

RESOLUTION NO. R- 4152

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. IIB-98-13 BY KIRKLAND AMERICAN LITTLE LEAGUE, BEING WITHIN A PARK/PUBLIC USE (P) 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 Kirkland American Little League, representing the owner of the property described in the application and located within P zone; and

WHEREAS, pursuant to the City of Kirkland's Concurrency Management System, KMC Title 25, a concurrency application was reviewed by the responsible Public Works official, the concurrency test was passed, and a concurrency test notice was issued; 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, reviewed by the responsible official of the City, and a negative determination reached; and

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

WHEREAS, the application was submitted to the Hearing Examiner, who held public hearing thereon at his regular meeting of August 6, 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 IIB permit subject to the specific conditions set forth in the 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 the recommendation;

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

Section 1. The findings, conclusions, and recommendation of the Hearing Examiner as signed by him and filed in the Department of Planning and Community Development File No. IIB-98-13 are adopted by the Kirkland City Council as though fully set forth herein.

Section 2. The Process IIB permit shall be issued to the applicant subject to the conditions set forth in the recommendations adopted above 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 as 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 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 adopted by reference shall be attached to and become a part of the Process IIB 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 20th day of October, 19 98.

SIGNED IN AUTHENTICATION thereof on the 20th day of October, 19 98.



Mayor

Attest:



City Clerk