

0022-ORD
11/25/96

ORIGINAL

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4939

AN ORDINANCE approving the conditional use permit application of Emily's Dance Arts to locate a dance school in the Lake Hills Shopping Center, located at Lake Hills Boulevard and 156th Avenue SE; File No. CUDN 95-8167.

WHEREAS, Emily's Dance Arts has applied to the City for a conditional use permit to locate a dance school in the Lake Hills Shopping Center located at Lake Hills Boulevard and 156th Avenue SE; and

WHEREAS, on June 6, 1996, a public hearing was held thereon by the Hearing Examiner pursuant to notice required by law; and

WHEREAS, on June 11, 1996, the Hearing Examiner approved said application and made and entered findings of fact and conclusions based thereon in support of her recommendation; and

WHEREAS, pursuant to the provisions of Ordinance No. 4816, adopted December 4, 1995, the Hearing Examiner's determination to approve the application was in the form of a decision appealable to the City Council, and no appeal was filed; and

WHEREAS, subsequently, the Superior Court for King County ruled that the application was subject to the procedures which were in effect prior to the adoption of Ordinance No. 4816, under which the determination of the Examiner is in the form of a recommendation to the City Council, and

WHEREAS, it is therefore necessary for the City Council to take action on the application; and

WHEREAS, the City Council concurs in the findings of fact and conclusions of the Hearing Examiner; and

WHEREAS, the City of Bellevue has complied with the State Environmental Policy Act and the Bellevue 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 made and entered by the Hearing Examiner in support of his recommendation to the City 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 the Application of Emily's Dance Arts for a Conditional Use to locate Emily's Dance School in the Lake Hills Shopping Center," File No. CUDN 95-8167.

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Section 2. The City Council hereby approves the conditional use application for Emily's Dance Arts, on property legally described as:

PARCEL A:

Tracts B and C, Lake Hills Number 4, according to the plat thereof recorded in Volume 59 of Plats, pages 33 through 35, inclusive, in King County, Washington;

TOGETHER WITH that portion of vacated 155th Avenue Southeast adjoining, which attaches to said premises by operation of law.

PARCEL B:

Tract A, Lake Hills No. 6, according to the Plat thereof recorded in Volume 60 of Plats, page 38, in King County, Washington;

TOGETHER WITH that portion of vacated 155th Avenue Southeast adjoining, which attaches to said premises by operation of law;

AND TOGETHER WITH that portion of the southeast quarter of the southwest quarter of Section 35, Township 25 North, Range 5 East, W.M., in King County, Washington, lying northwesterly of the north line of said Tract A and easterly and southeasterly of Block 4, Lake Hills No. 23, according to the plat thereof recorded in Volume 64 of Plats, pages 80 through 89, inclusive, in King County, Washington.

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

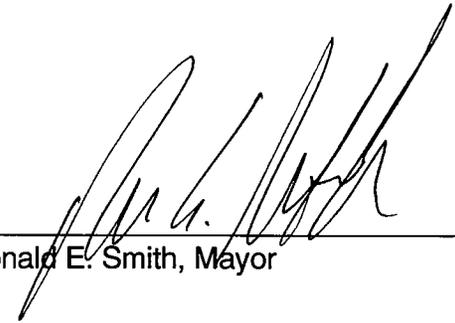
Section 4. This ordinance shall take effect and be in force five days after its passage and legal publication.

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PASSED by the City Council this 2nd day of December, 1996, and signed in authentication of its passage this 2nd day of December, 1996.

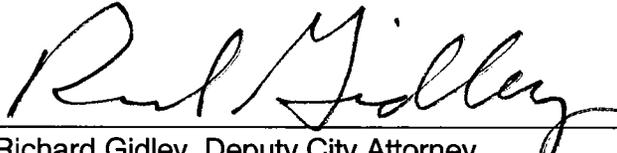
(SEAL)



Ronald E. Smith, Mayor

Approved as to form:

Richard L. Andrews, City Attorney



Richard L. Andrews, City Attorney

Attest:



Myrna L. Basich, City Clerk

Published December 6, 1996