

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6740

AN ORDINANCE approving the rezone application Permit File No. 22-127108-LQ; rezone of a 3.17-acre site located at 15400 SE 30th Place from Office (O) to Office Limited Business 2 (OLB-2).

WHEREAS, on October 24, 2022, the City of Bellevue received an application to rezone a 3.17-acre site, located at 5400 SE 30th Place, from Office (O) to Office Limited Business 2 (OLB-2); and

WHEREAS, the legal description of the Property is attached hereto as Exhibit A and by this reference incorporated herein; and

WHEREAS, the City published public notice of the application on December 1, 2022 and held a public meeting on the application on December 14, 2022; and

WHEREAS, on March 30, 2023, the Hearing Examiner for the City of Bellevue held a public hearing on the rezone application pursuant to notice required by law; and

WHEREAS, on April 13, 2023, the Hearing Examiner recommended approval of the rezone application, subject to a condition of approval recommended by the Hearing Examiner and the City's Development Services Department; and

WHEREAS, the Hearing Examiner, as part of her recommendation of approval, made and entered findings of fact and conclusions of law in support of the recommendation and the condition of approval contained therein; and

WHEREAS, the City Council concurs with the findings of fact, conclusions of law, and condition of approval recommended by the Hearing Examiner, and Council has determined that the public use and interest will be served by approving the rezone application; and

WHEREAS, the Environmental Coordinator for the City of Bellevue determined that this rezone is the same proposal evaluated in connection with the Comprehensive Plan Amendment (CPA) for the Property, File No. 16-123765-AC and approved by Ordinance 6393, and the City has adopted the October 12, 2017 Determination of Non-significance issued for the CPA pursuant to WAC 197-11-600(4)(a); and

WHEREAS, the City has complied with the requirements of the State Environmental Policy Act, chapter 43.21C RCW and WAC 197-11-600, and the City's Environmental Procedures Code, chapter 22.02 BCC; and

WHEREAS, on May 8, 2023, City staff presented information on this rezone application at the Council's Regular Session meeting; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The City Council adopts the findings of fact, conclusions of law, and condition of approval made and entered by the Hearing Examiner in support of the recommendation to the City Council regarding the Property as set forth in the Findings of Fact, Conclusions of Law and Recommendation of the Hearing Examiner “In the Matter of the Application for NCR Building Rezone For a Rezone of 3.17 Acre Parcel from Office (O) to Office Limited Business 2 (OLB-2).”

Section 2. The Property is legally described in Exhibit A, which is attached hereto and by this reference fully incorporated herein, and is hereby rezoned from Office (O) to Office Limited Business 2 (OLB-2), subject to the condition described below.

Section 3. Condition of Approval. In addition to the rezone of the parcel from O to OLB-2, the rezone is subject to the following condition:

A. Approval of this rezone does not constitute an approval of any Land Use Code amendments, Land Use Entitlement review, or any other ancillary permits that may be required for the design and construction of any proposed development on the rezone site.

Section 4. Effective Date. This Ordinance shall take effect and be in force five (5) days after adoption and legal publication.

Passed by the City Council this _____ day of _____, 2023 and signed in authentication of its passage this _____ day of _____, 2023.

(SEAL)

Lynne Robinson, Mayor

Approved as to form:

Kathryn L Gerla, City Attorney

Attest:

Charmaine Arredondo, City Clerk

Published: _____

EXHIBIT A

Legal Description

LOTS 3 AND 4, BLOCK 5, SHOWN ON THE PLAT OF CC&F I-90/BELLEVUE BUSINESS PARK, DIVISION 2, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 120 OF PLATS, PAGES 78 THROUGH 80, INCLUSIVE, IN KING COUNTY, WASHINGTON, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWESTERLY CORNER OF SAID LOT 4;
THENCE FROM SAID POINT OF BEGINNING ALONG THE BOUNDARY OF SAID PLAT SOUTH 88°51'40" EAST 427.00 FEET;
THENCE LEAVING SAID BOUNDARY SOUTH 01°08'20" WEST 61.04 FEET;
THENCE SOUTH 40°38'00" WEST 662.07 FEET TO THE MOST SOUTHERLY CORNER OF SAID LOT 4;
THENCE ALONG THE SOUTHWESTERLY BOUNDARY OF SAID LOT 4 NORTH 29°14'07" WEST 76.52 FEET;
THENCE LEAVING SAID SOUTHWESTERLY BOUNDARY NORTH 60°45'53" EAST 30.00 FEET;
THENCE NORTH 04°20'55" EAST 122.96 FEET TO AN ANGLE POINT IN THE LINE BETWEEN LOTS 4 AND 5 OF SAID PLAT;
THENCE ALONG THE WESTERLY BOUNDARY OF SAID LOT 4 NORTH 01°08'20" EAST 368.00 FEET TO THE POINT OF BEGINNING;

(ALSO KNOWN AS LOT 4 OF CITY OF BELLEVUE LOT LINE REVISION NUMBER 83-23 ACCORDING TO THE SURVEY RECORDED UNDER KING COUNTY RECORDING NUMBER 8307069013.)

TOGETHER WITH AN EASEMENT FOR INGRESS, EGRESS, SIDEWALK AND UTILITIES OVER EASEMENT AS DELINEATED ON THE PLAT OF I-90/BELLEVUE BUSINESS PARK, DIVISION 2, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 120 OF PLATS, PAGE 78, IN KING COUNTY, WASHINGTON;
SAID EASEMENT WAS AMENDED BY INSTRUMENT RECORDED AS RECORDING NUMBER 8504290882;

EXCEPT ANY PORTION THEREOF LYING WITHIN THE MAIN TRACT THEREIN;

TOGETHER WITH AN EASEMENT FOR INGRESS, EGRESS, SIDEWALK AND UTILITIES OVER TRACT I ON THE PLAT OF I-90/BELLEVUE BUSINESS PARK, DIVISION 2, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 120 OF PLATS, PAGE 78, IN KING COUNTY, WASHINGTON.