

**CITY OF REDMOND
ORDINANCE NO. 2611 (AM)**

AN ORDINANCE OF THE CITY OF REDMOND,
WASHINGTON, ADOPTING THE HEARING EXAMINER'S
JULY 20, 2011, RECOMMENDATION TO APPROVE WITH
CONDITIONS THE SHAUGHNESSY HEIGHTS PLANNED
RESIDENTIAL DEVELOPMENT MODIFICATION (FILE
L110195), AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, on November 5, 2007, the City Council held a closed record meeting and approved the Shaughnessy Heights PRD by ordinance; and

WHEREAS, on May 24, 2011, IBBO LLC/Amalani LLC, herein referred to as applicant, submitted an application to modify the Shaughnessy Heights PRD; and

WHEREAS, on March 3, 2009, the City Council adopted Ordinance No. 2447, repealing the PRD provisions of the Redmond Community Development Guide; and

WHEREAS, due to vesting, modifications to a PRD must be processed under the repealed regulations; and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 July 6, 2011, the Hearing Examiner conducted an open record hearing to receive and review the application record

and to hear verbal testimony relative to the Shaughnessy Heights Planned Residential Development Modification (File L110195); and

WHEREAS, on July 20, 2011, the Hearing Examiner recommended approval of the Shaughnessy Heights PRD Modification (File L110195) subject to 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 Hearing Examiner's recommendation, the City Council hereby adopts the findings, analysis, and conclusions in the Hearing Examiner's recommendation for the Shaughnessy Heights PRD Modification dated July 20, 2011, provided, that the sentence in the Hearing Examiner's Finding 22 which reads, "City noted that some of the landscaping required by the 2007 conditions of approval has already been planted in the off-site City utility easement adjacent to the site and that compliance with the conditions of approval would be reviewed at time of civil engineering construction permit approval" is hereby adopted as modified to read, "City noted that compliance with the conditions of approval would be reviewed at time of civil engineering construction permit approval."

Section 2. Approval. The City Council hereby approves the Shaughnessy Heights Planned Residential Development Modification, subject to the conditions of approval identified in the Hearing Examiner's recommendation dated July 20, 2011.

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 Modification, 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 shall take effect five (5) days after publication of an approved summary thereof consisting of the title, or as otherwise provided by law.

ADOPTED by the Redmond City Council this 16th day of August,
2011.

CITY OF REDMOND



RICHARD COLE, MAYOR PRO TEM

ATTEST:



MICHELLE M. MCGEHEE, CMC, CITY CLERK (SEAL)

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:



JAMES HANEY, CITY ATTORNEY

FILED WITH THE CITY CLERK: August 10, 2011
PASSED BY THE CITY COUNCIL: August 16, 2011
SIGNED BY THE MAYOR: August 16, 2011
PUBLISHED: August 22, 2011
EFFECTIVE DATE: August 27, 2011
ORDINANCE NO. 2611(AM)

ADOPTED 6-0: Carson, Cole, Margeson, Myers, Stilin and Vache