

WP0563C-ORD
02/23/96

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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4857

AN ORDINANCE reclassifying property located in the North Bellevue Subarea from R-1, R-1.8, R-3.5, R-4, R-10 and PO to R-3.5, R-5, R-10/C, R-15/C, R-20, O and OLB/C on request of the City of Bellevue and known as the North Bellevue Rezone Project.

WHEREAS, the City of Bellevue filed a request to reclassify property in the North Bellevue Subarea from R-1, R-1.8, R-3.5, R-4, R-10 and PO to R-3.5, R-5, R-10/C, R-15/C, R-20, O and OLB/C; and

WHEREAS, on January 18, 1996, 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 February 5, 1996, the Hearing Examiner recommended approval, with conditions, of the rezone proposal 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, R-1.8, R-3.5, R-4, R-10 and PO to R-3.5, R-5, R-10/C, R-15/C, R-20, O and OLB/C; 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 regard to the hereinafter described property located in North Bellevue Subarea with conditions as set forth in "Findings, Conclusions and Recommendation for the Hearing Examiner of the City of Bellevue in the Matter of The application of City of Bellevue (North Bellevue Rezone Project) Request for Reclassification of 33 Parcels, 2 Partial Parcels and Areas of City, State, and Burlington Northern

Railroad Right-of-Way in 11 Rezone Areas, to R-3.5, R-5, R-10/C, R-15/C, R-20, O and OLB/C in Accordance with the North Bellevue Subarea Plan of the Bellevue Comprehensive Plan", File Nos. REZ 95-5888 through REZ 95-5922.

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

NB-A

That portion of the Northeast 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 West line of said subdivision and the centerline of the Northern Pacific (Burlington Northern) Railroad Right-of-Way; thence Southeasterly along said centerline to the Northeasterly extension of the East line of Bellevue Short Plat No. 80-60R, as filed under Recording No. 8101059002; thence Southwesterly along said Northeasterly extension to the Southwest margin of said railroad right-of-way; thence Northwesterly along said Southwest margin to the S3-Line (N.E. 38th Street), as shown on the SR 405 Mid Lakes to Kirkland, Right-of-Way Plans, sheet 22 of 27, dated July 1, 1952; thence Southwesterly along said S3-Line to the West line of said subdivision; thence Northerly along said West line to the Point of Beginning;

TOGETHER with that portion of the Northern Pacific Railroad Right-of-Way in the Northeast quarter of said Section 20, LYING Northeasterly of the centerline of said right-of-way, LYING Southerly of the Westerly extension of the South line of Bellevue Short Plat No. 85-42, as filed under Recording No. 8702059014 AND LYING Northerly of the North line of the South 325.00 feet of the Northeast quarter of said Section 20, as measured along the Easterly margin of said railroad right-of-way.

From R-1 to R-15, subject to the following condition:

Any redevelopment of this site shall be subject to Administrative Design Review (Land Use Code Section 20.30F) to ensure the development is compatible with the surrounding neighborhood and is consistent with the policies of the Bellevue Comprehensive Plan and the North Bellevue Subarea Plan. Design Review shall include,

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but not be limited to, the review of building, site, landscape and sign design. Building design shall have pitched or stepped roof forms and shall include elements such as balconies, bay windows, offsets and angled facets which break down the scale of the building. Exterior building materials shall minimize reflected light and exterior building colors shall be primarily earth and wood tones. Surface parking areas shall be screened from street level views by vegetation, or a combination of vegetation and fencing. Site features such as refuse enclosures, fences, walls, and signage shall be architecturally consistent with the building design. All portions of the rezone area within 300 feet of single-family-zoned property shall comply with the requirements of the Transition Area Design District (LUC 20.25B).

