

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5442

AN ORDINANCE rezoning approximately 13.6 acres located at 5027, 5029 and 5033 159<sup>th</sup> Place SE from R-3.5C to R-3.5 on application of the City of Bellevue.

WHEREAS, the City of Bellevue filed an application to rezone approximately 13.6 acres located in Bellevue at from R-3.5C to R-3.5; and

WHEREAS, on January 23, 2003, a public meeting was held on the rezone application; and

WHEREAS, on February 27, 2003, a hearing was held before the Hearing Examiner for the City of Bellevue pursuant to notice as required by law; and

WHEREAS, on March 11, 2003 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 from R-3.5C to R-3.5; 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 5027, 5029 and 5033 159<sup>th</sup> Place SE as set forth in "Findings, Conclusions and Recommendations of the Hearing Examiner for the City of Bellevue in the Matter of the Application of the City of Bellevue, for a Rezone from R-3.5C to R-3.5, Deleting a Condition of a Pre-annexation Zoning Ordinance that Restricted Density on the Property at 5027, 5029 and 5033 159<sup>th</sup> Place SE, File No. 03-100077 LQ", except that Finding of Fact No. 3 on page 2 thereof is not adopted, and in place thereof, the City Council adopts the following Finding of Fact No. 3:

3. The site contains two single family residences and the Hillside School, a private middle and high school, grades 5-12.

Section 2. The following described property is reclassified from R-3.5C to R-3.5:

That portion of Sections 23 and 24, Township 24 North, Range 5 East, W.M., in King County, Washington, described as follows:

Commencing at the Northwest corner of the Northeast quarter of the Northeast quarter of said Section 23 and the True Point of Beginning;  
thence East along the North line of the Northeast quarter of said Section 23 to the Northwest corner of the Northwest quarter of said Section 24;  
thence East along the North line of the Northwest quarter of said Section 24 to the East margin of 164th Avenue S.E.;  
thence South along said East margin to the North line of the South half of the North half of the northwest quarter of the northwest quarter of said Section 24;  
thence West along said North line to the center line of 164th Avenue S.E.;  
thence South along said center line to the North line of the South half of the South half of the South half of the Northeast quarter of the Northeast quarter of said Section 23;  
thence East along said North line to the East margin of 164th Avenue S.E.;  
thence Southerly along said East margin and the Southerly extension of said East margin to the Easterly margin of Lakemont Boulevard S.E.;  
thence Southwesterly along said Easterly margin to the North line of the Southeast quarter of said Section 23;  
thence continuing Southwesterly along said Easterly margin to the West line of the Northeast quarter of the Southeast quarter of said Section 23;  
thence North along said West line to the Southwest corner of the East half of the Northeast quarter of said Section 23;  
thence North along the West line of the East half of the Northeast quarter of said Section 23 to the True Point of Beginning.

Situated in the County of King, State of Washington.

0602-ORD  
05/08/03

Section 4. This ordinance shall take effect and be in force five (5) days after passage and legal publication.

Passed by the City Council this 21st day of April, 2003, and signed in authentication of its passage this 21st day of April, 2003.

(SEAL)

Connie B. Marshall, Mayor

Approved as to form:

Richard L. Andrews, City Attorney

Lori M. Riordan, Assistant City Attorney

Attest:

Myrna L. Basich, City Clerk

Published April 25, 2003