

RESOLUTION NO. R- 4352

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE SHORT SUBDIVISION OF HIGHLANDS II SHORT PLAT AS APPLIED FOR BY KIRKLAND PROPERTY DEVELOPMENT, LLC BEING DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT FILE NO. SS-IIB-02-11 AND SETTING FORTH CONDITIONS TO WHICH SUCH PRELIMINARY PLAT SHALL BE SUBJECT.

WHEREAS, the Department of Planning and Community Development has received application for a short subdivision of property within a RS 8.5 zone and said application having been made by Kirkland Property Development, LLC the owner of the real property described in said application; and

WHEREAS, pursuant to the City of Kirkland's Subdivisions, KMC Section 22.28.030(d), any lot smaller than the minimum lot size for the zoning district by an amount greater than five percent of the minimum lot size, shall be reviewed and decided using process IIB described in chapter 152 of title 23 of the Kirkland Municipal code.

WHEREAS, pursuant to the City of Kirkland's Concurrency Management System, KMC Title 25, this action is exempt from the concurrency management process; and

WHEREAS, the proposal for subdivision and preliminary plat has been submitted to the Kirkland Hearing Examiner, who held public hearing thereon at his regular meeting of June 6, 2002; and

WHEREAS, the Kirkland Hearing Examiner, after 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 short subdivision subject to the specific conditions set forth in said recommendation; and

WHEREAS, the City Council, at a scheduled regular meeting on July 16th, 2002, considered the Kirkland Hearing Examiner's Findings, Conclusions and Recommendations; 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 Kirkland Hearing Examiner as signed by him and filed in Department of Planning and Community Development File No. SS-IIB-02-11 are hereby adopted by the Kirkland City Council as though fully set forth herein.

Section 2. The short subdivision of Highlands II Short Plat is hereby given approval 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 all federal, state, or local statutes, ordinances, or regulations applicable to this subdivision other than as expressly set forth herein.

Section 4. 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 5. A certified copy of this resolution, along with the Findings, Conclusions and Recommendations hereinabove adopted, shall be attached to and become a part of the evidence of the approval of said short subdivision to be delivered to the applicant.

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) Building and Fire Department of 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 16th
day of July, 2002.

SIGNED IN AUTHENTICATION thereof on the 16th day of July, 2002.

Mayor

ATTEST:

City Clerk