

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6847

AN ORDINANCE relating to zoning within the Wilburton Transit-Oriented Development (TOD) Area within the Wilburton/N.E. 8th Street Subarea; Amending the land use designations for all properties within the Wilburton TOD Area for consistency with revisions to the City's Comprehensive Plan and the Wilburton Land Use Code Amendments; Providing for the termination and repeal of certain Concomitant Zoning Agreements and related ordinances that limit the applicability of the new land use designations to certain real property within the Wilburton TOD Area; and establishing an effective date.

WHEREAS, the City engaged in a multi-year planning process for the Wilburton Transit Oriented Development (TOD) Area within the Wilburton/N.E. 8th Street Subarea; and

WHEREAS, the planning effort for the Wilburton TOD Area began in 2016 with an Urban Land Institute Advisory Panel study recommending the transformation of the Wilburton TOD Area into a complete community—integrating housing, jobs, amenities, sustainability, and affordability; and

WHEREAS, from 2017 to 2018, a Council-appointed Citizen Advisory Committee advanced this work through the Wilburton Commercial Area Study, which envisioned Wilburton as “Bellevue’s next urban mixed-used community that enhances livability, promotes healthy living, supports economic vitality, and meets the needs of a diverse and growing population.”; and

WHEREAS, on July 23, 2024, the City Council adopted Ordinance No. 6802, approving a Comprehensive Plan Amendment for the Wilburton/N.E. 8th Street Subarea that established TOD-focused policies and map updates for the Wilburton TOD Area; and

WHEREAS, under LUC 20.35.015, area-wide amendments to the City’s Zoning Map must be processed as legislative rezones as a Process IV decision; and

WHEREAS, on February 26, 2025, the Planning Commission held a public hearing on the Wilburton Vision Implementation LUCA, which included the proposed land use districts for the Wilburton TOD Area; and

WHEREAS, the City Council has considered the proposed land use districts for the Wilburton TOD Area; and

WHEREAS, while not required for legislative rezones, the City Council finds that the proposed land use districts for the Wilburton TOD Area are consistent with the criteria contained in LUC 20.30A.140; and

WHEREAS, the City of Bellevue has complied with the State Environmental Policy Act (SEPA), Chapter 43.21C RCW, and the City's Environmental Procedures Code, Chapter 22.02 BCC; Now, therefore:

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The foregoing recitals are hereby adopted by the City Council as findings of fact supporting and explaining the legislative intent behind the adoption of this ordinance.

Section 2. Midrise Residential Mixed Use. The property legally described below is hereby rezoned to the Midrise Residential Mixed Use land use district, as established by LUC 20.10.020 and described in LUC 20.10.100:

That portion of the SW 1/4, Section 28, Township 25 North, Range 5 East W.M., King County, Washington, described as follows:

Beginning at the centerline intersection of NE 12th and 120th Ave NE; Thence southerly along the centerline of 120th Ave NE to the easterly extension of the south line of the right of way acquisition as described by Statutory Warranty Deed filed under Rec. No. 20171204001205, records of said County; Thence westerly along said easterly extension, said south line, and the south line of Lot 1, Lake Bellevue Division 4 as filed in Volume 122 of Plats, Pages 53 and 54, records of said County, to the east line of "New Parcel X" City of Bellevue Boundary Line Adjustment 02-149105 LW as filed under Rec. No. 20030206900008, records of said County; Thence southerly along said east line to the northerly line of City of Bellevue Boundary Line Adjustment 14-128610 LW as filed under Rec. No. 20150204900002, records of said County; Thence westerly along said north line to the easterly right of way margin of 118th Ave NE; Thence northerly along said easterly margin to the south line of Nine Lake Bellevue, a Condominium, as filed in Volume 58 of Condominiums, Pages 82 through 86, records of said County; Thence westerly along said south line and its westerly extension to the centerline of the Burlington Northern and Santa Fe Railway Company's (formerly Northern Pacific Railway Company) Seattle Belt Line Right of Way, hereinafter referred to as the Eastside Rail Corridor; Thence northerly along the centerline of said Eastside Rail Corridor to the centerline of NE 12th St; Thence easterly along the centerline of NE 12th St to the centerline of 120th Ave NE and the **Point of Beginning**.

