

CITY OF BURIEN, WASHINGTON
ORDINANCE NO. 632

AN ORDINANCE OF THE CITY OF BURIEN, WASHINGTON, AMENDING THE CITY'S ZONING MAP TO CHANGE ZONING CLASSIFICATIONS OF TAX PARCEL NOS. 192304-9318, 192304-9334, 19235-0000, AND 192304-9317 FROM OFFICE (O) TO RESIDENTIAL MULTI-FAMILY-24 (RM-24), AND TO CHANGE ZONING CLASSIFICATIONS OF TAX PARCEL NO. 092304-9048 FROM RS-7,200 TO RESIDENTIAL MULTI-FAMILY 18 (RM-18) AND ADOPTING FINDINGS AND CONCLUSIONS REGARDING REZONE REQUESTS.

WHEREAS, the City Council adopted the Comprehensive Plan of the City of Burien on November 17, 1997, pursuant to RCW Chapter 35A.63 and as required by the Growth Management Act ("GMA") of 1990, as amended; and

WHEREAS, the City Council adopted Resolution No. 363 on April 20, 2015, which established the docket of possible Comprehensive Plan amendments to be considered as part of the City's annual amendment package; and

WHEREAS, on March 2, 2015, Rick and Anna Friel made application to amend the City of Burien zoning map (rezone) to change the zoning classification of Tax Parcel No. 092304-9048 ("Friel Property") from Residential Single Family (RS-7,200) to Residential Multi-family-18 (RM-18); and

WHEREAS, Rick and Anna Friel submitted the rezone application concurrently with a Comprehensive Plan map amendment application to change the future land use designation of the Friel Property from Moderate Density Residential Neighborhood to Moderate Density Multi-family Neighborhood; and

WHEREAS, on February 27, 2015, MS Property Management made application to amend the City of Burien zoning map (rezone) to change the zoning classification of Tax Parcel Nos. 192304-9318, 192304-9334, 19235-0000, and 192304-9317 ("MS Property") from Office (O) to Residential Multi-family-48 (RM-48); and

WHEREAS, MS Property Management submitted the rezone application concurrently with a Comprehensive Plan map amendment application to change the future land use designation of the MS Property from Office to High Density Multi-family Neighborhood; and

WHEREAS, the City of Burien provided the proposed comprehensive plan amendment to the Washington State Department of Commerce on September 17, 2015 and did not receive comments; and

WHEREAS, public notice was provided and the City of Burien Planning Commission held a public hearing on October 14, 2015 pertaining to proposed comprehensive plan text and map amendments and the two rezone requests from Anna Friel and MS Property Management; and

WHEREAS, the Planning Commission recommended approval of a change to the future land use designation of the MS Property from Office (O) to Residential Multi-Family-48 (RM-48), but recommended denial of a change to the future land use designation of the Friel Property from Moderate Density Residential Neighborhood to Moderate Density Multi-family Neighborhood; and

WHEREAS, the City Council has received and reviewed the Planning Commission's recommendations regarding proposed comprehensive plan text and map amendments and the two rezone requests; and

WHEREAS, the City Council approved the Comprehensive Plan map amendment changing the future land use designation of parcels associated with the MS Property and Friel applications to Moderate Density Multi-family Neighborhood on December 21, 2015 by Ordinance 630; and

WHEREAS, the City Council held public meetings on November 2, 2015, December 7, 2015 and December 21, 2015 to discuss the proposed comprehensive plan text and map amendments and the two rezone requests; and

WHEREAS, the City of Burien has complied with the requirements of the State Environmental Policy Act and the City Environmental Procedures Code; and

WHEREAS, the City Council has reviewed the record related to the MS Property Management and Friel rezone requests, including but not limited to application materials, staff memoranda, public testimony and written comments, Planning Commission meeting minutes of March 11, 2015, March 25, 2015, September 23, 2015 October 14, 2015 and October 28, 2015; and

WHEREAS, the Planning Commission adopted findings and conclusions recommended by staff with regard to each of the two rezone requests, File No. PLA 15-0391, MS Property Management zoning map amendment and File No. PLA 15-0430, Rick and Anna Friel zoning map amendment, and copies of finding and conclusions for approval of the MS Property Management rezone request and for denial of the Friel rezone request are attached hereto as Exhibit B;

WHEREAS, the City Council has chosen to modify the rezone requests and finds that approval of amendments to the Zoning Map attached hereto as **Exhibit C** comply with the requirements of the Washington State Growth Management Act and the City of Burien Zoning Code;

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

Section 1. Planning Commission Findings and Conclusions. The City Council does not affirm nor adopt the findings and conclusions adopted and recommended by the Planning Commission attached hereto as Exhibit B.

Section 2. Adoption of Findings and Conclusions. The City Council adopts the findings and conclusions attached hereto as Exhibit B.1.

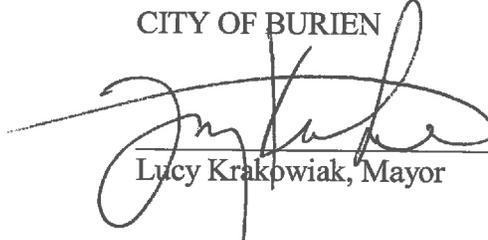
Section 3. Amendments to the Zoning Map. The official City of Burien Zoning Map is hereby amended as set forth in Exhibit C attached hereto.

Section 4. Severability. Should any section, subsection, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 5. Effective Date. This ordinance, or a summary thereof, 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.

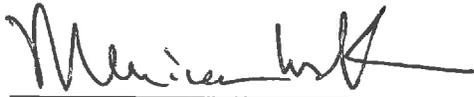
ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF
ON THE 21st DAY OF December, 2015, AND SIGNED IN AUTHENTICATION OF
ITS PASSAGE THIS 22nd DAY OF December, 2015.

CITY OF BURIEN



Lucy Krakowiak, Mayor

ATTEST/AUTHENTICATED:



Monica Lusk, City Clerk

Approved as to form:



Soojin Kim, City Attorney

Filed with the City Clerk: December 22, 2015
Passed by the City Council: December 22, 2015
Ordinance No.: 632
Date of Publication: December 31, 2015



CITY OF BURIEN, WASHINGTON

Department of Community Development

400 SW 152nd Street, Suite 300, Burien, Washington 98166

Phone: (206) 241-4647 Fax: (206) 248-5539

Ordinance 632

EXHIBIT B

Comprehensive Plan Map Amendment & Rezone Request

For

Anna Friel

PLA 15-0430

- APPLICANT:** Anna Friel, Property Owner
- LOCATION:** 11232 26th Avenue South (see Attachment 1-Vicinity Map)
- CURRENT LAND USE:** Single-family Residential
- TAX PARCEL #s:** 092304-9048
- REQUEST:**
- 1) Change the Comprehensive Plan Designation from Moderate Density Residential Neighborhood to Moderate Density Multi-family Neighborhood; and
 - 2) Change the Zoning Designation from RS-7,200 to Residential Multi-family-18 (RM-18)
- RECOMMENDATION:**
- 1) Retain the Comprehensive Plan Designation of Moderate Density Residential Neighborhood; and
 - 2) Retain the Zoning Designation of RS-7,200

FINDINGS & CONCLUSIONS

COMPREHENSIVE PLAN MAP HISTORY

- 1983 (before incorporation):** King County Highline Community Plan designated the subject property as Low Density Multi-family (7-18 units per acre).
- 2010:** North Highline Area Annexed from King County.
- 2013:** City of Burien Comprehensive Plan (Ordinance No. 573) changed the subject property designation to Moderate Density Single-Family Neighborhood.

