



PLANNING COMMISSION AGENDA
October 9, 2013, 7:00 p.m.
Multipurpose Room/Council Chamber
Burien City Hall, 400 SW 152nd Street
Burien, Washington 98166

**This meeting can be watched live on Burien Cable Channel 21 or
streaming live and archived video on www.burienmedia.org**

1. ROLL CALL

2. AGENDA CONFIRMATION

3. PUBLIC COMMENT Public comment will be accepted on topics not scheduled for a public hearing.

4. APPROVAL OF MINUTES September 25, 2013

5. NEW BUSINESS Introduction and Discussion regarding 2013 Comprehensive Plan Map Amendment and Rezone Request.

**6. PLANNING COMMISSION
COMMUNICATIONS**

7. DIRECTOR'S REPORT

8. ADJOURNMENT

**Future Agendas
(Tentative)**

October 23, 2013

- Public Hearing on 2013 Comprehensive Plan and Zoning Amendments

November 13, 2013

- Recommendation on 2013 Comprehensive Plan and Zoning Amendments

November 27, 2013 – **Meeting Cancelled**

December 11, 2013

- Introduction of Permanent Zoning Regulations for Recreational Marijuana Uses

Planning Commissioners

**Greg Duff
Brooks Stanfield**

**Jim Clingan (Chair)
Ray Helms
Nancy Tosta (Vice Chair)**

**Joey Martinez
Butch Henderson**

City of Burien

BURIEN PLANNING COMMISSION
September 25, 2013
7:00 p.m.
Multipurpose Room/Council Chambers
MINUTES

To hear the Planning Commission's full discussion of a specific topic or the complete meeting, the following resources are available:

- Watch the video-stream available on the City website, www.burienwa.gov
- Check out a DVD of the Council Meeting from the Burien Library
- Order a DVD of the meeting from the City Clerk, (206) 241-4647

CALL TO ORDER

Chair Jim Clingan called the September 25, 2013, meeting of the Burien Planning Commission to order at 7 p.m.

ROLL CALL

Present: Jim Clingan, Greg Duff, Ray Helms, Butch Henderson, Joey Martinez and Nancy Tosta

Absent: Brooks Stanfield

Administrative staff present: David Johanson, senior planner; Chip Davis, Community Development director

AGENDA CONFIRMATION

Direction/Action

Motion was made by Commissioner Tosta, seconded by Commissioner Martinez, to approve the agenda for the September 25, 2013, meeting. Motion passed 6-0.

PUBLIC COMMENT

None.

APPROVAL OF MINUTES

Direction/Action

Motion was made by Commissioner Tosta, seconded by Commissioner Henderson, and passed 6-0 to approve the minutes of the September 11, 2013, meeting.

PUBLIC HEARING

Chair Clingan opened the hearing on the interim zoning regulations related to recreational marijuana businesses in Burien at 7:03 p.m. and read the rules of conduct for the hearing. Chip Davis, Community Development director, gave a brief introduction about the hearing topic. Testimony was then given by the following people:

Phil Smith, 12241 Roseburg Ave S, said he believes the interim regulations are too restrictive in where marijuana businesses may be located. He said the commission needs to ask itself if it wants recreational marijuana businesses in Burien, because the rules make it hard for a business to locate here and be viable.

Written testimony was received from **Earl Long**, 13772 16th Ave SW, who stated he is opposed to any recreational marijuana business within Burien city limits. He urged strict enforcement of the law prohibiting public consumption of marijuana.

Chair Clingan closed the hearing at 7:20 p.m.

The commissioners discussed the details of how a legal recreational marijuana business can be established. Mr. Davis noted that of the 443 licenses that the state will be issuing statewide, based on population only one has been designated for location within the city of Burien.

NEW BUSINESS

a. Schedule for 2013 Comprehensive Plan and Zoning Amendments

David Johanson, senior planner, introduced the tentative schedule for the remainder of 2013 and early 2014. He said the commission probably will look at only the one property-specific rezone request this year, from Navos, along with working on permanent zoning regulations for recreational marijuana uses.

