

ORIGINAL

3005
7-21-81
5265D

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 3005

AN ORDINANCE reclassifying property located on Wilburton Hill west of 124th Avenue N.E. approximately 300 feet south of N.E. 5th Street in the City of Bellevue upon application of Stafford Hansell Company.

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

WHEREAS, on March 12, 1981, a public hearing was held thereon before the Hearing Examiner upon proper notice to all interested persons; and

WHEREAS, on April 1, 1981, the Hearing Examiner recommended to the City Council approval with conditions of said reclassification of said property located on Wilburton Hill west of 124th Avenue N.E. approximately 300 feet south of N.E. 5th Street in the City of Bellevue from R-1 to R-3.5, except the westerly 240 feet of the subject site which the Hearing Examiner recommended be rezoned from R-1 to R-10; and has made and entered findings of fact and conclusions based thereon in support of his recommendation; and

WHEREAS, on April 13, 1981, requests for reconsideration of the Hearing Examiner's recommendation of April 1, 1981, were filed by the City of Bellevue Department of Planning and by Subdivision Management, Inc.; and

WHEREAS, on April 16, 1981, the Hearing Examiner, after reviewing the record, issued his response to the requests for reconsideration and entered his Order Upon Reconsideration which became part of his previously entered recommendation of April 1, 1981; and

WHEREAS, the City Council concurs in the findings of fact and conclusions of the Hearing Examiner including his Order Upon Reconsideration of the Hearing Examiner, 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 Environmental Procedures Ordinance; 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 Hearing Examiner in support of his recommendation to the Council in this matter, as set forth in "Findings and

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Recommendation of the Hearing Examiner", and "Order Upon Reconsideration of the Hearing Examiner for the City of Bellevue, In the Matter of the Application of Stafford Hansell Company for Reclassification, File No. PC-A 81-1."

Section 2. The use classification of the following described property is changed from R-1 to R-3.5, except the westerly 240 feet of the subject site which is rezoned from R-1 to R-10, with conditions:

PARCEL A:

The South 17.9 feet of the West 640 feet of the South 1/2 of the Southeast 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 33, Township 25 North, Range 5 East, W.M.;
EXCEPT portion for 124th Avenue N.E.;

PARCEL B:

The North 1/2 of the North 1/2 of the Northeast 1/4 of the Southeast 1/4 of the Northwest 1/4; AND the North 2/3 of the South 1/2 of the North 1/2 of the Northeast 1/4 of the Southeast 1/4 of the Northwest 1/4 of Section 33, Township 25 North, Range 5 East, W.M.; EXCEPT portion for 124th Avenue N.E.;

ALL situate in the County of King, State of Washington.

This reclassification from R-1 to R-3.5, except the westerly 240 feet of the subject site which is rezoned from R-1 to R-10, is conditioned on full


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compliance by the owners of said property and their heirs, assigns, grantees, or successors in interest with the terms and conditions of that certain Concomitant Zoning Agreement executed by Stafford Hansell Company, which has been given Clerk's Receiving No. 7/21 and which is adopted by reference into this ordinance as though it were fully set forth herein.

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 in force five days after the date of posting.

PASSED by the City Council this 3 day of August, 1981, and signed in authentication of its passage this 3 day of August, 1981.

(SEAL)

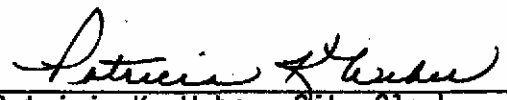

Mab Tocher, Mayor pro tem

Approved as to form:

Linda M. Youngs, City Attorney


Richard Gidley, Assistant City Attorney

Attest:


Patricia K. Weber, City Clerk

Published August 5, 1981