

SEP 25 2012

COPY

September 25, 2012

CITY OF BURIEN

VIA HAND DELIVERY

Mr. Jim Clingan
Chair, Planning Commission
City of Burien
400 SW 152nd Street, Suite 300
Burien, Washington 98166

Re: Comprehensive Plan Update
Development of the "Node" Concept

Dear Chair Clingan:

Seven Hills Properties ("Seven Hills") appreciates the opportunity to comment on the City's Comprehensive Plan update. We are writing to encourage the Planning Commission's consideration of the revised Business and Industrial Goals and Policies, especially in adding clarity to ensure successful implementation of the proposed Commercial Nodes concept. We have enclosed a proposed amendment that we believe will assist in achieving the City's policy priorities.

The Commercial Node concept calls on the City to "provide a broad range of attractive and strategically located business activity centers/nodes. . . ." *See* Draft Goal BU.1. The City's Comprehensive Plan Policies rely on the Commercial Node concept to identify locational criteria for the Neighborhood Center and Intersection Commercials zones; in both cases, these zones may be located at "low intensity commercial nodes." *See* Draft Policies BU 1.3 and 1.4. The Comprehensive Plan's proposed designation criteria and Commercial Node Map identify a tight 1/8 mile radius around each commercial node. *See* Draft Figure 2LU-3, Commercial Nodes.

In most cases, the proposed Commercial Node already contains sufficient commercially zoned lands to implement the concept. **However, there are a few notable proposed Commercial Nodes where the areas within the 1/8 mile radius not yet commercially zoned.** In those cases, such as at the low-intensity Commercial Node at 128th Street and 1st Avenue South ("128th Street Node"), the commercially-zoned area within the radius is too small to support potential commercial redevelopment consistent with the Comprehensive Plan's Node concept.

As the Comprehensive Plan's revised Goals and Policies now stand, potential commercial development within the 128th Street Node may require both another Comprehensive Plan

amendment and a successful rezone application to implement the Commercial Node concept. *See* Burien City Code (“BCC”) 19.65.090; 19.65.095. The revised Goals and Policies are silent on whether rezoning lands within a Commercial Node is consistent with the Comprehensive Plan. The City requires that all rezones be consistent with the Comprehensive Plan. BCC 19.65.090.C.i. The revised Goals and Policies need to be amended to ensure that future consistent rezones are possible.

As the Commission knows, Comprehensive Plan amendments may only be considered once every calendar year. Accordingly, potential development within the proposed 128th Street Commercial Node may not occur as envisioned due to the increased uncertainty and delay of seeking a Comprehensive Plan amendment in addition to the prerequisite rezone application. If an additional Comprehensive Plan amendment is required, then it is likely that market and financing considerations will make potential commercial development at the 128th Street Node unfeasible.

Therefore, we request the Planning Commission amend the Comprehensive Plan Policies to acknowledge that lands located within a Commercial Node 1/8 radius should be considered suitable for rezones to appropriate commercial land use designations. This will ensure that the Commercial Node concept can be quickly implemented as envisioned by the City.

We have attached two proposed amendment options. We believe this amendment strengthens the Commercial Node concept by adding internal consistency to aid implementation.

Option A acknowledges the suitability of lands within Commercial Nodes containing both Intersection Commercial and Neighborhood Center designations for rezone to appropriate commercial designations. Option A would impact one of the nine low-intensity Commercial Nodes.

Option B acknowledges the suitability of lands within Commercial Nodes containing Intersection Commercial designations for rezone to appropriate commercial designations. Option B appears to impact five of the City’s nine low-intensity Commercial Nodes.

We believe Option A best serves the Commercial Node concept by leveraging the colocation of Neighborhood Center and Intersection Commercial land use designations.

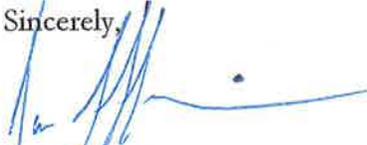
The proposed amendment does not request a site-specific rezone within the current Comprehensive Plan amendment. Any rezone applications would proceed as required under the City Code.

