

RESOLUTION NO. 2691

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. F-PUD-SDP-79-106(P) BY FRANK ROSIN TO CONSTRUCT 4 NEW DWELLING UNITS IN A STRUCTURE AND REMODEL AN EXISTING STRUCTURE TO CONTAIN 3 RESIDENTIAL UNITS, A GIFT SHOP AND A STORAGE AREA, 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 Frank Rosin, 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 hearing thereon at their regular meeting of December 20, 1979, and

WHEREAS, pursuant to City of Kirkland Ordinance No. 0-2319 concerning environmental policy and 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 Chairwoman thereof and filed in the Department of Community Development File No. F-PUD-SDP-79-106(P) are adopted by the Kirkland City Council as though fully set forth herein, except Recommendation #6, which is not adopted.

Section 2. It is the responsibility of the property owner to maintain the public access easements.

Section 3. The Substantial Development Permit shall be issued to the applicant subject to the conditions set forth in the Recommendations hereinabove adopted by the City Council.

Section 4. 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 5. 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.

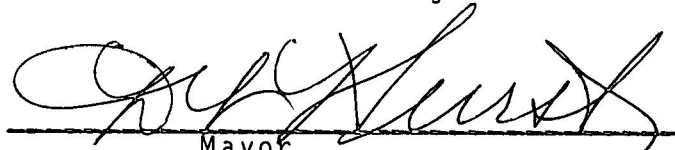
Section 6. Failure on the part of the holder of the Substantial Development Permit to initially meet or maintain strict compliance with the standards and conditions to which the permit is subject shall be grounds for revocation in accordance with RCW 90.58.140(8). The local procedure for revocation shall substantially follow the procedure set forth in Section 23.56.110 of Ordinance 2183.

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) Fire and Building Department of the City of Kirkland
- (d) Public Service Department of the City of Kirkland
- (e) The Office of the Director of Administration and Finance (ex officio City Clerk) for the City of Kirkland
- (f) The Department of Ecology for the State of Washington
- (g) The Office of the Attorney General for the State of Washington.

ADOPTED in regular meeting of the City Council on the 14th day of January, 1980.

SIGNED IN AUTHENTICATION THEREOF on the 14th day of January, 1980.



Mayor

ATTEST:



Director of Administration & Finance
(ex officio City Clerk)



DEPARTMENT OF COMMUNITY DEVELOPMENT

ADVISORY REPORT
FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

____ PREPARED BY _____ DATE _____

XX RECOMMENDED BY _____ DATE December 20, 1979

____ ADOPTED BY _____ DATE _____

____ STAFF _____

____ BOARD OF ADJUSTMENT _____

____ HOUGHTON COMMUNITY COUNCIL _____

XXX PLANNING COMMISSION _____

Kay Waenggi
Kay Waenggi, Chairwoman

____ CITY COUNCIL AS INCORPORATED IN _____

____ RESOLUTION _____ ORDINANCE

NUMBER _____

DATE _____

FILE NUMBER SDP-79-106(P)

APPLICANT FRANK ROSIN

PROPERTY LOCATION 219-227 Lake St. So.

SUBJECT APPLICATION FOR SUBSTANTIAL DEVELOPMENT PERMIT

HEARING/MEETING DATE _____

BEFORE KIRKLAND CITY COUNCIL

EXHIBITS ATTACHED "A" Application Exhibits "B" through "L" are attached to

F-PUD-79-106(P). Exhibits "M" and "N" will be shown at the hearing.

SUMMARY:

A. DESCRIPTION OF THE PROPOSED ACTION:

This is an application for a Substantial Development Permit for a .37 acre piece in Waterfront District I located at 219 through 227 Lake Street South. The applicant is proposing construction of four new dwelling units in a new structure on the southern portion of the property. Storage area (180 square feet) for the Neptune Sailing Club will also be included in the new building. The existing grey building on the northern portion of the property will be remodeled to contain three residential units, the Candle Cove Gift Shop, and a storage area. The applicant has a plan for public access around the new building. The public access easement across Parcels B and C will be available for public use if and when the remodeled grey building is destroyed. Landscaped open space is planned between the grey building and the new building.

