

RESOLUTION NO. 3161

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF A SUBSTANTIAL DEVELOPMENT PERMIT AS APPLIED FOR IN DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT FILE NO. SD-III-82-99, TO CREATE 25 LOTS FOR SINGLE-FAMILY HOMES AND MAKE OTHER IMPROVEMENTS IN THE PLA-2 ZONE, AND SETTING FORTH CONDITIONS TO WHICH SUCH SUBSTANTIAL DEVELOPMENT PERMIT SHALL BE SUBJECT.

WHEREAS, the Department of Planning and Community Development has received an application for a Substantial Development Permit initially filed by the NAROD Development Corporation, which corporation was at that time the owner of the property in question. Subsequent to filing the application, First City Investment, Inc. became the owner of the property in question and successor to the permit application and has actively pursued obtaining the Substantial Development Permit since acquiring ownership, and

WHEREAS, the property that is the subject of the Substantial Development Permit application is in the PLA-2 zone and is part of a larger development proposal that encompasses approximately 89 acres in the PLA-2 zone and PLA-3 zone, and

WHEREAS, pursuant to the State Environmental Policy Act, RCW 43.21C, and the state regulations and City ordinances adopted thereunder, the City issued a draft environmental impact statement dated February, 1982 and a final environmental impact statement dated November, 1982 on this proposal which has accompanied this proposal and been considered throughout all public hearings and considerations of this proposal. An addendum dated December 4, 1984 to the environmental impact statement on this proposal has also been prepared on this proposal and has accompanied this proposal and been considered in all proceedings on this proposal subsequent to its issuance, and

Whereas, this application has been submitted to the Kirkland Planning Commission which held numerous public hearing and study sessions on this proposal, and

WHEREAS, the Kirkland Planning Commission after their public hearing and consideration of the recommendations of the Department of Planning and Community Development, the testimony and other information received at the public hearing and the information contained within the environmental documents described above has recommended approval of the proposal embodied in the Substantial Development Permit application with specific conditions set forth in its recommendation, and

WHEREAS, this matter has been submitted to the Kirkland City Council which has held numerous public hearings and study sessions on this proposal and which adopted Resolution No. 3033, approving the Preliminary Planned Unit Development for this proposal and also adopted Resolution No. 3034 which deferred action on the Substantial Development Permit for this proposal until the City considered the Final Planned Unit Development permit for this proposal, and

WHEREAS, the Final Planned Unit Development for this proposal has as of this date been approved by the Kirkland City Council by Resolution R-3158, and

WHEREAS, the Kirkland City Council did consider the environmental documents described above and the recommendations of the Kirkland Planning Commission and the testimony and other information received by the City Council at its public hearings on this proposal.

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 hereby finds that the development approved this date by the Kirkland City Council by Resolution R-3158 is consistent with the development recommended by the Kirkland Planning Commission in Department of Planning and Community Development File No. SD-III-82-99 but has five (5) fewer lots with commensurate reduction in environmental impacts.

Section 2: The Findings, Conclusions, conditions and decision embodied in City of Kirkland Resolution No. 3033 as modified by any inconsistent findings, conclusions, and other provisions in R-3158 adopted this date by the Kirkland City Council are hereby adopted by the Kirkland City Council as though fully set forth herein.

Section 3: The Substantial Development Permit shall be issued to the applicant subject to the conditions set forth in the Recommendations hereinabove adopted by the City Council.

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 this project, other than expressly set forth herein, or other than the permit requirements of the Shoreline Management Act of 1971. Construction pursuant to the Substantial Development Permit shall not begin or be authorized within 30 days of the date of its final approval by the local government or until all review proceedings initiated within said 30 days from the date of final approval by local government have been terminated.

Section 5. Failure on the part of the holder of the Substantial Development Permit to initially meet or maintain strict compliance with the standards and conditions to which the permit is subject shall be grounds for revocation in accordance with RCW 90.58.140(8). The local procedure for revocation shall substantially follow the procedure set forth in Section 170.50 of Ordinance 2740, as amended.

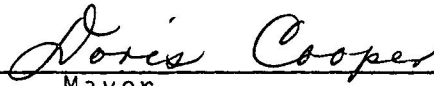
Section 6. A certified copy of this Resolution, together with the Findings, Conclusions and Recommendations herein adopted shall be attached to and become a part of the Substantial Development Permit or evidence thereof delivered to the permittee.

Section 7. 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) The Office of the Director of Administration and Finance (ex officio City Clerk) for the City of Kirkland
- (e) The Department of Ecology for the State of Washington
- (f) The Office of the Attorney General for the State of Washington

ADOPTED in regular meeting of the City Council on the 18th day of March, 1985.

SIGNED IN AUTHENTICATION THEREOF on the 18th day of March, 1985.



 Mayor

ATTEST:



 Director of Administration and Finance
 (ex officio City Clerk)

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