

Amended

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0491d

EAST BELLEVUE COMMUNITY MUNICIPAL CORPORATION
OF THE CITY OF BELLEVUE, WASHINGTON
RESOLUTION NO. 202-A

A RESOLUTION of the East Bellevue Community Council disapproving Ordinance No. 3441 adopted December 3, 1984 by the Bellevue City Council relating to reclassifying .5 acres of property (Site 6) located on the northeast corner of 148th Avenue N.E. and Main Street in Planning District D of the Crossroads Subarea.

WHEREAS, the City Council of the City of Bellevue, Washington, did pass Ordinance No. 3441 on the 3rd day of December, 1984; and

WHEREAS, the subject matter of said Ordinance falls within the disapproval jurisdiction of the East Bellevue Community Council pursuant to RCW 35.14.040; and

WHEREAS, following a public hearing held before the East Bellevue Community Council on January 2, 1985, the Community Council did vote to disapprove Bellevue Ordinance No. 3441.

NOW, THEREFORE, BE IT RESOLVED by the Community Council of the East Bellevue Community Municipal Corporation of the City of Bellevue, Washington:

Section 1. The East Bellevue Community Council makes and enters the following findings of fact:

FINDINGS OF FACT

1. Site 6 is a .5 acre parcel located on the northeast corner of 148th Avenue and Main Street, within the boundaries of the East Bellevue Community Council. The site is currently developed as a service station, with U-Haul trailer rentals.

2. Site 6 is zoned NB, but is designated on the Crossroads Subarea Plan as potential O.

3. The property to the immediate north of Site 6 is zoned and developed for office use. The property to the immediate east is zoned for office use, but is undeveloped. The property across 148th Avenue to the west is zoned NB and developed with retail uses (convenience grocery, restaurant). The land to the southwest, at the southwest corner of 148th Avenue and Main Street, is zoned NB and developed with a retail use (service station). The property to the immediate south across Main Street is zoned NB and developed with a retail use (service station).

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4. The frontage of Site 6 faces NB zoned land developed for retail use across the street intersection in all directions.

5. A reclassification of Site 6 to O would result in the existing service station use becoming nonconforming.

6. The intersection of Main Street and 148th Avenue is currently zoned and developed on all four corners for retail use. Under the Wilburton Subarea Plan the northwest corner is designated for retail use. The southwest and southeast corners are in the Southeast Bellevue subarea, for which no current subarea plan exists.

Section 2. The East Bellevue Community Council makes and enters the following conclusions:

CONCLUSIONS

1. The East Bellevue Community Council has jurisdiction over this matter.

2. The intersection of Main Street and 148th Avenue is an established retail area, with existing neighborhood business zoning and existing retail uses on all four corners.

3. The Subarea Land Use Map designation of Site 6 for office use is inconsistent with the existing, established retail zoning and use of Site 6 and the other three parcels on the corners of 148th Street and Main Street. It is also inconsistent with the designation of the northwest corner as retail under the Wilburton Subarea Plan.

4. If the rezone to O became effective, Site 6 would be the only corner of the intersection of Main Street and 148th Avenue zoned for office use. Although office zoning exist to the north of the property and undeveloped office zoning exists to the east of the property, the property relates more directly to the three facing parcels on the corners of the intersection, all zoned and developed for retail use.

5. The record contains no analysis of the effect of a rezone to office zoning on the surrounding area.

6. There is no factual support in the record for Conclusions 2.A through 2.F of the Hearing Examiner (pp. 6-7 of the Hearing Examiner's Findings and Recommendation, June 21, 1984) in relation to Site 6.

7. The record does not show any changed circumstances since the NB zoning was placed on the property which would justify the reclassification to office zoning.

8. The applicant has not demonstrated that the proposed rezone to office would not have a materially detrimental effect on the immediate vicinity of Site 6.

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9. The proposed rezone to office does not have merit and value for the community as a whole.

10. The applicant has failed to carry its burden of proof justifying a change in zoning to office.

11. The applicant has failed to demonstrate that the proposed reclassification to office would serve the public health, welfare, or safety.


12. The application should be denied.

Section 3. The East Bellevue Community Council hereby disapproves Ordinance No. 3441 enacted by the Bellevue City Council on December 3, 1984, and pursuant to RCW 35.14.040, this Ordinance shall not become effective within the area of the East Bellevue Community Municipal Corporation.

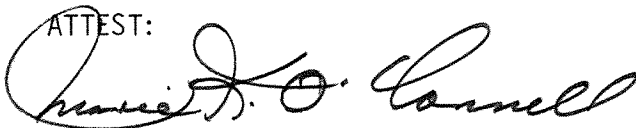
Section 4. The Clerk is hereby directed to certify the original of this Resolution, to file the same and to keep the same on file in her office. The Clerk is further directed to distribute certified or conformed copies of this Resolution to the Bellevue City Council, the office of the Bellevue City Manager, the office of the Bellevue City Attorney, and the Bellevue Planning Department.

PASSED by a majority vote of the East Bellevue Community Council on the 2nd day of January, 1985 and signed in authentication of its passage this 2nd day of January, 1985.

(SEAL)


S. William Halgren
Chairman

ATTEST:



Marie K. O'Connell, CMC
City Clerk