The major issues are: Public access (see all subsections of Section II); bulkhead repair (see subsection on Shoreline Protective Structures); Uses (see subsections on Urban Environment, Recreation, Residential and Economic Development); Site Coverage and View of the Water from Lake Street (see subsections on Conservation, Residential and Components).

B. RECOMMENDATIONS:

Based on the Statements of Fact, Conclusions and Exhibits "A" through "N" contained herein, we hereby recommend approval of this application for a Substantial Development Permit subject to the following conditions:

1. This application is subject to the various requirements contained in the Shoreline Master Program. It is the responsibility of the applicant to assure compliance with the various provisions contained in the Shoreline Master Program.
2. Prior to issuance of Grading Permits on the subject property, the applicant shall submit detailed engineering drawings to the Public Service Department for approval of interim and permanent storm drainage plans (including an oil-silt separator at the outlet to the storm drain). Downspouts from buildings shall be connected directly to the storm drainage system.

12/20/79
12/12/79 bk
0341A

3. Prior to issuance of any Building Permits on the subject property, the applicant shall submit plans to the Building Department for approval of bulkhead repair and stabilization of the existing shoreline. Bulkhead repair shall not extend beyond the existing high water line.
4. Prior to issuance of Building Permits for the new building on Parcel A, the applicant shall:
 - a. Record the public access easement document (Exhibit "J1") as approved by the City Attorney, with the King County Department of Records and Elections. Proof of this recording shall be given to the Department of Community Development. This easement shall include a provision for 5' wide public access along the waterfront on Parcels B and C, at such time when the building on Parcel B is removed. The easement across Parcels B and C shall not be used until either:
 - (1) The City obtains a public access easement on the property to the north; or
 - (2) All of the building on Parcel B is removed or the western portion of the building is removed.
 - b. Remove the covered moorage and tracks leading into the water on Parcel A.
5. Prior to issuance of Certificates of Occupancy for the new building, the applicant shall provide a bench for use by the public along the public access; improve the public access easement shown on Exhibit "C"; and provide low-level lighting along the public access. Lighting shall be directed away from adjacent properties and the water.
6. It is the responsibility of the property owner to maintain the public access easement with the exception of the northern pier on Parcel A.
7. Public access area (as identified on Exhibit "J1") shall not be available for public use between dusk and 10 a.m. each day.

12/20/79
12/12/79 bk
0341A

8. If desired by the applicant, gates barring public access to the southern pier on Parcel A, and the pier on Parcels B and C, may be constructed; and railings which are architecturally consistent with the new and remodeled buildings and/or vegetation may be installed on the edges of the trail, subject to Department of Community Development and Parks Department approval. Materials should not block views of the lake, as viewed from Lake Street.
9. Free-standing signs shall not be allowed except for signs identifying traffic flow and safety information, and public access.
10. Exhibits "C2", "E2", "G2", "H2", are the approved alternatives.

II. COMPLIANCE WITH SUBSTANTIAL DEVELOPMENT PERMIT AND SHORE-LINE MASTER PROGRAM CRITERIA

A. CONSERVATION:

1. Statements of Fact.

Goal: The resources and amenities of the lake are to be protected and preserved for the continual use and enjoyment by present and future generations.

Policy 1. Existing natural resources and amenities should be conserved.

Policy 2. Existing and future activities on Lake Washington or its shoreline should be designed to minimize adverse effects on the natural systems.

2. Conclusions.

Two large willow trees will be removed on the subject property for placement of the new structure on Parcel A. Two large trees will be retained on Parcel C (common open space). On-site storm water retention system will be required by the City as part of this development, thereby minimizing any possible adverse effect due to erosion and water runoff directly into Lake Washington. The underground parking will also serve to minimize any oil or gasoline runoff from automobiles. This type of runoff will directly enter the storm water retention system and be filtered by an oil/silt separator.

12/20/79
12/12/79 bk
0341A

B. PUBLIC ACCESS:

1. Statements of Fact.

Goal. Increased public access to and along the shoreline areas, provided public safety and unique or fragile areas are not adversely affected.

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 unique or fragile areas.

Policy 4. Provisions should be made for public access to and along the water's edge in new substantial shoreline developments.

