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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4732

AN ORDINANCE adopting a proposed zoning regulation for a 54 acre parcel of property located in the Newcastle Subarea, east of Lakemont Boulevard and south of Cougar Mountain Road S.E., commonly referred to as the Cougar Ridge II annexation area; amending section 1 of Ordinance No. 3840 as most recently amended by Ordinance No. 4424; and adding a new Section 3k to Ordinance No. 3840.

WHEREAS, RCW 35A.14.330 authorizes the City Council to adopt a proposed zoning regulation to become effective upon the annexation of any area that might reasonably be expected to be annexed by the City at any future time; and

WHEREAS, it is anticipated that an approximately 54 acre parcel of property located in the Newcastle Subarea, east of Lakemont Boulevard and south of Cougar Mountain Road S.E., commonly referred to as the Cougar Ridge II annexation area, may be annexed to the City in the near future; and

WHEREAS, pursuant to Ordinance No. 3840 adopted by the City Council on October 26, 1987, as most recently amended by Ordinance No. 4424, the City Council adopted a proposed zoning regulation to become effective upon annexation of land within the central Newcastle area, including a portion of the 54 acre parcel of land commonly referred to as the Cougar Ridge II annexation area; and

WHEREAS, the City Council desires to amend the proposed zoning regulation for the portion of the 54 acre Cougar Ridge annexation area previously designated R-1 pursuant to Ordinance No. 3840, to R-5 with conditions and to adopt new pre-annexation zoning of R-5 with conditions for the remaining portion of the 54 acre parcel for which pre-annexation zoning was not previously provided; and

WHEREAS, pursuant to RCW 35A.14.340, public hearings were held by the City Council on September 19, 1994 and on January 23, 1995, at the hour of 8:00 p.m. pursuant to notice of said hearings published in a newspaper of general circulation in the City and in the area to be annexed and all interested parties appearing at said hearings and desiring to be heard in regard to the proposed zoning regulation having been heard by the City Council; and

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WHEREAS, all statutory requirements have been complied with, including those set forth in RCW 35A.14.330 and .340; and

WHEREAS, the City of Bellevue 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. Section 1 of Ordinance No. 3840 adopted by the City Council on October 26, 1987, as most recently amended by Section 1 of Ordinance No. 4424, is further amended to read as follows:

Section 1. A proposed zoning regulation is hereby adopted establishing use classification R-1 for the following described property:

That portion of Sections 13, 23, 24, 25 and 26, Township 24 North, Range 5 East, W.M., King County, Washington, described as follows:

Commencing at the Northeast corner of the Northeast quarter of said Section 24 and the TRUE POINT OF BEGINNING: thence South along the East line thereof to the Northeast corner of the Southeast quarter of said Section 24; thence South along the East line thereof to the Northeast corner of the Northeast quarter of said Section 25; thence South along the East line thereof to the South line of the North half of the Northeast quarter of said Section 25; thence West along said North line to the East line of the Northwest quarter of the Southeast quarter of the Northeast quarter of said Section 25; thence South along said East line to the South line of the Northwest quarter of the Southwest quarter of the Northeast quarter of said Section 25; thence West along the South line to the East line of the Northwest quarter of said Section 25; thence South along said East line to the Northeast corner of the Southwest quarter of said Section 25; thence South along the East line thereof 659.16 feet; thence North $88^{\circ}00'27''$ West 1,306.87 feet to the East line of the Northwest quarter of the Southwest quarter of said Section 25; thence North along said East line to the Northeast corner thereof; thence West along the North line thereof to the center line of Nels Berglund Road (County Road No. 66); thence Southwesterly along said center line to the East line of the Southeast quarter of said Section 26; thence North along said East line to the Northeast corner

