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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 2962

AN ORDINANCE reclassifying property located at N.E. 30th Street near Northup Way in the City of Bellevue upon application of Harry P. Jones.

WHEREAS, an application for reclassification of the property hereinafter described was duly filed with the appropriate City officials; and

WHEREAS, a public hearing was held thereon before the Planning Commission upon proper notice to all interested persons; and

WHEREAS, the Planning Commission has recommended to the City Council approval with conditions of said reclassification of the property located at N.E. 30th Street near Northup Way from SR to B-2 and has made and entered findings of fact and conclusions based thereon in support of its recommendation; and

WHEREAS, the City, since the date of said recommendation, adopted a new Zoning Code known as the Land Use Code under which the SR use district classification formerly applying to the subject property has been eliminated and replaced with the R-3.5 use district classification, and under which the B-2 use district classification recommended for the property has been eliminated and replaced with a new use district classification designated as OLB; and

WHEREAS, the City Council concurs in the findings of fact and conclusions of the Planning Commission and has determined that the public use and interest will be served by reclassifying said property; and

WHEREAS, the City has complied with the requirements of the State Environmental Policy Act and the City's Environmental Procedures Ordinance; and

WHEREAS, the property to the northwest and south of the subject property has been rezoned to OLB pursuant to applications which were considered concurrently with the application regarding the subject property; and

WHEREAS, the applicant has not executed a concomitant agreement containing the conditions recommended for the subject property; and

WHEREAS, the subject property should be reclassified to OLB to conform to the general zoning scheme established for the area; and

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WHEREAS, the conditions normally imposed pursuant to the concomitant zoning agreement can be imposed as a condition to any clearing, grading or building permit for the subject property; now, therefore

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The City Council adopts the findings of fact and conclusions based thereon made and entered by the Planning Commission in support of its recommendation to the Council in this matter.

Section 2. The use classification of the following described property is changed from R-3.5 to OLB with conditions:

Lots 1 through 6, Block 11; Kirkland Syndicates First Addition to the City of Seattle, as per plat recorded in Volume 7 of Plats, page 23, records of King County, and also the east one half of vacated 113th N.E. abutting the west boundary of said property.

This reclassification from R-3.5 to OLB is conditioned on full compliance by the owners of said property and their heirs, assigns, grantees, or successors in interest, with the following conditions:

1. Owners shall provide a 20 foot drainage easement in accordance with the requirements of the Storm and Surface Water Utility.
2. Owners will not protest a Local Improvement District for the improvement of Northup Way.
3. Motor hotels are not allowed.
4. Vehicular access to the property shall be subject to approval by the Public Works Department.

No clearing, grading or building permit of any kind shall be issued for the subject property until the owner has executed an agreement containing the above conditions.

Section 3. This ordinance shall be published by posting it in the three official posting places of the City, and shall take effect and be

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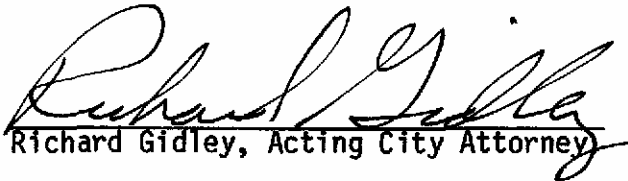
in force five days after the date of posting.

PASSED by the City Council this 23 day of March, 1981,
and signed in authentication of its passage this 23 day
of March, 1981.


(SEAL)


Richard M. Foreman, Mayor

Approved as to form:


Richard Gidley, Acting City Attorney

Attest:


Patricia K. Weber, City Clerk

Published March 25, 1981