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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4044

AN ORDINANCE amending the proposed zoning regulation previously adopted pursuant to Ordinance No. 3840 for a 50-acre portion of an approximately 67-acre parcel located in the Newcastle Subarea south of S.E. 60th Street and east of Cougar Mountain Way, commonly referred to as the Mortensen Annexation; amending Section 1 of Ordinance No. 3840; and adding a new Section 2a to Ordinance No. 3840.

WHEREAS, RCW 35A.14.330 authorizes the City Council to adopt a proposed zoning regulation to become effective upon the annexation of any area which might reasonably be expected to be annexed by the City at any future time; and

WHEREAS, it is anticipated that an approximately 67-acre parcel of unincorporated property located in the Newcastle Subarea, south of S.E. 60th Street and east of Cougar Mountain Way, commonly referred to as the Mortensen annexation, may be annexed by the City in the near future; and

WHEREAS, pursuant to Ordinance No. 3840 adopted by the City Council on October 26, 1987 the City Council adopted a proposed zoning regulation to become effective upon annexation of land within the central Newcastle area, including the 67-acre parcel of land commonly referred to as the Mortensen annexation, which adopted a proposed zoning classification of R-1 for the entire 67-acre parcel; and

WHEREAS, the City Council desires to amend the pre-annexation zoning classification for a 50-acre portion of the 67-acre proposed Mortensen annexation parcel from R-1 to R-3.5 with conditions; and

WHEREAS, amendment of the proposed zoning regulation for said 50-acre portion of the 67-acre Mortensen annexation parcel is deemed to be in the interest of the health, safety and general welfare of the City and is consistent with the Newcastle Subarea Plan adopted May 12, 1986; and

WHEREAS, pursuant to RCW 35A.14.340, public hearings were held by the City Council on April 24, 1989 and August 7, 1989 at the hour of 8 p.m. pursuant to notice of said hearings published in a newspaper of general circulation in the City and in the area to be annexed and all interested parties appearing at said hearings and desiring to be heard in regard to the proposed zoning regulation amendment having been heard by the City Council; and

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WHEREAS, all statutory requirements have been complied with, including those set forth in RCW 35A.14.330 and .340; and

WHEREAS, the City of Bellevue has complied with the requirements of the State Environmental Policy Act and the City Environmental Procedures Ordinance; now, therefore

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Section 1 of Ordinance No. 3840 adopted by the City Council on October 26, 1987 is hereby amended to read as follows:

Section 1. A proposed zoning regulation is hereby adopted establishing use classification R-1 for the following described property:

That portion of Sections 13, 23, 24, 25 and 26, Township 24 North, Range 5 East, W.M., King County, Washington, described as follows:

Commencing at the Northeast corner of the Northeast quarter of said Section 24 and the TRUE POINT OF BEGINNING: thence South along the East line thereof to the Northeast corner of the Southeast quarter of said Section 24; thence South along the East line thereof to the Northeast corner of the Northeast quarter of said Section 25; thence South along the East line thereof to the South line of the North half of the Northeast of said Section 25; thence West along said North line to the East line of the Northwest quarter of the Southeast quarter of the Northeast quarter of said Section 25; thence South along said East line to the South line of the Northwest quarter of the Southwest quarter of the Northeast quarter of said Section 25; thence West along said South line to the East line of the Northwest quarter of said Section 25; thence South along said East line to the Northeast corner of the Southwest quarter of said Section 25; thence South along the East line thereof 659.16 feet; thence North 88°00'27" West 1,306.87 feet to the East line of the Northwest quarter of the Southwest quarter of said Section 25; thence North along said East line to the Northeast corner thereof; thence West along the North line thereof to the center line of Nels Berglund Road (County Road No. 66); thence Southwesterly along said center line to the East line of the Southeast quarter of said Section 26; thence North along said East line to the Northeast corner thereof; thence West along the North line thereof to the Northeast corner of the Northwest quarter of the Southeast quarter of said

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Section 26; thence South along the East line thereof to the Southeast corner of Lot 1 of King County Short Plat - R578056, recorded under Auditor's File No. 8003270853, in the Records and Elections Division of King County, Washington; thence West along the South line thereof and the Westerly extension of said South line to the West margin of Lakemont Boulevard S.E.; thence Northerly along said West margin to the South line of the Southeast quarter of said Section 23; thence East along said South line to the East margin of Lakemont Boulevard S.E.; thence Northerly along said East margin to the Northerly margin of S.E. Cougar Mountain Way; thence Southeasterly along said Northerly margin to the North line of the Northeast quarter of said Section 26; thence continuing Southeasterly and Easterly along said Northerly margin to the West line of the Northwest quarter of said Section 25; thence continuing Easterly and Northeasterly along said Northerly margin of S.E. Cougar Mountain Way to the South line of the Southwest quarter of said Section 24; thence continuing Northerly along the Northwesterly margin of S.E. Cougar Mountain Way and the West margin of 168th Place S.E. to the North line of the South 495.00 feet of the Southwest quarter of said Section 24; thence West along said North line to the East line of the West 800.00 feet of the Southwest quarter of said Section 24; thence South along said East line to the North line of the South 30.00 feet of the Southwest quarter of said Section 24; thence West along said North line to the East line of the West 420.00 feet of the Southwest quarter of said Section 24; thence North along said East line to the South line of the North 295.34 feet of the South 590.69 feet of the Southwest quarter of the Southwest quarter of said Section 24; thence West along said South line to the East margin of 164th Avenue S.E.; thence North along said East margin to the North line of the Southwest quarter of the Southwest quarter of said Section 24; thence West along said North line to the Northeast corner of the South half of the Southeast quarter of said Section 24; thence West along the North line thereof to the East margin of Lakemont Boulevard S.E.; thence Northeasterly along said East margin to the South line of the Northeast quarter of said Section 23; thence continuing Northeasterly along said East margin to the Southerly extension of the East margin of 164th Way S.E., said East margin being 30.00 feet Easterly and concentric to the center line of 164th Way S.E.; thence Northerly along said Southerly extension and said East margin 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 West line of the Northwest quarter of said Section 24; thence

