

WP0486C-ORD
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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4815

AN ORDINANCE reclassifying property located in the Bridle Trails, Wilburton and North Bellevue Subareas from OU, R-2.5, R-3.5, R-15, R-20, R-30, O, PO, OLB, GC and LI to R-1, R-1.8, R-2.5, R-3.5, R-15, R-20, R-20/C, R-30/C, O, OLB, and GC on application of the City of Bellevue and known as the Bridle Trails/Wilburton/North Bellevue Rezone Project.

WHEREAS, the City of Bellevue filed an application to reclassify property comprising fourteen rezone areas located in the Bridle Trails, Wilburton and North Bellevue Subareas from OU, R-2.5, R-3.5, R-15, R-20, R-20, O, PO, OLB, GC and LI to R-1, R-1.8, R-2.5, R-3.5, R-15, R-20, R-20/C, R-30/C, O, OLB, and GC on application of the City of Bellevue; and

WHEREAS, on October 11, 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 October 27, 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 OU, R-2.5, R-3.5, R-15, R-20, R-30, O, PO, OLB, GC and LI to R-1, R-1.8, R-2.5, R-3.5, R-15, R-20, R-20/C, R-30/C, O, OLB, and GC 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 the recommendation to the City Council approving the reclassification request with

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regard to the hereinafter described property located in the Bridle Trails, Wilburton and North Bellevue Subareas with conditions as set forth in "Findings, Conclusions and Recommendation of the Hearing Examiner for the City of Bellevue in the Matter of the Application of City of Bellevue (Bridle Trails/Wilburton/North Bellevue Rezone Project) Request for Reclassification of Two full Parcels, 10 Partial Parcels, and Areas of City, State and Burlington Northern Railroad right-of-way in 14 Rezone Areas, from OU, R-2.5, R-3.5, R-15, R-20, R-30, O, PO, OLB, GC and LI to R-1, R-1.8, R-2.5, R-3.5, R-15, R-20, R-20/C, R-30/C, O, OLB, and GC in Accordance with the Bellevue Comprehensive Plan," File Nos. REZ 95-6657 through 95-6666, 95-5923 through 5926.

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

BT-A

That portion of the North three-quarters of the Northeast quarter of the Southeast quarter of Section 20, Township 25 North, Range 5 East, W.M., in King County, Washington, LYING East of the L-Line, as shown on the SR 405 Bellevue to Northup Interchange, Right of Way-Northup Interchange Plans, sheet 2 of 10, dated July 23, 1963 and the SR 405 Northup Interchange to N.E. 140th Street, Right of Way and Limited Access Plans, sheet 3 of 25, dated April 12, 1967.

From OU and R-3.5 to R-1.

BT-B

That portion of the North half of the South half of the South half of the Northeast quarter of the Southeast quarter of Section 20, Township 25 North, Range 5 East, W.M., in King County, Washington, LYING East of the L-Line, as shown on the SR 405 Bellevue to Northup Interchange, Right of Way-Northup Interchange Plans, sheet 2 of 10, dated July 23, 1963.

From OU and R-3.5 to R-1.8

BT-C

That portion of the South half of the South half of the South half of the Northeast quarter of the Southeast quarter of Section 20, Township 25 North, Range 5 East, W.M., in King County, Washington, LYING East of the L-Line, as shown on the SR 405 Bellevue to Northup Interchange, Right of Way-Northup Interchange Plans, sheet 2 of 10, dated July 23, 1963.

From OU and R-3.5 to R-2.5

BT-D

That portion of the North 268.00 feet of Southeast quarter of the Southeast quarter of Section 20, Township 25 North, Range 5 East, W.M., in King County, Washington, LYING East of the L-Line, as shown on the SR 405 Bellevue to Northup Interchange, Right of Way-Northup Interchange Plans, sheet 2 of 10, dated July 23, 1963.

From OU and R-3.5 to R-15.

