

**Attachment to Greater Maple Valley Unincorporated Area Council Public Comment on  
Docket Request #3: Fletcher**

Final Zoning and Subdivision Examiner's Decision and the BALD Report 124-88-R, 1989

January 6, 1989

OFFICE OF THE ZONING AND SUBDIVISION EXAMINER  
KING COUNTY, WASHINGTON

REPORT AND RECOMMENDATION TO THE KING COUNTY COUNCIL.

SUBJECT: Building and Land Development File No. 124-88-R  
Proposed Ordinance No. 88-871

BRICE E. WILLINGHAM  
CG to ML-P

West side of Renton-Maple Valley Road, 160 feet  
south of S.E. 184th (if extended)

SUMMARY OF RECOMMENDATIONS:

Division's Preliminary:	Approve ML-P subject to conditions
Division's Final:	Approve ML-P subject to conditions
Examiner:	Approve ML-P subject to conditions (modified)

PRELIMINARY REPORT:

The Building and Land Development Division's Preliminary Report on Item No. 124-88-R was received by the Examiner on November 30, 1988.

PUBLIC HEARING:

After reviewing the Building and Land Development Division's Report, examining available information on file with the application and visiting the property and surrounding area, the Examiner conducted a public hearing on the subject as follows:

The hearing on Item No. 124-88-R was opened by the Examiner at 10:30 a.m. on December 22, 1988 in Hearing Room No. 2, 3600 - 136th Place S.E., Bellevue, Washington, and adjourned at 11:10 a.m. and administratively continued until January 3, 1989, 4:30 p.m. Participants at the public hearing and the exhibits offered and entered are listed in the attached minutes. A verbatim recording of the hearing is available in the office of the Zoning and Subdivision Examiner.

FINDINGS, CONCLUSIONS & RECOMMENDATION: Having reviewed the record in this matter, the Examiner now makes and enters the following:

MASTER COPY

FININGS:

## 1. General Information:

STR: S32-T23-R5

This is a request for zone reclassification from CG to ML-P in order to enable continued operation and expansion of an existing vehicle upholstery and interior refurbishing business on a 1.37 acre site located on the west side of Renton/Maple Highway, approximately 160 feet south of S. E. 184th Street (if that street were extended).

2. In 1986, King County issued a building permit for the existing principal structures. The permit specified that the buildings would be used for "upholstery shop" purposes. Exhibit No. 16.
3. Except as noted above in Finding 2, the facts, analysis and recommendation presented in the Division of Building and Land Development Preliminary Report dated December 22, 1988 (published November 30, 1988) are uncontested and they are incorporated here by reference. A copy of the Division of Building and Land Development report will be attached to the copies of the examiner's report which are submitted to the King County Council.

CONCLUSIONS:

1. Based upon the whole record, and according substantial weight to the determination of environmental significance made by the Division of Building and Land Development, it is concluded that approval of the subject action as recommended below, would not constitute a major action significantly affecting the quality of the environment. All evidence of environmental impact relating to the proposed action and reasonable alternatives to the proposed action have been included in the review and consideration of the subject action.
2. Considering the authorization of public improvements affecting this property (SR 169, including 1993 signalization of the Maple Valley/Cedar Grove intersection), as well as other circumstances affecting the subject property (including continued nonconforming industrial use of two abutting properties and County issuance of a building permit specifying the existing use), it is concluded that the proposed reclassification as recommended below would carry out and help to implement the goals and objectives of the Comprehensive Plan, the Zoning Code and other policies and objectives for the growth of King County. The requested use will not be unreasonably incompatible with, or detrimental to, affected properties and the general public, and will be consistent with KCC 20.24.190.

RECOMMENDATION:

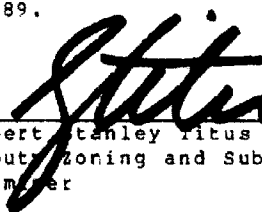
APPROVE ML-P with the following conditions of "P-suffix" site plan approval (reference KCC 21.46.150 through 21.46.200):

- A. Uses on the subject property shall be limited to the following:

- (1) Any use permitted in the CG classification (KCC 21.30; General Commercial).

- (2) Vehicle interior refurbishing and re-upholstery.
- B. The required site plan shall reflect any proposed uses or changes in uses of the existing buildings and any future buildings. The site plan will be prepared consistent with King County landscaping, parking, drainage, fire and other applicable review standards. Performance bonding may be required.

ORDERED this 6th day of January, 1989.