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thereof; thence West along the North line thereof to the Northeast corner of the Northwest quarter of the Southeast quarter of said Section 26; thence South along the East line thereof to the Southeast corner of Lot 1 of King County Short Plat - R578056, recorded under Auditor's File No. 8003270853, in the Records and Elections Division of King County, Washington,; thence West along the South line thereof and the Westerly extension of said South line to the West margin of Lakemont Boulevard S.E.; thence Northerly along said West margin to the South line of the Southeast quarter of said Section 23; thence East along said South line to the East margin of Lakemont Boulevard S.E.; thence Northerly along said East margin to the Northerly margin of S.E. Cougar Mountain Way; thence Southeasterly along said Northerly margin to the North line of the Northeast quarter of said Section 26; thence continuing Southeasterly and Easterly along said Northerly margin to the West line of the Northwest quarter of said Section 25; thence continuing Easterly and Northeasterly along said Northerly margin of S.E. Cougar Mountain Way to the South line of the Southwest quarter of said Section 24; thence continuing Northerly along the Northwesterly margin of S.E. Cougar Mountain Way and the West margin of 168th Place S.E. to the North line of the South 495.00 feet of the Southwest quarter of said Section 24; thence West along said North line to the East line of the West 800.00 feet of the Southwest quarter of said Section 24; thence South along said East line to the North line of the South 30.00 feet of the Southwest quarter of said Section 24; thence West along said North line to the East line of the West 420.00 feet of the Southwest quarter of said Section 24; thence North along said East line to the South line of the North 295.34 feet of the South 590.69 feet of the Southwest quarter of the Southwest quarter of said Section 24; thence West along said South line to the East margin of 164th Avenue S.E.; thence North along said East margin to the North line of the Southwest quarter of the Southwest quarter of said Section 24; thence West along said North line to the Northeast corner of the South half of the Southeast quarter of said Section 24; thence West along the North line thereof to the East margin of Lakemont Boulevard S.E.; thence Northeasterly along said East margin to the South line of the Northeast quarter of Section 23; thence continuing Northeasterly along said East margin to the Southerly extension of the East margin of 164th Way S.E., said East margin being 30.00 feet Easterly and concentric to the center line of 164th Way S.E.; thence Northerly along said Southerly extension and said East margin to the North line of the South half of

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the South half of the South half of the Northeast quarter of the Northeast quarter of said Section 23; thence East along said North line to the West line of the Northwest quarter of said Section 24; thence North along said West line to the North line of the South half of the South half of the South half of the Northwest quarter of the Northwest quarter of said Section 24; thence East along said North line to the East line of the Northwest quarter of the Northwest quarter of said Section 24; thence North along said East line to the Southeast corner of the Southwest quarter of the Southwest quarter of said Section 13; thence North along the East line thereof to the South line of Lot 4, block 1 of Eastmont Home Tracts, according to the plat thereof recorded in Volume 57 of Plats, pages 90 and 91, in the Records and Elections Division of King County, Washington, thence East along the South line of said Lot 4 and Lot 5, Block 1 of said Eastmont Home Tracts to the Southeast corner thereof; thence North along the East line of said Lot 5 to the South line of Vuemont Vista Division No. 1, according to the plat thereof recorded in Volume 121 of Plats, pages 52 and 55, in the Records and Elections Division of King County, Washington,; thence Easterly and Southeasterly along said South line to the West line of the Southeast quarter of said Section 13; thence South along said West line to the Northeast corner of the Northeast quarter of said Section 24; thence East along the North line thereof to the TRUE POINT OF BEGINNING;

AND EXCEPT that property described as follows:

The Northwest quarter of the Southwest quarter of the Northeast quarter of Section 25, Township 24 North, Range 5 East, W.M., in King County, Washington; TOGETHER with the East half of the Northeast quarter of the Southeast quarter of the Northwest quarter of said Section 25; TOGETHER with that portion of the Northeast quarter of the Northwest quarter of said Section 25, lying Southeasterly of the Southeast margin of S.E. Cougar Mountain Way; AND TOGETHER with Lot 1 of King County Short Plat No. 879009, filed under Recording No. 8109100499, records of King County, Washington; EXCEPT THAT portion of the Northeast quarter of the Northwest quarter of said Section 25, described as follows: Beginning at the Northeast corner of said subdivision; thence North $83^{\circ}23'56''$ West along the North line thereof 312.62 feet; thence South $15^{\circ}50'00''$ East 103.18 feet; thence South $32^{\circ}40'00''$ East 45.57 feet; thence South $1^{\circ}53'38''$ West 470.61 feet; thence South $88^{\circ}22'09''$ East 257.62 feet to the East line of said

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subdivision; thence North $1^{\circ}53'38''$ East along said East line 580.74 feet to the Point of the Beginning.