Use Regulation 2.b. (Multi-Family): Provisions for Public Access to be included in the development.

Policy 5. In shoreline developments, the water's edge should be kept free of buildings.

Use Regulation 1. The water's edge is the area immediately upland from the high water line.

Use Regulation 2. The following uses and activities will conform to a minimum setback from the high water line. Use other than single family dwelling units in the Urban Environment must have a reasonable high water line setback to allow for a potential water edge trail.

Policy 6. When modifications or additions are proposed to substantial developments, the developer should provide for public access to and along the water's edge if physically feasible.

Policy 7. Public access should be designed with provisions for handicapped and disabled persons, where feasible.

12/20/79
12/12/79 bk
0341A

2. Conclusions.

The applicant is providing a public access trail along the waterfront and to and from Lake Street, as shown in the shaded area on Exhibits C1 and C2. To protect private property rights (Policy 1) the public access trail should be closed to public access between dusk and 10:00 a.m. the following day. In addition, the applicant should be able to propose railings which are architecturally consistent with the new and remodeled buildings and/or vegetation installed or planted along the edges of the trail, subject to Department of Community Development and Parks Department approval. The materials chosen should not block views of the lake, as viewed from Lake Street. This could serve to further separate private use from the public trail. Also, if desired by the applicant, gates barring public access to the southern pier on Parcel A, and the pier on Parcels B and C, may be constructed. These optional improvements should be considered part of the development proposed under this permit and should not require a new Substantial Development Permit.

The proposed new building has been set back far enough from the high water line to allow for the proposed public access trail. (Policy 5, Use Regulation 2).

Since a substantial modification is proposed to the existing grey building on Parcel B, public access should be required by the City along the waterfront in front of the existing grey building. However, it is physically infeasible to improve the access at this time. Therefore, the applicant should dedicate a public access easement across Parcels B and C, to connect with the easement that will be installed as part of the construction of the new building on Parcel A, which will be available for public use and improved at such time when the entire or western portion of the building on Parcel B is removed, or, the City obtains a public access easement on the property to the north.

Designing the public access areas for handicapped access (no greater than a 12% grade, as required by state law) would require the substantial use of ramps, which will take away valuable land area needed for parking. Handicapped access to the waterfront is not feasible on this site.

12/20/79
12/12/79 bk
0341A

R-2691

C. URBAN ENVIRONMENT/URBAN WATERFRONT DISTRICT

1. Statements of Fact.

Policy 2. Reasonable and appropriate uses and activities should be planned for the Urban Environment.

Policy 2.a. Preference should be given to those uses or activities which depend on a shoreline location or provide public access to the shoreline while minimally disrupting the natural amenities of the lake.

Policy 2.c. Multiple use of the shoreline should be planned where the location and integration of compatible uses or activities are feasible.

2. Conclusions.

While the multi-family dwellings and commercial use proposed by the applicant does not depend on a shoreline location, public access to the shoreline and along the shoreline is being provided. (Policy 2.a.). Due to the property's location close to the Central Business District, the multiple use of the shoreline, which includes dwelling units, a commercial use, and a publicly oriented sailing club, are compatible uses at this site. (Policy 2.c.).

D. RECREATION

1. Statements of Fact.

Goal: Water-dependent recreational activities available to the public are to be encouraged and increased on the shoreline where appropriate and consistent with the public interest.

Policy 3: Commercial shoreline users should incorporate recreational activities into the shoreline area.

Use Regulation: Permitted shoreline commercial uses are to include recreational activities. Recreational activities could be viewpoints, fishing piers, access to primary piers serving moorages, boat launching, bicycle racks or other such facilities for passive or active forms of water-oriented recreation.

Policy 4: Private and semi-public water-dependent recreational facilities should be recognized as providing limited access to the water since they relieve some pressures in public areas.

2. Conclusions.

The applicant has included a public access trail plus a fishing and viewing pier as part of his proposed development. (Policy 3).

The Neptune Sailing Club, as a semi-public water-dependent recreational use, provides limited access to the water. Its membership is open to the public, for enjoyment of boating and other water activities.

E. RESIDENTIAL:

1. Statements of Fact.

Goal: Existing residential uses are to be recognized, and new residential construction will be subject to certain limitations.