Instead, Option A aims to ensure that potential future development that is consistent with the Commercial Node concept and designation criteria will be able to proceed with clarity when seeking a rezone. Option A streamlines implementation. In the few cases in which this criterion would apply, it would allow the possibility of some very modest increases in commercial zoning, but ensure that the Commercial Node concept could be effectuated as contemplated by the City.

Burien Planning Commission
September 25, 2012
Page 3 of 3

We appreciate the opportunity to provide comments on the draft Goals and Policies and Commercial Node concept. We encourage the Planning Commission's thoughtful consideration of the proposed amendment. We look forward to continuing a dialogue with the City and the Planning Commission on these important issues.

Sincerely,



Ian S. Morrison

cc: Burien Planning Commission
Scott Greenberg, Burien Community Development Services

Enclosures: Proposed Commercial Node Amendment Options
May 8, 2012 Planning Commission, Commercial Node Concept Map

**Burien Comprehensive Plan – DRAFT Business and Industrial Goals and Policies
Proposed Commercial Node Amendment – OPTION A**

September 25, 2012

Reference No.	Current Goal/Policy Language	Planning Commission Proposed Goal/Policy Language (As adopted 9/11/12)	Proposed Amendment Goal/Policy Language (New language in red)
Pol. BU 1.4	<p>The <i>Intersection Commercial</i> category provides for a variety of commercial uses of low to moderate density or intensity, located a major roadway intersections in close proximity to higher density uses, such as multifamily developments. Customers are anticipated to either drive or walk to these establishments.</p> <p>Allowed Uses and Description: <i>Intersection Commercial</i> land uses serve multiple residential areas, with a diverse mix of uses. These uses will typically be grouped around a shared parking facility, with primary access on an arterial. Uses include commercial, retail, services, professional offices, recreation and community facilities. The edges of these areas need to be well-defined to contain development and limit encroachment into single family areas.</p> <p>Designation Criteria: Properties designated for <i>Intersection Commercial</i> uses should reflect the following:</p> <ol style="list-style-type: none"> 1. The intersection of two arterials should be the preferred location for the designation. 2. The design and capacity of the intersection are able to support the planned uses. 	<p>The <i>Intersection Commercial</i> category provides designation allows for a variety of commercial uses of low to moderate density or intensity, located at major roadway intersections in close proximity to higher density uses, such as multifamily developments. <u>Multifamily development in these areas may only be approved as part of a mixed use development with the appropriate unit density being based on the adjacent comprehensive plan land use designations.</u> Customers are anticipated to either drive or walk to these establishments.</p> <p><u>This Comprehensive Plan land use designation is implemented by the Intersection Commercial zoning designation.</u></p> <p>Allowed Uses and Description: <i>Intersection Commercial</i> land uses serve multiple residential areas, with a diverse mix of uses. These uses will typically be grouped around a shared parking facility, with primary access on an arterial. Uses include commercial, retail, services, professional offices, recreation and community facilities. The edges of these areas need to be well-defined to contain development and limit encroachment into single family areas.</p> <p>Designation Criteria: Properties designated for <i>Intersection Commercial</i> uses should reflect the following:</p> <ol style="list-style-type: none"> 1. The intersection of two arterials should be the preferred location for the designation. 2. The design and capacity of the intersection are able to support the planned uses. 	<p>The <i>Intersection Commercial</i> category provides <u>designation allows</u> for a variety of commercial uses of low to moderate density or intensity, located at major roadway intersections in close proximity to higher density uses, such as multifamily developments. <u>Multifamily development in these areas may only be approved as part of a mixed use development with the appropriate unit density being based on the adjacent comprehensive plan land use designations.</u> Customers are anticipated to either drive or walk to these establishments.</p> <p><u>Lands located within a low intensity Commercial Node which contains <i>Intersection Commercial</i> and <i>Neighborhood Center</i> land use designations shall be suitable for rezoning to <i>Intersection Commercial</i> land use designation where in accordance with the Growth Management Act, Comprehensive Plan and land use designation criteria.</u></p> <p><u>This Comprehensive Plan land use designation is implemented by the Intersection Commercial zoning designation.</u></p> <p>Allowed Uses and Description: <i>Intersection Commercial</i> land uses serve multiple residential areas, with a diverse mix of uses. These uses will typically be grouped around a shared parking facility, with primary access on an arterial. Uses include commercial, retail, services, professional offices, recreation and community facilities. The edges of these areas need to be well-defined to</p>

