

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4505

AN ORDINANCE reclassifying five parcels of property located on both sides of Village Park Drive S.E. near Lakemont Boulevard S.E. in the Lakemont subdivisions on application of EAST-WEST Partners.

WHEREAS, EAST-WEST Partners applied to the City to rezone five parcels of property located on both sides of Village Park Drive S.E., at and near 4950 Lakemont Blvd. in the Lakemont subdivisions in the Newcastle Subarea; and

WHEREAS, on January 28, 1993 a public hearing was held on the rezone application before the Hearing Examiner for the City of Bellevue pursuant to notice as required by law; and

WHEREAS, on February 11, 1993 the Hearing Examiner recommended approval, with conditions, of the rezone application and made and entered findings of fact and conclusions based thereon in support of her recommendation; and

WHEREAS, on March 10, 1993, the Hearing Examiner issued an Order of Clarification; 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 the hereinafter described 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 her recommendation to the City Council approving the reclassification request with regard to the hereinafter described five parcels of property comprising approximately twelve acres and located on both sides of Village Park Drive S.E., at and near 4950 Lakemont Blvd. in the Newcastle Subarea as set forth in "Findings, Conclusions and Recommendation of the Hearing Examiner for the City of Bellevue in the Matter of the Application of EAST-WEST PARTNERS For Approval of a Reclassification of Five Parcels on Both Sides of Village Park Drive S.E. File No. REZ 92-3870" as clarified by the Order of Clarification dated March 10, 1993.

Section 2. The following described property designated as Parcel 1 in the Hearing Examiner's report and located in the vicinity of Lakemont

Boulevard S.E. and Village Park Drive S.E. is hereby reclassified from R-3.5/C and R-5/C to R-20/C subject to the conditions that follow:

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

Beginning at the intersection of the centerlines of Lakemont Boulevard S.E. and Village Park Drive S.E.; thence Southeasterly along the centerline of Village Park Drive S.E. to the Northeasterly extension of the Northwesterly line of Tract F, Lakemont Division 3-A, as recorded in Volume 157 of Plats, Pages 19-33; thence Southwesterly along said extension to the Southwesterly margin of Village Park Drive S.E.; thence Northwesterly along said Southwesterly margin to the most Easterly corner of Tract Z of said plat; thence Westerly along the South line of said Tract Z and the Westerly extension thereof to the centerline of Lakemont Boulevard S.E.; thence Northeasterly along said centerline to the Point of Beginning.

This reclassification is subject to the following conditions:

1. All development shall be consistent with the conditions set forward (where applicable) in the Consolidated Report and Recommendation to King County Council as approved by the Council and the Pre-Annexation Agreement between the City of Bellevue and East/West Partners, both of which are in and filed under Clerk's Receiving Number 14619.
2. Density shall not exceed 18.2 dwelling units per acre.

Section 3. The following described property designated as Parcel 2 in the Hearing Examiner's report and located east of Lakemont Boulevard S.E. and north of Village Park Drive S.E. is hereby reclassified from R-3.5/C, R-5/C and CB/C to CB/C subject to the conditions that follow:

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

Commencing at the Northeast corner of the Northwest quarter of the Northwest quarter of said Section 24; thence South  $0^{\circ}52'19''$  West along the East line thereof 738.09 feet; thence South  $75^{\circ}05'25''$  East 276.20 feet to the True Point of Beginning; thence North  $79^{\circ}33'25''$  East 278.00 feet; thence North  $61^{\circ}46'00''$  East 54.50 feet; thence North  $4^{\circ}42'48''$  East 267.00 feet to the Southerly extension of the Westerly line of Tract K, Lakemont Division 1, as recorded in Volume 153 of Plats, Pages 38-44; thence North  $20^{\circ}28'42''$  East along said Southerly extension and Westerly line 289.40 feet to the Northwest corner of said Tract K; thence continuing North  $20^{\circ}28'42''$  East to the

LR-Line of Lakemont Boulevard S.E.; thence Southwesterly along said LR-Line and the centerline of Lakemont Boulevard S.E. to a line which bears North 90°00'00" West from the True Point of Beginning; thence South 90°00'00" East along said line to the True Point of Beginning.

