

RESOLUTION NO. R- 4434

A RESOLUTION OF THE CITY OF KIRKLAND APPROVING THE PRELIMINARY SUBDIVISION OF DANIELSON GROVE AND THE ISSUANCE OF A PROCESS IIB PERMIT FOR AN INNOVATIVE HOUSING DEMONSTRATION PROJECT AS APPLIED FOR IN DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT FILE NO. S-IIB-03-92 BY THE COTTAGE COMPANY WITHIN A RSX 7.2 ZONE, AND SETTING FORTH CONDITIONS TO WHICH SUCH PRELIMINARY SUBDIVISION AND PROCESS IIB PERMIT SHALL BE SUBJECT.

WHEREAS, the Department of Planning and Community Development has received an application for a Subdivision and Process IIB permit, filed by Jim Soules, representing the owner of the property described in the application and located within the RSX 7.2 zone; and

WHEREAS, the Process IIB permit proposes the development of an innovative housing demonstration project pursuant to City Ordinance; and

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, reviewed by the responsible Public Works official, the concurrency test has been passed, and a concurrency test notice issued; 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; 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 hearing thereon at his special meeting of March 8, 2004; 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 preliminary subdivision and 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, conclusion, and recommendation of the Hearing Examiner as signed by the Hearing Examiner and filed in the Department of Planning and Community Development File No. S-IIB-03-92 are adopted by the Kirkland City Council as though fully set forth herein.

Section 2. The Process IIB permit shall be issued to the applicant and the preliminary subdivision shall be approved 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 IIB permit and preliminary subdivision approval 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.

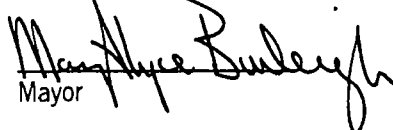
Section 6. A certified copy of this resolution, together with the findings, conclusions, and recommendations herein adopted shall be attached to and become a part of the Process IIB permit and preliminary subdivision approval or evidence thereof delivered to the permittee.

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

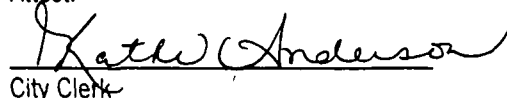
- (a) Department of Planning and Community Development of the City of Kirkland
- (b) Fire and Building Departments of the City of Kirkland
- (c) Public Works Department of the City of Kirkland
- (d) The City Clerk for the City of Kirkland.

PASSED by majority vote in open meeting of the Kirkland City Council on the 6th day of April, 2004.

SIGNED IN AUTHENTICATION thereof on the 6th day of April, 2004.


Mayor

Attest:


City Clerk