Robert Stanley Titus  
Deputy Zoning and Subdivision  
Examiner

TRANSMITTED this 6th day of January, 1989 by certified mail to the following parties of record:

Brice Willingham

James G. & Sandra Routs

TRANSMITTED this 6th day of January, 1989 to the following parties:

Gordon Thomson, Building and Land Development Division  
Craig Larsen, Building and Land Development Division  
Betty Salvati, Building and Land Development Division  
Paul Reitenbach, Community Planning  
Larry Kirchner, Seattle-King County Dept. of Public Health  
METRO  
Washington State Department of Fisheries  
Washington State Department of Transportation

#### NOTICE OF RIGHT TO APPEAL

In order to appeal the recommendation of the Examiner, written notice of appeal must be filed with the Clerk of the King County Council with a fee of \$50.00 (check payable to King County Office of Finance) on or before January 20, 1989. If a notice of appeal is filed, the original and 6 copies of a written appeal statement specifying the basis for the appeal and argument in support of the appeal must be filed with the Clerk of the King County Council on or before January 27, 1989. If a written notice of appeal and filing fee are not filed within 14 calendar days of the date of this report, or if a written appeal statement and argument are not filed within 21 calendar days of the date of this report, the Clerk of the Council shall place a proposed ordinance which implements the Examiner's recommended action on the agenda of the next available Council meeting.

Filing requires actual delivery to the Office of the Clerk of the Council, Room 403, King County Courthouse, prior to the close of business (4:30 p.m.) on the date due. Prior mailing is not sufficient if actual receipt by the Clerk does not occur within the applicable time period. The Examiner does not have authority to extend the time period unless the Office of the Clerk is not open on the specified closing date, in which event delivery prior to the close of business on the next business day is sufficient to meet the filing requirement.

Action of the Council Final. The action of the Council approving or adopting a recommendation of the Examiner shall be final and conclusive unless within twenty (20) days from the date of the action an aggrieved party or person applies for a writ of certiorari from the Superior Court in and for the County of King, State of Washington, for the purpose of review of the action taken.

MINUTES OF THE DECEMBER 22, 1988 PUBLIC HEARING ON BALD FILE NO. 124-88-R:

Robert Stanley Titus was the Hearing Examiner in this matter. Those participating in the hearing were Mr. and Mrs. Brice Willingham.

The following exhibits were presented and entered into the record:

- Exhibit No. 1 Building and Land Development Division Preliminary Report, dated December 22, 1988
- Exhibit No. 2 Rezone Application, dated October 10, 1988
- Exhibit No. 3 Determination of Nonsignificance effective November 15, 1988
- Exhibit No. 4 Five Building and Land Development Division photographs dated November 8, 1988
- Exhibit No. 5 Site Plan with Fire Engineer's notation
- Exhibit No. 6 Letter from Brice Willingham, dated November 9, 1988
- Exhibit No. 7 Letter from Department of Fisheries, dated November 19, 1988
- Exhibit No. 8 Letter from METRO, dated November 29, 1988
- Exhibit No. 9 Memo from Craig Larsen of Community Planning, dated November 30, 1988
- Exhibit No. 10 Letter from J. L. Lutz of the Washington State Department of Transportation
- Exhibit No. 11 500 Foot Radius Notice, dated November 16, 1988
- Exhibit No. 12 Affidavit of Posting, dated November 10, 1988
- Exhibit No. 13 Preliminary Site Plan (Plat & Paving Plan)
- Exhibit No. 14 Examiner's Report and Building and Land Development Division Report in BALD File No. 301-73-P
- Exhibit No. 15 Assessor's Map of SE1/4 S32-T23-R6
- Exhibit No. 16 Willingham application for Building Permit No. 103910, dated February 13, 1986

3758D;RST:ja 124-88-R

PARKS, PLANNING AND RESOURCES DEPARTMENT  
 BUILDING AND LAND DEVELOPMENT DIVISION  
 PRELIMINARY REPORT TO THE ZONING AND SUBDIVISION EXAMINER  
 DECEMBER 22, 1988 - PUBLIC HEARING

APPLICANT: BRICE E. WILLINGHAM FILE NO. 124-88-R  
 Proposed Ordinance No. 88-871

I. INTRODUCTION:

A. GENERAL INFORMATION:

Owner: Brice E. Willingham  
 20008 - 244th Ave. S.E.  
 Maple Valley, WA 98038  
 Phone: 432-9867

Location: West side of Renton-Maple Valley Road,  
 160 feet south of S.E. 184th (if  
 extended).

