



CITY OF KIRKLAND

Planning and Community Development Department
123 Fifth Avenue, Kirkland, WA 98033 425.587.3225

MEMORANDUM

To: David Ramsay, City Manager

From: Teresa J. Swan, Senior Planner
Eric Shields, Planning Director
Carrie Hite, Deputy Parks and Community Services Director

Date: October 5, 2006

Subject: **EMERGENCY ORDINANCE FOR THE RELOCATION OF KIRKLAND HOPELINK,
FILE NO. MIS06-00038**

RECOMMENDATION

Conduct a public hearing and consider an Emergency Ordinance to allow the relocation of the Kirkland Hopelink to a City-owned property in a PR (professional office/multifamily residential) zone while the required Process I application under Chapter 145 of the Kirkland Zoning Code is reviewed.

BACKGROUND DISCUSSION

Kirkland Hopelink provides a variety of community services and programs for local residents, including emergency financial assistance, food education and outreach, energy assistance, and a food bank. Families, seniors, people with disabilities and others depend on Hopelink's uninterrupted services and programs. Since 1995 Kirkland Hopelink has been in its current location at 302 First Street, a City-owned building next to City Hall.

Over the past few years the facility has had some problems with rodents due to several conditions: an older building of wood construction that is located in the downtown area where some localized rodent infestation has been a problem, most likely from the close proximity to the lake. Kirkland Hopelink has had monthly pest inspection and control done to monitor the situation closely. Possibly from recent excavation and grading across the street for new home construction, rodent infestation has become so serious lately that an environmental microbiologist consultant strongly recommended that they vacate the premises immediately.

They have checked into other low cost options for a new site in Kirkland, but nothing is available at this time. Without a new home in Kirkland, the agency would move its offices, services and programs to the Bothell Hopelink. This would present an interruption in services for Kirkland clients. The transportation cost of driving to Bothell for services would significantly affect the clients' already limited incomes. There is

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no direct bus service to Bothell from Kirkland so moving the agency out of Kirkland would be a hardship for the clients who take the bus to the services.

The City funds essential human services, such as those provided by Hopelink, through its adopted biennial budget and by providing a home for these services when City-owned property is available. In response to the recent request from Kirkland Hopelink to help them find a new home, the City extended an invitation for them to apply for a Process 1 permit to use the City-owned property at 13013 NE 65th Street, the prior South Rose Hill Water District office building located in the Bridle Trails Neighborhood (see Attachments 1 through 3). The building has been vacant since March 2006 and was last used by the City's Public Works Department's Facilities Division.

The City-owned property contains a 4,200 square foot office building and maintenance shop, a water tank 195 feet in diameter, a small storage building houses equipment used by a local "ham radio" organization, and a pump house maintained by the City of Kirkland's Public Works Department. The entire facility is surrounded by a high security fence. The site is surrounded on two sides by un-opened right-of-way (NE 65th Street and 130th Ave Street). Parking is available both in the front and back of the building. The site faces onto the back side of the Bridle Trails Shopping Center to the north. A cluster of dense trees and a pedestrian trail within an un-opened right-of-way separate the site from a single family home to the west. The water tank, other accessory structures and vegetation separate the City building from the single family home to the south and the Bridle Estate apartments to the east. The building is southeast and across the street from the Bridle Trails Apartments to the northwest. 130th Ave NE serves the site and is developed with a sidewalk on the west side of the street and available on-street parking on both sides of the street. The City-owned site is 1 1/2 blocks from NE 70th Street (see Attachments 1 through 3).

Kirkland Hopelink visited the site and determined that the size, layout and location of the building would serve their needs. Many of their clients live near the site. Approximately 25% of their clients use the bus to get to Kirkland Hopelink. Bus service is available on NE 70th Street just north of the site, a closer and an easier walk than the current situation from the downtown transit center up the hill on First Street to Kirkland Hopelink. The remaining clients come by car or by Access vans.

