

ORIGINAL

WPO435C-ORD
04/24/95

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4757

AN ORDINANCE reclassifying approximately 6.17 acres located generally along both SE 4th Place and SE 5th Street, east of 118th Avenue SE, from R-1 to R-20 on application of the City of Bellevue, and known as the Wilburton/NE 8th Street-14 Rezone Project.

WHEREAS, the City of Bellevue filed an application to reclassify approximately 6.17 acres located generally along both SE 4th Place and SE 5th Street, east of 118th Avenue SE, from R-1 to R-20; and

WHEREAS, on January 19, 1995, 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 March 17, 1995, 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 that 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-1 to R-20 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 his recommendation to the City Council 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 (Wilburton/NE 8th Street - 14 Rezone Project) Requesting the Reclassification of Approximately 6.17 Acres from R-1 to R-20 in Accordance with the Bellevue Comprehensive Plan, File No. REZ 94-5591".

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Section 2. The following described property is reclassified from R-1 to R-20:

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

Beginning at the intersection of the North line of said subdivision and the centerline of May Street (118th Avenue SE), as shown on the plat of Wilburton, as recorded in Volume 11 of Plats, page 97; thence Southerly along said centerline to the Westerly extension of the South line of Block 10 of said plat; thence Easterly along said Westerly extension and South line to the Southeast corner of Lot 8 of said Block 10; thence Northerly along the East line thereof and the Northerly extension thereof to the centerline of County Road (SE 5th Street) of said plat; thence Easterly along said centerline to the East line of said subdivision; thence Northerly along said East line to the Easterly extension of the South line of Lots 16 to 20, Block 9 of said plat thence Westerly along said Easterly extension and South line to the Southeast corner of Lot 21 of said Block 9; thence Northerly along the East line thereof, the East line of Lot 10, Block 8 of said plat and the Northerly extension thereof to the North line of said subdivision; thence Westerly along said North line to the Point of Beginning.

Section 3. This reclassification is subject to the following conditions:

1. Prior to issuance of any building permit the applicant shall comply with Land use Code Section 20.20.128.B.3 for the provision of affordable housing and shall sign any necessary agreements with the City to implement these requirements. For purposes of calculating the required number of affordable units, the maximum allowable density under the original (R-1) zoning is one unit per acre. The City may agree, at its sole discretion, to subordinate any affordable housing regulatory agreement for the purposes 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).

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2. To implement Comprehensive Plan Policy S-WI-6:

Development of any of these properties, for any use other than a single-family home, shall be subject to Design Review (LUC 20.30F). Design Review shall ensure that structures are residential in character and similar in design, height and bulk to existing buildings along the western portion of 118th Avenue SE. Structures shall be located and oriented to maximize the preservation of views from the park to the east. Structures shall use pitched roof forms and incorporate residential building details such as roof overhangs, inset windows, bay windows and balconies. Exterior building colors shall be primarily earth and wood tones.

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

PASSED by the City Council this 24th day of April, 1995, and signed in authentication of its passage this 24th day of April, 1995.

(SEAL)



Donald S. Davidson, DDS, Mayor

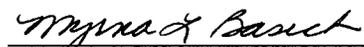
Approved as to form:

Richard L. Andrews, City Attorney



Richard G. Bidley, Deputy City Attorney

Attest:



Myrna L. Basich, City Clerk

Published April 28, 1995