

## **SUMMARY**

The City Council is considering the Hearing Examiner's Recommendation to approve an application submitted by Tia Fergusson of Lake Hills Business Association for the Safegard Self Storage Rezone. The applicant seeks a rezone of a 6.4-acre site located at 1015 164<sup>th</sup> Avenue NE from Office (O) to Community Business (CB). The application Permit File No. is 21-102751-LQ.

### **1. BACKGROUND ON APPLICATION**

On January 30, 2020, Tia Fergusson of Lake Hills Business Association applied for a rezone of a 6.4-acre site that comprises the Safegard Self Storage parcels located at 1015 164<sup>th</sup> Avenue NE from Office (O) to Community Business (CB). Notice of Application was published on February 11, 2021. Mailing, posting and publication of the application were appropriately accomplished.

The rezone application was submitted with a concurrent application for a Comprehensive Plan Amendment that was adopted by Bellevue City Council on December 14, 2020, as Ordinance 6561 changing the land use designation from Office (O) to Community Business (CB).

The State Environmental Policy Act (SEPA) Determination of Non-Significance (DNS), previously issued for the Comprehensive Plan Amendment (CPA) on October 8, 2020, (File # 20-102660-AC) regarding the site, was adopted by the Development Services Department for the current rezone proposal.

A public meeting was held on February 18, 2021. No public comments were received.

The Department issued their recommendation of approval on the Rezone application on September 30, 2021. Public noticing was also accomplished on September 30, 2021.

### **2. PROCEEDING BEFORE EXAMINER**

Upon due notice, the Hearing Examiner held a virtual public hearing and received testimony under oath via Zoom on October 21, 2021. At the hearing, Reilly Pittman, Planner Manager, City of Bellevue, presented a staff report and testified on behalf of the City. The applicant was represented by Larry Martin of Davis Wright Tremaine LLP. No members of the public spoke at the public hearing.

### **3. SITE CHARACTERISTICS**

The Safegard Self Storage site is comprised of five parcels that are approximately 6.4-acres and is within the Crossroads Subarea. The subject site is located at 1015 164<sup>th</sup>

Avenue NE. Three of the parcels that have been developed have been combined for tax purposes. The site is mostly paved and developed with several storage buildings and parking areas. It has some vegetation present along the north boundary of the site. Access to the site is obtained by an easement that crosses a parcel to the west which has frontage on 164<sup>th</sup> Avenue NE. The access easement also crosses a small portion of Crossroads Park. The site is generally flat and does not contain any critical areas. No specific development proposal is being considered with this rezone.

The proposed rezone from Office (O) to Community Business (CB) will create consistency with the property's Land Use District Designation and the Comprehensive Plan Designation.

#### **4. COMMENTS**

As referenced in Section 2 above, no public testimony was provided at the public hearing.

#### **5. HEARING EXAMINER RECOMMENDATION**

Based upon detailed Findings and Conclusions, the Hearing Examiner recommends that the application to rezone the 6.4-acre site, located at 1015 164<sup>th</sup> Avenue NE be approved, subject to the imposed condition of approval recommended by the Department.

The Hearing Examiner issued his Recommendation on October 29, 2021, recommending approval of the rezone application. No appeals were filed.