Under the Zoning Code, Kirkland Hopelink is considered a community facility use (see Attachment 4). The City-owned site is zoned PR (professional office/multifamily residential). A community facility use is permitted in a PR zone, but requires a Process I application review under Chapter 145 of the Zoning Code (see Attachment 5). The Planning Director reviews the Process I application for consistency with the Zoning Code, considers any needed mitigating conditions if there are impacts and then makes the final decision on the application. Notice is provided to adjacent residents, on public notice signs installed in various locations in the neighborhood and published in the local paper. Written comments may be sent to the Planning Director during the 18-day comment period. A Process I decision can be appealed to the Hearing Examiner and then further appeals to go judicial court. The Planning Department is currently processing the Process I permit and anticipates to complete the process by the end of November. If the decision is appealed, the process should be completed sometime in January 2007.

As part of their application for the Process I application, Kirkland Hopelink has provided a summary of their services and programs, and addressed various aspects of their operations for the proposed relocation to the City-owned site (see Attachment 6).

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On October 10, 2006, a neighborhood meeting will be held in which representatives from Hopelink and City staff will discuss the relocation plans, the Emergency Ordinance and the Process I application with the neighborhood.

The Emergency Ordinance would allow Kirkland Hopelink to relocate to the City-owned building while the Process I application is being reviewed. The City Council has the authority to adopt an emergency ordinance for the protection of public health and safety. Notice of the public hearing for the Emergency Ordinance will be mailed to adjacent residents, the neighborhood association and interested parties, and will be made available at the neighborhood meeting on October 10, 2006.

In addition, Hopelink would like to request financial assistance for their unanticipated move. They operate on a July 1-June 30th fiscal year. They have no contingency funds to help with relocation costs, or the \$3000 per month lease payment to the Utility fund for occupancy of the South Rose Hill building through the remainder of their fiscal year. They would like to request a one time assistance of \$10,850 for relocation costs, \$3,692 for additional facilities costs and \$25,500 for nine lease payments covering October through June 2007 for a total of \$40,042. At that time, they will plan financially to cover the facility costs. A fiscal note is attached.

ATTACHMENTS

- 1 – Aerial of site and neighborhood
- 2 – Zoning of site and area
- 3 – Vicinity map showing addresses and the general location of buildings
- 4 – Definition of a community facility
- 5 – Zoning Code PR Use Zone, Section 25.10
- 6 – Summary of the Kirkland Hopelink programs, services and operations
- 7 – Hopelink Facilities Budget for 2006-2007

cc: Jessica Ivey, Center Manager, Kirkland Hopelink 302 First Street, Kirkland, WA 98033