PLANNING COMMISSION COMMUNICATIONS

Commissioner Helms asked for an update on the City Council's action the previous Monday on the multi-family recreational space requirements in the Downtown Commercial zone. Mr. Johanson responded that the Council adopted amendments that look at the type of unit being provided and require a certain amount of square footage of common recreational space for each type of unit. Also, Juliet balconies are required to be a minimum width of 12 inches and a minimum length of six feet, and private decks are required to be a minimum size of 48 sq. ft. for projects that are achieving density of less than 50 units per acre as defined in a formula in the code. For projects achieving density of more than 50 units per acre as defined by the formula, the size of the private decks may be reduced to 24 sq. ft.

DIRECTOR'S REPORT

Mr. Davis noted that the commissioners should have received a link to a survey recently via e-mail from PlannersWeb.com and encouraged them to complete the survey.

ADJOURNMENT

Direction/Action

Commissioner Duff moved for adjournment; Commissioner Henderson seconded. Motion carried 6-0. The meeting was adjourned at 7:32 p.m.

APPROVED: _____

Jim Clingan, chair
Planning Commission

**CITY OF BURIEN, WASHINGTON
MEMORANDUM**

DATE: October 2, 2013

TO: Planning Commission

FROM: Charles W. “Chip” Davis, AICP
Community Development Director

SUBJECT: Introduction and Discussion regarding 2013 Comprehensive Plan Map
Amendment and Rezone Request.

PURPOSE/REQUIRED ACTION:

The purpose of this agenda item is to introduce and have a discussion regarding the proposed 2013 Comprehensive Plan map amendment and rezone request for Navos (Ruth Dykeman Children’s Center), Land Use Application No. PLA 13-0413.

Staff will present its recommendations on the one proposed map amendment on this year’s docket. Attached you will find a packet for the proposed map amendment containing analysis of the request, a recommendation and supporting information.

BACKGROUND:

The Planning Commission recommended the 2013 docket to the City Council on March 27, 2013. The City Council adopted the 2013 Comprehensive Plan Docket on April 1, 2013.

PLAN AMENDMENTS

Staff has prepared a report analyzing the proposed amendment. The report includes a staff recommendation, information submitted by the applicant (if applicable) and additional information regarding the amendment request.

PLANNING COMMISSION ACTION

No action is necessary at the meeting.

NEXT STEPS

A public hearing on 2013 Comprehensive Plan map amendments is scheduled for October 23, 2013.

If you have any questions before the meeting, please contact me at (206) 248-5501 or by e-mail at chipd@burienwa.gov.

Attachment:

- 1. 2013-1, Navos Comprehensive Plan Map Amendment and Rezone Request**

CITY OF BURIEN
Dept. of Community Development
15811 Ambaum Blvd SW Ste. C
Burien, WA 98166
(206) 248-5510

2013 Comprehensive Plan Map Amendment and Rezone Request
for
Navos (Ruth Dykeman Children's Center)

AMENDMENT REFERENCE NUMBER: 2013-1

APPLICANT(S): Chris Fiori with Heartland, LLC for Navos (Ruth Dykeman Children's Center), Property Owner

LOCATION: 1033 SW 152nd Street, Burien WA 98166 (See Attachment 1).

REQUEST(S):

1. Change Comprehensive Plan Designation from Moderate Density Residential Neighborhood to Special Planning Area 2.
2. Change Zoning Designation from RS-7,200 Single-Family Residential to SPA-2 Special Planning Area 2.

TAX PARCELNUMBER(S): 192304-9054

STAFF RECOMMENDATIONS:

1. Amend Comprehensive Plan Designation from Moderate Density Residential Neighborhood to Special Planning Area 2.
2. Amend Zoning Designation from RS-7,200 Single-Family Residential to Special Planning Area 2 (SPA-2).

FINDINGS

HISTORY (Comprehensive Plan):

1981: The King County Highline Community Plan designated the subject property as Community Facility.

1997: The City of Burien Comprehensive Plan designated the subject property as Downtown Commercial with a Special Enhancement Area overlay.

1999: The Burien Comprehensive Plan map designated the subject property as Special Planning Area 2.

2009: The Burien Comprehensive Plan map designation for this portion of the subject parcel was amended to Moderate Density residential Neighborhood by approval of Request No. 2008-7 (PLA 08-0838).

HISTORY (Zoning):

1981: The King County Zoning Map designated the subject properties RM-1,800.

1994: The City of Burien interim zoning map designated the property as R-24.