ZONING MAP HISTORY

- 2009 (before incorporation/annexation):** The King County Zoning designation for the property was Residential Multi-family (R-18).
- 2010:** City of Burien Ordinance No. 533 established interim zoning for the North Highline Area. The parcel was designated RM-18 with a maximum density of 18-units per acre.
- 2013:** The City of Burien Zoning Map (Ordinance 573) applied the RS-7,200 zoning land use designation for consistency with the Comprehensive Plan designation.

ADJACENT COMPREHENSIVE PLAN, ZONING DESIGNATIONS AND USES:

Direction	Comprehensive Plan Designation	Zone	Current Uses
North	Moderate Density Residential	Residential Single-Family (RS-7,200)	Single-Family
South	Moderate Density Residential	Residential Single-Family (RS-7,200)	Single-Family
East	City of Tukwila	Manufacturing Industrial Center/Heavy Industrial	Highway State Route 599 Duwamish River and Office (Boeing)
West	Moderate Density Residential Neighborhood	Residential Single-family (RM-18)	Multi-family residential Developed at a density of 13 units per acre(11.16 Acres/150 units)River Heights Apartments

BACKGROUND

The applicant requests to change land use designations for one parcel that totals 1.65 acres (71,874 square feet). The site contains a single-family residence and was constructed in 1938. The existing building is a single-family home located at the northeastern corner of the site. Immediately to the north is a lot containing a single-family residence. The parcel is bordered

by 26th Avenue South on the west and there is a substantial slope down to the residence and State Route 599 that is located immediately east of the site. Due to the steep topography down from 26th Avenue South to the site, it appears a driveway is shared with the residence to the north. Approximately two-thirds of the site is wooded.

In 2010 the City of Burien annexed this parcel and the surrounding neighborhood from King County. As a part of that process interim zoning designations were assigned the whole area with the commitment by the City to revisit land use designations in the near future. In 2011 the City initiated community based process to analyze existing land use designations and propose comprehensive plan and zoning designations for the recently annexed area. The following is a brief summary of those actions.

August 16, 2011 - First North Highline open house: Notice was mailed to all North Burien residents and owners. John Tamburelli (past owner) was on the mailing list. Notice was mailed to the site addresses.

Fall/Winter 2011 - Multiple meetings with the Planning Commission discussing the possible land use alternatives.

February 29, 2012 - Second North Highline open house: Three land use alternatives were presented.

- Originally this parcel was the only RM-18 zoned parcel on the east side of 26th Avenue South.
- It appears there is a stream located near or on the property line. Assessor records contain a picture of the stream.
- This specific property was identified early on as a question on whether the entire strip of properties on the east side of 26th Avenue South should be either all single-family or changed to all RM-18.
- Based on the neighborhood node concept three different alternatives were prepared for the entire North Burien area. Alternatives 1 and 3 kept the RM-18 zoning and Alternative 2 proposed the change to RS-7,200. Alternative 2 was selected as the preferred alternative (by consensus of the PC on December 13, 2011). The concept of compact walkable centers was the primary driver for land use designations in the Boulevard Park corridor (See Boulevard Park Zoning Changes Chart Introduction).
- The charts accompanying the maps contained one comment specific to this property denoted as B.6 on the map "The parcel contains a SFR."

March 13, 2012 - Planning Commission Public Hearing on land use changes. By a vote of 5-0, the Planning Commission recommended land use designation changes to the City Council.

November 5, 2012 - City Council meeting on comprehensive plan package

November 19, 2012 - City Council meeting regarding comprehensive plan package

November 28, 2012 - According to King County Assessor Records, Anna Knowlden and Rick Friel purchased the property.

January 7, 2013 City Council meeting to consider the North Burien comprehensive plan package.

January 10, 2013 – At the request of the City Council, individualized public hearing notices were sent to each property owner where the zoning was proposed for a change. The letter included a PIN (Assessors Parcel Identification Number), and what the current zoning is and what was being proposed. Notice for this property to the attention of John Tamburelli was sent to the address of the property.

January 28, 2013 - City Council conducted a public hearing on the North Burien Comprehensive Plan and zoning package receiving comments on text and proposed land use changes.

March 18, 2013 - City Council meeting regarding the North Burien comprehensive plan package.

April 1, 2013 - City Council adopted Ordinance 573 amending the comprehensive plan and zoning maps changing the zoning from RM-18 to RS-7,200 for the subject parcel.

This is only a review of the criteria for a comprehensive plan land use designation and zoning change. References to general development standards are appropriate, however review of a development proposal will occur at a later date where specific details of site design features and project components will receive a more detailed review.

REVIEW CRITERIA FOR COMPREHENSIVE PLAN MAP AMENDMENT

Burien Municipal Code section 19.65.095.6 contains criteria for review of a proposed Comprehensive Plan amendment. To be approved, the proposed amendment must meet **all** of the following criteria (in bold, followed by staff response).

A. The proposed amendment is the best means for meeting an identified public benefit.

The applicant states that the public benefits by having more RM-18 zoned land available for moderate to middle-income households in an established multi-family neighborhood. Staff would agree that if approved, the rezoning from single-family residential to multi-family will enable the City to maintain sufficient housing capacity to accommodate future growth. It should however be noted that there is only one parcel that has been developed in this area in 1980 and the proposed use as multi-family would be inconsistent with the adjacent properties on the same side (east) of South 126th Street.

B. The proposed amendment is consistent with the Growth Management Act, applicable Puget Sound Regional Council (PSRC) Plans, King County Countywide Planning Policies and Burien Comprehensive Plan.

The applicant has stated the proposed change is consistent with the documents listed above in that it ensures availability of multi-family zoned land to accommodate future growth.

The proposed amendment is not consistent with Burien's comprehensive plan in that it does not meet the land use designation criteria for Moderate Density Multi-Family Neighborhood (Policy RE 1.8). Please see below for an analysis of the criteria contained in Policy RE 1.8

C. *The proposed amendment will result in a net benefit to the community.*

The applicant has stated new multi-family housing will benefit the people and businesses in the Boulevard Park commercial center.

While this may be partially true, residents would be far removed from the center and would have to walk up a steep hill over a half mile away from the subject property to access the commercial center. The commercial node concept encourages compact growth within a comfortable walking distance from goods and services to minimize use of automobiles. Additionally the site is located adjacent to a highway that generates noise impacting the site and potential future residents.

D. *The revised Comprehensive Plan will be internally consistent.*

The proposed amendment will create an internal inconsistency in the Comprehensive Plan in that it is inconsistent with the Moderate Density Multi-family Neighborhood land use designation criteria (please see section I below).

E. *The capability of the land can support the projected land use.*

The applicant did not indicate if there were immediate plans to develop the property. The parcel is somewhat constrained by the presence of an unmapped stream/drainage course located at the north property line. The water feature is currently unclassified and should development occur a critical area study will be required to determine its classification and apply the appropriate buffer. The parcel also contains some slopes on the western side immediately adjacent to 26th Avenue South. The road is approximately 20-feet above where the slope begins to level off. Lastly, traffic noise from the presence of State Route 599 does impact the site.

While these site characteristics pose potentially difficult development challenges, they would not preclude future development of either multi or single family units.

