

ORDINANCE NO. 2377

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, ADOPTING THE TECHNICAL COMMITTEE'S DECEMBER 4, 2007 RECOMMENDATION TO APPROVE WITH CONDITIONS THE MICROSOFT LONG-TERM TEMPORARY USE PERMIT AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Microsoft, herein referred to as applicant, submitted an application on October 9, 2007 to construct a 248-stall temporary parking lot on a 2.55-acre site located between 154 Place NE and NE 45 Place west of 156 Avenue NE on the former Safeco Campus to be used as construction worker parking for a period of 24 months; and

WHEREAS, a long-term temporary use permit is a Type V permit decision; and

WHEREAS, the Redmond Community Development Guide authorizes the City Council to conduct an open record hearing for the long-term temporary use permit to consider public testimony and take action; and

WHEREAS, the Technical Committee is recommending that the City Council approve the Microsoft Long-Term Temporary Use Permit (File No. L070472) with conditions, 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 Technical Committee's December 4, 2007 recommendation, the City Council

hereby adopts the findings, analysis, and conclusions in the Technical Committee's recommendation for the Microsoft Long-Term Temporary Use Permit (File No. L070472).

Section 2. Approval. The City Council hereby approves the Microsoft Long-Term Temporary Use Permit, subject to the conditions of approval identified in the Technical Committee's recommendation .

Section 3. 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.

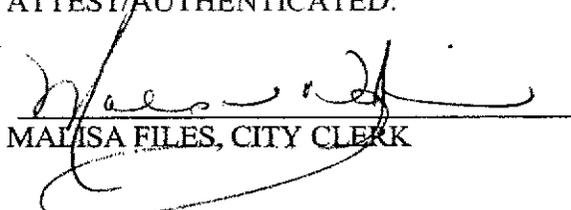
Section 4. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City's legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

CITY OF REDMOND



ROSEMARIE IVES, MAYOR

ATTEST/AUTHENTICATED:



MALISA FILES, CITY CLERK

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

By: _____

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
SIGNED BY THE MAYOR:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO.: 2377

November 29, 2007
December 4, 2007
December 6, 2007
December 10, 2007
December 15, 2007

ATTACHMENT D

TECHNICAL COMMITTEE FINDINGS

The Redmond Community Development contains requirements that must be met in order for the City Council to grant approval of a Long-Term Temporary Use Permit. The Technical Committee finds that the Microsoft application for a Long-Term Temporary Use permit for construction and use of a parking lot on the former Safeco site complies with the following criteria as conditioned in Attachment E.

RCDG 20D.190.10-030 Temporary Use Determinations

- (1) The temporary use will not impair the normal, safe, and effective operation of a permanent use on the same site.**

The site is currently vacant and is accessible via a private street. The private street is used to access the existing development on the former Safeco campus, as well as the Safeco Data Center parcel west of the subject site. The applicant has indicated that the construction workers will be arriving at the site between 5:30 – 6:30 am to catch the shuttle bus and leaving the site between 2:30 – 3:30 pm, outside the normal commute hours for Microsoft and Safeco employees.

- (2) The temporary use will be compatible with uses in the general vicinity and on adjacent properties.**

The temporary parking lot will be compatible with uses in the general vicinity. The Safeco Data Center site, adjacent to the subject site to the west, contains a surface parking lot. The applicant is required to provide landscaping along the northern border of the proposed parking lot and adjacent to the pedestrian path behind the Safeco Data Center building to screen the parking lot, as well as provide a consistent landscape treatment as is provided with the Safeco Data Center surface parking lot. The proposed parking facility will be screened to the east and south by existing dense, mature vegetation.

- (3) The temporary use will not significantly impact public health, safety or convenience, or create traffic hazards or congestion, or otherwise interrupt or interfere with the normal conduct or uses and activities in the vicinity.**

The temporary use will not significantly impact public health, safety or convenience. Traffic generated from the temporary use will arrive at the site between 5:30 – 6:30 am and leave the site between 2:30 – 3:00 pm. Between those hours, shuttles will transport the workers between the temporary parking lot and the construction site. The cars and shuttles associated with the temporary use will arrive at and leave the site outside of normal commute hours.

- (4) The use and associated structures will be conducted and used in a manner compatible with the surrounding area.**

The proposed parking lot will be compatible with the surrounding area. There will be limited impacts to traffic flow, as the vehicles using the site will arrive and leave the parking lot before normal commute hours.

- (5) The temporary use shall comply with the goals, policies and standards of the Development Guide.**

As conditioned in Attachment H, the temporary use complies with the goals, policies and standards of the Development Guide. More specifically, the proposal complies with Section 20D.190 – Temporary Uses requiring temporary uses to be safe and compatible with the general vicinity and adjacent uses.