1999: The City of Burien zoning map designated the property as Special Planning Area 2 (SPA-2).

2009: The Burien zoning map designation for this portion of the subject parcel was amended to RS-7,200 Single-Family Residential by approval of Request No. 2008-7 (PLA 08-0838).

CURRENT LAND USES:

Land Use	Status Under Current Plan and Zoning
Community Residential Facility	Approved Master Plan, July 17, 2013 (PLA 13-0733)

ADJACENT COMPREHENSIVE PLAN/ZONING DESIGNATIONS:

Direction	Comp. Plan Designation	Zone	Current Uses
North	Low Density Multi-Family Neighborhood	RM-12 Residential Multiple Family	Multiple-family and Single-family residential
South	High Density Multi-Family Neighborhood and Moderate Density Residential	RS 7,200 Residential Single Family and RM-18 Residential Multiple Family	Multiple-family residential and Single-family residential
East	High Density Multi-Family Neighborhood and SPA-1	RM-18 and SPA-1	Multiple-family residential and religious facility
West	Moderate Density Residential	RS-7,200 Residential Single Family	Single-family residential

DISCUSSION:

The applicant stated the intent of the amendment request is to rezone the southern portion of the Ruth Dykeman Children’s Center property to revert back to the pre-2009 designation of Special Planning Area 2 to facilitate implementation of its newly adopted campus master plan for a Behavioral Healthcare Center of Excellence that will encompass the entire subject parcel. The current split zoning designation of the property impedes Navos ability to locate planned improvements for the campus due to required buffers between RS-7,200 and SPA-2 zoning designations. Approval of the requested amendment will allow Navos the flexibility needed to achieve an optimal campus configuration for the Healthcare Center for Excellence.

REVIEW OF CRITERIA FOR COMPREHENSIVE PLAN AMENDMENT

Zoning Code section 19.65.095.6 contains the criteria for review of a proposed Comprehensive Plan amendment. To be approved, the proposed amendment must meet all of the following criteria (in italics, followed by Planning Commission and staff response):

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

Navos is a non-profit organization with a mission to improve the quality of life for people vulnerable to mental illness by providing a broad continuum of care. A campus master plan was recently completed for the subject property (PLA 13-0733) for development of the Behavioral Healthcare Center of Excellence for Children, Youth and Families on the Lake Burien campus.

The negative impacts associated with the split land use and zoning designation for the subject property, which will affect site planning in conformance with the adopted master plan and adversely impact the use of outdoor space by campus clients, residents and staff, will be resolved by the proposed amendment thus enabling Navos to better address their mental healthcare mission. In addition, approval of the amendment would support protection of the fragile lake ecosystem by eliminating the possibility of constructing single-family homes and facilitating a more environmentally sensitive development as approved in the campus master plan.

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 proposed amendment is consistent with the intent of the Growth Management Act, PSRC and Countywide Planning Policies as it will facilitate the provision of regional mental healthcare services. The majority of the subject parcel has already been designated as a Special Planning Area within the framework of the GMA and Countywide Planning Policies and the proposed amendment seeks to restore the historic land use designation for the property and reinstate zoning that is consistent with the past planning process.

The proposed amendment is consistent with Burien Comprehensive Plan Policy SE 1.3 which recognizes the unique use, campus and location of the Navos/Ruth Dykeman Center and encourages and supports continued operation of the facility with environmental reviews to protect adjacent wetlands and Lake Burien. Major expansions of the facility are to be reviewed as part of an approved master plan, which was recently completed by Navos (PLA 13-0733). Note that the applicant cites in their justification a portion of the Comprehensive Plan Policy SE 1.3 regarding public access to Lake Burien which was in effect at the time of their application but was subsequently removed from the Comprehensive Plan.

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 furthering Navos' mission to create a Center for Excellence in Behavioral Health providing mental health services for youth and families in Burien and neighboring communities, while also complying with the approved master plan that includes enhancements to the wetland and shoreline on Lake Burien.

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

The proposed amendment will resolve a split land use and zoning designation currently in place on the subject parcel and will result in consistent land use and zoning designations thereby facilitating campus development in conformance with the recently approved campus master plan (PLA 13-0733) and ensuring internal consistency in the Comprehensive Plan.

