## ORDINANCE NO. 2195

AN **ORDINANCE** OF THE CITY OF REDMOND. WASHINGTON, APPROVING L030055; AMENDING THE REDMOND COMMUNITY DEVELOPMENT GUIDE ZONING MAP AND REZONING 3.7 ACRES LOCATED AT THE NORTHEAST CORNER OF NORTHEAST 51<sup>ST</sup> STREET AND 156<sup>TH</sup> AVENUE NORTHEAST FROM LOW-MODERATE DENSITY RESIDENTIAL R-5 (5 UNITS PER ACRE) TO LOW-MODERATE DENSITY RESIDENTIAL R-6 (6 UNITS PER ACRE); AUTHORIZING THE MAYOR TO CONCOMITANT **AGREEMENT** RELATED TO **SUCH** REZONE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on March 3, 2003 Mr. Grant McKay, owner of the property located at 15604 NE 51<sup>st</sup> Street in Redmond submitted a request to change the Zoning Map for said property and four other lots (totaling approximately 3.7 acres) from Low-Moderate Density Residential R-5 (5 units per acre) to Low-Moderate Density Residential R-6 (6 units per acre); and

WHEREAS, the Hearing Examiner has determined that the proposed rezone area is appropriate for a change in the zoning designation; and

WHEREAS, the subject properties together consist of 3.7 acres and are more precisely identified by the King County Tax Assessor as Parcels No. 1425059107, 1425059081, 1425059091, 1425059080, and 1425059047 on the attached Exhibit 1; and

WHEREAS, the Low-Moderate Density Residential land use designation and R-6 zone is compatible with the Low-Moderate Density land use designation; and

WHEREAS, pursuant to appropriate mailed and published notice, the Hearing Examiner held a public hearing on the proposed rezone request on May 5, 2003; and

WHEREAS, on May 13, 2003, after considering the public testimony and comments received and other data and analysis contained in the staff reports, the Hearing Examiner forwarded a recommendation to the City Council to approve the change in the zoning map; and,

WHEREAS, on February 3, 2004, the City Council considered the Hearing Examiner's recommendation on the change to the Zoning Map, and concurred with the recommendation to approve the request; now, therefore,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1: Findings, Conclusions, and Analysis. In support of the proposed change in the Zoning Map of the subject properties from Low-Moderate Density Residential R-5 to R-6 zoning, the City Council hereby adopts the findings; conclusions, analysis and approval contained in the Hearing Examiner's recommendation dated May 13, 2003.

Section 2: Rezone Approved. L030055 is hereby approved, and the official zoning map of the City of Redmond is hereby amended in order to change the zoning designation on the subject properties legally described in Exhibit 3 to this Ordinance from Low-Moderate Density Residential R-5 to Low-Moderate Density Residential R-6.

Section 3: Concomitant Agreement. The Mayor is hereby authorized to execute a concomitant agreement in the form attached as Exhibit 2 to this Ordinance and incorporated herein by this reference as if set forth in full. The City Clerk is authorized and directed to record such fully executed concomitant agreement and this Ordinance with the King County Department of Records and Elections as a covenant running with the land described on Exhibit 1. The owners of the rezoned property shall be required to pay the cost of recording.

Section 3: Severability. If any section, sentence, clause, map or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this Ordinance.

Section 4: Effective Date. This Ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five days after the publication of an approved summary consisting of this title, provided, that the rezone of the property set forth above shall become effective only upon recording of the fully executed concomitant agreement and this Ordinance.