NB-B

That portion of the Northern Pacific (Burlington Northern) Railroad Right-of-Way in the Northeast quarter of Section 20, Township 25 North, Range 5 East, W.M., in King County, Washington, LYING Northeasterly of the centerline of said right-of-way AND LYING Northwesterly of the Southwesterly extension of the Southeast line of Village Park, as recorded in Volume 42 of Condominiums, Pages 64-68;

TOGETHER with that portion of said Northern Pacific Railroad Right-of-Way in the Northeast quarter of said Section 20, LYING Northeasterly of the centerline of said right-of-way, LYING Southeasterly of the Southwesterly extension of the Southeast line of Yarrow Bay Village Division 2, as recorded in Volume 116 of Plats, Pages 100-101 AND LYING Northerly of the Westerly extension of the South line of Bellevue Short Plat No. 85-42, as filed under Recording No. 8702059014.

From R-1 to R-20.

NB-C

That portion of the Northern Pacific (Burlington Northern) Railroad Right-of-Way in the Northeast quarter of Section 20, Township 25 North, Range 5 East, W.M., in King County, Washington, LYING Northeasterly of the centerline of said right-of-way, LYING Southeasterly of the Southwesterly extension of the Southeast line

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of Village Park, as recorded in Volume 42 of Condominiums, Pages 64-68 AND LYING Northwesterly of the S3-Line (N.E. 38th Street), as shown on the SR 405 Mid Lakes to Kirkland, Right-of-Way Plans, sheet 22 of 27, dated July , 1952.

From R-1 to O.

NB-D

That portion of the Northern Pacific (Burlington Northern) Railroad Right-of-Way in the Northeast quarter of Section 20, Township 25 North, Range 5 East, W.M., in King County, Washington, LYING Northeasterly of the centerline of said right-of-way, LYING Northwesterly of the Southwesterly extension of the Southeast line of Yarrow Bay Village Division 2, as recorded in Volume 116 of Plats, Pages 100-101 AND LYING Southeasterly of the S3-Line (N.E. 38th Street), as shown on the SR 405 Mid Lakes to Kirkland, Right-of-Way Plans, sheet 22 of 27, dated July 1, 1952

From R-1 to R-3.5.

NB-H

Those portions of the Northwest quarter of Section 29, Township 25 North, Range 5 East, W.M., in King County, Washington, described as follows:

Beginning at the Northwest corner of Lot 22, Block 1, Bellevue Realty Addition No. 1, as recorded in Volume 49 of Plats, Page 88; thence Easterly along the North line thereof and the Easterly extension of said North line to the East line of the Northwest quarter of the Northwest quarter of said Section 29; thence Southerly along said East line to the Easterly extension of the South line of Lot 21 of said Block 1; thence Westerly along said Easterly extension and South line to the Southwest corner of said Lot 21; thence continuing Westerly along the Westerly extension of said South line to the centerline of 103rd Avenue N.E.; thence Northerly along said centerline to the Westerly extension of the North line of said Lot 22; thence Easterly along said Westerly extension to the Point of Beginning; AND Beginning at the Northeast corner of the South half of the Northwest quarter of the Northwest quarter of said Section 29; thence Southerly along the East line thereof to the Southeast

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corner of said subdivision; thence Westerly along the South line thereof 110.00 feet; thence Northerly parallel with the East line of said subdivision to the North line of said subdivision; thence Easterly along said North line to the Point of Beginning.

From R-4 to R-10, subject to the following condition:

Any redevelopment of this site shall be subject to Administrative Design Review (Land Use Code Section 20.30F) to ensure the development is compatible with the surrounding neighborhood and is consistent with the policies of the Bellevue Comprehensive Plan and the North Bellevue Subarea Plan. Design review shall ensure that the development complies with the requirements and guidelines of the Transition Area Design District (LUC Section 20.25B).

