

RESOLUTION NO. R- 2553

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-CUP-78-49(P), BY CITY OF KIRKLAND, TO CONSTRUCT AN ADDITION TO EXISTING "KIRKLAND BEACH PARK", LOCATED WEST OF LAKE WASHINGTON BOULEVARD BETWEEN 5TH AVENUE SOUTH AND 7TH AVENUE SOUTH, BEING WITHIN A WATERFRONT DISTRICT I 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 City of Kirkland, the owner of said property described in said application and located within a Waterfront District I zone.

WHEREAS, the application has been submitted to the Kirkland Planning Commission who held public hearings thereon at their regular meeting of September 21, 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-CUP-78-49(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) Fire and Building Department of the City of Kirkland
- (d) Parks 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 2nd day of October , 1978.

SIGNED IN AUTHENTICATION THEREOF on the 2nd day of October, 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 _____
XX RECOMMENDED BY _____ DATE September 21, 1978
ADOPTED BY _____ DATE _____

STAFF _____

BOARD OF ADJUSTMENT _____

HOUGHTON COMMUNITY COUNCIL _____

XX PLANNING COMMISSION David Russell
David Russell, Chairperson

CITY COUNCIL AS INCORPORATED IN _____

RESOLUTION _____ ORDINANCE _____

NUMBER R-2552 and 2553

DATE _____

FILE NUMBER SDP-CUP-78-49 (P)

APPLICANT CITY OF KIRKLAND

PROPERTY LOCATION 535 Lake St. So.

SUBJECT Substantial Development Permit and Conditional Use Permit for addition to existing Kirkland Beach Park.

HEARING/MEETING DATE October 2, 1978

BEFORE KIRKLAND CITY COUNCIL

EXHIBITS ATTACHED "A" Application "B" Environmental Information "C" Vicinity Map "D" Existing Conditions "E" Proposal

I. SUMMARY:

A. DESCRIPTION OF PROPOSAL

1. This is an application for a Substantial Development Permit and a Conditional Use Permit to allow the construction of an addition to the existing Kirkland Beach Park. The Park is located west of Lake Washington Boulevard between 5th Avenue South and 7th Avenue South. Improvements are proposed throughout the entire park. The improvements proposed consist of a concrete walk down to and along the water, a widening of the sidewalk along a portion of Lake Washington Boulevard, additional landscaping trees along Lake Washington Boulevard, regrading the upland portion of the site and planting this area with lawn and a bulkhead waterward of the existing high water line. This bulkhead, which is intended to reclaim eroded shoreline, would be set from zero to ten feet waterward from the existing high water line. Two existing houses have been removed from the site. The path down to the water's edge at the north end of the subject is designed for handicap access.

B. RECOMMENDATIONS:

Subject to the Statements, Facts and Conclusions contained herein and as identified in Exhibits "A" through "E", we hereby recommend approval of this application for a Substantial Development Permit and a Conditional Use Permit.

II. MAJOR STATEMENTS OF FACTS AND CONCLUSIONS:

A. GOVERNMENTAL COORDINATION:

1. Statements of Fact:

a. Building Department.

Relevant Building Code requirements: There are no relevant Building Code requirements for this project.

Other: As many existing trees as possible should be saved.

b. Fire Department.

Adequacy of Emergency Access: Existing access is adequate.

Fire Hydrants: Present fire hydrant locations are sufficient.

Adequacy of Fire Flow: Presently water availability is sufficient.

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Statements of Facts (cont'd)

II. A. 1. b.

Other: A horizontal stand pipe will be required on the future boat dock. Contact the Kirkland Fire Department for specific requirements.

c. Police Department.

No public safety concerns with this project.

d. Public Services Department.

Any water service needed could be supplied from the old house. No other utilities are needed.

2. Conclusions:

None

B. EXISTING PHYSICAL CHARACTERISTICS:

1. Statements of Facts:

a. Topography. The subject property slopes down from east to west.

b. Vegetation. The subject property contains a variety of trees. For the most part these trees are deciduous, including big-leafed maple, black cottonwood and several willows. There are scattered low conifers in the northern existing park portion of the subject property.

2. Conclusions:

The existing trees will be retained and incorporated in the proposed design to the maximum extent feasible.

C. PUBLIC UTILITIES: (Not applicable)

D. NEIGHBORHOOD CHARACTERISTICS:

1. Statements of Facts:

a. Zoning. The subject property as well as properties to the north and south of the subject property, is zoned Waterfront District I. Properties to the east of the subject property, across Lake Washington Boulevard, are zoned for Residential, both Single Family and Multi-Family.

b. Land Use. Immediately to the north of the subject property is the Harbor Lights Condominium. Immediately

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Statements of Facts (cont'd)

II. D. 1. b.

to the south of the subject property is a single-family resident which is also used as a dentist office. To the east of the subject property, across Lake Washington Boulevard, and on both sides of 7th Avenue South, there exists a variety of single-family residences. The extreme north and extreme southern portions of the subject property currently are partially developed as public parks. This proposal will redevelop these existing park areas and integrate them into the total design for the subject property.

2. Conclusions:

- a. Zoning. This proposal meets the substance and intent of the Kirkland Zoning Ordinance.
- b. Land Use. This proposal is consistent with and would have no adverse impact on the existing land use patterns in the area.

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

1. Statements of Fact:

- a. Two important goals of shoreline land use planning within the City of Kirkland are stated in the Shoreline Master Program as follows: "(5) Increased public access to publicly owned areas of the shoreline; (6) Increased recreational opportunities for the public in the shoreline" (Shoreline Master Program, Introduction Page 1).
- b. The following policies from the Public Access chapter of the Shoreline Master Program apply to this proposal:

Policy 1 - Public access to and along the water's edge should be consistent with the public safety, private property rights, and the conservation of the unique or fragile areas.

Policy 2 - Public access to and as close to the water's edge as feasible, should be available and publicly owned shoreline areas.

2. Conclusions:

This proposal is consistent with the substance and intent of the Shoreline Master Program.

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III. APPENDICES:

Exhibits "A" through "E" are attached.