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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4424

AN ORDINANCE amending the proposed zoning regulation previously adopted pursuant to Ordinance No. 3840 for an 80-acre portion of an approximately 89-acre parcel located in the Newcastle Subarea south of S.E. Cougar Mountain Way and east of Lakemont Boulevard S.E., commonly referred to as the Cougar Ridge Annexation; amending Section 1 of Ordinance No. 3840 as most recently amended by Ordinance No. 4306; and adding new Sections 4a, 4b, and 4c 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 that might reasonably be expected to be annexed by the City at any future time; and

WHEREAS, it is anticipated that an approximately 89-acre parcel of unincorporated property located in the Newcastle Subarea, south of S.E. Cougar Mountain Way and east of Lakemont Boulevard S.E., commonly referred to as the Cougar Ridge Annexation, may be annexed to the City in the near future; and

WHEREAS, pursuant to Ordinance No. 3840 adopted by the City Council on October 26, 1987, as most recently amended pursuant to Ordinance No. 4306, the City Council adopted a proposed zoning regulation to become effective upon annexation of land within the central Newcastle area, including the 89-acre parcel of land commonly referred to as the Cougar Ridge Annexation area, which adopted a proposed zoning classification of R-1 for the entire 89-acre parcel; and

WHEREAS, the City Council desires to amend the pre-annexation zoning classification for an approximately 80-acre portion of the 89-acre proposed Cougar Ridge Annexation area from R-1 to R-7.5 with conditions and from R-1 to R-10 with conditions; and

WHEREAS, amendment of the proposed zoning regulation for said 80-acre portion of the 89-acre Cougar Ridge Annexation area is deemed to be in the interest of the health, safety, and general welfare of the City and is consistent with the Comprehensive Plan; and

WHEREAS, pursuant to RCW 35A.14.340, public hearings were held by the City Council on July 20, 1992, and on October 5, 1992, at the hour of 8:00 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

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regard to the proposed pre-annexation zoning amendment having been heard by the City Council; and

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 Code; 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, as most recently amended by Ordinance No. 4306, is further 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 quarter 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 the 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

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North line thereof to the Northeast corner of the Northwest quarter of the Southeast quarter of said 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 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

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Section 24; thence North along said West line to the North line of the South half 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 and 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;

AND 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 the Beginning.

AND EXCEPT that property described as follows:

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

Beginning at a point which is 126.5 feet North of the Southeast corner of the Northeast quarter of the Southeast quarter of said Section 24; thence Westerly along a line hereinafter called Line A, the following courses and distances; North 45°49', West 68.6 feet, North 44°04', West 44.5 feet, North 52°37', West 38.4 feet, North 53°49', West 43 feet; North 47°31', West 44.2 feet, North 57°04', West 44.6 feet, North 69°29', West 41.9 feet, North 72°34', West 50.01 feet, North 78°24', West 60.6 feet, North 75°20', West 100.57 feet, North 78°32', West 120.8 feet, North 73°03', West 95.7 feet, North 80°22', West 97.9 feet, North 72°03', West 96.8 feet, North 74°11', West 99.8 feet, North 75°12', West 95.5 feet, North 76°24', West 104.5 feet, North 77°56', West 104.7 feet and North 77°21', West 57.5 feet, more or less, to the West line of the Northeast quarter of the Southeast quarter of said Section 24 and the terminus of Line A; thence along said West line to a point 635 feet North of the Southeast corner of the East half of the East half of the Northwest quarter of the Southeast quarter of said Section 24; thence North 77°21', West 45.5 feet; thence North 76°42', West 105.3 feet; thence North 73°05', West 94.3 feet; thence North 74°16', West 80.7 feet; thence North 56°40', West 12 feet, more or less to the West line of said East half; thence Southerly along said West line to the South line of the North half of the Northwest quarter of the Southeast quarter of said Section 24; thence Westerly along said South line to the North-South centerline of said Section 24; thence Westerly along the North line of the Southeast quarter of the Northeast quarter of the Southwest quarter of said Section 24 to the Northwest corner of the said Southeast quarter; thence Southerly along the West line thereof to the North line of the plat of Cougar Glen, according to the plat thereof recorded in Volume 105 of Plats, Pages 78 and 79, records of said King County; thence Westerly along said North line to the Northwest corner of said plat; thence Southerly along the Westerly line of said plat to the South line of the Northeast quarter of the Southwest quarter of said Section 24; thence Westerly along said South line to the East line of the West 1460 feet of the South half of the Southwest quarter of said Section 24; thence Southerly along said East line to the Northwesterly margin of 168th Place S.E.; thence Southwesterly along said Northwesterly margin to the Westerly margin of 168th Place S.E.; thence Southerly along said Westerly margin to the South line of the North 385 feet of the South half of the Southwest quarter of said Section 24; thence Westerly

