

AMENDMENT 2007-M-05- Sunset Blvd (QIP/Virtu) Rezone

DESCRIPTION: Applicants are requesting the rezone of 9.61 acres of property to Residential Medium Density (RMD) land use designation with Residential-10 units per net acre (R-10) zoning. Currently the land use and zoning of the property is split, with approximately 0.9 acres in Residential Multi Family (RMF) land use with Residential Multi-Family (RM-F) zoning and 8.71 acres of property in the Employment Area-Industrial (EA-I) land use designation with Industrial-Heavy (I-H) zoning.

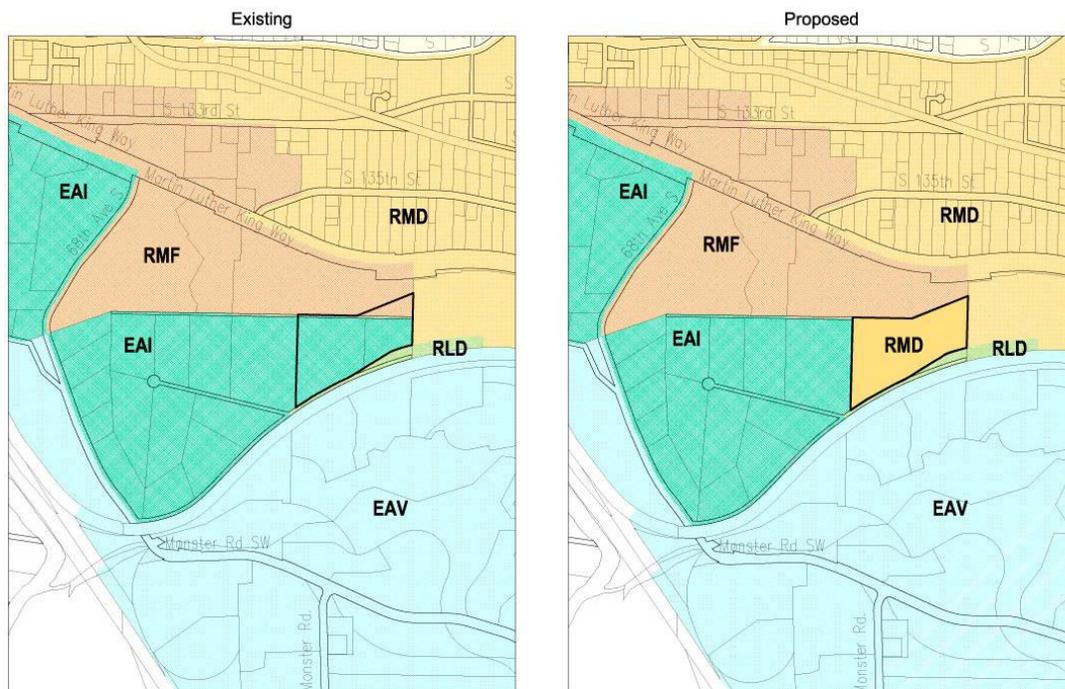
ISSUE SUMMARY:

1. Should this property be zoned for residential development?
2. Does rezoning this property result in the loss of industrial lands?

RECOMMENDATION SUMMARY:

This property should be rezoned for residential use. Residential-4 units per net acre (R-4) zoning with Residential Low Density (RLD) land use, Residential-8 units per net acre (R-8) zoning with Residential Single Family (RS) land use, or R-10 zoning with RMD land use may all be appropriate zones.