F. *Adequate public facility capacity to support the projected land use exists or, can be provided by the property owner(s) requesting the amendment, or can be cost-effectively provided by the City or other public agency.*

The applicant has not provided the City with certificates of sewer, water or hydrant availability, however all adjacent buildings are being served by “public” water and sewer service. When a future site specific building permit applicant is filed the applicant will be required to demonstrate that adequate public utilities are available.

G. The proposed amendment will be compatible with nearby uses.

The proposed amendment would change the land use and designations back to multi-family residential designation that was in effect prior to 2012. If the property is developed at maximum density the site could contain up to 29 units. If developed as single-family the site could accommodate approximately 9 lots depending on the design of access roads, stormwater facilities and the presence of critical area buffers(stream), which would likely reduce the total unit count. In either scenario, future development would be impacted by the presence of State Highway 599 located to the east.

Properties immediately to the north and south of the subject site are designated Moderate Density Single-Family Neighborhood and are developed with single-family homes. To the west of the site is a 150 unit multi-family residential development located on an 11.16 acre parcel with a calculated density of 13 units per acre.

Basic Development Regulations for Apartment developments in the RM-18 zone are as follows.

RM-18 Multi-Family Development Standard Chart

	RM-18
Maximum Units per acre	18
Front setback	10-feet
Interior setback	5-feet
Building coverage	60%
Impervious surface coverage	85%
Height	35-feet (approximately 3 stories)
Parking	1.8 per unit

H. The proposed amendment would not prevent the City from achieving its Growth Management Act population and employment targets.

As reported in the 2014 King County Buildable Lands Report, Burien is responsible to plan for a 2035 employment target of 8,780. Under current zoning, Burien has an employment capacity of 8,848 (Comprehensive Plan Table 2-LU 2.1). Consequently, the proposed amendment allowing the potential to develop additional housing units in this location will not prevent the City from achieving its Growth Management Act population and employment targets and will contribute more towards achieving the City's population targets and maintaining sufficient residential housing capacity.

- I. ***For a Comprehensive Plan map change, the applicable designation criteria are met and either of the following is met:***
 - i. ***Conditions have so markedly changed since the property was given its present Comprehensive Plan designation that the current designation is no longer appropriate; or,***
 - ii. ***The map change will correct a Comprehensive Plan designation that was inappropriate when established.***

Applicable Designation Criteria

The applicable designation criteria for the Moderate Density Multi-family Neighborhood land use designation is found in Policy RE 1.8 of the Comprehensive Plan.

In addition to listing the applicable designation criteria, this policy states that that *"The **Moderate Density Multi-family Neighborhood** designation allows multiple-family residential uses at a maximum density of 18-24 units per net acre. Accessory and non-residential uses that are compatible with a moderate density multi-family area also may be allowed, including offices in a mixed use development. This designation is implemented by the RM-18 and RM-24 zoning category."*

Policy RE 1.8 lists the criteria for designating **Moderate Density Multi-family Neighborhood**, which is shown below followed by Staff's analysis.

1. ***The area is already primarily characterized by multi-family residential development at 12-24 dwelling units per acre or more.***

There is only one multi-family development in the immediate area, the remainder is developed with single-family residences. The River Heights apartment development is located across 26th Avenue South and is located on a 11.16 acre site. The complex contains 150 dwelling units and maintains a density of approximately 13 dwelling units per acre. The parcels to the north and south are developed with single-family homes.

- 2. The area is within 1/8 mile of moderate and high commercial service node (as shown on Figure 2 LU-3, Commercial Nodes) as measured along an arterial. The designation is also appropriate within the urban center boundary or within 1/8 mile of the urban center boundary as measured along an arterial.***

The nearest commercial node is located at the intersection of DesMoines Memorial Drive South and South 116th Street. The subject parcel is located approximately 2,100 feet or 4/10^{ths} of the mile from the nearest commercial node, which is further than the 1/8 mile (660 feet) standard (See Attachment 3, Figure 2 LU-3, Commercial Nodes).

The criteria has not been satisfied.

- 3. The area is located within ¼ mile of a transit route with peak transit frequency of at least every 10-20 minutes.***

There are three bus routes within the vicinity of the subject parcel. The first two routes are located on DesMoines Memorial Drive South (routes 128 & 132) and is approximately ½ mile from the site.

The third, route 124, is located on Tukwila International Boulevard on the east side of State Route 599 and the nearest bus stop is approximately ¾ of a mile from the subject site.

There are no transit routes located within a ¼ mile of the subject property.

- 4. The area does not have critical areas, except critical aquifer recharge areas.***

The critical area maps shows there are landslide hazard areas located to the west and across 126th Street South. The critical area map also indicates there is an unclassified stream located on the north property line.

- 5. The area is located adjacent to or has adequate access to a primary or minor arterial***

The parcel is in very close proximity to South 116th Way, which is classified as a minor Arterial (Figure 2 TR 2.3).

- 6. The area is served by adequate and/or planned recreational facilities such as athletic fields or playgrounds.***

The subject parcel is approximately 1 mile from Hilltop Park and 0.75 miles from Hilltop School. There are bicycle paths that follow the Duwamish River that are approximately 0.5 miles from the site.

Criteria ii, Inappropriate Designation:

The land use designation change that occurred in 2012 was the result of a nearly year long public process to evaluate changes to the North Burien land use designations. The process was initiated to align the land use designations with Burien following the annexation of the area from King County in 2010. Multiple community meetings were conducted in the neighborhoods to receive input on desired land uses. Following those meeting three land use alternatives were formulated, each having unique characteristics with varying degrees of land use intensity. A preferred alternative was then selected after which there were public meetings and hearings to ultimately decide the final comprehensive plan and zoning designations.

Comprehensive Plan Map Land Use Designation Change Conclusions

The applicant has not demonstrated that the subject parcel is consistent with all the land use designation criteria found in comprehensive plan policy RE 1.8 therefore, the requested land use designation change from Moderate Density Residential Neighborhood to Moderate Density Multi-Family Neighborhood should not be approved.

REVIEW CRITERIA FOR A REZONE

The City of Burien Zoning Code (BMC 19.65.090.3.C) contains the criteria for review of a proposed rezone. To be approved, the proposed rezone must meet **all** of the following criteria.

1. *The rezone is consistent with the Comprehensive Plan.*

A change of the current (single-family) zoning designation to Residential Multi-family 18 is not consistent with the accompanying Comprehensive Plan because it does not meet the land use designation criteria of Policy RE 1.8, Moderate Density Multi-family Neighborhood.

2. *The rezone will advance the public health, safety or welfare.*

Due to the adjacency of the parcel to State Route 599, allowing the potential for increased population at this location is not desirable and would not advance the public health, safety or welfare.

3. *The rezone will not have significant adverse environmental impacts that are materially detrimental to adjacent properties or other affected areas.*

Specific impacts of the project will identified and reviewed as part of the formal land use and building permit application process once details of a possible development proposal are known. At this time no significant adverse environmental impacts were identified.

4. *The rezone is necessary because at least one of the following is met: a) Conditions in the immediate vicinity or neighborhood have changed so that it is in the public interest to*

approve the rezone; or b) the rezone will correct a zone classification or zone boundary that was inappropriate when established; or c) The rezone is necessary to achieve consistency with the Comprehensive Plan land use map.

Conditions in the immediate vicinity and neighborhood have not changes since the parcel was zoned to single-family. As discussed above in Criteria ii, the zoning designation that was applied in 2013 was based on a thoughtful and thorough public process and therefore the existing land use designation was appropriate when applied.

Zoning Plan Map Land Use Designation Change Conclusions

Following a review of the applicable zoning designation change criteria the requested zoning change has not demonstrated that all of the applicable criteria have been met, therefore the requested rezone should not be granted.

