

ORIGINAL

WP0349C-ORD

09/13/94

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4693

AN ORDINANCE reclassifying various properties located south of Main Street and north of S.E. 24th Street; from 148th Avenue S.E. to 156th Avenue S.E. in the Lake Hills Greenbelt area from OU and NB to R-1, R-1.8, R-3.5, and R-5 on application of the City of Bellevue and known as the Lake Hills Rezone Group.

WHEREAS, the City of Bellevue filed an application to reclassify various properties located south of Main Street and north of S.E. 24th Street; from 148th Avenue S.E. to 156th Avenue S.E. in the Lake Hills Greenbelt area from OU and NB to R-1, R-1.8, R-3.5, and R-5; and

WHEREAS, on June 16, 1994 a public hearing was held on the reclassification application before the Hearing Examiner for the City of Bellevue pursuant to notice as required by law; and

WHEREAS, on June 30, 1994 the Hearing Examiner recommended approval of the rezone application and made and entered findings of fact and conclusions based thereon in support of his recommendation; and

WHEREAS, on July 14, 1994, Harold B. Coe filed a Notice of Appeal of the Recommendation of the Hearing Examiner with regard to Area 11; and

WHEREAS, on July 17, 1994, the Lang Trust filed a Notice of Appeal of the Recommendation of the Hearing Examiner with regard to Area 5; and

WHEREAS, on September 6, 1994, the City Council held a limited public hearing on the appeals; and

WHEREAS, except as hereinafter indicated with regard to Parcel 5, 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 property located south of Main Street and north of S.E. 24th Street; from 148th Avenue S.E. to 156th Avenue S.E. in the Lake Hills Greenbelt area from OU and NB to R-1, R-1.8, R-3.5, and R-5; and

ORIGINAL

WP0349C-ORD
09/13/94

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, except as hereinafter indicated as to Parcel 5, 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 request with regard to the hereinafter described property located south of Main Street and north of S.E. 24th Street; from 148th Avenue S.E. to 156th Avenue S.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 Reclassification; File No. REZ 93-10086 through 93-10132".

Section 2. With regard to Parcel 5, the City Council finds that either R-1 or R-1.8 zoning would be consistent with the Comprehensive Plan. The Council further finds that R-1.8 is appropriate.

Section 3. With regard to the Coe appeal (Area 11), the Council finds:

A. The appellant has not carried the burden of proof and has not produced evidence sufficient to support the conclusion that the appeal should be granted.

B. The recommendation of the Examiner is supported by a preponderance of the evidence.

The appeal is therefore denied.

Section 4. With regard to the Lang Estate (Area 5) appeal, the Council finds:

A. The appellant has carried the burden of proof to the extent of and produced evidence sufficient to support the conclusion that Area 5 should be rezoned to R-1.8.

B. To the extent indicated in Subsection A above, the recommendation of the Examiner is not supported by a preponderance of the evidence.

ORIGINAL

WP0349C-ORD

09/13/94

The appeal is therefore granted insofar as the Council has determined that R-1.8 zoning is appropriate.

Section 5. The following described properties are reclassified as indicated:

Area 1

That portion of the Southeast quarter of Section 2, Township 24 North, Range 5 East, W.M., in King County, Washington, described as follows:

Commencing at the Southwest corner of said subdivision; thence Easterly along the South line thereof to the East line of West 585.00 feet of said subdivision and the True Point of Beginning; thence Northerly along said East line to the North line of the South 290.00 feet of said subdivision; thence Easterly along said North line to the East line of the West 214.50 feet of the Southeast quarter of the Southwest quarter of the Southeast quarter of said Section 2; thence Southerly along said East line to the South line of the Southeast quarter of said Section 2; thence Westerly along said South line to the True Point of Beginning.

From OU to R-5.

Area 2

That portion of the Southeast quarter of Section 2, Township 24 North, Range 5 East, W.M., in King County, Washington, described as follows:

Commencing at the Southwest corner of said subdivision; thence Easterly along the South line thereof to the East line of West 585.00 feet of said subdivision; thence Northerly along said East line to the North line of the South 290.00 feet of said subdivision and True Point of Beginning; thence Easterly along said North line to the East line of the West 214.50 feet of the Southeast quarter of the Southwest quarter of the Southeast quarter of said Section 2; thence Northerly along said East line to the North line of the South half of the Southwest quarter of the Southeast quarter of said Section 2; thence Westerly along said North line to the East line of the West 585.00 feet of the Southeast quarter of said Section 2; thence Southerly along said East line to the True Point of Beginning.