AND EXCEPT that property described as follows:

That portion of Sections 13, 23, and 24, Township 24 North, Range 5 East, W.M., in King County, Washington, described as follows:

Beginning at a point which is 126.5 feet North of the Southeast corner of the Northeast quarter of the Southeast quarter of said Section 24; thence Westerly along a line hereinafter called Line A, the following courses and distances; North $45^{\circ}49'$, West 68.6 feet, North $44^{\circ}04'$, West 44.5 feet, North $52^{\circ}37'$, West 38.4 feet, North $53^{\circ}49'$, West 43 feet; North $47^{\circ}31'$, West 44.2 feet, North $57^{\circ}04'$, West 44.6 feet, North $69^{\circ}29'$, West 41.9 feet, North $72^{\circ}34'$, West 50.01 feet, North $78^{\circ}24'$, West 60.6 feet, North $75^{\circ}20'$, West 100.57 feet, North $78^{\circ}32'$, West 120.8 feet, North $73^{\circ}03'$, West 95.7 feet, North $80^{\circ}22'$, West 97.9 feet, North $72^{\circ}03'$, West 96.8 feet, North $74^{\circ}11'$, West 99.8 feet, North $75^{\circ}12'$, West 95.5 feet, North $76^{\circ}24'$, West 104.5 feet, North $77^{\circ}56'$, West 104.7 feet and North $77^{\circ}21'$, West 57.5 feet, more or less, to the West line of the Northeast quarter of the Southeast quarter of said Section 24 and the terminus of Line A; thence along said West line to a point 635 feet North of the Southeast corner of the East half of the East half of the Northwest quarter of the Southeast quarter of said Section 24; thence North $77^{\circ}21'$, West 45.5 feet; thence North $76^{\circ}42'$, West 105.3 feet; thence North $73^{\circ}05'$, West 94.3 feet; thence North $74^{\circ}16'$, West 80.7 feet; thence North $56^{\circ}40'$, West 12 feet, more or less to the West line of said East half; thence Southerly along said West line to the South line of the North half of the Northwest quarter of the Southeast quarter of said Section 24; thence Westerly along said South line to the North-South centerline of said Section 24; thence Westerly along the North line of the Southeast quarter of the Northeast quarter of the Southwest quarter of said Section 24 to the Northwest corner of the said Southeast quarter; thence Southerly along the West line thereof to the North line of the plat of Cougar Glen, according to the plat thereof recorded in Volume 105 of Plats, Pages 78 and 79, records of said King County; thence Westerly along said North line to the Northwest corner of said plat; thence Southerly along the Westerly line of said plat to the South line of the Northeast quarter of the Southwest quarter of said Section 24; thence Westerly along

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said South line to the East line of the West 1460 feet of the South half of the Southwest quarter of said Section 24; thence Southerly along said East line to the Northwesterly margin of 168th Place S.E.; thence Southwesterly along said Northwesterly margin to the Westerly margin of 168th Place S.E.; thence Southerly along said Westerly margin to the South line of the North 385 feet of the South half of the Southwest quarter of said Section 24; thence Westerly along said South line to the East line of the West 800 feet of the Southwest quarter of the Southwest quarter of said Section 24; thence Northerly along said East line to the South line of the North 272.50 feet of the East 400 feet of the West 800 feet of the Southwest quarter of the Southwest quarter of said Section 24; thence Westerly along said South line to the West line of the East 400 feet of the West 800 feet of the Southwest quarter of the Southwest quarter of said Section 24; thence North along said West line to the North line of the Southwest quarter of the Southwest quarter of said Section 24; thence Westerly to the Southwest corner of the Northwest quarter of the Southwest quarter of said Section 24; thence Northerly along the West line thereof to the West corner of said Section 24; thence Northerly along the West line of said Section 24; to the North line of the South 624 feet of the East half of the Southeast quarter of the Northeast quarter of said Section 23; thence Westerly along said North line to the Easterly margin of Newcastle Road; thence Northerly along said Easterly margin to the North line of the South half of the South half of the Northeast quarter of the Northeast quarter of said Section 23; thence Easterly along said North line to the East line of said Section 23; thence Northerly along the West line of said Section 24, to the North line of the South half of the South half of the Northwest quarter of the Northwest quarter of said Section 24; thence Easterly along said North line to the East line of the Northwest quarter of the Northwest quarter of said Section 24; thence Northerly along said East line to the South line of the North 30 feet of the Northwest quarter of the Northwest quarter of said Section 24; thence Westerly along said South line to the East line of the West 30 feet of said Section 24; thence Northerly along said Easterly line to the North line of said Section 24; thence Easterly along said North line to the Southwest corner of the Southeast quarter of the Southwest quarter of said Section 13; thence North along the West line of the Southeast quarter to the South line of the plat of Eastmont Home tracts, according to the plat thereof recorded in Volume 57 of Plats, Page 90 and 91, records of said King County; thence Easterly along said