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

A detailed analysis of the subject property was conducted as part of the campus master plan review (PLA 13-0733) to address facility and environmental constraints and the applicant submitted a critical area study defining and delineating critical areas on the site. The primary constraints are the wetlands and shorelines found on the western portions of the site. The presence of critical areas has been accommodated in the approved campus master plan and the land has the capability to support the projected land use.

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 demonstrated the adequacy of public facility capacity to serve the projected land use as part of the analysis for the recently approved campus master plan (PLA 13-0733).

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

Properties to the west of the subject property are designated Moderate Density Neighborhood and are developed with single-family residential homes. To the north of the proposed comprehensive plan map change is the existing Ruth Dykeman Children's Center. South of the property is designated and developed with single family residential uses and medium density multi-family developments. Finally to the east, the area is designated SPA-1 (Old Burien) and High Density Residential Neighborhood and contains a religious facility and multi-family residential development respectively.

The proposed amendment would change the land use designation and zoning back to designations in place prior to the 2009 amendment and would implement the development strategies identified in the approved campus master plan (PLA 13-0733). The approved campus plan was evaluated for compatibility with adjacent uses as part of the development review process and is compatible with the goals established for the SPA-2 designation.

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

The proposed amendment would result in the loss of three potential residential lots which would have a negligible effect on Burien's population target. Approval of the proposed amendment will allow the applicant to most efficiently implement the recently approved campus master plan (PLA 13-0733) and maximize its organizational capacity, thus supporting Burien's employment target.

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.***

The merger of Navos and Ruth Dykeman Children's Center eliminated the need for the previous amendment which changed the designation from SPA-2 to Single-Family Residential. The recently approved campus master plan (PLA 13-0733) has established the need for zoning consistency across the property to allow the Behavioral Healthcare Center of Excellence for Children, Youth and Families to fully implement its mission statement. For this reason the current designation for the property is no longer appropriate.

REVIEW OF CRITERIA FOR REZONE

Zoning Code section 19.65.090.3 contains the criteria for review of a proposed rezone. To be approved, the proposed amendment must meet all of the following criteria (in italics, followed by a staff response):

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

The requested rezone to SPA-2 would restore the previous zoning designation for the property and would be consistent with the proposed Comprehensive Plan if the Comprehensive Plan designation is changed (see criteria and discussion above). Staff is recommending that the Comprehensive Plan map change request be approved.

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

Expansion of the campus will provide expanded access to behavioral healthcare services for youth and families in Burien and surrounding areas.

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

There is no evidence to support that a rezone will have significant adverse environmental impacts that are materially detrimental to uses in the immediate vicinity of the property. A recently approved campus master plan (PLA 13-0733) for the subject property addressed any facility and environmental constraints that exist for the property. The presence of critical areas has been accommodated in the approved campus master plan and traffic and parking impacts associated with the proposed use are to be mitigated at time of development permit review.

D. 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 boundary that was inappropriate when established, or**
- c. The rezone is necessary to achieve consistency with the Comprehensive Plan land use map.**

The proposed rezone will better serve the public interest by allowing full implementation of the recently approved campus master plan to establish a successful Behavioral Healthcare Center of Excellence for Children, Youth and Families on the subject property than the current designation of the property as RS-7,200 Single-Family Residential, while restoring wetland and shorelines as set forth in the approved master plan.

