

## Planning Commission Report

**To:** City Council

**From:** Planning Commission

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**Date:** August 10, 2011

**DGA Number:** L090185, L100142 SEPA

**Title:** **Redmond Car Care Comprehensive Plan and Zoning Code Amendment**

**Planning  
Commission  
Recommendation:**

Approve the Planning Commission recommended amendments.

**Recommended  
Action:**

Adopt amendments to the Redmond Zoning Code 21.14.040, Manufacturing Park to allow additional uses on property zoned Manufacturing Park (MP) in a defined area of approximately 8.5 acres including the applicant's site, as shown in Exhibits A and B.

Deny the applicant's initial request of a land-use designation and zoning change for 2.58 acres of land in Southeast Redmond from Manufacturing Park (MP) to General Commercial (GC). Regarding the applicant's modified request, support the addition of Pet and Animal sales or service as an allowed use within the defined area and deny the request to allow the following additional uses within the defined area: Health and Personal Care, Finance and Insurance, Personal Services, Administrative Services and Ambulatory and Outpatient Services.

**Summary:** The recommended amendment would:

1. Identify an overlay area of 8.5 acres defined by Redmond Way, 180<sup>th</sup> Avenue NE and NE 68<sup>th</sup> Streets.
2. Keep the MP designation and zoning for the proposed overlay area and add allowed uses to include those within four categories of uses defined by the Zoning Code: Heavy Consumer Goods, Sales, Service and Repair; Durable Consumer Goods, Sales, Service and Repair; Consumer Goods, Other; and Pet and Animal Sales or Service.

**Background:**

The applicant, Nelson Real Estate Management, owns 2.58 acres in Southeast Redmond located on the northeast side of Redmond Way at 18014 Redmond Way. The property contains five one-story buildings totaling 27,111 square feet. Existing businesses on site include a Firestone tire center and other car repair and service businesses. The land-use designation and zoning for the property is Manufacturing Park (MP) (see Exhibit A of the Technical Committee Report, Subject Site with Area Zoning). The applicant's original request was to change the land use designation and zoning for the 2.58 acres to General Commercial (GC). (See Exhibit B of the Technical Report, Comprehensive Plan application).

The applicant identified three principal reasons for pursuing this initial request:

- To provide more choice in stores and services;
- To provide commercial services that are compatible with adjacent and nearby uses in an appropriate location; and
- To help provide a business climate that retains and attracts locally owned companies.

The Planning Commission recommendation would maintain the existing Comprehensive Plan land use designation and zoning of MP and allow limited additional uses in a specified area of 8.5 acres, including the applicant's site. The additional uses proposed are within four categories of the Zoning Code and are defined as follows:

1) Heavy Consumer Goods Sales, Rental or Service.

“The retail sale, rental or lease of large consumer goods or a combination of the retail sale, rental or lease of such goods with repair and maintenance service and the sale of replacement parts and accessories. Heavy Consumer Goods Sales or Service includes sale of

items such as furniture, hardware, lawn and garden supplies, building materials, electronics and appliances, and heating and plumbing equipment.”

2) Durable Consumer Goods Sales, Rental or Service.

“The retail sale, rental or lease of durable consumer goods, or in the retail sale, rental or lease of such goods in combination with repair and maintenance services and the sale of replacement parts and accessories. This definition includes apparel, appliances, home furnishings, paint, hardware, toiletries, jewelry, sporting goods, books, magazines, music, videos, computer hardware and software, toys, and similar items.”

3) Consumer Goods, Other.

“The retail sale, rental or lease of merchandise not covered by other definitions in this Code, or the retail sale of such merchandise in combination with repair and maintenance service and the sale of replacement parts and accessories. This definition includes florists, art dealers and art supply stores, and sales of similar goods.”

4) Pet and Animal Sales or Service.

“The retail sale of pets and other animals (except livestock) and the provision of pet or animal care services, such as grooming, training, sitting, boarding, and caretaking. This definition includes pet and pet supply stores but does not include veterinary services.”

The Planning Commission recommendation to allow additional uses would not require a change in land use designation and zoning, therefore no land would be removed from the Manufacturing Park land use designation. An area of 8.5 acres would in effect become an “overlay zone” and would permit the addition of land uses which are appropriate to this area and compatible with existing adjacent uses.