ATTACHMENTS

- 1 - Vicinity Map
- 2 - Submitted Application Materials
- 3 - Figure 2 LU-3, Commercial Nodes
- 4 - Public Comments (1)



CITY OF BURIEN, WASHINGTON

Department of Community Development

400 SW 152nd Street, Suite 300, Burien, Washington 98166

Phone: (206) 241-4647 Fax: (206) 248-5539

Ordinance 632

EXHIBIT B

2015 Comprehensive Plan Map Amendment & Rezone Request

MS Property Management

PLA 15-0391

- APPLICANT:** Melina Lin for MS Property Management, Property Owner
- LOCATION:** 14421 8th Avenue Southwest (see Attachment 1-Vicinity Map)
- CURRENT LAND USE:** Multi-family Residential and one vacant parcel.
- TAX PARCEL #s:** 192304-9318; 192304-9334; 019235-0000 and 192304-9317
- REQUEST:**
- 1) Change the Comprehensive Plan Designation from Office to High Density Multi-family Neighborhood; and
 - 2) Change the Zoning Designation from Office (O) to Residential Multi-family-48 (RM-48)
- STAFF**
- RECOMMENDATION:**
- 1) Amend the Comprehensive Plan Designation from Office to High Density Multi-family Neighborhood; and
 - 2) Amend the Zoning Designation from Office (O) to Residential Multi-family-48 (RM-48)

FINDINGS & CONCLUSIONS

COMPREHENSIVE PLAN MAP HISTORY

- 1983 (before incorporation):** King County Highline Community Plan designated the subject property as Low Density Multi-family (7-18 units per acre).
- 1993:** City of Burien Interim Land Use Plan (Ordinance 27) designated the subject parcels as Low Density Multi-family.
- 1997:** City of Burien Comprehensive Plan (Ordinance 212) changed the subject property designation to Office.

ZONING MAP HISTORY

- 1993 (before incorporation):** The King County Zoning Map designated the property as Residential Multi-family (RM-1,800).
- 1994:** The City of Burien Interim Zoning Code (Ordinance 87) designates the property as Residential Multi-family with a maximum density of 24 units per acre.
- 1999:** The City of Burien Zoning Map (Ordinance 264) designates the area as Office for consistency with the Comprehensive Plan designation.

ADJACENT COMPREHENSIVE PLAN, ZONING DESIGNATIONS AND USES:

Direction	Comprehensive Plan Designation	Zone	Current Uses
North	Moderate Density Residential Neighborhood	Residential Single-Family (RS-7,200)	Multi-Family
South	Community Commercial	Community Commercial-1 (CC-1)	Fire Station and Single-family residential
East	Moderate Density Residential Neighborhood	Residential Single-family (RS-7,200)	Single-family residential
West	Community Commercial	Community Commercial-1 (CC-1)	Commercial strip mall development

EXPANSION OF THE REQUESTED REZONE AREA

The original application includes three parcels that maintain the office designation, however there is a fourth parcel located immediately to the south that also is designated as Office and is developed as multi-family. The City contacted the owner of this property to determine if there was interest in having a land use designation change be considered for that parcel in addition to the three parcels to the north. This was deemed logical because all the properties designed as Office would be considered concurrently. The property owner provided written confirmation that they consent to explore a possible land use designation change (see Attachment 3). Based on this response to the City’s inquiry, this review will include a total of four parcels that currently maintain the “Office” designation.

BACKGROUND

The applicant requests to change land use designations for three parcels that total 1.11 acres (48,591 square feet). One of the three parcels contains multi-family building containing 23 units and was constructed in 1962. The existing building is a condominium. The vacant western two parcels are approximately 0.52 acres (22,490 square feet). All three parcels are currently designated as Office on both the City's Comprehensive Plan and zoning maps.

The applicant has stated they desire to construct a 3-story 21-unit apartment building, with surface parking for 29 vehicles, and 4,200 square feet of on-site recreation space on the two vacant parcels. Primary access to the site will be from one driveway gaining access from 8th Avenue S.W. The requested zoning designation of RM-48 would allow a maximum of 24 units to be constructed.

The applicant requested the land use designation change for 3 parcels and this area, and the area is generally flat. The two vacant parcels are mostly grass with the exception of a few mature trees located near the south property line. As mentioned above the area being considered for a change to a High Density Multi-family has been expanded to include a parcel immediately to the south which is developed as multi-family and currently maintains an Office designation. This site contains the Century Manor Apartments.

This is only a review of the criteria for a comprehensive plan land use designation and zoning change. References to general development standards are appropriate however review of a development proposal will occur at a later date where specific details of site design features and project components will receive a significantly more detailed review. This includes but is not limited to development standards for parking, landscaping, access, stormwater and on-site recreation space.

REVIEW CRITERIA FOR COMPREHENSIVE PLAN MAP AMENDMENT

Burien Municipal Code section 19.65.095.6 contains criteria for review of a proposed Comprehensive Plan amendment. To be approved, the proposed amendment must meet all of the following criteria (in bold, followed by staff response).

A. The proposed amendment is the best means for meeting an identified public benefit.

As indicated by the Applicant's submitted materials (Attachment 2), the current office zone designation allows an office development in a residential neighborhood where access is provided via a residential street. Accessing an office use through a mix of a single-family and multi-family neighborhood is not a desirable development scenario from a traffic impact standpoint.

The proposed land use designation for use as multi-family dwellings would be more compatible with the existing uses adjacent to the site.

Rezoning from office to multi-family will enable the City to maintain sufficient housing capacity to accommodate future growth within its designated urban center.

B. *The proposed amendment is consistent with the Growth Management Act, applicable Puget Sound Regional Council (PSRC) Plans, King County Countywide Planning Policies and Burien Comprehensive Plan.*

See Attachment 2 (page 3, Section B) for the Applicant’s response to the criteria regarding the proposed amendment’s consistency with the Growth Management Act goals and the County-wide planning policies.

The proposed amendment is consistent with the overall intent of the relevant goals and policies of Burien’s Comprehensive Plan and by extension the Growth Management Act and the Countywide Planning Policies.

C. *The proposed amendment will result in a net benefit to the community.*

The proposed amendment will result in a net benefit to the community by ensuring that there is sufficient supply of housing to accommodate future growth within Burien’s designated urban center. The parcels are also located within walking distance of transportation, recreation and commercial services. The amendment will also maintain the residential character of the neighborhood along 8th Avenue SW as opposed to an office use. In the longer term it will result in the development of vacant lots which will reduce the potential for nuisances.

D. *The revised Comprehensive Plan will be internally consistent.*

The proposed amendment will not create an internal inconsistency in the Comprehensive Plan.

E. *The capability of the land can support the projected land use.*

As described in “Background” at the beginning of this report, the site topography is described as flat in addition there are no critical areas near this location. These site characteristics pose minimal barriers for future development. Other construction considerations such as storm water and connection to utilities will be addressed in detail if a construction application is received.

F. *Adequate public facility capacity to support the projected land use exists or, can be provided by the property owner(s) requesting the amendment, or can be cost-effectively provided by the City or other public agency.*

The applicant has not provided the City with certificates of sewer, water or hydrant availability, however all adjacent buildings are being served by “public” water and sewer

service. When a future site specific building permit applicant is filed the applicant shall demonstrate that adequate public utilities are available.

