



ANJUMAN-E-BURHANI TYPE II SITE PLAN ENTITLEMENT APPROVAL APPEAL

Appeal Hearing
September 10, 2018
David Lee, Senior Planner
Sarah Pyle, Senior Planner



City of Redmond
WASHINGTON

Subject

**Subject: Administrative appeal of the Technical
Committee Site Plan Entitlement Decision of
LAND2013-00171 Anjuman-E-Burhani**

Background

Location: 15252 NE 51ST ST

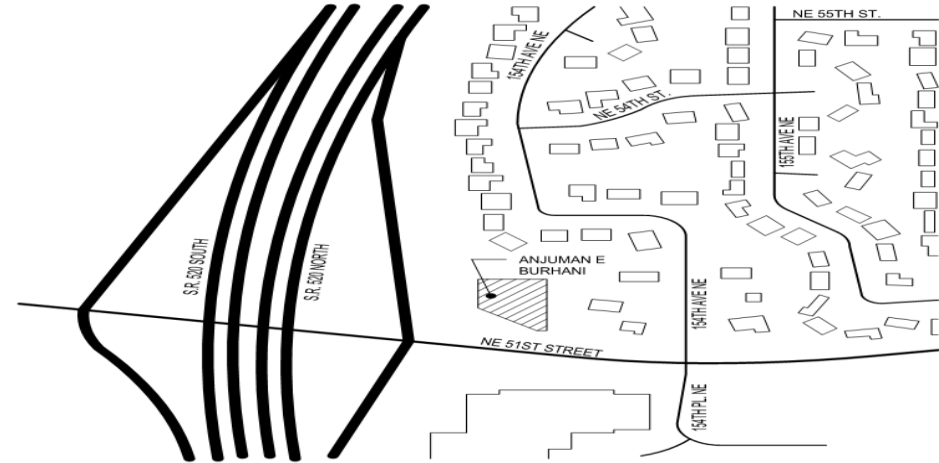
Parcel Size: 2.3 Acres

Neighborhood: Overlake

Land Use Designation: Low To Moderate Density Residential neighborhood

Zoning Designation: R-5

Use Allowed: Yes



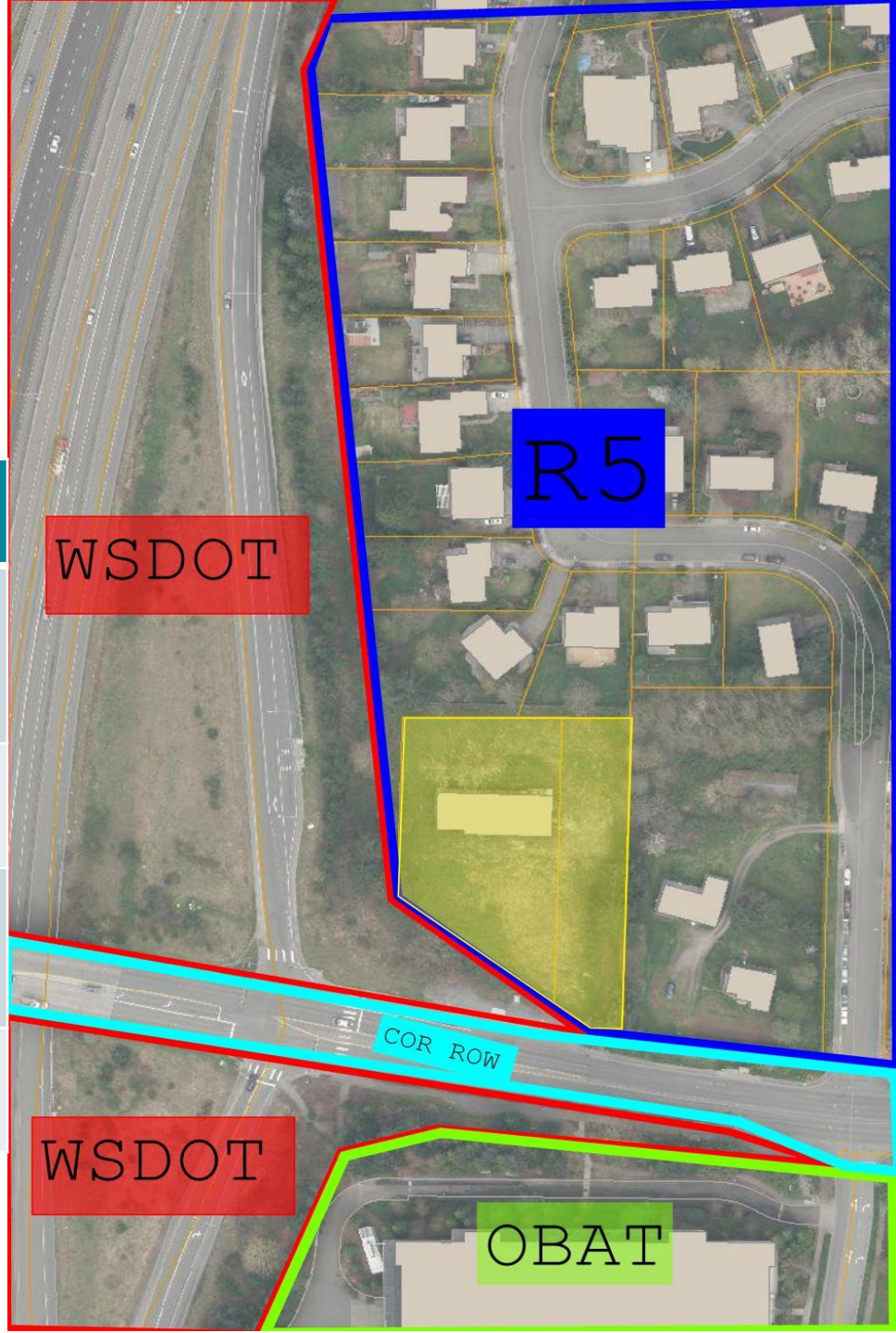
Project Details

- Site Plan Entitlement
- 22,657 Square Foot Religious Institution
- Prayer Areas
- Classrooms
- Multi-purpose Room
- Parsonage



