RESOLUTION NO. 2810

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF A FINAL PLANNED UNIT DEVELOPMENT AMENDMENT AS APPLIED FOR IN DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. F-PUD-78-46(Amendment), BY KESTER BROS., INC. TO ALLOW A NEW BUILDING LOCATION WITHIN YARROW HILL BEING WITHIN A RS 12.5(S) ZONE, AND SETTING FORTH CONDITIONS TO WHICH SUCH FINAL PLANNED UNIT DEVELOPMENT AMENDMENT SHALL BE SUBJECT.

WHEREAS, the Department of Community Development has received an application for a Final Planned Unit Development Amendment filed by Kester Bros., Inc., the owner of said property described in said application and located within a RS 12.5(S) zone.

WHEREAS, the application has been submitted to the Houghton Community Council and Kirkland Planning Commission who held hearings thereon at their regular meetings of March 3 and March 19, respectively, and

WHEREAS, pursuant to City of Kirkland Ordinance No. O-2473 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 Houghton Community Council and Kirkland Planning Commission after their public hearings 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 Final Planned Unit Development Amendment subject to the specific conditions set forth in said recommendations, and

WHEREAS, the City Council, in regular meeting, did consider the environmental documents received from the responsible official, together with the recommendation of the Planning Commission.

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. F-PUD-78-46(Amendment) are adopted by the Kirkland City Council as though fully set forth herein.

Section 2. The Final Planned Unit Development Amendment shall be issued to the applicant subject to the conditions set forth in the 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 Final Planned Unit Development Amendment or evidence thereof delivered to the permittee.

Section 4. Nothing in this resolution 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 permit to initially meet or maintain strict compliance with the standards and conditions to which the Final Planned Unit Development Amendment is subject shall be grounds for revocation in accordance with Ordinance No. 2183, the Kirkland Zoning Ordinance.

Section 6. Notwithstanding any recommendations heretofore given by the Houghton Community Council, the subject matter of this Resolution and the Final Planned Unit Development Amendment 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) Fire and Building Departments 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.

Passed by majority vote of the Kirkland City Council on the 6th day of April, 1981.

SIGNED IN AUTHENTICATION THEREOF on the 6th day of April, 1981.

Mayor

ATTEST:

Director of Administration and Finance
(Ex officio City Clerk)

CITY OF KIRKLAND
WASHINGTON

DEPARTMENT OF COMMUNITY DEVELOPMENT

ADVISORY REPORT

FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

____ PREPARED BY DATE _____

XXX RECOMMENDED BY DATE March 19, 1981

____ ADOPTED BY DATE _____

____ STAFF _____

____ BOARD OF ADJUSTMENT _____

____ HOUGHTON COMMUNITY COUNCIL _____

XXX PLANNING COMMISSION Carol Goddard
Carol Goddard, Chairperson

____ CITY COUNCIL AS INCORPORATED IN

____ RESOLUTION ____ ORDINANCE

NUMBER R-2810

DATE _____

FILE NUMBER F-PUD-78-46 (Amendment)

APPLICANT Kester Brothers, Inc.

PROPERTY LOCATION N.E. 52nd St. and Lake Wa. Blvd.

SUBJECT Amendment to Approved Final Planned Unit Development

HEARING/MEETING DATE April 6, 1981

BEFORE Kirkland City Council

EXHIBITS ATTACHED "A" Application "B" Vicinity Map "C" Proposed Site Plan "D" Approved Site Plan "E" Proposed Building Elevations "F" Environmental Information "G" Utility Vault and Letter

I. SUMMARY

A. DESCRIPTION OF PROPOSED ACTION

Kester Bros., Inc. has applied for an Amendment of the Yarrow Hill Planned Unit Development, to allow a new building location. The total number of units approved south of N.E. 52nd Street in 1978 (66 units) will not change. The proposed Building 34 will be located in the southeast corner of the P.U.D. Major issues are view blockage, setback, and SEPA compliance.

B. RECOMMENDATIONS

Based on the Statements of Fact, Conclusions and Attached Exhibits "A" through "G", we recommend approval of this Planned Unit Development Amendment application.

II. MAJOR ISSUES, FACTS AND CONCLUSIONS

A. VIEW BLOCKAGE

1. Statements of Fact

a. The approved Yarrow Hill P.U.D. required that the height of structures not exceed 20 feet above the B.N.R.R. tracks (max. elevation is approximately 183' contour).

b. The proposed new building will be approximately 18 1/2' above the B.N.R.R. tracks (1 1/2' less than the maximum allowed).

2. Conclusions

Significant views from uphill properties will not be blocked by the new building.

B. SETBACK

1. Statements of Fact

a. In response to organized citizen input during the Preliminary and Final P.U.D. hearings, residential structures were set back 25' from the eastern property

line to minimize adverse aesthetic impacts on the existing neighborhoods to the east. Garages were to be set back a minimum of 5 feet.

b. Proposed Building 34 has a 10 foot setback from the east property line.

c. The drive is immediately adjacent to the west side of the building.

d. A utility vault lies in the location shown on Exhibit "G - Utility Vault. Existing trees are shown as dots on Exhibit "C".

2. Conclusions

Topographical and other neighborhood conditions have not changed since the original P.U.D. approval with the 25 foot setback in 1978. Therefore, the 25 foot setback from the eastern property line should be retained to minimize aesthetic impact on properties to the east. Moving the building will require relocation of the driveway. However, shifting the building to achieve a 25-foot setback will require removal of existing trees west of Building 34 due to driveway relocation. The utility vault would conflict with the relocated driveway.

C. SEPA COMPLIANCE

1. Statements of Fact

An Environmental Checklist was submitted on January 12, 1981. A Declaration of Non-Significance was issued on January 26, 1981.

2. Conclusions

The City and the applicant have complied with the State Environmental Policies Act.

3/19/81 (P.C.)
3/3/81 (HCC)
2/17/81/4280A/bk

III. BACKGROUND

A. HISTORY

Yarrow Hill was approved in 1978 with 66 units south of N.E. 52nd. Building Permits were issued for only 65 units. Subsequently, the applicant requested addition of the one additional approved unit, combining it with a unit shifted from the eastern portion of Phase II, to form a new duplex building.

B. NEIGHBORHOOD

To the east, across the BNRR tracks and to the south lie detached single family neighborhoods. To the north and west are other portions of the Yarrow Hill P.U.D.

IV. ALTERNATIVES

An alternative is to combine the two units in Bldg. 34 with other approved buildings, providing one or two larger structures.

V. APPENDICES

Exhibits "A" through "G" are attached.

3/19/81 (P.C.)
3/3/81 (HCC)
2/17/81/4280A/bk