ANALYSIS: The proposed area for rezone is located near the western edge of the City, in the



Sunset Blvd (2007-M-05) Existing and Proposed Land Use



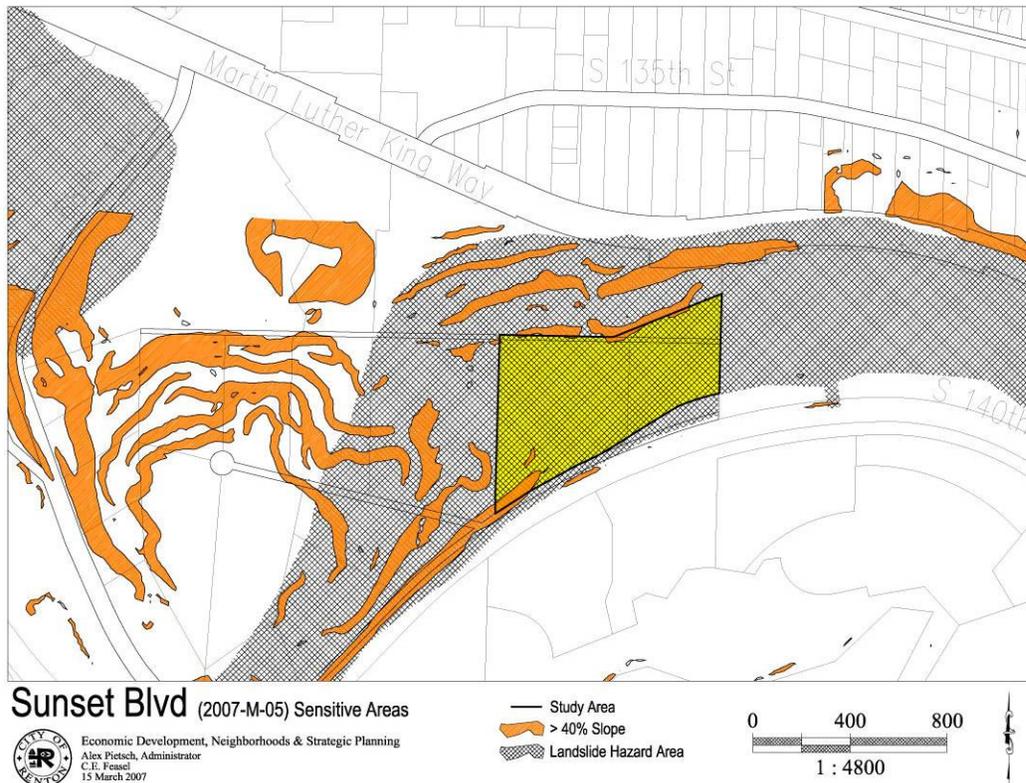
Economic Development, Neighborhoods & Strategic Planning
Alex Pietsch, Administrator
C.E. Fessel
15 March 2007

— Study Area
— RS - Residential Single Family
— RMF - Residential Multi Family
— RMD - Residential Medium Density
— RLD - Residential Low Density
— EAI - Employment Area Industrial
— EAV - Employment Area Valley

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vicinity of Martin Luther King Way, immediately south of the unimproved right-of-way of South 137th Street and immediately north of the unimproved right-of-way of South 140th Street and the BNSF rail road line. QIP (Quarry Industrial Park, LLC) owns the bulk of the property; 8.71 acres designated for EA-I land use and zoned I-H. A small, triangular shaped portion of this property has been excluded from the application for rezone. That portion is designated for Residential Low Density (RLD) land use and is zoned Resource Conservation (RC). Virtu (V.E.E. Associates, LLC) owns the 0.9 acre triangle, in the south east corner of the Sunset View Apartment Homes property. It is currently designated for RMF land use and zoned RM-F.

