

KENMORE CITY ATTORNEY STATEMENT
TYPE 4 SITE PLAN APPLICATION--DANIELS REAL ESTATE (FILE NO. CSP16-0077)
APRIL 17, 2017 KENMORE CITY COUNCIL MEETING

In 2016, Daniels Real Estate filed a Type 4 site plan application with the City of Kenmore to rehabilitate the Saint Edward Seminary building in Saint Edward State Park, and reuse it as a hotel with up to 100 guest rooms, meeting and conference rooms, nonprofit or public organization space, administrative space, exercise facility (and wellness spa), restaurant and cafe.

As required by City Code, City staff prepared a recommendation on the application and submitted it to the Hearing Examiner, who held a public hearing on the application on March 1 and 2, 2017. On March 27, 2017, the [Hearing Examiner issued a written recommendation](#) on the application to the City Council. The next step is for the City Council to consider the Hearing Examiner's Recommendation at the City Council's April 17, 2017 meeting. Taking into account the Hearing Examiner's Recommendation, which is advisory only, the City Council will make the City's final decision on the application.

The City Council's decision is quasi-judicial, which has special rules under City Code and State Law. The City Council's decision must be based only on the record established by the Hearing Examiner, which includes the testimony, comments and arguments at the public hearing, the exhibits admitted at the public hearing, and the Hearing Examiner's Recommendation. This record is now closed and is available for review on the City's website.

The City Council cannot receive comments or testimony concerning this matter at the April 17, 2017 meeting, or any meeting before then. Also, the City Council cannot engage in ex-parte (out of hearing) written or oral communications with opponents or proponents of the application. These prohibited communications include emails, letters, telephone calls, and posts on social media. To protect the integrity of the application process, the City requests the public's and the community's cooperation in following these restrictions and prohibitions.