

RESOLUTION NO. R-2409

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF A SUBSTANTIAL DEVELOPMENT PERMIT AS APPLIED FOR IN DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. SDP-76-38(H), BY KENNETH WARNES, JR., TO DEVELOP A 12-UNIT CONDOMINIUM ON THE EAST SIDE OF LAKE WASHINGTON BOULEVARD (6714 LAKE WASHINGTON BOULEVARD), BEING WITHIN AN RM-1800 ZONE, AND SETTING FORTH CONDITIONS TO WHICH SUCH SUBSTANTIAL DEVELOPMENT PERMIT SHALL BE SUBJECT.

WHEREAS, the Department of Community Development has received an application for a Substantial Development Permit filed by Kenneth A. Warnes, Jr., 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 and Houghton Community Council who held public hearings thereon at their regular meetings of November 2, 1976 and November 11, 1976 respectively, and

WHEREAS, pursuant to City of Kirkland Ordinance No. O-2319 concerning environmental policy of the State Environmental Policy Act, an environmental assessment 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 assessment and declaration have been available and accompanied the application through the entire review process, and

WHEREAS, the Kirkland Planning Commission and Houghton Community Council after their public hearings and consideration of the recommendations of the Department of Community Development and having available to them the environmental assessment, and negative declaration, did adopt certain Findings, Conclusions and Recommendations and did recommend approval of the Substantial Development 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 Chairperson thereof and filed in the Department of Community Development File No. SDP-76-38(H) are adopted by the Kirkland City Council as though fully set forth herein.

Section 2. The Substantial Development 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 Substantial Development 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, or other than the permit requirements of the Shoreline Management Act of 1971. Construction pursuant to the Substantial Development Permit shall not begin or be authorized within 45 days of 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 of local government have been terminated.

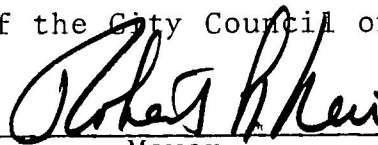
Section 5. Failure on the part of the holder of the Substantial Development Permit to initially meet or maintain strict compliance with the standards and conditions to which the permit is subject shall be grounds for revocation in accordance with Section 23.54.090 of Ordinance No. 2183, the Kirkland Zoning Ordinance. 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.

Section 6. Notwithstanding, the recommendations heretofore given by the Houghton Community Council, the subject matter of this Resolution and the Substantial Development Permit herein granted are, pursuant to Ordinance 2001, subject to the disapproval jurisdiction of the Houghton Community Council, and therefore this Resolution shall become effective only upon approval of the Houghton Community Council or the failure of said Community Council to disapprove this Resolution within 60 days of the date of the passage of this Resolution.

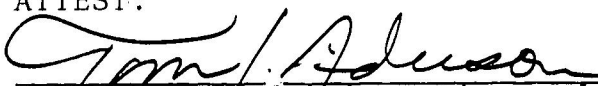
Section 7. Certified or conformed copies of this Resolution shall be delivered to the following:

- (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.
- (h) The Department of Ecology for the State of Washington
- (i) The Office of the Attorney General for the State of Washington.

ADOPTED in regular meeting of the City Council on the 6th day of December , 1976.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Director of Administration and Finance  
(ex officio City Clerk)

R-2409

Findings, Cont'd

- E. 12. Domestic Water Supply. There is an existing 10" water main located in N.E. Lake Washington Boulevard. A 4" fire hydrant is located in front of the subject property.
- 13. Sanitary Sewer. There is an existing 12" sanitary sewer located within Lake Washington Boulevard N.E.
- 14. Storm Sewer. There is an existing storm sewer system within the right-of-way of Lake Washington Boulevard N.E.
- F. NEIGHBORHOOD CHARACTERISTICS:
  - 15. Zoning. The subject property is zoned Residential Multi-Family 1800 square feet per dwelling unit as are abutting properties to the north, east and south. Properties on the west side of Lake Washington Boulevard N.E. are zoned Waterfront District No. 1 and for public use.
  - 16. Land Use. As indicated in Exhibit "C", the subject property is located in an existing developed area of multi-family units. The properties on the west side of Lake Washington Blvd. N.E. include parks, single family residences, and undeveloped land.
- G. LOCAL ZONING AND/OR LAND USE POLICIES AND PLANS
  - 17. The applicant has submitted an environmental assessment which did receive a negative declaration by the responsible official on October 26, 1976
  - 18. This Substantial Development Permit is required to be consistent with Kirkland Zoning Ordinance No. 2183, Section 23.10, 23.34 and 23.40.