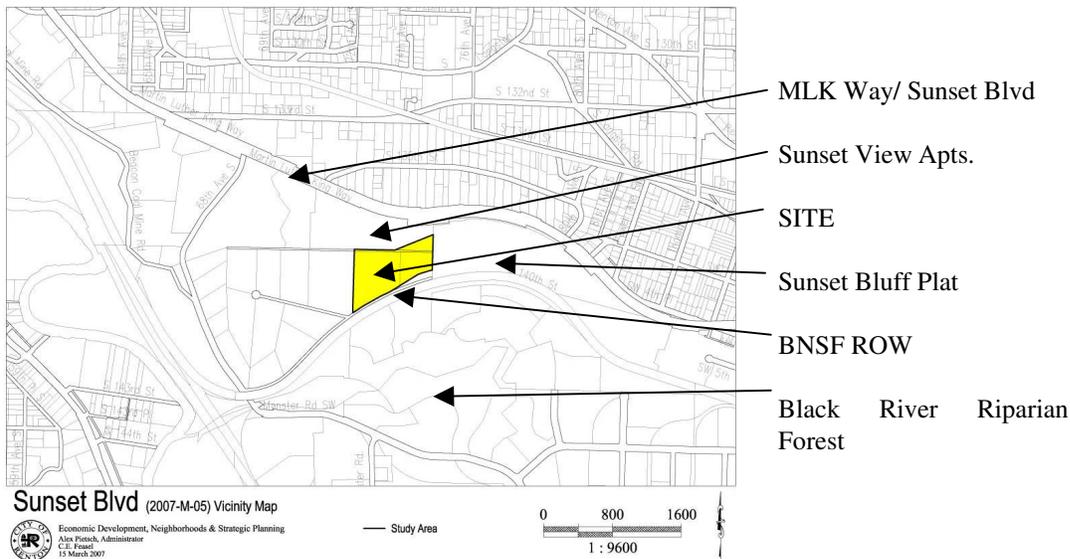


Sensitive areas have been mapped over the entire site of the proposed rezone. Steep slopes separate the proposed rezone area from the Sunset View Apartments to the north. Protected slopes, greater than 40%, fringe the proposed rezone site, and the site itself slopes upward from south to north, with nearly the entire land area ranging between 15-25% slopes, with pockets of slopes up to 40%, and small pockets without regulated slopes. Given this topography, the entire area is mapped as an “unclassified” landslide hazard area in the City’s sensitive areas maps.

The proposed rezone is also in the vicinity of a wetland and a Great Blue Heron Colony on City of Renton parkland, known as the Black River Riparian Forest and Wetland. Nesting bald eagles also live near the colony, as well as a wide variety of animal species. This area is south of the proposed rezone site, and is separated from the site by the BNSF rail line. On the City of Renton critical areas map, the wetland is shown as more than 200 feet away from the

proposed rezone site. In the applicant’s environmental checklist, it states that at the closest point the wetland is 110 feet away from the site.

A May 1, 2007, letter from the Washington Department of Fish and Wildlife (WDFW) indicates that gauging the amount of human disturbance is a key test in determining the compatibility adjacent land uses with the wildlife habitat in the Riparian Forest. Noise levels are specifically identified in this letter as a source of disturbance. Height and lighting have been identified by Herons Forever as other possible disturbances. The January 15, 2007 *Great Blue Heron Assessment* for the QIP and Virtu Properties by Raedeke Associates, Inc., analyzes the potential effects of the proposed rezone on the Heron Colony. Topographically, the colony’s nests are located approximately 800 feet away from the nearest point of the rezone site, and further separated by a 50 foot slope. The report concludes that residential uses, as requested by the applicant, would provide less disturbance to Heron nesting practices than heavy industrial use, which is allowed under the current zoning. WDFW’s letter identifies a number of mitigation measures that would lessen disturbance to the wildlife in the Riparian Forest. These measures cover a wide variety of topics, including: site planning measures, protection from temporary construction disturbances, and enhanced landscaping improvements.



