

RESOLUTION 2149

A RESOLUTION OF THE CITY OF NORTH BEND, WASHINGTON, APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF NORTH BEND AND PJO NW DEVELOPMENT, LLC AND AUTHORIZING THE MAYOR TO EXECUTE AND ADMINISTER THE SAME

WHEREAS, RCW 36.70B.170 and North Bend Municipal Code (“NBMC”) Section 18.27.010 authorize the City to enter into a development agreement with a person having ownership or control of real property within its jurisdiction; and

WHEREAS, PJO NW Development, LLC (“PJO”) on behalf of Albert Lee III has submitted a Land Use Application to the City and has informed the City of its intent to purchase, own, control and develop approximately four acres of property zoned Neighborhood Mixed Use (“NMU”), located in the City of North Bend along SE North Bend Way (“Project”); and

WHEREAS, development of the property is an excellent opportunity for frontage improvements consistent with the Complete Streets Corridor Plan Program and will likely prompt redevelopment nearby; and

WHEREAS, the Project will create retail and commercial opportunities and will provide for the construction and future sale of housing to support the City’s housing goals; and

WHEREAS, per the details in the Development Agreement this Agreement shall terminate upon Developer’s abandonment of development of the Property. Developer shall be deemed to have abandoned development of the Property if the Developer does not submit a completed Site Plan Application consistent with NBMC 18.14.040 and 20.02.003 with Land Use Application demonstrating ownership approved by the City within nine (9) months of the Development Agreement’s effective date; or if no building permit for construction of the Site Plan is submitted to the City within five (5) years of the Development Agreement’s effective date, provided that Developer may extend the deadline for filing upon additional payment to the City; and

WHEREAS, RCW 36.70B.200 requires that a development agreement be approved by ordinance or resolution after a public hearing; and

WHEREAS, the North Bend Planning Commission held a public hearing on the proposed Development Agreement between the City and PJO on February 19, 2025, and recommended approval of that Development Agreement following the public hearing; and

WHEREAS, the Community and Economic Development Director confirms that the application for the Development Agreement is consistent with NBMC 18.27.030;

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

Section 1. The City Council of the City of North Bend hereby approves the Development Agreement between the City of North Bend and PJO NW Development LLC, substantially in the form attached hereto as Exhibit A, in a final form acceptable to the City Attorney, and authorizes the Mayor to execute and administer the same.

PASSED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 20TH DAY OF MAY, 2025.

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Mary Miller, Mayor

Kendra Rosenberg, City Attorney

ATTEST/AUTHENTICATED:

Effective: May 20, 2025

Posted: May 21, 2025

Susie Oppedal, City Clerk