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along said South line to the East line of the West 800 feet of the Southwest quarter of the Southwest quarter of said Section 24; thence Northerly along said East line to the South line of the North 272.50 feet of the East 400 feet of the West 800 feet of the Southwest quarter of the Southwest quarter of said Section 24; thence Westerly along said South line to the West line of the East 400 feet of the West 800 feet of the Southwest quarter of the Southwest quarter of said Section 24; thence North along said West line to the North line of the Southwest quarter of the Southwest quarter of said Section 24; thence Westerly to the Southwest corner of the Northwest quarter of the Southwest quarter of said Section 24; thence Northerly along the West line thereof to the West corner of said Section 24; thence Northerly along the West line of said Section 24; to the North line of the South 624 feet of the East half of the Southeast quarter of the Northeast quarter of said Section 23; thence Westerly along said North line to the Easterly margin of Newcastle Road; thence Northerly along said Easterly margin to the North line of the South half of the South half of the Northeast quarter of the Northeast quarter of said Section 23; thence Easterly along said North line to the East line of said Section 23; thence Northerly along the West line of said Section 24, 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 Easterly along said North line to the East line of the Northwest quarter of the Northwest quarter of said Section 24; thence Northerly along said East line to the South line of the North 30 feet of the Northwest quarter of the Northwest quarter of said Section 24; thence Westerly along said South line to the East line of the West 30 feet of said Section 24; thence Northerly along said Easterly line to the North line of said Section 24; thence Easterly along said North line to the Southwest corner of the Southeast quarter of the Southwest quarter of said Section 13; thence North along the West line of the Southeast quarter to the South line of the plat of Eastmont Home tracts, according to the plat thereof recorded in Volume 57 of Plats, Page 90 and 91, records of said King County; thence Easterly along said South line to the Southeast corner of said plat; thence Northerly along the Easterly line thereof to the South line of the plat of Vuemont Vista Division No. 1 according to the plat thereof recorded in Volume 121 of Plats, Pages 52 through 55, records of said King County; thence Easterly along said South line to an angle point in said South line; thence Southeasterly along said South line to the East line of the Southeast quarter of the Southwest quarter of said Section 13; thence Southerly along said East line to the Southeast corner of said Southeast quarter; thence Easterly along the North line of

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said Section 24 to the Northeast corner of said Section 24; thence Southerly along the East line of said Section 24; to the East quarter corner of said Section 24; thence continuing Southerly along the Easterly line of said Section 24 to the Point of Beginning. TOGETHER WITH that portion of the East 60 feet of the Northeast quarter of the Southeast quarter of said Section 24 lying North of the North line of the South 30 feet thereof and lying Southerly of aforementioned "Line A"; TOGETHER WITH that portion of the East 60 feet of the East half of the West half of the Northeast quarter of the Southeast quarter of said Section 24 lying North of the North line of the South 30 feet thereof and lying Southerly of aforementioned "Line A"; EXCEPT that portion thereof conveyed to King County for road by instruments recorded under Recording No's. 1617973 and 4678886.