Together with;

That portion of the S 1/2, Section 28, Township 25 North, Range 5 East W.M., King County, Washington, described as follows:

Beginning at the South 1/4 Corner of said Section, also being the centerline intersection of NE 8th St and 124th Ave NE; Thence west along the centerline of NE 8th St to the southerly extension of the west line of the east 15' of Lot 72, Brierwood Park, as filed in Volume 17 of Plats, Page 18, Records of said County; Thence north along said southerly extension and the west line of the east 15' of said Lot 72 to the north line of the south 1/2 of said Lot 72; Thence west along the north line of the south 1/2 of said Lot 72 to the east line of Midlakes Condominiums as filed in Volume 24 of Condominiums, Pages 80 through 98, records of said County; Thence north along said east line of said Midlakes Condominiums and its northerly extension to the centerline of NE Bellevue-Redmond Rd; Thence easterly along the centerline of NE Bellevue-Redmond Rd to the centerline of 124th Ave NE; Thence south along the centerline of 124th Ave NE to the centerline of NE 10th Pl; Thence easterly and southerly along the centerline of NE 10th PL to the southerly extension of the west line of Lot 3 Kietz' Home Acres as filed in Volume 47 of Plats, Page 83, records of said County; Thence northerly along said southerly extension and the west line of said Lot 3 to the northwest corner of said Lot 3; Thence easterly along the north line of said Lot 3 to the northeast corner of said Lot 3; thence south along the east line of said Lot 3 and its southerly extension to the centerline of NE 8th St; Thence westerly along the centerline of NE 8th St to the centerline of 124th Ave NE and the **Point of Beginning**.

Together with;

That portion of the NW 1/4, Section 33, Township 25 North, Range 5 East W.M., King County, Washington, described as follows:

Beginning at the centerline intersection of NE 8th St and 120th Ave NE; Thence easterly along the centerline of NE 8th St to the northerly extension of the easterly line of Lot 2 City of Bellevue Short Plat 77-55 R as filed under Rec. No. 8106179004, records of said County; Thence southerly along said northerly extension and the east line of Lots 2 through 4 of said Short Plat 77-55 R to the north line of Lot 1 City of Bellevue Short Plat 80-27 as filed under Rec. No. 8111199007, records of said County; thence westerly along the north line of Lot 1 of said Short Plat 80-27 to the NW Corner of said Lot 1; Thence southerly along the west line of said Lot 1 and its southerly extension to the centerline of NE 5th St; Thence westerly along the centerline of NE 5th St to the centerline of 120th Ave NE; Thence northerly along the centerline of 120th Ave NE to the centerline of NE 8th St and the **Point of Beginning**.

Together with;

That portion of the West 1/2, Section 33, Township 25 North, Range 5 East W.M., King County, Washington, described as follows:

Beginning at the centerline intersection of NE 4th St and 120th Ave NE; Thence southerly along the centerline of 120th Ave NE to the centerline of NE 1st St; Thence easterly along the centerline of NE 1st St to the northerly extension of the east line of Lot 2 City of Bellevue Short Plat 84-15 as filed under Rec. No. 8406119003, records of said County; Thence southerly along said northerly extension, the east line of said Lot 2, and its southerly extension, to the centerline of Main St; Thence westerly along the centerline of Main St to the centerline of 118th Ave SE; Thence southerly along the centerline of 118th Ave SE to the centerline of SE 5th St; Thence westerly along the centerline of SE 5th St to the centerline of the Burlington Northern and Santa Fe Railway Company's (formerly Northern Pacific Railway Company) Seattle Belt Line Right of Way, hereinafter referred to as the Eastside Rail Corridor; Thence northerly along the centerline of said Eastside Rail Corridor to the centerline of NE 4th St; Thence easterly along the centerline of NE 4th St to the centerline of 120th Ave NE and the **Point of Beginning**.

