

RESOLUTION NO. R- 4397

A RESOLUTION OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF A PROCESS IIB MASTER PLAN PERMIT AS APPLIED FOR IN DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT FILE NO. IIB-03-21 BY ALLISON GARR, REPRESENTING EVERGREEN HEALTHCARE, BEING WITHIN A TL-3A, TL-3B, TL-3C, AND TL-3D 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 Allison Garr representing the owner of the property described in the application and located within a TL-3A, TL-3B, TL-3C, AND TL-3D zone;

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

WHEREAS, pursuant to the State Environmental Policy Act, RCW 43.21C, and the Administrative Guideline and local ordinance adopted to implement it, a SEPA Addendum 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, the SEPA Addendum has been available and accompanied the application through the entire review process; and

WHEREAS, the application has been submitted to the Hearing Examiner who conducted a public hearing on July 2, 2003; 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;

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 and filed in Department of Planning and Community Development File No. IIB-03-21 is adopted by the Kirkland City Council as though fully set forth in this resolution.

Section 2. The Process IIB permit shall be issued to the applicant subject to the conditions set forth in the recommendation adopted by the City Council in Section 1.

Section 3. 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 this project, other than as expressly set forth in the resolution.

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 Ordinance 3719, as amended, the Kirkland Zoning Ordinance.

Section 5. A complete copy of this resolution, including the Findings, Conclusions and Recommendation adopted by reference, shall be certified by the City Clerk who shall then forward the certified copy to the King County Department of Assessments.

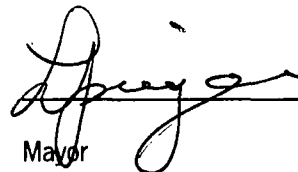
Section 6. A certified copy of this resolution, together with the findings, conclusions, and recommendation adopted in this resolution shall be attached to and become a part of the Process IIB permit or evidence thereof delivered to the permittee.

Section 7. Certified or conformed copies of this resolution shall be delivered to the following:

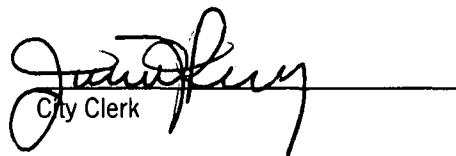
- (a) Department of Planning and Community Development of the City of Kirkland
- (b) Fire and Building Departments of the City of Kirkland
- (c) Public Works Department of the City of Kirkland
- (d) The City Clerk for the City of Kirkland.

PASSED by majority vote in open meeting of the Kirkland City Council on the 5th day of August, 2003.

SIGNED IN AUTHENTICATION thereof on the 5th day of August, 2003.


Mayor

Attest:


City Clerk