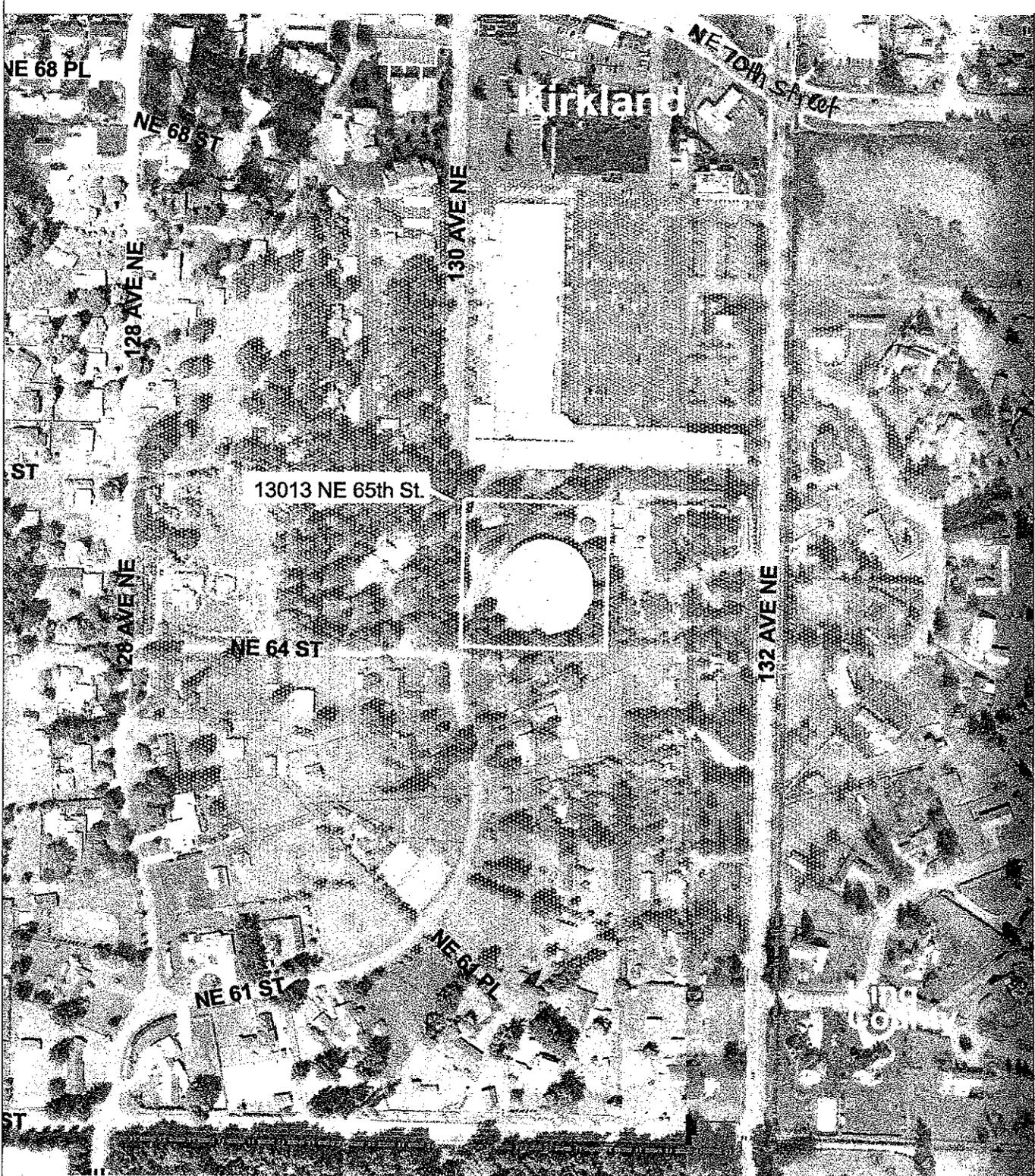
South Rose Hill/Bridle Trails Neighborhood Association

Jennifer Schroder, Parks and Community Services Director

Daryl Grigsby, Public Works Director

Erin Leonhart, Public Works Facilities and Operation Administration Manager

Greg Neumann, Water Manager



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City Limits

Property Parcel Outline

1/8 Miles Radius from the Property Location

100 0 100 200 Feet



ATTACHMENT 1

MIS 06-00038



Snyders
Corner
Park

ATTACHMENT 2
MIS 06-00038

- .105 Bulkhead – A wall or embankment used for retaining earth.
- .107 Cabinet Sign – A sign incorporating a rigid frame, which supports and retains the sign face panel(s) and/or background constructed of plastic or similar material, and which has an internal light source. Cabinet signs do not include signs composed of individually-mounted and individually-illuminated letters, or logos no larger than the lettering to which they relate.
- .108 Center Identification Sign – A type of building-mounted or ground-mounted sign which identifies the name of a development containing more than one office, retail, institutional, or industrial use or tenant and which does not identify any individual use or tenant.
- .110 Certificate of Occupancy – “Certificate of Occupancy,” as that term is defined in the Uniform Building Code as adopted in KMC Title 21.
- .115 Changing Message Center – An electronically controlled public service time and temperature sign where copy changes are shown on the same lamp bank.
- .120 Church – An establishment, the principal purpose of which is religious worship, and for which the principal building or other structure contains the sanctuary or principal place of worship, and which includes related accessory uses.
- .125 City Manager – The chief administrative official of the City.
- .126 Class A Streams – As defined in Chapter 90 KZC.
- .127 Class B Streams – As defined in Chapter 90 KZC.
- .128 Class C Streams – As defined in Chapter 90 KZC.
- .130 Clustered Development – The grouping or attaching of buildings in such a manner as to achieve larger aggregations of open space than would normally be possible from lot by lot development at a given density.
- .135 Code (this) – The code of the City of Kirkland adopted as KMC Title 23.
- .140 Commercial Recreation Area and Use – An area and use operated for profit, with private facilities, equipment or services for recreational purposes, including swimming pools, tennis courts, playgrounds and other similar uses. The use of such an area may be limited to private membership or may be open to the public upon the payment of a fee.
- .145 Commercial Zones – The following zones: BN; BC; BCX; CBD; FC I; FC II; JBD 1; JBD 2; JBD 4; JBD 5; JBD 6; PLA 8; PLA 10A; ~~PLA 12A~~; NRH 1A; NRH 1B; NRH 4; and TL 2.
RH 1A, RH 1B, RH 2A, RH 2B, RH 2C, RH 3, RH 5A, RH 5B, RH 5C, RH 7
- .150 Common Recreational Open Space Usable for Many Activities – Any area available to all of the residents of the subject property that is appropriate for a variety of active and passive recreational activities, if that area:
- Is not covered by residential buildings, parking or driving areas; and
 - Is not covered by any vegetation that impedes access; and
 - Is not on a slope that is too steep for the recreational activities.
- .153 Community Facility – A use which serves the public and is generally of a public service, noncommercial nature. Such use shall include food banks, clothing banks, and other non-profit social service organizations; nonprofit recreational facilities; and nonprofit performing arts centers.

