

RESOLUTION NO. 3023

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF A PROCESS III PLANNED RESIDENTIAL UNIT DEVELOPMENT PERMIT AS APPLIED FOR IN DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT FILE NO. III-83-14, BY RUSSELL AND MERIDITH KEYES TO CONSTRUCT A 12-UNIT PLANNED RESIDENTIAL UNIT DEVELOPMENT BEING WITHIN AN RS 8.5 ZONE, AND SETTING FORTH CONDITIONS TO WHICH SUCH Process III Planned Residential Unit Development Permit SHALL BE SUBJECT.

WHEREAS, the Department of Planning and Community Development has received an application for a Process III Planned Residential Unit Development Permit filed by Russell and Meridith Keyes, 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 hearing thereon at their regular meeting of May 5, 1983, and

WHEREAS, pursuant to City of Kirkland Ordinance No. O-2473 concerning environmental policy and the State Environmental Policy Act, an environmental checklist 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 checklist 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 Planning and Community Development and having available to them the environmental checklist and negative declaration did adopt certain Findings, Conclusions and Recommendations and did recommend approval of the Process III Planned Residential Unit Development 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 Planning Commission.

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 Planning and Community Development File No. III-83-14 are adopted by the Kirkland City Council as though fully set forth herein, except recommendation B7 which is not adopted. The Council further finds prior to issuance of any Building Permits, the development rights of the buffers shown on Attachment "18" shall be recorded with the King County Department of Records and

Elections in a form approved by the City Attorney. This form shall included the wording: "No construction, clearing, or alterations shall be allowed within this buffer area with the exception of landscaping, ordinary maintenance and repair, and patios extending no more than 15 ft. into the required buffer space or 25 ft. to the nearest property line whichever is more limited. Only building encroachments essentially approved with the PRUD and shown on the attachments are permitted. Enforcement of this provision shall occur through Zoning Code Section 170.25.

Section 2. The Process III Planned Residential Unit Development Permit shall be issued to the applicant subject to the conditions set forth in the Recommendations hereinabove adopted by the City Council, except recommendation B7 which is not adopted. The Council further finds prior to issuance of any Building Permits, the development rights of the buffers shown on Attachment "18" shall be recorded with the King County Department of Records and Elections in a form approved by the City Attorney. This form shall include the wording: "No construction, clearing, or alterations shall be allowed within this buffer area with the exception of landscaping, ordinary maintenance and repair, and patios extending no more than 15 ft. into the required buffer space or 25 ft. to the nearest property line whichever is more limited. Only building encroachments essentially approved with the PRUD and shown on the attachments are permitted. Enforcement of this provision shall occur through Zoning Code Section 170.25.

Section 3. Nothing in this resolution 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 III Planned Residential Unit Development Permit is subject shall be grounds for revocation in accordance with Ordinance No. 2740, as amended, the Kirkland Zoning Ordinance.

Section 5. 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 Process III Planned Residential Unit Development Permit or evidence thereof delivered to the permittee.

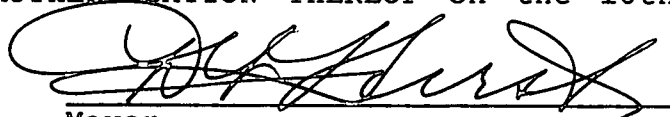
Section 6. Certified or conformed copies of this Resolution shall be delivered to the following:

- (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) Project and Construction Management Division of the Public Works Department of the City of Kirkland
- (e) The Office of the Director of Administration and

Finance (ex officio City Clerk) for the City of
Kirkland.

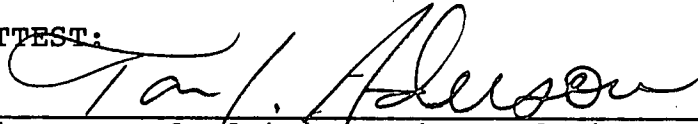
Passed by majority vote of the Kirkland City Council on the
16th day of May, 1983.

SIGNED IN AUTHENTICATION THEREOF on the 16th day of May,
1983.



Mayor

ATTEST:



Director of Administration and Finance
(Ex officio City Clerk)

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