STR: 32-23-6

Request: CG to ML-P

Agencies Contacted:

Washington State Department of Fisheries  
 Washington State Department of Wildlife  
 Washington State Department of Transportation  
 Washington State Department of Ecology  
 Washington State Parks and Recreation  
 King County Fire District No. 43  
 METRO  
 King County Traffic Division  
 Issaquah Planning Department  
 King County Health Department  
 King County Parks Division  
 King County Planning Division

B. SUMMARY OF ACTION:

This is a request for a rezone CG to ML-P to permit an existing vehicle upholstery and interior refurbishing business on a 1.37-acre site. A 2500-square-foot concrete wall and steel-framed building and a 546-square-foot single-story wood frame "caretaker's" residence exist on the site. The applicant is proposing a second 2500-square-foot steel-framed building. A site plan has been submitted.

C. **KCC 21.32.010 Purpose of classification.** The purpose of this classification and its application is to provide for the location of and grouping of industrial activities and uses involving the processing, handling and creating of products, and research and technological processes, all as distinguished from major fabrication, and uses which are largely devoid of nuisance factors, hazard or exceptional demands upon public facilities and services. A further purpose is to apply zoning protection to the industries so located by prohibiting the intrusion of residential and institutional uses and all commercial enterprise, except those which serve as accessory to the needs and convenience of such industries, thus establishing a pattern of land use advantageous to the specialized needs of the uses permitted in this classification. (Res. 25789 ( 1600, 1963).

**KCC 21.32.020 Permitted uses.** The following uses only are permitted and specifically provided and allowed by this chapter:

A. Any use first permitted in the C-G classification provided however a dwelling shall be permitted on the same

lot or site on which an industrial use is located when the dwelling is used exclusively by a caretaker or superintendent of such enterprise and his family.

...(D) Upholstering.

D. STATE ENVIRONMENTAL POLICY ACT/BACKGROUND:

1. The Manager of the Building and Land Development Division (BALD) issued a determination of non-significance (DNS) (see Attachment 1) on November 15, 1988. A DNS indicates that environmental impacts from the proposal are not anticipated to be significant. Therefore, an Environmental Impact Statement (EIS) is not required.

2. The subject property was zoned CG under File 301-73-P. The file no longer exists. The Division's report and the Examiner's report on the case, however, do not indicate that a specific use for the property was discussed or planned at that time.

Prior to the CG zoning the subject property was zoned SE under the Maple Valley Area Zoning in 1969. A rezone (File 308-72-P) from SE to CG was also granted by the Council on property immediately to the northwest.

3. The applicant applied for and was issued a building permit (#103910) for two buildings on the site. Staff notes that the bus refurbishing use was not known at that time and that the January 21, 1986 Environmental Checklist for the building permit described the buildings to be used for "general commercial" uses. The permit approved B-2 (office) buildings when both B-1 (storage/maintenance) and B-2 should have been indicated. One building (on the corner of the site) was built before the permit expired. A renewal (#108467) was applied for on the second building. The renewal is on hold pending resolution of this rezone request.

4. Uses that are first permitted in a M-H zone (a junk yard and equipment storage yard) are present on either side of the subject property. The underlying zoning on both sites is CG. The non-conforming MH uses have existed on these sites for over 20 years and have shown no sign of being discontinued. CG zoning was approved for the site of the junk yard northwest of the subject property in 1972 (File 308-72-P). The Tahoma/Raven Heights Community Plan retained CG zoning on both the subject property and the two properties with MH uses without acknowledging the existence of those uses. Staff notes, after viewing aerials, that prior to development of the upholstery use the subject property appears to have been vacant.

II. ISSUE ANALYSIS:

This analysis is based upon the responses of the agencies of jurisdiction and other reviewing public agencies; citizens and community organizations; a field inspection of the project site; and information submitted by the applicant.

## A. UTILITIES AND PUBLIC SERVICES:

1. Sewer and Water: The subject property is served by a septic system. The Seattle-King County Department of Public Health approved an application for an individual sewage disposal system for an upholstery shop on the site on May 26, 1985 (see Attachment 2).

Water service is provided to the site via a community well shared with three other parties. Water flow is unknown; however, the buildings are exempt from King County Fire Engineering requirements per Ordinance No. 5828, Part 4, Section 4.

## B. TRAFFIC AND TRANSPORTATION:

King County Code 21.49 (Road Adequacy Standards) does not require rezones to comply with Level-of-Service (LOS) standards. The standards, however, do not limit the authority of King County to deny or approve with conditions:

A. Zone reclassification requests based on traffic impacts, or

B. Proposed developments or zone reclassifications if King County determines a hazard to public health, safety, or welfare would result from direct traffic impacts without roadway or intersection improvements, regardless of LOS, or

C. Proposed developments reviewed under the authority of the Washington State Environmental Policy Act (Ord. 7544 { 12, 1986).

The subject property fronts on Renton-Maple Valley Highway, a state highway. A highway access permit is therefore required. King County Traffic and Planning and Washington State Department of Transportation (WSDOT) had no comments on the proposal.

