

**CITY OF BURIEN, WASHINGTON**

**RESOLUTION NO. 263**

**A RESOLUTION OF THE CITY OF BURIEN, WASHINGTON, APPROVING A TYPE 3 LAND USE REVIEW APPLICATION BY City of Burien Public Works Department, to Develop a Water Retention and Infiltration Pond and Passive Park**

WHEREAS, on November 13, 2006, the City of Burien received a Type 3 land use review application from the City of Burien Public Works Department, requesting approval to develop an existing closed depression with no stormwater outlet into a stormwater retention and infiltration pond and passive park on the site located on SW 141<sup>st</sup> Street, west of 6<sup>th</sup> Avenue; and

WHEREAS, the project site is zoned RS-7200; and

WHEREAS, Section 19.10.430 defines a "Public Utility" to include storm drainage facilities; and

WHEREAS, Section 19.15.005.14 of the Burien Municipal Code requires a Type 3 Land Use Review for the development of "Public Utilities" in the RS-7200 zone; and

WHEREAS, on April 10, 2007, a public hearing was held and on April 20, 2007, the City of Burien Hearing Examiner issued findings of fact, conclusions, and a recommendation to City Council to approve the application with conditions.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. Approval of Application with Conditions and Adoption of Findings of Fact and Conclusions. The City Council, having considered the Type 3 Land Use Review for the proposed stormwater facility and the Hearings Examiner's recommendation, conditionally approves the Type 3 Land Use Review for the stormwater facility and adopts the Hearing Examiner's findings and conclusions attached as Attachment 1, as fully incorporated herein as if fully set forth.

PASSED BY THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON, AT A REGULAR MEETING THEREOF THIS 7<sup>TH</sup> DAY OF MAY, 2007.

CITY OF BURIEN

/s/ Joan McGilton, Mayor

ATTEST/AUTHENTICATED:

/s/ Monica Lusk, City Clerk

Approved as to form:

/s/ Christopher D. Bacha, City Attorney

Filed with the City Clerk: May 3, 2007

Passed by the City Council: May 7, 2007

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