

ATTACHMENT C

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. _____

AN ORDINANCE amending the selected land use designations in the Eastgate subarea for consistency with revisions to the Comprehensive Land Use Plan; repealing ordinances and concomitant agreements where the conditions have been met or are no longer necessary; and establishing an effective date.

WHEREAS, the City Council initiated the Eastgate/I-90 Land Use and Transportation Project in 2010 for the purposes of addressing the economic presence of this aging economic area and reexamining land use in the corridor in light of economic and growth challenges facing Bellevue in the years ahead as identified in the 2015 Update of the Comprehensive Plan; and

WHEREAS, the City Council established nine Council principles for the Eastgate/I-90 Land Use and Transportation Project in order to work with the community to plan and manage change rather than accommodate inevitable change in a haphazard way; and

WHEREAS, the City Council envisions Eastgate in 2030 as an area that is unique within the city, where thriving businesses will be adjacent to, and sometimes mixed with, livable neighborhoods, all served by a multi-modal transportation-system that connects the area to the greater city and region; that the area will also be distinguished by environmental and community amenities serving residents and employees in the area, as well as residents from surrounding neighborhoods and the entire city; and that the area will transition gracefully over time, with existing businesses being accommodated while new types of development occur as conditions warrant.

WHEREAS, the City has engaged in a multi-year planning process for Eastgate area that has included the work of the Eastgate Citizens Advisory Committee, the Planning Commission and other City boards and commissions that culminated in adoption of amendments to the City's Comprehensive Land Use Map to support the vision developed in the CAC Report and nine Council Principles; and

WHEREAS, the vision includes a concentration of the majority of growth in the Eastgate Subarea into a mixed-use, pedestrian-friendly and transit-oriented development adjacent to the Eastgate Park and Ride; and

WHEREAS, the City's Land Use Code establishes that area-wide amendments to the City's zoning designations shall be processed as legislative rezones through Process IV; and

WHEREAS, the Planning Commission held a public hearing on June 22, 2016 with regard to the Eastgate Subarea and associated zoning map and designations; and

WHEREAS, the City Council has considered the proposed zoning map and land use designations throughout the Eastgate Subarea; and

WHEREAS, the City Council finds that the proposed land use designations are consistent with the City's Comprehensive Land Use Map and the criteria of LUC Section 20.30A.140; and

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WHEREAS, parcels that are being rezoned are also the subject of concomitant zoning agreements that were adopted by ordinance; and

WHEREAS, concomitant zoning agreements were adopted to guide development in these districts; and

WHEREAS, some ordinances adopted separate concomitant zoning agreements by reference and other ordinances included concomitant zoning agreement provisions within the body of the ordinance;

WHEREAS, the City Council finds that these concomitant agreements and their ordinances should be repealed because the conditions of the concomitant agreements have been met or the impacts from more intense development will be mitigated by other code provisions; and

WHEREAS, the City of Bellevue has complied with the requirements of the State Environmental Policy Act (Chapter 43.21C RCW) and the City Environmental Procedures Code (Chapter 22.02 BCC), including preparation of the Determination of Nonsignificance dated June 9, 2016, now, therefore,

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

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Section 1. The property legally described in "Zoning Description EG-TOD" and given Clerk's Receiving No. _____ is hereby rezoned to Eastgate Transit-Oriented Development.

Zoning Description
EG-TOD

That portion of Section 10, Township 24 North, Range 5 East, W.M., in King County, Washington, described as follows:

