

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 3167

AN ORDINANCE approving the application of Bellevue School District regarding use of Surrey Downs Elementary School for child care and governmental services located at 609 112th Avenue S.E., as recommended by the Hearing Examiner.

WHEREAS, the Bellevue School District has applied to the City for a master conditional use of Surrey Downs Elementary for child care and governmental services on property located at 609 112th Avenue S.E.; and

WHEREAS, on July 8 and 15, 1982, public hearings were held thereon by the Hearing Examiner pursuant to notice required by law; and

WHEREAS, on August 6, 1982, the Hearing Examiner recommended to the City Council approval of said conditional use and made and entered findings of fact and conclusions based thereon in support of his recommendation; and

WHEREAS, on August 16, 1982, requests for reconsideration of the Hearing Examiner's recommendation of August 6, 1982, were filed by Surrey Downs Community Association and Surrey Downs Children's Center, Inc.; and

WHEREAS, on August 24, 1982, the Hearing Examiner, after reviewing the record, issued his response to the requests for reconsideration and entered his Order Upon Reconsideration which became a part of his previously entered recommendation of August 6, 1982; 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

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 made and entered by the Hearing Examiner in support of his recommendation to the Council in this matter, as set forth in "Findings and 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 Bellevue School District No. 405 for a Master (Multiple) Conditional Use, File Nos. HE-D 82-8/9."

Section 2. The City Council hereby approves the master conditional use application of Bellevue School District for use of Surrey Downs Elementary School for child care and governmental services located at 609 112th Avenue S.E. and more particularly described as:

That portion of the southwest quarter of the southeast quarter of Section 32, Township 25 North, Range 5 East, W.M., in King County, Washington, lying easterly of the plat of Surrey Downs Addition No. 1, according to plat recorded in Volume 50 of plats, page 33, and southerly of the plat of Surrey Downs Addition No. 2, according to plat recorded in Volume 60 of plats, page 10, in King County, Washington; EXCEPT any portion thereof lying westerly and northerly of the easterly and southerly lines of the Replat of Portions of Surrey Downs Addition No. 1, as recorded in Volume 65 of Plats, page 17, Records of King County, Washington; and EXCEPT that portion dedicated to the City of Bellevue for street and highway purposes by instrument recorded under auditor's file No. 4860655; and

EXCEPT that portion described as follows, beginning at the Southwest corner of Lot 3, Block 12 of the plat of Surrey Downs Addition No. 2, according to plat recorded in Volume 60 of plats, page 10, in King County Washington; thence North  $76^{\circ}34'01''$  East along the South boundary of said Lot 3 a distance of 120.00 feet; thence South  $26^{\circ}03'48''$  East along the Southwest boundary of Lot 2 of said plat of Surrey Downs Addition No. 2 a distance of 60.90 feet; thence North  $54^{\circ}08'46''$  West a distance of 52.39 feet to a point which bears South  $33^{\circ}10'18''$  West a distance of 28.70 feet from the Southeast corner of said Lot 3; thence South  $87^{\circ}48'54''$  West a distance of 101.09 feet to the True Point of Beginning.

PROVIDED that this approval of said conditional use is conditioned on full compliance by the owner or owners of the property described herein, their heirs, assigns, grantees and successors in interest, with the terms and conditions of that certain Concomitant Agreement executed by Bellevue School District No. 405, which has been given Clerk's Receiving No. 2962, and which by this reference is fully incorporated herein.

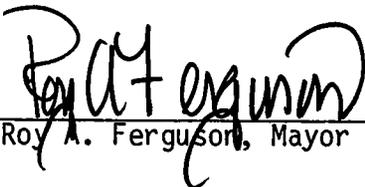
PROVIDED further that this approval of said conditional use is conditioned on full compliance by the owner or owners, developer or developers, and their heirs, assigns, grantees and successors in interest with the plans and attachments, conditions, commitments, reports and other documents relating to this conditional use, given Clerk's Receiving No. 7963, which are hereby by this reference fully incorporated herein.

Section 3. The conditional use granted herein is subject to all federal, state and local laws, rules and regulations.

Section 4. 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 the posting.

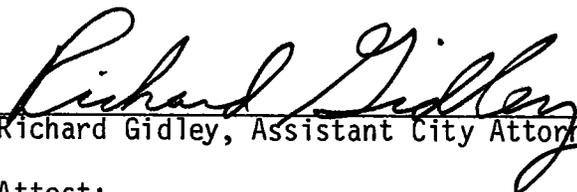
PASSED by the City Council this 4<sup>th</sup> day of October, 1982, and signed in authentication of its passage this 4<sup>th</sup> day of October, 1982.

(SEAL)

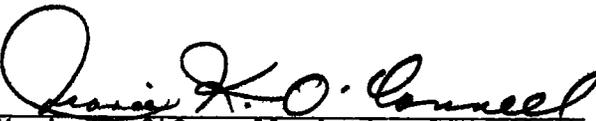
  
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Roy A. Ferguson, Mayor

Approved as to form:

Linda M. Youngs, City Attorney

  
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Richard Gidley, Assistant City Attorney

Attest:

  
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Marie K. O'Connell, Acting City Clerk

Published October 9, 1982