

RESOLUTION NO. R- 4203

A RESOLUTION OF THE CITY COUNCIL 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 Northwest College; 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 approval of the Process III permit (master plan revisions) 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 approving the Process III Permit (master plan revision), 4128 (Intention to adopt comprehensive plan amendment), and 4129 (Intention to adopt rezoning) 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:

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 are adopted by the Kirkland City Council as though fully set forth herein, except that:

1. Conclusion 5 shall be replaced by the following:

Locations for the traffic signal on 108th Avenue 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.

2. Subparagraph (1) of Recommendation 8.a. (Right-of-Way Improvements, 114th Avenue NE) is amended to read as follows:

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 Avenue NE may be considered. If the College sells property along the 114th Avenue NE right-of-way, development of the property sold will require reanalysis of the need for street improvements.

3. A new Recommendation 8.e. is added to read as follows:

Traffic signal on 108th Avenue NE

Prior to the installation of the traffic signal on 108th Avenue 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 Street and 108th Avenue NE or at the intersection of the main campus entrance and 108th Avenue 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 Street at the time the traffic signal is installed on 108th Avenue NE.

4. A new paragraph is added to Recommendation 9 to read as follows:

A parking and traffic management plan shall be submitted describing how parking and circulation will be handled to avoid impacts to the surrounding neighborhood in either situation:

- (1) When Northwest College anticipates an event where all 1,178 parking stalls are anticipated to be filled; or
- (2) When any tenant of Northwest College, including the Seahawks, holds an event where the anticipated number of guests will exceed 100; or
- (3) When simultaneous events in the pavilion, gym, and chapel are anticipated to generate traffic from off-campus guests.

5. The second paragraph of Recommendation 11.b.(5) is amended to read as follows:

A Process III zoning permit review process is required (1) for any change to the Master Plan that does not meet the above criteria, (2) for leasing of any campus facilities to long-term tenants, (3) for any increase in student population above 1,200, or (4) for a change in all or any part of the Seahawks facility to a use other than a professional football team office and practice facility.

6. A new paragraph is added to Recommendation 11 to read as follows:

The Planning Director shall notify the Houghton Community Council in writing of a proposed decision on a request for modifications of the Master Plan at least 40 days before issuance of the decision.

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, of the Kirkland Zoning Ordinance.

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 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. 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 development 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 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