Y OF REDMOND

MAYOR ROSEMARIE IVES

ATTEST/AUTHENTICATED:

Bonnie Matta

OTTY OF THE DONNIE MATTEON

CITY CLERK, BONNIE MATTSON

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY

By:

FILED WITH THE CITY CLERK:

PASSED BY THE CITY COUNCIL:

SIGNED BY THE MAYOR:

PUBLISHED:

**EFFECTIVE DATE:** 

ORDINANCE NO: 2195

January 30, 2004

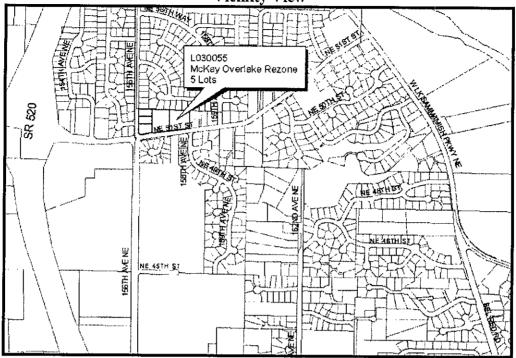
February 3, 2004

February 3, 2004

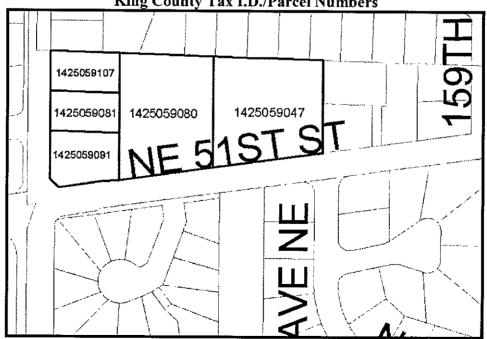
February 9, 2004

February 14, 2004

McKay Overlake Rezone; L030055 Vicinity View



McKay Overlake Rezone; L030055 King County Tax I.D./Parcel Numbers



## Concomitant Zoning Language

For development of ten (10) or more residential units, whether as part of a phased or not phased development, a minimum of 10% of the units shall be made affordable to households earning 80% or less of the King County Median Income, adjusted for household size. A bonus density of one (1) unit shall be allowed for each affordable unit provided, up to 15 percent above the maximum density permitted on the site. Prior to issuance of any building permits for developments consisting of ten (1) or more units, an agreement in a form approved by the City shall be recorded with the King County Department of Records and Elections to stipulate conditions under which the required affordable unit(s) will remain affordable housing for the life of the project. This agreement shall be a covenant running with the land, binding on the assigns, heirs, and successors of the applicant. The City may agree, at its sole discretion to subordinate any affordable housing regulatory agreement for the purpose of allowing the owner to obtain financing for development of the property, consistent with any applicable provision of the Community Development Guide in effect at the time of the issuance of the building permit.

## Legal Description

Parcel Number:

142505-9107

Address:

5220 156<sup>th</sup> AVE NE, Redmond, WA

Q-S-T-R:

NE-14-25-5

Legal Description:

N 91.5 FT OF W 185 FT OF S 1/2 OF SW 1/4 OF NE 1/4 LESS CO RD

Parcel Number:

142505-9081

Address:

5208 156<sup>th</sup> AVE NE, Redmond, WA

Q-S-T-R:

NE-14-25-5

Legal Description:

S 91.5 FT OF N 183 FT OF W 185 FT OF S 1/2 OF SW 1/4 OF NE 1/4

LESS CORD

Parcel Number:

142505-9091

Address:

15604 NE 51<sup>ST</sup> ST, Redmond, WA

Q-S-T-R:

NE-14-25-5

Legal Description:

POR OF E 155 FT OF W 185 FT OF S 1/2 OF SW 1/4 OF NE 1/4 LY

NLY OF CO RD LESS N 183 FT LESS POR DEDED TO CITY OF

REDMOND #8402060279

Parcel Number:

142505-9080

Address:

15628 NE 51<sup>st</sup> ST, Redmond, WA

Q-S-T-R:

NE-14-25-5

Legal Description:

E 210 FT OF W 395 FT OF POR OF S 1/2 OF SW 1/4 OF NE 1/4 LY

NLY OF CO RD

Parcel Number:

142505-9047

Address:

15660 NE 51<sup>st</sup> ST, Redmond, WA

O-S-T-R:

NE-14-25-5

Legal Description:

E 245 FT OF W 640 FT OF POR OF S 1/2 OF SW 1/4 OF NE 1/4 LY

NLY OF CO RD