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ORDINANCE NO. 1281

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, AMENDING THE LAND USE PLAN MAP ADOPTED BY SECTION 20B.90.040 OF THE REDMOND MUNICIPAL CODE AND COMMUNITY DEVELOPMENT GUIDE BY CHANGING THE LAND USE PLAN DESIGNATION OF CERTAIN PROPERTY WITHIN THE CITY FROM AN INDUSTRY DESIGNATION TO BUSINESS PARK AND THE OFFICIAL ZONING MAP OF THE CITY OF REDMOND, AS ADOPTED BY SECTION 20C.10.030 OF THE REDMOND MUNICIPAL CODE AND COMMUNITY DEVELOPMENT GUIDE BY CHANGING THE DESIGNATION OF CERTAIN PROPERTY FROM LIGHT INDUSTRY (LI) TO BUSINESS PARK (BP); AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Redmond Planning Commission held a public hearing on August 14, 1985, and following said public hearing forwarded its recommendations and rationale therefor that certain changes be made to the Land Use Plan and Official Zoning Map, City File DGA-85-11, and

WHEREAS, the City Council has reviewed the Planning Commission's recommendations and rationale therefor at a public meeting and having concurred in said recommendations, now, therefore,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. The Land Use Plan and Land Use Plan Map adopted by Section 20B.90.040 of the Redmond Municipal Code and Community Development Guide is hereby amended to change the designation of that certain property described in Exhibit A, attached hereto and hereby incorporated in full by this reference, from Land Use Plan designation "Industry" to Land Use Plan designation "Business Park".

Section 2. The Official Zoning Map adopted by Section 20C.10.030 of the Redmond Municipal Code and Community Development Guide is hereby amended to change the

property described in Exhibit A from a Light Industry District (LI) to a Business Park District (BP).

Section 3. The rationale supporting the Land Use Plan Map and Zoning Map changes set forth in the memorandum attached hereto as Exhibit B is hereby adopted as the findings and conclusions of the City Council.

Section 4. The Director of Planning and Community Development is hereby instructed to effectuate the changes to the Land Use Plan and Zoning Map in accordance with Sections 1 and 2 of this ordinance.

Section 5. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum and shall take effect five (5) days after its publication, or publication of a summary thereof, in the City's official newspaper.

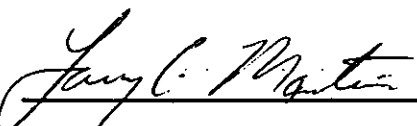
CITY OF REDMOND


MAYOR, DOREEN MARCHIONE

ATTEST/AUTHENTICATED:


CITY CLERK, DORIS A. SCHAIBLE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY 

FILED WITH THE CITY CLERK: November 19, 1985
PASSED BY THE CITY COUNCIL: November 26, 1985
SIGNED BY THE MAYOR: November 26, 1985
PUBLISHED December 1, 1985
EFFECTIVE DATE: December 6, 1985
ORDINANCE NO. 1281

EXHIBIT A

LEGAL DESCRIPTION

Trammell Crow property

Lot 2 of SS-82-1 Willow 87 Short Subdivision

Ernest Buchmayer property

That portion of the East Half of the Southwest Quarter of the Northeast Quarter of the Southeast Quarter of Section 3, Township 25 North, Range 5 East, W.M., in King County, Washington described more particularly as follows:

Commencing at the Southeast corner of said Section 3, thence N-01°-01'-27" E a distance of 1967.13 feet, along the East line of said Section; thence N 87°-38'-18" W a distance of 648.81 feet; thence S-00°-26'-31" W a distance of 30.02 feet to the TRUE POINT OF BEGINNING; thence continuing S 00°-26'-31" W a distance of 624.06 feet; thence N 87°-28'-34" W a distance of 446.22 feet; thence N-00°-09'-00" E a distance of 622.91 feet; to the South right-of-way margin of N.E. 87th Street; thence S-87°-38'-18" E along said South margin a distance of 449.34 feet to the TRUE POINT OF BEGINNING.



MEMO TO: Planning Commission

FROM: Technical Committee

DATE: August 14, 1985

SUBJECT: DGA-85-11 Redmond Heights Tech Center

PREPARED BY: Margaret Lincoln, Planner

REQUESTED ACTION: To change the Land Use Plan Map and Zoning Map designation from Industry/Light Industry to Business Park/Business Park for the subject property and the abutting property to the west.

RECOMMENDED ACTION: Make a recommendation to the City Council to approve the requested Development Guide Amendment and Rezone and to expand it to include the abutting property to the west.

- Note: 1. The Planning Commission has the option to recommend either denial, approval or approval with conditions.
2. The Planning Department is recommending and the property owner has requested that the property to the west of 148th Ave. N.E. be included in the application. The information in this report includes both properties.