This reclassification is subject to the following conditions:

1. All development shall be consistent with the conditions set forward (where applicable) in the Consolidated Report and Recommendation to King County Council as approved by the Council and the Pre-Annexation Agreement between the City of Bellevue and East/West Partners, both of which are in and filed under Clerk's Receiving Number 14619.
2. Permitted use shall be limited to the following uses: Five or more dwelling units per structure, Retirement Apartments and Senior Citizen Apartments, Apparel Fabric and Leather Goods (subordinate to Retail Uses), Furniture and Fixture (subordinate to Retail Uses), Handcrafted Products (subordinate to Retail Uses), Accessory Parking, Highway and Street Right-of-Way, Local Utility system, Recycling Centers, Hardware, General Merchandise, Food (Retail), Apparel and Accessories (Retail), Furniture and Home Furnishings (Retail), Eating and Drinking Establishments, Other Retail Trade, Garden Supplies, Pet Shop, Finance/Insurance/Real Estate Services, Personal Services, Child Care Services, Business Services, Repair Services, Professional Services (Health), Professional Services (other), Convalescent and Nursing Homes, Religious Activities, Library/Museum, Art Gallery, Public Assembly (indoors), Recreation Activities (indoors), Private Leisure and Open Space, Public/Private Park, Veterinarian Office, Auto Repair & Washing Services, Lodges, Charitable & Social Service Organizations, Special Schools, Libraries.
3. Conditional uses shall be limited to the following: Park and Ride, Utility Facilities, Regional Utility System, Gasoline Service Stations, Education, Public Assembly (outdoors), Recreation Activities (outdoors).
4. Sign standards shall follow that of the NB zone.
5. Development in this zone shall not exceed 50,000 square feet.

Section 4. The following described property designated as Parcel 3 in the Hearing Examiner's report and located east of Lakemont Boulevard S.E. and north of Village Park Drive S.E. is hereby reclassified from R-3.5/C, R-5/C and CB/C to CB/C subject to the conditions that follow:

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

Commencing at the Northeast corner of the Northwest quarter of the Northwest quarter of said Section 24; thence South 0°52'19" West along the East line thereof 738.09 feet; thence South 75°05'25" East 276.20 feet to the True Point of Beginning; thence North 79°33'25" East 278.00 feet; thence South 35°00'00" East 110.40 feet; thence South 58°14'00" West 10.43 feet; thence South 44°21'08" West 11.26 feet; thence South 61°34'24" West 50.78 feet to the Southerly line of Tract T, Lakemont Division 3-A, as recorded in Volume 157 of Plats, Pages 19-33; thence South 88°32'47" West along said Southerly line 8.83 feet to an angle point in said Southerly line; thence South 41°04'07" West along said Southerly line 11.43 feet; thence South 61°34'24" West 18.63 feet; thence South 81°48'29" West 51.88 feet to the Northerly extension of the Easterly line of Parcel A of said Lakemont Division 3-A; thence South 0°57'02" West along said Northerly extension and Easterly line 71.14 feet to an angle point in said Easterly line; thence South 35°00'00" East along said Easterly line 150.55 feet; thence South 0°34'17" East 28.02 feet to the Southeasterly line of said Parcel A; thence South 58°18'56" West along said Southeasterly line 136.45 feet to the most Southerly corner of said Parcel A; thence continuing South 58°18'56" West to the centerline of Village Park Drive S.E.; thence Northwesterly along said centerline to the centerline of Lakemont Boulevard S.E.; thence Northeasterly along the centerline of Lakemont Boulevard S.E. to a line which bears North 90°00'00" West from the True Point of Beginning; thence South 90°00'00" East along said line to the True Point of Beginning.