ORIGINAL

WP0349C-ORD
09/13/94

From OU to R-3.5.

Area 3

That portion of the South half of Section 2, Township 24 North, Range 5 East, W.M., in King County, Washington, described as follows:

Beginning at the Northeast corner of Lot 4, City of Bellevue Short Plat No. 87-432, as filed under Recording No. 8707169011; thence Southerly along the Easterly line thereof and the Easterly line of Lot 3 of said short plat to the Southeast corner of said Lot 3; thence Westerly along the Southerly line of said short plat and the Westerly extension thereof to the centerline of 156th Avenue S.E.; thence Northerly along said centerline to the Westerly extension of the Northerly line of said short plat; thence Easterly along said Westerly extension and Northerly line to the Point of Beginning.

From OU to R-1.8.

Area 4

That portion of the Southeast quarter of Section 2, Township 24 North, Range 5 East, W.M., in King County, Washington, described as follows:

Beginning at the Northwest corner of said subdivision; thence Easterly along the North line thereof to the Northerly extension of the Westerly line of Lot 4, City of Bellevue Short Plat No. 89-224, as filed under Recording No. 8905019005; thence Southerly along said Northerly extension and Westerly line to the South line of the Northwest quarter of the Southeast quarter of said Section 2; thence Westerly along said South line to the East line of the West 214.50 feet of the East half of the Southwest quarter of the Southeast quarter of said Section 2; thence Southerly along said East line to the South line of the North half of the Southwest quarter of the Southeast quarter of said Section 2; thence Westerly along said South line to the Southwest corner of Tract A, City of Bellevue Short Plat No. 87-432, as filed under Recording No. 8707169011; thence Northerly along the Westerly line thereof to the Northerly line of said short plat; thence Westerly along said Northerly line and the Westerly extension thereof to the West line of

ORIGINAL

WP0349C-ORD
09/13/94

the Southeast quarter of said Section 2; thence Northerly along the West line thereof to the Point of Beginning.

From OU to R-1.

Area 5

That portion of the Northeast quarter of the Northeast quarter of the Southwest quarter of Section 2, Township 24 North, Range 5 East, W.M., in King County, Washington;

EXCEPT the West 400.00 feet thereof.

From OU to R-1.8.

Area 6

That portion of the Northwest quarter of the Southeast quarter of Section 2, Township 24 North, Range 5 East, W.M., in King County, Washington, described as follows:

Beginning at the Northeast corner of said subdivision; thence Southerly along the East line thereof to the Southeast corner of said subdivision; thence Westerly along the South line thereof to the Southwest corner of Lot 4, City of Bellevue Short Plat No. 89-224, as filed under Recording No. 8905019005; thence Northerly along the Westerly line thereof and the Northerly extension of said Westerly line to the North line of the Southeast quarter of said Section 2; thence Easterly along said North line to the Point of Beginning.

From OU to R-1.8.

Area 7

The East 206.50 feet of the West 841.50 feet of the North 171.50 feet of the South 534.00 feet of the Northeast quarter of Section 2, Township 24 North, Range 5 East, W.M., in King County, Washington;

TOGETHER with the East 220.00 feet of the West 841.50 feet of the South 362.50 feet of the Northeast quarter of said Section 2.

ORIGINAL

WP0349C-ORD

09/13/94

From OU to R-1.8.

Area 8

That portion of the Northeast quarter of Section 2, Township 24 North, Range 5 East, W.M., in King County, Washington, described as follows:

Commencing at the Southwest corner of said subdivision; thence Northerly along the West line thereof to the North line of the South 940.00 feet of said subdivision and the True Point of Beginning; thence continuing Northerly along said West line and the centerline of 156th Avenue S.E. to the Westerly extension of the Southerly line of Lot 1, Block 6, Lake Hills No. 1, as recorded in Volume 56 of Plats, Pages 86-88; thence Easterly along the said Westerly extension and the Southerly lines of Lots 1 through 5 of said Block 6 to the Westerly most corner of Lot 6 of said Block 6; thence Southeasterly along the Southwesterly line thereof and Lot 7 of said Block 6 to the Westerly most corner of Lot 8 of said Block 6; thence Southerly along the Westerly line of Lots 8 through 13 of said Block 6 to the Southwest corner of said Lot 13 and the North line of the South 940.00 feet of the Northeast quarter of said Section 2; thence Westerly along said North line to the True Point of Beginning.

