

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5378

AN ORDINANCE approving the rezone application of Novadyne Engineering, LLC to rezone approximately 1.88 acres from R-1 (Single Family, One unit per acre) to R-1.8 (Single Family, 1.8 unit per acre) near the intersection of SE Cougar Mountain Way and 166th Way SE in the Newcastle Subarea.

WHEREAS, on June 14, 2000, an application was filed by Novadyne Engineering, LLC seeking a rezone of approximately 1.88 acres of land located about 100 feet south of the intersection of SE Cougar Mountain Way and 166th Way SE from R-1 to R-1.8.

WHEREAS, public notice of the request was published on October 26, 2001, and the request was considered at a public meeting on November 8, 2001; and

WHEREAS, a public hearing was held before the Hearing Examiner for the City of Bellevue on April 25, 2002 pursuant to notice required by law; and

WHEREAS, on May 7, 2002, the Hearing Examiner recommended approval of the rezone application with conditions, and made and entered findings of fact and conclusions 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 rezone application; 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 as set forth in "Findings, Conclusions and Recommendations of the Hearing Examiner for the City of Bellevue in the Matter of the Application of Novadyne Engineering, LLC, for rezone of approximately 1.88 acres located approximately 100 feet south of the intersection of SE Cougar Mountain Way and 166th Way SE from R-1 to R-1.8, File No. LQ-00-244948.

Section 2. The following described property is hereby rezoned from R-1 to R-1.8:

That portion of the Northwest quarter of the Northwest quarter of Section 25. Township 24 North, Range 5 East, W.M., in King County, Washington, described as follows:

Commencing at the Southeast corner of said subdivision; thence Westerly along the South line thereof 486.00 feet to the True point of Beginning; thence Northerly parallel with the East line of said subdivision 349.00 feet; thence Westerly parallel with the South line of said subdivision to the centerline of 166th Way SE (Nels Berglund Road); thence Southwesterly along said centerline to the South line of said subdivision; thence Easterly along said South line to the True Point of Beginning;

EXCEPT that portion thereof described as follows:

Commencing at the intersection of the South line of the Northwest quarter of the Northwest quarter of said Section 25 and the Easterly margin of said 166th Way SE; thence Northeasterly along said Easterly margin to point 175.00 feet Northerly, measured at right angles to the South line of said subdivision and the True Point of Beginning; thence Northwesterly perpendicular to the centerline of said 166th Way SE a distance of 30.00 feet to the centerline of said 166th Way SE; thence Southwesterly along said centerline to the South line of said subdivision; thence Easterly along said South line to the Easterly margin of said 166th Way SE; thence continuing Easterly along said South line 74.00 feet; thence Northwesterly to the True Point of Beginning;

AND EXCEPT the South 39.00 feet thereof.

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

Passed by the City Council this 17th day of June, 2002, and signed in authentication of its passage this 17th day of June, 2002.

(SEAL)

Connie B. Marshall, Mayor

Approved as to form:

Richard L. Andrews, City Attorney

Lori M. Riordan, Assistant City Attorney

Attest:

Myrna L. Basich, City Clerk

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