

ORIGINAL

WPO258C-ORD
10/12/93

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4594

AN ORDINANCE reclassifying approximately 3.6 acres of property comprised of two parcels located at 5126 and 5220 164th Way S.E. on application of Newcastle Development Company.

WHEREAS, Andrew T. King, Triad Associates, applied, on behalf of Newcastle Development Company, to the City to rezone approximately 3.6 acres of property comprised of two parcels located at 5126 and 5220 164th Way S.E. from PO/C and R-5/C to Office with conditions (O/C); and

WHEREAS, on September 2, 1993 a public hearing was held on the reclassification application before the Hearing Examiner for the City of Bellevue pursuant to notice as required by law; and

WHEREAS, on September 17, 1993 the Hearing Examiner recommended approval, with conditions, of the rezone application 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 approving the reclassification of the hereinafter described property from PO/C and R-5/C to Office with conditions (O/C); 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 at 5126 and 5220 164th Way S.E. as set forth in "Findings, Conclusions and Recommendation of the Hearing Examiner for the City of Bellevue in the Matter of the Application of Newcastle Development Company (Andrew T. King, Triad Associates) For a Reclassification of Property and a Boundary Realignment. File No. REZ 93-518".

Section 2. The following described property is reclassified from PO/C and R-5/C to Office (O) subject to the conditions that follow:

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That portion of the East half of the Northeast quarter of Section 23, Township 24 North, Range 5 East, W.M., in King County, Washington, described as follows:

Beginning at the Northeast corner of Parcel D, Lakemont Division 2, as recorded in Volume 156 of Plats, Pages 76-83; thence Southerly along the Easterly line thereof and the Southeasterly extension of said Easterly line to the centerline of Lakemont Boulevard S.E.; thence Southwesterly along said centerline to the centerline of 164th Way S.E. (Newcastle Road) and the beginning of a 477.36 foot radius curve; thence Northerly along said curve and centerline of 164th Way S.E. to the North line of the South half of the South half of the Northeast quarter of the Northeast quarter of said Section 23; thence Easterly along said North line to the West line of the East 249.00 feet of said Section 23; thence Southerly along said West line to the North line of said Parcel D; thence Easterly along said North line to the Point of Beginning.

This reclassification is subject to the following conditions:

- a. Permitted uses shall be restricted to churches, day nurseries or day care facilities, parking (including park and pool), signs and landscaping, as provided in KCC 21.12.
- b. A 50 foot buffer shall be provided along the east, north and west boundaries as illustrated in Exhibit No. 204 (as amended). Vegetation within this buffer area shall be enhanced to meet King County type I standards.
- c. The site will be properly screened to assure that no direct headlight illumination from parking areas will be directed toward any abutting single family residentially classified property. Site and facility lighting shall be directed, deflected, or screened in such a manner as to avoid glare or direct illumination upon any adjoining single family residentially classified property.
- d. The architectural character, scale, massing, exterior materials, and finish of any structures other than churches shall reflect the residential community character.
- e. Street frontage, parking lot and boundary landscaping shall be provided consistent with NCP Policy N-15 and KCC 21.51.

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f. Any of the uses listed in condition a. above, which are permitted only as conditional uses in the Office district under the Bellevue Land Use Code will be subject to the conditional use process.

This reclassification is further conditioned on full compliance by the owner of said property and its heirs, assigns, grantees or successors in interest, of the terms and conditions of that certain Concomitant Agreement executed by the owner of said property, which has been given Clerk's Receiving No. 19689, and which has been adopted by reference into this ordinance as if it were fully set forth herein.

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 25th day of October, 1993, and signed in authentication of its passage this 25th day of October, 1993.

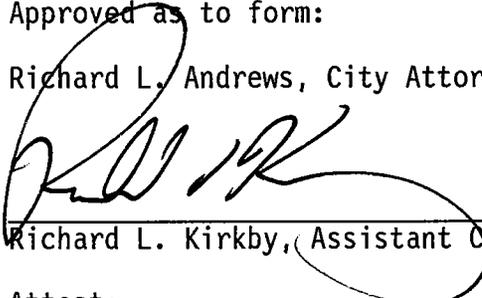
(SEAL)



Margot Blacker Deputy Mayor

Approved as to form:

Richard L. Andrews, City Attorney



Richard L. Kirkby, Assistant City Attorney

Attest:



Myrna L. Basich, City Clerk

Published October 29, 1993