

RESOLUTION NO R-3652

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE BOSTIC SHORT PLAT AS APPLIED FOR BY DAVID BOSTIC, BEING DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT FILE NO SS-IB-90-51, AND SETTING FORTH CONDITIONS TO WHICH SUCH SHORT PLAT SHALL BE SUBJECT

WHEREAS, the Department of Planning and Community Development has received application for a short plat of property, together with an application for a short plat from RS 35 to RS 8 5, and said application having been made by David Bostic, the owner of the real property described in said application, 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 determination reached, and

WHEREAS, said environmental checklist and determination have been available and accompanied the application throughout the entire review process, and

WHEREAS, the proposal for short plat has been submitted to the Kirkland Hearing Examiner who held public hearing thereon at his regular meeting of October 11, 1990, and continued to November 15, 1990, and

WHEREAS, the Kirkland Hearing Examiner, after public hearing and consideration of the recommendations of the Department of Planning and Community Development, did adopt certain Findings, Conclusions, and Recommendations, and did recommend approval of the short plat 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 Hearing Examiner, together with three (3) timely filed challenges of said recommendation, and

WHEREAS, the City Council, in regular meeting, did amend Conclusion III 2 f 1 of the Hearing Examiner's Recommendation by adding thereto the following

"This requirement shall be deleted if the proposed right-of-way has not been adopted as part of the City's Six-Year Street and Arterial Plan or Comprehensive Road Plan prior to December 31, 1992 "

WHEREAS, the City Council, in regular meeting, did remand Conclusion II e of his December 24, 1990, report back to the Hearing Examiner, and

WHEREAS, the Kirkland Hearing Examiner, based on previous public hearing and consideration of the recommendations of the Department of Planning and Community Development, did modify his Conclusion II e and related Recommendation

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 Hearing Examiner dated December 24, 1990, and his modification to that report dated April 12, 1990, as signed by him and filed in Department of Planning and Community Development File No SS-IIB-90-51, are hereby adopted by the Kirkland City Council as though fully set forth herein, except as hereinafter otherwise provided

Section 2 The Hearing Examiner's Conclusion III 2 f 1 is adopted as amended by the addition of the following

"This requirement shall be deleted if the proposed right-of-way has not been adopted as part of the City's Six-Year Street and Arterial Plan or Comprehensive Road Plan prior to December 31, 1992 "

Section 3 Concerning deferral of improvements to NE 106th Avenue, the City Council finds that improvements to NE 106th Avenue are not needed at this time, that circumstances satisfy Section 110 70 5 c of the Kirkland Zoning Code, and concludes that the applicant will be required to submit a plat performance bond to cover the cost of installing the deferred improvements to NE 106th Avenue

Section 4 The short plat is hereby given approval subject to the conditions set forth herein

Section 5 Nothing in this resolution shall be construed as excusing the applicant from compliance with all federal, state, or local statutes, ordinances, or regulations applicable to this subdivision other than as expressly set forth herein

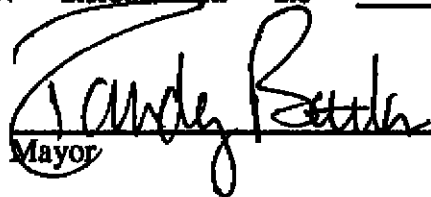
Section 6 A certified copy of this resolution, along with the Findings, Conclusions, and Recommendations hereinabove adopted, shall be attached to and become a part of the evidence of the preliminary approval of said subdivision and preliminary plat to be delivered to the applicant

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) Building and Fire Department of the City of Kirkland
- (c) Public Works Department of the City of Kirkland
- (d) City Clerk for the City of Kirkland

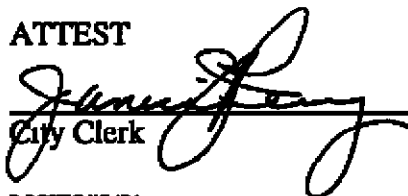
PASSED by majority vote of the Kirkland City Council in regular, open meeting on the 16th day of July, 1991

SIGNED IN AUTHENTICATION thereof on the 16th day of July, 1991



Mayor

ATTEST



City Clerk