

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4734

AN ORDINANCE reclassifying 48 parcels totaling approximately 490 acres located from S.E. 8th to S.E. 40th Street between 112th Avenue S.E., Bellevue Way, and 118th Avenue S.E. from GC, OU/PUD, R-1/OU, OU to O/C, LI/C, R-15/C, R-2.5, R-1, R-20 on application of the City of Bellevue, and known as the Mercer Slough Rezone Project.

WHEREAS, the City of Bellevue filed an application to reclassify approximately 490 acres located from S.E. 8th to S.E. 40th Street between 112th Avenue S.E., Bellevue Way, and 118th Avenue S.E. from GC, OU/PUD, R-1/OU, and OU to O/C, LI/C, R-15/C, R-2.5, R-1, and R-20 on application of the City of Bellevue, and known as the Mercer Slough Rezone Project; and

WHEREAS, on November 17, 1994, 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 December 12, 1994, 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 said properties from GC, OU/PUD, R-1/OU, and OU to O/C, LI/C, R-15/C, R-2.5, R-1, and R-20 with conditions; 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 from S.E. 8th to S.E. 40 Street between 112th Avenue S.E., Bellevue Way, and 118th Avenue S.E. with conditions 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 Bellevue For a Reclassification of the Mercer Slough Rezone Project, File Nos. REZ 94-3072 through 3117 and REZ 94-3119 and 3120".

Section 2. The following described properties are reclassified as indicated:

Area 1 (Bellefield Office Park)

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

Beginning at the intersection of the centerline of S.E. 8th Street and the East line of said subdivision; thence Southerly along said East line to the Southeast corner of Lot 5, Bellefield Office Park, as recorded in Volume 119 of Plats, Pages 81-90; thence Westerly along the Southerly line thereof 331.43 feet to an angle point in said Southerly line; thence Southerly along said Southerly line 330.56 feet to an angle point in said Southerly line; thence Westerly along said Southerly line and the Westerly extension thereof to the centerline of the Drainage District No. 12 Right of Way, as filed under Superior Court Cause No. 140087; thence Southerly along said centerline to the Easterly extension of the Northerly line of Lot 9 of said plat; thence Westerly along said Easterly extension, Northerly line and the Westerly extension thereof to the centerline of 112th Avenue S.E.; thence Northerly along said centerline to the centerline of S.E. 8th Street; thence Easterly along the centerline of S.E. 8th Street to the Point of Beginning.

From OU/GC w/PUD to Office, subject to the following condition:

The Bellefield Office Park PUD 47 and all subsequent Bellefield PUDs or amendments thereto approved by the City shall remain in effect and unaltered by this reclassification.

Area 2 (1331 - 118th Street S.E.)

That portion of the South half of the North half of the Southwest quarter of the Northwest quarter of Section 4, Township 24 North, Range 5 East, W.M., in King County, Washington, lying Westerly of the centerline of 118th Avenue S.E. (Factoria-Wilburton Road).

From OU w/PUD to LI subject to the following condition:

The Overlake Fund PUD adopted on January 28, 1991 under Ordinance No. 3117, and any amendments thereto shall remain in effect and unaltered by this reclassification.

Area 3 (The Duff, Moon & Ross and City of Bellevue Park Properties)

That portion of Sections 4 and 9, Township 24 North, Range 5 East, W.M., in King County, Washington, described as follows:

Beginning at the Southwest corner of the Northwest quarter of said Section 4; thence Northerly along the West line thereof to the North line of the South half of the Southwest quarter of the Northwest quarter of said Section 4; thence Easterly along said North line to the centerline of 118th Avenue S.E. (Factoria-Wilburton Road); thence Southerly along said centerline and the centerline of Lake Washington Boulevard S.E. to the Easterly extension of the South line of that certain tract conveyed to John J. Martial by deed recorded under Recording No. 2595600; thence Westerly along said Easterly extension and South line to the Southwest corner of said tract; thence Southerly along the Southerly extension of the West line thereof to the LL-Line, as shown on the P.S.H. 2(S.R. 90), East Channel Bridge to Richards Road Right of Way Plans, sheet 4 of 20, approved November 15, 1965; thence Westerly along said LL-Line to the Government Meander Line, as shown on the State of Washington Commissioner of Public Lands, Maps of Lake Washington Shore Lands, dated September 19, 1921, sheet 32 of 59; thence Northerly along said meander line to the centerline of S.E. 32nd Street (H.S. Hendrickson Road No. 1195); thence Westerly along said centerline to the West line of said Section 9; thence Northerly along said West line to the Southwest corner of said Section 4; thence Northerly along the West line thereof to the Point of Beginning.

From OU/R-1 to R-15 subject to the following condition:

If the City of Bellevue has not developed trails on site, the owner shall grant a 'non-motorized public access easement' to the City of Bellevue and construct a trail to Parks and Community Services Department standards at the time of development. The easement shall be 10 feet wide and traverse the property from north to south.

Area 4 (The Hesse Property)

That portion of the Southwest quarter of Section 9, Township 24 North, Range 5 East, W.M., in King County, Washington, described as follows:

Beginning at the intersection of the LL-Line, as shown on the P.S.H. 2(S.R. 90), East Channel Bridge to Richards Road Right of Way Plans, sheet 4 of 20, approved November 15, 1965 and the

centerline of Lake Washington Boulevard S.E. (H.S. Hendrickson Road No. 1195); thence Northerly along said centerline and the centerline of 118th Avenue S.E. (Factoria-Wilburton Road) to the Easterly extension of the South line of that certain tract conveyed to John J. Martial by deed recorded under Recording No. 2595600; thence Westerly along said line Easterly extension and South line to the Southwest corner of said tract; thence Southerly along the Southerly extension of the West line thereof to said LL-Line; thence Easterly along said LL-Line to the Point of Beginning.

