

**QUASI JUDICIAL PROCEEDING – PROCESS III**

Final action on the Sunset North Lot 10 Rezone submitted by Sunset North, LLC; a rezone of a 7.2-acre site located at 3002 139th Avenue SE from Office Limited Business (OLB) to Eastgate Transit Oriented Development (EG-TOD) and for clarification of associated concomitant zoning agreements. Permit File No. 18-127169-LQ

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**EXECUTIVE SUMMARY****FINAL  
ACTION**

This matter came before the Council for initial consideration on July 19. Tonight staff seek final action from the Council on the Hearing Examiner's recommendation to approve with conditions the Sunset North Lot 10 Rezone Application, located at 3002 139<sup>th</sup> Avenue SE.

**HEARING EXAMINER RECOMMENDATION**

The Hearing Examiner recommends approval with conditions. 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. No appeal of the Hearing Examiner recommendation was filed in this case.

Therefore, the Council should not accept new information, written or oral, on the application, but is to only consider the complete record developed before the Hearing Examiner and the recommendation of the Hearing Examiner and the comments of a community council with jurisdiction pursuant to RCW 35.14 in deciding upon the application.

At its Regular Session meeting on July 19, Council considered the rezone application by Sunset North, LLC for Sunset North Lot 10. Staff have provided a proposed Ordinance approving with conditions the rezone application in tonight's packet, in the event the Council votes to approve the application. In the alternative, if Council decides to modify or set additional conditions on the approval of the application, or to deny the application, staff will prepare a new proposed Ordinance memorializing the Council's decision, to be presented at a future Council meeting for adoption.

For further information see BCC 20.35.355.

## **OPTIONS**

1. Approve the application and adopt the Ordinance approving with conditions the rezone application of the Sunset North Lot 10 Rezone submitted by Sunset North, LLC; a rezone of a 7.2-acre site located at 3002 139th Avenue SE from Office Limited Business (OLB) to Eastgate Transit Oriented Development (EG-TOD) and for clarification of associated concomitant zoning agreements. Permit File No. 18-127169-LQ
2. Approve the application with modifications and/or additional conditions and direct staff to bring back an Ordinance for approval at a future meeting.
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 and direct staff to bring back an Ordinance for adoption at a future meeting.

## **ATTACHMENTS & AVAILABLE DOCUMENTS**

- A. Hearing Examiner Summary  
Proposed Ordinance No. 6594

## **AVAILABLE IN COUNCIL LIBRARY**

N/A