NB-I

That portion of the West 170.00 feet of the South 522.50 feet of the Northeast quarter of the Southeast quarter of Section 29, Township 25 North, Range 5 East, W.M., in King County, Washington, LYING Northerly 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 2 of 5, dated August 1968;

TOGETHER with that portion of the South half of the Northeast quarter of the Southeast quarter of said Section 29, LYING Westerly of the centerline of SR 405, as shown on the SR 405 Mid Lakes to Kirkland, Right-of-Way Plans, sheet 3 of 27, dated July 1, 1952, LYING Northerly of the South 522.50 feet thereof AND LYING Easterly of the West 170.00 feet thereof;

AND TOGETHER with that portion of the Northeast quarter of the Southeast quarter of said Section 29, LYING Southerly of the centerline of said N.E. 12th Street, LYING Westerly of the centerline of said SR 405 AND LYING Easterly of a line 150.00 feet West and parallel with the centerline of said SR 405.

From PO/R-4 to OLB, subject to the following condition:

"The Commons" Planned Unit Development, passed under Ordinance No. 1711 on 8/23/71, and amended under Ordinance

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Nos. 1861 and 3512 on 11/13/72 and 6/10/85 respectively, shall remain in effect and unaltered by this rezone.

NB-J

That portion of the Northeast 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 centerline of 99th Avenue N.E. (6th Avenue) and the North line of said subdivision; thence Easterly along said North line to the Northerly extension of the East line of the West half of Block 1, Lochleven, as recorded in Volume 16 of Plats, Page 46; thence Southerly along said Northerly extension and East line to the South line of the North 190.25 feet of said Block 1; thence Easterly along said South line and the Easterly extension thereof to the East line of said subdivision; thence Southerly along said East line to the centerline of Norris Street (vacated), as shown on said plat; thence Westerly along said centerline to the centerline of 99th Avenue N.E.; thence Northerly along the centerline of 99th Avenue N.E. to the Point of Beginning.

From R-3.5 to R-10, subject to the following condition:

Any redevelopment of this site shall be subject to Administrative Design Review (Land Use Code Section 20.30F) to ensure the development is compatible with the surrounding neighborhood and is consistent with the policies of the Bellevue Comprehensive Plan and the North Bellevue Subarea Plan. Design review shall ensure that the development complies with the requirements and guidelines of the Transition Area Design District (LUC Section 20.25B).

NB-K

Those portions of the Northeast 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 centerlines of 99th Avenue N.E. (6th Avenue) and Norris Street (vacated), as shown on Lochleven, recorded in Volume 16 of Plats, Page 46; thence Easterly along the centerline of Norris Street to the Northerly extension of the East line

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of the West half of Block 2 of said plat; thence Southerly along said Northerly extension and East line to the South line of the North 64.25 feet of said Block 2; thence Easterly along said South line and the Westerly extension thereof to the centerline of 99th Avenue N.E.; thence Northerly along said centerline to the Point of Beginning; AND Beginning at the intersection of the centerlines of N.E. 5th Street (Lakeview Drive) and 99th Avenue N.E.; thence Northerly along the centerline of 99th Avenue N.E. to the Westerly extension of the North line of South 127.25 feet of Block 2 of said plat; thence Easterly along said Westerly extension and North line to the East line of the West half of said Block 2; thence Southerly along said East line and the Southerly extension thereof to the centerline of N.E. 5th Street; thence Westerly along said centerline to the Point of Beginning.

From R-3.5 to R-15, subject to the following condition:

Any redevelopment of this site shall be subject to Administrative Design Review (Land Use Code Section 20.30F) to ensure the development is compatible with the surrounding neighborhood and is consistent with the policies of the Bellevue Comprehensive Plan and the North Bellevue Subarea Plan. Design review shall ensure that the development complies with the requirements and guidelines of the Transition Area Design District (LUC Section 20.25B).

NB-L

That portion of the Northeast 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 centerlines of 98th Avenue N.E. (5th Avenue) and N.E. 4th Street (Sutphen Place); thence Easterly along the centerline of N.E. 4th Street to the Northerly extension of the centerline of a 12.00-foot-wide alley lying in Block 8, Lochleven, as recorded in Volume 16 of Plats, Page 46; thence Southerly along said Northerly extension and centerline to the Easterly extension of the South line of Lot 12 of said Block 8; thence Westerly along said Easterly extension and South line to the Southwest corner of said Lot 12; thence continuing Westerly along the Westerly extension of said South line to the centerline of 98th Avenue N.E.; thence Northerly along said centerline to the Point of Beginning.

