

# ORIGINAL

WP0018C-ORD  
07/29/92

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4416

AN ORDINANCE reclassifying 13.6 acres of property comprising the southern portion of the Highland Middle School site located at 15027 Bel-Red Road on application of the City of Bellevue.

WHEREAS, the City of Bellevue filed an application to reclassify a 13.6 acre parcel of property comprising the southern portion of the Highland Middle School site located at 15027 Bel-Red Road from R-3.5 to R-5; and

WHEREAS, on July 9, 1992 a public hearing was held on the rezone application before the Hearing Examiner Pro Tempore for the City of Bellevue pursuant to notice as required by law; and

WHEREAS, on July 20, 1992 the Hearing Examiner Pro Tempore recommended approval, with conditions, of the rezone application and made and entered findings of fact and conclusions based thereon in support of his recommendation; and

WHEREAS, the City Council concurs in the findings of fact and conclusions of the Hearing Examiner Pro Tempore and has determined that the public use and interest will be served by approving the reclassification of said property from R-3.5 to R-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 Pro Tempore in support of his recommendation to the City Council approving the reclassification request with regard to the hereinafter described property located at 15027 Bel-Red Road as set forth in "Findings, Conclusions and Recommendation of the Hearing Examiner for the City of Bellevue in the Matter of the Application of THE CITY OF BELLEVUE Highland Middle School Site for a Reclassification, File No. REZ 92-1547."

Section 2. The following described property located at 15027 Bel-Red Road is hereby reclassified from R-3.5 to R-5 subject to the conditions that follow:

(Portion of the Northwest quarter of Section 26-25-5)

The West 1074.66 feet of the North three-quarters of the South half of the Southwest quarter of the Northwest quarter of Section 26, Township 25 North, Range 5 East, W.M., in King County, Washington; EXCEPT the West 308.00 feet thereof;

TOGETHER WITH the South half of the South half of the South half of the Southwest quarter of the Northwest quarter of said Section 26.

This reclassification is subject to the following conditions:

If the property is developed for ten housing units or greater, at least ten (10) percent of the units buildable under the original maximum density must be affordable units and at least twenty (20) percent of the units buildable as a result of the increase in density from the original maximum density to the total number of approved units must be affordable units. One bonus market rate unit is permitted for each of the affordable units provided to meet the minimum ten (10) percent requirement of the original maximum density, up to fifteen (15) percent above the original maximum density. "Affordable units" shall be defined as set forth in LUC 20.50.010.

For the purpose of calculating the number of required affordable units, the original maximum density possible under the R-3.5 zoning is forty-seven (47) units. The units shall remain affordable units for the lifetime of the R-5 zoning classification and shall be dispersed across the range of unit sizes and throughout the property.

Prior to issuance of a building permit, the owner shall sign any necessary agreements with the City to implement these requirements. The City may agree, at its sole discretion, to subordinate any affordable housing regulatory agreement for the purpose of allowing the owner to obtain financing for development of the property, consistent with any applicable provisions of the Land Use Code in effect at the time of the issuance of the development permit(s). (Land Use Code Section 20.20.128 and Housing Element Policy 21.G.125.C.3)

WPO018C-ORD  
07/29/92

**ORIGINAL**

Section 3. This Ordinance shall take effect and be in force five days after its passage and legal publication.

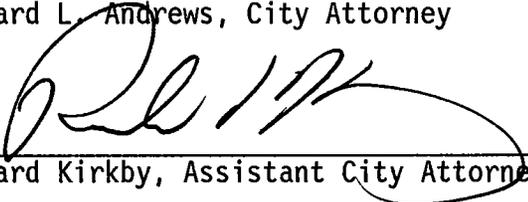
PASSED by the City Council this 14<sup>th</sup> day of September, 1992, and signed in authentication of its passage this 14<sup>th</sup> day of September, 1992.

(SEAL)

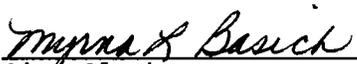
  
Cary Bozeman, Mayor

Approved as to form:

Richard L. Andrews, City Attorney

  
Richard Kirkby, Assistant City Attorney

Attest:

  
City Clerk

Published September 18, 1992