

RESOLUTION NO. 3033

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF A PRELIMINARY PLANNED UNIT DEVELOPMENT PERMIT FOR A PROJECT KNOWN AS YARROW VILLAGE CONTAINING RESIDENTIAL USES, OFFICES AND A RESTAURANT LOCATED WITHIN THE PLANNED AREA TWO AND PLANNED AREA THREE ZONES OF THE CITY, DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT FILE NO. PP-82-12; AND SETTING FORTH CONDITIONS TO WHICH THIS PRELIMINARY PLANNED UNIT DEVELOPMENT IS SUBJECT.

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

Section 1. The City Council of the City of Kirkland makes the following findings and declarations with respect to the decision contained herein.

a. The Department of Planning and Community Development has received an application for a Preliminary Planned Unit Development (as well as applications for other necessary permits) filed by the NAROD Development Corporation to construct a mixed residential, office, and restaurant project on a site of approximately 88 acres adjacent to Yarrow Bay of Lake Washington in the Planned Area Two and Planned Area Three Zones of the City.

b. Under the provisions of the State Environmental Policies Act, RCW 43.21C, WAC Chapter 197-10 and Kirkland Ordinance No. 2473, as amended, the responsible official issued a Declaration of Significance regarding the proposed development.

c. A Draft Environmental Impact Statement was prepared for this project and issued on February 18, 1982. A public hearing was held by the responsible official to receive comments on this Draft EIS on March 9, 1982. The Final Environmental Impact Statement for this project was issued on November 19, 1982. This Environmental Impact Statement adequately and fully describes the project proposed by the applicant as well as the development approved herein. The Environmental Impact Statement fully complies with the State Environmental Policies Act and administrative guidelines and local ordinances applicable thereto. A copy of the Environmental Impact Statement was provided to each member of the Houghton Community Council, Planning Commission, and City Council; and its contents were reviewed in reaching the decision contained herein.

d. The Planning Commission and Houghton Community Council held joint public hearings on this proposed development on the following dates in 1983: March 22, March 23, March 24, March 29, and April 26. The Houghton Community Council held additional public hearings and considered this proposal on the following dates in 1983: April 28, May 17, and May 24. On

May 24, 1983 the Houghton Community Council issued its recommendation on this proposal. This recommendation was transmitted to and considered by the Planning Commission which held additional public hearings and considered this proposal on the following dates in 1983: May 10, June 2, June 16, and July 7. On July 7, 1983 the Planning Commission issued its recommendation on the proposed project.

e. City Council received and considered the recommendations of the Houghton Community Council and Planning Commission and considered the proposal in study sessions on the following dates in 1983: July 25, August 8, and August 22. City Council also received several challenges to various parts of the recommendations. The City Council held public hearings on specific and limited aspects of the proposed development on the following dates in 1983: September 26, October 10, and October 17. City Council considered the proposed development further at a meeting on November 7, 1983.

f. The project approved herein requires the developer to install and/or fund, in whole or in part, revisions to infra-structure and other improvements in Kirkland and in other jurisdictions and to fund in part limited municipal services. All of these requirements are necessary to mitigate impacts disclosed within the Environmental Impact Statement and have either been proposed or agreed to by the applicant.

g. The report, granting the Preliminary Planned Unit Development adopted by this resolution and incorporated herein contains numerous findings and conclusions. These findings and conclusions pertinent to the Preliminary Planned Unit Development are those that have been recommended by the Planning Commission in their report to the City Council except on issues where the City Council has held its own public hearing.

Section 2. City Council hereby adopts and, by this reference, incorporates herein the attached report in Department of Planning and Community Development File No. PP-82-12 bearing the date November 7, 1983 as supplemented by Alternative C contained as an attachment to Exhibit CC-20. The Mayor is hereby directed to sign the cover sheet to the attached report to signify approval by City Council.

Section 3. The Preliminary Planned Unit Development Permit shall be issued to the applicant subject to the conditions set forth in the report incorporated herein.

Section 4. Nothing in this resolution shall be construed to excuse the holder of the permit from compliance with any federal, state or local statutes, ordinances or regulations applicable to this project other than as expressly set forth herein.

Section 5. Failure on the part of the holder of the permit to initially meet or maintain strict compliance with the standards and conditions to which this permit is subject shall be grounds for revocation of this permit in accordance with applicable law.

Section 6. Notwithstanding any recommendation heretofore given by the Houghton Community Council, the subject matter of this Resolution and the permit granted herein are, pursuant to Ordinance 2001, subject to the disapproval jurisdiction of the Houghton Community Council. Therefore, this Resolution shall become effective only upon approval of the Houghton Community Council or failure of that Community Council to disapprove this resolution within 60 days of the date of the passage of this Resolution.

Section 7. A certified copy of this Resolution, together with the report incorporated herein, shall be attached to and become a part of the Preliminary Planned Unit Development Permit or evidence thereof delivered to the permittee.

Section 8. 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 Department of the City of Kirkland.
- c. Public Works Department of the City of Kirkland.
- d. Project and Construction 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) of the City of Kirkland.

PASSED by majority vote of the Kirkland City Council in regular, open meeting on the 7th day of November, 1983.

SIGNED in Authentication thereof on 7th day of November, 1983.



Mayor

Attest:



Director of Administration and Finance
(ex officio City Clerk)

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