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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 3495

AN ORDINANCE regarding development conditions on an approximately 6.1 acre parcel located adjacent to the southwest corner of the intersection of Bellevue-Redmond Road and 148th Avenue N.E. in the City of Bellevue; and amending Ordinance No. 3443.

WHEREAS, on December 17, 1984, the City Council of the City of Bellevue enacted Ordinance No. 3443 reclassifying an approximately 6.1 acre parcel located adjacent to the southwest corner of the intersection of Bellevue Redmond-Road and 148th Avenue N.E. from R-2.5 to O, with conditions; and

WHEREAS, the reclassification was conditioned on full compliance by the owners of said property and their heirs, assigns, grantees and successors in interests, with the terms and conditions of that certain Settlement Agreement in King County Superior Court Cause No. 83-2-14591-1; and

WHEREAS, under Section 2.A. of the Settlement Agreement, development of the property is subject to those conditions attached to and made a part of the November 23, 1982, final declaration of nonsignificance entered by the Environmental Coordinator of the City of Bellevue; and

WHEREAS, condition No. 11 of said final declaration of nonsignificance provides that clearing and grading of the site will not exceed four thousand cubic yards of excavation; and

WHEREAS, it has been determined by city staff during the administrative design review process that said four thousand cubic yard figure was imposed based on erroneous information supplied to the Environmental Coordinator by the developer of the property, and that the appropriate limitation should be fifteen thousand cubic yards; and

WHEREAS, the city staff has further determined that fifteen thousand cubic yards is a normal and reasonable amount of excavation for a project of the type and size approved by the City Council through the reclassification and settlement agreement; and

WHEREAS, the City Council has determined that this condition should be amended to provide for a limitation of fifteen thousand cubic yards of excavation; and

WHEREAS, the Environmental Coordinator has determined that the modification of the condition will not affect the previous determination

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of nonsignificance; now, therefore,

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

Section 1. Section 2.A. of the Settlement Agreement in King County Superior Court Cause No. 83-2-14591-1 which has been given Clerk's Receiving No. 9950, is amended as set forth in that certain document entitled Amendment to Settlement Agreement, a copy of which has been given Clerk's Receiving No. _____.

Section 2. Section 1 of Ordinance No. 3443 is amended to read as follows:

The use classification of the following described property is changed from R-2.5 to O with conditions:

That portion of the Southeast Quarter of the Northeast Quarter of Section 27, Township 25 North, Range 5 East, W.M., in King County, Washington, described as follows:

Beginning at a point 330.61 feet North of the Southeast corner of said Subdivision; thence North 330.60 feet; thence West 1,307.53 feet to the West line of said Subdivision; thence South 330.46 feet; thence East 1,305.51 feet to the point of beginning; except the East 30 feet and the West 20 feet thereof; and except that portion lying Northerly of the Southerly margin of County Road No. 1387; also, except the West 20 feet of the East 50 feet of said Subdivision condemned under King County Superior Court Cause No. 8233331;

Together with that portion of vacated Redmond-Bellevue Road (County Road No. 1387) adjoining;

Excepting therefrom that portion taken by the City of Bellevue in King County Superior Court Cause No. 81-2-14875-1, as follows:

That portion of the Southeast Quarter of the Northeast Quarter of Section 27, Township 25 North, Range 5 East, W.M., in King County, Washington, described as follows, to-wit:

Commencing at the Southeast corner of said Subdivision; thence North $01^{\circ}19'21''$ East 661.64 feet along the East line thereof; thence North $89^{\circ}02'23''$ West 50.00 feet to the West margin of

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148th Avenue N.E. and the point of beginning of this description; thence North $89^{\circ}02'23''$ West 203.05 feet along the North line of the owner's property to the 280 foot contour as based on the U.S. Coast and Geodetic datum; thence leaving said North line along said contour the following sixteen (16) courses:

