

RESOLUTION NO. 2148

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING FINAL PLANS AND ESTABLISHING A PLANNED UNIT DEVELOPMENT KNOWN AS SPRINGTREE, APPLIED FOR JOINTLY BY WICK HOMES, INC., AND INLAND HOMES, INC., BEING PLANNING DEPARTMENT FILE NO. R(PUD)-72-10, AND FURTHER SETTING FORTH THE INTENT OF THE CITY COUNCIL OF THE CITY OF KIRKLAND TO RECLASSIFY THE SPECIFICALLY DESCRIBED REAL PROPERTY INCLUDED WITHIN SAID PUD FROM R-8.5 (SINGLE FAMILY) TO RM-3600 (MULTIPLE FAMILY) PURSUANT TO CHAPTER 23.62 OF ORDINANCE NO. 2183, AND SETTING FORTH THE CONDITIONS TO WHICH SAID FINAL PLANNED UNIT DEVELOPMENT PROJECT AND LAND RECLASSIFICATION SHALL BE SUBJECT.

BE IT RESOLVED by the City Council of the City of Kirkland as follows:

Section 1. Pursuant to Planned Unit Development Chapter 23.28 of Ordinance No. 2183, applicant has heretofore submitted and received preliminary approval for a planned unit development project known as Springtree. The application for approval is identified as Planning Department File No. R(PUD)-72-10; the preliminary concept approval for said PUD was granted by the Kirkland City Council on August 7, 1972, by Resolution No. 2139.

Section 2. The applicants have contemporaneously filed with the City a request for rezone of the hereinafter described real property upon which Springtree is to be developed from the present land use classification of R-8.5 (Single Family) to RM-3600 (Multiple Family). Said land use classification request is subject to the Resolution of Intent to Reclassify procedure as set forth in Chapter 23.62 of Ordinance No. 2183.

Section 3. The real property for which reclassification is requested and upon which the Springtree PUD is to be developed is specifically described as:

The East 1/5th of the west 5/8ths of the north 1/4 of the northwest 1/4 of Section 32, Township 26 North, Range 5 EWM; EXCEPT the north 30 feet; and EXCEPT the north 310 feet of the east 170 feet thereof; and EXCEPT the south 157 feet thereof; ALSO the east 1/2 of the northeast 1/4 of the northwest 1/4 of the northwest 1/4 of the said Section 32; EXCEPT the west 2 acres thereof; and EXCEPT the north 30 feet thereof for county road; and EXCEPT the south 157 feet thereof. The south 157 feet of the east 1/5th of the west 5/8ths of the north 1/4 of the northwest 1/4 of Section 32, Township 26 North, Range 5 EWM, ALSO the south 157 feet of the east 1/2 of the northeast 1/4 of the northwest 1/4 of the northwest 1/4 of said Section 32, EXCEPT the west 2 acres thereof.

Section 4. The Planning Commission has forwarded to the Kirkland City Council its record and recommendations for approval of the PUD known as Springtree and the reclassification of real property as aforementioned, including the report of the Planning Department, and has recommended approval of the Planned Unit Development and the reclassification by Resolution of Intent to Reclassify,

Section 5. Acting pursuant to Section 23.62.070 relating to reclassification by Resolution of Intent, and Section 23.28.160 relating to procedure for approval of planned unit developments, the City Council does hereby approve the final plans for the planned unit development and approve in principal the requested reclassification from R-8.5 to RM-3600 as to the real property hereinabove described. Both approvals shall be subject to the following conditions:

(a) The development plans filed with the City and hereby approved in connection with the planned unit development are identified and have been certified by the Planning Department as the following exhibits:

Exhibit A, dated August 28, 1972
Exhibit B, dated September 15, 1972
Exhibit C, dated September 14, 1972
Exhibit D, dated September 13, 1972
Exhibit E, dated September 13, 1972
Exhibit F, dated September 14, 1972
Exhibit G, dated September 14, 1972
Exhibit H, dated August 25, 1972,

all said exhibits bearing the Planning Department File No. R(PUD)-72-10.

(b) Exhibit D, the by-laws of the association of owners of Springtree, and Exhibit E, the declaration of horizontal property regime (the condominium plat to be filed with King County) shall be submitted to the Planning Department and the City Attorney for review as to compliance of the provisions for perpetual maintenance of the landscaping and facilities on the site, with the landscaping and facilities as set forth and described on the drawings and specifications submitted to the City, and also with the requirements of Chapter 23.28 of the Kirkland zoning ordinance. Said Exhibit D and Exhibit E may be modified with the approval of the Planning Department solely for the purpose of bringing the provisions in said exhibits into compliance as hereinabove required.

(c) As provided in Resolution No. 2139 approving the Springtree planned unit development in concept, performance bonds shall be filed with the City for the following portions of the project:

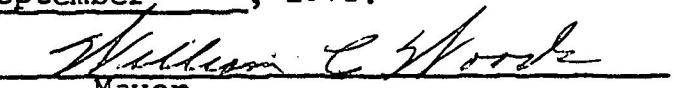
- (1) Street and roadway improvements;
- (2) Water, sewer and storm system improvements; (including open rock-lined channels, retention basins and wiers)
- (3) Site landscaping (including restoration and replanting of disturbed areas on the unopened right-of-way of 104th Avenue N.E.)
- (4) The bond for each of the foregoing portions of said project shall be in the amount of 100% of the cost of the improvements included within said portion as determined jointly by the developers and the Director of Public Services.

Section 6. The fulfillment of all conditions, stipulations and limitations contained in this resolution, including those adopted by reference, and compliance with all requirements of applicable city ordinances shall, upon completion of this project, be brought to the attention of the City Council, who shall then by ordinance effect the reclassification of said real property from R-8.5 to RM-3600.

Section 7. The failure of the applicant to meet or fulfill all or any of said conditions, stipulations or limitations, including the time limits established by Section 23.28.160(4) in regard to the application for building permit, and by Section 23.28.180 in regard to the time limit for completion of the total PUD project shall render this resolution, the approval of the planned unit development and the tentative reclassification herein approved, null and void.

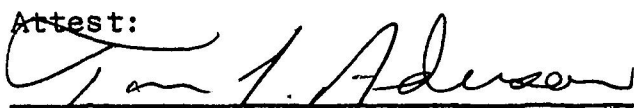
Section 8. Pursuant to Chapters 23.28 and 23.62.070 of Ordinance No. 2183, the approvals herein granted shall be indicated on the official zoning map for the City of Kirkland by the appropriate zoning official, and certified copies of this resolution shall be delivered to the applicants hereinabove named and conformed copies shall be filed with the following City of Kirkland departments: Department of Administration and Finance, Department of Planning, Department of Public Services, the Building Department, the Police Department and the Department of Fire Services.

ADOPTED in regular meeting of the Kirkland City Council on the 18th day of September, 1972.



Mayor

Attest:



Director of Administration and Finance
(ex officio City Clerk)