CONCLUSIONS:

- A. SUMMARY OF THE PROPOSED ACTION:
  - 1. This application is generally consistent with the Kirkland Zoning Ordinance No. 2183.
- B. HISTORICAL BACKGROUND: (No relevant conclusions)
- C. GOVERNMENTAL COORDINATION;
  - 2. Public Service. Where applicable, recommendations from the Public Service Department should become conditions of approval.

11/2/76  
10/26/76

Conclusions, Cont'd

- D. EXISTING PHYSICAL CHARACTERISTICS:
  - 2. Topography/Soils/Geology/Vegetation. Due to the fact that the subject property has had a soils report by Pacific Testing Laboratories, Inc., any structure placed on the subject property should be subject to building permits which are consistent with the soils report herein enclosed and identified as Exhibit "F".
- E. PUBLIC UTILITIES:
  - 3. Streets/Domestic Water/Sanitary Sewer/Storm Sewer. None of these public utilities will constrain either reaching a positive or a negative decision on this Substantial Development Permit application.
  - 4. Pedestrian Ways. The applicant should be required to replace the asphaltic sidewalk with concrete in front of the subject property as was the Pleasant Bay Apartments approved by the Kirkland City Council under Resolution No. R-2252.
- F. NEIGHBORHOOD CHARACTERISTICS:
  - 5. Zoning. The proposed Substantial Development Permit and development plan is consistent with the existing zoning patterns within this area.
  - 6. Land Use. The proposed Substantial Development Permit and development plan is consistent with surrounding land use patterns in this area.
- G. LOCAL ZONING AND/OR LAND USE POLICIES AND PLANS:
  - 7. The submitted architectural design identified as Exhibit "E" meets the general provisions of the Kirkland Zoning Ordinance No. 2183. However, prior to applying for a building permit on the subject property, the applicant shall be required to modify or include the following items:
    - a. Landscaping plan submitted with building permit application shall indicate deciduous trees of 2" in caliper and evergreen trees of 5 to 6 feet in height (indicating species of each).
    - b. In applying for a building permit, the applicant should submit a design and calculations for storm water retention system which will not decrease the quality-or increase the quantity and/or velocity of water leaving the site for a 10-year storm.

11/2/76  
10/26/76



DEPARTMENT OF COMMUNITY DEVELOPMENT  
**ADVISORY REPORT**  
FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

PREPARED BY \_\_\_\_\_ DATE \_\_\_\_\_  
 RECOMMENDED BY \_\_\_\_\_ DATE November 11, 1976  
 ADOPTED BY \_\_\_\_\_ DATE \_\_\_\_\_  
 STAFF \_\_\_\_\_  
 BOARD OF ADJUSTMENT \_\_\_\_\_  
 HOUGHTON COMMUNITY COUNCIL \_\_\_\_\_  
 PLANNING COMMISSION \_\_\_\_\_  
 CITY COUNCIL AS INCORPORATED IN \_\_\_\_\_  
 RESOLUTION \_\_\_\_\_ ORDINANCE \_\_\_\_\_  
 NUMBER \_\_\_\_\_  
 DATE \_\_\_\_\_  
 FILE NUMBER SDP-76-38(H)  
 APPLICANT KENNETH WARNES, JR.  
 PROPERTY LOCATION E. side Lake Wa. Blvd. N.E. (6714)  
 SUBJECT Substantial Development Permit for 12-condominium units  
 HEARING/MEETING DATE Dec. 6, 1976  
 BEFORE KIRKLAND CITY COUNCIL  
 EXHIBITS ATTACHED "A" Application "B" Covenants on Real Property  
"C" Vicinity Map "D" Topography "E" Site Plan "F" Soils Report  
"G" Environmental Assessment and Declaration of Non-Significance