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 25.10	USE REGULATIONS	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
				Front	Side	Rear						
.120	Convalescent Center or Nursing Home	NE 85 th Street Subarea Design Review, Chapter 142, KZC.	8,500 sq. ft. If PR 8.5 zone, otherwise 7,200 sq. ft.	20'	10' on each side	10'	70%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 30' above average building elevation.	C	B	1 for each bed.	1. If a nursing home use is combined with an assisted living facility use in order to provide a continuum of care for residents, the required review process shall be the least intensive process between the two uses.
.130	Public Utility	Chapter 142, KZC.	None		20' on each side	20'			A		See KZC 105.25.	
.140	Government Facility Community Facility	Otherwise Process I, Chapter 145, KZC.			10' on each side	10'			C See Spec. Reg. 2.			1. Site design must minimize adverse impacts on surrounding residential neighborhoods. 2. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.150	Public Park	See Special Regulations 1 and 2.	Will be determined on case-by-case basis.						--	--		1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. The required public hearing on a Master Plan proposed within the Houghton Community Municipal Corporation shall be conducted by the Houghton Community Council, which may be a joint hearing with the Parks Board; b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act;



ATTACHMENT 5
M1506-00038

REGULATIONS CONTINUED ON NEXT PAGE

(Revised 12/02)

**Notice to Neighborhood
From Kirkland Hopelink
9/2006**

Proposal Description: The City of Kirkland is considering the lease of the prior South Rose Hill Water District Building to Hopelink of Kirkland in order to continue provision of community services to the residents of Kirkland. Hopelink currently occupies the City of Kirkland building located at 302 First Street. The on-site services include a Food Bank, an Emergency Services Program (emergency financial assistance), the Basic Food Education and Outreach Program (BFEO) and an Energy Assistance Program. Recently, the city has been working with Hopelink to make improvements to the existing facility. However, because of the age of the building, the location close to the water and nearby recent development, this building has had a rodent infestation, and is no longer a viable option for Hopelink. The situation has recently worsened, causing Hopelink to propose a move of their services to Bothell. City staff, acknowledging the immediacy of the situation, partnered with Hopelink to undergo an extensive search for a new facility.

The City recognizes the value of Hopelink services and wants to consider the use of the S. Rose Hill Water District building for their services. On September, 22nd 2006 we toured the South Rose Hill Water District administration building and felt that it is viable option for Hopelink Community Services operations. This building has adequate office space, extensive food storage space and a large space appropriate for efficient food bank operations. This is a newer building, cement block, and would be suitable as a rodent free food storage building. Additionally, the location of the building is convenient for many of the clients we serve.

Hours of Operation: Hopelink regular business hours are 8:30 A.M. to 5:00 P.M. Monday through Friday and 5:00 P.M. to 7:00 P.M. on the first and third Wednesday of each month. Approximately 3 times per year, Hopelink is open on Saturdays for seasonal events between the hours of 8:30 A.M. and 5:00 P.M. Staff works during the above stated business hours.

