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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 3906

AN ORDINANCE reclassifying approximately six acres of property located at 1601 to 1611 - 116th Avenue N.E. and described as the Campus Office Park by amending conditions imposed thereon by a concomitant agreement, upon application of Phoenix Mutual Life Insurance Company, by its agent Rebecca Strand, File No. HE/REZ 87-1514; and amending Ordinance No. 2476 and replacing and superseding existing concomitant zoning agreement.

WHEREAS, on October 31, 1977 the City Council passed Ordinance No. 2476 approving a reclassification of the northwest corner of 116th Avenue N.E. and N.E. 16th Street upon the application of Herbert M. Meltzer and requiring and approving that certain Concomitant Zoning Agreement filed under Clerk's Receiving No. 4416; and

WHEREAS, the present applicant, Phoenix Mutual Life Insurance Company, by its agent Rebecca Strand, filed an application to amend conditions imposed by Ordinance No. 2476 which limit the uses permitted in the Office (O) zoning of the six-acre Campus Office Park located at 1601 to 1611 - 116th Avenue N.E.; and

WHEREAS, on March 10, 1988 a public hearing was held thereon before the Hearing Examiner upon notice to all interested persons; and

WHEREAS, the Hearing Examiner has recommended conditional approval of said proposed amendment to the conditions of the reclassification previously approved by Ordinance No. 2476, based upon findings of fact and conclusions; and

WHEREAS, the City Council concurs in the findings of fact and conclusions of the Hearing Examiner; and

WHEREAS, the City Council has determined that the public use and interest will be served by reclassifying said property through amendment of the conditions imposed thereon by concomitant agreement; 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

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conclusions based thereon, made and entered by the Hearing Examiner in support of his recommendation to the City Council of April 1, 1988, approving with conditions the reclassification of the hereinafter described property, as set forth in "Findings and Recommendation of the Hearing Examiner for the City of Bellevue in the Matter of the Application of Phoenix Mutual Life Insurance Company, by its agent Rebecca Strand, to amend conditions upon a rezone, File No. HE/REZ 87-1514."

Section 2. The City Council hereby finds and concludes that the Hearing Examiner's recommendation to amend the conditions of the Office (O) classification of the said property be approved.

Section 3. The following described property is hereby reclassified from Office with conditions to Office with amended conditions:

That portion of the Southeast Quarter of the Northeast Quarter of Section 29, Township 25 North, Range 5 East, W.M., in King County, Washington, described as follows: Beginning at the Southeast corner of said subdivision; thence West along the South line of said subdivision, 600 feet, more or less, to the East line of secondary state highway, No. 2-A as conveyed to the state of Washington by deeds recorded under auditor's file No. 4354535 and 4354537; thence North along said highway line 430.7 feet, more or less, to the South line of Shangri-La Addition, according to the Plat recorded in Volume 53 of Plats, Page 96, records of King County, Washington; thence East along the South line of said addition and the South line of McGrath's addition, according to the Plat recorded in Volume 53 of Plats, Page 97, records of King County, Washington, to the East line of said section; thence South along said East line 435.7 feet, more or less, to the point of beginning.

This amendment to the conditions established by the reclassification of said property pursuant to Ordinance No. 2476 is conditioned on full compliance by the owners of said property and their heirs, assigns, grantees, or successors in interest, with the terms and conditions of that certain Concomitant Zoning Agreement, executed by Phoenix Mutual Life Insurance Company, a copy of which has been given Clerk's Receiving No. ~~13448~~ and which is adopted by reference into this ordinance as though it were fully set forth herein. Said Concomitant Zoning Agreement shall replace and supersede the terms and conditions of that previous Concomitant Zoning Agreement executed by Herbert M. and Fern Meltzer pursuant to Ordinance No. 2476 and which has previously been given Clerk's Receiving No. 4416.

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Section 4. This ordinance shall take effect and be in force five days after its passage and legal publication.

PASSED by the City Council this 9th day of May, 1988, and signed in authentication of its passage this 9th day of May, 1988.

(SEAL)

Nan Campbell
Nan Campbell Mayor

Approved as to form:

Richard L. Andrews, City Attorney

[Signature]
Richard L. Kirkby, Assistant City Attorney

Attest:

[Signature]
Marie K. O'Connell, City Clerk

Published May 13, 1988