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**ORIGINAL**

ORDINANCE NO. 1315

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF REDMOND AS ADOPTED BY SECTION 20C.10.030 OF THE REDMOND MUNICIPAL CODE AND COMMUNITY DEVELOPMENT GUIDE TO ESTABLISH ZONING FOR A PORTION OF THAT AREA COMMONLY KNOWN AS THE AVONDALE-NOVELTY HILL TRIANGLE (ZMA-85-5) PURSUANT TO THE RECOMMENDATIONS OF THE HEARING EXAMINER, AND ESTABLISHING AN EFFECTIVE DATE.

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WHEREAS, on December 4, 1985, the Hearing Examiner conducted a public hearing in accordance with applicable provisions of the Community Development Guide for the purpose of considering a proposed amendment to the City's Official Zoning Map to establish zoning for a portion of property recently annexed to the City, commonly known as the Avondale-Novelty Hill Triangle, ZMA-85-5, and following said hearing the Hearing Examiner issued his written findings of fact, conclusions and recommendations, and

WHEREAS, the City Council has reviewed the Hearing Examiner's findings of fact, conclusions and recommendations at a public meeting and having concurred with them, now, therefore,

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

Section 1. In conformance with the Land Use Plan of Redmond, Washington, the Official Zoning Map adopted by Section 20C.10.030 of the Redmond Municipal Code and Community Development Guide is hereby amended to change the designation of newly annexed property commonly known as the Avondale-Novelty Hill Triangle, and more particularly described as:

All that portion of Government Lot 3 in Section 6, Township 25 North, Range 6 East, W.M., in King County, Washington, lying Easterly of Avondale Road and Northwesterly of the Novelty Hill Road (Bonam Road No. 119).

from a General District (G) to a Suburban Estate District (R-2).

Section 2. The rationale supporting the Zoning Map change set forth in the Findings and Recommendations of the Hearing Examiner attached hereto as Exhibit A and incorporated by

this reference as if set forth in full, is hereby adopted as the findings of the City Council.

Section 3. The Director of Planning and Community Development is hereby instructed to effectuate the change to the Zoning Map in accordance with Section 1 of this ordinance.

Section 4. 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 (5) days after passage and publication in the City's official newspaper.

CITY OF REDMOND:

*Doreen Marchione*  
MAYOR, DOREEN MARCHIONE

ATTEST/AUTHENTICATED:

*Doris A. Schauble*  
CITY CLERK, DORIS SCHAIBLE

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

BY *Joy C. Martin*

FILED WITH THE CITY CLERK: April 9, 1986  
PASSED BY THE CITY COUNCIL: May 6, 1986  
SIGNED BY THE MAYOR: May 7, 1986  
PUBLISHED: May 11, 1986  
EFFECTIVE DATE: May 16, 1986  
ORDINANCE NO. 1315.

EXHIBIT A

FINDINGS AND RECOMMENDATIONS  
OF THE HEARING EXAMINER OF THE  
CITY OF REDMOND

IN THE MATTER OF THE APPLICATION OF  
THE NORTH PACIFIC CONFERENCE OF THE  
EVANGELICAL COVENANT CHURCH FOR  
APPROVAL OF A ZONING MAP AMENDMENT

FILE: ZMA-85-5  
AVONDALE-NOVELTY HILL TRIANGLE

RECOMMENDATION: The zoning map amendment should be  
approved as requested.

INTRODUCTION

Pursuant to Section 20C.10.040 of the Redmond Community Development Guide of  
the City of Redmond which states:

"All newly annexed territory shall be desig-  
nated General (G) until Section 20C.10.030,  
Zoning Map, is amended and the annexed terri-  
tory is classified in conformance with Section  
20B.00.000, "Goals, Policies and Plans." All  
territory annexed to the City shall become  
subject to the Development Guide."

the North Pacific Conference of The Evangelical Covenant Church, hereinafter  
referred to as Applicant, has requested establishment of zoning for approxi-  
mately 4.5 acres of land currently zoned General (G), and located northeast of  
the Avondale Road-Novelty Hill intersection and more particularly described as:

All that portion of Government Lot 3 in Sec-  
tion, 6, Township 25 North, Range 6 East,  
W.M., in King County, Washington, lying  
Easterly of Avondale Road and Northwesterly of  
the Novelty Hill Road (Bonam Road No. 119).