G. *The proposed amendment will be compatible with nearby uses.*

Properties immediately to the south of the subject site are designated Office and is developed with the Century Manor Apartments, a 21-unit complex constructed in 1962. The property to the north of the site is designated Moderate Density Residential Neighborhood and is developed with the Hallmark Apartments, a 52-unit complex constructed in 1968. To the west the land is designated Community Commercial and is developed with a strip mall containing an assortment of uses including mostly retail businesses. To the east and across 8th Avenue SW from the site is single-family residential development.

The proposed amendment would change the land use and designations back to multi-family residential designations that were in effect prior to 1997 and be consistent with developments on both the north and south parcels that are immediately adjacent to the site.

The existing densities of the existing developed lots are as follows;

- North - Hallmark Apartments, constructed in 1968, density of 34 units per acre.
- South - Century Manor Apartments, constructed in 1962, density of 38 units per acre
- East – Alpha PH I Condominiums, constructed in 1962, density of 40 units per acre.

The multi-family land use designation change to RM-48 will match the existing uses as currently developed on the subject parcels is compatible with the predominantly multi-family development. The multi-family uses serve as a transition from the commercial uses along Ambaum Boulevard SW on the west to the single-family neighborhood located to the east.

Basic Development Regulations for Apartment Developments are as follows. The most notable differences in the development standards is that buildings are allowed to potentially exceed 60-feet in height if the building is set further back from property lines.

Development Standards Comparison Chart

	RM-24	RM-48	O
Maximum Units per acre	24	48	24**
Front setback	10-feet	10-feet	10-feet
Interior setback	5-feet	5-feet	0-feet
Building coverage	70%	70%	70%
Impervious surface coverage	85%	90%	85%
Height	35-feet (approximately 3 stories)	60-feet* (approximately 5 stories)	45-feet***
Parking	1.8 per unit	1.8 per unit	

*-height limit may be increased if portions of the structure that exceed the base height limit provide one additional foot of front and interior setback for each foot above the base height limit, but the maximum height may not exceed 75 feet.

**-only allowed as a mixed use development with 75% of the gross floor area must be office.

***-may be increased to 65-feet through a type I review and 25% of parking is located beneath the building and fully screen from public view.

Based on historical development data the RM-24 zoning designation is achieving 15.63 units per acre (overall achieved platting and multi-family development projects)

The RM-48 zone has insufficient data to determine past performance (35 units per acre is the assumed density for capacity estimating purposes).

H. The proposed amendment would not prevent the City from achieving its Growth Management Act population and employment targets.

As reported in the 2014 King County Buildable Lands Report, Burien is responsible to plan for a 2035 employment target of 8,780. Under current zoning, Burien has an employment capacity of 8,848 (Comprehensive Plan Table 2-LU 2.1). Consequently, the proposed amendment allowing the potential to develop additional housing units in this location will not prevent the City from achieving its Growth Management Act population and employment targets and will contribute more towards achieving the City's population targets and maintaining sufficient residential housing capacity.

- I. ***For a Comprehensive Plan map change, the applicable designation criteria are met and either of the following is met:***
 - i. ***Conditions have so markedly changed since the property was given its present Comprehensive Plan designation that the current designation is no longer appropriate; or,***
 - ii. ***The map change will correct a Comprehensive Plan designation that was inappropriate when established.***

Applicable Designation Criteria

The applicable designation criteria for the High Density Multi-family Neighborhood land use designation is found in Policy RE 1.9 of the Comprehensive Plan. In addition to listing the applicable designation criteria, this policy states that *“The **High Density Multi-family neighborhood** designation allows multiple-family residential uses at a maximum density of 48 units per net acre. Accessory and non-residential uses that are compatible with a high density multi-family area also may be allowed, including offices in a mixed use development. This designation is implemented by the RM-48 zoning category.”*

Policy RE 1.9 lists the criteria for designating **High Density Multi-family Neighborhood**, which is shown below followed by Staff’s analysis.

1. ***The area is already primarily characterized by multifamily residential uses at 18 or more units per acre.***

The cluster of parcels in the immediate vicinity are developed with multi-family residential structures with densities ranging from 34 to 40 units per acre. The three developments were constructed in the 1960’s prior to incorporation of Burien which occurred in 1993.

Policy LU 1.6 states that the City should *“Encourage redevelopment and development of underutilized and vacant land to be compatible with the envisioned character, scale and design of surrounding development”*.

2. ***The area is within 1/8 mile of moderate and high commercial service nodes (shown on Figure 2 LU-3, Commercial Nodes) as measured along an arterial. The designation is also appropriate within the urban center boundary or within 1/8 mile of the urban center boundary as measured along an arterial.***

The parcels are located with Burien’s designated urban center boundary as shown on Figure 2LU-1.11(see Attachment 4).

3. ***The area is located within ¼ mile of a transit route with peak transit frequency of at least every 10-20 minutes.***

Ambaum Boulevard SW is within ¼ mile of the parcels and has multiple bus routes (120 and 560) with transit frequency exceeding the prescribed criteria.

4. ***The area does not have critical areas, except critical aquifer recharge areas.***

The area does not contain critical areas.

5. ***The area is located adjacent to or has adequate access to a primary or minor arterial.***

The parcels are located less than a 1/10th of a mile from SW 146th Street which is designated as a collector arterial (Figure 2 TR 2.3).

6. ***The area is served by adequate and/or planned recreational facilities such as athletic fields or playgrounds.***

The parcels are located approximately ¼ mile walking distance from the Annex Park, Dottie Harper Park and the Burien Community Center. These park facilities contain a variety of recreation opportunities including a skate park, a basketball court, play structures as well as recreation classes of all types.

Criteria ii, Inappropriate Designation:

Based on historical zoning maps it appears that the cluster of parcels maintained a high density multi-family land use designation at some point in time. This is reflected by the existing multi-family developments existing at these locations today. At some time during Burien's initial comprehensive plan development that concluded in 1997, the land use designations were changed. The parcels that are now designated as office and contain multi-family development should revert back to a multi-family designation.

The land use designation of the parcels should be evaluated based on other considerations such as allowed uses, land use transitioning, parking and traffic impacts. These are all appropriate considerations given that access obtained by partially connecting through a well established residential neighborhood.

Comprehensive Plan Map Land Use Designation Change Conclusions

The High Density Multi-family Residential neighborhood designation is appropriate because it is consistent with the applicable designation criteria and for the following reasons.

- The site is located within the designated urban center boundary, where Burien has planned to accommodate future growth. This is supported by Policy LU 1.4 which states “*Encourage a mix of residential, office and commercial uses within Burien's Urban Center to create a vibrant city center that reduces reliance on the automobile and provides a range of housing opportunities*”.
- The designation change will increase available land to help Burien maintain a sufficient capacity of land to accommodate prescribed housing capacity targets.
- The parcels are located near established transit routes with frequent service.
- With the exception of the vacant parcels, the long standing multi-family development on the parcels should be recognized and appropriate designations should be applied.
- If development were to occur on the vacant parcel it is located adjacent to the commercially zoned properties to the west and future development will provide an added level of transition to both the existing multi-family and the single-family neighborhood.

REVIEW CRITERIA FOR A REZONE

The City of Burien Zoning Code (BMC 19.65.090.3.C) contains the criteria for review of a proposed rezone. To be approved, the proposed rezone must meet **all** of the following criteria.

1. *The rezone is consistent with the Comprehensive Plan.*

A change of the current Office zoning designation to Residential Multi-family 48 is consistent with the accompanying Comprehensive Plan re-designation from Office to High Density Multi-family Neighborhood.

