

QUASI JUDICIAL PROCEEDING – PROCESS III

Final Action of the NE 8th Street Partners rezone application submitted by Harold Moniz of Collins Woerman for a rezone of two (2) parcels totaling 0.93-acres located at 13635 and 13655 NE 8th Street from Office (O) to Residential High Density (R-30). Permit File No. 21-104902-LQ.

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EXECUTIVE SUMMARY**FINAL
ACTION**

This matter came before the Council for initial consideration on September 27. Tonight staff seek final action from the Council on the Hearing Examiner's recommendation to approve with a condition the NE 8th Street Partners Rezone Application, located at 13635 and 13655 NE 8th Street.

HEARING EXAMINER RECOMMENDATION

The Hearing Examiner recommends approval with a condition. 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 September 27, Council considered the rezone application by Harold Moniz of Collins Woerman for NE 8th Street Partners. Staff have provided a proposed Ordinance approving with a condition 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 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.

This rezone application is within the jurisdiction of the East Bellevue Community Council (EBCC). If the City Council approves, or approves with modifications and/or conditions, that approval is not effective within the EBCC jurisdiction until the EBCC votes to approve the Ordinance or fails to disapprove the Ordinance within 60 days of the enactment of that Ordinance.

For further information see BCC 20.35.355 & 20.35.365.

OPTIONS

1. Approve the application and adopt the Ordinance approving with a condition the rezone application Permit File No. 21-104902-LQ; a rezone of two parcels totalling 0.93-acres located at 13635 and 13655 NE 8th Street from Office (O) to Residential High Density (R-30).
2. Approve the application with modifications and/or conditions and direct staff to bring back an Ordinance for adoption 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
 - B. Rezone Decision Criteria
- Proposed Ordinance No. 6608

AVAILABLE IN COUNCIL LIBRARY

N/A