## C. ENVIRONMENT:

The site is flat and covered with impervious surface over approximately 50% of the site. The King County Sensitive Areas Map Folio does not indicate the presence of any sensitive features on the site. The Cedar River is approximately 800 feet north of the site. The site is topographically constrained by a hill immediately to the west.

## D. 1985 COMPREHENSIVE PLAN AND TAHOMA/RAVEN HEIGHTS COMMUNITY PLAN:

In accord with Ordinance No. 7178, Section 2, C-1, the following Comprehensive Plan and Tahoma/Raven Heights policies are cited:

1. The subject property is located within the "Urban Areas" designation of the 1985 Comprehensive Plan.

2. Comprehensive Plan 1985 Policies CI-108, CI-228, CI-231, CI-232, and F-215:

a. CI-108: King County should encourage a wide range of commercial and industrial development in Urban Activity Centers, and should provide for small-scale retail stores, offices and services in Community and Neighborhood Centers. Commercial



and industrial development should occur primarily in compact centers.

COMMENT: The intent of Policy CI-108 is to encourage the location of industrial development in compact centers (i.e. Urban and Rural Activity Centers). However, it does not, by the use of the word "primarily," preclude industrial development outside of Urban Activity Centers. The subject property is located in the "Urban Area" as designated by the 1985 Comprehensive Plan. As noted previously (Section I, D-2), CG zoning has existed on and adjacent to the site since 1973. The nonconforming MH uses present on the adjacent CG-zoned properties have been in existence for 20 to 25 years. The CG zoning which exists in the vicinity is an approximately 8-acre strip fronting on Renton-Maple Valley Road (SR 169).

b. CI-228: Individual separate industrial sites may be permitted in Urban Areas when adequate facilities and services can be provided, adverse impacts on adjacent land uses and the natural environment are mitigated, and when these sites are located to provide a suitable core for a future Urban Activity Center.

COMMENT: As noted in the comment to CI-108, the subject property is located in an Urban Area. CI-228 serves to elaborate upon CI-108 by specifically allowing industrial development outside of "activity centers" providing adverse impacts can be mitigated and the location provides a core for a future activity center. Although the site may not be part of a future Urban Activity Center, the property is located within a core of CG-zoned property which currently accommodates long-standing, nonconforming MH type uses.

c. CI-231: Industrial development should be designed to be compatible with adjoining uses. Off-site impacts such as noise, odors, light, and glare should be prevented through pollution control measures, setbacks, landscaping, and other techniques. Unsightly views of parking, loading, and storage areas should be screened from neighboring office retail and residential uses.

d. CI-232: Industrial development should have direct access from arterials or freeways. Access points should be combined and limited in number to allow smooth traffic flow on arterials. Access through residential areas should be avoided.

COMMENT: As noted in the comments to CI-108 and CI-228, the land uses surrounding the subject property are MH. The applicant has submitted a site plan. Policy CI-231 could be implemented with the addition of a "P" suffix requiring site plan approval per KCC 21.46.150 through 21.46.200 to the rezone. In reference to Policy CI-232, the right-of-way for SR 169 is located adjacent to the property on the northeast. As noted previously, a State Highway Access Permit is also required for the proposal.

3. T/RH Plan Policies 23, 24, 25, and 26:
- a. T/RH #23: Existing commercial sites located outside of designated centers should be allowed to develop to the limits of the present zoning; however, expansions should not be allowed.
  - b. T/RH #24: Future industrial development should be encouraged unless proven incompatible with surrounding land use and densities.
  - c. T/RH #25: Industrial development should be located where a full range of urban/suburban services are available, including water supply, sewers, solid waste disposal, road access, public transit, and an adequate level of police and fire protection.
  - d. T/RH #26: Industrial development should be given special site review to ensure that all local impacts are mitigated.

COMMENT: T/RH Policies 23, 24, 25, and 26 provide a general location criteria for general commercial and industrial uses in the T/RH planning area. That criteria places a size limit on existing commercial sites outside of designated centers and calls for a compatibility test for industrial development. Compatibility includes such factors as environmental impact and the availability of urban/suburban services. Both factors are discussed in Section II (A-C) of this report.