Commencing at the northeast corner of the southeast quarter of said Section 10; thence westerly, along the north line of said southeast quarter, to the northeast corner of Lot 4, Lincoln Executive Center, Binding Site Plan No. 82-01, recorded under Recording No. 8208060826, records of King County Washington, and the Point of Beginning; thence continuing westerly, along the north line of said Lot 4 and the north line of aforesaid southeast quarter, to the east margin of the 136th UC, as shown on sheet 4 of SR 90 plans, Richards Road to Lake Sammamish (M.P. 7.71 to M.P. 11.73), dated June 12, 1969, being 136th UC Station 22+13.60, Rt. 37.00 feet; thence continuing westerly, along said margin, to 136th UC Station 22+13.62, Rt. 30.00 feet; thence northerly, continuing along said margin, to the northeast corner of said margin, being 136th UC Station 25+00, Rt. 30.00 feet; thence westerly along the northerly margin of said 136th UC, to the northwest corner thereof, being 136th UC Station 25+00, Lt. 30.00 feet; thence southerly, along the westerly margin of said 136th UC, to an angle point thereof, being 136th UC Station 24+50, Lt. 30.00 feet; thence westerly, along the northerly margin of FL5 to 136th UC, of aforesaid SR 90 Plans, to 136th UC Station 24+50, Lt. 43.00 feet; thence southwesterly, along the southerly line of Lots 10 and 9, Sunset Ridge I-90 Corporate Campus Binding Site Plan, volume 154 of plats, pages 77 through 80, records of King County, Washington, and the westerly extension thereof, to the centerline of 139th Ave SE; thence southerly, along said centerline to the northerly Turn-Back Line of aforesaid SR 90 Plans, thence easterly, along said northerly Turn-Back Line, to the southerly extension of the east line of Lot 5 of aforesaid Lincoln Executive Center Binding Site Plan; thence northerly, along said southerly extension and east line, to the south line of Lot 4 of aforesaid Lincoln Executive Center Binding Site Plan; thence easterly, along said south line to the east line thereof; thence northerly, along said east line, to aforesaid northeast corner and the Point of Beginning.

Pat H
11/10/14



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Section 2. The property legally described "Zoning Description NMU" and given Clerk's Receiving No. _____ is hereby rezoned to Neighborhood Mixed Use.

Zoning Description
NMU

That portion of the southwest quarter of Section 11, Township 24 North, Range 5 East, W.M., described as follows:

Beginning at the intersection of the west line of said southwest quarter and the LL line as shown on sheets 6 and 7 of SR 90 plans, Richards Road to Lake Sammamish (M.P. 7.71 to M.P. 11.73), dated June 12, 1969; thence easterly, along said LL line, to the east line of aforesaid southwest quarter; thence southerly, along said east line, to the north line of Tract B, Eastgate Addition Division B, volume 52 of plats, pages 13 through 18, records of King County, Washington; thence westerly, northerly, and westerly, along the north line and westerly extension of said Tract B and the north lines of Lots 1 through 7, Block 7, aforesaid plat of Eastgate Addition Division B to the westerly margin of 154th Ave SE, per said plat of Eastgate Addition Division B; thence southerly and westerly, along said westerly margin of 154th Ave SE, northerly margin of SE 38th St, also being the southerly line of Tract A of said plat of Eastgate Division B, to the easterly margin of 150th NB, being 150 NB Station 0+35.42, Rt. 42.99 feet, as shown on sheet 5 of aforesaid SR 90 plans; thence southerly, along said easterly margin, to the centerline of SE 38th St.; thence westerly, along said centerline, to 150 NB Station 0+00; thence continuing westerly, along said centerline, to the east end of the FR 6 line, being Station 507+08.31, as shown on aforesaid sheet 5 of SR 90 plans; thence westerly and northwesterly, along said FR 6 line, to the north margin of SE 37th St, as platted adjacent to Block 1, Eastgate Addition Division G, volume 54 of plats, pages 18 and 19, records of aforesaid King County, thence westerly, along said north margin, to the west line of aforesaid southwest quarter; thence northerly, along said west line, to the Point of Beginning.

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Section 3. The property legally described in "Zoning Description OLB 2" and given Clerk's Receiving No. _____ is hereby rezoned to Office/Limited Business 2.

