

QUASI JUDICIAL PROCEEDING – PROCESS III

Consideration of The Flats at 15th Place Rezone application; a rezone of a 24,750 square feet single parcel at 15516 NE 15th Place from Community Business (CB) to Multi-family Residential (R-30). Permit File No.17-125912-LQ.

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City Clerk's Office

Kathy Gerla, City Attorney, 452-7220
City Attorney's Office

EXECUTIVE SUMMARY

CONSIDERATION Tonight Council will consider a rezone application for The Flats at 15th Place, located at 15516 NE 15th Place.

HEARING EXAMINER RECOMMENDATION

The Hearing Examiner recommends approval. See the attached Hearing Examiner Summary for background information.

CONSIDERATIONS

This is a Process III quasi-judicial land use matter in which the Hearing Examiner issues a recommendation to Council. Council's role is to consider and take final action on each Process III application.

An appeal of the Hearing Examiner recommendation was filed in this case by Kasar Investments. However, at its Regular Session meeting on March 18, Council determined appellant Kasar Investments failed to comply with Council's appellate rules by not ordering the hearing transcript and posting security within thirty days of the decision being appealed from, and deemed the appeal abandoned. The decision is memorialized in Ordinance 6458, which is attached.

Therefore, Council will not accept new information, written or oral, on the application, but is to consider the complete record developed before the Hearing Examiner and the recommendation of the Hearing Examiner in deciding upon the application.

For further information see BCC 20.35.355.

OPTIONS

1. Approve the application.
2. Approve the application with modifications and/or conditions.
3. Remand the application back to the Hearing Examiner and the Director for an additional hearing limited to specific issues identified by Council.
4. Deny the application.

ATTACHMENTS & AVAILABLE DOCUMENTS

- A. Hearing Examiner's Summary
- B. Vicinity and Site Maps
- C. Ordinance 6458

AVAILABLE IN COUNCIL LIBRARY

Hearing Examiner's Administrative Record