### III. OTHER CONSIDERATIONS:

- A. KCC 20.12.070 Community plan amendments -  
Criteria for advancing revision schedule: A study to determine the need for revision of one or more community plans shall be undertaken by the Department of Parks, Planning, and Resources in cooperation with the policy development commission if appropriate when the Council adopts a finding that one of the following criteria is present:
- A. Development activity is substantially greater than anticipated in the plan, as indicated by:
    - 1. County-wide or community plan area total residential unit construction as measured by building permits and by annual subdivision activity as measured by number of lots created or by acreage, is one hundred percent higher for twelve consecutive months than the average level for the previous three years, or
    - 2. County-wide or community plan area total annual vacant land consumption is occurring at a rate of one hundred percent higher for twelve consecutive months than the average rate for the previous three years;
  - B. In the review of a request for a zone reclassification, planned unit development, subdivision, or unclassified use permit, the Council finds that the request is inconsistent with an adopted community plan, but circumstances affecting the area in which the proposal is located may have undergone changes substantially and materially different from those anticipated or contemplated by the community plan, and that the impacts from the changed circumstances make consideration of a plan revision necessary. The application shall be denied without prejudice or deferred at the request of the applicant until the Department of Parks, Planning, and Resources completes a study to

determine the need for a plan revision, and a plan revision, if any, is adopted by the Council.

C. Issues of current concern to area residents or the county, including but not limited to: policy conflicts due to subsequent comprehensive plan amendments, regional service or facility needs, annexations, or other circumstances not anticipated in the community plan make it necessary to consider a revision to one or more community plans. (Ord. 4305 ( 4, 1979.)

**KCC 20.24.180 Examiner findings.** When the examiner renders a decision or recommendation, he shall make and enter findings of fact and conclusions from the record which support his decision, and the findings and conclusions shall set forth and demonstrate the manner in which the decision or recommendation is consistent with, carries out, and helps implement applicable state laws and regulations; and the regulations, policies, objectives, and goals of the comprehensive plan, the community plans, the sewerage general plan, the zoning code, the subdivision code, and other official laws, policies, and objectives of King County and that the recommendation or decision will not be unreasonably incompatible with or detrimental to affected properties and the general public. (Ord. 4461 ( 9, 1979: Ord. 263 Art. 5 ) 14, 1969.)

**KCC 20.24.190 Additional examiner findings - Reclassifications and shoreline redesignations.** When the examiner issues a recommendation regarding an application for a reclassification of property or for a shoreline environment redesignation, the recommendation shall include additional findings which support the conclusion that at least one of the following circumstances applies:

A. The property is potentially zoned for the reclassification being requested and conditions have been met which indicate the reclassification is appropriate; or

B. An adopted community plan or area zoning specifies that the property shall be subsequently considered through an individual reclassification application; or

C. Where a community plan has been adopted but subsequent area zoning has not been adopted, that the proposed reclassification or shoreline redesignation is consistent with the adopted community plan; or

D. The applicant has demonstrated with substantial evidence that:

1. Since the last previous area zoning or shoreline environment designation of the subject property, authorized public improvements, permitted private development or other conditions or circumstances affecting the subject property have undergone substantial and material change not anticipated or contemplated in the community plan or area zoning;

2. The impacts from the changed conditions or circumstances affect the subject property in a manner and to a degree different than other properties in the vicinity such that area rezoning or redesignation is not appropriate; and

3. The requested reclassification or redesignation is required in the public interest. (Ord. 4461 Sec. 10, 1979.)

**COMMENT:** The MH uses which exist on properties adjacent to the subject site (see I, D-4) were established 20 to 25 years ago and are considered legal, nonconforming uses. The Tahoma/Raven Heights Community Plan does not recognize the existence of these uses, instead retaining the CG zone on both properties. The presumption on the part of the community plan is that such non-

BRICE E. WILLINGHAM  
FILE NO. 124-88-R

conforming uses will eventually move or go out of business, thus freeing up the properties for conforming uses.

B. The CG zone (KCC 21.30.030) accommodates assembly, fabrication, and heavy repair uses. Some of these uses include boat building (which may include fibreglassing), tire rebuilding, recapping, and retreading, laboratories, and machine shops. In a recent administrative decision, the Manager of BALD allowed an artificial marble sink and sill manufacturer in the CG zone, comparing the use to the fibreglassing operation one might find in boat building (see Attachment 3).

C. The 1987 Standard Industrial Classification (SIC) Manual is the statistical classification standard which underlies all "establishment-based" federal economic statistics classified by industry type. The SIC covers all economic activities and defines industries in accordance with the composition and structure of the economy. The SIC is useful in the subject case to help define whether or not a manufacturing use would be established on the site if the request were approved. The SIC classifies automotive upholstery repair under Top, Body, and Upholstery Repair Shops and Paints Shops (SIC Industry #7532). SIC 7532 is part of SIC Division I - Services, which is defined as follows:

"This division includes establishments primarily engaged in providing a wide variety of services for individuals, business, and government establishments, and other organizations. Hotels and other lodging places; establishments providing personal, business, repair, and amusement services; health, legal, engineering, and other professional services; educational institutions; membership organizations, and other miscellaneous services, are included.

