

RESOLUTION NO. R- 4400

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-03-43 BY LAKE WASHINGTON SCHOOL DISTRICT BEING WITHIN A RSX 35 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 the Lake Washington School District, as the owner of the property described in the application and located within an RSX 35 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, the Lake Washington School District, as SEPA lead agency, performed SEPA review for the application; and

WHEREAS, the application has been submitted to the Hearing Examiner who conducted a public hearing on August 19, 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 Lake Washington School District 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, conclusion, and recommendation of the Hearing Examiner, which is filed in the Department of Planning and Community Development File No. IIB-03-43, 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, ordinance, or regulations applicable to this project, other than expressly set forth in this 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 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.

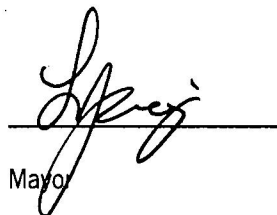
Section 6. A certified copy of this resolution, together with the findings, conclusions, and recommendations herein adopted shall be attached to and become a part of the Process IIB permit or evidence thereof delivered to the permittee.

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 16th day of September, 2003.

SIGNED IN AUTHENTICATION thereof on the 16th day of September, 2003.



Mayor

Attest:



City Clerk