Policy 1: New residential structures over water will not be permitted.

Use Regulation 3: New residential structures will be set back from the high water line.

Policy 2: New residential development along or impinging upon the shoreline should be permitted only where public utilities are available.

Policy 3: Public access to and along the water's edge should be required in the design and construction of multi-family structures... and provided for use by the public except where access to or along the water's edge is demonstrably not required.

Use Regulation 1. Public access to and along the water's edge will be from a public right-of-way or park and appropriately designed.

12/20/79
12/12/79 bk
0341A

Use Regulation 3. When the structure... has developments on both sides that are not physically able to provide access along the water's edge, the water's edge public access may be scheduled for a later date when feasible.

2. Conclusions.

The proposed new structure, although not set back substantially from the high water line, is set back enough to provide for a public access trail. Public utilities are currently available to serve the proposed development. No additional sewer, water, sidewalk, or street improvements will be necessary. Public access is provided to and along the water's edge from a public right-of-way (Lake Street). Public access is proposed to be constructed prior to occupancy of the new building. Improved public access across Parcels B and C is not feasible at this time, due to the existence of the small grey building on Parcel B.

F. ECONOMIC DEVELOPMENT:

1. Statements of Fact.

Goal. Existing commercial uses and activities on the shoreline are to be recognized, while economic uses or activities that are not dependent upon a Lake Washington location are to be discouraged.

Policy 1. Water-dependent economic developments must be designed to allow and provide reasonable public access to and along the water's edge.

Use Regulation 1. Water-dependent commercial developments could be considered a permitted use including the following: marinas, boating clubs, unclassified water dependent uses of a recreational nature.

12/20/79
12/12/79 bk
0341A

Use Regulation 2: Reasonable public access would be in terms of permitting the public to view the related activities. The design of the development could include means to secure private pleasurecraft to prevent vandalism or trespass.

Policy 2. Economic Uses and Activities which do not depend on a Lake Washinton shoreline location should be discouraged from locating on the shoreline. In those limited instances where such uses or activities are permitted, the applicant must demonstrate what public benefits are to be derived. The public benefits must, at least, include public access to and along the water's edge.

Use Regulation: If public benefit is demonstrated, the following commercial non-water-dependent uses (water-related) may be permitted: Those retail or professional service uses primarily providing goods or services for water-dependent recreational activities.

- a. The developer is to demonstrate that the primary use is related to and enhancing shoreline recreational activities.
- b. These uses are compatible with adjacent shoreline uses in terms of design, noise and site relationships necessary to foster public enjoyment of the shoreline, (i.e. continuation of pedestrian way, etc.).
- c. Water-related commercial developments, when permitted, should provide water-dependent recreational activities.

Policy 3: Permitted shoreline commercial uses and activities should locate where commercial uses presently exist.

Policy 4: Commercial uses and activities should be designed to utilize the shoreline in an efficient manner.

Use Regulation 2: Non-water dependent uses and activities, when permitted, should be placed away from the water's edge.

12/20/79
12/12/79 bk
0341A

2. Conclusions.

Public access to and along the water's edge, and the opportunity to view waterfront activities, is proposed and is available.

Although the Candle Cove does not depend on the Lake Washington shoreline location, it is an existing use which should be given special consideration. The use does not generate high volumes of traffic, and caters mainly to foot traffic along Lake Street. Public benefit of the Candle Cove is the public access provided to and along the water's edge. The placement of the new Candle Cove on the site is appropriate, being along Lake Street, rather than along the water's edge. As a non-water-dependent or water-related use, its' proposed placement is appropriate. The relocation of the Candle Cove is consistent with policy 3, suggesting that commercial uses and activities should locate where commercial uses presently exist. In addition to the presently existing Candle Cove, commercial uses are located to the north of the subject property. The relocation of the Candle Cove will bring the use adjacent to the existing commercial uses to the north, closer to the Central Business District.

G. CIRCULATION

1. Statements of Fact.

Policy 3. Pedestrian and bicycle pathways, including provisions for maintenance, operation and security, should be developed along the lake, consistent with private property rights.

Policy 3.a. Access points to and along the shoreline should be linked by pedestrian pathways developed as close to the water's edge as reasonable.