Establishments which provide specialized services closely allied to activities covered in other divisions are classified in such divisions."

Service uses are generally found in the CG zone per KCC 21.03.020. The list of permitted services in the CG zone, however, currently does not include upholstery.

#### IV. CONCLUSIONS AND RECOMMENDATIONS:

##### A. CONCLUSIONS:

1. No significant environmental impacts are expected to occur from continued use of the site for bus re-upholstery and interior refurbishing.

2. The request is consistent with the 1985 Comprehensive Plan, specifically Policies CI-108 and CI-228 which allow for individual industrial locations in the Urban Area when adverse environmental impacts can be mitigated (see Conclusion 1, above). Policy CI-232 has already been fulfilled by the nature of the location of the subject property on a major arterial. Policy CI-231 should be implemented with the addition of a P-Suffix condition.

3. The request is inconsistent with the Tahoma/Raven Heights Community Plan land use map and Area Zoning which designates the subject property for general commercial uses (upholstery is first permitted in the

M-L per KCC 21.32.020(D)). The request, however, does not conflict with T/RH Policies 23, 24, 25, and 26 cited in this report.

4. The bus upholstery/interior refurbishing use was apparently established under false pretenses with the issuance of a commercial building permit in 1986. The plans and environmental checklist submitted to BALD, and upon which the permit was issued, did not portray the current use. If an error has been made, it has been on the part of the applicant who did not accurately portray the intended use for the property at the time of building permit submittal.

5. Circumstances affecting the subject property have undergone substantial and material change not anticipated or contemplated in the community plan or area zoning. Moreover, the impacts from the changed circumstances affect the subject property in a manner and to a degree different from other properties in the vicinity such that area rezoning or redesignation is not appropriate. The changed circumstances have occurred as a result of the continuing use of the CG-zoned properties adjacent to the subject property for MH uses (see Section III.A.).

6. The use of the subject property for vehicle re-upholstery and interior refurbishing is no more intense than uses permitted in the CG zone. In fact, there are uses in the CG zone (e.g. boat building) which are more intense and pose a greater likelihood of environmental impact than the existing use. An alternative to an ML rezone would be to amend the CG zone to allow upholstery as an outright use.

7. The subject property is uniquely affected by the adjacent MH uses. These uses were not addressed during the T/RH plan update process and have only become an issue with this application.

8. The Department feels that a plan revision study is not required given the isolation of the subject property, due to the adjacent MH type uses and the hill to the west of the property. Given the long-term nature of the adjacent MH type uses, it is unlikely that ML zoning would be expanded to those properties.

B. RECOMMENDATION:

1. Approve ML-P with the following post-effective conditions:

a. Limit the use to the upholstery/vehicle interior refurbishing as proposed by the applicant.

b. A site plan shall be submitted for review by BALD at the time of building permit approval. The site plan shall reflect the proposed uses of the existing and any future buildings, in addition to landscaping and parking requirements of the zoning code.

8865

BRICE E. WILLINGHAM  
FILE NO. 124-88-R

TRANSMITTED to parties listed hereafter:

