

WP0123C-ORD
01/11/93

ORIGINAL

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4483

AN ORDINANCE reclassifying three contiguous parcels located at 12311, 12321 and 12331 N.E. 8th Street and one parcel located at 618 124th Ave. N.E. from R-3.5 to R-10 on application of the City of Bellevue.

WHEREAS, the City of Bellevue filed applications on behalf of the owners of three contiguous parcels located at 12311, 12321 and 12331 N.E. 8th Street and one parcel located at 618 124th Ave. N.E. from R-3.5 to R-10; and

WHEREAS, on August 13, 1992 a public hearing was held on the consolidated rezone applications before the Hearing Examiner for the City of Bellevue pursuant to notice as required by law; and

WHEREAS, on December 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 her 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 from R-3.5 to R-10 with conditions; 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 her recommendation to the City Council approving the reclassification requests with regard to the hereinafter described properties located at 12311, 12321 and 12331 N.E. 8th Street and at 618 124th Ave. 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 CITY OF BELLEVUE For Approval of a Reclassification of 12311, 12321 and 12331 N.E. 8th Street and 618 124th Ave. N.E. a/k/a N.E. 8th STREET REZONE File No. REZ 92-3861 through 92-3864."

Section 2. The following described properties located at 12311, 12321 and 12331 N.E. 8th Street are hereby reclassified from R-3.5 to R-10 subject to the condition that follows:

That portion of the Northwest quarter of the Northeast quarter of Section 33, Township 25 North, Range 5 East, W.M., in King County Washington, described as follows:

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Beginning at the Northeast corner of said subdivision; thence Southerly along the East line thereof to the Easterly extension of the North line of Lot 2, Block 3, Cottonwood Hill, as recorded in Volume 53 of Plats, Page 43; thence Westerly along said extension to the Northeast corner of said lot; thence continuing Westerly along the North line of said lot and the Westerly extension thereof to the centerline of 123rd Avenue N.E.; thence Northerly along said centerline to the North line of said subdivision; thence Easterly along said North line to the Point of Beginning.

The applicant shall satisfy the requirements of LUC 20.20.128 for affordable housing to the extent they may become applicable. The requirement becomes applicable and the condition to provide the affordable units shall be implemented when, if ever, the total number of permitted units on the combined properties equals or exceeds ten units. The affordable housing requirements specify that for rezones of ten units or greater, 10% of the units buildable under the original maximum density (R-3.5) and at least 20% 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. For the purpose of this rezone, the definition of affordable units shall be that 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 for the three adjacent parcels along N.E. 8th Street, if combined, is 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 project.

In consideration of the increased density that the City will allow, the provision of the total affordable units is required to occur on-site. The provisions of Section 20.20.128.E, Alternative Compliance Methods, shall not apply to this site.

Prior to issuance of a building permit, the owner(s) shall sign any necessary agreements with the City to implement these affordable housing 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 issuance of the development permit(s).

Section 3. The following described property located at 618 124th Avenue N.E. is hereby reclassified from R-3.5 to R-10 subject to the condition that follows:

That portion of the Northwest quarter of the Northeast quarter of Section 33, Township 25 North, Range 5 East, W.M. in King County, Washington, described as follows:

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The South 75.00 feet of the West 138.00 feet of the North half of the Northwest quarter of the Northwest quarter of the Northeast quarter of Section 33, Township 25 North, Range 5 East, W.M., in King County, Washington.

The applicant shall satisfy the requirements of LUC 20.20.128 for affordable housing to the extent they may become applicable. The requirement becomes applicable and the condition to provide the affordable units shall be implemented when, if ever, the total number of permitted units on the property when combined with any adjacent properties equals or exceeds ten units. The affordable housing requirements specify that for rezones of ten units or greater, 10% of the units buildable under the original maximum density (R-3.5) and at least 20% 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. For the purpose of this rezone, the definition of affordable units shall be that 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 for the parcel is 1 unit. 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 project. If the parcel located at 618 124th Avenue N.E. is combined with adjacent parcels, its original maximum density of 1 unit shall be calculated into any redevelopment to determine the required affordable housing.

In consideration of the increased density that the City will allow, the provision of the total affordable units is required to occur on-site. The provisions of Section 20.20.128.E, Alternative Compliance Methods, shall not apply to this site.

Prior to issuance of a building permit, the owner(s) shall sign any necessary agreements with the City to implement these affordable housing 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 issuance of the development permit(s).

Section 4. This Ordinance shall take effect and be in force five days after its passage and legal publication.

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PASSED by the City Council this 25th day of January, 1993, and
signed in authentication of its passage this 25th day of
January, 1993.

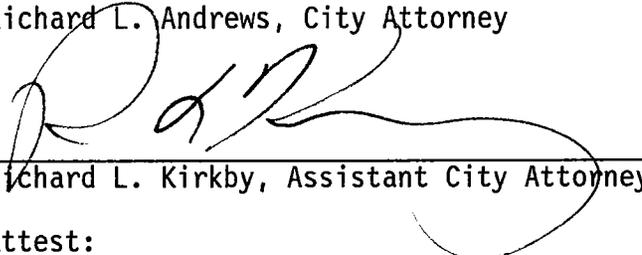
(SEAL)



Cary Bozeman, Mayor

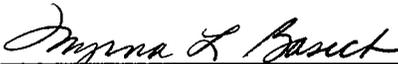
Approved as to form:

Richard L. Andrews, City Attorney



Richard L. Kirkby, Assistant City Attorney

Attest:



Myrna L. Basich, City Clerk

Published January 29, 1993.