The Applicant has requested a zoning classification of R-2, Suburban Estate  
District.

A hearing on the request was held before the Hearing Examiner of the City of  
Redmond, Washington, on December 4, 1985.

Subsequent to the hearing the Applicant and the City of Redmond exchanged  
correspondence regarding right-of-way dedication as a condition of the zoning  
map amendment. This correspondence was made pursuant to an order issued by  
the Hearing Examiner at the public hearing. This correspondence is part of  
the official record of these proceedings and has been used in the delibera-  
tions of this request.

Findings and Recommendations of the  
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Public testimony was presented by the following:

Ray Sturtz  
 Planning Department  
 City of Redmond  
 15670 N.E. 85th Street  
 Redmond, WA 98052

Sharon Gradin  
 13212 97th Avenue N.E., B-301  
 Kirkland, WA 98034

The following exhibits were presented at the hearing and are available for inspection at the Hearing Examiner's Office, City Hall, 15670 N.E. 85th Street, Redmond, Washington:

- Exhibit A - Technical Committee Report
- " B - Location Map
- " C - Zoning Map
- " D - Memo to City Engineer from Ray Sturtz, Planner, 12/5/85
- " E - Letter to Sharon Gradin from Ray Sturtz, Planner, 01/03/86
- " F - Memo to Ray Sturtz from Hearing Examiner, 01/06/86
- " G - Letter from NEC to Hearing Examiner, 01/20/86
- " H - Letter to Dave Miller from NEC, 01/30/86
- " I - Letter to Hearing Examiner from Ass't City Engineer, 02/13/86

After due consideration of the evidence presented by the Applicant; evidence elicited during the public hearing; and, as a result of the personal inspection of the subject property and surrounding areas by the Hearing Examiner, the following Findings of Fact and Conclusions constitute the basis of the recommendation of the Hearing Examiner.

#### FINDINGS OF FACT

1. The application is for the approval of a zoning map amendment to establish zoning for the Avondale/Novelty Hill Triangle Annexation (A-84-3) that is located northeast of the Avondale Road-Novelty Hill intersection. The subject property is more particularly described as set forth above. (Staff report.)
2. The subject property is a 4.5 acre tract of land that is divided into four lots. The lot at the southwest portion of the triangle is undeveloped. The lots on the eastern end of the triangle on Novelty Hill Road are developed as single family residences. There is a church on the northwest portion of the subject property. (Staff report and Exhibit D.)
3. The site was annexed into the City of Redmond on September 3, 1985. Upon annexation a zoning designation of General (G) was given to the subject property. (Sturtz testimony.)
4. It is the intent of the Applicant to zone the subject property Suburban Estates, R-2. Suburban Estate Districts allow residential areas with a density of two dwelling units per acre. These areas allow for non-residential uses as permitted in the Permitted Land Use Chart, 20C.10.240(04). A church is a permitted use.

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5. The surrounding properties are developed as follows:

On-Site: Undeveloped, two single-family residences and  
a church  
North: Undeveloped and single-family residence  
South: Single-family residential  
East: Single-family residential  
West: Single-family and multi-family residential

(Staff report.)

6. The Land Use Plan designation of the subject property is Suburban Estates. (Staff report.)
7. Prior to annexation the subject property was located in King County and had a Suburban Estates (SE) zoning designation. This zoning designation allowed single-family residential development. (Staff report.)
8. The properties to the north and south of the subject property are zoned R-2. The property to the east is located in King County and has an SE zoning designation. The property to the west is zoned R-12. (Staff report.)
9. Vehicular and pedestrian access to the site is provided on Avondale Road and Novelty Hill Road. (Staff report.)
10. Water and sewer services are available to the site. They are available south of the subject area along Avondale Road N.E. These services can be extended. (Staff report.)
11. Pursuant to the State Environmental Policy Act (SEPA), a final determination of nonsignificance was issued on November 13, 1985. (Staff report.)
12. Section 20F.20.250(30) of the Redmond Community Development Guide sets forth the factors that are to be considered by the Hearing Examiner and the City Council in considering zoning map amendments. These include: Compliance with Title 20B.00.000, "Goals, Policies and Plans"; changes in conditions; mistake in map designation; comparison to adjacent use districts; comparison to adjacent land uses; the demonstrated need; the proposed development; and any speculative interest by the Applicant. (Staff report.)
13. There has been a change in the conditions of the subject property. It has recently been annexed into the City of Redmond and it is thus under the zoning code of the City of Redmond. (Sturtz testimony.)
14. There has been no mistake in the map designation. (Staff report.)
15. An R-2 zoning designation will be consistent with the zoning to the north, south and east of the subject property. (Staff report.)

