

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6569

AN ORDINANCE approving with conditions rezone application Permit File No. 19-125909-LQ; rezone of a 14.03-acre parcel located at 15325 SE 30th Place from Office (O) and Community Business (CB) to Office Limited Business 2 (OLB 2).

WHEREAS, on October 2, 2019, the City of Bellevue received an application to rezone a 14.03-acre parcel located at 15325 SE 30th Place (the Property) from Office (O) and Community Business (CB) 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 November 21, 2019 and held a public meeting on the application on December 3, 2019; and

WHEREAS, on December 17, 2020, 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 January 4, 2021, the Hearing Examiner recommended approval of the rezone application, subject to certain conditions of approval recommended by the Hearing Examiner and the City's Development Services Department; and

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

WHEREAS, no timely appeal of the Hearing Examiner's January 4, 2021 recommendation of approval with conditions has been filed; and

WHEREAS, the City Council concurs with the findings of fact, conclusions of law, and conditions 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. 16-123675-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 February 16, 2021, 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 conditions 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 a Rezone of Approximately 14.03 Acres Within the Eastgate Subarea from Office (O) and Community Business (CB) 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) and Community Business (CB) to Office Limited Business 2 (OLB 2), subject to the conditions described below.

Section 3. Conditions of Approval. In addition to the rezone of the parcel from O and CB to OLB 2, the rezone is subject to the following conditions:

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 Property.

B. Retail, eating and drinking, and hotel/motel uses within the Transition Area, which is the portion of the Property within 300 feet of the residentially-developed R-5 zoning district to the north and is shown generally on the Transition Area Map attached hereto as Exhibit B and by this reference incorporated herein, are prohibited.

C. Structures developed within the Transition Area, as shown generally on the Transition Area Map attached hereto as Exhibit B, shall use "dark sky compliant light fixtures" to address light and glare concerns. Compliance with this condition shall be required as part of any permit approval for site development.

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 _____, 2021 and signed in authentication of its passage this _____ day of _____, 2021.

(SEAL)

Lynne Robinson, Mayor

Approved as to form:

Kathryn L Gerla, City Attorney

Attest:

Charmaine Arredondo, City Clerk

Published: _____

EXHIBIT A

ORDINANCE NO. 6569

LEGAL DESCRIPTION

Real property in the County of King , State of Washington, described as follows:

PARCEL A:

THAT PORTION OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 24 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON, BEING LOTS 5, 6, 7, 8 AND A PORTION OF LOT 4 AS 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, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID LOT 7;
THENCE FROM SAID POINT OF BEGINNING ALONG THE BOUNDARY OF SAID LOTS 8, 7, 6, 5 AND A PORTION OF LOT 4, THE FOLLOWING COURSES: NORTH 01°27'49" EAST, 1,066.57 FEET; SOUTH 88°51'40" EAST, 352.91 FEET; SOUTH 01°28'00" WEST, 430.00 FEET; SOUTH 88°51'40" EAST, 174.86 FEET; AND THENCE SOUTH 01°08'20" WEST, 368.00 FEET TO AN ANGLE POINT IN THE LINE BETWEEN LOTS 4 AND 5;
THENCE SOUTH 04°20'55" WEST, 122.96 FEET AND SOUTH 60°45'53" WEST, 30.00 FEET TO THE SOUTHEASTERLY CORNER OF SAID LOT 7;
THENCE SOUTH 29°14'07" EAST, 84.94 FEET;
THENCE TANGENT TO THE PRECEDING COURSE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 100.00 FEET AND A CENTRAL ANGLE OF 38°14'07", AN ARC LENGTH OF 66.74 FEET; THENCE SOUTH 29°45'48" WEST, 30.24 FEET;
THENCE SOUTH 40°38'00" WEST, 108.00 FEET;
THENCE SOUTH 60°19'11" WEST, 181.14 FEET;
THENCE SOUTH 80°59'27" WEST, 208.22 FEET;
THENCE SOUTH 57°21'43" WEST, 143.63 FEET;
THENCE SOUTH 01°28'54" WEST, 272.32 FEET;
THENCE SOUTH 71°33'54" EAST, 109.27 FEET;
THENCE SOUTH 61°19'18" WEST, 44.43 FEET;
THENCE SOUTH 88°07'54" WEST, 74.01 FEET;
THENCE FROM A TANGENT THAT BEARS NORTH 57°17'16" WEST (SOUTH 32°42'44" EAST PER SURVEY) ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 775.00 FEET AND A CENTRAL ANGLE OF 01°54'09", AN ARC LENGTH OF 25.74 FEET TO A POINT ON THE WESTERLY LINE OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 11;
THENCE ALONG SAID WESTERLY LINE NORTH 01°28'54" EAST, 392.52 FEET; THENCE NORTH 01°27'49" EAST, 229.59 FEET TO THE POINT OF BEGINNING.

PARCEL B:

A RECIPROCAL EASEMENT FOR INGRESS AND EGRESS RECORDED FEBRUARY 22, 1982 UNDER KING COUNTY RECORDING NOS. 8202220696 AND 8202220697, IN KING COUNTY, WASHINGTON.

EXHIBIT B

ORDINANCE NO. 6569

Transition Area Map