APPROVED By JMDelaney on 02/11/2025



Section 3. Midrise Mixed Use. The property legally described below is hereby rezoned to the Midrise Mixed Use land use district, as established by LUC 20.10.020 and described in LUC 20.10.100:

That portion of the NE 1/4, Section 32, Township 25 North, Range 5 East W.M., King County, Washington, described as follows:

Beginning at the centerline intersection of NE 4th St and 116th Ave NE; Thence southerly along the centerline of 116th Ave NE to the easterly extension of the south line of Fir Creek as filed in Volume 44 of Plats, Page 89, records of said County; Thence westerly along said easterly extension and the south line of said plat to the to the easterly limited access line of SR 405 as shown on Washington State Department of Transportation right of way plans titled SR 405 SE 30th St Vic. To NE 40th St Vic. bearing an approval date of February 11, 2005, hereinafter referred to as the WSDOT Plans; Thence northerly along said easterly limited access line to a point southerly of and opposite Station 19+60 of the NE 4th Line as shown on said WSDOT Plans; Thence northerly perpendicular to said NE 4th Line to the centerline of NE 4th St; Thence easterly along the centerline of NE 4th St to the centerline of 116th Ave NE and the **Point of Beginning**.

APPROVED By JMDelaney on 02/11/2025



Section 4. Highrise Mixed Use. The property legally described below is hereby rezoned to the Highrise Mixed Use land use district, as established by LUC 20.10.020 and described in LUC 20.10.100:

That portion of the SW 1/4, Section 28, and the NW 1/4, Section 33, Township 25 North, Range 5 East W.M., King County, Washington, described as follows:

Beginning at the SW Corner of said Section 28, also being the centerline intersection of NE 8th St and 116th Ave NE; Thence northerly along the centerline of 116th Ave NE to the centerline of NE 12th St; Thence easterly along the centerline of NE 12th ST to the centerline of the Burlington Northern and Santa Fe Railway Company's (formerly Northern Pacific Railway Company) Seattle Belt Line Right of Way, hereinafter referred to as the Eastside Rail Corridor; Thence southerly along the centerline of said Eastside Rail Corridor to the westerly extension of the south line of Nine Lake Bellevue, a Condominium, as filed in Volume 58 of Condominiums, Pages 82 through 86, records of said County; Thence easterly along said westerly extension and the south line of said Nine Lake Bellevue Condominium to the easterly right of way margin of 118th Ave NE; Thence southerly along said easterly margin to the northerly line of City of Bellevue Boundary Line Adjustment 14-128610 LW as filed under Rec. No. 20150204900002, records of said County; Thence easterly along said northerly line to the east line of "New Parcel X" City of Bellevue Boundary Line Adjustment 02- 149105 LW as filed under Rec. No. 20030206900008, records of said County; Thence northerly along said east line to the south line of Lot 1, Lake Bellevue Division 4 as filed in Volume 122 of Plats, Pages 53 and 54, records of said County; Thence easterly along said south line and the south line of the right of way acquisition as described by Statutory Warranty Deed filed under Rec. No. 20171204001205, records of said County, and its easterly extension, to the centerline of 120th Ave NE; Thence northerly along the centerline of 120th Ave NE to the centerline of NE 12th St; Thence easterly along the centerline of NE 12th St to the centerline of NE Bellevue-Redmond Rd; Thence westerly along the centerline of NE Bellevue-Redmond Rd to the northerly extension of the east line of Midlakes Condominiums as filed in Volume 24 of Condominiums, Pages 80 through 98, records of said County; Thence southerly along said east line of Midlakes Condominiums to the north line of

the south 1/2 of Lot 72, Brierwood Park, as filed in Volume 17 of Plats, Page 18, Records of said County; thence easterly along said north line to the west line of the east 15' of said Lot 72; Thence southerly along the west line of the east 15' of said Lot 72 and it's southerly extension, to the centerline of NE 8th St; Thence westerly along the centerline of NE 8th St to the centerline of 120th Ave NE; Thence southerly along the centerline of 120th Ave NE to the centerline of NE 4th St; Thence westerly along the centerline of NE 4th St to the centerline of said Eastside Rail Corridor; Thence northerly along the centerline of said Eastside Rail Corridor to the centerline of NE 8th St; thence westerly along the centerline of NE 8th St to the centerline of 116th Ave NE and the **Point of Beginning**.

