

CPA #2011-M-06 DUVALL

SUPPLEMENTAL STAFF REPORT

SUMMARY: This Supplemental Staff Report provides information provided to Planning Staff from other Divisions within the City that was not available for the first staff report.

General Description

This Comprehensive Plan Amendment (CPA) is to consider re-designating a 8,073 square foot site from Residential Single Family (RSF) land use designation and Residential 8 (R-8) zoning to Commercial Corridor (CC) land use designation and Commercial Arterial (CA) zoning. This property is located just north of NE Sunset Blvd on the south west corner of Duvall Avenue and NE 17th Street at 1625 Duvall Avenue NE. The site is currently developed with a 2,370 square foot sign shop, Streamline International, which is operated by the property owner David Rockabrand. According to the applicant, prior to Streamline International, the building housed a CPA business for 12 years at this location.

Planning Commission Question: How much did the Duvall Avenue impairment project compensate the property owner for the amount of land needed for the right-of-way expansion?

Staff Comment: At the time of the Duvall Avenue impairment project, the Rockabrand's did not own the subject residence. According to the King County assessors records the property owners were Charles and Karen Grass. The Grass's sold the right-of-way to the City on February 7, 2007 for the amount of \$68,400. Pursuant to James Wilhoit, Project Manager for the Duvall Avenue Improvements, this large dollar amount was to compensate for the removal of the access to their garage. The property owners were not compensated for the construction of the new access off of NE 17th Street. The Rockabrand's purchased the property in November of 2007.

Planning Commission Question: What permits the non-conforming commercial use to change from one property owner to another, when animal provisions do not permit this change?

Staff Comment: Non-conformity is addressed in Renton Municipal Code (RMC) section 4-10. Specifically section 4-10-040 states "*change of ownership, tenancy, or management of a nonconforming structure or use shall not affect its legal nonconforming status provided the provisions of this Chapter are met.*"

Furthermore, non-conforming uses are addressed in RMC 4-10-060 and non-conforming animals are addressed in RMC 4-10-070. Title IV has specific requirements for non-conforming uses, structures, and animals. RMC 4-10-070 Nonconforming Animals currently does not contain code language. However, during the review of Docket #6, additional provisions were added to this section of the code to provide specific direction for non-conforming animals. Based on the most recent code amendments, this new section of the code would not permit

legal non-conforming animals to transfer from one property owner to another with the sale of the property. However, the section provides for an exception for Extra Large Lot Animals. When an optional Additional Animals Permit has been requested and issued and the permit expressly allows the transfer of non-conforming rights to subsequent purchasers the transfer would be permitted from one property owner to another.

Planning Commission Question: Is there a need for additional commercial zoning?

Staff Comment: When evaluating this question, staff would typically turn to employment targets identified in our regional planning efforts. However, the scale of the subject site, approximately 8,000 square feet, is significantly small. An amendment of this size and scale would have limited to no impact positively or negatively on employment targets for the City. Same can be said for the housing capacity, one unit would not result in a change that would impact the City's residential targets. Moreover, employment and residential targets are designed to look out 20 years and are updated every 5 years to reflect actual changes as a result of development. In this case, based on the site's size and limited impact on future employment and/or residential capacity, the most important question to consider is what objectives of the Comprehensive Plan should be implemented.