

ORIGINAL

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5355

AN ORDINANCE approving the rezone application of Barber 37th Street Associates to expand the list of permitted uses allowed by the 1976 Concomitant Zoning Agreement No. 3995 adopted by Ordinance No. 2225 for the property located at 15350 SE 37th Street to include certain financial institutions and health care facilities.

WHEREAS, Barber 37 Associates filed an application to rezone property located at 15350 SE 37th Street to expand the list of permitted uses to include certain financial institutions and health care facilities; and

WHEREAS, on June 19, 2001, a courtesy public hearing was held on the proposal by the Sammamish Community Council pursuant to notice as required by law;

WHEREAS, on December 6, 2001, 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 December 14, 2001, the Hearing Examiner recommended approval of the rezone application and made and entered findings of fact and conclusions based thereon in support of that recommendation, and no timely appeal thereof has been filed; 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 rezone of said property to expand the list of permitted uses to include certain financial institutions and; and health care facilities; 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 the recommendation to the City Council with regard to the hereinafter described property located at 15350 SE 37th Street as set forth in "Findings, Conclusions and Recommendations of the Hearing Examiner for the City of Bellevue in the Matter of the Application of Barber 37th Street Associates, to expand the allowable uses on-site as currently restricted by Ordinance No. 2225, File No. LQ 01-108536."

Section 2. The zoning on the below described real property is hereby amended to include the following permitted uses:

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Financial Institutions

Banks
Credit Unions
Consumer Financial Services
Check Cashing Services

Health Care Facilities

Doctor's Offices
Dental Offices

That portion of Tract "A", Eastgate Addition Division B, according to the plat thereof recorded in Volume 52 of Plats, page 13 through 18, inclusive, records of King County, Washington, described as follows:

Commencing at the point of intersection of the FR8-E Line Survey with the FR-8 Line Survey as shown on Washington State Highway Department Right of Way Map SR90, MP 7 71 to MP 11 73 Richards Road to Lake Sammamish, sheet 5 of 25 sheets, latest revision date August 9, 1971, said point being Engineer's Station FR 813+91 96;

Thence South 89°59'03" East along said FR8 line 148.48 feet to station FR8 15+40 44 PC.;

Thence Easterly along a 350 foot radius curve to the left 173.47 feet (through an angle of 28°23'15");

Thence North 28°22'18" West along a radial 30.00 feet to the Northwesterly margin of said FR8 line right of way;

Thence North 24°47'18" West 21.57 feet;

Thence North 8°49'50" West 192.52 feet to a point on the Southeasterly margin of said FR8-E line right of way, said point being on a 350 foot radius curve concave to the Southeast, a radial at said point bearing south 32°24'26" East;

Thence Northeasterly along said curve and margin 149.98 feet to the True Point of Beginning;

Thence continuing Northeasterly along said curve and margin 7.27 feet to a point 50 feet Southeasterly from (as measured radially) engineer station FR8-E 511+00;

Thence South 86°29'13" East along said margin 308.18 feet to a point on said Northwesterly margin of the aforesaid FR-8 line right of way, said point being on a 380 foot radius curve concave to the Southeast, a radius through said point bearing South 7°30'9" East;

Thence Southwesterly along said Northwesterly margin 190.54 feet to a point of tangency;

Thence South 53°46'04" West along said margin 131.69 feet to a point which bears South 11°26'50" East from the True Point of Beginning;

Thence North 11°26'50" West 169.40 feet to the True Point of Beginning.

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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 4th day of February, 2002,
and signed in authentication of its passage this 4th day of February 2002.

(SEAL)

Connie B. Marshall
Connie B. Marshall, Mayor

Approved as to form:

Richard L. Andrews, City Attorney

Lori M. Riordan
Lori M. Riordan, Assistant City Attorney

Attest:

Myrna L. Basich
Myrna L. Basich, City Clerk

Published February 8, 2002