2. *The rezone will advance the public health, safety or welfare.*

The proposed rezone will advance the public health, safety and welfare by ensuring that compatible development with the surrounding parcels will occur on the vacant parcel. Compatible development in this instance entails an allowed use that would not overly impact the adjacent multi-family development and the access to the parcel through a residential neighborhood. The possibility of the development of an office use could potentially generate more traffic than a multi-family development, although the peak trips could occur at different times during the day.

The rezone will also align the zoning with the established uses of moderate to high multi-family residential housing as well as serve as a transition from the commercial zone adjacent to Ambaum Boulevard Southwest.

3. *The rezone will not have significant adverse environmental impacts that are materially detrimental to adjacent properties or other affected areas.*

Specific impacts of the project will be identified and reviewed as part of the formal land use and building permit application process once details of a possible development proposal are known. No significant adverse environmental impacts were identified.

4. *The rezone is necessary because at least one of the following is met: a) Conditions in the immediate vicinity or neighborhood have changed so that it is in the public interest to approve the rezone; or b) the rezone will correct a zone classification or zone boundary that was inappropriate when established; or c) The rezone is necessary to achieve consistency with the Comprehensive Plan land use map.*

As discussed above in Criteria I of the Review of Criteria for the Comprehensive Plan Amendment, the proposed Comprehensive Plan map change will correct an inappropriate designation since a number of parcels were developed as multi-family in the 1960's and the zoning was changed

Zoning Plan Map Land Use Designation Change Conclusions

Following a review of the applicable zoning designation change criteria the requested zoning change has demonstrated that the applicable criteria have been met, therefore the requested rezone should be granted.

ATTACHMENTS

- 1 - Vicinity Map
- 2 - Submitted Application Materials
- 3 - Letter from Thomas Dew, owner rep for the Century Manor Apartments
- 4 - Figure 2LU-3, Urban Center Boundary
- 5 - Public Comments (3)



CITY OF BURIEN, WASHINGTON

Department of Community Development

400 SW 152nd Street, Suite 300, Burien, Washington 98166

Phone: (206) 241-4647 Fax: (206) 248-5539

Ordinance 632

EXHIBIT B.1

Comprehensive Plan Map Amendment & Rezone Request

For

Anna Friel

PLA 15-0430

APPLICANT: Anna Friel, Property Owner

LOCATION: 11232 26th Avenue South (see Attachment 1-Vicinity Map)

CURRENT LAND USE: Single-family Residential

TAX PARCEL #s: 092304-9048

REQUEST: 1) Change the Zoning Designation from RS-7,200 to Residential Multi-family-18 (RM-18)

CITY COUNCIL DECISION: 1) Amend the Zoning Designation from RS-7,200 to Residential Multi-family 18 (RM-18)

FINDINGS & CONCLUSIONS

COMPREHENSIVE PLAN MAP HISTORY

1983 (before incorporation): King County Highline Community Plan designated the subject property as Low Density Multi-family (7-18 units per acre).

2010: North Highline Area Annexed from King County.

2013: City of Burien Comprehensive Plan (Ordinance No. 573) changed the subject property designation to Moderate Density Single-Family Neighborhood.

ZONING MAP HISTORY

- 2009 (before incorporation/annexation):** The King County Zoning designation for the property was Residential Multi-family (R-18).
- 2010:** City of Burien Ordinance No. 533 established interim zoning for the North Highline Area. The parcel was designated RM-18 with a maximum density of 18-units per acre.
- 2013:** The City of Burien Zoning Map (Ordinance 573) applied the RS-7,200 zoning land use designation for consistency with the Comprehensive Plan designation.

ADJACENT COMPREHENSIVE PLAN, ZONING DESIGNATIONS AND USES:

Direction	Comprehensive Plan Designation	Zone	Current Uses
North	Moderate Density Residential	Residential Single-Family (RS-7,200)	Single-Family
South	Moderate Density Residential	Residential Single-Family (RS-7,200)	Single-Family
East	City of Tukwila	Manufacturing Industrial Center/Heavy Industrial	Highway State Route 599 Duwamish River and Office (Boeing)
West	Moderate Density Residential Neighborhood	Residential Single-family (RM-18)	Multi-family residential Developed at a density of 13 units per acre(11.16 Acres/150 units)River Heights Apartments

BACKGROUND

The applicant requests to change land use designations for one parcel that totals 1.65 acres (71,874 square feet). The site contains a single-family residence and was constructed in 1938. The existing building is a single-family home located at the northeastern corner of the site. Immediately to the north is a lot containing a single-family residence. The parcel is bordered

by 26th Avenue South on the west and there is a substantial slope down to the residence and State Route 599 that is located immediately east of the site. Due to the steep topography down from 26th Avenue South to the site, it appears a driveway is shared with the residence to the north. Approximately two-thirds of the site is wooded.

In 2010 the City of Burien annexed this parcel and the surrounding neighborhood from King County. As a part of that process interim zoning designations were assigned the whole area with the commitment by the City to revisit land use designations in the near future. In 2011 the City initiated community based process to analyze existing land use designations and propose comprehensive plan and zoning designations for the recently annexed area. The following is a brief summary of those actions.

August 16, 2011 - First North Highline open house: Notice was mailed to all North Burien residents and owners. John Tamburelli (past owner) was on the mailing list. Notice was mailed to the site addresses.

Fall/Winter 2011 - Multiple meetings with the Planning Commission discussing the possible land use alternatives.

February 29, 2012 - Second North Highline open house: Three land use alternatives were presented.

- Originally this parcel was the only RM-18 zoned parcel on the east side of 26th Avenue South.
- It appears there is a stream located near or on the property line. Assessor records contain a picture of the stream.
- This specific property was identified early on as a question on whether the entire strip of properties on the east side of 26th Avenue South should be either all single-family or changed to all RM-18.
- Based on the neighborhood node concept three different alternatives were prepared for the entire North Burien area. Alternatives 1 and 3 kept the RM-18 zoning and Alternative 2 proposed the change to RS-7,200. Alternative 2 was selected as the preferred alternative (by consensus of the PC on December 13, 2011). The concept of compact walkable centers was the primary driver for land use designations in the Boulevard Park corridor (See Boulevard Park Zoning Changes Chart Introduction).
- The charts accompanying the maps contained one comment specific to this property denoted as B.6 on the map "The parcel contains a SFR."

March 13, 2012 - Planning Commission Public Hearing on land use changes. By a vote of 5-0, the Planning Commission recommended land use designation changes to the City Council.

November 5, 2012 - City Council meeting on comprehensive plan package

November 19, 2012 - City Council meeting regarding comprehensive plan package

November 28, 2012 - According to King County Assessor Records, Anna Knowlden and Rick Friel purchased the property.

January 7, 2013 City Council meeting to consider the North Burien comprehensive plan package.

January 10, 2013 – At the request of the City Council, individualized public hearing notices were sent to each property owner where the zoning was proposed for a change. The letter included a PIN (Assessors Parcel Identification Number), and what the current zoning is and what was being proposed. Notice for this property to the attention of John Tamburelli was sent to the address of the property.

January 28, 2013 - City Council conducted a public hearing on the North Burien Comprehensive Plan and zoning package receiving comments on text and proposed land use changes.

March 18, 2013 - City Council meeting regarding the North Burien comprehensive plan package.

April 1, 2013 - City Council adopted Ordinance 573 amending the comprehensive plan and zoning maps changing the zoning from RM-18 to RS-7,200 for the subject parcel.

