

RESOLUTION NO. R- 2905

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.

WHEREAS, the Department of Community Development has received an application filed by Evergreen Surgical Center Partnership as owner of the property described in said application requesting a permit to develop said property in accordance with the intent to rezone procedure established in Chapter 23.62 of Ordinance 2183; and

WHEREAS, said property is located within a RS 35000 zone and the proposed development is a permitted use within the Professional Office zone; and

WHEREAS, the Intent to Rezone application was reviewed by the Planning Commission in a public hearing on September 17, 1981 and was conditionally approved by City Council Resolution R-2871 on October 5, 1981; and

WHEREAS, the Department of Community Development has received an application filed by Evergreen Surgical Center Partnership as owner of the property described in said application requesting an amendment to some of the conditions attached to approval of the Intent to Rezone; and

WHEREAS, the application for amendments has been submitted to the Kirkland Planning Commission who held a public hearing thereon at their regular meeting of February 18, 1982; and

WHEREAS, pursuant to City of Kirkland Ordinance No. 2473, concerning environmental policy, and the State Environmental Policy Act, an environmental checklist has been submitted to the City of Kirkland, reviewed by the responsible official of the City of Kirkland, and a negative declaration reached; and

WHEREAS, said environmental checklist and declaration have been available and accompanied the application through the entire review process; and

WHEREAS, the Kirkland Planning Commission, after their public hearing and consideration of the recommendations of the Department of Community Development, and having available to them the environmental checklist and negative declaration, did adopt certain Findings, Conclusions and Recommendations, and did recommend to the City Council approval of the proposed amendments to the development and the Intent to Rezone pursuant to Chapter 23.62 of Ordinance 2183, all subject to the specific conditions set forth in said 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 Planning Commission.

NOW, THEREFORE, BE IT RESOLVED 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 Community Development File No. IR-81-87 (Amendment) are hereby adopted by the Kirkland City Council as though fully set forth herein.

Section 2. A Development Permit, pursuant to the intent to rezone procedure of Chapter 23.62 of Ordinance 2183, shall be issued to the applicant subject to the conditions set forth in the Recommendations hereinabove adopted by the City Council.

Section 3. The City Council approves in principle the request for reclassification from RS 8.5 to LI, pursuant to the provisions of Chapter 23.62 of Ordinance 2183, and the Council shall, by ordinance, effect such reclassification upon being advised that all of the conditions, stipulations, limitations, and requirements contained in this Resolution, including those adopted by reference, have been met within six months of the date of enactment of this Resolution.

Section 4. 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 development permit or evidence thereof, delivered to the permittee.

Section 5. Nothing in this resolution shall be construed as excusing the applicant from compliance with any federal, state or local statutes, ordinances or regulations applicable to the proposed development project, other than as expressly set forth herein.

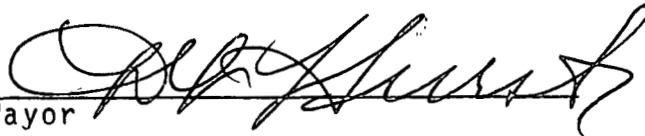
Section 6.. Failure on the part of the holder of the development permit to initially meet or maintain strict compliance with the standards and conditions to which the development permit and the intent to rezone is subject shall be grounds for revocation in accordance with Ordinance 2183, the Kirkland Zoning Ordinance.

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

- (a) The applicant
- (b) Department of Community Development of the City of Kirkland
- (c) Fire and Building Department for the City of Kirkland
- (d) Public Services Department of the City of Kirkland
- (e) Project and Construction Management Division of Public Services Department of the City of Kirkland
- (e) 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 on the 15th day of March, 1982.

SIGNED IN AUTHENTICATION THEREOF on the 15th day of March, 1982.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Director of Administration and Finance  
(ex officio City Clerk)

9408A/bk