Brice E. Willingham

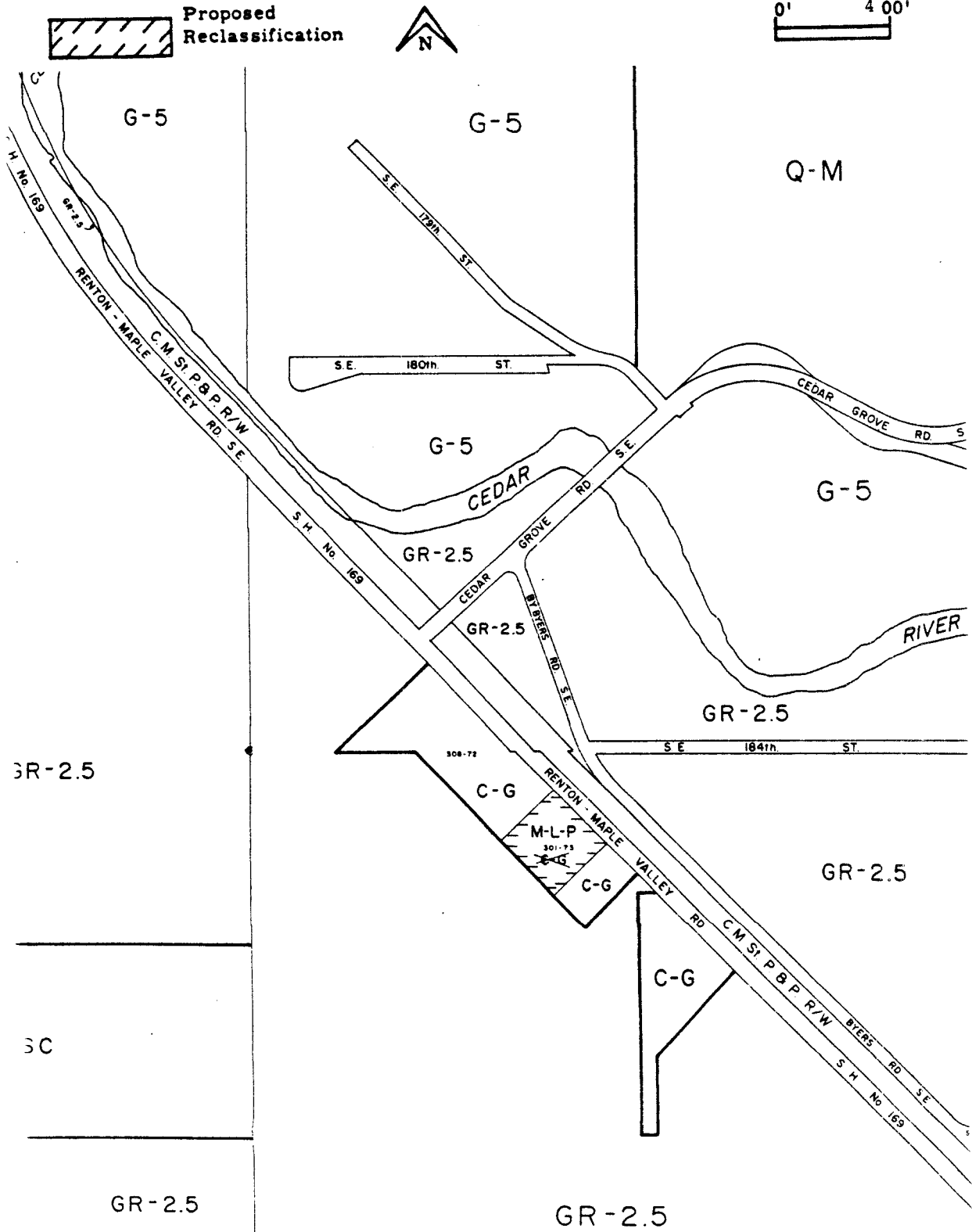
20008 - 244th Ave. S.E., Maple Valley, WA 98038

Paul Reitenbach, Community Planning

Larry Kirchner, Seattle-King County Dept. of Public Health

APPLICANT: BRICE WILLI AM  
REQUEST: C-G to M-L-P  
STR: 32-23-6

FILE 124-88-R  
Appendix B





King County  
Building & Land Development Division  
Parks, Planning and Resources Department  
3600 - 136th Place Southeast  
Bellevue, Washington 98006-1400

8865

November 10, 1988  
Determination of Non-Significance

Effective Determination Date: November 15, 1988

File: 124-88-R Willingham Rezone

Proponent: Brice E. (Gene) Willingham  
20008 244th Ave. SE  
Maple Valley, WA 98038  
432-9867

Proposal Description:  
The rezone of 1.37 acres from CG (General Commercial) to MLP (Light Manufacturing with Provisions) zones. The business will be the refurbishing and upholstering of the interiors of charter and intercity buses. This is the legalization of an existing illegal use.

Location: 18415-19 Renton-Maple Valley Rd (SR169), on the west side of the Renton-Maple Valley Rd, 160' south of SE 184th, if extended.

STR: 32-23-06

Mitigation under SEPA for this proposal includes:  
1. Provide permanent protection of the drainfield; such as a log wheel-stops, fence, Type I landscape strip, or 6" extruded curb. This protection shall permanently prevent parking in this area.

Conditions:  
1. Approval of this rezone does not constitute site plan approval. The information submitted does not allow BALD to review for building code requirements. The building permit issued for building #1 may have to be amended for the change in use of the building.

The Building and Land Development Division has determined that an environmental impact statement (EIS) is not required under RCW 43.21C, WAC 197-11, and KCC 20.44. This decision was made after review of a completed environmental checklist, other information on file at the Division's office, and mitigation proposed and/or required as part of this project. The proposal or required mitigation is now part of the proposed action. The conditions and/or agreements are deemed necessary to mitigate environmental impacts identified during the environmental review process.

Any interested party may submit written comments on this proposal. Written comments or appeals will be accepted until November 30, 1988

Any appeal shall state with specificity the reasons why the determination should be reversed. ALL APPEALS MUST BE ACCOMPANIED BY A NON-REFUNDABLE \$50.00 FILING FEE.

