

ORIGINAL

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5756

AN ORDINANCE approving the rezone application of Holly Smith of Polygon Homes to rezone .27 acres at 148 102nd Ave. SE from Office to R-30, multifamily residential.

WHEREAS, Holly Smith of Polygon Homes filed an application to rezone .27 acres at 148 102nd Ave. SE from Office to R-30, multifamily residential; and

WHEREAS, on June 28, 2007 a public hearing was held before the Hearing Examiner for the City of Bellevue pursuant to notice as required by law; and

WHEREAS, on July 11, 2007, the Hearing Examiner recommended approval of the rezone application and made and entered findings of fact and conclusions based thereon in support of that recommendation, and no timely appeal thereof has been filed; 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 of said property to R-30, multifamily residential, and that the criteria of Land Use Code Section 20.30A.140 have been satisfied; 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 of Fact, Conclusions of Law and Recommendation in the Matter of the Rezone Application of Holly Smith of Polygon Homes BELLEWOOD APARTMENTS For a property located at 148 102nd Ave., SE".

Section 2. The property described below is hereby rezoned from Office to R-30, multifamily residential.

Lot 2, City of Bellevue Boundary Line Adjustment No. 06-106048 LW, as filed under Recording No. 20060518900019, in King County, Washington;

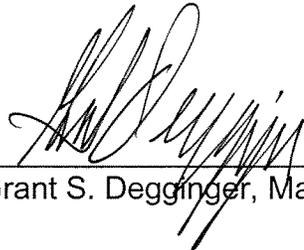
Together with the North half of S.E. 3rd Street lying adjacent to the Southerly line of said Lot 2;

And together with the East half of 102nd Avenue S.E. lying adjacent to the West line of said Lot 2.

Section 3. This ordinance shall take effect and be in force five (5) days after passage and legal publication.

Passed by the City Council this 6th day of August, 2007 and signed in authentication of its passage this 6th day of August, 2007.

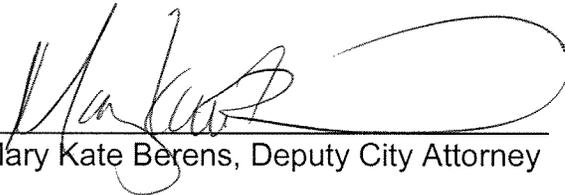
(SEAL)



Grant S. Degginger, Mayor

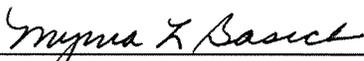
Approved as to form:

Lori M. Riordan, City Attorney



Mary Kate Berens, Deputy City Attorney

Attest:



Myrna L. Basich, City Clerk

Published August 9, 2007