ORDINANCE NO. 2376

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 use an existing 341-stall parking lot on a three-acre site located at the northwest corner of NE 51st Street and 148th Avenue NE on a vacant lot formerly owned by Nintendo to be used as employee parking until May 31, 2009; 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. L070474) 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. L070474).

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:	November 29, 2007
PASSED BY THE CITY COUNCIL:	December 4, 2007
SIGNED BY THE MAYOR:	December 6, 2007
PUBLISHED:	December 10, 2007
EFFECTIVE DATE:	December 15, 2007
ORDINANCE NO.: 2376	

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 use of an existing parking lot on the site at the intersection of NE 51st Street and 148th Avenue NE formerly owned by Nintendo complies with the following criteria as conditioned in Attachment F.

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 except for the existing parking lot. The parking lot is accessible using the Microsoft Redmond West Campus entrance off 148th Avenue NE. The additional traffic generated from the parking lot has not impaired the normal, safe, effective operation of the permanent Redmond West Campus uses within the last six months and is not anticipated to do so during the duration requested for the Long-Term Temporary Use Permit.

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

The temporary use will be compatible with uses in the general vicinity. A parking facility is compatible with the adjacent office use and is screened with vegetation and set back into the site, as not to impact the golf course use across 148th Avenue NE.

(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 parking lot will not significantly impact public health, safety or convenience. The additional traffic generated currently does not impact congestion on 148th Avenue NE or interfere with the normal conduct of the uses on the Redmond West Campus.

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

The use can be conducted in a manner that is compatible with the surrounding area. The parking lot currently exists and will not result in any newly generated traffic or impacts that do not already exist at the site.

(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, polices 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.