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16. The proposed zoning designation will not change the use of the subject property. It is the intent of the North Pacific Conference of the Evangelical Covenant Church to expand their church that exists on the subject property. No other subdividing can occur on the other lots within the property. (Sturtz and Gradin testimony.)
17. There is a demonstrated need for R-2 zoned land in the area. (Sturtz testimony.)
18. The Technical Committee of the City of Redmond recommended approval of the zoning map amendment. (Staff report and Sturtz testimony.) At the public hearing the Technical Committee's representative submitted that a condition of approval of the zoning map amendment should be dedication of right-of-way along Avondale Road. (Sturtz testimony.)
19. At the hearing the Technical Committee's representative was unable to provide the location or amount of the Applicant's property that was needed for right-of-way dedication along Avondale Road. Pursuant to an order from the Hearing Examiner, and subsequent to the hearing, the City and the Applicant exchanged correspondence about the right-of-way dedication along Avondale. On February 13, 1986, the Assistant City Engineer of the City of Redmond submitted a letter to the Hearing Examiner in which it was stated that the Redmond City Attorney had determined that the acquisition of right-of-way cannot be requested in conjunction with the zoning map amendment.

#### CONCLUSIONS

1. The application is for the approval of a zoning map amendment (ZMA-85-5) for the establishment of zoning for property located northeast of the Avondale Road-Novelty Hill intersection and more particularly described as set forth above. The property was annexed into the City of Redmond on September 3, 1985, and currently has a General (G) zoning designation. The requested zoning designation is R-2.
2. The goals and policies of Section 20B.00.000 of the Redmond Community Development Guide have been reviewed and the proposed zoning and land use of an R-2 designation comply with all the City's goals, policies and plans.
3. The zoning map amendment criteria as set forth in Section 20F.20.250(30) have been listed in the Findings. The application satisfies the criteria for a zoning map amendment.
4. The annexation into the City of Redmond has resulted in a change of condition to the subject property and has subjected the property to the zoning laws of the City of Redmond. As a result, a change in conditions of the property warrants the establishment of zoning.
5. An R-2 zoning designation will be consistent with surrounding properties and will not impact any adjacent land uses.

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6. No significant subdivision is proposed for the property. The only change to the land use of the property will be the expansion of a church that is located on the northwestern portion of the subject property.
7. No adverse testimony or evidence was presented for the zoning map amendment.
8. The City Attorney of the City of Redmond determined that right-of-way cannot be dedicated in a zoning map amendment application.

#### RECOMMENDATION

Based upon the preceding Findings of Fact and Conclusions; the testimony and evidence submitted at the public hearing; and upon the impressions of the Hearing Examiner at a site view, it is hereby recommended that the zoning map amendment (ZMA-85-5) to establish the zoning for the Avondale/Novelty Hill Triangle annexation be approved.

The specific request is for a Suburban Estate District, R-2, zoning designation for property located northeast of the Avondale Road-Novelty Hill intersection that was annexed into the City of Redmond on September 3, 1985.

Entered this 26th day of February, 1986, pursuant to the authority granted under Sections 20F.10.080(10) and 20F.20.030 of the Community Development Guide of the City of Redmond.

  
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JAMES M. DRISCOLL  
Hearing Examiner

