

RESOLUTION NO. R- 3090

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING A DEVELOPMENT PROPOSAL SUBMITTED UNDER THE QUASI-JUDICIAL PROJECT REZONE PROVISIONS OF CHAPTER 130 OF THE KIRKLAND ZONING CODE, ORDINANCE 2740, AS AMENDED, AS APPLIED FOR IN DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT FILE NO. III-84-1 BY CHARLES AND JEAN WOLFE TO PLACE AN "EQ" OVERLAY ZONE OVER AN RS 8.5 ZONE TO ALLOW EQUESTRIAN-RELATED COMMERCIAL ACTIVITIES AND SETTING FORTH CONDITIONS TO WHICH SUCH DEVELOPMENT PROPOSAL SHALL BE SUBJECT AND SETTING FORTH THE INTENTION OF THE CITY COUNCIL TO, UPON APPROVED COMPLETION OF SAID DEVELOPMENT, PLACE AN "EQ" OVERLAY ZONE ON THE PROPERTY.

WHEREAS, the Department of Planning and Community Development has received an application filed by Charles and Jean Wolfe as owners of the property described in said application requesting a permit to develop said property in accordance with the Quasi-Judicial Project Rezone procedure established in Chapter 130 of Ordinance 2740, as amended; and

WHEREAS, the application has been submitted to the Kirkland Planning Commission who held a public hearing thereon at their regular meeting of March 15, 1984; 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 has been submitted to the City of Kirkland, reviewed by the responsible official of the City of Kirkland, and a negative declaration with conditions was 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 the Houghton Community Council, and having available to them the environmental checklist and negative declaration, did adopt certain Findings, Conclusions and Recommendations, and did recommend to the City Council approval of the proposed intent to adopt an "EQ" Overlay zone pursuant to Chapters 80 and 130 of Ordinance 2740, as amended, all subject to the specific conditions set forth in said recommendation; 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-84-1 are hereby adopted by the Kirkland City Council as though fully set forth herein.

Section 2. A Development Permit, pursuant to Section 130.65 of Ordinance 2740, as amended, shall be issued to the applicant subject to the conditions set forth in the Recommendations hereinabove adopted by the City Council.

Section 3. The City Council approves in principle the request to place an "EQ" Overlay zone on the subject property, pursuant to the provisions of Chapters 80 and 130 of Ordinance 2740, as amended, and 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; provided, however, that the applicant must begin the development activity, use of land or other actions approved by this Resolution within three months and completed within nine months, each period of time commencing from the date of enactment of this Resolution, or the decision becomes void.

Section 4. 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 the proposed development project, other than as expressly set forth herein.

Section 5 Notwithstanding any recommendations heretofore given by the Houghton Community Council, the subject matter of this Ordinance and the Permit herein granted are, pursuant to Ordinance 2001, subject to the disapproval jurisdiction of the Houghton Community Council, and therefore, this Ordinance shall become effective only upon approval of the Houghton Community Council or the failure of said Community Council to disapprove this Ordinance within 60 days of the date of the passage of this Ordinance.

Section 6. Failure on the part of the holder of the development permit to initially meet or maintain strict compliance with the standards and conditions to which the development permit and the intent to rezone is subject shall be grounds for revocation in accordance with Ordinance 2740, as amended, the Kirkland Zoning Ordinance.

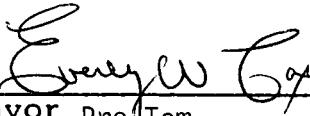
Section 7. A certified copy of this Resolution together with the Findings, Conclusions, and Recommendations herein adopted shall be attached to and become a part of the development permit or evidence thereof, delivered to the permittee.

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 for the City of Kirkland
- (c) Public Works Department of the City of Kirkland
- (d) 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 in regular, open meeting on the 2nd day of April, 1984.

SIGNED IN AUTHENTICATION THEREOF on the 2nd day of April, 1984.



Mayor Pro Tem

ATTEST:



Director of Administration and Finance
(ex officio City Clerk)

6822B/0023A/BK:jh

R-3090