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From R-10 to R-15, subject to the following condition:

Any redevelopment of this site shall be subject to Administrative Design Review (Land Use Code Section 20.30F) to ensure the development is compatible with the surrounding neighborhood and is consistent with the policies of the Bellevue Comprehensive Plan and the North Bellevue Subarea Plan. Design Review shall include, but not be limited to, the review of building, site, landscape and sign design. Building design shall have pitched or stepped roof forms and shall include elements such as balconies, bay windows, offsets and angled facets which break down the scale of the building. Exterior building materials shall minimize reflected light and exterior building colors shall be primarily earth and wood tones. Surface parking areas shall be screened from street level views by vegetation, or a combination of vegetation and fencing. Site features such as refuse enclosures, fences, walls, and signage shall be architecturally consistent with the building design.

NB-M

That portion of the Northeast 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 centerlines of 99th Avenue N.E. (6th Avenue) and N.E. Lake Washington Boulevard (M.F. Wright Road); thence Northwesterly along the centerline of N.E. Lake Washington Boulevard to the Southwesterly extension of the Northwest line of Lot 2, Block 7, Lochleven, as recorded in Volume 16 of Plats, Page 46; thence Northeasterly along said Southwesterly extension and Northwest line to the Southwest line of the Northeasterly 150.00 feet of Lot 1 of said Block 7; thence Northwesterly along said Southwest line to the Easterly line of the East Park of said plat; thence Northerly along the Easterly line thereof and the Northerly extension of said Easterly line to the centerline of N.E. 1st Street (Highland Road); thence Southeasterly along said centerline to the centerline of 99th Avenue N.E.; thence Southwesterly along the centerline of 99th Avenue N.E. to the Point of Beginning.

From R-3.5 to R-5.

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NB-N

That portion of the Northeast 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 (M.F. Wright Road) and the Southeast line of Lot 2, Block 7, Lochleven, as recorded in Volume 16 of Plats, Page 46; thence Southwesterly along said Southeast line 232.00 feet; thence North $54^{\circ}26''$ West to the Easterly line of the East Park of said plat; thence Northerly along said Easterly line and the Northerly extension thereof to the centerline of N.E. Lake Washington Boulevard; thence Southeasterly along said centerline to the Northeasterly extension of the Southeast line of said Lot 2; thence Southwesterly along said Northeasterly extension to the Point of Beginning.

From R-1.8 to R-3.5.

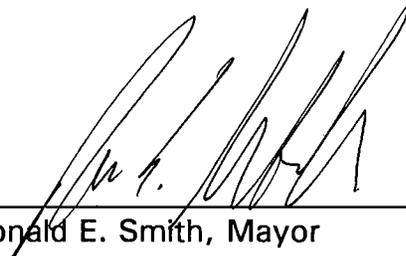
Section 4. This ordinance shall take effect and be in force five days after its passage and legal publication.

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PASSED by the City Council this 4th day of March, 1996, and
signed in authentication of its passage this 4th day of
March, 1996.

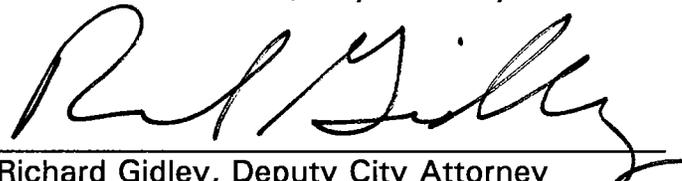
(SEAL)



Ronald E. Smith, Mayor

Approved as to form:

Richard L. Andrews, City Attorney



Richard L. Andrews, City Attorney

Attest:



Myrna L. Basich, City Clerk

Published March 8, 1996