

ORIGINAL

WPO299C-ORD
03/24/94

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4641

AN ORDINANCE reclassifying property located at 1834 and 1836 - 156th N.E. from R-3.5 to R-15 and Office (O), on application of Overlake Park Presbyterian Church.

WHEREAS, Overlake Park Presbyterian Church applied to the City to rezone property located at 1834 and 1836 - 156th N.E. from R-3.5 to R-15 and Office (O); and

WHEREAS, on January 20, 1994, 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 February 9, 1994, the Hearing Examiner recommended approval 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 property from R-3.5 to R-15 and Office (O); 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 property located at 1834 and 1836 - 156th 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 Overlake Park Presbyterian Church For a Reclassification of Property File Nos. REZ 93-8597 and 9712."

Section 2. The following described property (Parcel A) is hereby reclassified from R-3.5 to R-15:

ORIGINAL

WP0299C-ORD

03/24/94

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

Beginning at the Southwest corner of said subdivision;

Thence N 01°11'55" E along the West line thereof, a distance of 770.00 feet to the North line of the South 770.00 feet of said subdivision;

Thence S 88°43'13" E along said North line, a distance of 430.28 feet to the True Point of Beginning of the herein described Tract;

Thence continuing South 88°43'13" E along said North line, a distance of 165.72 feet to the centerline of 158th Avenue N.E. as vacated by Ordinance No. 1184;

Thence N 01°11'55" E along said centerline, a distance of 267.86 feet to the Southwesterly margin of Northup Way as shown on City of Bellevue alignment survey, work order No. 91110, dated 1/92;

Thence N 63°33'15" W along said Southwesterly margin, a distance of 75.72 feet;

Thence S 26°19'10" W a distance of 170.04 feet;

Thence N 88°43'13" W a distance of 25.04 feet;

Thence S 01°11'55" W a distance of 146.00 feet to the True Point of Beginning.

Tract contains 0.90 acres.

Section 3. The following described property (Parcel B) is hereby reclassified from R-3.5 to Office (O):

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

Beginning at the Southwest corner of said subdivision;

Thence N 01°11'55" E along the West line thereof, a distance of 770.00 feet to the North line of the South 770.00 feet of said subdivision;

Thence S 88°43'13" E along said North line, a distance of 30.00 feet to the East margin of 156th Avenue N.E. and the True Point of Beginning of the herein described Tract;

WPO299C-ORD

03/24/94

Thence continuing South $88^{\circ}43'13''$ E along said North line, a distance of 400.28 feet;

Thence N $01^{\circ}11'55''$ E parallel with the West line of said subdivision, a distance of 146.00 feet;

Thence S $88^{\circ}43'13''$ E a distance of 25.04 feet;

Thence N $26^{\circ}19'10''$ E a distance of 170.04 feet to the Southwesterly margin of Northup Way as shown on City of Bellevue alignment survey, work order No. 91110, dated 1/92;

Thence N $63^{\circ}33'15''$ W along said Southwesterly margin, a distance of 336.03 feet to a point of curve;

Thence Northwesterly continuing along said Southwesterly margin, along the arc of a curve to the left, said curve having a radius of 1,115.92 feet, through a central angle of $07^{\circ}26'47''$ a distance of 145.03 feet to a joint of compound curve;

Thence Westerly along said Southwesterly margin, per deed recorded under King County Recording No. 5152814, along the arc of a curve to the left, said curve having a radius of 45.00 feet, through a central angle of $83^{\circ}27'31''$ a distance of 65.55 feet, to a point on the Easterly margin of 156th Avenue N.E. per deed recorded under King County Recording No. 7609170730;

Thence S $01^{\circ}11'55''$ W along said Easterly margin, a distance of 121.57 feet;

Thence S $10^{\circ}17'35''$ W a distance of 25.31 feet to a point on the East line of the West 30.00 feet of said subdivision;

Thence S $01^{\circ}11'55''$ W along said East line and the East margin of 156th Avenue N.E., a distance of 325.00 feet to the True Point of Beginning.

Tract contains 4.25 acres.

Section 4. This reclassification is subject to the following conditions:

1. In the event the property is developed with ten housing units or greater, at least 10% of the units buildable under the original maximum density must be affordable units 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. One bonus market rate unit is permitted for each of the affordable units provided to meet the minimum 10% requirement of the original maximum density, up to 15% above the original maximum density. "Affordable unit" shall be defined as set forth in LUC 20.50.010.

ORIGINAL

WPO299C-ORD
03/24/94

For the purpose of calculating the number of required affordable units, the original maximum density possible under the original zoning is as follows:

Area A: REZ 93-9712 1 ac @ R-3.5 = 3 units
Area B: REZ 93-8597 4 ac @ R-3.5 = 14 units

The units shall remain affordable units for the duration of the R-15 zoning classification for Area A and the Office (O) zoning classification for Area B, 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 agreement for the purpose of allowing the owner to obtain financing for the development of the property, consistent with any applicable provisions of the Land Use Code in effect at the time of the development permit(s).

The Following Conditions Apply to Area A Only

2. Up to ten housing units in a total of five buildings may be constructed, all of which shall be affordable units.
3. At least one of the five duplex buildings will consist of two bedroom units.
4. At least one of the ten units will be accessible consistent with the Americans with Disabilities Act requirements.
5. Building setbacks from the east property line will be 20 feet or greater.
6. The entry drive from Northup Way will be located as close to the western property line as possible, consistent with traffic safety requirements.
7. A six-foot-high fence will be constructed along the southern, western, and northwestern property lines.

This reclassification is further conditioned on full compliance by the owner of said property and its heirs, assigns, grantees or successors in interest, of the terms and conditions of that certain Concomitant Agreement executed by the

ORIGINAL

WPO299C-ORD
03/24/94

owner of said property, which has been given Clerk's Receiving No. 20785, and which has been adopted by reference into this ordinance as if it were fully set forth herein.

Section 5. This ordinance shall take effect and be in force five (5) days after its passage and legal publication.

PASSED by the City Council this 4th day of April, 1994, and signed in authentication of its passage this 4th day of April, 1994.

(SEAL)

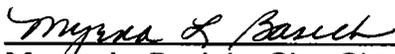

Donald S. Davidson, DDS, Mayor

Approved as to form:

Richard L. Andrews, City Attorney


Richard Gidley, Deputy City Attorney

Attest:


Myrna L. Basich, City Clerk

Published April 8, 1994