

## **SUMMARY**

The City Council is considering the Hearing Examiner's Recommendation to approve an application submitted by Jon O'Hare of Permit Consultants NW ("PCNW"), on behalf of SRM Development, LLC for the 100 Bellevue Rezone. The applicant seeks a rezone of a .87-acre site located at 100 Bellevue Way S.E. from split-zoned Downtown Mixed Use (DT-MU) and Office (O) to Downtown Mixed Use (DT-MU) to be consistent with a Comprehensive Plan Amendment (CPA) previously approved. The application Permit File No. is 21-100101-LQ.

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

On December 14, 2020, the Bellevue City Council adopted a Comprehensive Plan Amendment (Ord. 6558) to change the split-zoned land use designation to Downtown Mixed Use (DT-MU).

On January 5, 2021, Jon O'Hare of PCNW, on behalf of SRM Development, LLC applied for a rezone of a single parcel located at 100 Bellevue Way S.E. from split-zoned Downtown Mixed Use (DT-MU) and Office (O) to a single zoning of Downtown Mixed Use (DT-MU). Notice of Application was published on February 11, 2021. Mailing, posting and publication of the application were appropriately accomplished.

A public meeting was held on March 3, 2021. No members of the public attended the public meeting. No comments were received by the City during the review of the project.

The State Environmental Policy Act (SEPA) Determination of Non-Significance (DNS), previously issued for the Comprehensive Plan Amendment (CPA) on October 8, 2020, (File# 20-102643-AC) regarding the site, is being adopted by the Department for the current rezone proposal.

The Department issued their recommendation of approval on the Rezone application on April 29, 2021. Public noticing was also accomplished on April 29, 2021.

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

Upon due notice, the Hearing Examiner held a public hearing and received testimony under oath via Zoom Webinar on May 20, 2021. At the hearing, Mark Brennan, Associate Land Use Planner, City of Bellevue, presented a staff report and testified on behalf of the City. Thaddaeus Gregory of Hillis Clark Martin & Peterson, P.S. and Kelly Carlson of Runberg Architecture Group appeared on behalf of the applicant and testified in support of the proposal. No members of the public attended the hearing.

During the public hearing process before the Hearing Examiner, no comments were received from members of the public.

### **3. SITE CHARACTERISTICS**

The 100 Bellevue site is approximately .87 acres (38,041 SF) and is within the Downtown subarea. The subject site is located at 100 Bellevue Way S.E. on the east side of Bellevue Way SE and is directly south of a fast-food restaurant that is located on the S.E. corner of Bellevue Way SE and Main Street. The site currently contains a one-story commercial building (a retail strip mall) and surface parking along the site's west property boundary adjoining Bellevue Way SE. The property's elevation along the east edge of the site is several feet higher than the rest of the property and is vegetated with trees and shrubs behind a retaining wall.

The proposed rezone from Downtown Mixed Use (DT-MU) and Office (O) to a single land use designation of Downtown Mixed Use (DT-MU) 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 comments were received from members of the public.

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

Based upon detailed Findings and Conclusions, the Hearing Examiner recommends that the application to rezone the .87-acre site, located at 100 Bellevue Way S.E. be approved, subject to the imposed condition of approval recommended by the Department.

The Hearing Examiner issued her Recommendation on June 3, 2021, recommending approval of the rezone application. No appeals were filed.