Reference No.	Current Goal/Policy Language	Planning Commission Proposed Goal/Policy Language (As adopted 9/11/12)	Proposed Amendment Goal/Policy Language (New language in red)
Pol. BU 1.4 (continued)	<p>3. The existing or planned public facilities are adequate to support the proposed development.</p> <p>4. The area is served or planned to be served by transit.</p>	<p>3. The existing or planned public facilities are adequate to support the proposed development.</p> <p>4. The area is served or planned to be served by transit.</p> <p><u>1. Areas are located within 1/8 mile of Multi-Family Neighborhood or Neighborhood Commercial land use designations as measured along an arterial. Generally the designation is located outside of the urban center boundary and at low intensity commercial nodes (shown in Figure 2LU-3, Commercial Nodes).</u></p> <p><u>2. Areas shall be located at or within 1/8th mile of the intersection of arterials.</u></p> <p><u>3. Areas are located within 1/8 mile of a transit route with a peak transit frequency of at least 21-30 minutes.</u></p> <p><u>4. The area does not have critical areas, except critical aquifer recharge areas.</u></p> <p><u>5. Areas are located adjacent to or have adequate access to a primary or minor arterial.</u></p>	<p>contain development and limit encroachment into single family areas.</p> <p><i>Designation Criteria:</i> Properties designated for <i>Intersection Commercial</i> uses should reflect the following:</p> <p>1. The intersection of two arterials should be the preferred location for the designation.</p> <p>2. The design and capacity of the intersection are able to support the planned uses.</p> <p>3. The existing or planned public facilities are adequate to support the proposed development.</p> <p>4. The area is served or planned to be served by transit.</p> <p><u>1. Areas are located within 1/8 mile of Multi-Family Neighborhood or Neighborhood Commercial land use designations as measured along an arterial. Generally the designation is located outside of the urban center boundary and at low intensity commercial nodes (shown in Figure 2LU-3).</u></p> <p><u>2. Areas shall be located at or within 1/8th mile of the intersection of arterials.</u></p> <p><u>3. Areas are located within 1/8 mile of a transit route with a peak transit frequency of at least 21-30 minutes.</u></p> <p><u>4. The area does not have critical areas, except critical aquifer recharge areas.</u></p> <p><u>5. Areas are located adjacent to or have adequate access to a primary or minor arterial.</u></p>

**Burien Comprehensive Plan – DRAFT Business and Industrial Goals and Policies
Proposed Commercial Node Amendment – OPTION B**