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South line to the Southeast corner of said plat; thence Northerly along the Easterly line thereof to the South line of the plat of Vuemont Vista Division No. 1 according to the plat thereof recorded in Volume 121 of Plats, Pages 52 through 55, records of said King County; thence Easterly along said South line to an angle point in said South line; thence Southeasterly along said South line to the East line of the Southeast quarter of the Southwest quarter of said Section 13; thence Southerly along said East line to the Southeast corner of said Southeast quarter; thence Easterly along the North line of said Section 24 to the Northeast corner of said Section 24; thence Southerly along the East line of said Section 24; to the East quarter corner of said Section 24; thence continuing Southerly along the Easterly line of said Section 24 to the Point of Beginning. TOGETHER WITH that portion of the East 60 feet of the Northeast quarter of the Southeast quarter of said Section 24 lying North of the North line of the South 30 feet thereof and lying Southerly of aforementioned "Line A"; TOGETHER WITH that portion of the East 60 feet of the East half of the West half of the Northeast quarter of the Southeast quarter of said Section 24 lying North of the North line of the South 30 feet thereof and lying Southerly of aforementioned "Line A"; EXCEPT that portion thereof conveyed to King County for road by instruments recorded under Recording No's. 1617973 and 4678886.

AND EXCEPT that property described as follows:

That portion of the North half of the Northeast quarter of the Southeast quarter of Section 23, Township 24 North, Range 5 East, W.M., King County, Washington lying East of the Easterly margin of Lakemont Boulevard S.E. (Newcastle Road) AND the South 624.00 feet of the Southeast quarter of the Northeast quarter of said Section 23 lying East of the Easterly margin of said Lakemont Boulevard S.E.

AND EXCEPT that property described as follows:

The North half of the Southeast quarter of the Northeast quarter of the Southeast quarter of Section 23, Township 24 North, Range 5 East, W.M., King County, Washington;

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TOGETHER WITH that portion of the North half of the Southwest quarter of the Northeast quarter of the Southeast quarter of said Section 23, described as follows:

Beginning at the Southeast corner of said subdivision; thence Westerly along the South line thereof 530.00 feet; thence Northeasterly to a point on the North line of said subdivision 450.00 feet West of the Northeast corner of said subdivision; thence Easterly along said North line 450.00 feet to the East line of said subdivision; thence Southerly along said East line to the Point of Beginning;

AND TOGETHER WITH that portion of the North 30.00 feet of the North half of the Southwest quarter of the Northeast quarter of the Southwest quarter of said Section 23, LYING Easterly of the East margin of Lakemont Boulevard S.E.

AND EXCEPT that property described as follows:

The West 2 acres of that portion of the North half of Section 25, Township 24 North, Range 5 East, W.M., in King County Washington, described as follows:

Beginning at the North quarter corner of said subdivision; thence Westerly along the North line thereof 312.62 feet to the Bellevue city limits, as established by Ordinance No. 4045, in the City of Bellevue, Washington; thence South $15^{\circ}50'00''$ East along said city limits 103.18 feet; thence South $32^{\circ}40'00''$ East along said city limits 45.57 feet; thence continuing South $32^{\circ}40'00''$ East 199.84 feet; thence East 510.18 feet; thence North 300.95 feet to the North line of said subdivision; thence Westerly along said North line 359.67 feet to the Point of Beginning.