FINDINGS:

A. SUMMARY OF THE PROPOSED ACTION:

1. This is an application for a Substantial Development Permit for the subject property as located in Exhibit "C" - Vicinity Map which is generally located on the east side of Lake Washington Boulevard N.E. in front of the Topside Condominiums.
2. The applicant desires to construct a 12 unit condominium on the subject property.
3. The subject property is zoned Residential Multi-family 1800 square feet per dwelling unit and the lot is 29,516 square feet or .68 acres.

B. HISTORICAL BACKGROUND:

4. For relevant historical background refer to the informal subdivision file no. KROLL 431W(H) Ken Warnes.

C. GOVERNMENTAL COORDINATION:

5. Public Services. Connection of water and sewer services per City ordinances and appropriate fees required. The asphalt sidewalk in front of the property should be replaced with concrete.
6. Fire Department. Fire hydrant optimally located for the proposed project.

D. EXISTING PHYSICAL CHARACTERISTICS:

7. Topography. The subject property slopes approximately 8% from the east to the west property line towards Lake Washington Boulevard. Refer to Exhibit "D" - Topography Map and the cross sections on Exhibit "E" - Site Plan.
8. Soils/Geology. The subject property has a soils report by Pacific Testing Laboratories Inc., file No. 75-12-31 dated January 8, 1975 which did evaluate the soils geologic conditions of this property.
9. Vegetation. The existing vegetation of the subject property includes associated grasses and a number of large deciduous trees. Refer to Exhibit "D" - Topography Map.
- E. PUBLIC UTILITIES:
  10. Streets. The subject property fronts on Lake Washington Boulevard N.E. which is a full, improved right-of-way.
  11. Pedestrian Ways. There is a four foot asphaltic sidewalk along the east side of Lake Washington Boulevard N.E. in front of this property.

9. (To be completed by local official from environmental assessment/ environmental impact statement). Nature of existing shoreline. (Describe type of shoreline, such as marine, stream, lake, lagoon, marsh, bog, swamp, flood plain, floodway, delta; type of beach, such as accretion, erosion, high bank, low bank, or dike; material such as sand, gravel, mud, clay, rock, riprap; and extent and type of bulkheading, if any):

10. (To be completed by local official from information provided by applicant in Site Plan 4 as required.) In the event that any of the proposed buildings or structures will exceed a height of thirty feet above the existing grade level, indicate the approximate location of and number of residential units, existing and potential, that will have an obstructed view.

11. (a) Total cost or fair market value of the project for which this permit is requested. (If further development is planned beyond that described in this application, then also state the total value of all contemplated development and attach a brief description of the additional work to the application, including the projected construction dates for such work).

350,000.00

(b) Construction dates for which permit is requested:

Begin ~~October~~ July 1, 1976 End June 30, 1977

12. Does this project require a shoreline location? Please explain:

Project not located on any body of water, but within 200 feet of a shoreline

13. List any other permits for this project from state, federal or local governmental agencies for which you have applied or will apply, including the name of the issuing agency, whether the permit has been applied for, and if so, the date of the application, whether the application was approved or denied and the date of same, and the number of the application or permit:

None

14. Project description:

(a) Attach maps to application as required for filing.  
(b) All maps shall be drawn to scale, and the scale clearly indicated on the map or drawing.

15. Does the proposed development recognize and protect the local interests as they have been defined and declared in the Kirkland Shoreline Master Program? Please explain:

Yes

16. Does the proposed development preserve the natural character of the shoreline? Please explain in what way it does or does not.