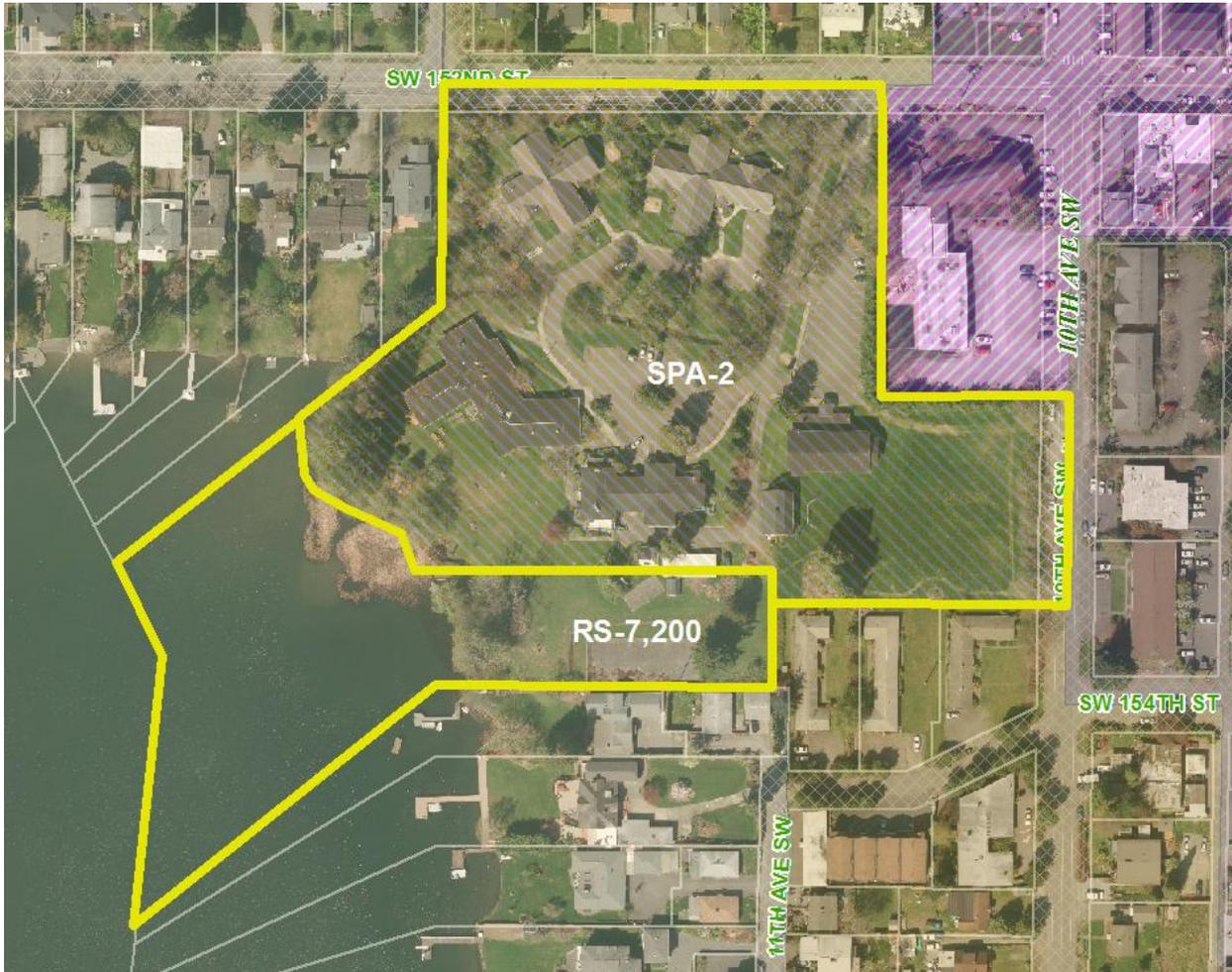
ATTACHMENTS

1 - Vicinity Map

2 - Comprehensive Plan Amendment and Rezone Request, received February 28, 2013

3 – Public Hearing Notice, published October 6, 2013

VICINITY MAP



2013-1	<p>Comprehensive Plan Map Amendment/Rezone Request</p> <p>Parcel No. 192304-9054 (See map above)</p> <p>Address: 1033 SW 152nd Street (See map above)</p> <p>File No. PLA 13-0413</p> <p>Request: Comprehensive Plan change from Moderate Density Residential Neighborhood to Special Planning Area 2 and Rezone from Residential Single-Family 7,200 (RS-7,200) to Special Planning Area 2 (SPA-2).</p>
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Burien

Washington, USA

Comprehensive Plan Amendment Request (Includes rezones)

400 SW 152nd Street, Suite 300 Burien, WA 98166
Phone: (206) 241-4647 • FAX: (206) 248-5539
www.burienwa.gov

Amendment Type	Reference Number (staff will assign)
<input type="checkbox"/> Map amendment	PLA 13-0413
<input type="checkbox"/> Text amendment	
<input type="checkbox"/> Quasi-Judicial Rezone	