The applicant withdrew his original request for a land use designation and zoning change from Manufacturing Park (MP) to General Commercial (GC) in support of the staff recommendation, *with the addition* of more land uses typically allowed in GC. The applicant indicated that the additional uses would support the reasons for pursuing the initial land use change and include: Health and Personal Care, Finance and Insurance, Personal Services, Administrative Services and Ambulatory and Outpatient Services.

These additional uses were not supported by staff or the Planning Commission, as they are not consistent with the Manufacturing Park designation policies in the Comprehensive Plan, Comprehensive Plan policies for Downtown and Overlake, and could result in owners of adjacent properties wishing to convert to a higher use.

**Reasons the Proposal should be Adopted:**

The recommended amendments should be adopted because:

- 1) The proposed overlay area is designated Manufacturing Park (MP) and is located along a segment of Redmond Way which experiences over 39,000 vehicle trips per day. The MP area is unique in the City with MP zoning adjacent to a principal arterial that receives such a high level of traffic and visibility.
- 2) Due to the location on Redmond Way and the relatively small, contained area defined by the overlay, the addition of land uses to the MP zone in the overlay area would be appropriate in allowing greater flexibility in commercial uses.
- 3) The recommended additional uses are consistent with the land use designation policies for Manufacturing Park zones described in the Land Use Element of the Redmond Comprehensive Plan, as well as other Comprehensive Plan policies.
- 4) Allowing more GC uses as proposed by the applicant, would not be consistent with the designation policies for Manufacturing Park areas and could exert pressure on adjacent properties to convert to other commercial or professional uses.
- 5) The limitation of additional uses in the overlay area is consistent with the City's vision of supporting the Urban Center areas of Downtown and Overlake. The recommended additional uses for the 8.5 overlay are compatible with other MP and commercial uses located on Redmond Way in the immediate vicinity.

## **Recommended Findings of Fact**

### **1. Public Hearing and Notice**

#### **a. Public Hearing Date**

The City of Redmond Planning Commission held a public hearing for this proposal on July 13, 2011.

#### **b. Notice**

The public hearing notice was published in the Eastside edition of the Seattle Times. Public notices were posted in City Hall and the Redmond Library. Notice for the hearing was mailed to property owners within 500 feet of the proposed overlay area. The

applicant's site was posted with an Extraordinary Notice sign (4' x 6' white sign). Notice was also given by including the hearing in Planning Commission agendas and extended agendas mailed to various members of the public and various agencies. Additionally, hearing notification was posted on the City's web site and cable TV.

## **2. Public Comments**

Mr. Markl spoke as the representative for the applicant, Nelson Real Estate Management, at the July 13, 2011 public hearing. Mr. Markl also provided written testimony in the form of several letters addressed to the Planning Commission, dated June 27, July 7 and July 15, 2011. (See Attachments D and E)

In his testimony, Mr. Markl expressed his belief that the subject property cannot be effectively leased with its current zoning and land use designation of MP and supported the additional uses proposed by staff in the overlay area. He stated further that the additional GC uses he proposed would give him increased flexibility to find viable tenants for the site, given its highly visible location on Redmond Way. The applicant stated that the General Commercial uses are more economically viable as several of the tenant spaces have become vacant and the property owner is no longer able to find replacement tenants whose intended uses are allowed in the Manufacturing Park (MP) zone. With the additional GC uses he proposes, this would become less of an issue with more options for possible tenants. He indicated that the additional uses proposed would be compatible with other nearby uses, as most of the area directly across Redmond Way is zoned General Commercial (GC) as well as a newly re-zoned GC area at the intersection of 180<sup>th</sup> Avenue NE and NE 68<sup>th</sup> Street.

Mr. Markl stated that the Redmond Car Care site has sufficient parking for a mixture of existing MP uses and any new GC tenants, and that accessibility from Redmond Way from both directions is good with two driveways serving the site. He indicated that additional General Commercial uses such as professional or administrative services would not be incompatible with existing MP uses nor with other uses in the vicinity. Further, additional retail and service uses would serve residents in the area as well as those travelling by the site, and would not compete with the urban centers of Downtown or Overlake.

