

SUMMARY

In this item, the City Council is considering the Hearing Examiner's Recommendation to approve an application submitted by Mike McClure of MJR Development (JMS Ventures). The applicant seeks a rezone to repeal a 1977 Concomitant Zoning Agreement (Ordinance No. 2445) as it pertains to the site of Belle-View Office Park at 275/325 118th Avenue SE. The applicant does not request any changes to the existing land use designation of Office (O) or to the Transition Area Design District Overlay. Permit File No. 15-107116-LQ.

1. BACKGROUND

The 1977 Concomitant Zoning Agreement in question placed conditions on development on the subject parcels when they were rezoned from residential and agricultural (R-A) to Office (O). These conditions were intended to assure careful review of any development impact to the surrounding neighborhood. The requirements of the 1977 Concomitant Zoning Agreement are outdated and inconsistent with current Land Use Code provisions by, in some ways, restricting development beyond what is now permissible.

2. APPLICATION BEFORE EXAMINER

The Applicant, Mike McClure, MJR Development, filed for a rezone to remove a 1977 Concomitant Zoning Agreement on March 11, 2015. Notice of Application was published on June 4, 2015. Mailing, posting and publication of the application were appropriately accomplished. A public meeting was held on June 9, 2015. No citizens attended the public meeting and the City received no other comments from the public (Staff Report, Exhibit 1).

The City of Bellevue ("the City") issued a staff report and a recommendation for approval of the proposed rezone on November 19, 2015. Upon due notice, the undersigned Hearing Examiner held a hearing in the Bellevue City Council Chambers on December 9, 2015. Laurie Tyler, Associate Land Use Planner, City of Bellevue, presented a staff report and testified on behalf of the City. Proponent Mike McClure, MJR Development, testified and also presented a Power Point outline in support of the proposal. No public testimony was offered.

The City's Staff Report with accompanying file materials was admitted into evidence as Exhibit 1, and a paper copy of the City's Power Point presentation was admitted as Exhibit 2. A Power Point from Proponent, Mr. McClure, was admitted as Exhibit 3. The Hearing Examiner issued his Recommendation on December 22, 2015 approving the rezone application. No appeals were filed.

3. SITE CHARACTERISTICS

The two parcels at issue have a combined area of 3.68 acres in the Wilburton Subarea. The parcels currently contain two office buildings constructed in 1984 and recently remodeled. The sites around the parcels are zoned for multifamily residential uses (R-20) to the north and east, office uses (O) to the south, and community business (CB) to the west. A rail corridor is located directly west of the subject parcels.

4. COMMENTS

As noted in Section 2 above, there was no public testimony.

5. HEARING EXAMINER RECOMMENDATION

Based upon detailed Findings and Conclusions, the Hearing Examiner recommends that the application to rezone a 3.68 acre site located at 275/325 118th Avenue SE be **APPROVED**. No conditions of approval were identified regarding this requested rezone, but any future development or other physical changes to the site must comply with applicable Land Use Code provisions and any other requirements.