

ORDINANCE NO. 3037

AN ORDINANCE OF THE CITY OF KIRKLAND, RELATING TO LAND USE, AND THAT PROJECT COMMONLY KNOWN AS EVERGREEN SURGICAL CENTER, THAT THE CONDITIONS REQUIRED BY RESOLUTION NO. R-2871 (FILE NO. IR-81-87) AND RESOLUTION NO. R-2905 (FILE NO. IR-81-87 AMENDMENT) FOR THE RECLASSIFICATION OF CERTAIN REAL PROPERTY SUBJECT TO SAID RESOLUTION HAVE BEEN MET, RECLASSIFYING SAID REAL PROPERTY FROM RS 35,000 TO PRPO AND AMENDING THE ZONING MAP.

WHEREAS, the Kirkland City Council on October 5, 1981, adopted a Resolution No. R-2871 entitled: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF AN INTENT TO REZONE PERMIT AS APPLIED FOR IN DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT FILE NO. IR-81-87, BY EVERGREEN SURGICAL CENTER PARTNERSHIP TO CONSTRUCT A TWO-STORY SURGICAL AND MEDICAL CENTER BEING WITHIN A RS 35,000 ZONE, AND SETTING FORTH CONDITIONS TO WHICH SUCH INTENT TO REZONE PERMIT SHALL BE SUBJECT," and

WHEREAS, the Kirkland City Council on March 15, 1982 adopted a Resolution No. R-2905 entitled: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING A DEVELOPMENT PROPOSAL SUBMITTED UNDER THE INTENT TO REZONE PROVISIONS OF CHAPTER 23.62 OF THE KIRKLAND ZONING ORDINANCE AS APPLIED FOR IN DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. IR-81-87 (AMENDMENT) BY DANIEL DIERKS, REPRESENTING EVERGREEN SURGICAL CENTER, TO AMEND AN APPROVED INTENT TO REZONE PERMIT TO RECONFIGURE THE SITE DESIGN AND ALTERATION OF THE PARKING LOT, LANDSCAPING, BUILDING POSITION AND FOOTPRINT, AS WELL AS POINTS OF ACCESS AND THE EASEMENT ROAD TO THE EAST OF THE SITE AND SETTING FORTH CONDITIONS TO WHICH SUCH DEVELOPMENT PROPOSAL SHALL BE SUBJECT AND SETTING FORTH THE INTENTION OF THE CITY COUNCIL TO, UPON APPROVED COMPLETION OF SAID DEVELOPMENT, REZONE THE PROPERTY FROM RESIDENTIAL SINGLE FAMILY 35000 TO PROFESSIONAL OFFICE," and

WHEREAS, Ordinance No. 2769, which reclassified said real property from RS 35,000 to PR and amended the zoning map, contained a typographical error which resulted in an error on the zoning map and inadvertently omitted reference to Resolution No. R-2905 (File No. IR-81-87 amendment), and

WHEREAS, the Department of Planning and Community Development has, pursuant to said Resolution and Chapter 23.62 of Ordinance No. 2740, as amended (the Kirkland Zoning Code), advised the City Council that all conditions imposed by said resolution have been met.

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

Section 1: The real property within the City of Kirkland described as follows is hereby reclassified (rezoned) from RS 35,000 to PRPO:

Parcel "C" (Rev.)

That portion of the northeast quarter of the northwest quarter of Section 28, Township 26 North, Range 5 East, W.M., in King County described as follows:

Beginning at the intersection of the north line of the south 656.5 feet and the west line of said northeast quarter; thence N 89°56'25" E along said north line 30.02 feet to the easterly right-of-way margin of 120th Avenue NE; thence continuing N 89°56'25" E 290.15 feet; to the TRUE POINT OF BEGINNING; thence continuing N 89°56'25" E 135.08 feet; thence N 01°50'44" E 311.63 feet; thence N 88°10'17" W 213.59 feet; thence S 40°10'14" E 117.41 feet; thence S 01°50'44" W 228.83 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO AND TOGETHER WITH an easement for ingress, egress and utilities over the north 60 feet of the south 686.5 feet of the northeast quarter of the northwest quarter of Section 28, Township 26 North, Range 5 East, W.M.

SUBJECT TO AND TOGETHER WITH an easement for sanitary sewers 10 feet in width having 5 feet on each side of the following described centerline:


Beginning at the intersection of the north line of the south 356.5 feet and the west line of the northeast quarter of the northwest quarter of Section 28, Township 26 North, Range 5 East, W.M., in King County, Washington; thence N 89°56'25" E 30.02 feet to the easterly right-of-way margin of 120th Avenue NE; thence N 01°50'44" E along said right-of-way margin 287.49 feet; thence S 87°33'56" E 115.41 feet to an existing sanitary sewer manhole and the TRUE POINT OF BEGINNING of the herein described centerline; thence S 04°38'45" W 39.68 feet; thence east 311.68 feet to the terminus of the herein described centerline.

Section 2: The Director of the Department of Planning and Community Development is directed to amend the official Kirkland Zoning Map to conform with this ordinance, indicating thereon the date of ordinance adoption. Copies of this ordinance shall be filed with the Department of Planning and Community Development and the City Clerk.

Section 3: 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.

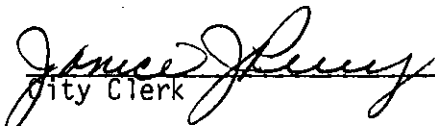
PASSED by majority vote of the Kirkland City Council in regular, open meeting this 20th day of July, 1987.

SIGNED in authentication thereof this 20th day of July 1987.



Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM:



City Attorney

7371C/352A/NC:cw