The City Council, at their December 7, 2015 meeting, passed a motion to modify Ordinance 630 to apply the Comprehensive Plan Moderate Density Multi-family Neighborhood designation.

This is only a review of the criteria for a zoning change. References to general development standards are appropriate, however review of a development proposal will occur at a later date where specific details of site design features and project components will receive a more detailed review.

REVIEW CRITERIA FOR A REZONE

The City of Burien Zoning Code (BMC 19.65.090.3.C) contains the criteria for review of a proposed rezone. To be approved, the proposed rezone must meet **all** of the following criteria.

1. *The rezone is consistent with the Comprehensive Plan.*

Ordinance No. 630 amended the Comprehensive Plan Land Use map designating the parcel Moderate Density Multi-family Residential Neighborhood. The requested zoning designation of Residential Multi-family 18 (RM-18) is consistent with the accompanying Comprehensive Plan Land use designation.

2. *The rezone will advance the public health, safety or welfare.*

City Council discussion at the December 7, 2015 meeting noted the following:

- The proposed zoning will match the zoning of RM-18 on a large parcel across the street (26th Avenue South).
- Matching the development in this location is logical.

3. *The rezone will not have significant adverse environmental impacts that are materially detrimental to adjacent properties or other affected areas.*

Specific impacts of the project will be identified and reviewed as part of the formal land use and building permit application process once details of a possible development proposal are known. At this time no significant adverse environmental impacts were identified.

4. *The rezone is necessary because at least one of the following is met: a) Conditions in the immediate vicinity or neighborhood have changed so that it is in the public interest to approve the rezone; or b) the rezone will correct a zone classification or zone boundary that was inappropriate when established; or c) The rezone is necessary to achieve consistency with the Comprehensive Plan land use map.*

The rezone is necessary to achieve consistency with the Comprehensive Plan land use map based on the adoption of Ordinance 630 which designated the subject property as Moderate Density Multi-family Neighborhood.

Zoning Map Land Use Designation Change Conclusions

The City Council has concluded that based on the discussion of the review criteria the requested zoning change has demonstrated that all of the applicable criteria have been met, therefore the requested zoning designation change to RM-18 should be granted.

ATTACHMENTS

- 1 - Vicinity Map
- 2 - Submitted Application Materials
- 3 - Figure 2 LU-3, Commercial Nodes
- 4 - Public Comments (1)



CITY OF BURIEN, WASHINGTON

Department of Community Development
400 SW 152nd Street, Suite 300, Burien, Washington 98166
Phone: (206) 241-4647 Fax: (206) 248-5539

Ordinance 632

EXHIBIT B.1

**Comprehensive Plan Map Amendment & Rezone Request
For
MS Property Management
PLA 15-0391**

- APPLICANT:** Melina Lin for MS Property Management, Property Owner
- LOCATION:** 14421 8th Avenue Southwest (see Attachment 1-Vicinity Map)
- CURRENT LAND USE:** Multi-family Residential and one vacant parcel.
- TAX PARCEL #s:** 192304-9318; 192304-9334; 019235-0000 and 192304-9317
- REQUEST:** 1) Change the Zoning Designation from Office (O) to Residential Multi-family-48 (RM-48)
- CITY COUNCIL DECISION:** 2) Amend the Zoning Designation from Office (O) to Residential Multi-family-24 (RM-24)

FINDINGS & CONCLUSIONS

COMPREHENSIVE PLAN MAP HISTORY

- 1983 (before incorporation):** King County Highline Community Plan designated the subject property as Low Density Multi-family (7-18 units per acre).
- 1993:** City of Burien Interim Land Use Plan (Ordinance 27) designated the subject parcels as Low Density Multi-family.
- 1997:** City of Burien Comprehensive Plan (Ordinance 212) changed the subject property designation to Office.

ZONING MAP HISTORY

- 1993 (before incorporation):** The King County Zoning Map designated the property as Residential Multi-family (RM-1,800).
- 1994:** The City of Burien Interim Zoning Code (Ordinance 87) designates the property as Residential Multi-family with a maximum density of 24 units per acre.
- 1999:** The City of Burien Zoning Map (Ordinance 264) designates the area as Office for consistency with the Comprehensive Plan designation.

ADJACENT COMPREHENSIVE PLAN, ZONING DESIGNATIONS AND USES:

Direction	Comprehensive Plan Designation	Zone	Current Uses
North	Moderate Density Residential Neighborhood	Residential Single-Family (RS-7,200)	Multi-Family
South	Community Commercial	Community Commercial-1 (CC-1)	Fire Station and Single-family residential
East	Moderate Density Residential Neighborhood	Residential Single-family (RS-7,200)	Single-family residential
West	Community Commercial	Community Commercial-1 (CC-1)	Commercial strip mall development

EXPANSION OF THE REQUESTED REZONE AREA

The original application includes three parcels that maintain the office designation, however there is a fourth parcel located immediately to the south that also is designated as Office and is developed as multi-family. The City contacted the owner of this property to determine if there was interest in having a land use designation change be considered for that parcel in addition to the three parcels to the north. This was deemed logical because all the properties designed as Office would be considered concurrently. The property owner provided written confirmation that they consent to explore a possible land use designation change (see Attachment 3). Based on this response to the City's inquiry, this review will include a total of four parcels that currently maintain the "Office" designation.

BACKGROUND

The applicant requests to change land use designations for three parcels that total 1.11 acres (48,591 square feet). One of the three parcels contains multi-family building containing 23 units and was constructed in 1962. The existing building is a condominium. The vacant western two parcels are approximately 0.52 acres (22,490 square feet). All three parcels are currently designated as Office on both the City's Comprehensive Plan and zoning maps.

The applicant has stated they desire to construct a 3-story 21-unit apartment building, with surface parking for 29 vehicles, and 4,200 square feet of on-site recreation space on the two vacant parcels. Primary access to the site will be from one driveway gaining access from 8th Avenue S.W. The requested zoning designation of RM-48 would allow a maximum of 24 units to be constructed.

The applicant requested the land use designation change for 3 parcels and this area, and the area is generally flat. The two vacant parcels are mostly grass with the exception of a few mature trees located near the south property line. As mentioned above the area being considered for a change to a High Density Multi-family has been expanded to include a parcel immediately to the south which is developed as multi-family and currently maintains an Office designation. This site contains the Century Manor Apartments.

This is only a review of the criteria for a comprehensive plan land use designation and zoning change. References to general development standards are appropriate however review of a development proposal will occur at a later date where specific details of site design features and project components will receive a significantly more detailed review. This includes but is not limited to development standards for parking, landscaping, access, stormwater and on-site recreation space.

The City Council, at their December 7, 2015 meeting, passed a motion to modify the ordinance to reflect the approval of the moderate density multi-family residential neighborhood land use designation change.

REVIEW CRITERIA FOR A REZONE

The City of Burien Zoning Code (BMC 19.65.090.3.C) contains the criteria for review of a proposed rezone. To be approved, the proposed rezone must meet ***all*** of the following criteria.

1. The rezone is consistent with the Comprehensive Plan.

A change of the current Office zoning designation to Residential Multi-family 24 is consistent with the accompanying Comprehensive Plan re-designation from Office to Moderate Density Multi-family Neighborhood as adopted via Ordinance No. 630.

2. The rezone will advance the public health, safety or welfare.

The proposed rezone will advance the public health, safety and welfare by ensuring that compatible development with the surrounding parcels will occur on the vacant parcel.