Zoning Description
OLB 2

That portion of Section 11, and 14, Township 24 North, Range 5 East, W.M., described as follows:

Beginning at the intersection of the centerline of 156th Ave SE and the northwesterly extension of the northerly line of Parcel 1, BLA No. 03-114869LW, recorded under King County Recording No. 20040713900001; thence southeasterly, along said northwesterly extension and northerly line of said Parcel 1, and continuing southeasterly along the northerly line of Parcel 2 of said BLA No. 03-114869LW and its southeasterly extension, to the centerline of 160th Ave SE; thence northeasterly, along said centerline, to the northerly margin of said 160th Ave SE; thence southeasterly, along said margin and northerly line of Parcel 8 of aforesaid BLA and the southeasterly extension of said Parcel 8, to the centerline of 161st Ave SE; thence southwesterly, along said centerline, to the easterly extension of the north line of Lot 2, Block 1, CC&F I-90 Bellevue Business Park Division 1, volume 121 of plats, page 01, records of King County WA.; thence southerly, continuing along said centerline, to the westerly extension of the south line of Spirit Ridge Park, as described in Statutory Warranty Deed recorded under King County Recording No. 8203170666; thence easterly, along said westerly extension and south line, to the east line of the northwest quarter of the southeast quarter of aforesaid Section 11; thence southerly, along said east line, to the centerline of SE 35th Pl SE, formerly known as Vasa Park Road; thence westerly, along said centerline, to the Turn-back Line located at VPROC Station 41+51.18, as shown on sheet 7 of SR 90 Plans, Richards Road to Lake Sammamish (M.P. 7.71 to M.P. 11.73), dated June 12, 1969; thence southeasterly, along said Turn-back line, to the southeasterly margin of said Vasa Park Road and the northerly margin of FR 9 Line of said SR 90 Plans; thence southerly, along said northerly margin of FR 9 Line to an angle point therein, being FR 9 Station 10+75, Lt. 75 feet; thence southeasterly, along said northerly margin, to FR 9 Turn-back Line, being FR 9 Station 11+18.54, Lt. 75 feet; thence southwesterly, along said FR 9 Turn-back line, to an angle point therein, being FR 9 Station 11+18.54, Rt. 30 feet; thence southwesterly, perpendicular to the LL Line of aforesaid SR 90 Plans, to said LL Line; thence southeasterly, along said LL Line, to the east line of the west one half of the southeast quarter of aforesaid Section 11; thence southerly, along said east line to the southeast corner of said west one half; thence continuing, southerly along the east line of the west one half of the northeast quarter of aforesaid Section 14, also being the east line of Lot 1, Martindale Addition No. 2, volume 45 of plats, page 43, records of King County, Washington, to the south line of the north 260 feet of said Lot 1; thence westerly, along said south line of Lot 1 and the south line of the north 260 feet of Lots 2 through 7 of aforesaid plat of Martindale Addition No. 2, to the west line of said Lot 7; thence northerly, along said west line, to the south line of aforesaid west one half; thence westerly, along said south line, to the west line of said west one half; thence northerly, along said west line, to aforesaid LL line; thence westerly along said LL Line, to a line which bears southerly and perpendicular to the intersection of the FR-2 centerline and Rel. 156th Ave SE centerline, being FR-2 Station 506+51.02 P.O.C. and Rel. 156th Ave SE Station 506+51.01 P.O.T; thence northerly, along said perpendicular line, to aforesaid intersection of FR-2 centerline and Rel. 156th Ave SE centerline; thence northeasterly, along said centerline, to the end of Rel. 156th

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Ave SE; thence continuing northeasterly, along the centerline of 156th Ave SE as aligned per aforesaid BLA No. 03-114869LW, to the Point of Beginning.

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Zoning Description
OLB 2

That portion of the southwest quarter and the southeast quarter of Section 10, Township 24 North, Range 5 East, W.M., in King County, Washington, described as follows:

