

RESOLUTION R-4922

A RESOLUTION OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF A PROCESS IIB PERMIT AS APPLIED FOR IN DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT FILE NO. ZON12-00006 BY THE LAKE WASHINGTON SCHOOL DISTRICT BEING WITHIN A SINGLE-FAMILY RESIDENTIAL (RS) 8.5 ZONE, AND SETTING FORTH CONDITIONS OF APPROVAL.

WHEREAS, the Department of Planning and Community Development received an application for a Process IIB permit, filed by Lake Washington School District, the owner of the property described in the application, and located within a Single-Family Residential (RS) 8.5 zone; and

WHEREAS, pursuant to the City of Kirkland's Concurrency Management System, Kirkland Municipal Code Title 25, a concurrency application was submitted to the City of Kirkland, reviewed by the responsible Public Works official, the concurrency test has been passed, and a concurrency test notice issued; and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA), RCW Chapter 43.21C, and the Washington Administrative Code and local ordinance adopted to implement it, the Lake Washington School District, as SEPA Lead Agency, performed SEPA review for the application; and

WHEREAS, the environmental checklist and threshold determination have been available and accompanied the application through the entire review process; and

WHEREAS, the application was submitted to the Hearing Examiner who held a hearing at a special meeting on March 26, 2012; and

WHEREAS, after the public hearing and consideration of the recommendations of the Department of Planning and Community Development, the Hearing Examiner adopted Findings, Conclusions, and Recommendations and recommended approval of the Process IIB permit subject to the specific conditions set forth in said Hearing Examiner's recommendation; and

WHEREAS, the City Council, in open meeting, considered the environmental documents received from the responsible official, together with the recommendation of the Hearing Examiner;

NOW, THEREFORE, be it resolved by the City Council of the City of Kirkland as follows:

Section 1. The Findings, Conclusions, and Recommendation of the Hearing Examiner as signed by the Hearing Examiner and filed in the Department of Planning and Community Development

File No. ZON12-00006 are adopted by the Kirkland City Council as though fully set forth in this resolution, except that the Hearing Examiner's recommended condition No. 7 is amended to limit the School District's contribution, in addition to impact fees, to a maximum of \$31,213.

Section 2. The Process IIB permit shall be issued to the applicant subject to the conditions set forth in the recommendations as amended and adopted by the City Council.

Section 3. Nothing in this resolution shall be construed as excusing the applicant from compliance with any federal, state, or local statutes, ordinance, or regulations applicable to this project, other than as expressly set forth.

Section 4. 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 Process IIB permit is subject shall be grounds for revocation in accordance with Ordinance 3719, as amended, the Kirkland Zoning Ordinance.


Section 5. Notwithstanding any recommendation previously given by the Houghton Community Council, the subject matter of this resolution and the permit being granted are, pursuant to Ordinance 2001, subject to the disapproval jurisdiction of the Houghton Community Council and shall become effective within the Houghton Municipal Corporation upon either the approval or the failure of the Houghton Community Council to disapprove this resolution within sixty days of the date of the passage of this resolution.

Section 6. A complete copy of this resolution, including Findings, Conclusions and Recommendations adopted by reference, shall be certified by the City Clerk and forwarded to the King County Department of Assessments.

Section 7. A copy of this resolution, together with the adopted Findings, Conclusions, and Recommendations shall be attached to and become a part of the Process IIB permit or evidence thereof delivered to the permittee.

Passed by majority vote of the Kirkland City Council in open meeting this 15th day of May, 2012.

Signed in authentication thereof this 15th day of May, 2012.


MAYOR

Attest:


City Clerk