

ORIGINAL

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5611

AN ORDINANCE approving the application of Lake Hills Investment, LLC to repeal the existing Concomitant Zoning Agreement adopted by Ordinance No. 3755 as amended by Ordinance No. 5307 for the Lake Hills Shopping Center and replace it with a new Concomitant Zoning Agreement to allow for redevelopment of the Lake Hills Shopping Center to a Mixed Use Neighborhood Retail Center.

WHEREAS, as a result of City-wide neighborhood concerns, regarding the continued viability of neighborhood shopping centers, the Planning & Community Development Department studied a number of such centers, including the Lake Hills Shopping Center. In the year 2000 the City took a proactive approach towards neighborhood shopping centers in general and offered to partner with shopping center owners on the redesign of older centers; and

WHEREAS, in 2001 Applicant submitted an application for a rezone for development of the site as a commercial retail and office complex which application was approved by the City but was disapproved by the East Bellevue Community Council; and

WHEREAS, since that time the City has made a number of efforts to bring together stakeholders to reach agreement on a development concept for the Lake Hills Shopping Center which is located within the boundaries of the East Bellevue Community Council and is therefore subject to the approval/disapproval; and

WHEREAS, Applicant has modified its original proposal and now seeks approval of the City and East Bellevue Community Council for a Master Redevelopment Plan and Specific Conditions through repeal of the existing Concomitant Zoning Agreement and adoption of a new Concomitant Zoning Agreement; and

WHEREAS, a public meeting on the application was held before the East Bellevue Community Council on April 5, 2005; and

WHEREAS, a public hearing was held before the Hearing Examiner for the City of Bellevue on May 19, 2005; and

WHEREAS, on May 24, 2005, the Hearing Examiner issued his recommendation for approval of the rezone application with conditions; and

WHEREAS, the City Council concurs in the findings of fact and conclusions of the Hearing Examiner and has determined that the public use and interest will be served by approving the rezone application to allow for redevelopment of the Lake Hills Shopping Center by repealing the existing Concomitant Zoning Agreement and replacing it with a new Agreement, retaining the existing zoning of Community Business; and

WHEREAS, the City has complied with the requirements of the State Environmental Policy Act and the City Environmental Procedures Code; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Ordinance No., 3755 approving the 1989 Concomitant Zoning Agreement and Ordinance No. 5307 amending the 1989 Concomitant Zoning Agreement are hereby repealed.

Section 2. The Council hereby adopts the findings of facts and conclusions based thereon, made and entered by the Hearing Examiner in support of his recommendation to the City Council to approve the rezone application to repeal the 1989 Concomitant Zoning Agreement adopted by Ordinance No. 3755 and amended by Ordinance No. 5307 and replace it with a new Concomitant Zoning Agreement with conditions, to allow for redevelopment of the Lake Hills Shopping Center, which property is legally described as follows:

Parcel A:

Tracts B and C of Lake Hills No. 4, as per plat Recorded in Volume 59 of Plats, Pages 33 through 35, Records of King County;

Together with the Easterly 30 feet of vacated 155th Avenue S.E. as dedicated in said Plat of Lake Hills No. 4 and adjoining said Tracts B and C;

Situate in the City of Bellevue, County of King, State of Washington.

Parcel B:

Tract A of Lake Hills No. 6, as per plat Recorded In Volume 60 of Plats, Page 38, Records of King County;

Together with the Easterly 30 feet of vacated 155th Avenue S.E. as dedicated in said Plat of Lake Hills No. 6 and adjoining said Tract A;

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And that portion of the Southeast ¼ of the Southwest ¼ of Section 35, Township 25 North, Range 5 East W.M., lying Northerly of said Tract A and vacated 155th Avenue S.E. and lying southerly of Lots 10 through 12 in Block 4 of Lake Hills No. 23, as per plat recorded in Volume 64 of Plats, Pages 88 and 89, Records of King County;

Situate in the City of Bellevue, County of King, State of Washington.

Section 3. This approval is conditioned upon compliance by the owner and its heirs, successors and assigns with the terms and conditions of that certain Concomitant Zoning Agreement executed by Lake Hills Investment, LLC which has been given Clerk's Receiving No. 41557 and which by this reference is incorporated in this ordinance as if fully set forth herein.

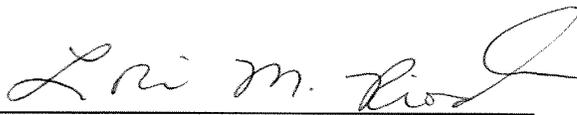
Section 4. This ordinance shall take effect and be in force five (5) days after passage and legal publication.

Passed by the City Council this 27th day of June, 2005, and signed in authentication of its passage this 27th day of June, 2005.

(SEAL)


Connie B. Marshall, Mayor

Approved as to form:


Lori M. Riordan, City Attorney

Attest:


Myrna L. Basich, City Clerk

Published July 1, 2005