

11-3-82
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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 3198

AN ORDINANCE reclassifying a .6 acre parcel of property (Site 5) located south of Bellevue-Redmond Road, east of 120th Avenue N.E. (if extended) in the Wilburton/N.E. 8th Street Subarea of the City of Bellevue; and granting the appeal of the property owner from the decision of the Hearing Examiner.

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

WHEREAS, on June 10, 1982, a public hearing was held thereon before the Hearing Examiner upon proper notice to all interested persons; and

WHEREAS, on August 20, 1982, the Hearing Examiner denied the reclassification application regarding the .6 acre parcel (Site 5) located south of Bellevue-Redmond Road, east of 120th Avenue N.E. (if extended) from PO & O to GC; and made and entered findings of fact and conclusions based thereon in support of his recommendation; and

WHEREAS, on September 2, 1982, the owner of said property filed an appeal to the City Council of the decision of the Hearing Examiner; and

WHEREAS, on September 25, 1982, the City Council held a limited public hearing on the appeal, at which all interested persons had an opportunity to be heard; and

WHEREAS, after consideration of all the testimony and evidence presented and the record herein, the City Council has determined to reverse the decision of the Hearing Examiner and grant the appeal; 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 finds as follows:

1. The property (Site 5) is a .6 acre parcel located south of Bellevue-Redmond Road, east of 120th Avenue N.E., if extended. The site is currently developed as the Aero Rent-a-Car Agency in three small, frame buildings.

Adjacent land uses include the Trident Store, Brenner Brothers Bakery to the north, developed office uses to the south, office zoning developed as multifamily to the east and Avis auto sales and a dry cleaning firm to the west.

2. The existing rent-a-car facility is a nonconforming use under the existing O and PO zoning, and would become a conforming use under the proposed GC zoning.
3. Access to the site is from N.E. 8th Street or Old Bel-Red Road. Both streets, in the vicinity of the site, are planned for improvements through the local improvement district process.
4. The parcel is located within District 1 of the Wilburton Subarea. The land use diagram and Policy 21.V.7.205 support general commercial use of the property.
5. The transition area requirements of the Land Use Code are adequate to prevent any significant adverse impact to the multifamily housing east of the subject site if it is developed under GC zoning. There will be adequate setbacks and transitional landscaping between these parcels.

Section 2. The City Council concludes that:

1. The proposed reclassification is consistent with the Wilburton/N.E. 8th Street Subarea element of the Comprehensive Plan; is in accord with the goals and policies of the Comprehensive Plan; will not be materially detrimental on the immediate vicinity of the property or to the community as a whole; and there is merit and value in the proposed reclassification for the community as a whole.
2. The recommendation of the Hearing Examiner was unsupported by material and substantial evidence in view of the entire record as submitted, and was in error.
3. The appeal of the property owner should be, and hereby is, granted.

Section 3. The use classification of the following described real property is changed to GC:

That portion of Lot 77, Brierwood Park, as per plat thereof recorded in Volume 17 of Plats, Page 18, in the Records of King County, Washington, lying southeasterly of the center line of N.E. Bellevue-Redmond Road (No. 1387).

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 posting.

PASSED by the City Council this 6th day of December 1982, and signed in authentication of its passage this 6th day of December 1982.

(SEAL)

Roy A. Ferguson
Roy A. Ferguson, Mayor

Approved as to form:

Linda M. Youngs, City Attorney

Richard Gidley
Richard Gidley, Assistant City Attorney

Attest:

Marie K. O'Connell
Marie K. O'Connell, City Clerk

Published December 11, 1982