

0052-ORD
02/24/97

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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4976

AN ORDINANCE revising the concomitant agreement on property located at 15241 NE 20th Street to allow senior citizen housing, senior congregate care housing, assisted living and nursing homes.

WHEREAS, on August 5, 1996, the Bellevue City Council passed Ordinance 4902, which revised Crossroads Subarea Policy S-CR-52 of the Comprehensive Plan to allow senior citizen housing, senior congregate care housing, nursing homes and assisted living facilities on the property at 15241 NE 20th Street; and

WHEREAS, the property is currently subject to a concomitant agreement that would prohibit such development; and

WHEREAS, on November 12, 1996, the subject application was filed, requesting an amendment to the concomitant agreement to conform with the Comprehensive Plan amendment and allow senior citizen housing, senior congregate care housing, nursing homes and assisted living facilities; and

WHEREAS, on January 16, 1997, a public hearing was held on the application before the Hearing Examiner for the City of Bellevue pursuant to notice as required by law; and

WHEREAS, on January 29, 1997, the Hearing Examiner recommended approval of the amendment to the concomitant agreement 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 amendment to the concomitant agreement; 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 with regard to the hereinafter described property located at 15241 NE 20th Street as set forth in "Findings, Conclusions and Recommendations of the Hearing Examiner for the City of Bellevue in the Matter of the Application of Jane Koler (Ojala Property) Request for Approval of Revision to Concomitant Agreement for Rezone No.

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PC-A-77-47 to Allow Development of Property at 15241 NE 20th Street for Senior Housing facilities", File No. REZ 96-8643.

Section 2. Condition No. 1(a) of the concomitant agreement approved by Ordinance No. 2779, filed under King County Recording No. 7911190508 and applying to the following described property:

Parcel A:

The East half of the Northwest Quarter of the Southeast Quarter of the Northwest Quarter of Section 26, Township 25 North, Range 5 East, Willamette Meridian, in King County, Washington;

Except the North 30 feet conveyed to King County for road by deed recorded under Recording Number 1723680; and

Except a Northwesterly portion thereof condemned by King County under King County Superior Court Cause Number 233307; and

Except that portion condemned by the City of Bellevue for the Widening of Northup Way under King County Superior Court Cause Number 85-2-20215-5; and

Except the East 132 feet of the north 328 feet of the remainder;

Parcel B:

The East 132 feet of the North 328 feet of the following described property:

The East half of the Northwest Quarter of the Southeast Quarter of the Northwest Quarter of Section 26, Township 25 North, Range 5 East, Willamette Meridian, in King County, Washington;

Except the North 30 feet conveyed to King County for road by deed recorded under recording number 1723680; and

Except a Northwesterly portion thereof condemned by King County under King County Superior Court Cause Number 233307; and

Except that portion condemned by the City of Bellevue for the widening of Northup Way under King County Superior Court Cause Number 85-2-20215-5.

is revised as follows:

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1. Specific Conditions:

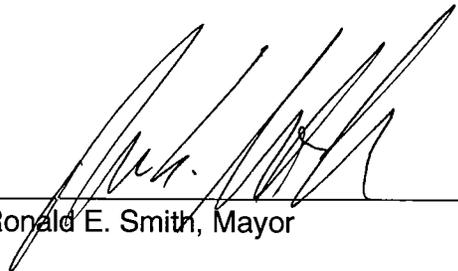
- a. Residential uses are prohibited on the subject property with the exception of senior citizen housing, senior congregate care housing, nursing homes, and assisted living facilities.

PROVIDED THAT this revision is conditioned on full compliance by the owner or owners of the property described herein, their heirs, assigns, grantees or successors in interest, with the terms and conditions of that certain Amendment to Concomitant Agreement, which has been given Clerk's Receiving No. 24142, and which by this reference is fully incorporated herein.

Section 3. This Ordinance shall take effect and be in force five days after its passage and legal publication.

PASSED by the City Council this 3rd day of March, 1997, and signed in authentication of its passage this 3rd day of March, 1997.

(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 March 7, 1997