

RESOLUTION NO. 2054

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF A CONDITIONAL USE PERMIT NO. SUP-11/69-68 SUBJECT TO CERTAIN PERFORMANCE STANDARDS AND OTHER CONDITIONS AND PROVIDING THAT SAID PERMIT SHALL BE REVOCABLE IN THE EVENT OF FAILURE TO MEET AND MAINTAIN SAID PERFORMANCE STANDARDS AND OTHER CONDITIONS.

WHEREAS, Mrs. Augusta Scott has made and filed an application for Conditional Use Permit or exception as provided for in Section 5.3.50 of Ordinance 709, the Kirkland Zoning Code for the purpose of operating a Montesori (pre-school level) School in the building located at the Northeast corner of the intersection of Second Street and Eighth Avenue and situate on Lots 17, 18, 19 and 20, Block 174, Town of Kirkland, in Kirkland Washington, and

WHEREAS, said property is zoned according to the ordinances of the City of Kirkland residential R-7.2 and the Board of Adjustment, the Planning Commission and the Planning Department have all recommended that the contemplated use of the existing structure is in keeping with the intent of the zoning ordinance, provided certain conditions and performance standards are met and maintained, and

WHEREAS, the Planning Commission made such recommendation, following public hearing held December 11 1969, and pursuant to Section 5.3.50, the City Council has authority upon such recommendation to issue for a specific period of time, not to exceed one year, an exception or conditional use permit where the public's convenience and advantage will be served by such non-conforming building and use and that such building and use will not be materially detrimental to the public welfare, and

WHEREAS, the Kirkland City Council in regular meeting on January 5, 1970 did consider the application and 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 in attendance at said meeting.

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

1. The property for which conditional use permit No. SUP-11/69-68 has been applied lies within residential land use classification R-7.2. That the structure existing thereon was designed, built and used as a church building. That under certain conditions and specific regulations, churches and schools are permitted uses within the R-7.2 zone, but that the building in its present condition would not meet all of the requirements for a public school located in said zone classification.

2. That subject to the continued maintenance of the following performance standards and special conditions, the use requested by the applicant would, nevertheless, be in keeping with the intent of the zoning ordinance. That the public convenience and advantage would be served by such use, and that the building and use would not be materially detrimental to the public welfare. Such performance standards and special conditions are as follows:

A. The installation and maintenance of adequate off-street parking facilities meeting the requirements of the Kirkland Zoning Code.

B. The establishment and maintenance of an area for passenger loading and unloading which will not create a hazard either to the persons using such area, or to the flow of traffic on the abutting streets. It is highly recommended but not required, that such area be off-street.

C. That the parking lot to be provided be properly and adequately screened from adjacent single family homes by the use of landscaping, fencing or combination thereof.

D. That the appearance and condition of the exterior of the existing building structure, any auxiliary structure or structures (including fencing) and the appearance and condition of the real property as above described shall be maintained at all times in keeping with the residential character of the immediate neighborhood and existing residential zoning.

E. That the existing building structure be modified (if necessary and required) and be continuously maintained so as to meet the sanitary and safety regulations of the appropriate ordinances of the City of Kirkland relating to the use for which it is to be put in accordance with the Conditional Use Permit.

F. 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.

G. That although the permit, when and if issued, must, pursuant to Section 5.3.50 be limited in time to a period not exceeding one year, such permit may be renewable on a year to year basis upon application to the City Council not less than 60 days prior to the time of expiration.

From the foregoing findings, the City Council concludes and Orders:

1. That the Conditional Use Permit applied for by Mrs. Augusta Scott under Application No. SUP-11/69-68 to operate a Montessori School (pre-school level) in the structure located on the above described real property within the City of Kirkland, shall be issued subject to the satisfactory continued performance of the performance standards and other conditions set forth in the Findings above.

2. Said Conditional Use Permit or exception shall be for a period of twelve months from the date of this resolution, but may, nevertheless, upon application to the City Council not less than 60 days prior to its expiration date, be continued or extended by the City Council for additional one year periods.

3. Failure on the part of the holder of said Conditional Use Permit or exception to initially meet or continue to maintain strict conformance with said performance standards and conditions, shall be grounds for revocation of said permit. The procedure for revocation shall be as set forth in Section 5.6.2 of Ordinance 709, the Kirkland Zoning Code.

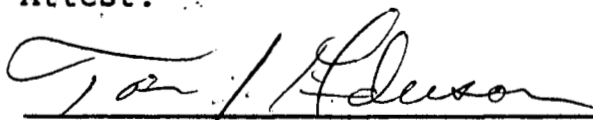
4. A certified copy of this Resolution shall be attached to and become a part of the permit when issued and shall be delivered to the applicant.

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)