- **Clients:** Clients utilize our services 5 days a week. On an average non-food bank day (Monday through Wednesday and Friday) approximately 20 clients enter the facility throughout the day. During food bank distribution, which is held on **Thursdays from 11:30 A.M. to 2:00 P.M. and the first and third Wednesdays of the month from 5:00 P.M. to 7:00pm**, approximately 80 people enter our facility spread out over the day.
- **Staff:** Hopelink Kirkland has a staff of seven. 5 employees are on site regularly, while 2 work throughout the community on a regular basis. Our staff consists of a Center Manager, and Emergency Service Specialist, a Food Bank Coordinator, the Basic Food Education and Outreach Program Manager, the Basic Food Education and Outreach Program Assistant, the Basic Food Education and Outreach Mobile Educator and an Energy Program Specialist.

ATTACHMENT <u>6</u>
<u>MLS06-00038</u>

- **Volunteers:** On an average day, there are usually 3 to 6 volunteers on site. On food bank distribution days there are approximately 10 to 15 volunteers on site spread out throughout the day.

Client Transportation: The majority of clients drive personal vehicles. Approximately 25% of our clients (roughly 62 residents) utilize the public bus system. Currently, these clients walk from the downtown metro station, which is a longer distance than the walk from the NE 70th bus stop to this facility. Another 10 – 20% of our clients rely on the Access bus to receive our services.

Parking: Staff will occupy up to 7 parking stalls during regular business hours. Volunteers, although encouraged to park off-site, may utilize up to 5 additional parking stalls. Throughout regular business days, up to 2 parking stalls will be occupied by clients at any given time. During food bank distribution hours, all of the stalls will be utilized by clients and limited off-site parking will presumably be necessary on the east and/or west sides of 130th Ave NE. On-street parking is available along both sides of 130th Ave NE. Approximately 30 clients per hour attend food bank during food bank distribution hours.

Food Bank Waiting Area: This facility has a large room where food bank clients can wait for their appointments if they arrive early. Clients will not have to wait outside for any reason. Hopelink has operated food banks in numerous areas of the county for decades. Their operation relies on an efficient system in which clients have set appointment times, eliminating waiting periods and lines.

Food/Truck Deliveries: Hopelink receives deliveries of groceries during the hours of 8:30 A.M. and 12:00 P.M. Monday through Thursday. Most deliveries are brought to us by community volunteers using their personal vehicles. We receive 2 to 3 deliveries via large delivery trucks each week, also between the hours of 8:30 A.M. and 12:00 P.M.

Outdoor Storage: Hopelink has no need for outdoor storage.

Rodent Control: All Hopelink food banks have monthly contracts with pest control professionals. Appropriate actions are taken immediately when requested during monthly inspections. Additionally, all dry food is stored in milk crates and kept off of the floor and regular monitoring and rotation of the food supply ensures that food is regularly inspected for evidence of rodents. All aspects of our food bank operations are kept up to code.

At their current location, extensive rodent exclusion work has been done by contractors, at the direction of pest control professionals. Unfortunately however, due to the age and condition of the building and construction nearby causing continued rodent problems, completely effective exclusion work proved impossible. Fortunately, the South Rose Hill Water District building is constructed of brick and in general is much more tightly sealed.

Fencing for Security: In place.

Trees to remain: Yes.

Litter Control: Hopelink staff will personally “adopt” the stretch of road along 130th Ave NE that leads to the facility, ensuring regular, ongoing litter collection. Additional litter collection directly following food bank distribution, will ensure that no litter will be on the road, on the grounds or on adjacent properties next to 130th Ave NE.

Noise: All food bank operations will occur inside of the facility. One door will be open at the end of the distribution line. However, this should not result in appreciable noise.

Signage: In addition to a non-illuminated wall mounted sign on the building, a small directional street sign at the corner of NE 70th and 130th Ave NE will be sufficient for Hopelink’s purposes.

