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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 3139

AN ORDINANCE reclassifying 60 acres of property (Site 3) located east of 118th Avenue S.E. between approximately S.E. 17th Street and S.E. 25th Street, and between S.E. 28th Street and S.E. 32nd Street in Planning District 1 of the Richards Valley Subarea, with conditions.

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

WHEREAS, on October 29, 1981, a public hearing was held thereon before the Hearing Examiner upon proper notice to all interested persons; and

WHEREAS, on December 8, 1981, the Hearing Examiner recommended to the City Council approval with conditions of said reclassification of said property located east of 118th Avenue S.E. between approximately S.E. 17th Street and S.E. 25th Street, and between S.E. 28th Street and S.E. 32nd Street in the Richards Valley Subarea from O and R-1 to R-20; and made and entered findings of fact and conclusions based thereon in support of his recommendation; and

WHEREAS, requests for reconsideration of the Hearing Examiner's recommendation of December 8, 1981, were filed by Dale M. Madden, Inc., Bocek Bros. General Contractors and Doolittle Construction Company; and

WHEREAS, on February 2, 1982, the Hearing Examiner, after reviewing the record, issued his response to the requests for reconsideration and entered his Order Upon Reconsideration which became a part of his previously entered recommendation of December 8, 1981; and

WHEREAS, the City Council concurs in the findings of fact and conclusions of the Hearing Examiner including his Order Upon Reconsideration of the Hearing Examiner, and has determined that the public use and interest will be served by reclassifying said property; and

WHEREAS, the City has complied with the requirements of the State Environmental Policy Act and the City Environmental Procedures Ordinance; 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 and conclusions based thereon made and entered by the Hearing Examiner in support of his recommendation to the Council in this matter as set forth in "Findings and Recommendation of the Hearing Examiner" and "Order Upon Reconsideration of the Hearing Examiner for the City of Bellevue, In the Matter of the Application of City of Bellevue For Reclassifications Implementing the Richards Valley Subarea Element of Bellevue's Comprehensive Plan, File No. HE-A 81-6."

Section 2. The use classification of the following described property is changed from O and R-1 to R-20 with conditions:

That portion of the West Half of the Southwest Quarter of Section 4, Township 24 North, Range 5 East, W.M., in King County, Washington, lying Easterly of the center line of 118th Avenue S.E. (Factoria-Wilburton Road) and lying Westely of the center line of S.R. 405, Kenndale to Bellevue; AND

That portion of Government Lot 2 in the Northwest Quarter of Section 9 and that portion of the Southeast Quarter of the Northwest Quarter of said section, all in Township 24 North, Range 5 East, W.M., in King County, Washington, said portions are bounded on the West by the center line of 118th Avenue S.E. (Factoria-Wilburton Road), bounded on the North by the north line of said Government Lot and the north line of said quarter-quarter section, bounded on the East by the center line of the right-of-way of Burlington Northern, Inc., and bounded on the South by the center line of S.E. 32nd Street (Henry Bock Road No. 1079).

This reclassification is subject to the following conditions:

Development upon the subject property shall be subject to Administrative Design Review pursuant to Bellevue Land Use Code Section 20.30.475 by the Planning Department prior to the issuance of any building permits. That review shall include, but shall not be necessarily limited to, soil stability, preservation of existing vegetation, noise impacts, landscaping, building design, circulation and access. Supplemental to that review, the applicants shall submit to the City of Bellevue (1) a soils report by a qualified geotechnical engineer examining erosion, slide and seismic potential of proposed development and explaining how the proposed development is designed to minimize associated risks, (2) an inventory of existing trees for City approval of selected clearing, and (3) a noise analysis by a qualified acoustician specifying a design that will hold interior noise levels to no higher than an average day/night level of 40 decibels and a maximum level of 50 decibels.

Section 3. 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 30th day of August, 1982, and signed in authentication of its passage this 30th day of August, 1982.

(SEAL)



Roy A. Ferguson, Mayor

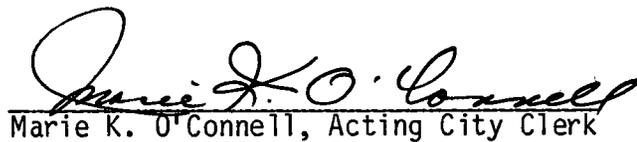
Approved as to form:

Linda M. Youngs, City Attorney



Richard D. Bidley, Assistant City Attorney

Attest:



Marie K. O'Connell, Acting City Clerk

Published September 4, 1982