2. Conclusions.

Maintenance of the pedestrian access trail will be performed by the applicant, and/or future condominium owners. Closing the access trail to public use between dusk and 10 a.m., will provide for needed security. In addition, gates for non-public use piers on the property, and planting or fences along the trail may also increase security. In addition, for security reasons, lighting should be provided along the access trail.

H. COMPONENTS.

1. Statements of Fact.

Policy 4. Covered and/or walled over-water structures are not permitted.

Policy 6. Shoreline structures which receive little use and/or are in a general state of disrepair should be abated within a reasonable period of time.

Policy 7. Retention of trees and other natural vegetation should be encouraged in all developments, particularly in those areas in or adjacent to marshes, wetlands, or other areas of ecological and environmental significance.

Policy 9. Shoreline developments should provide substantial grade level views of the water from public shoreline roads running generally parallel to the water's edge.

2. Conclusions.

An existing covered moorage, with railroad tracks leading into the water, is proposed to be removed by the applicant. This covered moorage and railroad tracks should be removed prior to issuance of Building Permits for the new building on Parcel A.

Two Laurel trees will be removed on Parcel A, while two large trees will remain on Parcel C. There is very little other natural vegetation on the property.

The proposed open space contains two large trees to remain which may block some views of the water from Lake Street. Including the free-standing garbage can enclosure, 73.5% of the property's frontage along Lake Street is taken up by some type of structure. The 177 foot long frontage is broken up as follows: 26.5 feet in open space (15%), 7.5 feet for the garbage can enclosure (4.2%), 28 feet for the old grey building to be remodeled (15.8%), and 115 feet for the new building (65%).

12/20/79
12/12/79 bk
0341A

I. SHORELINE PROTECTIVE STRUCTURES.

Policy 1. Construction or repair of bulkheads should not extend into the lake beyond the existing high water line.

Use Regulation 4. Normal repair or maintenance of an existing bulkhead is permitted.

2. Conclusions.

The repair of the existing bulkhead should not extend into the lake beyond the existing high water line. Prior to issuance of any building permits on the subject property, the applicant should submit plans to the Building Department for approval of bulkhead repair and stabilization of the existing shoreline.

J. UTILITIES:

1. Statements of Fact.

Policy 4. In all new developments, the developer should install means to control the entry of contaminants into the lake within acceptable water quality standards.

Policy 4.b. Whenever possible, contaminants should be removed from surface runoff at the source of contamination. Methods of removing contaminants include oil skimmers, sediment traps, and street sweeping.

2. Conclusions.

The Public Service Department is requiring that an oil/silt separator be installed at the outlet to the storm drain on Parcel A. Plans for this separator should be submitted for Public Service Department approval prior to issuance of grading permits on the subject property.

K. SIGNS.

1. Statements of Fact.

Policy 2. Free standing signs or any signs extending above roof lines should be prohibited on the shoreline.

12/20/79
12/12/79 bk
0341A

Policy 4. Exterior high intensity artificial lighting should be directed away from adjacent property and the water wherever offensive.

2. Conclusions.

Free standing signs on the property should not be allowed, with the exception of signs identifying traffic flow and safety information, and signs identifying the public access trail.

Exterior lighting should be directed away from adjacent properties and from the water.

L. KIRKLAND MUNICIPAL CODE SECTION 24.04.070.

1. Statements of Fact.

Consideration by the Planning Commission and City Council includes the following criteria in granting a substantial development permit:

The City Council declares taht the interests of all of the people shall be paramount in the management of shorelines of both statewide and local significance. The Planning Commission and the City Council in considering permit applications for substantial development shall give preference to uses in the following order of preference, which:

- (1) Recognize and protect the local interests as they have been defined and declared in the waterfront element of the comprehensive plan as adopted in Ordinance No. 2169;
- (2) Preserve the natural character of the shoreline;
- (3) Result in long-term over short-term benefits;
- (4) Protect the resources and ecology of the shoreline;
- (5) Increase public access to publicly owned areas of the shoreline;
- (6) Increase recreational opportunities for the public in the shoreline.

12/20/79
12/12/79 bk
0341A

2. Conclusions.

These issues are discussed on previous pages.

