

ORDINANCE NO. 3127

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO LAND USE, AND APPROVAL OF A FINAL PUD AS APPLIED FOR BY PAN-TERRA, INC. IN DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT FILE NO. SF-88-89 AND SETTING FORTH CONDITIONS OF SAID APPROVAL.

WHEREAS, the Department of Planning and Community Development received an application for a Planned Unit Development (PUD) filed by Pan-Terra, Inc. as Department of Planning and Community Development File No. SF-88-89 to construct 19 single-family homes within a RS 8.5 zone.

WHEREAS, the application was submitted to the Kirkland Hearing Examiner who held hearing thereon at his regular meeting of March 10, 1988, and therefore the City Council adopted Ordinance 3092, granting preliminary PUD approval, and

WHEREAS, Pan-Terra has submitted an application for approval of the final PUD of Rendezvous which has been reviewed by the Planning Director and found to be consistent with the conditions of approval for the preliminary PUD of Rendezvous, and

WHEREAS, pursuant to the State Environmental Policy Act, RCW 43.21C and the Administrative Guideline and local ordinance adopted to implement it, environmental checklist has been submitted to the City of Kirkland, reviewed by the responsible official of the City of Kirkland, and a D.N.S. with conditions issued, and

WHEREAS, said environmental checklist and Declaration have been available and accompanied the application through the entire review process, 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 Director, and

WHEREAS, the Kirkland Zoning Ordinance requires approval of this application for a final PUD to be made by ordinance.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Kirkland as follows:

Section 1. The Findings, Conclusions and Recommendations of the Planning Director and filed in the Department of Planning and Community Development File No. SF-88-89 are adopted by the Kirkland City Council as though fully set forth herein.

Section 2. After completion of final review of the PUD, as established in Sections 125.50 through 125.75 (inclusive) of the Kirkland Zoning Code, Ordinance 2740, as amended, the final PUD shall be approved subject to the conditions set forth in the Recommendations hereinabove adopted by the City Council.

Section 3. Nothing in this ordinance 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 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 final PUD is subject shall be grounds for revocation in accordance with Ordinance No. 2740, as amended, the Kirkland Zoning Ordinance.

Section 5. This ordinance shall be in full force and effect five (5) days from and after its passage by the Kirkland City Council and publication, as required by law.

Section 6. A certified copy of this ordinance, together with the Findings, Conclusions and Recommendations herein adopted shall be attached to and become a part of the Process IIB Permit or evidence thereof delivered to the permittee.

Section 7. Certified or conformed copies of this ordinance shall be delivered to the following:

- (a) Department of Planning and Community Development of the City of Kirkland
- (b) Fire and Building Departments of the City of Kirkland
- (c) Public Works Department of the City of Kirkland
- (d) The City Clerk for the City of Kirkland.

Passed by majority vote of the Kirkland City Council in regular, open meeting this 4th day of October, 1988.

SIGNED IN AUTHENTICATION THEREOF on this 4th day of October, 1988.

Doris Cooper
Mayor

Janice Perry
City Clerk

APPROVED AS TO FORM:

[Signature]
City Attorney