RESOLUTION NO R-_3681_

A RESOLUTION OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF A PROCESS IIB PERMIT AS APPLIED FOR IN DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT FILE NO SCUP-SDP-IIB-91-12 BY THE KIRKLAND PARKS AND RECREATION DEPARTMENT BEING WITHIN A WDII ZONE, AND SETTING FORTH CONDITIONS TO WHICH SUCH PROCESS IIB PERMIT SHALL BE SUBJECT

WHEREAS, the Department of Planning and Community Development has received an application for a Process IIB permit, filed by the Kirkland Parks and Recreation Department, representing the owner of said property described in said application and located within a WDII zone, and

WHEREAS, the application has been submitted to the Hearing Examiner who held hearing thereon at his special meeting of April 24, 1991, and

WHEREAS, pursuant to the State Environmental Policy Act, RCW 4321C, 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 determination of nonsignificance issued, and

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

WHEREAS, the Hearing Examiner after his public hearing including 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 Process IIB permit 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, as well as a timely filed challenge of said recommendation

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

Section 1   The findings, conclusion, and recommendation of the Hearing Examiner as signed by him and filed in the Department of Planning and Community Development File No SCUP-SD-IIB-91-12 are adopted by the Kirkland City Council as though fully set forth herein, except Conclusion IIB which is not adopted, however the dock application issues therein discussed are remanded to the Hearing Examiner for further hearing, consistent with the additional review recommended in Hearing Examiner Conclusion IIB.

Section 2   The Process IIB permit shall, with the exception of the dock approval of which is reserved pending the further review required by Section 1, be issued to the applicant subject to the conditions set forth in the recommendations hereinabove adopted by the City Council,

Section 3   Nothing in this resolution shall be construed as excusing the applicant from compliance with any federal, state, or local statutes, ordinance, 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 IIB permit is subject shall be grounds for revocation in accordance with Ordinance 2740, as amended, the Kirkland Zoning Ordinance

Section 5   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 Process IIB 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
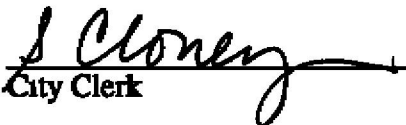(d)   The City Clerk for the City of Kirkland

PASSED by majority vote of the Kirkland City Council on the __2nd__ day of __July__, 19_91_

SIGNED IN AUTHENTICATION thereof on the __2nd__ day of __July__, 19_91_

Mayor Pro tem

Attest

City Clerk

RES91 12JUN/JM cb