

WP0193C-ORD  
06/07/93

ORIGINAL

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4545

AN ORDINANCE reclassifying approximately 4.5 acres of property located on the western edge of the Monthaven neighborhood at 4102, 4105, 4134, 4135 and 4144 131st Ave. S.E. and 13050 S.E. 41st Street from R-3.5 to R-5 on application of the City of Bellevue.

WHEREAS, the City of Bellevue filed an application to reclassify approximately 4.5 acres of property located on the western edge of the Monthaven neighborhood at 4102, 4105, 4134, 4135 and 4144 131st Ave. S.E. and 13050 S.E. 41st Street from R-3.5 to R-5; and

WHEREAS, on April 15, 1993 a public hearing was held on the rezone application before the Hearing Examiner for the City of Bellevue pursuant to notice as required by law; and

WHEREAS, on April 28, 1993 the Hearing Examiner recommended approval, with one condition, of the rezone application and made and entered findings of fact and conclusions based thereon in support of his recommendation; and

WHEREAS, the Hearing Examiner issued an order dated May 10, 1993 correcting certain clerical errors in 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 approving the reclassification of said property from R-3.5 to R-5 with condition; and

WHEREAS, the City has complied with the requirements of the State Environmental Policy Act and the City Environmental Procedures Code; 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 City Council approving the reclassification request with regard to the hereinafter described property located on the western edge of the Monthaven neighborhood at 4102, 4105, 4134, 4135 and 4144 131st Ave. S.E. and 13050 S.E. 41st Street as set forth in "Findings, Conclusions and Recommendation of the Hearing Examiner for the City of Bellevue In the Matter of the Application of THE CITY OF

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BELLEVUE For Approval of a Rezone, File No. REZ 93-612 through 617," as modified by the Hearing Examiner order dated May 10, 1993.

Section 2. The following described property located on the western edge of the Monthaven neighborhood at 4102, 4105, 4134, 4135 and 4144 131st Ave. S.E. and 13050 S.E. 41st Street is hereby reclassified from R-3.5 to R-5 subject to the condition that follows:

That portion of the Northeast quarter of the Northeast quarter of Section 16, Township 24 North, Range 5 East, W.M., in King County, Washington, described as follows:

Commencing at the Southeast corner of said subdivision; thence Northerly along the East line thereof to the North line of the South 528.00 feet of said subdivision and the True Point of Beginning; thence Westerly along said North line to the West line of the East 193.00 feet of said subdivision; thence Northerly along said West line to the North line of the South half of said subdivision; thence Easterly along said North line to the West line of the East 183.00 feet of said subdivision; thence Northerly along said West line to the North line of the South half of the South half of the North half of said subdivision; thence Westerly along said North line to the West line of the East 332.00 feet of said subdivision; thence Northerly along said West line to the South line of the North 165.00 feet of said subdivision; thence Easterly along said South line to the East line of said subdivision; thence Southerly along said East line to the True Point of Beginning.

This reclassification is subject to the following condition:

At the time of any subdivision or new development of the property at 13050 S.E. 41st Street, Bellevue, Washington, a fifteen foot wide non-motorized easement shall be granted to the City. This easement specified as M605 on the Pedestrian System Plan in the Pedestrian and Bicycle Transportation Plan shall connect S.E. 41st Street with a suitable location on the western border of the site. At the time of new development on the site, the developer will be required to construct a non-motorized access facility within the easement to the requirements of the Department standards current at that time.

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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 28<sup>th</sup> day of June, 1993,  
and signed in authentication of its passage this 29<sup>th</sup> day of  
June, 1993.

(SEAL)

Margot Blacker

Margot Blacker  
Deputy Mayor

Approved as to form:

Richard L. Andrews, City Attorney

Richard L. Kirkby  
Richard L. Kirkby, Assistant City Attorney

Attest:

Myrna L. Basich  
Myrna L. Basich, City Clerk

Published July 2, 1993