

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6039

AN ORDINANCE approving the Lakemont Chevron Rezone Application to remove the existing use restrictions specific to the Lakemont Chevron Station, located at 5157 Lakemont Blvd. SE, Bellevue; and establishing an effective date.

WHEREAS, Trimark Property Group LLC (the Applicant) applied for a rezone to remove existing use restrictions specific to Lakemont Chevron Station, 5157 Lakemont Blvd. SE, Bellevue, a single parcel in the General Commercial (GC) zoning district; and

WHEREAS, the use restrictions in question were imposed at the time of annexation of the property into the City of Bellevue, and the restrictions limited the type of items a gas station could sell under Ordinance 4059 (adopted October 2, 1989); and

WHEREAS, the applicant requests the Rezone to permit a modest expansion of items for sale to permit the gas station to offer some food and other items consistent with a convenience store use; and

WHEREAS, the Applicant filed for a Rezone on May 6, 2011, and Notice of Application was published on June 23, 2011; and

WHEREAS, City staff held a public meeting on July 6, 2011, and no citizens appeared; and

WHEREAS, the Development Services Department issued a Determination of Non-Significance (DNS) under the State Environment Policy Act on October 19, 2011 upon finding that the proposal at issue did not have a probable significant impact on the environment; and

WHEREAS, upon due notice, the Hearing Examiner held a hearing in the Bellevue City Council Chambers on November 10, 2011; and

WHEREAS, on November 28, 2011 the Hearing Examiner recommended approval, subject to conditions, of said application and made and entered findings of fact and conclusions based thereon in support of his recommendation; and

WHEREAS, the City Council concurs in the findings of fact and conclusions of the Hearing Examiner; and

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

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

Section 1. The City Council Adopts the findings of fact and conclusions made and entered by the Hearing Examiner in support of his recommendation to the City Council in this matter as set forth in "Findings of Fact, Conclusions of Law and Recommendation of the Hearing Examiner for the City of Bellevue (included as Attachment A to this Ordinance), in the Matter of the Application of the Lakemont Chevron Rezone to remove existing use restrictions specific to the Lakemont Chevron Station, located at 5157 Lakemont Blvd. SE, Bellevue; File No. 11-113742-LQ."

Section 2. The City Council hereby approves, subject to conditions, the Lakemont Chevron Rezone to remove existing use restrictions specific to the Lakemont Chevron Station, located at 5157 Lakemont Blvd. SE, Bellevue; File No. 11-113742-LQ.

Section 3. The Lakemont Chevron Rezone application approval shall be subject to the following conditions:

1. The Applicant must comply with all City ordinances and all other applicable law and regulations in all operations at the site, particularly the retail uses consistent with the provisions of this Recommendation and the findings noted in the Staff Report of the Land Use Division.
2. Any future redevelopment or other physical changes to the site must comply with applicable Land Use Code requirements.
3. The additional requirements of Ordinance 4059 are not altered by this rezone application.
4. The scope of this Rezone is limited to General Commercial uses only.

Section 4. This ordinance shall be recorded with the King County Department of Records and Elections.

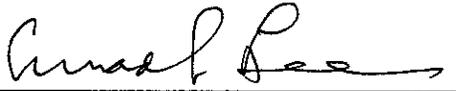
Section 5. This ordinance shall take effect and be in force five (5) days after passage and legal publication.

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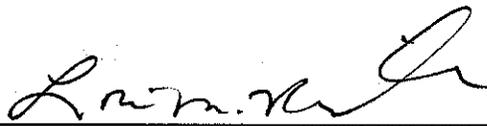
Passed by the City Council this 17th day of January, 2012
and signed in authentication of its passage this 17th day of January,
2012.

(SEAL)



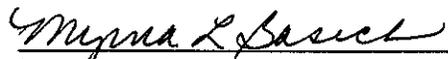
Conrad Lee, Mayor

Approved as to form:



Lori M. Riordan, City Attorney

Attest:



Myrra L. Basich, City Clerk

Published January 20, 2012