Applicant: Hopelink Kirkland
302 First Street
Kirkland, WA 98033
425.889.7880

Hopelink Kirkland Facilities Budget for 2006-2007							
GL Acct	Trade	Vendor	Monthly	Annual	Projected Costs	Difference	Prorated *
8135	Copier Lease	IKON	188.22	2,258.64	2,258.64	0.00	\$0.00
8080	Fire Extinguisher Annual Inspections	Pacific Fire & Security	12.50	150.00	150.00	0.00	\$0.00
8080	General Building Repair	RAFN, VECA	66.67	800.00	2,000.00	1,200.00	\$850.00
6600	Janitorial	Advanced Cleaning	333.33	4,000.00	5,100.00	1,100.00	\$779.17
7005	Janitorial Supplies	Advanced Cleaning	66.67	800.00	950.00	150.00	\$106.25
8080	Landscaping		0.00	0.00	300.00	300.00	\$212.50
	Monitoring Security System				960.00	960.00	\$680.00
8080	Parking Lot Sweep	CAMS	12.50	150.00	600.00	450.00	\$318.75
	Pest Control	Sprague	70.72	848.64	900.00	51.36	\$36.38
8080	Pressure Washing	Interlake Window Cleaning	68.75	825.00	1,025.00	200.00	\$141.67
8080	Roof cleaning				250.00	250.00	\$177.08
	Verizon DSL		80.00	960.00	960.00	0.00	\$0.00
8060	Telephone Service		490.00	5,880.00	5,880.00	0.00	\$0.00
8040	Utilities						\$0.00
	Electricity	Puget Sound Energy	335.00	4,020.00	4,900.00	880.00	\$623.33
	Water, Sewer & Refuse	City of Kirkland	565.00	6,780.00	6,300.00	-480.00	-\$340.00
8290	Water (drinking)	Culligan	56.00	672.00	672.00	0.00	\$0.00
8080	Window Cleaning	Interlake Window Cleaning	25.00	300.00	450.00	150.00	\$106.25
	Total Facilities Budget		\$2,370.36	\$28,444.28	\$33,655.64	\$5,211.36	\$3,691.38
	*Prorated covers period October 18, 2006-June 30, 2007. Hopelink starts their new fiscal year on July 1, 2007 and will build these costs into their budget.						
	Projected Moving Costs						
	Cooler/Freezer Move	\$5,400					
	Furniture, etc. Move	5,000					
	Furniture Cleaning Prior To Move	450					
	Total Move	\$10,850					
	Additional Hopelink Costs						
Rent	\$3000 per month for 8.5 months	\$25,500					
Facilities		3,691.38					
Move		10,850					
Total Additional Costs		\$40,041.38					
				ATTACHMENT 7			
				MIS06-00038			

FISCAL NOTE

CITY OF KIRKLAND

Source of Request							
Eric Shields, Planning Director, Carrie Hite, Parks & Community Svcs Deputy Director, and Teresa Swan, Senior Planner							
Description of Request							
Request for funding of \$40,042 from the Contingency Fund to relocate Kirkland Hopelink to the South Rose Hill Building, which is owned by the City's Water/Sewer Utility. Kirkland Hopelink needs to move to a different facility due to rodent and health condition issues at their current facility. They do not have any contingency budget that will pay for relocation and additional rent costs in their current fiscal year budget. Hopelink is requesting assistance from the City for relocation costs, increased facilities maintenance costs and rent costs until their next fiscal period begins.							
Legality/City Policy Basis							
Fiscal Impact							
One-time use of \$40,042 of the Contingency Fund. The contingency is able to fully fund this request.							
Recommended Funding Source(s)							
	Description	2006 Est End Balance	Prior Auth. 2005-06 Uses	Prior Auth. 2005-06 Additions	Amount This Request	Revised 2006 End Balance	2006 Target
Reserve	Contingency	2,115,677	149,293	0	40,042	1,926,342	2,952,182
	2005-2006 Prior Authorized Uses includes \$26,000 for a Sidewalk Bond survey, \$10,000 for an assessment of the Cannery Building, \$30,293 for a pension payout related to the Municipal Court, \$52,000 for the purchase of water rights from the King County Water District #1, and \$31,000 for an assessment and update of the Downtown Strategic Plan.						
Revenue/ Exp Savings							
Other Source							
Other Information							

Prepared By	Sandi Miller, Financial Planning Manager	Date	October 5, 2006
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ORDINANCE NO. 4062

AN EMERGENCY ORDINANCE OF THE CITY OF KIRKLAND AUTHORIZING THE CITY MANAGER TO PERMIT THE USE OF THE CITY-OWNED PROPERTY AT 13013 NE 65TH STREET AS A COMMUNITY FACILITY BY KIRKLAND HOPELINK FOR UP TO 140 DAYS, WHILE A PROCESS I APPLICATION IS PENDING; REQUIRING KIRKLAND HOPELINK TO SECURE PROCESS I APPROVAL WITHIN 140 DAYS OF THIS ORDINANCE AND MAINTAIN PROCESS I APPROVAL THROUGH ANY ADMINISTRATIVE OR JUDICIAL APPEALS OR TO VACATE THE PREMISES AT 13013 NE 65TH STREET; AND DECLARING AN EMERGENCY. (FILE MISO6-00038.)