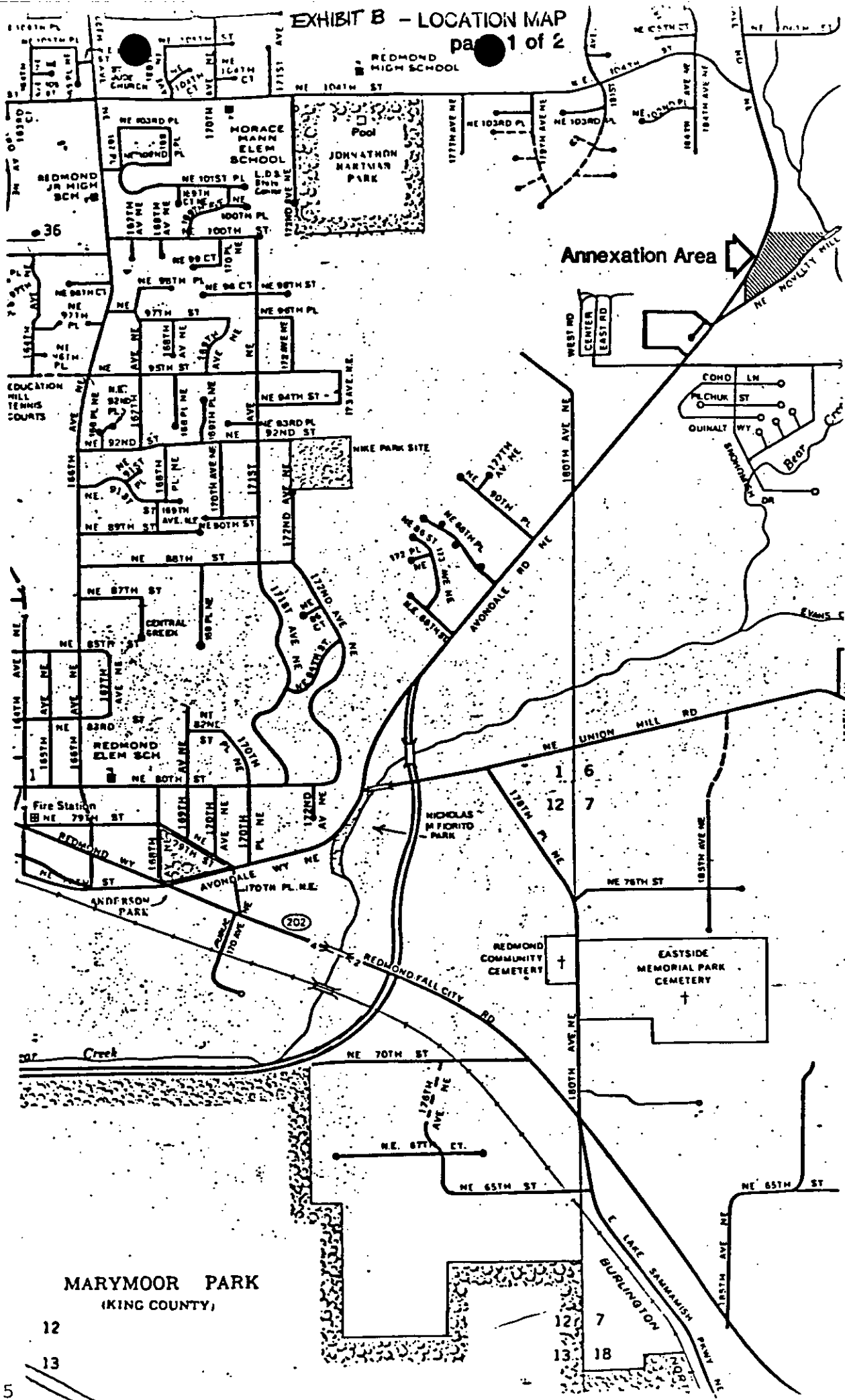
#### NOTICE

You are hereby given notice that pursuant to RCW Section 35.63.130 the foregoing findings, conclusions and recommendations have been submitted to the Mayor and City Council of the City of Redmond, Washington, for their consideration and approval. Council action on this item will occur at a later date, of which you will be notified by mail.

#### PROCEDURE FOR RECONSIDERATION

All motions for reconsideration of specific items or omissions may be made in writing to the Hearing Examiner within ten (10) days from the date of these recommendations. The final date for motion for reconsideration is 5 p.m. on March 12, 1986.

