

CITY OF KENMORE  
WASHINGTON  
**ORDINANCE NO. 07-0262**

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**AN ORDINANCE OF THE CITY OF KENMORE,  
WASHINGTON, AUTHORIZING THE SALE OF SURPLUS CITY  
PROPERTY IN DOWNTOWN KENMORE, AND APPROVING A  
DEVELOPMENT AGREEMENT WITH KENMORE PARTNERS,  
LLC, FOR DEVELOPMENT OF SUCH PROPERTY.**

WHEREAS, in 2001 the City adopted an integrated Comprehensive Plan and in 2003 the City adopted a Final Downtown Plan, which included the following goals and policies: (i) create a high quality comprehensive integrated retail, commercial and residential anchor for downtown; (ii) create a special identity and gathering place for the City and its residents with access to downtown businesses; (iii) create a visually attractive and pedestrian oriented space in the downtown; (iv) enhance public security and provide City residents with additional housing opportunities through the introduction of multi-family residential buildings in downtown; and (v) revitalize the business district by creating a development which will improve the financial stability and general economic vitality of the City, preserve jobs, attract additional private investment in downtown and generate additional sales and property tax revenue; and

WHEREAS, in furtherance of the goals and policies of the Comprehensive Plan and Final Downtown Plan, the City purchased approximately 9.72 acres from private property owners (Kenmore Village Shopping Center and City Hall) and from King County (North Shore Park & Ride Facility) ("Downtown Site"); and

WHEREAS, pursuant to a request for qualifications process, which included preparation of concept design plans, the City selected Kenmore Partners, LLC as the preferred developer for the Downtown Site ("Developer"); and

WHEREAS, on June 1, 2006, the City and Developer executed an Exclusive Negotiating and Plan Preparation Agreement to provide for planning, design and development of the Downtown Site, possible acquisition by Developer of the Downtown Site and identification by Developer of the cost and financing for development of the Downtown Site; and

WHEREAS, in conformance with the State Environmental Policy Act, the City on April 17, 2007 issued an EIS addendum for the sale and development of the Downtown Site; and

WHEREAS, the City and Developer have negotiated a Disposition and Development Agreement for sale and development of the Downtown Site ("DDA"), which requires Developer to develop the Downtown Site as an important community resource in a commercially viable manner that is consistent with and furthers the goals and policies Comprehensive Plan and the Final Downtown Plan; and

WHEREAS, the surplus and sale of the Downtown Site is authorized by Chapter 3.55 KMC; and

WHEREAS, a development agreement for the Downtown Site is authorized by RCW 36.70B.170 through 36.70B.210; and

WHEREAS, as required by RCW 36.70B.200, and pursuant to notice published in the Seattle Times on June 4, 2007, the City Council held a public hearing on June 18, 2007 regarding the surplus, sale and development of the Downtown Site pursuant to the DDA; and

WHEREAS, the City Council has determined that the Downtown Site is surplus to its needs and that sale of the Downtown Site for development in accordance with the DDA is in the best interests of the City; and

WHEREAS, having considered the testimony and comments made at the public hearing, having considered the documents introduced at the hearing and having reviewed the DDA and its exhibits, the City Council desires to surplus the Downtown Site and enter into the DDA;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON, DO ORDAIN AS FOLLOWS:

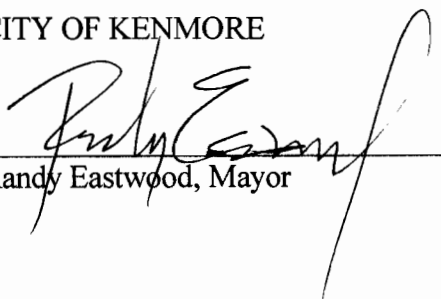
Section 1. Execution of Agreement. The City Manager is authorized and directed to execute a disposition and development agreement with Kenmore Partners, LLC, substantially in the form of the Disposition and Development Agreement between the City of Kenmore and Kenmore Partners, LLC attached to this Ordinance ("DDA").

Section 2. Surplus Declaration. The City Council finds that sale of the real property owned by the City and legally described in the DDA is in the best interests of the City.

Section 3. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 9<sup>th</sup> DAY OF JULY, 2007.

CITY OF KENMORE




Randy Eastwood, Mayor

ATTEST/AUTHENTICATED:



Lynn Batchelor, City Clerk

Approved as to form:



Rod P. Kaseguma, City Attorney

Filed with the City Clerk:	July 3, 2007
Passed by the City Council:	July 9, 2007
Ordinance No.	07-0262
Date of Publication:	July 11, 2007
Effective Date:	July 17, 2007