

**CITY OF MERCER ISLAND
ORDINANCE NO. 14C-10**

**AN ORDINANCE OF THE CITY OF MERCER ISLAND, WASHINGTON,
AMENDING THE ZONING MAP (MERCER ISLAND CITY CODE,
TITLE 19, UNIFIED LAND DEVELOPMENT CODE) DESIGNATION OF
A CERTAIN PROPERTY WITHIN THE CITY LIMITS OF MERCER
ISLAND AT 8215 SE 78TH STREET, AS SPECIFICALLY DESCRIBED
BELOW, FROM R-9.6 SINGLE FAMILY RESIDENTIAL TO P, PUBLIC
INSTITUTION.**

WHEREAS, in compliance with the Washington State Growth Management Act, Chapter 36.70A RCW, the City of Mercer Island adopted a Comprehensive Plan in 1994 and has amended the plan on several occasions since that time; and

WHEREAS, in compliance with the Washington State Growth Management Act, Chapter 36.70A RCW, the City of Mercer Island has adopted a zoning code and map (Mercer Island City Code, Title 19, Unified Land Development Code); and

WHEREAS, the existing zoning map in the Unified Land Development Code is not consistent with the adopted Comprehensive Plan Land Use Designation; and

WHEREAS, 36.70A requires the Comprehensive Plan and Unified Land Development Code to be consistent; and

WHEREAS, The City of Mercer Island has met all applicable public notice requirements for said rezoning according to MICC 19.15.020, as detailed below; and

WHEREAS, state agencies received 60 day notice of Mercer Island's proposed development code map amendment on February 21, 2014, and no formal comments were received; and

WHEREAS, on February 24, 2014 a Public Notice of Application, Public Hearing and SEPA DNS Likely was mailed to all property owners within 600 feet of the subject property, published in the City's permit bulletin, posted at City Hall and posted on the rezone site, giving notice of three public open houses regarding the rezone proposal and of the Planning Commission open record public hearing, and encouraging public participation; and

WHEREAS, on February 26, 2014 a Public Notice of Application, Public Hearing and SEPA DNS Likely was published in the Mercer Island Reporter, giving notice of the Planning Commission open record public hearing, and encouraging public participation; and

WHEREAS, on March 17, 2014 the City of Mercer Island issued a SEPA Threshold Determination (DNS) for the rezone which was mailed to all property owners within 600 feet of the subject property, emailed to SEPA agencies and parties of record, published in the City's permit bulletin, and posted at City Hall; and

WHEREAS, the Planning Commission held an open record public hearing on April 2, 2014, and continued the open record public hearing to April 16, 2014, May 7, 2014 and May 14, 2014, and recommended approval of the proposed rezone, finding the application consistent with the prescribed review criteria of MICC 19.15.020 (G)(2); and

WHEREAS, the City Council held a public meeting on May 19, 2014 to provide opportunities for formal public comment on these matters; and

WHEREAS, the City Council decided, after receiving a request from the Mercer Island School District, to remand to the Planning Commission for further deliberation the application for the proposed rezone of Lakeridge Elementary; and

WHEREAS, on June 23, 2014 a Public Notice of Open Record Hearings was published in the City's permit bulletin giving notice of the Planning Commission open record public hearing, and encouraging public participation;

WHEREAS, on June 30, 2014 a Public Notice of Open Record Hearings was mailed to all property owners within 600 feet of the Lakeridge Elementary site, posted at City Hall and posted on the site, giving notice of the Planning Commission open record public hearing, and encouraging public participation; and

WHEREAS, the City Council held a public meeting on September 2, 2014 to provide opportunities for formal public comment on these matters.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON HEREBY ORDAINS AS FOLLOWS:

Section 1. **Reclassification - Rezone.** The Mercer Island City Council hereby approves the amendment to the City's zoning map, as shown in Exhibit 1, by reclassification and rezone, from "R-9.6" to "P", the real property legally described as:

*SE 1/4 OF SE 1/4 OF SE 1/4 LESS N 30 FT LESS E 30 FT FOR ST TGW POR
OF W 1/2 OF E 1/2 OF SE 1/4 SD SEC BEG AT NW COR OF SE 1/4 OF SE 1/4
OF SE 1/4 TH S 01-14-26 WALG E LN OF SD W 1/2 30 FT TO TPOB TH S 79-
16-21 W 56.22 FT TH S 01-14-26 W 195.35 FT TH S 54-50 E 66.29 FT TH N 01-
14-26 E 244 FT TO TPOB AKA PARCEL B MI LLA NO 84-07-23 REC NO
8408099009 REV BY LLA NO 850408
(Commonly known as Lakeridge Elementary School)*


Section 2. **Severability.** If any section, sentence, clause or phrase of this ordinance or any municipal code section amended hereby should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause or phrase of this ordinance or the amended code section.

Section 3: **Ratification.** Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.

Section 4: Effective Date. This Ordinance shall take effect and be in force on 30 days after its passage and publication.

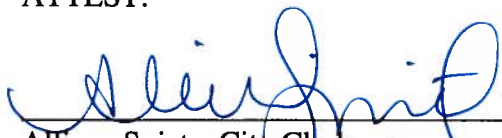
PASSED by the City Council of the City of Mercer Island, Washington at its regular meeting on the 15th day of September 2014 and signed in authentication of its passage.

CITY OF MERCER ISLAND



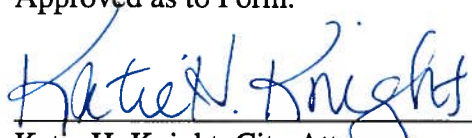
Bruce Bassett, Mayor

ATTEST:



Allison Spietz, City Clerk
Date of Publication: 9/24/2014

Approved as to Form:



Katie H. Knight, City Attorney

EXHIBIT 1

Lakeridge Elementary



Lakeridge Elementary
Map Version: 6/24/2014

- Zone Change
- Existing Zoning Line
- Property Lines