BT-E(1)

Those portions of the Southeast quarter of Section 20, Township 25 North, Range 5 East, W.M., in King County, Washington, described as follows:

Beginning at the intersection of the L-Line, as shown on the SR 405 Bellevue to Northup Interchange, Right of Way-Northup Interchange Plans, sheet 2 of 10, dated July 23, 1963 and the South line of the North 268.00 feet of the Southeast quarter of the Southeast quarter of said Section 20; thence Easterly along said South line to the Easterly margin of S.R. 405, as shown on said right of way plans; thence Southerly along said Easterly margin to an angle point in said Easterly margin lying 25.00 feet Southwesterly of the centerline of the Northern Pacific (Burlington Northern) Railroad Right of Way; thence Southeasterly along said Easterly margin to an angle point in said Easterly margin; thence Northwesterly along a line perpendicular to the L-Line, as shown on said right of way plans to said L-Line; thence Northerly along said L-Line to the Point of Beginning;

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AND Commencing at the Northeast corner of the Southeast quarter of the Southeast quarter of said Section 20; thence Southerly along the East line thereof to the South line of the North 268.00 feet of said subdivision and the True Point of Beginning; thence continuing Southerly along said East line to a line 60.00 feet Northerly of, as measured at right angles, and parallel to the R2-Line, as shown on said right of way plan; thence Northwesterly along said parallel line to the South line of said North 268.00 feet; thence Easterly along said South line to the True Point of Beginning.

From OU and R-3.5 to OLB.

BT-E (2)

That portion of the Southwest quarter of Section 21, Township 25 North, Range 5 East, W.M., in King County, Washington, described as follows:

Beginning at the intersection of the centerline of the Northern Pacific (Burlington Northern) Railroad and the centerline of Northup Way (Northup Road Revision No. 1431); thence Easterly along the centerline of Northup Way to the LL-Line, as shown on the SR 520 MP 7.04 TO MP 12.96 Northup Interchange to JCT. SR 202, Right of Way and Limited Access Plans, sheets 4 and 5 of 16, dated February 6, 1969; thence Westerly along said LL-Line to station 369 + 50.00; thence Southerly to L2-Line Station 369 + 50.00, as shown on said right of way plans; thence Westerly along said L2-Line to the centerline of said railroad right of way; thence Northerly along said centerline to Point of Beginning.

From LI to OLB.

BT-E (3)

That portion of the East 988.38 feet of the South half of the Southeast quarter of the Southeast quarter of Section 22, Township 25 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 L-Line of SR 520, as shown on the SR 520 Northup Interchange to JCT. SR 202 MP 7.04 to MP 12.96, Right of Way and Limited Access Plans, sheet 8

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of 36, dated February 6, 1969; thence Southwesterly along said L-Line to the West line of said subdivision; thence Northerly along said West line to the Northwest margin of SR 520, as shown on said right of way plans; thence Northeasterly along said Northwest margin 140.00 feet; thence Westerly to a point on the West line of said subdivision lying 100.00 feet Northerly of the Northwest margin of said SR 520; thence Northerly along said West line to the Point of Beginning.

From GC to OLB.

WB-A

That portion of the Southwest quarter of Section 28, Township 25 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 1357.30 feet; thence North $88^{\circ}38'49''$ East to the West margin of the Northern Pacific (Burlington Northern) Railroad Right of Way; thence South $13^{\circ}26'19''$ West along said West margin 58.41 feet to the True Point of Beginning; thence North $88^{\circ}38'49''$ East to the centerline of said railroad right of way; thence Northerly along said centerline to the centerline of N.E. 12th Street, as shown on the N.E. 12th Street Right of Way Plans, U.A.B. (8-1-103)2, sheet 3 of 5, dated August 1968; thence Northwesterly along the centerline of N.E. 12th Street to the East line of West 480.00 feet of the Southwest quarter of said Section 28; thence Southerly along said East line to the North line of City of Bellevue Short Plat No. 77-80, as filed under Recording No. 7712210653; thence Easterly along said North line to the South margin of said N.E. 12th Street; thence continuing Easterly along the Easterly extension of said North line to the West margin of said railroad right of way; thence Southerly along said West margin to the True Point of Beginning.

From LI to O.

WB-B

That portion of the Northern Pacific (Burlington Northern) Railroad Right of Way in the Southwest quarter of Section 28, Township 25

North, Range 5 East, W.M., in King County, Washington, LYING East on the centerline of said railroad right of way, LYING South of the centerline of N.E. 12th Street, as shown on the N.E. 12th Street Right of Way Plans, U.A.B. (8-1-103)2, sheet 3 of 5, dated August 1968 AND LYING North of the Westerly extension of the South line of Lake Bellevue Village, as recorded in Volume 32 of Condominiums, Pages 90-97.

From LI to R-15.