APPLICANT INFORMATION		
Name: Chris Fiori	Company: Heartland LLC	Daytime Phone: 206-682-2500
Mailing Address: 1301 First Avenue, Suite 200 - Seattle, WA 98101		E-mail: cfiori@htland.com
Contact person: Chris Fiori	E-Mail: cfiori@htland.com	Daytime Phone: 206-682-2500
Property owner: Navos		Daytime Phone: 206-933-7000
Mailing Address: 2600 SW Holden Street - Seattle, WA 98126		E-Mail: jerry.scott@navos.org

SITE INFORMATION (if applicable)		
Site Address: 1033 SW 152ND STREET, BURIEN, WA 98166	Parcel Number: 192304-9054	
Existing Zoning District: RS-7200 and SPA-2	Existing Comprehensive Plan designation: Moderate Density Residential and SPA-2	
Requested Zoning: SPA-2	Requested Plan designation: SPA-2	
Number of Acres: ^{7.49 ACRES (LAND ONLY)} 10.14 ACRES (LAND + WATER)	Current Land Use: Institutional	
Critical areas present: <input checked="" type="checkbox"/> Wetlands <input type="checkbox"/> Streams <input checked="" type="checkbox"/> Critical Aquifer <input type="checkbox"/> Landslide Hazard Area <input type="checkbox"/> Fish & Wildlife		
Brief description of proposal (attach additional sheets if necessary):		
<p>in 2009, a portion of the Subject Parcel was rezoned from SPA-2 to RS-7200. Navos is in the process of developing a campus master plan for a Behavioral Healthcare Center of Excellence that will incorporate the entire parcel, including the RS-7200 land. Therefore, Navos would like to rezone the RS-7200 portion of the property to revert back to uniform SPA-2 zoning across the entire parcel. The preliminary plan for near-term improvements on or adjacent to the portion of property for which a rezone is requested includes landscaping, play areas, outdoor recreational spaces, renovations to existing structures, and construction of a new office building. The current split-zoning impedes flexibility in locating these planned improvements because of the required buffering between the SPA-2 uses and the RS-7200-zoned land. Some portion of the planned campus uses may be best-located in the buffer area. Rezoning the RS-7200 portion of the Site will allow Navos the flexibility to achieve an optimal campus configuration.</p>		

RECEIVED

SIGNATURE

I, Jerry Scott, declare that I am the owner of the property involved in this application, and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects true and correct to the best of my knowledge and belief. I designate Heartland LLC to act as my agent with respect to this application. I agree to reimburse the City of Burien for the costs of professional engineers and other consultants hired by the City to review and inspect this proposal when the City is unable to do so with existing in house staff.

Dated: 3/1/13

Signature: [Signature]

FEB 28 2013 2:20 PM

CITY OF BURIEN

HEARTLAND

March 1, 2013

Stephanie Jewett, AICP
City of Burien
400 SW 152nd St, Suite 300
Burien, WA 98166

Ms. Jewett,

Please accept the following as an attachment to the Comprehensive Plan Amendment Request for the Ruth Dykeman Children's Center property, parcel 1923049054. We look forward to working with the City to ensure that all necessary criteria for this proposed rezone have been adequately addressed. If you have any questions or concerns, please do not hesitate to contact our firm.

Sincerely,
HEARTLAND, LLC



Matt Anderson
Principal & Director

COMPREHENSIVE PLAN AMENDMENT CRITERIA AND JUSTIFICATION**A. THE PROPOSED AMENDMENT IS THE BEST MEANS FOR MEETING AN IDENTIFIED PUBLIC BENEFIT.**

Navos is a King County, WA-based non-profit whose mission is to improve the quality of life of people vulnerable to mental illness by providing a broad continuum of care. Navos is in the process of developing a Master Plan for the Behavioral Healthcare Center of Excellence for Children, Youth and Families (“the Lake Burien Campus”), on the subject property.

The Site of the Lake Burien Campus is one legal parcel, which is currently split-zoned. The majority of the parcel zoned SPA-2 and a small portion of the property in zoned RS 7200. In support of Navos’ goal of developing a Center for Excellence on the property, Navos is looking to rezone the portion of the property zoned RS-7200 to SPA-2. Because of the change in future land use from residential to Special Use, this rezone requires a Comprehensive Plan Amendment. Please see Exhibit I for a map denoting the proposed rezone.

This amendment would support protection of the fragile lake ecosystem by effectively precluding the subdivision of the RS-7200 land into residential lots. It is not anticipated that Master Plan development program elements (i.e., gross square footage of development, parking, and lot coverage, among others) would be affected by this rezone.

