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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 3965

AN ORDINANCE adopting a proposed zoning regulation to become effective upon annexation of an approximately .6-acre parcel of unincorporated property located between S.E. 36th Street and S.E. 37th Street at 148th Avenue S.E., commonly referred to as the Langins/Klein preannexation zoning area, and amending Section 3 of Ordinance No. 3840.

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 .6-acre parcel of unincorporated property located between S.E. 36th Street and S.E. 37th Street at 148th Avenue S.E. and commonly referred to as the Langins/Klein preannexation zoning area 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 September 26, 1988, and November 21, 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, Office (O) with conditions zoning for the Langins/Klein preannexation zoning area is deemed necessary by the Council to be in the interests of the health, safety, and general welfare of the City; and

WHEREAS, Ordinance No. 3840, adopted by the City Council on October 26, 1987, adopted a proposed zoning regulation for land within the Central Newcastle Area including the Langins/Klein preannexation zoning area; and

WHEREAS, it is therefore necessary to amend Section 3 of Ordinance No. 3840 to modify the preannexation zoning regulation; and

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

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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 a use classification of Office (O) with conditions for the following described property:

All of Lots 9, 10 and 11, Block 9, Eastgate Addition Division G, according to the plat thereof recorded in Volume 54 of Plats, pages 18 and 19, in King County, Washington.

Subject to the following developmental conditions:

1. Vehicular access only to S.E. 36th Street and preferably through an access easement granted by the properties to the west (a condition of the zoning on that property). Separate access to S.E. 36th Street may be permitted if no safety hazards exist.
2. Preservation of all significant vegetation in the rear setback area.
3. Development to be concentrated on the northerly portion of the site with development (except for pedestrian access) not to exceed southward beyond the 380-foot contour.
4. Mitigation of all traffic impacts to S.E. 36th Street.
5. Administrative Design Review to ensure that the above conditions are met.

Section 2. Section 3 of Ordinance No. 3840 is amended to read as follows:

Section 3. A proposed zoning regulation is hereby adopted establishing use classification of R-5 for the following described property:

That portion of Sections 10, 11, 13, 14, 15, 22, 23 and 24, Township 24 North, Range 5 East, W.M., King County, Washington, described as follows:

Commencing at the Southeast corner of the Southeast quarter of said Section 11 and the TRUE POINT OF BEGINNING; thence West along the South line thereof to the Northerly line of Leawood

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Addition, according to the plat thereof recorded in Volume 62 of Plats, page 90, in the Records and Elections Division of King County, Washington; thence Northwesterly along said Northerly line to the East line of the Southwest quarter of the Southeast quarter of said Section 11; thence South along said East line to the Northeast corner of the Northwest quarter of the Northeast of said Section 14, said point being the Northeast corner of Lot 1 of Martindale Addition No. 2, according to the plat thereof recorded in Volume 45 of Plats, page 43, in the Records and Elections Division of King County, Washington; thence South along the East line of said Lot 1 to the South line of the North 260.00 feet of said Lot 1 and Lots 2 through 7 of said Martindale Addition No. 2; thence West along said South line to West line of said Lot 7; thence North along said West line to the South line of the Southeast quarter of the said Section 11; thence West along said South line to the Southeast corner of the Southwest quarter of said Section 11; thence North along the East line thereof to the Northeast corner of Tract B of Eastgate Division B, according to the plat thereof recorded in Volume 52 of Plats, pages 13 to 18, in the Records and Elections Division of King County, Washington; thence North $88^{\circ}38'15''$ West 398.75 feet along the North line thereof; thence North $1^{\circ}25'14''$ East 105.77 feet; thence North $88^{\circ}38'15''$ West 599.26 feet along the North line of Block 7 of said Eastgate Division B and the Westerly extension of said North line to the center line of 154th Avenue S.E.; thence South along said center line to the center line of S.E. 38th Street; thence Westerly and Southwesterly along said center line to the center line of 148th Avenue S.E.; thence Southwesterly along said center line to the intersection of the Southeasterly extension of the Northeast line of Lot 1, Block 1 of Eastgate Addition Division A, according to the plat thereof recorded in Volume 51 of Plats, pages 84 and 85, in the Records and Elections Division of King County, Washington; thence Northwesterly along said Southeasterly extension and the Northeast line of said Lot 1 to the Northerly most corner of said Lot 1 and the East line of Block 1 of Eastgate Addition Division 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; thence North along said East line and the Northerly extension of said East line to the center line of S.E. 37th Street; thence West along said center line to East line of the Southeast quarter of said Section 10; thence North along said East line to the center line of S.E. 36th Street (FR 6 line of S.R. 90, Richards Road to Lake Sammamish Right-of-Way Plans); thence Northwesterly along said center line to the North line of the South half of the Southeast quarter of said Section 10; thence West along said North line