## **Recommended Conclusions**

The Planning Commission's key discussion topics are below. Exhibit C includes a complete summary of the Planning Commission's major discussion issues and staff responses.

### **1. Key Issues Discussed by the Planning Commission**

#### **❖ Comparison of permitted uses between the Manufacturing Park and General Commercial Land Use Designations.**

The Planning Commission reviewed the differences in permitted land uses between the Manufacturing Park and General Commercial zones. The Commission noted that the

types of uses currently allowed in the Manufacturing Park (MP) zone include research and development, as well as manufacturing and support uses, including corporate headquarters or regional offices for an associated MP use within the City. The Commission noted that the Redmond Car Care and proposed overlay area has not been attractive for these uses, based on the applicant's testimony. Existing retail on site, e.g. the former John Deere business, was permitted in previous Light Industrial zoning that allowed the sale of farm implements. The additional uses recommended by staff for the overlay area similarly permit the sale of large consumer items under the Heavy and Consumer Goods categories. The additional uses proposed by the applicant are in the realm of administrative, personal and health care services which are generally permitted in urban centers and GC.

The Planning Commission considered, but did not support a land use designation and zoning change from MP to GC; instead they favored the creation of an overlay for the relatively small, defined area encompassing the applicant's site with specific allowed uses in addition to those allowed under MP. The question of which additional uses should be allowed was the primary consideration. The majority believed that the additional GC-type uses proposed by the applicant would not be consistent with the Comprehensive Plan land use designation policies for Manufacturing Park areas and would create additional pressure for nearby property zoned MP to convert to more intense uses. Further, that professional, financial or insurance office and personal and health care uses should appropriately be located in the urban center areas of Downtown and Overlake or other GC areas.

Planning Commissioners voting in the minority did not believe that the addition of uses proposed by the applicant would have adverse effects. They noted the General Commercial areas across Redmond Way and adjacent to the overlay area, indicating their belief that the additional professional and personal services would be appropriate in the overlay area. In terms of traffic impacts, the mix of uses in both the existing MP as well as staff proposed *and* applicant proposed GC uses indicate trip generation data that is not conclusive. In general, more GC uses would tend to produce more trips; however, the evaluation of the staff proposed additional uses compared to the applicant proposed additional uses did not indicate a significant amount of additional trips.

#### ❖ **Preservation of the MP area and precedent**

The subject area is located on Redmond Way and is quite visible on this principal arterial within Southeast Redmond. Due to the high volumes of daily traffic and the applicant's reported lack of success with existing car-related businesses, Planning Commissioners supported the addition of more commercial land uses at this location. They agreed with previous City Council direction regarding the careful consideration of any removal of land from Manufacturing Park designated areas and favored the creation of an overlay at this specific location to allow more flexibility. The majority agreed that maintaining the Manufacturing Park designation and allowing the additional uses proposed by staff would

both provide the opportunity for a variety of additional uses but keep the MP designation intact. They also agreed that the additional uses allowed would be consistent with MP policies and not compete with urban center areas for the location of these uses. They further expressed the concern for any action which could be viewed as creating precedent for the conversion of other MP or Business Park zoned areas.

**2. *Recommended Conclusions of the Technical Committee.***

The recommended conclusions in the Technical Committee Report dated June 29, 2011 should be adopted as conclusions.

**3. *Planning Commission Recommendation.***

The Planning Commission voted to support the Technical Committee's recommendation with the addition of one use: Pet and Animal Sales or Service. The motion carried by a vote of 4-1.

**List of Exhibits**

- Exhibit A: Recommended amendments to the MP zone summary
- Exhibit B: Recommended area for additional MP uses
- Exhibit C: Planning Commission Issues Matrix (Final)
- Exhibit D: Planning Commission minutes from public hearing, July 13, 2011 (excerpt)
- Exhibit E: Written testimony from applicant to Planning Commission
- Exhibit F: Technical Committee Report, dated June 29, 2011 (With Exhibits A-H)

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Robert G. Odle, Planning Director

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Date

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Thomas T. Hinman, Planning Commission Chairperson

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Date

Approved for Council Agenda

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John Marchione, Mayor

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Date