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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 3920

AN ORDINANCE adopting a proposed zoning regulation to become effective upon annexation of an approximately 1.4-acre parcel of unincorporated property located between S.E. 36th Street and S.E. 37th Street at 147th Avenue S.E. and commonly referred to as the Huegli Annexation.

WHEREAS, RCW 35A.14.330 authorizes the City Council to adopt a proposed zoning regulation to become effective upon the annexation of any area which might reasonably be expected to be annexed by the City at any future time; and

WHEREAS, it is anticipated that an approximately 1.4-acre parcel of unincorporated property located between S.E. 36th Street and S.E. 37th Street at 147th Avenue S.E. and commonly referred to as the Huegli Annexation may be annexed by the City in the near future; and

WHEREAS, pursuant to RCW 35A.14.340, public hearings were held by the City Council on April 25, 1988, and June 20, 1988, at the hour of 8:00 p.m. pursuant to notice of said hearings published in a newspaper of general circulation in the City and in the area to be annexed and all interested parties appearing at said hearing and desiring to be heard in regard to the proposed zoning regulation having been heard by the City Council; and

WHEREAS, O (Office) with Conditions and R-5 with Conditions zoning for the Huegli annexation is deemed necessary by the Council to be in the interests of the health, safety, and general welfare of the City; and

WHEREAS, all statutory requirements have been complied with, including those set forth in RCW 35A.14.330 and .340; and

WHEREAS, the City of Bellevue 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. A proposed zoning regulation is hereby adopted establishing use classification R-5 with conditions for the following described property:

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That portion of the Southeast quarter of the Southeast quarter of Section 10, Township 24 North, Range 5 East, W.M., King County, Washington, described as follows:

Commencing at the Southeast corner of Lot 8, Block 9 of Eastgate Addition Division G, according to the plat thereof recorded in Volume 54 of Plats, page 18 and 19, in the Records and Elections Division of King County, Washington, and the True Point of Beginning; thence North 1°22'35" East 40.00 feet along the East line thereof to the North line of the South 40.00 feet of Lots 5, 6, 7 and 8, Block 9 of said Eastgate Addition Division G and the point of a non-tangent curve whose center bears North 00°36'32" East a radius distance of 1,081.56 feet; thence Northwesterly along said North line and curve to the right through a central angle of 5°23'28" an arc distance of 101.76 feet; thence North 84°00'00" West 186.95 feet along said North line to the West line of said Lot 5; thence South 1°22'35" West 40.13 feet along said West line to the Southwest corner thereof; thence continuing South 1°22'35" West 30.10 feet to the centerline of S.E. 37th Street; thence South 84°00'00" East 181.29 feet along said centerline; thence Southeasterly along said centerline and a curve to the left having a radius of 1,151.56 feet through a central angle of 5°20'40" an arc distance of 107.41 feet to the intersection of the Southerly extension of the East line of said Lot 8; thence North 1°22'35" East 30.00 feet along said Southerly extension to the True Point of Beginning.

Subject to the following developmental condition:

A native growth protection easement shall be applied coextensively with the area described herein. Supplementary plantings may be permitted within the easement area.

Section 2. A proposed zoning regulation is hereby adopted establishing use classification of O (Office) with conditions for the following described property:

Lots 5, 6, 7 and 8, Block 9 of Eastgate Addition G, according to the plat thereof, recorded in Volume 54 of Plats, pages 18 and 19, in the Records and Elections Division of King County, Washington; EXCEPT the South 40.00 feet thereof.

Subject to the following developmental conditions:

1. There shall be a 30-foot rear yard setback on the portion of the site zoned O, and no structures or improvements, exclusive of landscaping, shall be within 70 feet of the northern edge of the S.E. 37th Street right-of-way.

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2. Access to the easement road paralleling S.E. 36th Street shall be closed.

3. Future development on the site shall be responsible for its proportionate share of the costs of traffic improvements to S.E. 36th Street.

4. Exclusive of any other development regulations the total floor area, exclusive of parking, cannot exceed 24,000 square feet.

5. Design Review shall be required for development in the area zoned O to insure:

   a. Maximum retention of existing significant natural vegetation in the rear and side setback yards.

   b. That no portion of the structure protrudes above the elevation of the northern edge of the S.E. 37th Street Right-Of-Way except one elevator penthouse not to exceed a horizontal dimension of 12 feet and a vertical dimension of eight feet, should the applicant apply to waive transition area height requirements.

   c. That the office structure is totally obscured by vegetation from view from S.E. 37th Street. Supplementary landscaping may be required to accomplish this.

   d. That natural tones only must be utilized for color of the building (i.e., brown, woodtone or gold); mirrored glass may be used as a construction material.

   e. That the slope within the rear setback area is maintained or retained after construction.

6. At the time of the development of Lots 5, 6, 7 and 8 the owners of the property shall grant, without cost, for the benefit of Lots 9, 10 and 11 a vehicular access easement adjacent to and parallel with S.E. 36th Street.

Section 3. This proposed zoning regulation shall become effective upon annexation of the property described in Sections 1 and 2 above.

Section 4. Prior to adoption of an ordinance by the City Council annexing the property described in Sections 1 and 2 above, the owner(s) of said property shall sign and submit to the City a Concomitant Zoning Agreement agreeing to comply with all conditions of this proposed zoning regulation and agreeing to indemnify and hold the City harmless from any

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claims or causes of action against the City arising as a result of the adoption and effect of the proposed zoning regulation.

Section 5. A copy of this ordinance, duly certified as a true copy by the Clerk of the City, shall be filed with the County Auditor.

Section 6. 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 June, 1988, and signed in authentication of its passage this 20th day of June, 1988.

(SEAL)

Nan Campbell

Nan Campbell, Mayor

Approved as to form:

Richard L. Andrews, City Attorney

Richard L. Kirkby, Assistant City Attorney

Attest:

Marie K. O'Connell

Marie K. O'Connell, City Clerk

Published June 21, 1988