

RESOLUTION NO. R- 2547

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-78-40(P), BY VILLAGE UNIVERSAL OF WASHINGTON, INC., FOR AN 8-UNIT CONDOMINIUM ON THE EAST SIDE OF LAKE WASHINGTON BOULEVARD BETWEEN 7TH ST. SO. AND 10TH ST. SO., TO BE KNOWN AS "ALPHA REACH", BEING WITHIN AN RS 8.5 AND AN RM-3600 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 Village Universal of Washington, Inc., the owner of said property described in said application and located within an RS 8.5 and an RM-3600 zone.

WHEREAS, the application has been submitted to the Kirkland Planning Commission who held public hearing thereon at their regular meeting of August 10, 1978, and

WHEREAS, pursuant to City of Kirkland Ordinance No. 0-2319 concerning environmental policy of the State Environmental Policy Act, an environmental checklist 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 checklist and declaration have been available and accompanied the application through the entire review process, and

WHEREAS, the Kirkland Planning Commission after their public hearing and consideration of the recommendations of the Department of Community Development and having available to them the environmental checklist 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-78-40(P) 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 30 days of the date of its final approval by the local government or until all review proceedings initiated within said 30 days from the date of final approval by 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. 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 and Fire Department of the City of Kirkland
- (d) Police Department of the City of Kirkland
- (e) Parks 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 21st day of August, 1978.

SIGNED IN AUTHENTICATION THEREOF on the 21st day of August 1978.



 Mayor

ATTEST:



 Director of Administration and Finance
 (ex officio City Clerk)



DEPARTMENT OF COMMUNITY DEVELOPMENT

ADVISORY REPORT
FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

____ PREPARED BY _____ DATE _____
 RECOMMENDED BY _____ DATE August 10, 1978
____ ADOPTED BY _____ DATE _____

____ STAFF _____

____ BOARD OF ADJUSTMENT _____

____ HOUGHTON COMMUNITY COUNCIL _____

PLANNING COMMISSION _____ (original signed by)

Howard Peterson, Acting Chairperson

____ CITY COUNCIL AS INCORPORATED IN _____

RESOLUTION _____ ORDINANCE _____

NUMBER R-2547

DATE _____

FILE NUMBER SDP-78-40(P)

APPLICANT VILLAGE UNIVERSAL OF WASHINGTON, INC.

PROPERTY LOCATION 745 2nd Street South

SUBJECT SUBSTANTIAL DEVELOPMENT PERMIT for 8-unit condominium

HEARING/MEETING DATE August 21, 1978

BEFORE KIRKLAND CITY COUNCIL

COPIES ATTACHED "A" Vicinity Map/Site Plan "B" Site Sections "C" Landscape Plan "D" Neighborhood Land Use "E" Application "F" Environmental Info.

STATEMENTS OF FACT:

A. SUMMARY OF THE PROPOSED ACTION:

1. This is an application for Substantial Development Permit for an 8-unit condominium on the east side of Lake Washington Boulevard between 7th and 10th Streets South. The application was submitted by Village Universal of Washington and the proposed development is known as "Alpha Reach Condominiums".
2. The proposed site plan shows four buildings with underground parking for 18 cars. Proposed access for the 8 units is from Lake Washington Boulevard (See Exhibit "B").
3. Pursuant to Chapter 90.58(RCW) the State Shoreline Management Act, this action requires review for a Substantial Development Permit because construction is proposed within 200 feet of a "shoreline of statewide significance." (RCW 90.58.030(1)(f)).
4. The application received a final declaration of environmental non-significance from the responsible official on July 10, 1978 (See Exhibit "F").

B. HISTORICAL BACKGROUND:

5. This property was subdivided from a tract of land partially for single family residential development and partially for multi-family development. The subdivision, also known as Alpha Reach, created 8 single family zoned residential lots and 1 multi-family zoned lot. The subject property is the area within the subdivision zoned for multi-family use. The City Council approved the Preliminary Plat of Alpha Reach (File P-SUB-78-23) on June 5, 1978 through Resolution R-2530.

C. EXISTING PHYSICAL CHARACTERISTICS:

6. Flora/Fauna. The site is sparsely vegetated with the exception of three major trees. A family of racoons has been reported as living in this vicinity.
7. Topography. The land slopes down toward Lake Washington Boulevard, quite steeply in some areas. On the northeast portion of the property there is a plateau which drops off sharply.

D. GOVERNMENTAL COORDINATION:

8. The Public Service Department made the following comments:
Sanitary Sewer: "Access to Lake Washington Boulevard adequate."
Domestic Water: "Access to Lake Washington Boulevard adequate.
Current fees to be paid."
Storm Water: "Storm water retention required."

Statements of Fact, Cont'd

D. 8. (Cont'd)

Right-of-Way Improvements: "6 foot concrete sidewalk along Lake Washington Boulevard."