WB-C

Those portions of the Southwest quarter Section 28, Township 25 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 567.85 feet; thence North $88^{\circ}38'49''$ East 303.72 feet to the True Point of Beginning; thence North $0^{\circ}57'40''$ West 93.80 feet; thence South $89^{\circ}10'30''$ East to the West margin of the Northern Pacific (Burlington Northern) Railroad Right of Way; thence Northerly along said West margin to a point 58.41 feet South of a line which bears North $88^{\circ}38'49''$ East from a point 1357.30 feet North of the Southwest corner of the Southwest quarter of said Section 28; thence North $88^{\circ}38'49''$ East to the centerline of said railroad right of way; thence Southerly along said centerline to the Westerly extension of the South line of Lake Bellevue Village, as recorded in Volume 32 of Condominiums, Pages 90-97; thence Easterly along said Westerly extension to the East margin of said railroad right of way; thence Southerly along said East margin to the Westerly extension of the South line of the Reserve, Brierwood Park, as recorded in Volume 17 of Plats, Page 18; thence Westerly along said Westerly extension to a line which bears South $00^{\circ}57'40''$ East from the True Point of Beginning; thence North $00^{\circ}57'40''$ West to the True Point of Beginning;

AND Beginning at the intersection of the centerlines of Bellevue-Redmond Road and 120th Avenue N.E.; thence Northerly along the centerline of 120th Avenue N.E. to a line 40.00 feet Northerly of, as measured at right angles, and parallel to the Northwest margin of Bellevue-Redmond Road; thence Northeasterly along said parallel line to the East line of Tract 33 of said Brierwood Park; thence Southerly

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along said East line and the Southerly extension thereof to the centerline of Bellevue-Redmond Road; thence Southwesterly along said centerline to the Point of Beginning.

From LI to GC.

WB-D

That portion of the Southwest quarter Section 28, Township 25 North, Range 5 East, W.M., in King County, Washington, described as follows:

Beginning at the Southwest corner of Tract 74, Brierwood Park, as recorded in Volume 17 of Plats, Page 18; thence Northerly along the West line thereof to the North line of the South half of Tracts 74, 73 and 72 of said plat; thence Easterly along said North line to the West line of the East 15.00 feet of said Tract 72; thence Southerly along said West line and the Southerly extension thereof to the South line of the Southwest quarter of said Section 28; thence Westerly along said South line to the Southerly extension of the West line of said Tract 74; thence Northerly along said Southerly extension to the Point of Beginning.

From O to R-30, subject to the following condition:

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).

WB-E

That portion of the Southeast quarter Section 28, Township 25 North, Range 5 East, W.M., in King County, Washington, described as follows:

Commencing at the Northwest corner of Tract 1, Kietz' Home Acres, as recorded in Volume 47 of Plats, Page 83; thence Easterly along the North line thereof 535.00 feet to the True Point of Beginning; thence due South to the South line of said subdivision; thence Westerly along said South line to the Southerly extension of the Easterly line of Bellevue Estates, as recorded in Volume 24 of Condominiums, Pages 62-68; thence Northerly along said Southerly extension and Easterly line to the North line of said Tract 1; thence Easterly along said North line to the True Point of Beginning.

From R-20 to R-3.5.

NB-E

That portion of the West half of Section 20, Township 25 North, Range 5 East, W.M., in King County, Washington, described as follows:

Commencing at the intersection of the centerlines of Bellevue Way N.E. (104th Avenue N.E.) and SR 520, as shown on the Primary State Highway No. 1 (SR 520) East Approach to Evergreen Point Bridge, 92 Avenue N.E. to Bellevue Corp. Limits, Right of Way Plans, sheet 2 of 4, dated February 7, 1961; thence Southeasterly along the centerline of said SR 520 a distance of 100.00 feet to the True Point of Beginning; thence Southerly to a point on the South line of the North 192.00 feet of the Southwest quarter of said Section 20, lying 250.00 feet Easterly of the centerline of Bellevue Way N.E.; thence Easterly along said South line to the West line of the East 809.71 feet of the Southwest quarter of said Section 20; thence Northerly along said West line to the South line of the Northwest quarter of said Section 20; thence Easterly along said South line to the Southwesterly margin and prohibited access line of SR 520, as shown on the Primary State Highway No. 1 (SR 405) Bellevue to Northup Interchange, Right of Way Plans, sheet 3 of 10, dated July 23, 1963; thence Easterly along said Southwesterly margin and prohibited access line to a point opposite EV.P.-Line

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Station 325 + 46, as shown on said right of way plans; thence Northeasterly along said prohibited access line to the East line of the West half of said Section 20; thence Northerly along said East line to said EV.P.-Line; thence Northwesterly along said EV.P.-Line and the centerline of said SR 520 to the True Point of Beginning.