This reclassification is subject to the following conditions:

1. All development shall be consistent with the conditions set forward (where applicable) in the Consolidated Report and Recommendation to King County Council as approved by the Council and the Pre-Annexation Agreement between the City of Bellevue and East/West Partners, both of which are in and filed under Clerk's Receiving Number 14619.
2. Permitted use shall be limited to the following uses: Five or more dwelling units per structure, Retirement Apartments and Senior Citizen Apartments, Apparel Fabric and Leather Goods (subordinate to Retail Uses), Furniture and Fixture (subordinate to Retail Uses), Handcrafted Products (subordinate to Retail Uses), Accessory Parking, Highway and Street Right-of-Way, Local Utility system, Recycling Centers, Hardware, General Merchandise, Food (Retail), Apparel and Accessories (Retail), Furniture and Home Furnishings (Retail), Eating and Drinking Establishments, Other Retail Trade, Garden Supplies, Pet Shop,

Finance/Insurance/Real Estate Services, Personal Services, Child Care Services, Business Services, Repair Services, Professional Services (Health), Professional Services (other), Convalescent and Nursing Homes, Religious Activities, Library/Museum, Art Gallery, Public Assembly (indoors), Recreation Activities (indoors), Private Leisure and Open Space, Public/Private park, Veterinarian Office, Auto Repair & Washing Services, Lodges, Charitable & Social Service Organizations, Special Schools, Libraries.

3. Conditional uses shall be limited to the following: Park and Ride, Utility Facilities, Regional Utility System, Gasoline Service Stations, Education, Public Assembly (outdoors), Recreation Activities (outdoors).
4. Sign standards shall follow that of the NB zone.

Section 5. The following described property designated as Parcel 4 in the Hearing Examiner's report and located east of Lakemont Boulevard S.E. and north of Village Park Drive S.E. is hereby reclassified from CB/C to R-5/C subject to the conditions that follow:

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

Commencing at the Northeast corner of the Northwest quarter of the Northwest quarter of said Section 24; thence South  $0^{\circ}52'19''$  West along the East line thereof 738.09 feet; thence South  $75^{\circ}05'25''$  East 276.20 feet; thence North  $79^{\circ}33'25''$  East 278.00 feet; thence South  $35^{\circ}00'00''$  East 110.40 feet to the True Point of Beginning; thence South  $58^{\circ}14'00''$  West 10.43 feet; thence South  $44^{\circ}21'08''$  West 11.26 feet; thence South  $61^{\circ}34'24''$  West 50.78 feet to the Southerly line of Tract T, Lakemont Division 3-A, as recorded in Volume 157 of Plats, Pages 19-33; thence South  $88^{\circ}32'47''$  West along said Southerly line 8.83 feet to an angle point in said Southerly line; thence South  $41^{\circ}04'07''$  West along said Southerly line 11.43 feet; thence South  $61^{\circ}34'24''$  West 18.63 feet; thence South  $81^{\circ}48'29''$  West 51.88 feet to the Northerly extension of the Easterly line of Parcel A of said Lakemont Division 3-A; thence South  $0^{\circ}57'02''$  West along said Northerly extension and Easterly line 71.14 feet to an angle point in said Easterly line; thence South  $35^{\circ}00'00''$  East along said Easterly line 150.55 feet; thence South  $0^{\circ}34'17''$  East 28.02 feet to the Southeasterly line of said Parcel A; thence North  $58^{\circ}18'56''$  East along said Southeasterly line and the Northeasterly extension thereof 213.16 feet; thence North  $35^{\circ}00'00''$  West 211.60 feet to the True Point of Beginning.

