

ORIGINAL

WP0434C-ORD
05/01/95

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4760

AN ORDINANCE reclassifying the Unigard site located at 15805 NE 24th Street from OU with existing PUDs to O with conditions retaining existing PUDs and prior conditions of approval on application of the City of Bellevue, and known as the Unigard Rezone.

WHEREAS, the City of Bellevue filed an application to reclassify approximately 55 acres located at 15805 NE 24th Street from OU with existing PUDs to O with conditions that retain the PUDs and prior conditions of approval; and

WHEREAS, on March 2, 1995, a public hearing was held on the reclassification application before the Hearing Examiner for the City of Bellevue pursuant to notice as required by law; and

WHEREAS, on March 22, 1995, the Hearing Examiner recommended approval, with conditions, of the rezone application and made and entered findings of fact and conclusions based thereon in support of that recommendation; and

WHEREAS, the City Council concurs in the findings of fact and conclusions of the Hearing Examiner and has determined that the public use and interest will be served by approving the reclassification; and

WHEREAS, the City has complied with the requirements of the State Environmental Policy Act and the City Environmental Procedures Code; 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 the recommendation to the City Council as set forth in "Findings, Conclusions and Recommendation of the Hearing Examiner of the City of Bellevue in the Matter of the Application of the City of Bellevue (Unigard Rezone) Request for Reclassification of the Unigard Site (55 acres) from OU with Existing PUDs to O/C with Conditions that Retain the Existing PUDs and Conditions of the Concomitant Agreement to Ordinance 2947, File No. REZ 94-7220".

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Section 2. The following described property is reclassified from OU with existing PUDs to O with conditions retaining existing PUDs and prior conditions of approval:

That portion of the West half of the Northeast quarter of Section 26, Township 25 North, Range 5 East, W.M., in King County, Washington, LYING Northerly of the centerline of Northup Way (Northup Road Revision No. 1431).

Section 3. This reclassification is subject to the following conditions:

1. The Unigard PUDs (PUD 71-7, FPDC 79-104 and PFPUD 91-235) and any subsequent amendments thereto approved by the City shall remain in effect and unaltered by this reclassification.

2. The Concomitant Agreement for Ordinance No. 2947 shall remain in effect and unaltered by this reclassification, specifically, Condition 1a which states:

The existing stand of fir trees on the subject site shall be retained to the extent permitted by the necessary installation of street and related improvements along the north side of Northup Way in that the site coverage allocation of the subject site shall be utilized on other portions of the 45-acre Planned Unit Development site. This stipulation does not preclude thinning, trimming or removal of understory shrub or brush or deceased or damaged fir trees if related to the protection and preservation of said stand of trees.

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Section 4. This Ordinance shall take effect and be in force five days after its passage and legal publication.

PASSED by the City Council this 1st day of May, 1995, and signed in authentication of its passage this 1st day of May, 1995.

(SEAL)



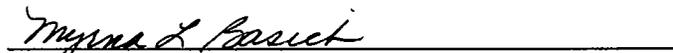
Donald S. Davidson, DDS, Mayor

Approved as to form:

Richard L. Andrews, City Attorney


Richard L. Andrews, City Attorney

Attest:


Myrna L. Basich, City Clerk

Published May 5, 1995