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to the Northeast corner of the South half of the Southwest quarter of said Section 10; thence West along said North line to the Northwest corner of Eastgate Addition Division P, according to the plat thereof recorded in Volume 59 of Plats, page 99, in the Records and Elections Division of King County, Washington; thence South along the West thereof to the Southwest corner thereof; thence East along the South line of said Eastgate Addition Division P to the West line of the East half of the Southwest quarter of said Section 10; thence South along said West line to the Northwest corner of the Northeast quarter of the Northwest quarter of said Section 15; thence South along the West line thereof to the South margin of S.E. 40th Street; thence East along said South margin to the West margin of 138th Avenue S.E.; thence Southerly along said West margin to the North margin of S.E. Allen Road (J.G. Allen Road, County Road No. 754); thence Southwesterly along said Northerly margin to the center line of a 100.00 foot wide Puget Sound Power and Light Company Transmission Line Easement; thence South along said center line to the center line of said S.E. Allen Road; thence Northeasterly and Easterly along said center line to the intersection of the Northerly extension of the East line of Lot 1 of Gardenbrook Division 1, according to the plat thereof recorded in Volume 82 of Plats, page 14, in the Records and Elections Division of King County, Washington; thence South along said Northerly extension and the East line of said Lot 1 and the East line of Lot 24 of the Correction Plat of Gardenbrook Division 2, according to the plat thereof recorded in Volume 92 of Plats, pages 45 and 46, in the Records and Elections Division of King County, Washington to the Southeast corner thereof; thence continuing Southerly along the Southerly extension of the East line of said Lot 24 to the Southerly margin of S.E. Newport Way (Newport-Issaquah Road No. 941); thence Southeasterly along said Southerly margin to the West line of the Southeast quarter of the Northeast quarter of said Section 15; thence South along said West line to the South line of the Northeast quarter of said Section 15; thence East along said South line to the Southwest corner of the Northwest quarter of said Section 14; thence East along the South line of the Northwest quarter of said Section 14 to a point 1,083.14 feet Westerly of the Southeast corner of the Northwest quarter of said Section 14; said point also being on the West line of Lot 14 of Horizon Heights No. 4, according to the plat thereof recorded in Volume 110 of Plats, pages 24 and 25, in the Records and Elections Division of King County, Washington; thence Northerly 87.88 feet along said West line to the North line of said Horizon Heights No. 4; thence Northeasterly 539.29 feet along said North line; thence Easterly 251.33 feet along said North line to the East line of said Horizon Heights

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No. 4; thence Southerly 254.00 feet along said East line to the South line of the Northwest quarter of said Section 14; thence East along said South line to the Southwest corner of the Northeast quarter of said Section 14; said point also being the Southwest corner of Horizon Vista, according to the plat thereof recorded in Volume 96 of Plats, page 21, in the Records and Elections Division of King County, Washington; thence North 328.44 feet along the West line thereof to the North line of said Horizon Vista; thence East 654.09 feet along said North line to the East line thereof; thence South 327.53 feet along said East line to the Southeast corner of said Horizon Vista; said point also being the Northeast corner of the Northwest quarter of the Northwest quarter of the Southeast quarter of said Section 14; thence South along the East line thereof to the South line of the North 352.00 feet of the Northwest quarter of the Northwest quarter of the Southeast quarter of said Section 14; thence West along said South line to the East line of Horizon Heights No. 2, according to the plat thereof, recorded in Volume 95 of Plats, pages 35 and 36, in the Records and Elections Division of King County, Washington; thence South along said East line to the Northwest corner of Whispering View, according to the plat thereof recorded in Volume 126 of Plats, pages 23 and 24, in the Records and Elections Division of King County, Washington; said point also being on the North line of the South half of the Northwest quarter of the Southeast quarter of said Section 14; thence East along said North line to the West line of the East half of the Southeast quarter of the Northwest quarter of the Southeast quarter of said Section 14; thence South along said West line to the South line of the Northwest quarter of the Southeast quarter of said Section 14; thence West along said South line to the Southeast corner of the North half of the Southwest quarter of said Section 14; thence West along the South line thereof to the Southeast corner of Lot 5, Block 6 of Eastgate Addition Division L, according to the plat thereof recorded in Volume 55 of Plats, page 47, in the Records and Elections Division of King County, Washington; thence North 157.76 feet along the East line of Lot 5 and Lot 6, Block 6 of said Eastgate Addition Division L to the Southeast corner of Lot 7, Block 6 of said Eastgate Addition Division L; thence Northwesterly 167.17 feet along the Northeast line of said Lot 7 to the Easterly most corner of Lot 1, Block 6 of said Eastgate Addition Division L; thence Southwesterly 67.50 feet along the East line of said Lot 1 to the South line of said Lot 1; thence Westerly 110.00 feet to the Southwest corner of said Lot 1; thence continuing Westerly along the Westerly extension of the South line of said Lot 1 to the East line of Lot 10, Block 7 of said Eastgate Addition Division L; thence North along the East line of said Lot 10 to

