

RESOLUTION NO. R- 4202

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND, APPROVING A DEVELOPMENT PROPOSAL SUBMITTED UNDER THE QUASI-JUDICIAL PROJECT REZONE PROVISIONS OF CHAPTER 130 OF THE KIRKLAND ZONING CODE ORDINANCE 2740, AS AMENDED, AS APPLIED FOR IN DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT FILE NO. III-IV-95-30 BY NORTHWEST COLLEGE TO EXPAND ITS MASTER PLAN BOUNDARIES TO ALLOW THE CONSTRUCTION OF COLLEGE-RELATED HOUSING, SETTING FORTH CONDITIONS TO WHICH SUCH DEVELOPMENT PROPOSAL SHALL BE SUBJECT, AND SETTING FORTH THE INTENTION OF THE CITY COUNCIL TO, UPON APPROVED COMPLETION OF SAID DEVELOPMENT, REZONE THE PROPERTY FROM RS 8.5 TO PLA I.

WHEREAS, the Department of Planning and Community Development has received an application filed by Northwest College, as owner of the property described in the application requesting a permit to develop the property in accordance with the Quasi-Judicial Project Rezone procedure established in Chapter 130 of Ordinance 2740, as amended and as depicted in Attachment A; and

WHEREAS, the property is located within a RS 8.5 zone and the proposed development is a permitted use within the PLA I zone; 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 on November 26, 1997 and Addendum issued on May 22, 1998; and

WHEREAS, the 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 a public hearing thereon at his regular meeting 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 to the City Council approval of the proposed development and the Quasi-Judicial Project Rezone pursuant to Chapter 130 of Ordinance 2740, as amended, all subject to the specific conditions set forth in the recommendation; and

WHEREAS, the City Council, in regular meeting on May 19, 1998, did consider the environmental documents received from the responsible official, together with the recommendation of the Hearing Examiner; and

WHEREAS, at the May 19, 1998 meeting, the City Council adopted Resolution Nos. 4127 Process III Permit (master plan revision), 4128 (Intention to adopt comprehensive plan amendment), and 4129 (Intention to adopt rezone) and Ordinance No. 3629 (PLA 1 text amendments); and

WHEREAS, on July 16, 1998, the Houghton Community Council adopted Resolution No. 98-2, which disapproved and rendered void City Resolutions Nos. 4127, 4128, and 4129 and City Ordinance No. 3629; and

WHEREAS, in December 1998, the City Council adopted the Comprehensive Plan amendments referenced in Resolution No. 4128; and

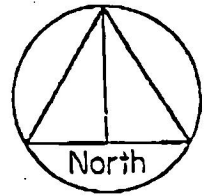
WHEREAS, the City Council, in regular meeting on August 10, 1999, did consider the environmental documents received from the responsible official, together with the recommendation of the Hearing Examiner and the recommendation of City staff, to add conditions to the conditions set forth in the Hearing Examiner's recommendation; and

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

RS 8.5

School

NE 63



NI

R-4129

RS 7.2

AMEND ZONING MAP
FROM RS 8.5 TO PLA 1

PLA 1

Northwest
College

Private
School

RS 7.2

Lake
Washington
School District
RS 8.5
Offices

ATTACHMENT A

R-4202

Section 1. The Findings, Conclusions, and Recommendations of the Hearing Examiner as signed by him and filed in the Department of Planning and Community Development File No. III-IV-95-30 and as amended by Section 1 of Resolution No. 4203 are adopted by the Kirkland City Council.

Section 2. A Development Permit, pursuant to the Quasi-Judicial Project Rezone procedure of Chapter 130 of Ordinance 2740, as amended, shall be issued to the applicant subject to the conditions set forth in the Recommendations hereinabove adopted by the City Council.

Section 3. The City Council approves in principle the request for reclassification from RS 8.5 to PLA I, pursuant to the provisions of Chapter 23.130 of Ordinance 2740, as amended, and the Council shall, by ordinance, effect such reclassification upon being advised that all of the conditions, stipulations, limitations, and requirements contained in this resolution, including those adopted by reference, have been met; provided, however, that the applicant must begin the development activity, use of land or other actions approved by this resolution within four years from the date of enactment of this resolution, or the decision becomes void.

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 the proposed development project, other than as expressly set forth herein.

Section 5. Notwithstanding any recommendations 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, and therefore, this resolution shall become effective only upon approval of the Houghton Community Council or the failure of the Community Council to disapprove this resolution within 60 days of the date of the passage of this resolution.

Section 6. Failure on the part of the holder of the development permit to initially meet or maintain strict compliance with the standards and conditions to which the development permit and the intent to rezone is subject shall be grounds for revocation in accordance with Ordinance 2740, as amended, the Kirkland Zoning Ordinance.

Section 7. 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 8. 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 development permit or evidence thereof delivered to the permittee.

Section 9. 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 for 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 10th day of August, 1999.

SIGNED IN AUTHENTICATION thereof on the 10th day of August, 1999.


Mayor

Attest:

Deputy City Clerk