EXHIBIT B - LOCATION MAP  
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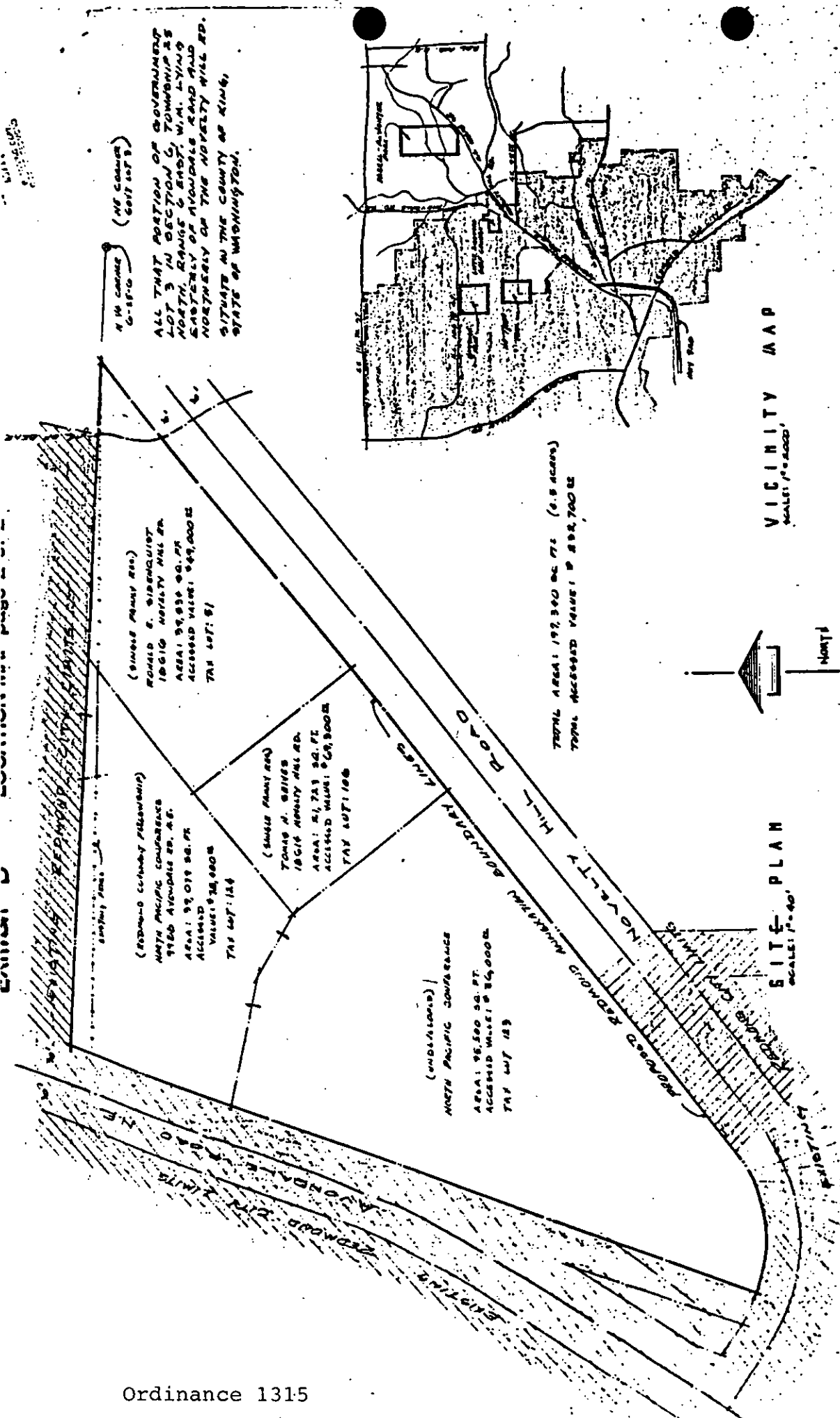
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(KING COUNTY)

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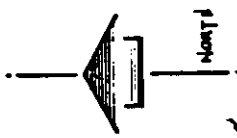


N 1/4 CORNER G-15-10 (NE CORNER G-17-10)

ALL THAT PORTION OF GOVERNMENT LOT 3 IN SECTION 6, TOWNSHIP 28 NORTH, RANGE 6 EAST, W.1. LYING EASTERLY OF AVONDALE ROAD AND NORTHERLY OF THE NOVELTY HILL RD. SITUATE IN THE COUNTY OF KING, STATE OF WASHINGTON.

TOTAL AREA: 192,340 SQ. FT. (4.3 ACRES)  
TOTAL ACCESSED VALUE: \$ 892,700.00

VICINITY MAP  
SCALE: 1"=2000'



SITE PLAN  
SCALE: 1"=40'