WHEREAS, the City funds essential human services through its adopted biennial budget; and

WHEREAS, for 35 years, Hopelink has been helping its clients work toward self-sufficiency and end the cycle of homelessness; and

WHEREAS, the services provided by Hopelink include: food; housing; child care; family development programs; literacy programs; transportation; interpreter services; financial assistance; energy assistance; and classes; and

WHEREAS, in September 2006, Kirkland Hopelink learned that it would need to immediately relocate from its current offices at 302 First Street, in Kirkland; and

WHEREAS, the City of Kirkland extended an invitation to house Kirkland Hopelink's "Community Facility" use in a building owned by the City located at 13013 NE 65th Street, Kirkland, located in a Professional Office Residential (PR) Zone; and

WHEREAS under KZC 25.10 a Community Facility use in a PR Zone requires approval through Process I; and

WHEREAS, on Friday, September 29, 2006, Kirkland Hopelink requested approval through Process I, described in Kirkland Zoning Code (KZC) Chapter 145, to locate its "Community Facility" in a Professional Office Residential (PR) Zone (Zoning File: ZON06-00029); and

WHEREAS, the typical review under Process I can take more than four months; and

WHEREAS, in order to allow for the relocation of Kirkland Hopelink and its uninterrupted service to local families, seniors, people with disabilities, and others who depend upon it, the Kirkland City Council has determined that there is a need for an emergency ordinance; and

WHEREAS, a public hearing on this emergency Ordinance was held prior to the passage of this Ordinance;

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

Section 1. The Kirkland City Council makes the following findings:

- a. The typical timeline for reviewing an application for Process I approval would not allow for the immediate relocation of the Kirkland Hopelink Community Facility use to the City-owned property at 13013 NE 65th Street in Kirkland within a PR Zone.
- b. Kirkland Hopelink has made application for Process I approval for its Community Facility to be located at the subject City-owned property.
- c. Kirkland Hopelink provides vital community services that should not be suspended while the Process I approval is pending.
- d. Until the pending application may be reviewed, there is an immediate need to relocate Kirkland Hopelink within the City.
- e. The interests of the citizens of Kirkland are served by providing a City-owned location for Kirkland Hopelink and the declaration of an emergency is necessary to allow the immediate, lawful occupancy of the City-owned property, subject to the terms and conditions of this ordinance.

Section 2. The City Manager is authorized to negotiate and enter into an agreement with Kirkland Hopelink for the immediate relocation of Kirkland Hopelink to the City-owned property at 13013 NE 65th Street, Kirkland, while its application for Process I approval is pending.

- a. Kirkland Hopelink must secure a Process I approval within 140 days of this Ordinance and maintain the Process I approval through any administrative or judicial appeals. In the event Kirkland Hopelink fails to secure Process I approval within 140 days or the Process I approval is reversed on administrative or judicial appeal, it must vacate the premises at 13013 NE 65th Street, Kirkland, 45 days after notice is given that the Process I approval has been denied following any administrative or judicial appeals.

Section 3. Duration. This Ordinance shall be effective for 140 days. This Ordinance may be renewed for one or more four-month periods if a subsequent public hearing is held and findings of fact are made prior to each renewal.

Section 4. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance, or the application of the provision to other persons or circumstances is not affected.

Section 5. Emergency Ordinance. This is an emergency Ordinance necessary for the protection of the public health and safety and shall be in force and effect immediately upon passage by the City Council.

Passed by majority vote of the Kirkland City Council in open meeting
this _____ day of _____, 2006.

Signed in authentication thereof this _____ day of
_____, 2006.

MAYOR

Attest:

City Clerk

Approved as to Form:

City Attorney