FINDINGS

Applicant: Trammell Crow Company
P.O. Box 97022
Bellevue, WA 98009

Adjacent Property Owner: Ernst Buchmayer
117 - 129th Ave. N.E.
Bellevue, WA 98005

Application Date: May 10, 1985

Public Hearing Date: July 17, 1985

Location: South side of N.E. 87th Street, west of Willows Road

Parcel Size: 15.45 acres

Current Land Use Designation:

20B.90.030(60) Industry - Industrial areas such as business and industrial parks that provide for the manufacturing, processing,

assembling, storage and handling of products. Location criteria includes:

- . Proximity to arterial streets, freeways and railroads;
- . Land suitability;
- . Proper phasing of urban services;
- . Separation from incompatible land uses;
- . Projected demand (community need).

Land Use Designation Proposed by Applicant:

20B.90.030(55) Business Park - Attractively designed, low density, campus-type industrial activities/centers that involve the processing, handling and creation of products, and research and technological processes void of nuisance factors and hazards. Location criteria includes:

- . Compatibility with surrounding area;
- . Proximity to arterials and freeways;
- . Proper buffering;
- . Land suitability;
- . Proper phasing of urban services.

Existing Zoning:

On-site- Light Industry
North - Light Industry
South - R-30 and R-20
East - Light Industry with Business Park beyond
West - R-5

20C.10.220 Light Industry District (LI)

Purpose - Light Industry Districts provide areas for the location of light manufacturing, research, wholesale trade and distribution, and bulk retail businesses which are largely devoid of nuisances, hazards, and high public facility demands. Land uses involve the creation, processing and handling of products, and may include other compatible enterprises that service the needs and convenience of such firms.

Zoning Designation Proposed by Applicant:

20C.10.210 Business Park District (BP)

Purpose - Business Park Districts provide areas of high development and operational standards for limited light manufacturing and wholesale trade, light warehousing, business and professional services, research, businesses and corporate offices and other similar or supporting enterprises. The districts are devoid of nuisance factors, hazards and potentially high parking or public facility demands. Retail uses are not encouraged in order to preserve these districts for manufacturing and related uses, and to reduce access by the general public.

Zoning Amendment Criteria - 20F.20.250(30)

Amendment Criteria - The following factors are to be taken into account by the Hearing Examiner (the Planning Commission in cases requiring a Land

Use Plan Map change) and the City Council when considering a map amendment: Compliance with Title 20B.00.000, "Goals, Policies and Plans;" changes in conditions; mistake in map designation; comparison to adjacent use districts; comparison to adjacent land uses; the demonstrated need; the proposed development; and any speculative interest by the applicant.

Surrounding Development:

On-Site - Office/warehouse machine shop and undeveloped open space
North - Office/warehouse, mini-warehouse, equipment rental
South - Some vacant with approved multi-family development and some existing multi-family
East - Warehouse and manufacturing
West - Vacant open space with single family residential beyond

State Environmental Policy Act (SEPA):

On July 5, 1985, a declaration of no significant environmental impact was made by the Technical Committee. A final determination of no significant adverse environmental impact was issued on July 20, 1985.

Public Input: No comments were received prior to preparation of this report.

List of Exhibits:

A - Legal descriptions
B - Land Use Plan Map
C - Zoning Map
D - Site Plans of Trammell Crow
E - Survey of Buchmayer property

ANALYSIS

As previously mentioned, there are two major elements to this proposal:

1. The land use amendment
2. The rezoning of 15.45 acres

There are two actions to be considered by the Planning Commission. The first is the review of the Land Use Plan Map amendment. The zoning cannot be changed until the Land Use Plan Map is first changed. The request is to change the Land Use Plan Map from Industry to Business Park.

The second action is the rezone. In order to consider the rezone, the Planning Commission must first determine the Land Use Plan Map should be changed.

After the public hearing and deliberations on August 14, 1985, the Planning Commission will determine if the amendment and rezone are appropriate. No decisions will be made until hearings and deliberations have been completed on both actions in order to consider all information.

The following analysis will focus on the amendment criteria for the City's Land Use Map and Zoning Map as well as the legal criteria and guidelines that must be followed when considering a zone change.

A. Existing Development

The applicant's property is already fully developed with office/warehouse buildings which are appropriate to either Light Industry or Business Park. This type of development could house uses permitted in either land use category. Although built under the Light Industry site requirements, the development also meets the site requirements for Business Park. The exceptions are as follows:

1. A projection off the northeast corner of Building B is 2 feet short of the required front setback of 75 feet in Business Park. The main part of the building, however, is set back more than 75 feet.
2. One of the south walls of building D is setback 49 feet from the property line instead of 50 feet. The main part of the building, however, is set back more than 50 feet.
3. The northern most projection of Building E is set back only 70 feet from the property line because of an angle in the property line. It would be more than the required 75 feet if the street-front property line were extended.