Beginning at the intersection of the northerly extension of the west line of Parcel B, BLA No. 11-114500-LW, recorded under King County Recording No. 21020323900003, and the north line of aforesaid southwest quarter, also being the centerline of SE 32nd St; thence easterly along said centerline, to the northerly extension of the first angle point east of the northwest corner of said Parcel B; thence southerly, along said northerly extension, to the aforesaid first angle point east; thence continuing southerly and easterly, along the northerly line of said Parcel B, to the east line thereof; thence southerly, along said east line and the southerly extension thereof, to the LL Line, as shown on sheet 3 of the SR 90 plans, Richards Road to Lake Sammamish (MP 7.71 to MP 11.73), dated June 12, 1969; thence easterly, along said LL Line, to a point being 435.00 feet westerly of, as measured along said LL Line, from the east line of aforesaid southwest quarter of Section 10; thence northerly, parallel with said east line, to the northerly Turn-Back Line of aforesaid SR 90 plans; thence easterly, along said northerly Turn-Back Line, to the east line of the north one half of the southeast quarter of aforesaid Section 10; thence southerly, along said east line, to the south line of said north one half; thence westerly, along said south line, to the east line of the northwest quarter of the southwest of the southwest quarter of aforesaid Section 10; thence southerly, along said east line, to the north line of the south 5 acres of the east 640 feet of said northwest quarter; thence westerly, along said north line and westerly extension thereof, to the west line of aforesaid northwest quarter, also being the west line of aforesaid Section 10; thence northerly, along said west line, to northerly Turn-Back Line of aforesaid SR 90 plans; thence easterly, along said northerly Turn-Back Line, to the southerly extension of the west line of aforesaid Parcel B; thence northerly, along said southerly extension and west line, to the Point of Beginning.

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Zoning Description
OLB 2

That portion of Lots 5 through 8 and SE 37th St., Block 9, Eastgate Addition Division G, volume 54 of plats, pages 18 and 19, records of King County Washington, described as follows:

Beginning at the intersection of the west line of aforesaid Lot 5 and the north line of the south 40.00 feet of aforesaid Lots 5 through 8; thence easterly, along said north line, to the east line of said Lot 8, thence southerly, along said east line and southerly extension thereof, to the centerline of aforesaid SE 37th St.; thence westerly, along said centerline, to the southerly extension of aforesaid west line; thence northerly, along said southerly extension and west line of aforesaid Lot 5, to the Point of Beginning.

TOGETHER with;

That portion of SE 37th St., lying southerly of and adjacent to, Lots 9 through 11, Block 9, Eastgate Addition Division G, volume 54 of plats, pages 18 and 19, records of King County Washington, described as follows:

Beginning at the southeast corner of said Lot 11; thence southerly, along the southerly extension of the east line thereof, to the centerline of aforesaid SE 37th St.; thence westerly, along said centerline, to the southerly extension of the west line of said Lot 9, also being the east line of Lot 8 of aforesaid Block 9; thence northerly, along said southerly extension, to the south line of said Lot 9; thence easterly, along the south line of aforesaid Lots 9 through 11, to the to the Point of Beginning.

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Section 4. The property legally described in "Zoning Description O" and given Clerk's Receiving No. _____ is hereby rezoned to Office.

Zoning Description
O

That portion of Lots 5 through 8 and SE 37th St., Block 9, Eastgate Addition Division G, volume 54 of plats, pages 18 and 19, records of King County Washington, described as follows:

Beginning at the intersection of the west line of aforesaid Lot 5 and the north line of the south 40.00 feet of aforesaid Lots 5 through 8; thence easterly, along said north line, to the east line of said Lot 8, thence southerly, along said east line and southerly extension thereof, to the centerline of aforesaid SE 37th St.; thence westerly, along said centerline, to the southerly extension of aforesaid west line; thence northerly, along said southerly extension and west line of aforesaid Lot 5, to the Point of Beginning.

TOGETHER with;

That portion of SE 37th St., lying southerly of and adjacent to, Lots 9 through 11, Block 9, Eastgate Addition Division G, volume 54 of plats, pages 18 and 19, records of King County Washington, described as follows:

Beginning at the southeast corner of said Lot 11; thence southerly, along the southerly extension of the east line thereof, to the centerline of aforesaid SE 37th St.; thence westerly, along said centerline, to the southerly extension of the west line of said Lot 9, also being the east line of Lot 8 of aforesaid Block 9; thence northerly, along said southerly extension, to the south line of said Lot 9; thence easterly, along the south line of aforesaid Lots 9 through 11, to the to the Point of Beginning.