AND EXCEPT that property described as follows:

That portion of the North half of the Northeast quarter of the Southeast quarter of Section 23, Township 24 North, Range 5 East, W.M., King County, Washington lying East of the Easterly margin of Lakemont Boulevard S.E. (Newcastle Road) AND the South 624.00 feet of the Southeast quarter of the Northeast quarter of said Section 23 lying East of the Easterly margin of said Lakemont Boulevard S.E.

AND EXCEPT that property described as follows:

The North half of the Southeast quarter of the Northeast quarter of the Southeast quarter of Section 23, Township 24 North, Range 5 East, W.M., King County, Washington;

TOGETHER WITH that portion of the North half of the Southwest quarter of the Northeast quarter of the Southeast quarter of said Section 23, described as follows:

Beginning at the Southeast corner of said subdivision; thence Westerly along the South line thereof 530.00 feet; thence Northeasterly to a point on the North line of said subdivision 450.00 feet West of the Northeast corner of said subdivision; thence Easterly along said North line 450.00 feet to the East line of said subdivision; thence Southerly along said East line to the Point of Beginning;

AND TOGETHER WITH that portion of the North 30.00 feet of the North half of the Southwest quarter of the Northeast quarter of the Southwest quarter of said Section 23, LYING Easterly of the East margin of Lakemont Boulevard S.E.

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AND EXCEPT that property described as follows:

The West 2 acres of that portion of the North half of Section 25, Township 24 North, Range 5 East, W.M., in King County Washington, described as follows:

Beginning at the North quarter corner of said subdivision; thence Westerly along the North line thereof 312.62 feet to the Bellevue city limits, as established by Ordinance No. 4045, in the City of Bellevue, Washington; thence South 15°50'00" East along said city limits 103.18 feet; thence South 32°40'00" East along said city limits 45.57 feet; thence continuing South 32°40'00" East 199.84 feet; thence East 510.18 feet; thence North 300.95 feet to the North line of said subdivision; thence Westerly along said North line 359.67 feet to the Point of Beginning.

AND EXCEPT that property described as follows:

That portion of the Northwest quarter of Section 25 and the Northeast quarter of Section 26, Township 24 North, Range 5 East, W.M., in King County, Washington, described as follows:

Beginning at the Southeast corner of the Northwest quarter of the Northwest quarter of said Section 25; thence Northerly along the East line thereof to the North line of the South 39.00 feet of said subdivision; thence Westerly along said North line 120.00 feet; thence South 27°52'50" West 244.15 feet; thence South 42°14'30" West 55.99 feet; thence South to a point which bears North and 80.00 feet from the South line of the North half of the North half of the Southwest quarter of the Northwest quarter of said Section 25; thence North 81°28'10" West 72.14 feet; thence North 64°18'00" West 319.81 feet; thence North 41°48'00" West to the North line of the Southwest quarter of the Northwest quarter of said Section 25; thence Westerly along said North line to the Easterly margin of 166th Way S.E.; thence Southerly along said Easterly margin to the North line of the South half of the North half of the Southwest quarter of the Northwest quarter of said Section 25; thence Westerly along said North line to the East line of the Northeast quarter of said Section 26; thence Northerly along said East line to the Northerly margin of S.E. Cougar Mountain Way (Nels Berglund Road No. 2, Survey No. 2383); thence Westerly and Northwesterly along said Northerly margin to the South line of the North 332.50 feet of the Northeast quarter of said Section 26; thence Westerly along said South line to the Easterly margin of Lakemont Boulevard S.E. (Edward Leifhelm County Road No. 73); thence

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Southerly along said Easterly margin to the North line of the South half of the Northwest quarter of the Northeast quarter of said Section 26; thence Westerly along said North line to the Westerly margin of said Lakemont Boulevard S.E.; thence Southerly along said Westerly margin to a line which bears North 71°16'00" West from a point on the East line of the Southwest quarter of the Northeast quarter of said Section 26 lying Southerly 295.00 feet from the Northeast corner thereof; thence South 71°16'00" East to said point; thence continuing South 71°16'00" East 1635.00 feet; thence South 68°45'31" East 1141.59 feet to a point on the East line of the Southwest quarter of the Northwest quarter of said Section 25 lying Southerly 1110.95 feet from the Northeast corner thereof; thence Northerly along said East line 1110.95 feet to the Point of Beginning.