Together with;

That portion of the West 1/2, Section 33, and the SE 1/4, Section 32, Township 25 North, Range 5 East W.M., King County, Washington, described as follows:

Beginning at the centerline intersection of NE 4th St and 116th Ave NE; Thence easterly along the centerline of NE 4th St to the centerline of the Burlington Northern and Santa Fe Railway Company's (formerly Northern Pacific Railway Company) Seattle Belt Line Right of Way, hereinafter referred to as the Eastside Rail Corridor; Thence southerly along the centerline of said Eastside Rail Corridor to the centerline of Lake Hills Connector Rd; Thence westerly and northerly along the centerline of Lake Hills Connector Rd and 116th Ave SE to a point opposite, and easterly of Station 293+83.26 of the SR405 Line as shown on Washington State Department of Transportation right of way plans titled SR 405 SE 30th St Vic. To NE 40th St Vic. bearing an approval date of February 11, 2005, hereinafter referred to as the WSDOT Plans; Thence westerly, perpendicular to said SR 405 Line to the easterly limited access line of SR 405 as shown on said WSDOT Plans; Thence northerly along said easterly limited access line to the centerline of Main St; Thence easterly along the centerline of Main St to the centerline of 116th Ave NE; Thence northerly along the centerline of 116th Ave NE to the centerline of NE 4th St and the **Point of Beginning**.

APPROVED By JMDelaney on 02/11/2025



Section 5. Urban Core. The property legally described below is hereby rezoned to the Urban Core land use district, as established by LUC 20.10.020 and described in LUC 20.10.100:

That portion of the NE 1/4, Section 32, and the NW 1/4 Section 33, Township 25 North, Range 5 East W.M., King County, Washington, described as follows:

Beginning at the centerline intersection of NE 8th St and the Burlington Northern and Santa Fe Railway Company's (formerly Northern Pacific Railway Company) Seattle Belt Line Right of Way, hereinafter referred to as the Eastside Rail Corridor; Thence southerly along the centerline of said Eastside Rail Corridor to the centerline of NE 4th St; Thence westerly along the centerline of NE 4th St to Station 19+60 of the NE 4th Line as shown on Washington State Department of Transportation right of way plans titled SR 405 SE 30th St Vic. To NE 40th St Vic. bearing an approval date of February 11, 2005, hereinafter referred to as the WSDOT Plans; Thence northerly along a line perpendicular to said NE 4th Line to the easterly limited access line of SR 405 as shown on said WSDOT Plans. Thence northerly along said easterly limited access line to a point southerly of and opposite station 13+45.82 of the NE 8th Line as shown on said WSDOT Plans; Thence northerly perpendicular to said NE 8th Line to the centerline of NE 8th St; Thence easterly along the centerline of NE 8th St to the centerline of said Eastside Rail Corridor and the **Point of Beginning**.

APPROVED By JMDelaney on 02/11/2025



Section 6. Land Use District Map. The Director of the Development Services Department is both authorized and directed to update the City's Land Use District Map established under LUC 20.10.040 to reflect the rezones described in Sections 2, 3, 4, and 5 of this Ordinance.

Section 7. Clerk's Receiving No. The rezones described in Sections 2, 3, 4, and 5 of this Ordinance are given Clerk's Receiving No. _____.

Section 8. Termination of Certain Concomitant Zoning Agreements and Related Ordinances. The City Manager, or their designee, is hereby authorized to take all actions necessary to either terminate or modify Concomitant Zoning Agreement Nos. 3632, 4711, 6445, 6442, 8885, 11034, 11285, and 17935 as needed to allow the properties burdened by these agreements to benefit from the rezones provided in this Ordinance. The City Manager, or their designee, is also hereby similarly authorized to take all actions necessary to either terminate or modify any recorded Concomitant Zoning Agreement affecting King County Parcel No. 109910-0400. In addition, related Ordinance Nos. 2288, 2549, 2883, 2884, 3332, 3605, 3662, and 4376 are hereby repealed in their entirety.

Section 9. Relationship to Prior Ordinances. If there is a conflict between any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance and that of a previously adopted ordinance, this Ordinance shall control.

Section 10. Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this Ordinance.

Section 11. Effective Date. This Ordinance shall take effect and be in force five (5) days after adoption and legal publication.

Passed by the City Council this _____ day of _____, 2025 and signed in authentication of its passage this _____ day of _____, 2025.

(SEAL)

Lynne Robinson, Mayor

Approved as to form:
Trisna Tanus, City Attorney

Robert Sepler, Assistant City Attorney

Attest:

Charmaine Arredondo, City Clerk

Published _____