AND EXCEPT that property described as follows:

That portion of the Northwest quarter of Section 25 and the Northeast quarter of Section 26, 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 the Northwest quarter of said Section 25; thence Northerly along the East line thereof to the North line of the South 39.00 feet of said

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subdivision; thence Westerly along said North line 120.00 feet; thence South 27° 52' 50" West 244.15 feet; thence South 42° 14' 30" West 55.99 feet; thence South to a point which bears North and 80.00 feet from the South line of the North half of the North half of the Southwest quarter of the Northwest quarter of said Section 25; thence North 81° 28' 10" West 72.14 feet; thence North 64° 18' 00" West 319.81 feet; thence North 41° 48' 00" West to the North line of the Southwest quarter of the Northwest quarter of said Section 25; thence Westerly along said North line to the Easterly margin of 166th Way S.E.; thence Southerly along said Easterly margin to the North line of the South half of the North half of the Southwest quarter of the Northwest quarter of said Section 25; thence Westerly along said North line to the East line of the Northeast quarter of said Section 26; thence Northerly along said East line to the Northerly margin of S.E. Cougar Mountain Way (Nels Berglund Road No. 2, Survey No. 2383); thence Westerly and Northwesterly along said Northerly margin to the South line of the North 332.50 feet of the Northeast quarter of said Section 26; thence Westerly along said South line to the Easterly margin of Lakemont Boulevard S.E. (Edward Leifhelm County Road No. 73); thence Southerly along said Easterly margin to the North line of the South half of the Northwest quarter of the Northeast quarter of said Section 26; thence Westerly along said North line to the Westerly margin of said Lakemont Boulevard S.E.; thence Southerly along said Westerly margin to a line which bears North 71° 16' 00" West from a point on the East line of the Southwest quarter of the Northeast quarter of said Section 26 lying Southerly 295.00 feet from the Northeast corner thereof; thence South 71° 16' 00" East to said Northeast corner thereof; thence South 71° 16' 00" East 1635.00 feet; thence continuing South 71° 16' 00" East 1635.00 feet; thence South 68° 45' 31" East 1141.59 feet to a point on the East line of the Southwest quarter of the Northwest quarter of said Section 25 lying Southerly 1110.95 feet from the Northeast corner thereof; thence Northerly along said East line 1110.95 feet to the Point of Beginning.

AND EXCEPT that property described as follows:

That portion of Sections 25 and 26, Township 24 North, Range 5 East, W.M., in King County, Washington, described as follows:

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Commencing at the Northwest corner of the Southeast quarter of the Northeast quarter of said Section 26; thence Southerly along the West line thereof 295.00 feet to the South line of the Bellevue City Limits, as established by Ordinance No. 4425 and the True Point of Beginning; thence South 71°16'00" East along said South line 1635.00 feet; thence South 68°45'31" East along said South line 1141.59 feet to a point on the East line of the Northwest quarter of said line of the Southwest quarter of the Northwest quarter of said Section 25, lying 1110.95 feet Southerly of the Northeast corner of said subdivision; thence Southerly along said East line to the Southeast corner of said subdivision; thence Westerly along the South line thereof to the West margin of Nels Berglund Road; thence Southerly along said West margin to the North margin of County Road No. 66; thence Westerly along said North margin to the East margin of Lakemont Boulevard S.E. (Newcastle-Coal Creek Road); thence Northerly along said East margin to the Northwest corner of Lot 1, King County Short Plat No. 981081, as filed under Recording No. 8310250821; thence Easterly along the North line thereof to the West line of the Northeast quarter of the Southeast quarter of said Section 26; thence Northerly along said West line to the Southwest corner of the Southeast quarter of the Northeast quarter of said Section 26; thence Northerly along the West line thereof to the True Point of Beginning.

Section 2. A new Section 3k is hereby added to Ordinance No. 3840 to read as follows:

Section 3k. A proposed zoning regulation is hereby adopted establishing use classification R-5 with conditions for the following described property:

That portion of Sections 25 and 26, Township 24 North, Range 5 East, W.M., in King County, Washington, described as follows:

Commencing at the Northwest corner of the Southeast quarter of the Northeast quarter of said Section 26; thence Southerly along the West line thereof 295.00 feet to the South line of the Bellevue City Limits, as established by Ordinance No. 4425 and the True Point of Beginning; thence South 71°16'00" East along said South line 1635.00 feet; thence South 68°45'31" East along said South line 1141.59 feet to a point on the East line of the Southwest quarter of