Project not located next to water body

17. Will the proposed development result in long-term over short-term benefits? How so?

Quality of constructed site will add to the beauty of this area

18. Does the proposed development protect the resources and ecology of the shoreline? In what way?

Not located on shoreline of any water body

19. Does the proposed development increase public access to publicly owned areas of the shoreline?

Not located on shoreline of any water body

SIC LINE MANAGEMENT ACT OF 19  
 APPLICATION FOR SUBSTANTIAL DEVELOPMENT PERMIT

Conclusions, Cont'd

- G. 7. c. The applicant will be required to pay appropriate fees as provided in the Kirkland Zoning Ordinance to the "In Lieu of Open Space Account" of the Park and Municipal Facilities Cumulative Reserve Fund in the amount required by the Kirkland Zoning Ordinance No. 2183, due to the fact that this application was not accepted for filing and that payment of the fees did also not occur until after this provision was adopted under Ordinance O-2316. Said fees should be paid with the subdivision of the land.
- d. The applicant shall contact Bayside Disposal and locate approved site screened dumpsters within the project.

RECOMMENDATIONS:

- Based upon the foregoing Findings and Conclusions and as identified in Exhibits "A" through "G", we hereby recommend that this Substantial Development Permit be approved subject to the following conditions:
1. The applicant shall replace the asphaltic sidewalk with a concrete sidewalk along the front of the property and shall match existing sidewalk at the north property line.
  2. Prior to applying for a building permit, the applicant shall modify or include the following items:
    - a. The landscaping plan submitted with the building permit application shall indicate species of deciduous trees 2" in caliper and evergreen trees 5-6 feet in height.
    - b. The applicant shall submit a design and calculations for a storm water retention system which will not decrease the quality, or increase the quantity and/or velocity of water leaving the site for a 10-year storm.
    - c. The applicant shall contact the serving solid waste utility and locate approved site screened dumpsters within the project.
  3. Any building permit issued on the subject property shall be consistent with the soils report by Pacific Testing Laboratories, Inc., File No. 75-12-31, dated January 8, 1975.
  4. Landscaping shall be of a low to moderate height so as to reduce and minimize view obstruction to the property to the east to the greatest possible extent so far as permitted by the Kirkland Zoning Ordinance.
  5. The applicant shall provide architectural or landscaping means to minimize or camouflage roof penetrations and appurtenances.
  6. The applicant shall have the option of locating the structures further to the east, but not further to the north, and is encouraged to work out an easement arrangement with the access to the south, leaving the present contemplated access along the north property line as open space. No changes shall be made to the proposed parking stall locations.

Application No. \_\_\_\_\_  
 Name of Local Government City of Kirkland  
 Date Received \_\_\_\_\_  
 Approved \_\_\_\_\_ Denied \_\_\_\_\_  
 Date \_\_\_\_\_  
 AM \_\_\_\_\_ PM \_\_\_\_\_  
 PLANNING DEPARTMENT

**RESOLVED**

JUL 7 1976

TO THE APPLICANT: This is an application for a substantial development permit and is authorized by the Shoreline Management Act of 1971. It is suggested that you check with appropriate local, state, or federal officials to determine whether your project falls within any other permit systems.

1. Name of applicant Mr. & Mrs. Kenneth A. Warnes, Jr.
2. Mailing address 125 Third Avenue, Kirkland, Washington 98033
3. Relation of applicant to property:  
 Owner Mr. & Mrs. Kenneth A. Warnes, Jr.  
 Purchaser \_\_\_\_\_  
 Lessee \_\_\_\_\_  
 Other \_\_\_\_\_
4. Name and address of owner, if other than applicant \_\_\_\_\_
5. General location of proposed project 6714 Lake Washington Blvd., N.E., Kirkland  
 (Section to the nearest quarter section, township, and range)  
Lake Washington
6. Name of water area and/or wetlands within which development is proposed \_\_\_\_\_
7. Current use of the property with existing improvements Apartment/Condominium
8. Proposed use of property Condominium/Apartment  
 EXHIBIT "A"  
 APPLICATION  
 KENNETH WARNES, JR.  
 SDP-76-38(H)