

ORDINANCE NO. 2932

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO LAND USE, AND APPROVAL OF A PRELIMINARY AND FINAL PUD AS APPLIED FOR BY CongreCare Inc. IN DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT FILE NO. III-IV-85-79 AND SETTING FORTH CONDITIONS OF SAID APPROVAL.

WHEREAS, the Department of Planning and Community Development has received an application, pursuant to Process III, for a Preliminary and Final Planned Unit Development (PUD) filed by CongreCare Inc., as Department of Planning and Community Development File No. III-IV-95-79 to construct 298 units of congregate care housing and accessory 60-bed nursing home within a RM 1.8 zone.

WHEREAS, the application has been submitted to the Kirkland Planning Commission which held hearings thereon at its regular meetings of December 5, 1985, and January 2, 1986, 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, said environmental checklist and determination have been available and accompanied the application through the entire review process, and

WHEREAS, the Kirkland Planning Commission after its public hearings 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 subject to the specific conditions set forth in said recommendations, and

WHEREAS, the City Council, in regular meeting, did consider the environmental documents received from the responsible official, together with the recommendation of the Planning Commission, and

WHEREAS, the Kirkland Zoning Ordinance requires approval of this application for PUD to be made by ordinance.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Kirkland as follows:

Section 1. The Findings, Conclusions and Recommendations of the Kirkland Planning Commission as signed by the Chairperson thereof and filed in the Department of Planning and Community Development File No. III-IV-85-79 are adopted by the Kirkland City Council as though fully set forth herein, together with the following condition that if the Department of Planning and Community Development determines parking is not adequate, then an additional 50 stalls may be required.

Section 2. A PUD, pursuant to Chapter 125 of Ordinance 2704, as amended 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 ordinance 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 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 No. 2740, as amended, the Kirkland Zoning Ordinance.

Section 5. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and posting or publication, as required by law.

Section 6. A certified copy of this Ordinance, together with the Findings, Conclusions and Recommendations herein adopted shall be attached to and become a part of the Process III Permit or evidence thereof delivered to the permittee.

Section 7. Certified or conformed copies of this Ordinance 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 Office of the Director of Administration and Finance (ex officio City Clerk) for the City of Kirkland.

Passed by majority vote of the Kirkland City Council in regular, open meeting this 3rd day of February, 1986.

SIGNED IN AUTHENTICATION THEREOF on this 3rd day of February, 1986.

Doris Cooper
Mayor

Janice Lewis DEPUTY
CLERK
Director of Administration and Finance
(Ex officio City Clerk)

APPROVED AS TO FORM:

Raymond
City Attorney

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