This reclassification is subject to the following conditions:

1. All development shall be consistent with the conditions set forward (where applicable) in the Consolidated Report and Recommendation to King County Council as approved by the Council and the Pre-Annexation Agreement between the City of Bellevue and East/West Partners, both of which are in and filed under Clerk's Receiving Number 14619.
2. Density in the aggregate within all the area subject to this zoning classification shall not be greater than the lesser of three units per acre or 626 detached dwelling units.

Section 6. The following described property designated as Parcel 5 in the Hearing Examiner's report and located east of Lakemont Boulevard S.E. and north of Village Park Drive S.E. is hereby reclassified from R-20/C to R-5/C subject to the conditions that follow:

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

Commencing at the Northeast corner of the Northwest quarter of the Northwest quarter of said Section 24; thence South  $0^{\circ}52'19''$  West along the East line thereof 738.09 feet; thence South  $75^{\circ}05'25''$  East 276.20 feet; thence North  $79^{\circ}33'25''$  East 278.00 feet; thence South  $35^{\circ}00'00''$  East 322.00 feet to the Northeasterly extension of the Southeasterly line of Parcel A, Lakemont Division 3-A, as recorded in Volume 157 of Plats, Pages 19-33 and the True Point of Beginning; thence South  $58^{\circ}18'56''$  West along said Northeasterly extension and Southeasterly line to the most Southerly corner of said Parcel A; thence continuing South  $58^{\circ}18'56''$  West to the centerline of Village Park Drive S.E.; thence Southeasterly along said centerline to the Southwesterly extension of the Southerly line of Tract S of said Lakemont Division 3-A; thence North  $40^{\circ}57'20''$  East along said Southwesterly extension to the Southerly most corner of said Tract S; thence continuing North  $40^{\circ}57'20''$  East along said Southerly line thereof 190.02 feet; thence North  $72^{\circ}37'42''$  East along said Southerly line 108.05 feet; thence South  $84^{\circ}34'31''$  East along said Southerly line 236.00 feet to the Southeast corner of said Tract S; thence North  $15^{\circ}41'35''$  East along the Easterly line thereof 70.50 feet; thence North  $61^{\circ}20'08''$  West along said Easterly line and the Northwesterly extension thereof 149.00 feet; thence North  $88^{\circ}44'16''$  West 165.00 feet; thence North  $35^{\circ}00'00''$  West 583.00 feet to the True Point of Beginning.

This reclassification is subject to the following conditions:

1. All development shall be consistent with the conditions set forward (where applicable) in the Consolidated Report and Recommendation to King County Council as approved by the Council and the Pre-Annexation Agreement between the City of Bellevue

and East/West Partners, both of which are in and filed under Clerk's Receiving Number 14619.

- 2. Density in the aggregate within all the area subject to this zoning classification shall not be greater than the lesser of three units per acre or 626 detached dwelling units.

Section 7. The reclassification of those properties set forth in Sections 2 through 6 of this ordinance shall supersede and replace the pre-annexation zoning for such properties adopted pursuant to Ordinance No. 3840 as amended by Ordinance No. 4059.

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

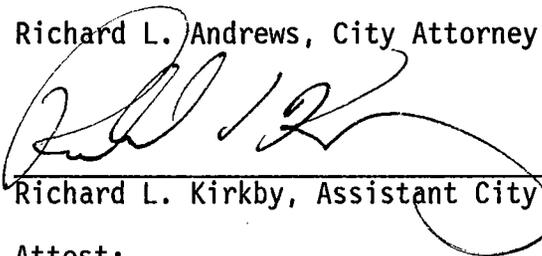
PASSED by the City Council this 22nd day of March, 1993, and signed in authentication of its passage this 22nd day of March, 1993.

(SEAL)

  
 Gary Bozeman, Mayor pro tem  
 Terry Lykens

Approved as to form:

Richard L. Andrews, City Attorney

  
 Richard L. Kirkby, Assistant City Attorney

Attest:

  
 Myrna L. Basich, City Clerk

Published March 26, 1993