From OU to Office subject to the following condition:

The Planned Unit Development for Stress Technology adopted August 23, 1982, under Ordinance 3182, and any amendments thereto shall remain in effect and unaltered by this classification

Area 5 (Newport Shores Marina and Park Property)

That portion of Sections 8 and 9, Township 24 North, Range 5 East, W.M., in King County, Washington, described as follows:

Beginning at the intersection of the centerline of Lake Washington Boulevard S.E. (H.S. Hendrickson Road No. 1195) and the South line of Government Lot 4 of said Section 9; thence Westerly along said South line to a point on the Inner Harbor Line of Lake Washington Shore Lands; thence Northerly along said Inner Harbor line to the Easterly most corner of the Waterway, as shown on the State of Washington Commissioner of Public Lands, Maps of Lake Washington Shore Lands, dated September 19, 1921, sheet 32 of 59; thence Northerly along said Inner Harbor Line to the Southerly extension of the East line of Lot 11, Block 7 of Qualheim's Lake Washington Acre Tracts, as recorded in Volume 15 of Plats, Page 46; thence Northerly along said Southerly extension and East line to the LL-Line, as shown on the P.S.H. 2(S.R. 90), East Channel Bridge to Richards Road Right of Way Plans, sheets 3 and 4 of 20, approved November 15, 1965; thence Easterly along said LL-Line to the centerline of Lake Washington Boulevard S.E.; thence Southerly along said centerline to the Point of Beginning.

From OU to R-2.5.

Area 6 (Metro Park & Ride, Moon & Ross and Mercer Slough Park Property)

That portion of Sections 5, 8 and 9, Township 24 North, Range 5 East, W.M., in King County, Washington, described as follows:

# ORIGINAL

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Commencing at the intersection of the centerline of S.E. 8th Street and the East line the Northeast quarter of Section 5; thence Southerly along said East line to the Southeast corner of Lot 5, Bellefield Office Park, as recorded in Volume 119 of Plats, Pages 81-90 and the True Point of Beginning; thence Westerly along the Southerly line thereof 331.43 feet to an angle point in said Southerly line; thence Southerly along said Southerly line 330.56 feet to an angle point in said Southerly line; thence Westerly along said Southerly line and the Westerly extension thereof to the centerline of the Drainage District No. 12 Right of Way, as filed under Superior Court Cause No. 140087; thence Southerly along said centerline to the Easterly extension of the Northerly line of Lot 9 of said plat; thence Westerly along said Easterly extension, Northerly line and the Westerly extension thereof to the centerline of 112th Avenue S.E.; thence Southerly along said centerline to the centerline of Lake Washington Boulevard (C.O. Qualheim Road); thence Southerly along the centerline of Lake Washington Boulevard and the A-Line, as shown on the P.S.H. 2(S.R. 90), East Channel Bridge to Richards Road Right of Way Plans, sheets 3 and 4 of 20, approved November 15, 1965 to the LL-Line, as shown on said right of way plans; thence Easterly along said LL-Line to the Government Meander Line, as shown on the State of Washington Commissioner of Public Lands, Maps of Lake Washington Shore Lands, dated September 19, 1921, sheet 32 of 59; thence Northerly along said meander line to the centerline of S.E. 32nd Street (H.S. Hendrickson Road No. 1195); thence Westerly along said centerline to the East line of said Section 8; thence Northerly along said West line to the Southeast corner of said Section 5; thence Northerly along the East line thereof to the True Point of Beginning.

From OU to R-1.

## Area 7 (City of Bellevue/Storm Detention Parcel)

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

Commencing at the Northwest corner of said subdivision; thence South  $1^{\circ}35'41''$  West along the West line thereof 737.72 feet to the True Point of Beginning; thence South  $88^{\circ}31'14''$  East 30.00 feet to the East margin of 108th Avenue S.E.; thence South  $55^{\circ}18'14''$  East to the centerline of 112th Avenue S.E.; thence Southerly along said centerline to the centerline of Lake Washington Boulevard (C.O. Qualheim Road); thence Northwesterly along the centerline of Lake Washington Boulevard to the West line of said

subdivision; thence Northerly along said West line to the True Point of Beginning.

From OU to R-20.

Section 3. This Ordinance shall take effect and be in force five days after its passage and legal publication.

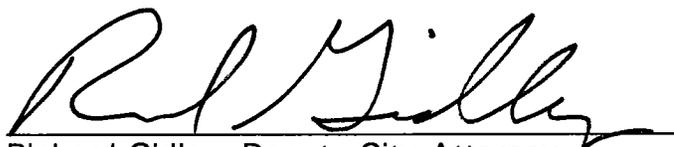
PASSED by the City Council this 23rd day of January, 1995, and signed in authentication of its passage this 23rd day of January, 1995.

(SEAL)

  
Donald S. Davidson, DDS, Mayor

Approved as to form:

Richard L. Andrews, City Attorney

  
Richard Gilley, Deputy City Attorney

Attest:

  
Myrna L. Basich, City Clerk

Published January 27, 1995