As a historical note, the entire property was zoned SPA-2 prior to a rezone in 2009. At the time, the Ruth Dykeman Center had planned to subdivide a portion of the property and sell residential lots to help support its mission. The land was rezoned and subsequently platted for 3 residential lots, but the subdivision later expired, leaving the zoning RS-7200. This application seeks to restore the entire property to the pre-existing SPA-2 zoning, which is more suited to its current use and allows the area to be more easily incorporated into the property’s master plan.

The SPA-2 zone requires a 20-foot landscape buffer where adjacency with residential zones occurs. This is true even if the adjacent residential use is located on the same legal parcel and is owned by the same entity as the SPA-2 zoned land, as is the case for the subject property. This condition, if left unchanged, could have a negative impact on both site planning and use of outdoor space by Lake Burien Campus clients, residents, and staff.

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.

We are confident that the proposed comprehensive plan change is consistent with the GMA. The site is located within the UGA and the majority of the site has already been designated as a Special Planning Area within the framework of the GMA and Countywide Planning Policies. Furthermore, the applicant is seeking to restore the historic land use designation for the property and reinstate zoning that is consistent with the past planning process.

The applicant believes that the request for the comprehensive plan change is consistent with Buren Comprehensive Plan Policy SE 1.3, which states:

Special Planning Area 2 includes the Ruth Dykeman Children's Center facilities in Lake Burien. While the city encourages and supports the continued operation of the Center, any proposed change in use in the future should be reviewed to ensure that:

- a. Public access to the water is prohibited; and*
- b. The development supports the historical link with Old Burien*

While the Ruth Dykeman Children's Center continues to operate a children's center on the site, residential, office, and accessory uses associated with the Center should be allowed. Minor expansion or modification of the Center uses and structures should be allowed, if consistent with a City-approved Master Plan for the property. Major expansion and/or modification should be reviewed in conjunction with an amendment of the approved master plan.

The applicant believes that this rezone will better prohibit public access to the lake, whereas the existing residential zoning keeps open the possibility of a later subdivision, the sale of which could be to a private entity or a public one.

Navos is in the process of developing a Master Plan for the site in keeping with the types of uses listed in this policy of the Comprehensive Plan.

C. THE PROPOSED AMENDMENT WILL RESULT IN A NET BENEFIT TO THE COMMUNITY.

Navos' goal for the site is to create a Center for Excellence in Behavioral Health, serving the youth and families of Burien and neighboring communities. This Center of Excellence will be a tremendous civic asset as conceived in the Master Plan, which will be shared broadly with neighbors and the Burien community beginning in Spring 2013.

D. THE REVISED COMPREHENSIVE PLAN WILL BE INTERNALLY CONSISTENT.

It is the applicant's assumption that the reconciliation of two different zoning designations on the same legal parcel would not cause any inconsistencies in the City of Burien Comprehensive Plan.

E. THE CAPABILITY OF THE LAND CAN SUPPORT THE PROJECTED LAND USE.

It is the applicant's understanding that the determination of the capability of the land can support the projected land use would be evaluated in the SEPA review process for the site, which will be conducted as a part of the Master Planning process for the Lake Burien Campus. Since this rezone is reverting the zoning back to its original zoning prior to the 2009 rezone, the applicant assumes that the City made the determination that the land could support the projected SPA-2 use during its original designation.

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.

It is the applicant's understanding that the determination of whether adequate public facility capacity exists to support the projected land use would be evaluated in the SEPA review process

for the site, which will be conducted as a part of the Master Planning process for the Lake Burien Campus.

G. THE PROPOSED AMENDMENT WILL BE COMPATIBLE WITH NEARBY USES.

The proposed amendment would change the land use designation and zoning back to its condition prior to 2009, and therefore it is assumed that the City determined the SPA-2 use to be compatible with nearby uses when the original zoning was enacted. Navos intends to create a Master Plan which is compatible with the goals of the intentions of the SPA-2 zone.

H. THE PROPOSED AMENDMENT WOULD NOT PREVENT THE CITY FROM ACHIEVING ITS GROWTH MANAGEMENT ACT POPULATION AND EMPLOYMENT TARGETS.