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the South line of Lot 11, Block 7 of said Eastgate Addition Division L; thence West 110.00 feet along said South line to the West line of said Lot 11; thence North 153.05 feet along said West line to the South margin of S.E. 46th Street; thence continuing Northerly along the North extension of said West line to the center line of S.E. 46th Street; thence Northwesterly along said center line and the Northwesterly extension of said center line on curve to the right, having a radius of 700.00 feet to the West line of the Southwest quarter of said Section 14; thence South along said West line to the Northeast corner of the Northeast quarter of said Section 22; thence West along the North line thereof to the West line of the Northeast quarter of the Northeast quarter of said Section 22; thence South along said West line to the Northwest corner of Tract A of Eagles Mere No. 1, according to the plat thereof recorded in Volume 97 of Plats, pages 1 to 3, in the Records and Elections Division of King County, Washington; thence Easterly along the North line thereof to the Easterly most corner of said Tract A; thence Northeasterly to the Westerly most corner of Lot 42 of said Eagles Mere No. 1; thence Southeasterly along the Southwest line of said Lot 42 to the Southerly most corner thereof and the Southerly line of said plat of Eagles Mere No. 1; thence Easterly along said Southerly line to the Southeast corner of Lot 62 of said Eagles Mere No. 1; thence Southeasterly to the Westerly most corner of Lot 19 of Eagles Mere No. 3, according to the plat thereof recorded in Volume 98 of Plats, pages 65 and 66, in the Records and Elections Division of King County, Washington; thence Southeasterly along the Southwesterly line of said Lot 19 to the South line thereof; thence East along said South line to the Southwest corner of Lot 20 of said Eagles Mere No. 3; thence East along the South line thereof to the Southeast corner of said Lot 20; thence North along the East line thereof to the Southwest corner of Tract A of said Eagles Mere No. 3; thence East along the South line thereof and the South line of Lot 21 of said Eagles Mere No. 3 to the Westerly line of Tract B of said Eagles Mere No. 3; thence Northeasterly along said Westerly line to the Southeast corner of Lot 25 of said Eagles Mere No. 3; thence North along the East line thereof to the Northeast corner of said Lot 25; thence Northeast to the Southeast corner of Lot 26 of said Eagles Mere No. 3 and the Easterly line of said Eagles Mere No. 3; thence Northerly along said Easterly line to South line of the Southwest quarter of said Section 14; thence East along the South line thereof to the Southwest corner of the Southeast quarter of said Section 14; thence East along the South line thereof to the Northwest corner of the Northwest quarter of said Section 24 and the center line of 164th Avenue S.E.; thence South along the West line of the Northwest quarter of

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said Section 24 to the South line of the North half of the North half of the Northwest quarter of the Northwest quarter of said Section 24; thence East along said South line to the East line of the Northwest quarter of the Northwest quarter of said Section 24; thence North along said East line to the Southeast corner of the Southwest quarter of the Southwest quarter of said Section 13; thence North along the East line thereof to the South line of Eastmont Home Tracts, according to the plat thereof, recorded in Volume 57 of Plats, pages 90 and 91, in the Records and Elections Division of King County, Washington; thence West along said South line and the Westerly extension of said South line to the center line of 164th Avenue S.E.; thence Northerly along said center line to the center line of S.E. 44th Way; thence West along said center line to the center line of 164th Way S.E.; thence Northeasterly along said center line to the center line of 164th Avenue S.E. and the East line of the Northeast quarter of said Section 14; thence North along said East line to the TRUE POINT OF BEGINNING.

EXCEPT that portion of Eastgate Addition Division A, according to the plat thereof recorded in Volume 51 of Plats, pages 84 and 85, in the Records and Elections Division of King County, Washington, described as follows:

Commencing at the intersection of the center lines of 150th Avenue S.E. and S.E. 38th Street (S.E. 37th Street, plat), said point being the TRUE POINT OF BEGINNING; thence Westerly and Southwesterly along the center line of S.E. 38th Street to the center line of 148th Avenue S.E.; thence Southwesterly along said center line to the center line of S.E. 39th Street (S.E. 38th Street, plat); thence Southeasterly along said center line 156.22 feet; thence Northeasterly to the Southerly most corner of Lot 6, Block 2 of said Eastgate Addition Division A; thence Northeasterly along the South line thereof to the Southeast corner of said Lot 6; thence continuing Northeasterly along the Northeasterly extension of said South line to the center line of 150th Avenue S.E.; thence North along said center line to the TRUE POINT OF BEGINNING.

AND EXCEPT all of Lots 9, 10 and 11, Block 9, Eastgate Addition Division 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.

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

Section 4. A copy of this ordinance, duly certified as a true copy

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by the Clerk of the City, shall be filed with the County Auditor.

Section 5. This ordinance shall take effect and be in force five days after its passage and legal publication.

PASSED by the City Council this 21st day of November, 1988, and signed in authentication of its passage this 21st day of November, 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 November 27, 1988