

RESOLUTION NO. 2053

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF SPECIAL USE PERMIT NO. SP-10/69/65 SUBJECT TO CERTAIN PERFORMANCE STANDARDS AND PROVIDING FURTHER THAT SUCH SPECIAL USE PERMIT SHALL BE REVOKED IN THE EVENT OF FAILURE TO MEET AND MAINTAIN SAID PERFORMANCE STANDARDS AND OTHER CONDITIONS.

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

WHEREAS, Ron Pass and Associates, L.T.D. have made and filed proper application for Special Use Permit for operation of a gasoline--carwash facility to be located on Lots 24 through 33 inclusive, Block 95, Kirkland Terrace, being the northwest corner of Fourth Street and Central Way, Kirkland, Washington, and

WHEREAS, pursuant to Section 5.6 of Ordinance 709 the Kirkland Zoning Code, the Planning Commission, following public hearing held November 13, 1969, has recommended to the City Council, approval of the request for said Special Use Permit, and

WHEREAS, on January 5, 1970, in regular meeting, the City Council did consider said application, the report and recommendation of the Planning Department and the report and recommendation of the Planning Commission and the statements and assurances of the applicant or his representative in attendance at said Council meeting,

NOW, THEREFORE, the City Council does make the following Findings:

1. The proposed site is located in a C-2 Land Use Classification, which, by Section 4.12.14, Paragraph (B) of Ordinance 709 allows carwashes, gas stations, etc., upon the issuance of a Special Use Permit.
2. Access to the site is available from Central Way and from Fourth Street, both of which are improved streets Central Way being a major arterial.
3. Utilities are available in the form of sewer and water with a twelve inch sanitary sewer line and a eight inch water main in Central Way and a six inch water lone in Fourth Street.

4. All of the surrounding property, within Block 95, is within the C-2 Land Use Classification. There is an existing Union Oil Company Service Station to the east across Fourth Street and an Enco Service Station one block to the West.

5. The proposed facility is of a design to allow the sale and service of gasoline only, with the exclusion of all other automotive services such as oil, air, lubrication, etc. The carwash is a drive through device, completely enclosed within a building. The entire facility is designed in such a way that "customer availing themselves of said use, may remain in their motor vehicles during all or a substantial portion of the rendering of the service."

6. The facility is to be operated in conjunction with a major oil company with design and layout of the site to be rendered in a professional manner,

7. A detailed site plan has been submitted to the City and was shown to the City Council at the time of its regular meeting. Said site plan showed methods and standards for the following:

- A. Traffic control
- B. Drainage
- C. Landscaping and site screening
- D. Location of all buildings, gasoline pumps, etc.

Said site plan is by this reference included within the Findings of the City Council. Construction and maintenance must conform to the detailed site plan.

8. The design layout for lighting of the area as submitted by the applicant, is adequate. Said design layout is incorporated by this reference into these Findings.

9. The hours of operation should be limited to between 6 a.m. and 10 p.m.

10. Storage and disposal of refuse and waste and the collection, storage and disposal of litter will be adequate only if done in strict conformity to the ordinances of the City pertaining thereto.

11. That a failure to meet and maintain any of the performance standards and other conditions included in these findings would result in a use and structure in violation of the zoning and land use regulations and would further appear to result in the creation of a public nuisance.

Based upon the foregoing findings, the Council makes the following Order:

1. The Special Use Permit applied for by Ron Pass and Associates, L.T.D. being Special Use Permit No. SP-10/69-65 shall be issued subject to the performance standards and other conditions set forth or included by reference in the foregoing findings.

2. Failure on the part of the holder of said Special Use Permit to initially meet or continue to maintain strict compliance with said standards and conditions shall be grounds for revocation of any occupancy permit and the Special Use Permit in accordance with the procedures set forth in Section 5.6.2 of Ordinance 709.


3. A certified copy of this Resolution and Order shall be attached to and become a part of the Special Use Permit (or evidence thereof) delivered to the Permittee.

ADOPTED in regular meeting of the Kirkland City Council on the 19th day of January, 1970.



Mayor

Attest:



Director of Administration and Finance
(ex officio City Clerk)