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North along said West line to the North line of the South half of the South half of the Northwest quarter of the Northwest quarter of said Section 24; thence East along said North line to the East line of the Northwest quarter of the Northwest quarter of said Section 24; thence North along said East line to the Southeast corner of the Southwest quarter of the Southwest quarter of said Section 13; thence North along the East line thereof to the South line of Lot 4, Block 1 of Eastmont Home Tracts, according to the plat thereof recorded in Volume 57 of Plats, pages 90 and 91, in the Records and Elections Division of King County, Washington, thence East along the South line of said Lot 4 and Lot 5, Block 1 of said Eastmont Home Tracts to the Southeast corner thereof; thence North along the East line of said Lot 5 to the South line of Vuemont Vista Division No. 1, according to the plat thereof recorded in Volume 121 of Plats, pages 52 to 55, in the Records and Elections Division of King County, Washington; thence Easterly and Southeasterly along said South line to the West line of the Southeast quarter of said Section 13; thence South along said West line to the Northeast corner of the Northeast quarter of said Section 24; thence East along the North line thereof to the TRUE POINT OF BEGINNING;

EXCEPT that property described as follows:

The Northwest quarter of the Southwest quarter of the Northeast quarter of Section 25, Township 24 North, Range 5 East, W.M., in King County, Washington; TOGETHER with the East half of the Northeast quarter of the Southeast quarter of the Northwest quarter of said Section 25; TOGETHER with that portion of the Northeast quarter of the Northwest quarter of said Section 25, lying Southeasterly of the Southeast margin of S.E. Cougar Mountain Way; AND TOGETHER with Lot 1 of King County Short Plat No. 879009, filed under Recording No. 8109100499, records of King County, Washington; EXCEPT THAT portion of the Northeast quarter of the Northwest quarter of said Section 25, described as follows: Beginning at the Northeast corner of said subdivision; thence North $83^{\circ}23'56''$ West along the North line thereof 312.62 feet; thence South $15^{\circ}50'00''$ East 103.18 feet; thence South $32^{\circ}40'00''$ East 45.57 feet; thence South $1^{\circ}53'38''$ West 470.61 feet; thence South $88^{\circ}22'09''$ East 257.62 feet to the East line of said subdivision; thence North $1^{\circ}53'38''$ East along said East line 580.74 feet to the Point of Beginning.

Section 2. A new Section 2a is hereby added to Ordinance No. 3840 to read as follows:

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Section 2a. A proposed zoning regulation is hereby adopted establishing use classification R-3.5 with conditions for the following described property:

That portion of Section 25, Township 24 North, Range 5 East, W.M., King County, Washington, described as follows:

The Northwest quarter of the Southwest quarter of the Northeast quarter of Section 25, Township 24 North, Range 5 East, W.M., in King County, Washington; TOGETHER with the East half of the Northeast quarter of the Southeast quarter of the Northwest quarter of said Section 25; TOGETHER with that portion of the Northeast quarter of the Northwest quarter of said Section 25, lying Southeasterly of the Southeast margin of S.E. Cougar Mountain Way; AND TOGETHER with Lot 1 of King County Short Plat No. 879009, filed under Recording No. 8109100499, records of King County, Washington; EXCEPT THAT portion of the Northeast quarter of the Northwest quarter of said Section 25, described as follows: Beginning at the Northeast corner of said subdivision; thence North $83^{\circ}23'56''$ West along the North line thereof 312.62 feet; thence South $15^{\circ}50'00''$ East 103.18 feet; thence South $32^{\circ}40'00''$ East 45.57 feet; thence South $1^{\circ}53'38''$ West 470.61 feet; thence South $88^{\circ}22'09''$ East 257.62 feet to the East line of said subdivision; thence North $1^{\circ}53'38''$ East along said East line 580.74 feet to the Point of Beginning.

Subject to the following developmental conditions:

1. Development shall follow the dimensional standards of the R-3.5 zone. However, the overall density of development shall not exceed one unit per acre; and
2. Every consideration shall be given to minimize the effects of the parcel's development upon the neighboring Cougar Mountain Wildland Park; and
3. The City shall take into account at the time of preliminary plat approval the effects of the adjacent sources of non-ionizing radiation on development within the zone; and
4. This pre-annexation zoning designation shall take effect upon the annexation of the Mortensen area.

Section 3. This proposed zoning regulation shall become effective upon annexation of the property described in Sections 1 and 2a above.

Section 4. A copy of this ordinance, duly certified as a true copy by the Clerk of the City shall be filed with the County Auditor.

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Section 5. This ordinance shall take effect and be in force 5 days after its passage and legal publication.

PASSED by the City Council this 7th day of August 1989, and signed in authentication of its passage this 7th day of August 1989.

(SEAL)

Nan Campbell
Nan Campbell, Mayor

Approved as to form:

Richard L. Andrews, City Attorney

Richard L. Kirkby
Richard L. Kirkby, Assistant City Attorney

Attest:

Marie K. O'Connell
Marie K. O'Connell, City Clerk

Published August 11, 1989