

RESOLUTION NO. R- 2418

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF A "RESOLUTION OF INTENT TO RECLASSIFY" PERMIT AS APPLIED FOR IN DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. R-77-01(P), BY CONNWILL CONSTRUCTION, INC., TO CONSTRUCT TWO DUPLEXES AT A RESIDENTIAL MULTI-FAMILY 3600 ZONE DENSITY BEING WITHIN AN RS 8.5 ZONE, AND SETTING FORTH CONDITIONS TO WHICH SUCH RESOLUTION OF INTENT TO RECLASSIFY PERMIT SHALL BE SUBJECT.

WHEREAS, the Department of Community Development has received an application for a Resolution of Intent to Reclassify Permit filed by Connwill Construction, Inc., the authorized agent for the owner of said property described in said application and located within an RS 8.5 zone.

WHEREAS, the application has been submitted to the Kirkland Planning Commission who held a public hearing thereon at their regular meeting of February 10, 1977, and

WHEREAS, pursuant to City of Kirkland Ordinance No. 0-2319 concerning environmental policy of the State Environmental Policy Act, an environmental worksheet has been submitted to the City of Kirkland, reviewed by the responsible official of the City of Kirkland and a negative declaration reached, and

WHEREAS, said environmental worksheet and declaration have been available and accompanied the application through the entire review process, and

WHEREAS, the Kirkland Planning Commission after their public hearing and consideration of the recommendations of the Department of Community Development and having available to them the environmental worksheet, and negative declaration did adopt certain Findings, Conclusions and Recommendations and did recommend approval of the Resolution of Intent to Reclassify Permit subject to the specific conditions set forth in said recommendations.

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

Section 1. The Findings, Conclusions and Recommendations of the Kirkland Planning Commission as signed by the Chairperson thereof and filed in the Department of Community Development File No. R-77-01(P) are adopted by the Kirkland City Council as though fully set forth herein with the exception of Recommendation 3.

Section 2. The Resolution of Intent to Reclassify permit shall be issued to the applicant subject to the conditions set forth in the Findings, Conclusions and Recommendations hereinabove adopted by the City Council. The City Council further approves in principal the request for reclassification from RS 8.5 to RM 3600 and pursuant

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to Chapter 23.62 of Ordinance 2183, the Council shall by Ordinance, effect such reclassification upon being advised that all of the conditions, stipulations, limitations and requirements contained in this Resolution, including those adopted by reference, have been met within six months of the date of enactment of this Resolution.

Section 3. A certified copy of this Resolution, together with the Findings, Conclusions and Recommendations therein adopted shall be attached to and become a part of the Resolution of Intent to Reclassify Permit or evidence thereof delivered to the permittee.

Section 4. Nothing in this section 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 5. Failure on the part of the holder of the Resolution of Intent to Reclassify Permit to initially meet or maintain strict compliance with the standards and conditions to which the Resolution of Intent to Reclassify Permit is subject shall be grounds for revocation in accordance with Section 23.62.120 of Ordinance No. 2183, the Kirkland Zoning Ordinance.

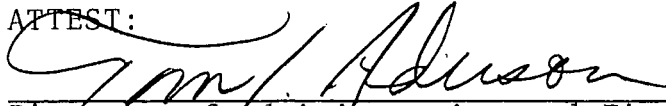
Section 6. Certified or conformed copies of this Resolution shall be delivered to the following:

- (a) Applicant
- (b) Department of Community Development of the City of Kirkland
- (c) Building Department of the City of Kirkland
- (d) Fire Department of the City of Kirkland
- (e) Police Department of the City of Kirkland
- (f) Public Service Department of the City of Kirkland
- (g) The Office of the Director of Administration and Finance (ex officio City Clerk) for the City of Kirkland

ADOPTED in regular meeting of the City Council on the 22nd day of February, 1977.



Mayor

ATTEST:


Director of Administration and Finance
(ex officio City Clerk)

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DEPARTMENT OF COMMUNITY DEVELOPMENT

M E M O R A N D U M

February 16, 1977

To: City Council
From: Department of Community Development *Rush*
Subject: Connwill Construction Application for
Intent to Rezone (File No. R-77-01(P)).

The Department of Community Development has had the opportunity to review a number of development proposals with the proposed Land Use Policies Plan for the State Street area. The results of this analysis has only come to light since the public hearing before the Kirkland Planning Commission on February 10, 1977 and will affect the Connwill Construction application for rezone permit.

In the Advisory Report, there was considerable discussion regarding the height of the proposed building. Recommendation 4 states that the building should be lowered to 25 feet from a proposed height of 28 feet. The analysis in the Advisory Report was based on adjacent single family area on the north. After further clarifying the intent of the wording in the proposed Land Use Policy Plan and proposed zoning changes, it has been determined that such a height restriction should only be applied where the property is adjacent to a single family area as identified in the Plan. The existing zoning north of the proposed development will remain single family, however it is identified as potential multi-family in the Plan and therefore the confusion.

In conclusion, the Department of Community Development recommends that Recommendation 3 be deleted from the Planning Commission Advisory Report due to the fact that the issue is not applicable in this case. The proposed resolution includes language to provide for this condition.

bk

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