Surrounding Land Use & Zoning

Direction	Zoning	Land Use
North	R-5	Subdivision (Single Family)
East	R-5	Single Family
South	ROW	Right-of-Way (COR/WSDOT)
West	WSDOT SR-520	SR-520



Notable Dates

- **SPE Submittal:** February 13, 2014
- **SEPA Determination:** March 9, 2017
- **DRB Approval:** April 6, 2017
- **Notice of Decision:** June 12, 2018
- **Appeal Filed:** June 27, 2018

Request

The Appellant is appealing the approval of the Anjuman-E-Burhani based on the following issues:

1. “City erred in calculating required parking based on seating capacity.”
2. “City erred in calculating proper setbacks based on proposed building height.”
3. “City erred in calculating required parking for assembly use.”
4. “City erred in reviewing traffic impacts of the project.”
5. “City erred in approving a guest apartment to be part of the building.”
6. “City erred in not applying scale, bulk, and neighborhood character.”
7. “City erred by not conditioning the application on overall building capacity.”
8. “City erred by not incorporating any growth projections into its review process.”
9. “City erred by not complying with transit corridor preservation rules.”

Staff Report Summary

- **Exhibit C-01 – LAND2018-00701**
 - Analysis of Cited Appellant Issues
- **No Evidence Provided**
 - Appellant has burden to prove that the City erred in issuance of Type II permit
 - No evidence provided to prove City erred procedurally or substantively
- **Staff Recommendation: Dismiss All Issues**

Summary of Issues

- Questions?
- Continue?

Summary of Staff Report

Analysis of Issues

- “City erred in calculating required parking based on seating capacity.”
 - Appellant has not shown how or why the parking is inadequate or should be based on the IBC
 - IBC is not the zoning code
 - RZC specifically prescribes parking
 - RZC 21.76.100.D. allows for administrative interpretations

Summary of Staff Report

Analysis of Issues

- “City erred in calculating proper setbacks based on proposed building height.”
 - Setback and height requirements are met
 - Project clearly shows there is a 5’ setback for every 1’ above the 30’ base height.
 - Application of height setback requirements consistently applied in other zones
 - Applies to parts of structures over 30’, not entire building

Summary of Staff Report

Analysis of Issues

- “City erred in calculating required parking for assembly use.”
 - IBC is not the zoning code
 - RZC specifically prescribes parking
 - RZC 21.76.100.D. allows for administrative interpretations
 - Meets parking requirements of RZC 21.08.280.C.2.

Summary of Staff Report

Analysis of Issues

- “City erred in reviewing traffic impacts of the project.”
 - Appellant has not submitted factual data that is contrary to studies the city used
 - “Critiques” used
 - Assessed peak use
 - “Membership growth” (if any) is inconsequential
 - SPE approved with condition of 147 seats
 - U-Turns are legal and allowed

Summary of Staff Report

Analysis of Issues

- “City erred in approving a guest apartment to be part of the building.”
 - Parsonages commonly accessory to religious uses
 - One cooking area for both levels, therefore one parsonage/dwelling unit
 - Living, sleeping, eating, cooking, and sanitation
 - Accessory Dwelling Units allowed in R-5 zone as accessory to a single family house

Summary of Staff Report

Analysis of Issues

- “City erred in not applying scale, bulk, and neighborhood character.”
 - Held to Article III RZC “Design Standards”
 - Extensive Checklist (Exhibit 7)
 - Designed To Address Compatibility
 - Addresses Bulk & Scale
 - Human Scale
 - Reviewed By Design Professionals/DRB
 - Approved April 6, 2017

Summary of Staff Report

Analysis of Issues

- “City erred by not conditioning the application on overall building capacity.”
 - “Overall Building Capacity” Not Approval Criteria In RZC
 - IBC is not the zoning code
 - RZC specifically prescribes parking
 - RZC 21.76.100.D. allows for administrative interpretations
 - Off-site Parking & Onsite Valet Mitigates Larger Special Occasion Functions

Summary of Staff Report

Analysis of Issues

- “City erred by not incorporating any growth projections into its review process.”
 - Growth Projections not a part of decision criteria of RZC 21.76.070.Y.
 - Maximum Development/Membership size based on impacts and mitigation of site
 - Site Plan Entitlement Sets limits of use
 - SPE Sets 147 Member Limit The Site Can Accommodate
 - Code Enforcement, Additional Conditions, and/or Revocation of Entitlement

Summary of Staff Report

Analysis of Issues

- “City erred by not complying with transit corridor preservation rules.”
 - Figure RZC 21.28.020.B Does Not Encroach into property
 - Light Rail Only at 5% Design
 - Wall Location Adjustable
 - Timing Issue To Be Resolved Based on Construction Start
 - Easement Condition On SPE Approval



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