At the present time, the proposed area is considered vacant according to King County records. Although the Virtu property is part of the Sunset View Apartment Homes parcel, the portion subject to the proposed rezone is vacant, and is topographically separated from the residential structures. It is lightly wooded with a lot of scrubby vegetation, whereas the QIP parcel has been extensively graded. Formerly part of the Black River Quarry, the QIP site is currently used for the storage of construction materials, storage of construction equipment, and for construction materials recycling activities. Topographically, the site is related to the Sunset Bluff site, the platted but not yet developed residential subdivision immediately east, and the two sites flow together. There is only a slight topographical difference between the QIP site and the Sunset View Apartments, but a large grade change between the site and the BNSF rail line and the Black River Riparian Forest. There is a graded hill, or berm, that separates the QIP site from the rest of the industrial property to the west. On the industrial property to the

east, there is construction storage, materials recycling, and a concrete batch plant. Despite the very active and loud activities of rock crushing, trucks, and heavy equipment at the materials recycling operation to the west, it could not be heard from the QIP/Virtu site during a site visit. Freeway noise, from the nearby Martin Luther King Way on ramp to Interstate-5 was noticeable, but not any industrial noise, smells, or odors.

The applicant is requesting a Comprehensive Plan Amendment and Rezone for the QIP and Virtu properties to be designated for RMD land use and zoned Residential 10 units per net acre (R-10) consistent with the property immediately to the east (Sunset Bluff). Applicants estimate that the proposed rezone would allow the construction of 55-60 new homes on the site. In the project narrative, they state that this is an advantage to the City because it replaces the existing construction storage and recycling use with residential use, which supplements the City's tax base. They also argue that residential uses are in high demand and the proposal is a logical extension of the residential development at Sunset Bluff and Sunset View Apartments. Topography creates a natural boundary between the proposed rezone area and the other industrially zoned land. The applicants also cite a series of Comprehensive Plan policies for residential growth including Policy LU-123, that the City pursue multiple strategies for residential growth; Policy LU-124 to prioritize growth in areas close to the Urban Center; and Policy LU-129 to support small lot single-family development over multi-family development. Also cited are Objective LU-GG and Policies LU-157 and LU-158 regarding the criteria for zoning property within the RMD land use designation.

The purpose of the RMD designation is to “...*create the opportunity for neighborhoods that offer a variety of lot sizes, housing, and ownership options....*” Efficient use of urban services and infrastructure is also stressed, along with facilitating infill development and encouraging transit use. This is emphasized in Objective LU-GG, Objective LU-HH, Objective LU-II, and related policies. Designation criteria for RMD fall under Objective LU-GG and its related policies. Policy LU-158 specifically addresses the criteria for R-10 zoning within the RMD designation:

- 1) *The area already has a mix of small-scale multi-family units or has had long standing zoning for flats or other low-density multi-family use;*
- 2) *Development patterns conducive to medium-density development are established*
- 3) *Vacant lots exist or parcels have redevelopment potential for medium-density infill development;*
- 4) *The project site is adjacent to major arterial(s) and public transit service is located within ¼ mile;*
- 5) *The site can be buffered from existing single-family residential neighborhoods having densities of eight (8) dwelling units or less; or*
- 6) *The site can be buffered from adjacent or abutting incompatible uses.*

This site must meet at least three of these criteria. The site is vacant and it could be buffered from nearby incompatible uses, these two criteria are clearly met. Although there is no multi-family development within the RMD and proposed RMD areas, there are apartments abutting the site. Sunset Bluff's preliminary plat was approved for single-family development under R-10 standards including lot size and lot dimensions, but the net density calculation comes to

only 3.1 units per acre. Topography and location of the QIP/Virtu site limit access, but residential development would take access through the Sunset Bluff development, which does have direct access to Sunset Boulevard/ Martin Luther King Way and the Metro transit lines that run along it. Unfortunately, transit is only safely accessible from one side of the street. City proposals to install a pedestrian crossing along Sunset have been denied by the State, which has jurisdiction over this road because it is a state highway. Any use on this site would be buffered by the hill/berm that separates it from the industrial property to the west, and the steep slope to the south provides an effective barrier to the Riparian Forest. This site does appear to meet at least three of the criteria for R-10 zoning, but there may be other zones to consider as well.