From OU to R-1.8.

Area 9

That portion of the North half of Section 2, 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 said Section 2; thence Westerly along the South line thereof to the Southwest corner of the Southeast quarter of the Southeast quarter of the Northwest quarter of said Section 2; thence Northerly along the West line thereof to the Southeast corner of the Northwest quarter of the Southeast quarter of the Northwest quarter of said Section 2; thence Westerly along the South line thereof to the Easterly line of Spiritwood No. 6, as recorded in Volume 67 of Plats, Page 86; thence Northerly along said Easterly line to the Southerly most corner of Tract A of said Spiritwood No. 6; thence Northwesterly along the Southwesterly line thereof to the Southerly

ORIGINAL

WP0349C-ORD

09/13/94

line of Lot 9, Block 5, Eastgate Hills Evergreen Addition No. 2, as recorded in Volume 56 of Plats, Pages 46-48; thence Easterly along said Southerly line to the Southwest corner of Tract C of said Eastgate Hills Evergreen Addition No. 2; thence Northerly along the Westerly line thereof and the Northwesterly extension of said Westerly line to the centerline of Lake Hills Boulevard; thence Northeasterly along said centerline to the North line of the Northwest quarter of said Section 2; thence Easterly along said North line to the Westerly line of Block 10 of said Eastgate Hills Evergreen Addition No. 2; thence Southerly along said Westerly line to the Southwest corner of Lot 15 of said Block 10; thence Easterly along the Southerly line of said Block 10 and the Easterly extension thereof to the East line of the Northwest quarter of said Section 2; thence Southerly along said East line to the North line of the South 940.00 feet of the Northeast quarter of said Section 2; thence Easterly along said North line to the Westerly margin of 158th Avenue N.E.; thence Southerly along said Westerly margin and the Westerly line of Lots 1 and 3, Block 2, Stilwell Estates, as recorded in Volume 79 of Plats, Pages 28 and 29 to the Southwest corner of said Lot 3; thence Easterly along the Southerly line thereof to the East line of the West 635.00 feet of the Northeast quarter of said Section 2; thence Southerly along said East line to the North line of the South 362.50 feet of the Northeast quarter of said Section 2; thence Westerly along said North line to the East line of the West 621.50 feet of the Northeast quarter of said Section 2; thence Southerly along said East line to the South line of the Northeast quarter of said Section 2; thence Westerly along said South line to the Point of Beginning.

From OU to R-1.

Area 10

That portion of Sections 34 and 35, Township 25 North, Range 5 East, W.M., and Section 2, Township 24 North, Range 5 East, W.M., in King County, Washington, described as follows:

Commencing at the Northwest corner of the Southwest quarter of said Section 35; thence South $0^{\circ}13'21''$ East along the West line thereof 1595.68 feet to the True Point of Beginning; thence North $89^{\circ}46'39''$ East 30.00 feet to the Easterly margin of 148th Avenue S.E.; thence North $52^{\circ}14'30''$ East 277.28 feet; thence North $78^{\circ}09'45''$ East 406.87 feet; thence North $88^{\circ}48'18''$ East 57.10