From R-30 to R-20.

NB-F

That portion of the Southwest quarter of Section 20, Township 25 North, Range 5 East, W.M., in King County, Washington, described as follows:

Commencing at the Southwest corner of City of Bellevue Short Plat No. 81-21, as filed under Recording No. 8109049006; thence South $88^{\circ}18'35''$ East along the South line thereof 669.05 feet to the True Point of Beginning; thence continuing South $88^{\circ}18'35''$ East along said South line 620.73 feet to the Southeast corner of Lot 3 of said short plat; thence North $00^{\circ}49'03''$ East along the Easterly line thereof 333.86 feet; thence North $88^{\circ}21'31''$ West along said Easterly line 93.09 feet; thence North $48^{\circ}03'53''$ West along said Easterly line 516.42 feet to the Northerly line of said short plat; thence North $88^{\circ}25'25''$ West along said Northerly line 349.76 feet; thence South $00^{\circ}58'19''$ West along said Northerly line 303.60 feet; thence South $88^{\circ}21'31''$ East to a line which bears North $00^{\circ}58'19''$ East from the True Point of Beginning; thence South $00^{\circ}58'19''$ West along said line to the True Point of Beginning.

From R-30 to R-20, subject to the following condition:

The Planned Unit Developments for phases IV, V and VI of the Northside Apartments on this property, passed on 6/1/76, 5/22/78 and 1/21/80 under Ordinance Nos. 2313, 2572 (also see Resolution No. 3094, passed on 5/22/78) and 2805, respectively, shall remain in effect and unaltered by this reclassification.

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NB-G

That portion of the Southeast quarter of the Southeast quarter of Section 20, Township 25 North, Range 5 East, W.M., in King County, Washington, described as follows:

Beginning at the Southwest corner of said subdivision; thence Northerly along the West line thereof to the EV.P.-Line (SR 520), as shown on the SR 405 Bellevue to Northup Interchange, Right of Way-Northup Interchange Plans, sheet 2 of 4, dated July 23, 1963; thence Southeasterly along said EV.P.-Line to the L-Line (SR 405), as shown on said right of plans; thence Southerly along said L-Line to the South line of said subdivision; thence Westerly along said South line to the Point of Beginning.

From R-3.5 to R-1.

NB-O

That portion of the Northwest quarter of Section 31, Township 25 North, Range 5 East, W.M., in King County, Washington, described as follows:

Beginning at the intersection of the Southwest margin of N.E. Lake Washington Boulevard and the Northeast margin of Overlake Drive East (M.F. Wright Road); thence Northwesterly along said Northeast margin to the centerline of Hawley Avenue (vacated), as shown on Kenwood Park, as recorded in Volume 8 of Plats, Page 26; thence Northerly along said centerline to the Southeast corner of Lot 13, Eastland Acre Tracts, as recorded in Volume 9 of Plats, Page 68; thence Westerly along the South line thereof to the Southwest corner of said Lot 13; thence Northeasterly along the Westerly thereof and the Northeasterly extension of said Westerly line to the North line of said subdivision; thence Easterly along said North line to the centerline of N.E. Lake Washington Boulevard; thence Southeasterly along said centerline to a line which bears Northeasterly and radially from the Point of Beginning; thence Southwesterly along said radial line to the Point of Beginning.

From R-3.5 to R-1.

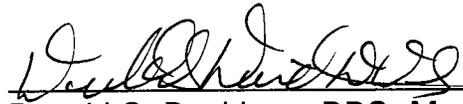
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Section 3. This Ordinance shall take effect and be in force five days after its passage and legal publication.

PASSED by the City Council this 27th day of November, 1995, and signed in authentication of its passage this 27th day of November, 1995.

(SEAL)

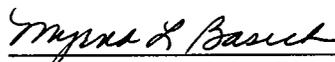

Donald S. Davidson, DDS, Mayor

Approved as to form:

Richard L. Andrews, City Attorney


Richard L. Andrews, City Attorney

Attest:


Myrna L. Basich, City Clerk

Published December 4, 1995