Section 2. A new Section 4a is hereby added to Ordinance No. 3840 to read as follows:

Section 4a. A proposed zoning regulation is hereby adopted establishing use classification R-10 with conditions for the following described property:

That portion of the west half of the Northeast quarter of Section 26, Township 24 North, Range 5 East, W.M., in King county, Washington, described as follows:

Commencing at the Northeast corner of said subdivision; thence Southerly along the East line thereof to the Northeasterly margin of S.E. Cougar Mountain Way (Nels Berglund Road No. 2, Survey No. 2383) and the True Point of Beginning; thence Northwesterly along said Northeasterly margin to the South line of the North 332.50 feet of said subdivision; thence Westerly along said South line to the Easterly margin of Lakemont Boulevard S.E. (Edward Leifhelm County Road No. 73); thence Southerly along said Easterly margin to the North line of the South half of the Northwest quarter of the Northeast quarter of said Section 26; thence Westerly along said North line to the Westerly margin of said Lakemont Boulevard; thence Southerly along said Westerly margin to a line which bears North 71°16'00" West from a point on the East line of the southwest quarter of the Northeast quarter of said Section 26 lying Southerly 295.00 feet from the Northeast corner thereof; thence South 71°16'00" East to said point; thence Northerly along said East line to the True Point of Beginning.

Subject to the following development conditions:

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1. In the event the property is developed for ten housing units or greater, at least thirty percent of the units built must be sold or leased as affordable units. "Affordable units" shall be defined as set forth in LUC 20.50.010.

The units shall remain affordable units for the lifetime of the R-10 zoning classification.

In consideration of the increased density that the City will allow, the provision of the total affordable units is required to occur onsite and the units shall be dispersed across the range of unit sizes and throughout the property.

Prior to issuance of any development permit(s), 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).

2. The approved design of development within the district shall be in accord with the concepts outlined in the June 8, 1992, Management Brief from the Personnel Department regarding Neo-traditional Development; and in accord with the discussion pertinent thereto, as recorded in the Summary Minutes of the Regular Session of the Bellevue City Council's June 8, 1992, meeting. Both of these documents are located in the Bellevue City Clerk's File No. 18377.

Section 3. A new Section 4b is hereby added to Ordinance No. 3840 to read as follows:

Section 4b. A proposed zoning regulation is hereby adopted establishing use classification R-7.5 with conditions for the following described property:

That portion of the West half of the Northeast quarter of the Northeast quarter of Section 26, Township 24 North, Range 5 East, W.M., in King County, Washington, lying Southwesterly of the Northeasterly margin of S.E. Cougar Mountain Way (Nels Berglund Road N. 2, Survey No. 2383);

AND that portion of the Southwest quarter of the Northeast quarter of the Southeast quarter of the Northeast quarter of Section 26, Township 24 North, Range 5 East, W.M., in King County, Washington, lying Northerly of the following described line:

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Commencing at the Northwest corner of the Southeast quarter of the Northeast quarter of said Section 26; thence Southerly along the West line thereof 295.00 feet; thence South 71°16'00" East to the West line of the Southwest quarter of the Northeast quarter of the Southeast quarter of the Northeast quarter of said Section 26 and the True Point of Beginning; thence continuing South 71°16'00" East to the East line thereof and the Terminus of said Line.

