

ORDINANCE NO. - 3382

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO LAND USE, APPROVAL OF A FINAL PUD AS APPLIED FOR BY EDWARD A. RAUSCHER IN DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT FILE NO. SF-93-73 AND SETTING FORTH CONDITIONS OF SAID APPROVAL.

WHEREAS, the Department of Planning and Community Development received an application, pursuant to Process IIB, for a Final Planned Unit Development (PUD) filed by Edward A. Rauscher as Department of Planning and Community Development File No. SF-93-13 to enable the construction of 10 single family residences on small lots with associated modifications within the PLA 17A zone; and

WHEREAS, the application was submitted to the Kirkland Hearing Examiner who held hearing thereon at his regular meeting of February 4, 1993, and the City Council of the City of Kirkland subsequently passed Ordinance 3364 approving the Preliminary PUD and Preliminary Subdivision at its regular meeting of March 16, 1993; and

WHEREAS, pursuant to the State Environmental Policy Act, RCW 43.21C, and the Administrative Guideline and local ordinance adopted to implement it, an environmental checklist was submitted to the City of Kirkland, reviewed by the responsible official of the City of Kirkland, and a negative determination reached; and

WHEREAS, the Director of the Department of Planning and Community Development did recommend approval of the Final Planned Unit Development (PUD), Process IIB Permit, 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 Hearing Examiner and did approve the Preliminary Subdivision and Preliminary PUD; and

WHEREAS, the Kirkland Zoning Ordinance requires approval of this application for 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 Analysis and Recommendation of the Kirkland Planning Director on the final PUD filed in the Department of Planning and Community Development File No. SF-93-73 is 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

Process IIB Permit shall be issued to the applicant 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 Process IIB Permit 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, pursuant to Section 1.08.010.

Section 6. 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 7th day of September, 1993.

SIGNED IN AUTHENTICATION THEREOF on this 7th day of September, 1993.




Mayor

Attest:



City Clerk

Approved as to Form:



City Attorney