

ORDINANCE NO. 2398

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, ADOPTING THE HEARING EXAMINER'S DECEMBER 10, 2007, RECOMMENDATION TO APPROVE WITH CONDITIONS THE PEARCE PLANNED RESIDENTIAL DEVELOPMENT (FILE L040103), AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, CamWest Development Inc., herein referred to as applicant, submitted an application to develop a 76-lot, planned residential development (PRD) on 17.26 acres located at 11215 178th Court NE; and

WHEREAS, a planned residential development is a Type IV permit decision; and

WHEREAS, the Redmond Community Development Guide authorizes the Hearing Examiner to conduct an open record hearing for the planned residential development and make a recommendation with findings of fact, conclusions of law, and conditions of approval for the PRD to the City Council for consideration; and

WHEREAS, on November 19, 2007, the Hearing Examiner conducted an open record hearing to receive and review the application record and to hear verbal testimony relative to the Pearce Planned Residential Development (File L040103) and Preliminary Plat (L040104) and the SEPA appeals submitted by Jerry Creek (File L070301) and Werner Deganseman and Sigmunde Potgieter (L070318); and

WHEREAS, on December 10, 2007, the Hearing Examiner conditionally approved the Pearce preliminary plat (L040104) and recommended approval of the Pearce PRD (File L040103) subject to conditions and denied the Jerry Creek SEPA

appeal (File L070301) and the Werner Deganseman and Sigmunde Potgieter SEPA appeal (L070318); NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON,
DO ORDAIN AS FOLLOWS:

Section 1. Findings, Conclusions, and Conditions of Approval. After carefully reviewing the record and considering the evidence and arguments in the record and in the Hearing Examiner's recommendation, the City Council hereby adopts the findings, analysis, and conclusions in the Hearing Examiner's recommendation for the Pearce Planned Residential Development dated December 10, 2007.

Section 2. Approval. The City Council hereby approves the Pearce Planned Residential Development, subject to the conditions of approval identified in the Hearing Examiner's recommendation dated December 10, 2007.

Section 3. Duties of Planning Director. The Planning Director is hereby authorized and directed to make any appropriate notations on the official zoning map of the city in order to reflect the approval of the PRD as provided in this ordinance.

Section 4. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

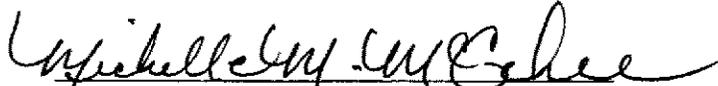
Section 5. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City's legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

CITY OF REDMOND



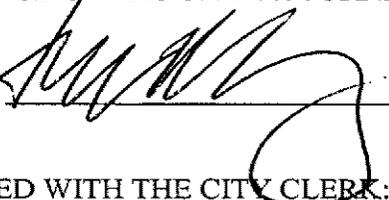
JOHN MARCHIONE, MAYOR

ATTEST/AUTHENTICATED:



MICHELLE M. MCGEHEE, CITY CLERK

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

By: 

FILED WITH THE CITY CLERK:	April 11, 2008
PASSED BY THE CITY COUNCIL:	May 20, 2008
SIGNED BY THE MAYOR:	May 20, 2008
PUBLISHED:	May 26, 2008
EFFECTIVE DATE:	May 31, 2008
ORDINANCE NO.: <u>2398</u>	