III. BACKGROUND:

A. HISTORY

May 4, 1978: Neptune Sailing Club received a zoning Variance for reduction in parking from 7 parking stalls to 0, for the sailing club in its existing building.

June 5, 1978: Neptune Sailing Club received a zoning Conditional Use Permit and Substantial Development Permit for the use of an existing structure for a sailing club and for construction of a pier for moorage.

June 13, 1979: Frank Rosin received 3 zoning Variances from the Board of Adjustment:

- a. Variance to reduce the high water line setback (rear setback) from 15 feet to 0.
- b. Variance to reduce frontage setback (front setback) from 10 or 20 feet to 0.
- c. Variance to reduce north property line setback from 45 feet to 30 feet.
- d. The requested Variance to the high water line setback for some interior additions to the existing grey building, which would extend further toward the lake than currently exists, was denied by the Board of Adjustment.

July 23, 1979: The original Substantial Development Permit application was brought before the Development Review Committee and referred to the Planning Commission, due to lack of DRC jurisdiction. The DRC could not hear the application because it involved a commercial use and sailing club. This application was subsequently withdrawn by the applicant, in favor of the current application.

12/20/79
12/12/79 bk
0341A

August 22, 1979: Frank Rosin received zoning Variances from the Board of Adjustment to reduce the total required parking on site from 18 stalls to 9.

September 20, 1979: Application for a Substantial Development Permit, Preliminary and Final Planned Unit Development was brought before the Planning Commission. The Planning Commission approved only the Preliminary Planned Unit Development, and continued the applications for the SDP and F-PUD.

November 19, 1979: The Kirkland City Council approved Preliminary Planned Unit Development for this project.

B. DESCRIPTION OF NEIGHBORHOOD:

The Vicinity/Land Use Map (Exhibit "B") shows apartments to the south, commercial uses to the north and a mixture of single and multi-family units on the high bluff to the east.

IV. ALTERNATIVES TO THE PROPOSED ACTION:

1. Statements of Fact.

Following are some alternatives to the proposed action on the subject property:

- a. No action. This alternative would retain 10 dwelling units and all existing buildings on the subject property. In addition, the inadequate and dangerous back-out parking on the subject property would remain.
- b. Maximum development. The proposal as part of this application is the maximum development that could occur on the subject property. The existing gray building on Parcel B is a legal, non-conforming building. Therefore, it is contained on its own building site. At a density of 3600 square feet per dwelling unit, Parcels A and C would support four dwelling units as proposed.

12/20/79
12/12/79 bk
0341A

- c. Other uses. Under a Planned Unit Development, the applicant could propose water-dependent commercial uses for the subject property. This alternative would serve as an extension to the existing commercial uses located to the north. Other alternative uses are: Single family detached dwelling units, demolishing the existing structures and leaving the land vacant for public use as a park, or, using the land area to support a marina or other boating facilities.
- d. Alternative building and site design. If the parking to support the uses was not placed underneath the building, parking would use the majority of the land area. Height of the new structure could be reduced by placing additional dwelling units in the open space area on Parcel C. The number of dwelling units could be reduced, thereby reducing building size. The large new building could be broken up into two or more separate structures.

2. Conclusions.

Recognizing the cost of waterfront property, the current zoning and land use designations of the subject property, and the surrounding neighborhood, the proposed use of the property is the best use of the property. Decreasing the height of the new structure by building in open space on Parcel C would decrease the public benefit to be gained by construction of this project (mainly, a view corridor and open space in an extremely crowded area). The "no action" alternative would perpetuate the existence of some run-down structures on the property, which is visually unpleasing to some. In addition, by allowing new development on this property, public access along the waterfront (a major City policy in the waterfront area) is gained. The development as currently proposed would be an asset to the City of Kirkland by providing redevelopment of a key site immediately south of the Central Business District which is and will continue to provide the transition between commercial and residential uses along the waterfront.

V. APPENDICES:

Exhibit "A" is attached. Exhibits "B" through "L" are attached to the F-PUD Advisory Report. Exhibits "M" and "N" will be shown at the Planning Commission hearing.

12/20/79
12/12/79 bk
0341A