Subject to the following development conditions:

1. In the event the property is developed for ten housing units or greater, at least thirty percent of the units built must be sold or leased as affordable units. "Affordable units" shall be defined as set forth in LUC 20.50.010.

The units shall remain affordable units for the lifetime of the R-7.5 zoning classification. In consideration of the increased density that the City will allow, the provision of the total affordable units is required to occur onsite and the units shall be dispersed across the range of unit sizes and throughout the property.

Prior to issuance of any development building permit(s), 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).

2. The approved design of development within the district shall be in accord with the concepts outlined in the June 8, 1992, Management Brief from the Planning Department regarding Neo-traditional Development; and in accord with the discussion pertinent thereto, as recorded in the Summary Minutes of the Regular Session of the Bellevue City Council's June 8, 1992, meeting. Both of these documents can be found in the Bellevue City Clerk's File No. 18317.

Section 4. A new Section 4c is hereby added to Ordinance No. 3840 to read as follows:

Section 4c. A proposed zoning regulation is hereby adopted establishing use classification R-7.5 with conditions for the following described property:

That portion of the West half of the Northwest quarter of Section 25 and the East half of the Northeast quarter of Section 26, Township 24

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North, Range 5 East, W.M., in King County, Washington, described as follows:

Beginning at the Southeast corner of the Northwest quarter of the Northwest quarter of said Section 25; thence Northerly along the East line thereof to the North line of the South 39.00 feet of said subdivision; thence Westerly along said North line 120.00 feet; thence South 27°52'50" West 244.15 feet; thence South 42°14'30" West 55.99 feet; thence South to a point which bears North and 80.00 feet from the South line of the North half of the North half of the Southwest quarter of the Northwest quarter of said Section 25; thence North 81°28'10" West 72.14 feet; thence North 64°18'00" West 319.81 feet; thence North 41°48'00" West to the North line of the Southwest quarter of the Northwest quarter of said Section 25; thence Westerly along said North line to the Easterly margin of 166th Way S.E.; thence Southerly along said Easterly margin to the North line of the South half of the North half of the Southwest quarter of the Northwest quarter of said Section 25; thence Westerly along said North line to the East line of the Northeast quarter of said Section 26; thence Northerly along said East line to the Northerly margin of S.E. Cougar Mountain Way (Nels Berglund Road No. 2, Survey No. 2383); thence Westerly along said Northerly margin to the West line of the East half of the Northeast quarter of the Northeast quarter of said Section 26; thence Southerly along said West line to the Northeast corner of the Northwest quarter of the Southeast quarter of the Northeast quarter of said Section 26; thence Westerly along the North line thereof to the Northwest corner of said subdivision; thence Southerly along the West line thereof 295.00 feet; thence South 71°16'00" East 1635.00 feet; thence South 68°45'31" East 1141.59 feet to a point on the East line of the Southwest quarter of the Northwest quarter of said Section 25 lying Southerly 1110.95 feet from the Northeast corner thereof; thence Northerly along said East line 1110.95 feet to the Point of Beginning;

EXCEPT that portion lying within the Southwest quarter of the Northeast quarter of the Southeast quarter of the Northeast quarter of said Section 26.

Subject to the following development conditions:

1. In the event the property is developed for ten housing units or greater, at least ten percent of the units buildable under the original maximum density must be affordable units and at least twenty 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 percent requirement of the original

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maximum density, up to fifteen 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-1 zoning is forty units. The units shall remain affordable units for the lifetime of the R-7.5 zoning classification. In consideration of the increased density that the City will allow, the provision of the total affordable units is required to occur onsite and the units shall be dispersed across the range of unit sizes and throughout the property.

Prior to issuance of any development permit(s) 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).

2. The approved design of development within the district shall be in accord with the concepts outlined in the June 8, 1992, Management Brief from the Planning Department regarding Neo-traditional Development; and in accord with the discussion pertinent thereto, as recorded in the Summary Minutes of the Regular Session of the Bellevue City Council's June 8, 1992, meeting. Both of these documents can be found in the Bellevue City Clerk's File No. 18317.