Navos has no plan to develop the RS-7200 land for residential uses with or without the proposed Comprehensive Plan amendment. As such, it is the applicant's assumption that this action would have no impact on GMA targets. Even if subdivided and developed as residential lots, the three potential lots would have a negligible effect on GMA growth targets. Furthermore, having the ability to most-efficiently master plan the property will allow Navos to maximize its organizational capacity at the site, thus supporting the City's employment growth goals.

For a Comprehensive Plan land use map change, the applicable designation criteria for the proposed land use designation are met when either of the following is met:

- i. **Conditions have changed since the property was given its present Comprehensive Plan designation so that the current designation is no longer appropriate; or,**

Navos's merger with the Ruth Dykeman Children's Center negated the real or perceived need for the rezone of a portion of the parcel from SPA-2 to RS-7200. The master planning process for the Center of Excellence on Lake Burien has created the need for zoning consistency across the property, in light of the site planning and private open space considerations noted in response to criteria (A), above.

- ii. **The map change will correct a Comprehensive Plan designation that was inappropriate when established.**

Navos's has no opinion as to whether the Ruth Dykeman Children's Center rezone process that gave rise to the need for this amendment and rezone was inappropriate.

SITE SPECIFIC REZONE CRITERIA AND JUSTIFICATION**A. THE REZONE IS CONSISTENT WITH THE COMPREHENSIVE PLAN.**

The rezone restores the zoning designation that was in place prior to 2009. The applicant is seeking a Comprehensive Plan revision concurrently with a zoning change to ensure consistency between the Comprehensive Plan designation and the zoning on the single legal parcel in question.

B. THE REZONE WILL ADVANCE THE PUBLIC HEALTH, SAFETY, OR WELFARE.

Navos' goal for the site is to create a Center for Excellence in behavioral health, serving the youth and families of Burien and neighboring communities. This will be a tremendous civic asset as conceived in the Master Plan, which will be shared broadly with neighbors and the Burien community beginning in Spring 2013.

The application believes that this rezone will better prohibit public access to the lake, in keeping with Comprehensive Plan Policy SE 1.3.

C. THE REZONE WILL NOT HAVE SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACTS THAT ARE MATERIALLY DETRIMENTAL TO ADJACENT PROPERTIES OR OTHER AFFECTED AREAS.

It is the applicant's understanding that the determination of the capability of the land can support the projected land use would be evaluated in the SEPA review process for the site, which will be conducted as a part of the Master Planning process for the Lake Burien Campus. Furthermore, since this rezone is reverting the the zoning designation of the site to its original SPA-2 designation, it is the applicants assumption that environmental impacts of SPA-2 intended uses were examined when the property was initially given the SPA-2 designation.

D. 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 applicant is seeking a Comprehensive Plan change and a simultaneous zoning change. Navos believes that it is in the public interest to establish a successful Behavioral Healthcare Center of Excellence for Children, Youth and Families on the Subject Property, and the requested change of zoning can help support the operational quality of the Center and allow flexibility in siting buildings within the parameters of the Master Plan.

Exhibit I

Ruth Dykeman Wellness Center: Existing Zoning





Public Hearing Notice

City of Burien

400 SW 152nd Street (Suite 300)

Burien, Washington 98166

Hearing Information

The City of Burien Planning Commission will hold a public hearing on October 23, 2013 at 7:00 pm at 400 SW 152nd Street to receive public comments on the following application:

Applicant

Chris Fiori with Heartland, LLC for Navos (Ruth Dykeman Children's Center)

Proposal

Change Comprehensive Plan map designation from Moderate Density Residential Neighborhood to Special Planning Area 2.

and

Change Zoning designation from RS-7,200 Single-Family Residential to SPA-2 Special Planning Area 2.

Comprehensive Plan Amendment Ref No.

2013-1

File is available for viewing at Burien City Hall during regular business hours.

Location

1033 SW 152nd Street, Burien, WA

Current Zoning

RS-7,200 Residential Single-family

How to Comment

Any person may submit written or oral comments or testimony at the public hearing, or may submit written comments prior to the hearing. Written comments may be submitted in person, via mail, e-mail or by facsimile. All documents submitted or requested as part of this application, including the City staff report are available for review at City Hall during regular business hours.

Project Planner

(for submittal of written comments or for more information)

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Date of Notice: October 6, 2013