South $35^{\circ}08'26''$ East 24.40 feet; thence
 South $51^{\circ}33'28''$ East 21.06 feet; thence
 South $79^{\circ}25'19''$ East 43.75 feet; thence
 South $81^{\circ}19'07''$ East 29.16 feet; thence
 South $46^{\circ}11'45''$ East 17.55 feet; thence
 South $27^{\circ}20'03''$ West 11.03 feet; thence
 South $01^{\circ}23'08''$ East 24.27 feet; thence
 South $07^{\circ}27'08''$ East 23.38 feet; thence
 South $48^{\circ}17'39''$ East 16.90 feet; thence
 South $51^{\circ}16'52''$ East 20.49 feet; thence
 South $41^{\circ}10'46''$ East 18.20 feet; thence
 South $38^{\circ}29'00''$ East 18.56 feet; thence
 South $02^{\circ}06'27''$ East 19.36 feet; thence
 South $25^{\circ}00'48''$ East 14.50 feet; thence
 South $40^{\circ}09'00''$ East 12.12 feet; thence
 South $88^{\circ}40'39''$ East 17.88 feet to the West margin of 148th Avenue N.E.; thence leaving said 280 foot contour North $01^{\circ}19'21''$ East 205.97 feet along said margin to the point of beginning.

And further excepting therefrom the following:

That portion of the Southeast Quarter of the Northeast Quarter of Section 27, Township 25 North, Range 5 East, W.M., King County, Washington: Commencing at the East Quarter corner of Section 27; thence North $1^{\circ}19'21''$ East along the East line of said Section, 330.79 feet; thence North $88^{\circ}40'39''$ West at right angles to said East line 50.00 feet to the true point of beginning; thence North $88^{\circ}12'43''$ West 93.00 feet; thence North $1^{\circ}19'21''$ East 25.00 feet; thence south $88^{\circ}12'43''$ East 13.00 feet; thence North $1^{\circ}19'21''$ East 185.57 feet; thence South $48^{\circ}17'39''$ East 7.93 feet; thence South $51^{\circ}16'52''$ East 20.49 feet; thence South $41^{\circ}10'46''$ East 18.20 feet; thence South $38^{\circ}29'00''$ East 18.56 feet; thence South $2^{\circ}06'27''$ East 19.36 feet; thence South $25^{\circ}00'48''$ East 14.50 feet; thence South $40^{\circ}09'00''$ East 12.12 feet; thence South

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88°40'39" East 17.88 feet; thence South
1°19'21" West parallel with East line of said
Section, 124.56 feet to the point of beginning and
containing 13,514 square feet, more or less.

This reclassification from R-2.5 to O is conditioned on full compliance by the owners of said property and their heirs, assigns, grantees and successors in interest, with the terms and conditions of that certain Settlement Agreement in King County Cause No. 83-2-14591-1, which has been given Clerk's Receiving No. 9950 and which is adopted by reference into this ordinance as though it were fully set forth herein, as amended by that certain Amendment to Settlement Agreement, a copy of which has been given Clerk's Receiving No. 10341 and which is adopted by reference into this ordinance as though it were fully set forth herein.

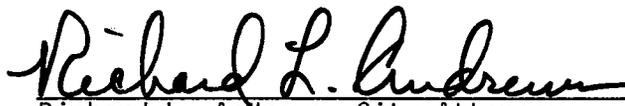
Section 3. This ordinance shall take effect and be in force five days after its passage and legal publication.

PASSED by the City Council this 20th day of May, 1985, and signed in authentication of its passage this 20th day of May, 1985.

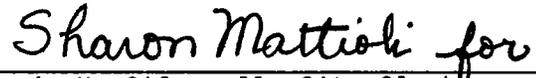
(SEAL)


Cary E. Bozeman, Mayor

Approved as to form:


Richard L. Andrews, City Attorney

Attest:


Marie K. O'Connell, City Clerk

Published 5/25/85