLIC UTILITIES:

6. Streets. The applicants are proposing direct access off of 6th Avenue, which is adequate to serve the proposed development.

Conclusions, Cont'd

E. 7. Paths/Trails. There are adequate sidewalks abutting the subject property and leading into the Central Business District to serve the future residents of this project.

8. Domestic Water Supply/Sanitary Sewers. Existing water supply and sanitary sewers are adequate to serve the proposed development.

9. Fire Hydrants. An additional fire hydrant may be required as per the determination of the Kirkland Department of Fire Services.

10. Storm Sewers. There are no existing storm sewers on the subject site, however the applicant should be required to develop a storm water retention system.

11. Public Transportation. The availability of public transportation to the subject property enhances its site as a potential elderly housing project.

F. NEIGHBORHOOD CHARACTERISTICS:

12. Zoning. This proposed development is consistent with the existing zoning on the subject property.

13. Land Use. This proposed development is proposing sufficient setbacks and landscaping to adequately buffer the proposed project from the existing single family development surrounding it.

G. LOCAL ZONING AND/OR LAND USE POLICIES AND PLANS:

14. This application is consistent with the following sections of the Kirkland Zoning Ordinance Section 23.30 (Unclassified Uses).

a. Section 23.30.020. The proposed use is compatible with the type of uses permitted on the subject property.

b. Section 23.30.030. The applicants are proposing housing for the elderly which can in all respects comply with the provisions of Chapter 23.10, with the exception of the proposed parking.

c. Section 23.30.040(1). The applicants are proposing adequate front, rear, side recreation space and lot coverage consistent with Residential Multi-Family zoning, Chapter 23.10 of this Ordinance.

d. Section 23.30.040(3). Housing designed for the elderly would not require the normal parking spaces to be developed due to the fact that the proposed residents are over 62 and on a limited income.