

CITY COUNCIL AGENDA TOPIC

Ordinance authorizing the City Manager to amend the Concomitant Zoning Agreement entered pursuant to Ordinance 4429 that rezoned the subject property in 1992; providing for severability; and establishing an effective date.

Trisna Tanus, City Attorney, 452-7220
Philip Sanchez, Assistant City Attorney, 229-6572
City Attorney's Office

EXECUTIVE SUMMARY**ACTION**

In 1992, the City and Silver Glen, a non-profit corporation providing senior housing on a cooperative basis, executed and recorded CZA 18394, which supports senior housing on the property located at 1750 152nd Avenue NE, Bellevue, WA (the Property). This Ordinance will authorize the City Manager to execute an amendment to the CZA to remove the senior housing age restriction for the on-site manager/caretaker unit at the Property. All other units at the Property will remain senior housing, available only to residents at the Silver Glen housing facility who are at least fifty-five (55) years of age or older.

RECOMMENDATION

Move to adopt Ordinance 6834

BACKGROUND/ANALYSIS

In 1992, the City rezoned the Property through the adoption of Ordinance 4429 and CZA 18394. The CZA expressly limits occupancy of units in the Silver Glen senior housing facility on the Property to residents who are at least 55 years or older. However, there is one (1) on-site "manager/caretaker" unit in the senior housing facility that has historically been occupied by a manager who is under 55.

The Silver Glen non-profit homeowners association has approached the City with the request that the CZA be amended to allow the manager unit at the Property to be used and occupied by persons younger than 55 years old, consistent with the historic practice. The City evaluated Silver Glen's request and concluded that it is consistent with the intent of CZA 18394, and the City supports the requested CZA amendment.

This Ordinance will authorize the City Manager to amend the CZA to remove the senior housing age restriction for the on-site manager/caretaker unit at the Property. All other units in the senior housing facility at the Property will remain senior housing, available only to residents who are at least 55 years of age or older. In addition, the CZA amendment will resolve an ongoing City of Bellevue Code Enforcement action related to use of the on-site manager unit by persons younger than 55 years old. A copy of CZA 18394 is attached as Exhibit A; a copy of Ordinance 4429, which adopted CZA 18394 by reference, is attached as Exhibit B; and a copy of the proposed Amendment to CZA 18394 is attached as Exhibit C.

POLICY & FISCAL IMPACTS

Policy Impact

This proposed Amendment to the CZA supports the following policy in the Crossroads Subarea Plan:

POLICY S-CR-82. Multifamily development is the predominant allowed use for District F and in the northwesterly corner of District F, retirement apartments and homes are the appropriate multifamily residential land use.

The full Crossroads Subarea Plan is available in the Council Library.

Fiscal Impact

There is no fiscal impact associated with the proposed CZA amendment.

OPTIONS

1. Adopt the Ordinance authorizing the City Manager to amend the Concomitant Zoning Agreement entered pursuant to Ordinance 4429 that rezoned the subject property in 1992; providing for severability; and establishing an effective date.
2. Do not adopt the Ordinance.

ATTACHMENTS

- A. Concomitant Zoning Agreement 18394
- B. Ordinance 4429
- C. Proposed Amendment to Concomitant Zoning Agreement 18394
Proposed Ordinance No. 6834

AVAILABLE IN COUNCIL LIBRARY

Crossroads Subarea Plan