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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4448

AN ORDINANCE reclassifying three sites comprised of six parcels of property in the Crossroads Subarea between N.E. 10th Street and N.E. 14th Street and west of 156th Avenue N.E. upon the application of the City of Bellevue.

WHEREAS, the City of Bellevue filed applications for the reclassification of a 1.75 acre site comprised of two parcels located at 1453 and 1455 156th Avenue N.E. from R-3.5 to R-20 and one parcel located at 15216 N.E. 16th Place (The Pines Apartments) from R-20 to R-30; and

WHEREAS, the City of Bellevue filed an application for the reclassification of a .6 acre site located at 1457 156th Avenue N.E. from Office (O) to R-30; and

WHEREAS, the City of Bellevue filed applications for the reclassification of a 2.5 acre site comprised of two parcels located at 1025 and 1041 156th Avenue N.E. from R-2.5 to R-10; and

WHEREAS, said applications were consolidated for hearing and on September 3, 1992 a public hearing was held on the applications before the Hearing Examiner for the City of Bellevue pursuant to notice as required by law; and

WHEREAS, on October 8, 1992 the Hearing Examiner recommended approval, with conditions, of the rezone applications 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 and has determined that the public use and interest will be served by approving the reclassification of said properties; 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 his recommendation to the City Council approving the reclassification requests with regard to the hereinafter described

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properties located at 1453 and 1455 156th Avenue N.E. and 15216 N.E. 16th Place (The Pines Apartments); 1457 156th Avenue N.E.; and 1025 and 1041 156th Avenue N.E. 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 For a Reclassification of Three Areas on 156th Ave. N.E., File Nos. REZ 92-3979-3984."

Section 2. The following described property located at 15216 N.E. 16th Place (REZ 92-3983) is hereby reclassified from R-20 to R-30 subject to the conditions that follow:

The West 100.00 feet of the North 165.00 feet of the Northeast quarter of the Southwest quarter of Section 26, Township 25 North, Range 5 East, W.M., in King County, Washington.

This reclassification is subject to the following condition:

In the event the property is developed with 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 unit" 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-20 zoning is seven (7) units. The units shall remain affordable units for the lifetime of the R-30 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).

Section 3. The following described property located at 1453 156th Avenue N.E. (REZ 92-3981) is hereby reclassified from R-3.5 to R-20 subject to the conditions that follow:

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The West 264.00 feet of the South 165.00 feet of the North 330.00 feet of the Northeast quarter of the Southwest quarter of Section 26, Township 25 North, Range 5 East, W.M., in King County, Washington.

This reclassification is subject to the following condition:

In the event the property is developed with 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 unit" 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 three (3) units. The units shall remain affordable units for the lifetime of the R-20 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).

Section 4. The following described property located at 1455 156th Avenue N.E. (REZ 92-3979) is hereby reclassified from R-3.5 to R-20 subject to the conditions that follow:

The South 165.00 feet of the North 330.00 feet of the West half of the Northeast quarter of the Southwest quarter of Section 26, Township 25 North, Range 5 East, W.M., in King County, Washington;

EXCEPT the East 264.00 feet thereof;

AND EXCEPT the West 264.00 feet thereof.

This reclassification is subject to the following condition:

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In the event the property is developed with 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 unit" 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 one (1) unit. The units shall remain affordable units for the lifetime of the R-20 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).

Section 5. The following described property located at 1457 156th Avenue N.E. (REZ 92-3980) is hereby reclassified from Office (O) to R-30 subject to the conditions that follow:

The South 165.00 feet of the North 330.00 feet of the Northeast quarter of the Northeast quarter of the Southwest quarter of Section 26, Township 25 North, Range 5 East, W.M., in King County, Washington;

EXCEPT the West 176.00 feet thereof;

AND EXCEPT the East 340.00 feet thereof.

This reclassification is subject to the following condition:

In the event the property is developed with 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

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original maximum density, up to fifteen (15) percent above the original maximum density. "Affordable unit" 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 Office (O) zoning is twelve (12) units. The units shall remain affordable units for the lifetime of the R-30 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).

Section 6. The following described property located at 1025 156th Avenue N.E. (REZ 92-3982) is hereby reclassified from R-2.5 to R-10 subject to the conditions that follow:

The West 330.00 feet of the North 161.50 feet of the South 983.00 feet of the Southeast quarter of the Southwest quarter of Section 26, Township 25 North, Range 5 East, W.M., in King County, Washington

This reclassification is subject to the following condition:

In the event the property is developed with 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 unit" 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-2.5 zoning is three (3) units. The units shall remain affordable units for the lifetime of the R-10 zoning classification and shall be dispersed across the range of unit sizes and throughout the property.

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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).

Section 7. The following described property located at 1041 156th Avenue N.E. (REZ 92-3984) is hereby reclassified from R-3.5 to R-10 subject to the conditions that follow:

The West 330.00 feet of the North 161.50 feet of the South 821.50 feet of the Southeast quarter of the Southwest quarter of Section 26, Township 25 North, Range 5 East, W.M., in King County, Washington.

This reclassification is subject to the following condition:

In the event the property is developed with 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 unit" 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 three (3) units. The units shall remain affordable units for the lifetime of the R-10 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).

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Section 8. This Ordinance shall take effect and be in force five days after its passage and legal publication.

PASSED by the City Council this 23rd day of November, 1992,
and signed in authentication of its passage this 23rd day of
November, 1992.

(SEAL)



Cary Bozeman, Mayor

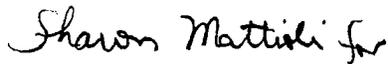
Approved as to form:

Richard L. Andrews, City Attorney



Richard L. Kirkby, Assistant City Attorney

Attest:



Myrna L. Basich, City Clerk

Published November 27, 1992