

WP0129C-ORD
01/28/93

ORIGINAL

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4495

AN ORDINANCE approving an amendment to the plat of Vuemont South and revoking the Vuemont South Planned Unit Development, located at 4756 164th Avenue S.E., upon application of Lancaster Homes, Inc., File Nos. PP 90-2467 and PFPUD 90-6899.

WHEREAS, on March 9, 1992, the City Council adopted Ordinance No. 4337 approving the preliminary plat and preliminary and final plans for a planned unit development thereon, located at 4756 164th Avenue S.E.; and

WHEREAS, the applicant applied for an amendment of the plat for the purpose of modifying the affordable housing condition imposed thereon and for a revocation of the planned unit development approved in connection with approval of the plat; and

WHEREAS, a hearing was held before the Hearing Examiner on the application on January 14, 1993 upon proper notice to all interested persons; and

WHEREAS, the Hearing Examiner issued his findings, conclusions and recommendation in said matter on January 21, 1993, in which he recommended approval of the application to amend the plat and revoke the planned unit development; and

WHEREAS, the City Council concurs in the findings and conclusions of the Hearing Examiner and has determined to approve the application as recommended by the 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 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, Conclusions and Recommendation of the Hearing Examiner for the City of Bellevue, In the Matter of Lancaster Homes, Inc. For Amendment to Plat and Revocation of Planned Unit Development, File Nos. PP 90-2467 and PFPUD 90-6899."

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Section 2. The City Council hereby approves with conditions the application to amend the plat of Vuemont South and hereby revokes the preliminary and final planned unit development approved in connection therewith by Ordinance No. 4337, which plat is located at 4756 164th Avenue S.E. and is more particularly described in Exhibit A attached hereto and by this reference incorporated herein.

Provided, that this approval 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 plans and attachments, conditions, commitments, reports, and other documents relating to the plat, given Clerk's Receiving No. ~~18864~~ which are hereby approved and by this reference fully incorporated herein.

Provided further, that this approval is subject to the following condition and is conditioned on full compliance by the owner or owners, and their heirs, assigns, grantees and successors in interest therewith:

32 (Amended). The applicant shall sign a detailed legal agreement designating the two duplex structures (four units) for affordable housing. Said agreement shall be signed prior to final approval or final occupancy inspection whichever comes first. The duplex units must receive final inspection and the applicant shall pay \$30,385 to satisfy the remaining affordability requirement prior to final plat approval for Division II. (This condition replaces Condition No. 32 of Ordinance No. 4337.)

Section 3. This ordinance shall be recorded with the King County Department of Records and Elections.

Section 4. It shall be noted on the final plat that said final plat is subject to the conditions contained in this ordinance.

Section 5. This ordinance shall take effect and be in force five (5) days after its passage and legal publication.

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PASSED by the City Council this 22nd day of February, 1993,
and signed in authentication of its passage this 22nd day of
February, 1993.

(SEAL)



Cary Bozeman, Mayor

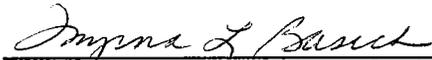
Approved as to form:

Richard L. Andrews, City Attorney



Richard L. Andrews, City Attorney

Attest:



Myrna L. Basich, City Clerk

Published February 26, 1993

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EXHIBIT A

PARCEL A:

The west 649.07 feet of the north half of the south half of the southwest quarter of the southwest quarter of Section 13, Township 24 north, range 5 east, W.M., in King County, Washington;

Except the west 30 feet thereof heretofore conveyed to King County for road by deed recorded under Auditor's File No. 1252888.

PARCEL B:

South half of the south half of the southwest quarter of the southwest quarter of Section 13, Township 24 north, range 5 east, W.M., in King County, Washington;

Except the west 30 feet thereof, heretofore conveyed to King County for road by deed recorded under Auditor's File No. 1253888.

PARCEL C:

The north 30 feet of the northwest quarter of the northwest quarter, in Section 24, Township 24 north, range 5 east, W.M., in King County, Washington;

Except the west 30 feet thereof deed in King County for road by deed recorded under Auditor's File No. 1340468.