The Technical Committee felt that these technical non-conformities did not warrant a recommendation of denial of the request. It felt that the advantages in terms of less intense and more compatible uses and less environmental impact provided sufficient justification for the rezone.

The property to the west of the applicant's property is partially developed with a machine shop. This use is permitted in either land use district. The existing site development is non-conforming in both the LI and BP districts. A significant portion of this property cannot be easily developed for Light Industry because of steep slopes and a stream running across it. Business Park zoning could enable development with smaller site coverage than is typical of Light Industry. Development could be concentrated on the flatter portion of the property. This would help to preserve the natural character and also to provide a more significant buffer for the abutting residential-zoned property.

B. Land Use Map Criteria

The location criteria for Light Industry and Business Park are listed under FINDINGS. The following analysis of these criteria will compare the two design districts so that a determination as to which is the most appropriate land use for the subject property can be made. It should be noted, however, that the location criteria for the two categories are very similar and the differences between them are slight.

Light Industry

1. Proximity to arterial streets, freeways and railroads - There is good access to Willows Road from both the subject properties. The freeway is accessible, but there is no direct access to the railroad.

2. Land suitability - Flat land is the most ideal land for light industrial development. Before development of the applicant's property, a large part of the site had 8 - 15% slopes. The rest of it was more or less flat. Development of the site with the typical type of office/warehouse project required extensive grading and high retaining walls along the rear of the property. The original site was not ideally suited for light industrial development. The property to the west is even less suitable for light industry. Part of this site is flat, but a significant portion has slopes that are too steep to build office/warehouse or warehouse development without excessive grading and massive retaining walls.
3. Proper phasing of urban services - All the urban services required for light industry development are now available along N.E. 87th Street. The property owners will have to provide street improvements for 148th Ave. N.E.
4. Separation from incompatible land uses - The subject properties are adjacent to multiple residence (R-30 and (R-20) and suburban residential land use districts. Residential land use is incompatible with light industrial land uses. On the applicant's property the only buffer between them is the 10 feet of required landscaping and the elevation change at the retaining wall on the east portion and a fence on the west portion. The property to the west abuts lower density residential development which is more incompatible than the applicant's property. It does, however, have more topographic and open space separation because of the undeveloped steep slopes.
5. Projected demand (community need) - According to the most recent survey of vacant land, at the end of 1984 Redmond had 292 undeveloped acres of LI zoned land and 512 acres of BP zoned land. We have no accurate figures for the rate of consumption, however.

Business Park

1. Compatibility with surrounding area - The uses permitted in Business Park are slightly less intense and therefore more compatible with the abutting residential development. While many of the same uses are permitted in both Business Park and Light Industry, most of the more intense uses in LI are not permitted in BP; e.g., large equipment manufacturing; sales of farm equipment, recreational vehicles, boats, and farm supplies; mini-warehouses; heavy equipment storage, rental and repair; truck terminals; auto repair and maintenance garages; food processing; and wood products manufacturing. These more intense uses are not appropriate on sites adjacent to residential development. Because these uses are not permitted in Business Park, Business Park would be more appropriate as a transition between residential districts and Light Industry.
2. Proximity to arterials and freeways - There is good access to Willows Road from both the subject properties. The freeway is also accessible.

3. Proper buffering - The buffering requirements are the same in both BP and LI districts. Since the applicant's property meets the requirements for an LI district, it also meets them for a BP district. At the present time the Buchmayer property has more than adequate buffering for either district.
4. Land suitability - Industrial uses are most appropriate on flat land. Sloped land is more appropriate for Business Park than for Light Industry because BP permits some uses that are not industrial. Much of the applicant's property is sloped. Had it been zoned Business park before it was developed, it could have been developed perhaps as more of an office use with smaller site coverage, less grading, and smaller retaining walls. Much of the property to the west is not suitable for Light Industry because the slopes are too steep.
5. Proper phasing of urban services - All the urban services required for Business Park development are now available along N.E. 87th Street. The property owners will have to provide street improvements for 148th Avenue N.E.

