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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 3635

AN ORDINANCE reclassifying .61 acres of property (Site 9) in the South Bellevue Subarea located north of S.E. 8th Street and west along 104th Avenue S.E., with conditions.

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

WHEREAS, on January 10, 1985, a public hearing was held thereon before the Hearing Examiner upon proper notice to all interested persons; and

WHEREAS, on January 9, 1986, the Hearing Examiner recommended to the City Council approval with conditions of said reclassification of said property located north of S.E. 8th Street and west along 104th Avenue S.E. in the South Bellevue Subarea from R-3.5 to R-10; and made and entered findings of fact and conclusions based thereon in support of his recommendation; and

WHEREAS, the City Council concurs in the findings of fact and conclusions 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 for the City of Bellevue, In the Matter of the Application of the City of Bellevue For a Reclassification of Property Identified as Site 9 to Implement the South Bellevue Subarea Element of Bellevue's Comprehensive Plan, File No. HE-A 84-9."

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Section 2. The use classification of the following described property is changed from R-3.5 to R-10 with conditions:

That portion of the Southwest quarter of the Southwest quarter of Section 32, Township 25 North, Range 5 East, W.M., in King County, Washington, described as follows: Beginning at the intersection of the center lines of S.E. 8th Street and 104th Avenue S.E. (Bellevue Way S.E.); thence Northerly along the center line of 104th Avenue N.E. to the intersection of the Easterly extension of the North line of the South half of Lot 30 of Bellevue Acre and Half Acre Tracts according to the plat thereof recorded in Volume 11 of Plats, Page 35, records of King County, Washington; thence Westerly along said North line to the East line of the West 150.00 feet of said Lot 30; thence Southerly along said East line to the North line of Lot 31 of said plat of Bellevue Acre and Half Acre Tracts; thence Easterly along said North line to the East line of the West 210.00 feet of said Lot 31; thence Southerly along said East line and the Southerly extension of said line to the center line of S.E. 8th Street; thence Easterly along said center line to the point of beginning.

This reclassification is subject to the following conditions:

1. Prior to the issuance of any development permit for new development or redevelopment, the applicant shall receive Administrative Design Review approval for the proposal pursuant to the Land Use Code Section 20.30F. The review shall include but not be limited to the following elements:

Residential building design
Parking layout
Transportation circulation
Vehicular and pedestrian circulation
Grading
Preservation of open space and vegetation
The appropriateness and sensitivity of the redevelopment plan in terms of scale and intensity in relation to adjoining property.

Emphasis in the design review shall be placed on clustering development to preserve slopes, aesthetic character and vegetation including significant trees bordering Bellevue Way S.E. Public transportation needs shall also be evaluated. Administrative Design Review shall not be required for a remodel of the existing development which does not add floor area or parking or which results in no

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substantial change to the site as determined by the Director of Design and Development.

2. The applicant shall submit geotechnical engineering studies to define soils, topography, groundwater levels, vegetation and other environmental factors with any development application. The City will use that data to determine permitted development intensity and design limits compatible with the natural constraints of the property.

3. A twenty-five foot wide native growth protection easement shall be established on each side of the existing stream at the time of development.

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 14th day of April, 1986, and signed in authentication of its passage this 14th day of April, 1986.

(SEAL)

Cary E. Bozeman, Mayor

Approved as to form:

Richard L. Andrews, City Attorney

Richard L. Kirkby, Assistant City Attorney

Attest:

Marie K. O'Connell, City Clerk

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