Compatible development in this instance entails an allowed use that would not overly impact the adjacent multi-family development and the access to the parcel through a residential neighborhood. The possibility of the development of an office use could potentially generate more traffic than a multi-family development, although the peak trips could occur at different times during the day.

The rezone will also align the zoning with the established uses of moderate to high multi-family residential housing as well as serve as a transition from the commercial zone adjacent to Ambaum Boulevard Southwest.

3. *The rezone will not have significant adverse environmental impacts that are materially detrimental to adjacent properties or other affected areas.*

Specific impacts of the project will be identified and reviewed as part of the formal land use and building permit application process once details of a possible development proposal are known. No significant adverse environmental impacts were identified.

4. *The rezone is necessary because at least one of the following is met: a) Conditions in the immediate vicinity or neighborhood have changed so that it is in the public interest to approve the rezone; or b) the rezone will correct a zone classification or zone boundary that was inappropriate when established; or c) The rezone is necessary to achieve consistency with the Comprehensive Plan land use map.*

The Comprehensive Plan map change executed via Ordinance 630 corrected an inappropriate designation since a number of parcels were developed as multi-family in the 1960's and the zoning was changed. The rezone change aligns with the approved comprehensive plan land use map.

Zoning Plan Map Land Use Designation Change Conclusions

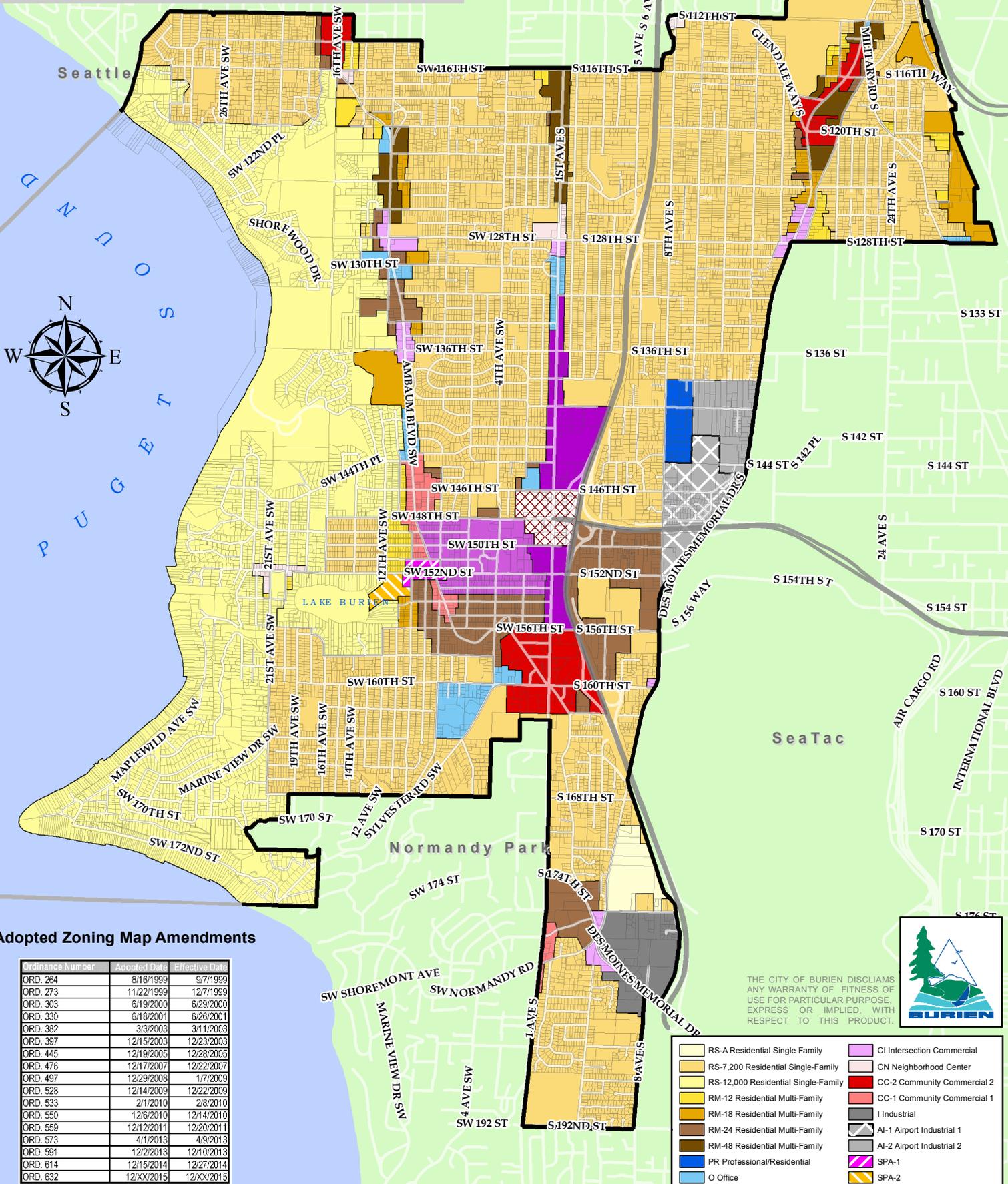
Following a review of the applicable zoning designation change criteria the requested zoning change has demonstrated that the applicable criteria have been met, therefore the requested rezone should be granted.

ATTACHMENTS

- 1 - Vicinity Map
- 2 - Submitted Application Materials
- 3 - Letter from Thomas Dew, owner rep for the Century Manor Apartments
- 4 - Figure 2LU-3, Urban Center Boundary
- 5 - Public Comments (3)

City of Burien Zoning

Revised by ORD. 632 (Exhibit C) - December 21, 2015



Adopted Zoning Map Amendments

Ordinance Number	Adopted Date	Effective Date
ORD. 264	8/16/1999	9/7/1999
ORD. 273	11/22/1999	12/7/1999
ORD. 303	6/19/2000	6/29/2000
ORD. 330	6/18/2001	6/26/2001
ORD. 382	3/3/2003	3/11/2003
ORD. 397	12/15/2003	12/23/2003
ORD. 445	12/19/2005	12/28/2005
ORD. 476	12/17/2007	12/22/2007
ORD. 497	12/29/2008	1/7/2009
ORD. 528	12/14/2009	12/22/2009
ORD. 533	2/1/2010	2/6/2010
ORD. 550	12/6/2010	12/14/2010
ORD. 559	12/12/2011	12/20/2011
ORD. 573	4/1/2013	4/9/2013
ORD. 591	12/2/2013	12/10/2013
ORD. 614	12/15/2014	12/27/2014
ORD. 632	12/XX/2015	12/XX/2015

THE CITY OF BURIEDIS CLAIMS ANY WARRANTY OF FITNESS OF USE FOR PARTICULAR PURPOSE, EXPRESS OR IMPLIED, WITH RESPECT TO THIS PRODUCT.



- RS-A Residential Single Family
- RS-7,200 Residential Single-Family
- RS-12,000 Residential Single-Family
- RM-12 Residential Multi-Family
- RM-18 Residential Multi-Family
- RM-24 Residential Multi-Family
- RM-48 Residential Multi-Family
- PR Professional/Residential
- O Office
- CR Regional Commercial
- DC Downtown Commercial
- CI Intersection Commercial
- CN Neighborhood Center
- CC-2 Community Commercial 2
- CC-1 Community Commercial 1
- I Industrial
- AI-1 Airport Industrial 1
- AI-2 Airport Industrial 2
- SPA-1
- SPA-2
- SPA-3
- Boundary of Burien