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Section 5. The property legally described in "Zoning Description CB" and given Clerk's Receiving No. _____ is hereby rezoned to Community Business.

Zoning Description
CB

That portion of the southeast quarter Section 10, Township 24 North, Range 5 East, W.M., in King County, Washington, described as follows:

Beginning at the northeast corner of said southeast quarter; thence southerly, along the east line thereof, to the northerly margin and Turn-Back Line of SR 90, as shown on sheet 6, SR 90 Plans, Richards Road to Lake Sammamish (M.P. 7.71 to M.P. 11.73), dated June 12, 1969; thence southwesterly and westerly, along said northerly margin, to the southerly extension of the east line of Lot 5, Lincoln Executive Center, Binding Site Plan No. 82-01, recorded under Recording No. 8208060826, records of King County Washington; thence northerly, along said southerly extension and east line, to the south line of Lot 4 of said Lincoln Executive Center Binding Site Plan; thence easterly, along said south line to the east line thereof, thence northerly, along said east line, to the north line of aforesaid southeast quarter; thence easterly, along said north line, to the Point of Beginning.

Zoning Description
CB

That portion of the east one half of the southeast quarter of the northeast quarter of the northeast quarter of Section 10, Township 24 North, Range 5 East, W.M., lying southwesterly of the centerline of 145th PI SE and Newcastle Rd. No. 10-24-5-4.

TOGETHER with;

That portion of the southeast quarter of the southeast quarter of the northeast quarter of the northeast quarter of Section 10, Township 24 North, Range 5 East, W.M., lying northeasterly of the centerline of 145th PI SE and Newcastle Rd. No. 10-24-5-4.

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Section ~~45~~. Ordinance No. 2225, which adopted Concomitant Zoning Agreements Nos. 3592, 3593, 3594 and 3595, are hereby repealed.

Section ~~56~~. Ordinance No. 2818, which adopted Concomitant Zoning Agreement No. 6015, is hereby repealed.

Section ~~67~~. Ordinance No. 3063, which adopted Concomitant Zoning Agreement No. 7419, is hereby repealed.

Section ~~78~~. Ordinance No. 3135, which adopted Concomitant Zoning Agreement No. 7847, is hereby repealed.

Section ~~89~~. Ordinance No. 3162, which adopted Concomitant Zoning Agreement No. 7930, is hereby repealed.

Section ~~910~~. Ordinance No. 3276, which adopted Concomitant Zoning Agreement No. 8532, is hereby repealed.

Section ~~1011~~. Ordinance No. 3666, which adopted Concomitant Zoning Agreement No. 11390, is hereby repealed.

Section ~~1112~~. Ordinance No. 3677, which adopted Concomitant Zoning Agreement No. 11427, is hereby repealed.

Section ~~1213~~. Ordinance No. 3920, Section 4, which requires a separate unnumbered concomitant agreement is hereby repealed.

Commented [BT(1)]: The former #13, the repeal of Ordinance No. 3963, was deleted because it was mistakenly included in the last draft.

Section ~~1314~~. Ordinance No. 4482, which adopted Concomitant Zoning Agreement No. 18767, is hereby repealed.

Section ~~1415~~. Ordinance No. 4914, which did not have a separate concomitant agreement, is hereby repealed.

Section ~~1516~~. Ordinance No. 5355, which purports to expand Concomitant Zoning Agreement No. 3995 adopted by Ordinance No. 2225, but actually expands Concomitant Zoning Agreement No. 3595, is hereby repealed.

Section ~~1617~~. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this ordinance.

Section ~~1718~~. 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 _____, 201~~6~~⁷ and signed in authentication of its passage this _____ day of _____, 201~~6~~⁷.

(SEAL)

ATTACHMENT C

John Stokes, Mayor

Approved as to form:

Lori M. Riordan, City Attorney

Attest:

Kyle Stannert, City Clerk

Published: _____