

RESOLUTION NO. R-2944

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF AN AMENDMENT TO AN EXISTING UNCLASSIFIED USE PERMIT AND FINAL PLANNED UNIT DEVELOPMENT PERMIT AS APPLIED FOR IN DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. UU-PP-PF-82-37, BY MOSS BAY ASSOCIATES TO ALLOW A NON-HISTORIC VESSEL TO REPLACE AN HISTORIC VESSEL BEING WITHIN THE WATERFRONT DISTRICT I ZONE, AND SETTING FORTH CONDITIONS TO WHICH SUCH PERMIT SHALL BE SUBJECT.

WHEREAS, the Department of Community Development has received an application for an amendment to an existing Unclassified Use Permit, and Preliminary and Final Planned Unit Development Permits, from the owner of said property described in said application and located within the Waterfront District I zone.

WHEREAS, pursuant to City of Kirkland Ordinance No. 2473, as amended, concerning environmental policy and the State Environmental Policy Act, this action is exempt from the environmental checklist process, and

WHEREAS, the application has been submitted to the Kirkland Planning Commission who held hearing thereon at their regular meeting of July 15, 1982, and

WHEREAS, the Kirkland Planning Commission after their public hearing and consideration of the recommendations of the Department of Community Development did adopt certain Findings, Conclusions and Recommendations and did recommend approval of the Unclassified Use Permit Amendment and Preliminary and Final Planned Unit Development Permits subject to the specific conditions set forth in said recommendations, and

WHEREAS, the City Council, in regular meeting, did consider 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. UU-PP-PF-82-37 are adopted by the Kirkland City Council as though fully set forth herein with the exception of Recommendation #2 which is not adopted.

Section 2. The City Council makes the following additional Findings of Fact and draws the following additional conclusions:

FACTS:

a) Off-street parking on the site is insufficient to meet the actual parking demand generated by a private non-commercial ship moored within the historic boat moorage slip. Such demand is the equivalent of .66 of a parking stall.

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b) Provision for moorage of historic ships along the western pier is a specific condition of approval of the Unclassified Use Permit for the Moss Bay Building and Marina (File No. SDP-UUP-74-15(P), Condition No. 15).

CONCLUSIONS:

a) The temporary interim parking demand created by a private non-commercial ship is not unreasonable.

b) The City Council should have the annual ability to review and reconsider amendments to the basic UUP and PUD permits in order to insure that parking and other impacts are continually and properly mitigated.

Section 3.

The Unclassified Use Permit and the Planned Unit Development Permit heretofore issued for the Moss Bay Office Building and Marina are each hereby amended subject to:

a) The conditions set forth in the recommendations hereinbefore adopted by the City Council; provided that said amendments to such permits may be subject to annual review and reconsideration by the City Council. Such review shall be initiated upon 120 days written notice to be given by the City to the permittee; and

b) The permittee shall in writing request the City Council for approval for each ship proposed to be moored at the slip, and the City Council shall have thirty (30) days in which to disapprove the request.

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 Unclassified Use Permit Amendment and the Final Planned Unit Development Amended Permit or evidence thereof delivered to the permittee.

Section 5. Nothing in this Resolution shall be construed as excluding 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 6. 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 Unclassified Use Permit Amendment and Preliminary and Final Planned Unit Development Permits are subject shall be grounds for revocation in accordance with Ordinance No. 2183, the Kirkland Zoning Ordinance.

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

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- (d) Public Services Department of the City of Kirkland
- (e) Project and Construction Management Section of the Public Services Department of the City of Kirkland
- (f) 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 16th day of August, 1982.

SIGNED in authentication thereof on the 16th day of August, 1982.



Mayor Pro Tem

ATTEST:



Director of Administration and Finance
(ex officio City Clerk)

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