

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4795

AN ORDINANCE reclassifying approximately 12.31 acres located south of N.E. 8th Street between the Glendale Golf Club property and 148th Avenue N.E. from O, PO, CB, R-2.5, R-20 and King County RS15000 to R-1, R-4, R-20 and CB, on application of the City of Bellevue and known as the Wilburton/N.E. 8th Street-24 Rezone Project.

WHEREAS, the City of Bellevue filed an application to reclassify approximately 12.54 acres located south of N.E. 8th Street between the Glendale Golf Club property and 148th Avenue N.E. from O, PO, CB, R-2.5, R-20 and King County RS15000 to R-1, R-4, R-20 and CB; and

WHEREAS, on June 8, 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 June 29, 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 O, PO, CB, R-2.5, R-20 and King County RS15000 to R-1, R-4, R-20 and CB, 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 the recommendation to the City Council with regard to the hereinafter described property located south of N.E. 8th Street between the Glendale Golf Club property and 148th Avenue N.E. from O, PO, CB, R-2.5, R-20 and King County RS15000 to R-1, R-4, R-20 and CB, with conditions, as set forth in "Findings, Conclusions and Recommendation of the Hearing Examiner of the City of Bellevue in the Matter of The Application of City of Bellevue (Wilburton/NE 8th Street-24 Rezone Project) Request for Reclassification of Two full Parcels, Four Partial Parcels, and Areas of City Right-of-Way Totaling Approximately 12.31

Acres From O, PO, CB, R-2.5, R-20, and King County RS15000 to R-1, R-4, R-20 and CB in Accordance With the Bellevue Comprehensive Plan, File Nos. REZ 94-10302 through REZ 94-10305, REZ 94-10307 and REZ 94-10465".

Section 2. The following described properties are reclassified as indicated:

Area WB24-A

The North 336.00 feet of the Northeast quarter of the Southwest quarter of the Northeast quarter of Section 34, Township 25 North, Range 5 East, W.M., in King County, Washington;

EXCEPT that portion described as follows: Commencing at the Northwest corner of said subdivision; thence Southerly along the West line thereof 333.64 feet to the True Point of Beginning; thence continuing Southerly along said West line 2.45 feet to the Southwest corner of said subdivision; thence south $88^{\circ}16'25''$ East along the South line thereof 38.01 feet; thence North $0^{\circ}22'58''$ East 3.35 feet; thence North $89^{\circ}37'02''$ West 38.00 feet to the True Point of Beginning.

from R-20 to R-4.

Area WB24-B

That portion of the Northeast quarter of Section 34, Township 25 North, Range 5 East, W.M., in King county, Washington, described as follows:

Beginning at the Northwest corner of Lot 12, Upper and Renick's Kirkland Gardens Addition to Kirkland, as recorded in Volume 8 of Plats, Page 10; thence Easterly along the North line thereof to the Southwest corner of Lot 6 of said plat; thence Northerly along the West line thereof and the Northerly extension of said West line to the North line of the Northeast quarter of said Section 34; thence Easterly along said North line to the Northerly extension of the East line of Lot 1, City of Bellevue Short Plat No. 80-25, as filed under Recording No. 8105139004; thence South $0^{\circ}02'51''$ East along said Northerly extension and East line to the Southeast corner of said Lot 1; thence South $89^{\circ}57'09''$ West along the South line thereof 50.00 feet to the Easterly line of Lot 2 of said short plat; thence South $0^{\circ}02'51''$ East along said Easterly line 225.00 feet to an angle point on said Easterly line; thence North $89^{\circ}57'09''$ East to the East line of the Northeast quarter of said Section 34; thence Southerly along said East line to the center line of Woodlawn Avenue as shown on said Upper and Renick's Kirkland Gardens Addition to Kirkland; thence Westerly along said centerline to the Southerly extension of the West line

of Lot 12 of said plat; thence Northerly along said Southerly extension and West line to the Point of Beginning.

from O, PO and CB to R-20, subject to the following condition which only applies to a portion of the WB24-B rezone area:

- a. This rezone condition only applies to that portion of this site described as follows: Lot 12 and south 1/2 of Lots 9, 10, and 11, Upper and Renick's Kirkland Gardens Addition to Kirkland, as recorded in Volume 8 of Plats, Page 10.

Prior to issuance of any building permit or approval of a plat, 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 (PO) zoning is 10 units 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).

Area WB24-C

That portion of Lots 9 and 10, Upper and Renick's Kirkland Gardens Addition to Kirkland, as recorded in Volume 8 of Plats, Page 10, in King County, Washington, described as follows:

Beginning at the Northeast corner of said Lot 9 and also being a point on the East line of the Northeast quarter of Section 34, Township 25 North, Range 5 East, W.M.; thence Westerly along the North line of said Lot 9 and 10 to the Easterly line of Lot 2, City of Bellevue Short Plat No. 80-25, as filed under Recording No. 8105139004; thence South 0°02'51" East along said Easterly line to an angle point on said Easterly line; thence north 89°57'09" East to the East line of said Lot 9; thence Northerly along said East line to the Point of Beginning.

from O to CB, subject to the following condition:

- a. Prior to issuance of any building permit for residential development, 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 (office) zoning is 20 units 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).

Area WB24-E

The East 30.00 feet of the North half of the Northwest quarter of the Northwest quarter of Section 34, Township 25 North, Range 5 East, W.M., in King County, Washington;

EXCEPT the East 5.00 feet of the North half of the North half of the Northwest quarter of the Northwest quarter of said Section 34.

from R-20, R-2.5, and King County RS15000 to R-1.

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 7th day of August, 1995, and signed in authentication of its passage this 7th day of August, 1995.

(SEAL)

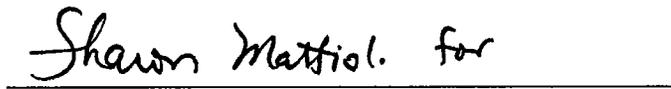

Donald S. Davidson, DDS, Mayor

Approved as to form:

Richard L. Andrews, City Attorney


Richard L. Andrews, City Attorney

Attest:


Myrna L. Basich, City Clerk

Published August 11, 1995