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the Northwest quarter of said Section 25, lying 1110.95 feet Southerly of the Northeast corner of said subdivision; thence Southerly along said East line to the Southeast corner of said subdivision; thence Westerly along the South line thereof to the West margin of Nels Berglund Road; thence Southerly along said West margin to the North margin of County Road No. 66; thence Westerly along said North margin to the East margin of Lakemont Boulevard S.E. (Newcastle-Coal Creek Road); thence Northerly along said East margin to the Northwest corner of Lot 1, King County Short Plat No. 981081, as filed under Recording No. 8310250821; thence Easterly along the North line thereof to the West line of the Northeast quarter of the Southeast quarter of said Section 26; thence Northerly along said West line to the Southwest corner of the Southeast quarter of the Northeast quarter of said Section 26; thence Northerly along the West line thereof to the True Point of Beginning.

Subject to the following development conditions:

1. The dimensional requirements of an R-5 zone are applicable, with maximum site density not to exceed 1 unit per acre.
2. Lots shall be clustered on the non- or least-environmentally sensitive areas of the site.
3. Prior to a SEPA threshold determination for any development proposal on this site, an inventory of wildlife use of the site and analysis by a qualified wildlife biologist shall be submitted to DCD. Specific attention shall be paid to large animals and discussion of design recommendation to minimize conflicts between large animals and human activity.
4. When development on the site is proposed, the proposal shall include measures to buffer or screen visibility of units or the cleared area from the Military Road Trail. On-site planting buffers shall be used where topography makes such buffers feasible. Off-site screening within park land or street right-of-way may be used if allowed by King County.

Section 3. This proposed zoning regulation shall become effective upon annexation of the Cougar Ridge II annexation area, more particularly described as follows:

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That portion of Sections 25 and 26, Township 24 North, Range 5 East, W.M., in King County, Washington, described as follows:

Commencing at the Northwest corner of the Southeast quarter of the Northeast quarter of said Section 26; thence Southerly along the West line thereof 295.00 feet to the South line of the Bellevue City Limits, as established by Ordinance No. 4425 and the True Point of Beginning; thence South 71°16'00" East along said South line 1635.00 feet; thence South 68°45'31" East along said South line 1141.59 feet to a point on the East line of the Southwest quarter of the Northwest quarter of said Section 25, lying 1110.95 feet Southerly of the Northeast corner of said subdivision; thence Southerly along said East line to the Southeast corner of said subdivision; thence Westerly along the South line thereof to the West margin of Nels Berglund Road; thence Southerly along said West margin to the North margin of County Road No. 66; thence Westerly along said North margin to the East margin of Lakemont Boulevard S.E. (Newcastle-Coal Creek Road); thence Northerly along said East margin to the Northwest corner of Lot 1, King County Short Plat No. 981081, as filed under Recording No. 8310250821; thence Easterly along the North line thereof to the West line of the Northeast quarter of the Southeast quarter of said Section 26; thence Northerly along said West line to the Southwest corner of the Southeast quarter of the Northeast quarter of said Section 26; thence Northerly along the West line thereof to the True Point of Beginning.

Section 4. A copy of this ordinance, duly certified as a true copy by the Clerk of the City shall be filed with the County Auditor.

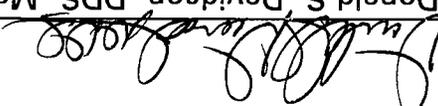
Section 5. This ordinance shall take effect and be in force five days after its passage and legal publication.

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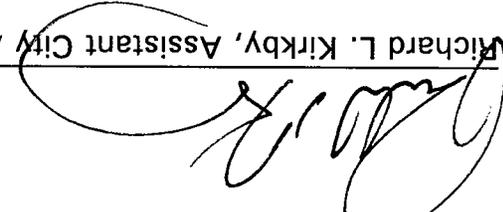
PASSED by the City Council this 23rd day of January, 1995, and
signed in authentication of its passage this 23rd day of January, 1995.

(SEAL)

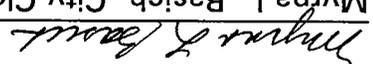

Donald S. Davidson, DDS, Mayor

Approved as to form:

Richard L. Andrews, City Attorney


Richard L. Kirkby, Assistant City Attorney

Attest:


Myrna L. Basich, City Clerk
Published January 27, 1995