

RESOLUTION 2047

A RESOLUTION OF THE CITY OF NORTH BEND, WASHINGTON, APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY AND TELEGRAPH PROPERTIES, LLC FOR BAKES MARINE BOAT AND WATERCRAFT SALES AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME

WHEREAS, Telegraph Properties, LLC (Developer) owns or controls King County Tax Parcel No.1323089065 (Property), located within the City; and

WHEREAS, the Developer proposes to develop a Bakes Marine Boat and Watercraft Sales establishment (Project) in the City of North Bend and will construct associated required site improvements including parking, landscaping, street frontage improvements, and stormwater controls; and

WHEREAS, the Project is a mixture of indoor uses including manufacturing of parts, shipping, administrative office, canvas production, and boat storage for approximately 50 to 75 boats; and

WHEREAS, the Property is located in the Neighborhood Business Zone, in which Boat and Watercraft use is permitted as a commercial use; and

WHEREAS, adjacent to the Property and to the East is the EP-2 zone which does not limit the ground floor commercial space; accordingly, the Project would be allowed without a Development Agreement (DA) if it were located adjacent to the Property in the EP-2 zone; and

WHEREAS, the Developer applied for a DA pursuant to North Bend Municipal Code 18.27 to seek approval for the size of the building to exceed what is allowed by the NBMC in the Neighborhood Business Zone for ground floor commercial tenant space; and

WHEREAS, the proposed DA also includes a requirement that the applicant enter into a deferral improvement agreement and no protest (DIA) for frontage improvement fees; and

WHEREAS, the proposed DA was reviewed by the Planning Commission at its October 13, 2022 meeting which included a public hearing on the proposed DA; and

WHEREAS, the principal benefit to the City in approving the proposed DA is the expected tax revenue to the City from the sales of boats and associated items; and

WHEREAS, the Washington State Legislature has authorized the execution of a DA between a local government and a person having ownership or control of real property within its jurisdiction (RCW 36.70B.170(1)); and

WHEREAS, a DA must set forth the development standards and other provisions that shall apply to, govern, and vest the development, use and mitigation of the real property for the duration specified in the agreement (RCW 36.70B.170(1)); and

WHEREAS, a DA must be approved by ordinance or resolution after a public hearing pursuant to RCW 36.70B.200 which was held on October 13, 2022;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The City hereby approves the Development Agreement between the City of North Bend and Telegraph Properties, LLC hereto as Exhibit A - Development Agreement, or in a substantially similar form, in a final form acceptable to the City Attorney, and authorizes the Mayor to execute the same.

PASSED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 15TH DAY OF NOVEMBER, 2022.

CITY OF NORTH BEND:

Ron McFarland, Mayor

APPROVED AS TO FORM:

Lisa Marshall, City Attorney

ATTEST/AUTHENTICATED:

Effective: November 15, 2022
Posted: November 16, 2022

Susie Oppedal, City Clerk