Within the RMD designation, there are two possible zoning classifications: R-10 and R-14. There are five criteria that must be met for R-14 zoning: adjacent to an arterial, adjacent to the Urban Center, Highlands Center Village, or a Commercial Corridor, at least 20 acres in size, buffered from incompatible uses, and development densities with multiple unit types is achievable given constraints. Clearly, the QIP/Virtu Site does not meet the criteria for R-14 zoning within the RMD designation as it is not adjacent to one of the specified areas and is only nine acres in size.

Since the Virtu portion of the site is already in RMF land use, another possibility for residential designation is RMF. However, Comprehensive Plan Objective LU-JJ encourages new multi-family development as infill in existing RMF districts. Policy LU-183 specifically says that the RMF designation should not be expanded until all the land capacity in the designation is used. If the designation is to be extended, it must meet all of the following criteria: direct arterial access, with no access through a less intense land use, the property must abut an existing RMF district on at least two sides, and the designation should not bisect or truncate another land use district. The QIP site would take access through Sunset Bluff, a lower intensity land use and only abuts an existing RMF district on one side. Thus, RMF land use designation is not a good fit for this property.

If a residential use is desired for this property, there is also the possibility of RS or RLD designation. In the RLD land use designation, the purpose is to guide the development of constrained land and add larger-lot housing stock at urban densities. Although there are no policies for designating land RLD, there are policies for zoning land either Resource Conservation (RC) or R-1, or R-4 within the RLD designation. Objective LU-EE states that R-4 zoning is appropriate for suburban, estate-style residences at urban levels of development. It is also appropriate in the vicinity of sensitive areas because it provides a less intensive urban land use. Given the proximity to the Sunset View Apartments to the north, this is probably not an ideal location for estate-style housing. However, clustering provisions in the R-4 development standards could allow a similar style of residential development to that of Sunset Bluff, at least in the developed portion of the property. Sunset Bluff's net density is 3.1 units per net acre. Fewer units would be allowed in an R-4 project than in an R-10 or R-8 development, but there would be more open space. Open space could function as a buffer between the single-family area and the adjacent apartments, and as additional buffer to the Riparian Forest to the south.

The RS designation, with accompanying R-8 zoning, may be an appropriate designation for this property. The purpose of the RS land use designation is for quality, detached residential development and enhanced single family living environments. As the primary residential zoning district in the City, there are no designation criteria in the Comprehensive Plan for the RS designation. Since the applicant is interested in development of the site for single-family houses, the RS designation would work well. Policy LU-148 specifies a minimum lot size of 4,500 square feet for infill projects on properties at least one acre in size. This would allow for similar development as is planned for Sunset Bluff, which will have lots sizes in the range of 4,000- 5,500 square feet. (However, many of the lots planned in Sunset Bluff are to be 40 feet wide under that site's R-10 zone while RS zoning of the subject site would require a minimum 50-foot width.)

However, it would be a mistake to assume that residential use is the best land use for this property without analysis of the industrial or commercial options. The property is currently in EA-I (Employment Area-Industrial) designation and zoned I-H (Industrial-Heavy). Objective LU-XXX stresses the importance of the Employment Area designations to provide adequate land capacity for employment and business as the City grows. It is the purpose of the EA-I designation to hold that space for industrial and manufacturing uses. These policies are consistent with Economic Development Element Objective ED-C to sustain and expand the City's industrial base.

Evaluation of Buildable Lands data shows that the City has a very small supply of vacant and available industrial lands. There are only approximately 113 gross acres of vacant industrial land, which shrinks to just under 64 acres when adjusted to remove critical areas, rights-of-way, and other land dedicated for public purposes. Redevelopable industrial lands add another 58 gross acres, but only 26 net acres of land to this inventory. Thus, there are only about 90 acres of vacant and redevelopable industrially zoned lands in the City of Renton. The calculated net developable area of the QIP site is approximately 5.4 acres. Thus rezoning of the QIP site would result in the loss of about 6% of the vacant and redevelopable industrial land in the City of Renton, and the accompanying loss of future employment potential of approximately 127 jobs.