Attachment 1



COMMERCIAL  
RECEIVED  
OCT 10 1988

SEATTLE KING COUNTY DEPARTMENT OF PUBLIC HEALTH  
ENVIRONMENTAL HEALTH SERVICE

124 88 R

B.L.D.C. & LAND DEVELOPMENT

SITE APPLICATION FOR INDIVIDUAL SEWAGE DISPOSAL SYSTEM  
(Submit 5 copies of application with 3 copies of plans)

(This accompanies the building permit application and is prerequisite to the issuance of the Individual Sewage Disposal System Permit. Acceptance of plan expires one year from date of acceptance. Using this plan to secure a building permit constitutes agreement to adhere to the requirements of the plan.)

NOTE: If the property is within the boundaries of a sewer service area, it will be necessary to obtain written permission from the sewerage authority allowing use of an individual sewage disposal system.

Approximate Location of Property - Street Address 18711 Maple Valley Hiway

Addition or Subdivision Attached Lot      Block       
(Or attach legal description) Sewer Service Area Yes      No X Reserve Required      50% X 100%

Type of Building: New  Single Family Residence  (No. Bedrooms     )  
Shop & Office Existing  Other  (Specify) Upholstrey Shgp

North End	10501 Meridian Ave. N. Seattle 98133	363-4765
Eastside	2424 156 N.E., Bellevue 98004	885-1278 or 747-1760
Southwest	3001 N.E. 4th Street, Renton 98055	228-2620-296-4900
Central	10821 8th S.W. 98146	244-6400
	172 20th Ave. Seattle 98122	625-2763

Owner Brice Willingham Street Address 20008 244th Ave. S.E.  
 City-Zip Code M.V. Wn 98038 Phone 432-9867  
 Builder Owner Street Address       
 City-Zip Code      Phone       
 Designer Ed Harwood Street Address 18422 S.E. 394th St.  
 City-Zip Code Auburn 98002 Phone 833-5262

Soil Log Tests (Describe soils encountered preferably by SCS soil classification system). Minimum depth 48 inches.

Hole No. 1 0"-48" Sand & Gravel (Type 1)  
 Hole No. 2 Same  
 Hole No. 3 Same  
 Hole No. 4 Same

Evidence of seasonal Water Table. (Probable minimum distance from ground surface) None

Source of Domestic Water Supply Cedar Inn Comm. Water Supply

Percolation Tests (Fall in minutes per inch, bottom 6 inches of test hole) 1.0 M/P/I for design

Hole No.	Depth	Average Rate	Length of Time Soaked
			T.P.F.P.S.P.
Hole No. 1	36"	1.0	
Hole No. 2	"	"	"
Hole No. 3	"	"	"
Hole No. 4	"	"	"
Hole No. 5	"	"	"
Hole No. 6	"	"	"

(For additional remarks or comments attach letter in triplicate or utilize unused spaces around drawing on reverse side of application.)

Signature - Designer Ed Harwood ED HARWOOD Cert. #62 Date of testing 2/21/85

VALID FOR 24 MONTHS  
FROM DATE OF APPROVAL  
RECEIVED

DO NOT WRITE BELOW THIS LINE. (To be filled in by Health Department) Note: Existing well (District Office Use)  
Accepted  Dina Christensen 6/26/85 to be considered prior to installation permit return MAR 26 1985

Not Accepted  (Date)      (District Sanitarian)     

COMMERCIAL

SOUTHEAST DISTRICT OFFICE

Attachment 2

8865

King County  
Building & Land Development Division  
Parks, Planning and Resources Department  
3600 - 136th Place Southeast  
Bellevue, Washington 98006-1400

November 3, 1988

FILE COPY

Mr. Mickey Conlin  
c/o Tiffany Marble Works  
10025 - 16th Avenue South  
Seattle, WA 98146

RE: Application C88-1279 (11618 Des Moines Memorial Dr. South)

Dear Mr. Conlin:

I have reviewed your application with Jerry Marbett and Jerry Balcom.

Your proposed use, which I understand is custom culture marble business, is consistent with the purpose of the general commercial classification (21.30.010) and is likely to be of relatively less impact than some of the more intensive uses that are permitted (i.e., boat building, paint and carpenter shops and tire recapping).

The M-L zone, under permitted uses (21.32.020), does use language that describes the materials that you use, but I am further persuaded that your intensity of use (5 employees) and production of one and one-half now to three bathrooms a day maximum (approximately) would be less intensive than many of the uses that are permitted in the CG zone.

This letter then will serve as authority to complete your plans to move into your new location.

The request for more information contained in Herb Haines' September 30, 1988 letter must be answered and reflected in the final plans you prepare for our subsequent issuance, as well as any other applicable code(s).

Attachment 3