

ORIGINAL

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5715

AN ORDINANCE approving the rezone application of the City of Bellevue to rezone nine parcels at the northwest corner of Factoria Boulevard and Southeast 38<sup>th</sup> Street and at 3724 Factoria Boulevard from General Commercial and Office to Community Business.

WHEREAS, the City of Bellevue filed an application to rezone nine parcels at the northwest corner of Factoria Boulevard and Southeast 38<sup>th</sup> Street and at 3724 Factoria Boulevard from General Commercial and Office to Community Business; and

WHEREAS, on November 16, 2006 a public hearing was held before the Hearing Examiner for the City of Bellevue pursuant to notice required by law; and

WHEREAS, on December 6, 2006 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 General Commercial and Office to Community Business and that the criteria of Land Use Code Section 20.30A.140 have been satisfied; 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 the northwest corner of Factoria Boulevard and Southeast 38<sup>th</sup> Street and at 3724 Factoria Boulevard as set forth in "Findings of Fact, Conclusions of Law, and Recommendation In re the matter of Application of City of Bellevue (Kevin McDonald) FATS Update Rezone To Rezone Nine Parcels in Factoria currently Zoned General Commercial and Office to Community Business, File No: 06-121724-LQ".

Section 2. The property described below is hereby rezoned from General Commercial and Office to Community Business.

FATS Update Rezone Description  
Factoria

That portion of the Southeast 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 centerlines of 128<sup>th</sup> Avenue S.E. and S.E. 38<sup>th</sup> Street; thence North 63°38'19" West along the centerline of S.E. 38<sup>th</sup> Street to the Southerly extension of the West line of Lot 3, King County Short Plat No. 280070, as filed under Recording No. 8009300879 and revised under Recording No. 8011200686; thence Northerly along said Southerly extension and West line to the Northwest corner of said Lot 3; thence Easterly along the North line thereof and the Easterly extension of said North line to the West line of the East 160.00 feet of the Southwest quarter of the Southeast quarter of said Section 9; thence Northerly along said West line to the South line of Lot 2 of said King County Short Plat No. 280070; thence Westerly along said South line to the Southwest corner of said Lot 2; thence Northerly along the West line thereof to the Northwest corner of said Lot 2 and the South line of the North half of the Northeast quarter of the Southwest quarter of the Southeast quarter of said Section 9; thence Westerly along said South line to the West line of the East 180.00 feet of the Southwest quarter of the Southeast quarter of said Section 9; thence Northerly along said West line to the Northeast corner of Lot 1, City of Bellevue Boundary Line Adjustment No. 99-5313, as filed under Recording No. 20000228900003; thence Easterly along the Easterly extension of the North line of said Lot 1 to the centerline of said 128<sup>th</sup> Avenue S.E.; thence Southerly along said centerline to the Westerly extension of the South line of Lot 2, King County Short Plat No. 278125 Revision, as filed under Recording No. 8112079004; thence Easterly along said Westerly extension and South line to the East line of the West 222.00 feet of the Southeast quarter of the Southeast quarter of said Section 9; thence Southerly along said East line to the North line of the South 12.00 feet of the North half of the Southeast quarter of the Southeast quarter of said Section 9; thence Westerly along said North line to the centerline of said 128<sup>th</sup> Avenue S.E.; thence Southerly along said centerline to the **Point of Beginning**.

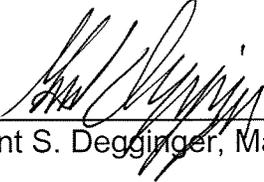
Section 3. This ordinance shall take effect and be in force five (5) days after passage and legal publication.

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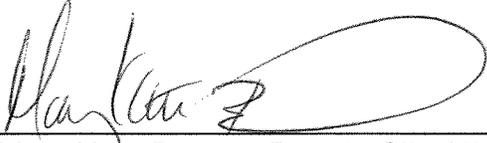
Passed by the City Council this 5<sup>th</sup> day of February, 2007  
and signed in authentication of its passage this 5<sup>th</sup> day of February,  
2007.

(SEAL)

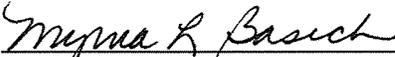
  
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Grant S. Degginger, Mayor

Approved as to form:

Lori M. Riordan, City Attorney

  
\_\_\_\_\_  
Mary Kate Berens, Deputy City Attorney

Attest:

  
\_\_\_\_\_  
Myrria L. Basich, City Clerk

Published February 8, 2007