9. The Kirkland Fire Department commented on this proposal as follows:
"Adequacy of Emergency Access: Unable to determine grade on entrance drive with drawing provided. However, it would appear that this drive may exceed the 15% maximum grade permitted."
"Fire Hydrants: Existing hydrants on Lake St. So. are sufficient."
"Adequacy of Fire Flow: Present fire flow in system on Lake St. So. is sufficient."
10. The Kirkland Building Department made the following comments: "Relevant Building Code Requirements: Fire Zone 2. A ten foot building separation with protected openings and parapets will be required."

E. NEIGHBORHOOD CHARACTERISTICS:

11. Zoning. The eastern 220 feet of the subject property is zoned for residential single family use with a minimum lot size of 8500 square feet. The remainder of the property is zoned for multi-family residential use with a minimum of 3600 square feet of land per unit. The land to the south is zoned in a similar fashion with a split zoning between RS 8500 and RM 3600. To the north, the land is zoned RM 3600.
12. Land Use. The subject property presently supports one single family dwelling. The lots along 1st St. So. support a mix of single family and multi-family uses. The property immediately adjacent to the south is used for one single family home, and further to the south a subdivision known as "Alpha Reach" has received preliminary approval for the creation of 8 single family lots and one parcel of multi-family land (see Exhibit "D").

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

13. This application for Substantial Development Permit will be subject to the requirements of the Kirkland Zoning Ordinance No. 2183. The following sections are particularly relevant to this application:
- a. Parking Requirements (Section 23.34)
 - b. Landscaping Requirements (Section 23.40)
 - c. Fee-in-Lieu of Open Space Provisions (Section 23.10.110(5))
 - d. Residential Multi-Family Zone Requirements (Section 23.10)

Note section 23.10.090: "To reduce the visual impact of multi-family structures on adjacent single family areas,

Statements of Fact, Cont'd

F. 13. d. (Cont'd)

those structures located on the perimeter of an RM zone or a Planned Area and adjacent to a low density area as defined in the Land Use Policies Plan, shall not exceed 25 feet in height above the average building and average lot elevations. The maximum horizontal dimension of the structure adjacent to low density areas shall be limited to 50 feet. (Ord. 2347, May 16, 1977)."

Also note under Dimensional Regulations, Section 23.48.020, that appurtenances for elevators are not included in the height restriction.

CONCLUSIONS:

A. SUMMARY OF THE PROPOSED ACTION:

1. This application generally conforms to the applicable City and State requirements.

B. HISTORICAL BACKGROUND: (no relevant conclusions)

C. EXISTING PHYSICAL CHARACTERISTICS:

2. The existing trees should be incorporated into the landscape plan as shown in Exhibit "C".
3. Steps should be taken to ensure the survival of the racoons that live in this area. The wildlife expert affiliated with the Humane Society stated that if any burning is to occur during clearing, live traps should be set. These live traps are available through the Humane Society and the animals will be relocated.

D. GOVERNMENTAL COORDINATION

4. Pedestrian Ways. Lake Washington Boulevard is a major pedestrian access way and will continue to be used heavily in the future. The 6 foot concrete sidewalk requested by the Public Service Department will become part of a link in a continuous pedestrian walkway along both sides of the Boulevard.
5. The applicant must meet all requirements established by the Kirkland Fire Department. The driveway must be of a contour acceptable to the Fire Department and the detailed building plans must receive Fire Department approval prior to the issuance of a Building Permit.

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Conclusions, Cont'd

- D. 6. The plans must meet all requirements of the Building Department including the 10 foot separation and parapets.
- E. NEIGHBORHOOD CHARACTERISTICS:
7. Zoning/Land Use. This use is in accordance with the present zoning and the designated use on the Comprehensive Plan Map.
- F. LOCAL ZONING AND/OR LAND USE POLICIES AND PLANS:
8. This application must meet all applicable zoning regulations. The provisions regarding height are of special concern. Because the proposed condominium is adjacent to land designated for low density use, the building height must not exceed 25 feet above average building and average lot elevation.

RECOMMENDATIONS:

Based on the foregoing Findings of Fact, Conclusions and as identified in Exhibit "A" through Exhibit "F", we hereby recommend approval of this application subject to the following conditions:

1. The applicant must meet all requirements of the Kirkland Fire Department and Building Department. The grade of the driveway must be approved by the Fire Department.
2. A 6 foot concrete sidewalk must be installed along the entire frontage of Lake Washington Boulevard South.
3. Flora and Fauna must be preserved to the greatest degree possible. If any burning for site clearing is proposed, the applicant shall set live traps as part of a program to secure and relocate any racoons that may exist in the area. Said program shall be reviewed and approved under the direction of the Department of Community Development and with the cooperation of the Humane Society.
4. This project is subject to the provisions for "Fee in Lieu of Open Space" found in Section 23.10.110 of the Kirkland Zoning Ordinance. The fee shall be 6% of the assessed valuation of the total land area or \$200 per new dwelling unit, whichever is greater. These funds shall be deposited in the "Fee in Lieu of Open Space" account of the Park and Municipal Facilities Cumulative Reserve Fund prior to the issuance of a Building Permit.