Section 5. This proposed zoning regulation shall become effective upon annexation of the Cougar Ridge Annexation area, more particularly described as follows:

That portion of the Northwest quarter of Section 25 and the Northeast quarter of Section 26, Township 24 North, Range 5 East, W.M., in King County, Washington, described as follows:

Beginning at the Southeast corner of the Northwest quarter of the Northwest quarter of said Section 25; thence Northerly along the East line thereof to the North line of the South 39.00 feet of said subdivision; thence Westerly along said North line 120.00 feet; thence South 27°52'50" West 244.15 feet; thence South 42°14'30" West 55.99 feet; thence South to a point which bears North and 80.00 feet from the South line of the North half of the North half of the Southwest quarter of the Northwest quarter of said Section 25; thence North 81°28'10" West 72.14 feet; thence North 64°18'00" West 319.81 feet; thence North 41°48'00" West to the South line of the Northwest quarter of the Northwest quarter of said Section 25; thence Westerly along said

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South line to the Westerly margin of 166th Way S.E. (Nels Berglund Road); thence Northerly along said Westerly margin to the Southerly most corner of that certain tract deeded to King County under Recording No. 7510030501; thence Northerly along the Easterly line of said tract and the Northerly extension thereof to the Northerly margin of S.E. Cougar Mountain Way (Nels Berglund Road No. 2, Survey No. 2383) opposite Survey No. 2383 Centerline Station 33+74.92; thence Southwesterly and Westerly along said Northerly margin to the East line of the Northeast quarter of said Section 26; thence continuing Westerly and Northwesterly along said Northerly margin to the South line of the North 332.50 feet of the Northeast quarter of said Section 26; thence Westerly along said South line to the Easterly margin of Lakemont Boulevard S.E. (Edward Leifholm County Road No. 73); thence Southerly along said Easterly margin to the North line of the South half of the Northwest quarter of the Northeast quarter of said Section 26; thence Westerly along said North line to the Westerly margin of said Lakemont Boulevard S.E.; thence Southerly along said Westerly margin to the intersection of a line which bears North 71°16'00" West from a point on the East line of the Southwest quarter of the Northeast quarter of said Section 26 lying Southerly 295.00 feet from the Northeast corner thereof; thence South 71°16'00" East to said point; thence continuing South 71°16'00" East 1635.00 feet; thence South 68°45'31" East 1141.59 feet to a point on the East line of the Southwest quarter of the Northwest quarter of said Section 25 lying Southerly 1110.95 feet from the Northeast corner thereof, thence Northerly along said East line 1110.95 feet to the Point of Beginning.

Section 6. A copy of this ordinance, duly certified as a true copy by the Clerk of the City shall be filed with the County Auditor.

ORIGINAL

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Section 7. This ordinance shall take effect and be in force five days after its passage and legal publication.

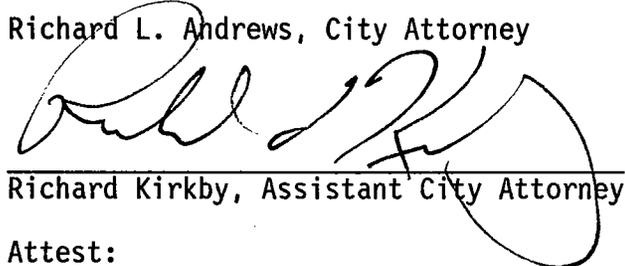
PASSED by the City Council this 5th day of October, 1992, and signed in authentication of its passage this 12th day of October, 1992.

(SEAL)


Cary Bozeman, Mayor

Approved as to form:

Richard L. Andrews, City Attorney


Richard Kirkby, Assistant City Attorney

Attest:


Myrna L. Basich, City Clerk

Published October 16, 1992