

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6453

AN ORDINANCE approving rezone application Permit File No.18-103799-LQ (Main Street Apartments Rezone) with a non-substantive modification; rezone of a 0.95 acre split-zoned parcel at 10777 Main Street from Downtown Mixed use (DNTN-MU) and Professional Office (PO) to Downtown Mixed Use (DNTN-MU).

WHEREAS, an application was submitted on January 31, 2018 for a rezone from DNTN-MU and PO zoning to all DNTN-MU zoning for the parcel located at 10777 Main Street, the legal description of which is attached hereto as Exhibit A and by this reference fully incorporated herein; and

WHEREAS, public notice of the request was published on March 22, 2018 and the request was considered at a public meeting on April 5, 2018; and

WHEREAS, a public hearing was held before the Hearing Examiner for the City of Bellevue on October 25, 2018 pursuant to notice required by law; and

WHEREAS, on November 6, 2018, the Hearing Examiner recommended approval of the rezone application, and made and entered findings of fact and conclusions of law based thereon in support of that recommendation, and no timely appeal thereof has been filed; and

WHEREAS, the City Council concurs with the findings of fact, with a non-substantive modification, and conclusions of law of the Hearing Examiner, and Council has determined that the public use and interest will be served by approving the rezone; and

WHEREAS, the City has complied with the requirements of the State Environmental Policy Act and the City Environmental Procedures Code and a Determination of Non-Significance was issued on October 12, 2017; now, therefore,

WHEREAS, on January 14, 2019 a study session was held before the City Council where staff presented information on this application.

WHEREAS, a non-substantive error in the Hearing Examiner's report was noted by staff that the Hearing Examiner's Findings of Fact state that the City Council approved the pertinent Comprehensive Plan Amendment (File 17-121068-AC) on October 12, 2017, when it was approved by the City Council on December 11, 2017.

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, with a non-substantive modification, made and entered by the Hearing Examiner in support of the recommendation to the City Council with regard to the described property as set forth in Findings, Conclusions and Recommendations of the Hearing Examiner for the City of Bellevue "In the matter of the Application for rezone of a 0.95 acre split-zoned parcel at 10777 Main Street, from Downtown Mixed Use (DNTN-MU) and Professional Office (PO) to Downtown Mixed Use (DNTN-MU). Permit File No.: 18-103799-LQ."

Section 2. The property legally described in Exhibit A, which is attached hereto and by this reference fully incorporated herein is hereby reclassified from DNTN-MU and PO to all DNTN-MU.

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

Passed by the City Council this 4th day of March, 2019
and signed in authentication of its passage this 4th day of March,
2019.

(SEAL)



John Chelminiak
John Chelminiak, Mayor

Approved as to form:

Kathryn L. Gerla
Kathy Gerla, City Attorney

Attest:

Kyle Stannert
Kyle Stannert, City Clerk

Published March 7, 2019.

**Exhibit A
Legal Description**

PARCEL A:

THAT PORTION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 25 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SUBDIVISION;
THENCE SOUTH 0°07'16" EAST 30.00 FEET ALONG THE EAST LINE OF SAID SUBDIVISION;
THENCE NORTH 88°30'01" WEST 30.01 FEET TO THE TRUE POINT OF BEGINNING;
THENCE NORTH 88°30'01" WEST 200.00 FEET TO THE NORTHEAST CORNER OF THE PREMISES CONVEYED TO G.W. WOMACK BY DEED RECORDED UNDER RECORDING NUMBER 3290108;
THENCE SOUTH 0°07'16" EAST 146.83 FEET TO THE NORTHWEST CORNER OF THE PREMISES CONVEYED TO A.E. KNOKE, ET UX, BY DEED RECORDED UNDER RECORDING NUMBER 3529667;
THENCE SOUTH 88°37'12" EAST ALONG THE NORTH LINE OF SAID KNOKE PREMISES, 200.00 FEET TO A POINT WHICH LIES SOUTH 0°07'16" EAST 146.42 FEET FROM THE TRUE POINT OF BEGINNING;
THENCE NORTH 0°07'16" WEST 146.42 FEET TO THE TRUE POINT OF BEGINNING;

EXCEPT THAT PORTION GRANTED AND DEDICATED TO THE CITY OF BELLEVUE FOR STREET PURPOSES BY DEED RECORDED UNDER RECORDING NUMBER 5797453.

PARCEL B:

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 25 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON;
THENCE SOUTH 176.42 FEET;
THENCE WEST 30 FEET TO THE TRUE POINT OF BEGINNING;
THENCE SOUTH 60 FEET, WEST 200 FEET, NORTH 60 FEET, EAST 200 FEET TO THE TRUE POINT OF BEGINNING.