

## **SUMMARY**

The City Council is considering the Hearing Examiner's Decision concerning Ina Tateuchi's application for revocation of the Conditional Use Permit issued to Kemper Development Company for development and use of a helistop on the Bellevue Place building located at 10500 NE 8<sup>th</sup> Street, Bellevue, Washington.

### **1. BACKGROUND**

On February 4, 2016, Ina Tateuchi submitted an application to the City of Bellevue's Department of Development Services for revocation of a conditional use permit (CUP) issued to Kemper Development Company for the development and use of a helistop on the Bellevue Place building located at 10500 NE 8<sup>th</sup> Street, Bellevue, Washington. (Bellevue Place Helistop). A public meeting was noticed in the Weekly Permit Bulletin on March 2, 2017 and re-noticed on March 9, 2017 and June 8, 2017 to ensure adequate notice was provided. The public meeting was held on June 27, 2017.

The public hearing for the application for revocation of the conditional use permit, and the Director's Recommendation of Denial, was noticed in the Weekly Permit Bulletin issued by mail to addresses located within 500 feet of the helistop on March 1, 2018. A summary of the comments and responses can be found beginning on page 85 of the Development Services Department Staff Report.<sup>1</sup> An appeal by the applicant was received within the applicable comment/appeal periods.

### **2. APPLICATION BEFORE EXAMINER**

On Thursday, March 22, 2018, the Examiner received testimony under oath at the duly noticed public hearing for the application for revocation at Bellevue City Hall, Council Chambers. At the hearing, Reilly Pittman, Senior Land Use Planner, presented the Director's Recommendation of Denial/Staff Report. Representatives for the applicant appeared in support of the application and representatives for the permit holder appeared in opposition of the application. Three individuals from the public provided testimony under oath at the hearing.

On April 5, 2018, the Hearing Examiner issued Findings of Fact, Conclusions of Law, Decision and Order denying the application to revoke the conditional use permit. The deadline for filing an appeal of the Examiner's Decision expired on April 19, 2018. An appeal by Ms. Tateuchi's attorneys was received by the City Clerk on April 18, 2018.

### **3. SITE CHARACTERISTICS**

The helistop is located in Downtown Bellevue on the rooftop of Bellevue Place Bank of America Building at 10500 NE 8<sup>th</sup> Street. The parcel includes the Bank of America

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<sup>1</sup> Also see DSD 000375-392. These comments are in addition to those reflected in the summary.

Building, Wintergarden and the corner building. The site is located within the city's downtown area.

**4. COMMENTS**

As referenced in Section 2 above, public testimony was received.

**5. HEARING EXAMINER RECOMMENDATION**

Based upon detailed Findings and Conclusions, the Hearing Examiner recommends that Ms. Tateuchi's Application for Revocation of the Kemper Development Company's Helistop Conditional Use Permit be **Denied**.