C. Zoning Amendment Criteria

1. Compliance with Title 20B.00.000 "Goals, Policies and Plans" - The proposed zoning category of Business Park conflicts with the existing land use plan designation of Industry; hence, the simultaneous zone and land use plan change request. The proposed changes appear to be consistent with City goals and policies.
2. Changes in conditions - Since the original zoning designation, the adjacent multi-family property has been or is being developed. Part of the subject property has been developed with high-quality office/warehouse buildings. The character of the area has changed to high quality development. Business Park is more compatible with this type of development than is Light Industrial.
3. Mistake in map designation - There is no known error on the map designation. However, the original decision to zone these properties Light Industry when abutting residential districts and with significant topography was probably inappropriate.
4. Comparison to adjacent use districts - Business Park is more appropriate next to residential districts than is Light Industry because the intense uses permitted in LI are excluded from BP. The public health, safety and welfare is better served by the lower intensity uses of BP. Business Park would act as a buffer or transition between Residential and Light Industry.
5. Comparison to adjacent land uses - See above discussion. Building permits will soon be issued for the multi-family land to the south of the applicant's property.
6. The demonstrated need - No up to date information is available to make accurate assessments about the need in either category.

7. The proposed development - The subject site is already developed with an attractive office/warehouse project. Unfortunately, the service area faces the residential district. With a Business Park designation the activities using this service area could be somewhat less intense and less bothersome to abutting residents.
8. Speculative interest by the applicant - A plan change/rezone to Business Park would permit more office uses. Given the current market for office space, the applicant could charge higher rents for office-type space than for warehouse space. For the property to the west, much of which is unbuildable, BP zoning would command a higher price for the land than would LI zoning.

D. Legal Criteria and Guidelines

1. Does the proposed zoning change conform with the Comprehensive Plan?
The request is for a change in the Land Use Plan. If the amendment is approved, proposed BP zoning would then conform with the Comprehensive Plan.
2. The relationship of the proposed zoning change to the existing land uses and zoning of surrounding or nearby property? The existing development is compatible with either LI or BP zoning. Business Park zoning is more compatible with the adjacent residential development than is LI zoning. BP is also compatible with adjacent LI uses.
3. What changes have occurred in the character, conditions, or surrounding neighborhood that would justify or otherwise substantiate the rezone?

The character of the area has changed with new high-quality multi-family development coming in to the south and high-quality industrial development to the northwest. However, it is felt that an inappropriate decision was made in the original zoning designation of LI for the subject properties. Because of slopes on the site, the streams running through the sites, and the adjacent residential development, these properties should have been zoned BP originally and not LI. LI is most appropriate for flat sites.

4. The relative gain to the public as compared with the hardship imposed upon the individual owner.

No hardship will be imposed upon the property owners because they can charge higher rents and higher land prices. A property owner is requesting the action. The gain to the public will be that the uses permitted in a BP zone will be more compatible with the adjacent residential land use districts and the type of development that could occur on the undeveloped land might be more compatible with the natural features of the area (slopes and streams).

5. The extent to which the diminution of values (in the case of a down zone) promotes the public health, safety, morals or welfare.

This is not a down zone. Land values will increase.

6. In the case of unimproved property the suitability of the subject property for the purpose for which it has been zoned and is proposed to be zoned and the length of time the property has remained unimproved considered in the context of land development in the surrounding area.

See the discussion under Light Industry 2 and 4, Business Park 1 and 4, and Zoning Criteria 4. The applicant's property has developed within the last two years. The abutting property to the west is only partially developed. This area has developed primarily in the last two years. The property to the west would be more likely to develop sooner with BP zoning than with LI because of the natural limitations on the property.

7. In the case of a "down zone" an aggrieved property owner must show that if the rezone occurs that the consequent restrictions on his property will preclude its use for any purpose to which it is reasonably adapted. In other words that there is no present, possible and reasonably profitable alternative use to which the property is adaptable as a result of the rezone.

This is not a down zone. Land values will increase.

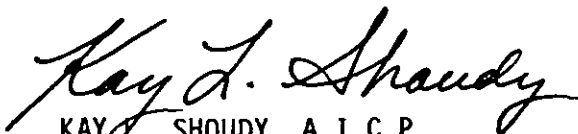
RECOMMENDATION


The Technical Committee recommends that the Land Use Plan Map change from Industry to Business Park and the rezone from Light Industry to Business Park requested by the applicant be approved. It further recommends that the Land Use Plan Map change and rezone be expanded to include the abutting property to the west on the other side of 148th Avenue N.E.

CONCLUSIONS

The following conclusions support the recommendation:

1. Business Park uses are more appropriate adjacent residential development than are industrial uses. Business Park is also more compatible with the character of development in the area. The public health, safety and welfare will be better served with Business Park as a transition between Multiple or Suburban Residence and Industry.
2. Business Park is more appropriate to sites with natural development limitations because market values may permit development that is less intense than Industrial development and would have less environmental impact.
3. The proposal is consistent with City goals and policies.


KAY L. SHOUDY, A.I.C.P.
Director of Planning and
Community Development


FRED F. HERZBERG, P. E.
Director of Public Works

dk

Attachments