ORIGINAL

WP0349C-ORD

09/13/94

feet to the North line of the Southwest quarter of the Southwest quarter of said Section 35; thence South $88^{\circ}41'09''$ East along said North line 138.84 feet; thence South $61^{\circ}51'45''$ East 138.69 feet; thence North $68^{\circ}54'01''$ East 164.14 feet to a point on the South line of the Northwest quarter of the Southwest quarter of said Section 35, lying 199.80 feet Westerly of the Southeast corner of the Northwest quarter of the Southwest quarter of said Section 35; thence North $0^{\circ}13'21''$ West to the South line of the North 200.00 feet of the South half of the Northwest quarter of the Southwest quarter of said Section 2; thence Westerly along said South line to the East line of the West 1050.00 feet of the Southwest quarter of said Section 35; thence Northerly along said East line to the North line of the South half of the Northwest quarter of the Southwest quarter of said Section 35; thence Easterly along said North line to the Northeast corner of the South half of the Northwest quarter of the Southwest quarter of said Section 35; thence Southerly along the East line thereof to the Northwest corner of the Southeast quarter of the Southwest quarter of said Section 35; thence Easterly along the North line thereof to the East line of the West 50.00 feet of the Southeast quarter of the Southwest quarter of said Section 35; thence Southerly along said East line to a line parallel with the North line of the Southeast quarter of the Southwest quarter of said Section 35 from a point on the Westerly line of Block 1, Lake Hills No. 23, as recorded in Volume 64 of Plats, Pages 88 and 89, lying 123.08 feet Southerly from the Northwest corner of Lot 1 of said Block 1; thence Easterly along said parallel line to the Westerly line of said Block 1; thence Southerly along said Westerly line to the Southwest corner of Lot 16 of said Block 1; thence Easterly along the Southerly line thereof and the Easterly extension of said Southerly line to the centerline of 154th Avenue S.E.; thence Southerly along said centerline to the centerline of Lake Hills Boulevard; thence Southwesterly along the centerline of Lake Hills Boulevard to the Southeasterly extension of the Southwesterly line of Tract B, Eastgate Hills Evergreen Addition No. 2, as recorded in Volume 56 of Plats, Pages 46-48; thence Northwesterly along said Southeasterly extension and Southwesterly line to the South line of the Southwest quarter of said Section 35; thence Westerly along said South line to the Southeast corner of the Southeast quarter of said Section 34; thence Westerly along the South line thereof to the centerline of 148th Avenue S.E.; thence Northerly along said centerline to the True Point of Beginning.

From OU to R-1.

ORIGINAL

WP0349C-ORD
09/13/94

Area 11

That portion South half of the Southeast quarter of the Southeast quarter of the Southeast quarter of Section 34, Township 25 North, Range 5 East, W.M., in King County, Washington, LYING Westerly of the centerline of 148th Avenue S.E.

From OU to R-1.8.

Area 12

The Southeast quarter of the Northeast quarter of the Southeast quarter of Section 34, Township 25 North, Range 5 East, W.M., in King County, Washington;

TOGETHER with that portion of the North three-quarters of the East half of the Southeast quarter of the Southeast quarter of said Section 34, LYING Westerly of the centerline of 148th Avenue S.E.

From OU to R-1.

Area 13

That portion of the Southwest quarter of Section 35, Township 25 North, Range 5 East, W.M., in King County, Washington, described as follows:

Commencing at the Northwest corner of said subdivision; thence South $0^{\circ}13'21''$ East along the West line thereof 1595.68 feet to the True Point of Beginning; thence North $89^{\circ}46'39''$ East 30.00 feet to the Easterly margin of 148th Avenue S.E.; thence North $52^{\circ}14'30''$ East 277.28 feet; thence North $78^{\circ}09'45''$ East 406.87 feet; thence North $88^{\circ}48'18''$ East 57.10 feet to the South line of the Northwest quarter of the Southwest quarter of said Section 25; thence South $88^{\circ}41'09''$ East along said South line 138.84 feet; thence South $61^{\circ}51'45''$ East 138.69 feet; thence North $68^{\circ}54'01''$ East 164.14 feet to a point on the South line of the Northwest quarter of the Southwest quarter of said Section 35, lying 199.80 feet Westerly of the Southeast corner of the Northwest quarter of the Southwest quarter of said Section 35; thence North $0^{\circ}13'21''$ West to the South line of the North 200.00 feet of the South half of the Northwest quarter of the Southwest quarter of said Section 2; thence Westerly along said South line to

ORIGINAL

WP0349C-ORD
09/13/94

the East line of the West 1050.00 feet of the Southwest quarter of said Section 35; thence Northerly along said East line to the South line of the North 100.00 feet of the South half of the Northwest quarter of the Southwest quarter of said Section 35; thence Westerly along said South line to the West line of the Southwest quarter of said Section 35; thence Southerly along said West line to the True Point of Beginning.

From NB to R-1.

Section 6. This Ordinance shall take effect and be in force five days after its passage and legal publication.

PASSED by the City Council this 19th day of September, 1994, and signed in authentication of its passage this 19th day of September, 1994.

(SEAL)

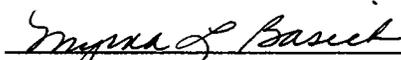

Donald S. Davidson, DDS, Mayor

Approved as to form:

Richard L. Andrews, City Attorney


Richard L. Andrews, City Attorney

Attest:


Myrna L. Basich, City Clerk

Published September 23, 1994