



CITY OF KIRKLAND

Planning and Community Development Department
123 Fifth Avenue, Kirkland, WA 98033 425.587-3225
www.ci.kirkland.wa.us

MEMORANDUM

To: Houghton Community Council

From: Eric Shields, Planning Director 
Stacy Clauson, Project Planner 

Date: October 16, 2006

Subject: Yarrow Bay Marina/Marina Suites LLC
SHR06-00001 and ZON06-00001

RECOMMENDATION

The Houghton Community Council should take final action on Resolution 4603 (see Attachment 1). On September 19, 2006 the City Council adopted Resolution R-4603 approving and setting forth the conditions of approval for a Process IIB Permit and Substantial Development Permit as applied for by Marina Suites LLC in Department of Planning and Community Development File No. ZON06-00001 and SHR06-00001. The Houghton Community Council can proceed under one of the following options:

1. Approve the application. A majority of the entire membership of the Houghton Community Council could vote by resolution (see Attachment 7) to approve the project as granted by the City Council.
2. Disapprove the application. A majority of the entire membership of the Community Council could vote by resolution to disapprove the application. The Houghton Community Council could direct Staff or the Community Council's attorney to prepare a resolution documenting disapproval.
3. Take No Action. Resolution 4603 goes into effect is no action is taken by the Houghton Community Council within 60 calendar days of the City Council adoption date of Resolution 4603.

BACKGROUND DISCUSSION

Proposal

Marina Suites LLC is proposing to extend a pier and redevelop the upland portion of the Yarrow Bay marina site located at 5207 Lake Washington Blvd NE. The applicant is requesting approval for the following:

- Demolish the existing marina services building and accessory structures;
- Relocate the existing underground fuel tanks;
- Construct a new 53,000 square foot office building. The building would contain three floors of office space and two levels of parking;
- Construct a new 6,980 square foot marina services building to be used as office space related to marina operations as well as boat repair and service;
- Site improvements consisting of a new access driveway and parking for 214 vehicles (including enclosed, subterranean and surface parking), a pedestrian walkway system, new utility connections, grading and installation of retaining walls and landscaping;
- Extend an existing pier by 66 feet to provide for six additional uncovered moorage spaces;
- Removal of two existing buoys and three existing floats;
- Install new walkway to covered moorage located south of existing bulkhead; and
- Offsite work includes frontage improvements along Lake Washington Blvd NE.

The proposal requires the following review:

- Development of an office development in a PLA 15A zone, requiring a Process IIB review;
- Modification to a general moorage facility in the PLA 15A zone, requiring a Process IIB review;
- Development of an office development and associated improvements within the shoreline jurisdiction, a Substantial Development Permit requiring a Process I review; and
- Modification to a general moorage facility, a Substantial Development Permit requiring a Process I review.

Pursuant to KZC 145.10 and KMC 24.06.040(b)(1), if the use or activity that requires approval through Process I is part of a proposal that requires additional approval through Process IIB, the entire proposal is reviewed using Process IIB.

Public Hearing, Public Meeting and Challenges

The Houghton Community Council (HCC) held a joint public hearing with the Hearing Examiner on this application on July 31, 2006. The HCC deliberations were continued to a public meeting on August 2, 2006. At this meeting, the HCC recommended approval of the project, with some additional or amended conditions of approval (see Attachment 2). On August 9, 2006, the Hearing Examiner subsequently recommended approval of the application with conditions, including those recommended by the HCC, and added one statement of clarification to one of the conditions regarding the maintenance agreement for vegetation (see Attachment 3).

Challenge and Responses

One challenge to the Hearing Examiner's recommendation was filed in a timely manner on August 21, 2006. The challenge was filed by J. Richard Aramburu on behalf of the Breakwater

Condominium Association (see Attachment 4). The challenge asserts that the Hearing Examiner did not adequately discuss and evaluate concerns raised in the July 31, 2006 letter submitted on behalf of the Breakwater Condominium Association. Issues raised in this letter included excessive fill, parking quantity, parking location, Yarrow Bay boat parking, moorage extension, public access trail, buffer area between commercial and residential use, public park area, dangerous and congested roadway conditions, and the view corridor.

Both the applicant and the City Planning Department filed a timely response to the Breakwater Condominium Association challenge (see Attachments 5 and 6). This information was considered by the City Council as part of their review of the proposal.

City Council Action

On September 19, 2006, the City Council adopted Resolution 4603 approving the Marina Suites LLC zoning and shoreline permits with conditions as recommended by the Houghton Community Council and Hearing Examiner.

Attachments:

1. Resolution 4603
2. Houghton Community Council Recommendation
3. Hearing Examiner Recommendation (not including exhibits, which have been previously provided to HCC)
4. Breakwater Condominium Association Challenge
5. Applicant (Roger Pearce of Foster Pepper PLLC) Response Letter
6. Planning Department Response Memorandum
7. Draft Resolution