

RESOLUTION NO. R-4127

A RESOLUTION OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF A PROCESS III PERMIT AS APPLIED FOR IN DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT FILE NO. III-IV-95-30 BY NORTHWEST COLLEGE, AND SETTING FORTH CONDITIONS TO WHICH SUCH PROCESS III PERMIT SHALL BE SUBJECT.

WHEREAS, the Department of Planning and Community Development has received an application for a Process III permit, filed by Richard R. Rose for Northwest College, representing the owner of said property described in said application.

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 negative determination reached; and

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

WHEREAS, the application has been submitted to the Hearing Examiner who held hearing thereon at his regular meetings of December 16, 1997 and February 12, 1998; and

WHEREAS, the Hearing Examiner after his 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 Process III 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.

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

Section 1. The findings and conclusions of the Hearing Examiner, as signed by him and filed in the Department of Planning and Community Development File No. III-IV-95-30, are adopted by the Kirkland City Council as though fully set forth herein; except that, Hearing Examiner Conclusion 5 is not adopted. Instead, the City Council makes the following Conclusion 5:

The City Council believes that locations for the traffic signal on 108th Ave. NE and the main entrance to the campus should be selected just prior to the installation of the traffic signal so that traffic and circulation impacts can be fully evaluated.

The recommendations of the Hearing Examiner, as signed by him and filed in the said file, are adopted by the Kirkland City Council as though fully set forth herein; except that, Subparagraph (1) of Recommendation 8.a., Right of Way Improvements: 114th Avenue NE, shall be amended to read as follows:

- (1) Prior to the issuance of any construction permit for any new structure on Parcel 7, the applicant shall dedicate 20' of property for public right-of-way (on the east side of the existing right-of-way) along the full frontage of that parcel, and shall submit to the Public Works Department for recording with the King County Department of Records and Elections a concomitant agreement for the improvement of 114th Avenue NE abutting Parcel 7: 28 feet of paving, storm drainage, curb and gutter, a 4.5 foot planter strip with street trees and sidewalks on both sides of the street (see Exhibit A, Attachment 8). These street improvements shall not be constructed at this time and shall only be installed in the future upon direction from the Kirkland City Council, following a public hearing on the matter. If future Master Plan amendments are proposed by the College, improvements to 114th Ave. NE may be reconsidered. If the College sells property along the 114th Ave. NE right-of-way, development of the property sold will require reanalysis of the need for street improvements.

AND EXCEPT that Recommendation 8.e. is hereby added to read as follows:

8.e. Traffic signal on 108th Ave. NE

Prior to the installation of the traffic signal on 108th Ave. NE, the City Council shall review the proposed location of the signal, and may direct that the signal be located either at the intersection of NE 53rd St. and 108th Ave. NE or at the intersection of the main campus entrance and 108th Ave. NE. Further, the City Council may direct that the main campus entrance remain in its present location or be relocated to align with NE 55th St. at the time the traffic signal is installed on 108th Ave. NE.

Section 2. The Process III permit shall 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 III permit is subject shall be grounds for revocation in accordance with Ordinance 2740, as amended, the Kirkland Zoning Ordinance.

Section 5. Notwithstanding any recommendation heretofore given by the Houghton Community Council, the subject matter of this resolution and the permit herein granted are, pursuant to Ordinance 2001, subject to the disapproval jurisdiction of the Houghton Community Council or the failure of said Community Council to disapprove this resolution within sixty days of the date of the passage of this resolution.

Section 6. A complete copy of this resolution, including Findings, Conclusions and Recommendations adopted by reference, shall be certified by the City Clerk who shall then forward the certified copy to the King County Department of Assessments.

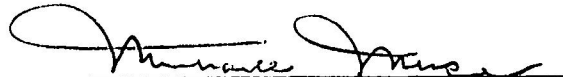
Section 7. A certified copy of this resolution, together with the findings, conclusions, and recommendations herein adopted shall be attached to and become a part of the Process III permit or evidence thereof delivered to the permittee.

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 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 19th day of May, 1998

SIGNED IN AUTHENTICATION thereof on the 19th day of May, 1998.

  
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Mayor

Attest:

  
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City Clerk