A land use designation that supported commercial or office uses may be one way to ensure space for future employment growth. However, review of amending the land use to a commercial or office land use designation is not appropriate. Access would be prohibited for such uses through the planned Sunset Bluff residential community. As a result, a road would need to be developed through the industrial area to the west. Realistically, the materials recycling and rock crushing business on a portion of this property would prevent the development of the QIP site for commercial or office use, and the development of a road to serve it. Right now, the market is not strong enough to support additional commercial or office development in such a hard to reach area. Commercial office use would only be realistic if a larger portion of the industrially zoned property, between the QIP/ Virtu Site and Monster Road, was to be put into Commercial or Office use.

CAPACITY ANALYSIS:

Removing this property from industrial land use and zoning results in a loss of capacity of approximately 6% of the stock of vacant and redevelopable industrial lands in the City of Renton. This equates to a loss of approximately 127 future jobs.

Placing this property into residential use will result in additional housing units in the City, the number varying on the intensity of the zone. At R-10, this rezone would likely support approximately 59 new housing units. At R-8, this rezone would likely support approximately 41 new housing units. At R-4, this rezone would likely support approximately 22 new housing units.

COMPREHENSIVE PLAN COMPLIANCE:

RMC 4-9-020 G mandates that Comprehensive Plan Amendments must meet at least one of four criteria. This proposal meets the first criterion, to support the vision embodied in the Comprehensive Plan. One of the major goals of the City as stated in the Comprehensive Plan Vision Element is to increase the supply of single-family housing through infill development. Residential development of this property would meet this goal.

ZONING CONCURRENCY:

RMC 4-9-180 F mandates that all rezones concurrent with Comprehensive Plan Amendments comply with the Comprehensive Plan, meet the policies of the proposed Land Use designation, and either was not considered during the last area wide zoning, or has been subjected to a change in circumstances since that time. This proposal complies with the Vision of the Comprehensive Plan, as illustrated in the section above. It also meets the proposed land use policies of the RMD, RS, and RLD designations, as demonstrated in the analysis section. Finally, the zoning of this property was not considered in the last area wide zoning.

CONCLUSION: Single family residential development appears to be the best use of this property. Multi-family residential use would not meet the policies in the Comprehensive Plan. Commercial use is not viable at this time. Industrial use is equally unlikely to be viable for anything but very heavy industrial uses. Heavy industrial uses are not likely to be compatible with the adjacent wildlife and habitat in the Black River Riparian Forest. Residential uses are more compatible with the adjacent wildlife and the WDFW has provided an extensive list of mitigation measure to reduce project specific impacts.

Although it appears that residential development is preferred, there is still a question of the intensity and quality of the residential development. There is Comprehensive Plan policy support for any of the three designations. Whether designated for RMD, RS, or RLD and zoned R-10, R-8, or R-4, respectively, the form of development that is proposed for Sunset Bluff could, basically, be extended throughout this area. The lower intensity zones may require slightly larger lot widths, and slightly larger lot sizes, but they are within the range of the approved standards for Sunset Bluff. This would be allowed in the R-4 zone through clustering, which would leave room for open space to buffer between adjacent land uses. Clustering would be preferred over more estate-style homes, which would be less compatible

right up against the Sunset View Apartments. R-10 zoning would allow for the maximum development potential of this property and this is the most flexible zone in terms of use types. At least three of the designation criteria for the R-10 zone are met in the Comprehensive Plan. Plus, it would extend the R-10 zone from the Sunset Bluff site into this one. R-8 is the City's all-purpose single-family residential zone. It allows for quality single family development, slightly less intense than R-8 and more intense than R-4, but with slightly less flexibility than either zone. Any of the zones would be adequate depending of the type of development that is desired for this area.