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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 3123

AN ORDINANCE reclassifying approximately 4.75 acres of property located between 112th Avenue N.E., Interstate 405, N.E. 13th Street and N.E. 16th Street in the City of Bellevue from R-4 to O, with conditions.

WHEREAS, an application for reclassification of the property hereinafter described was duly filed with the appropriate City officials; and

WHEREAS, on July 10, 1980, the Hearing Examiner held a public hearing on the application and on July 24, 1980, recommended approval of the application with conditions; and

WHEREAS, on January 19, 1981, the matter was considered by the City Council at a public meeting, and on February 2, 1981, the Council passed Resolution No. 3693 denying the application for reclassification; and

WHEREAS, an appeal of said decision was filed in the Superior Court of King County, entitled Dolores Taylor, et al. v. City of Bellevue, et al., No. 81-2-02620-6 and the parties have decided to settle the litigation and agreed to the entry of a judgment requiring Bellevue to rezone the property with conditions; now, therefore

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

Section 1. The following described property is hereby reclassified from R-4 to O with conditions:

Lot 1, 2, 3, 4 and 5, Block 2; Lots 1, 3, 4, 5, 6, 7, 14 and 15, Block 4, and the west 35 feet of Lot 8, Block 4, and that portion of Lot 13 lying westerly of a line drawn parallel with and 125 feet distant westerly when measured at right angles from the centerline survey of Secondary State Highway No. 2-A in Block 4; Lots 1, 2, 3 and 5, Block 6, and that portion of Lot 6 lying westerly of a line drawn parallel with and 125 feet distant westerly when measured at right angles from the centerline survey of Secondary State Highway No. 2-A in Block 6, Burrow's East Side Addition, according to plat recorded in Volume 44 of plats, pages 84-85, in King County, WA; ALSO

The west 170 feet of the southwest quarter of the northeast quarter of the southeast quarter of Section 29, Township 25 North, Range 5 East, W.M., in King County WA, except the south 593.75 feet thereof

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and except 112th Avenue N.E.; ALSO

The north 71.25 feet of the south 593.75 feet of the west 170 feet of the southwest quarter of the northeast quarter of the southeast quarter of Section 29, Township 25 North, Range 5 East, W.M.; except the west 30 feet thereof conveyed to the State of Washington for highway purposes by deeds recorded under Auditor's File Nos. 4354530 and 4354531, records of King County WA.

This reclassification is subject to the following conditions:

1. Plans shall be submitted to the Administrative Design Review process with particular attention being paid to site design, building design, landscaping, retention of significant trees, access and the relationship to nearby residential areas.
2. Restaurant uses shall be limited to facilities located with office complexes and designed for use by employees of the complex. The times of operation shall be limited to regular business hours and liquor sales shall not be permitted.
3. Development shall be in strict compliance with Transition Area Requirements with no modifications permitted notwithstanding any Land Use Code provisions.
4. No freestanding signs for tenants of any buildings except that signs will be permitted to identify a building or a group of buildings.
5. A berm shall be provided along the east right of way of 112th Avenue N.E. as a visual barrier to any development.

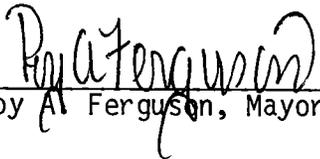
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6. Ingress and egress to 112th Avenue N.E. shall be limited to access from N.E. 14th and N.E. 15th Streets, unless lots cannot acquire legal access to those streets.

Section 2. This ordinance shall be published by posting it in the three official posting places of the City, and shall take effect and be in force five days after the date of posting.

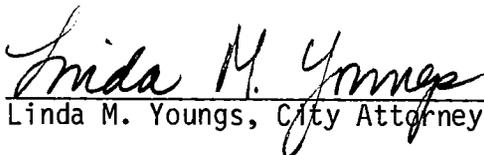
PASSED by the City Council this 21 day of June, 1982,
and signed in authentication of its passage this 21 day
of June, 1982.

(SEAL)



Roy A. Ferguson, Mayor

Approved as to form:



Linda M. Youngs, City Attorney

Attest:



Patricia K. Weber, City Clerk

Published June 23, 1982