September 25, 2012

Reference No.	Current Goal/Policy Language	Planning Commission Proposed Goal/Policy Language (As adopted 9/11/12)	Proposed Amendment Goal/Policy Language (New language in red)
Pol. BU 1.4	<p>The <i>Intersection Commercial</i> category provides for a variety of commercial uses of low to moderate density or intensity, located a major roadway intersections in close proximity to higher density uses, such as multifamily developments. Customers are anticipated to either drive or walk to these establishments.</p> <p>Allowed Uses and Description: <i>Intersection Commercial</i> land uses serve multiple residential areas, with a diverse mix of uses. These uses will typically be grouped around a shared parking facility, with primary access on an arterial. Uses include commercial, retail, services, professional offices, recreation and community facilities. The edges of these areas need to be well-defined to contain development and limit encroachment into single family areas.</p> <p>Designation Criteria: Properties designated for <i>Intersection Commercial</i> uses should reflect the following:</p> <ol style="list-style-type: none"> 1. The intersection of two arterials should be the preferred location for the designation. 2. The design and capacity of the intersection are able to support the planned uses. 	<p>The <i>Intersection Commercial</i> category provides designation allows for a variety of commercial uses of low to moderate density or intensity, located at major roadway intersections in close proximity to higher density uses, such as multifamily developments. <u>Multifamily development in these areas may only be approved as part of a mixed use development with the appropriate unit density being based on the adjacent comprehensive plan land use designations.</u> Customers are anticipated to either drive or walk to these establishments.</p> <p><u>This Comprehensive Plan land use designation is implemented by the Intersection Commercial zoning designation.</u></p> <p>Allowed Uses and Description: <i>Intersection Commercial</i> land uses serve multiple residential areas, with a diverse mix of uses. These uses will typically be grouped around a shared parking facility, with primary access on an arterial. Uses include commercial, retail, services, professional offices, recreation and community facilities. The edges of these areas need to be well-defined to contain development and limit encroachment into single family areas.</p> <p>Designation Criteria: Properties designated for <i>Intersection Commercial</i> uses should reflect the following:</p> <ol style="list-style-type: none"> 1. The intersection of two arterials should be the preferred location for the designation. 2. The design and capacity of the intersection are able to support the planned uses. 	<p>The <i>Intersection Commercial</i> category provides designation allows for a variety of commercial uses of low to moderate density or intensity, located at major roadway intersections in close proximity to higher density uses, such as multifamily developments. <u>Multifamily development in these areas may only be approved as part of a mixed use development with the appropriate unit density being based on the adjacent comprehensive plan land use designations.</u> Customers are anticipated to either drive or walk to these establishments.</p> <p><u>Lands located within a low intensity Commercial Node which contains <i>Intersection Commercial</i> designation shall be suitable for rezone to the <i>Intersection Commercial</i> designation where in accordance with the Growth Management Act, Comprehensive Plan and land use designation criteria.</u></p> <p><u>This Comprehensive Plan land use designation is implemented by the Intersection Commercial zoning designation.</u></p> <p>Allowed Uses and Description: <i>Intersection Commercial</i> land uses serve multiple residential areas, with a diverse mix of uses. These uses will typically be grouped around a shared parking facility, with primary access on an arterial. Uses include commercial, retail, services, professional offices, recreation and community facilities. The edges of these areas need to be well-defined to</p>

Reference No.	Current Goal/Policy Language	Planning Commission Proposed Goal/Policy Language (As adopted 9/11/12)	Proposed Amendment Goal/Policy Language (New language in red)
Pol. BU 1.4 (continued)	<p>3. The existing or planned public facilities are adequate to support the proposed development.</p> <p>4. The area is served or planned to be served by transit.</p>	<p>3. The existing or planned public facilities are adequate to support the proposed development.</p> <p>4. The area is served or planned to be served by transit.</p> <p><u>1. Areas are located within 1/8 mile of Multi-Family Neighborhood or Neighborhood Commercial land use designations as measured along an arterial. Generally the designation is located outside of the urban center boundary and at low intensity commercial nodes (shown in Figure 2LU-3, Commercial Nodes).</u></p> <p><u>2. Areas shall be located at or within 1/8th mile of the intersection of arterials.</u></p> <p><u>3. Areas are located within 1/8 mile of a transit route with a peak transit frequency of at least 21-30 minutes.</u></p> <p><u>4. The area does not have critical areas, except critical aquifer recharge areas.</u></p> <p><u>5. Areas are located adjacent to or have adequate access to a primary or minor arterial.</u></p>	<p>contain development and limit encroachment into single family areas.</p> <p><i>Designation Criteria:</i> Properties designated for <i>Intersection Commercial</i> uses should reflect the following:</p> <p>1. The intersection of two arterials should be the preferred location for the designation.</p> <p>2. The design and capacity of the intersection are able to support the planned uses.</p> <p>3. The existing or planned public facilities are adequate to support the proposed development.</p> <p>4. The area is served or planned to be served by transit.</p> <p><u>1. Areas are located within 1/8 mile of Multi-Family Neighborhood or Neighborhood Commercial land use designations as measured along an arterial. Generally the designation is located outside of the urban center boundary and at low intensity commercial nodes (shown in Figure 2LU-3).</u></p> <p><u>2. Areas shall be located at or within 1/8th mile of the intersection of arterials.</u></p> <p><u>3. Areas are located within 1/8 mile of a transit route with a peak transit frequency of at least 21-30 minutes.</u></p> <p><u>4. The area does not have critical areas, except critical aquifer recharge areas.</u></p> <p><u>5. Areas are located adjacent to or have adequate access to a primary or minor arterial.</u></p>

