

CITY CLERK'S OFFICE  
CITY OF AUBURN  
25 West Main  
Auburn, WA 98001

\$15.00

ORDINANCE NO. 4 4 5 6

AN ORDINANCE OF THE CITY OF AUBURN, WASHINGTON, PROVIDING FOR THE REZONING OF PROPERTY LOCATED ON THE NORTH SIDE OF 16TH STREET N.W. BETWEEN "A" STREET N.E. AND "B" STREET N.W., WITHIN THE CITY OF AUBURN, WASHINGTON, CHANGING THE ZONING CLASSIFICATION THEREOF FROM M-1 (LIGHT INDUSTRIAL) TO C-3 (HEAVY COMMERCIAL) AND COMPREHENSIVE PLAN MAP AMENDMENT FROM LIGHT INDUSTRIAL TO HEAVY COMMERCIAL.

WHEREAS, Application No. REZ0004-90 has been submitted to the Council of the City of Auburn, Washington, by LONE PROPERTIES, requesting the rezone and Comprehensive Plan Map amendment of the real property hereinafter described in Section 2 of the Ordinance, which application was dated June 20, 1990; and,

WHEREAS, said request above referred to, was referred to the Planning Commission for study and public hearing thereon; and

WHEREAS, the Planning Commission, based upon staff review, held a public hearing to consider said petition in the Council Chambers of the Auburn City Hall, on August 7, 1990, at the conclusion of which the Planning Commission recommended the approval of the request for rezone and Comprehensive Plan amendment of said property based upon the following Findings of Fact and Conclusions, to-wit:

90/10/05 91016 18  
RECD F 12.00  
RECFEE 2.00  
CASHSL \*14.00  
55

9010051316

**FINDINGS OF FACT**

1. The applicant is requesting a rezone from M-1 (Light Industrial), to C-3 (Heavy Commercial). A Comprehensive Plan Map amendment from light industrial to heavy commercial is being processed as well. The parcel is 7.7± acres in size and lies on the north side of 16th Street between "B" St. N.E. and the Auburn Airport.
2. The majority of the parcel is vacant. A temporary structure, to accommodate a new bank, is located on the easterly portion of the parcel. The permanent bank facility will be under construction within a year.
3. The adjoining parcel to the north is vacant and zoned M-1. This was the site of the Auburn Downs proposal. To the east is the Auburn Airport, to the south is a vacant parcel owned by Metro, across 16th Street to the south is a vacant parcel zoned C-3 (Heavy Commercial). To the west is "B" Street and the Burlington Northern Railroad tracks.
4. The parcel may be more appropriate for commercial uses in that the property is near the 15th Street commercial corridor, fronts on an arterial (16th Street), commercial zoning exists across 16th Street, and a commercial use, i.e. bank, is being built on the parcel.
5. Even though the parcel may be more appropriate for commercial uses, there needs to be assurances that a strip commercial development will not result. There also need to be assurances that the number of accesses to the abutting arterials will be limited in order to facilitate traffic flow, and the proposed uses need to be consistent and compatible with the character of the area.

1 6. These assurances can be attained through the  
2 execution of a contract rezone. Section  
3 18.68.060 of the Zoning Ordinance allows for a  
contract rezone in order to mitigate any impacts  
that may result from the rezone.

4 7. The applicant has submitted a letter and site  
5 plan which indicate his desire to provide for a  
coordinated business development.

6 8. Related Comprehensive Plan Findings:

7 *OBJECTIVE 20.3. To encourage the appropriate use of areas adjacent to heavily*  
8 *travelled arterials while minimizing land use and traffic conflicts by:*

- 9 a. *Managing the continued commercial development of existing commercial*  
10 *arterials in a manner which minimizes traffic and land use conflicts.*  
11 d. *Planning and establishing new arterials in a manner which prevents strip*  
commercial development.

12 *POLICIES:*

13 20.3.1. *The City shall identify those existing commercial arterials that are appropriate*  
14 *for continued general (heavy) commercial development, and those*  
15 *arterials that are appropriate for continued or future limited (i.e.*  
16 *professional office type) commercial development.*

17 20.3.2. *The City shall encourage the grouping of individual commercial enterprises*  
18 *along commercial arterials in order to promote the sharing of parking*  
19 *areas, access drives and signs. Such grouping can be encouraged*  
20 *through land division regulations, sign regulations and development*  
21 *standards.*

22 20.3.3. *The City shall review its standards relating to the number, size and location of*  
23 *driveways to ensure consistency with goals and policies relating to*  
24 *arterial commercial development.*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**CONCLUSIONS OF LAW**

It is concluded that the Comprehensive Plan Map amendment and rezone may be approved based upon the following:

1. It is concluded that the rezone and Comprehensive Plan Map amendment may be approved if a contract rezone is executed that limits uses, and sets forth requirements and standards for the number and location of driveways, streetscape design, shared parking lots, shared signage and architectural design.

2. The contract rezone would be consistent with the policies of the Comprehensive Plan, the existing zoning and uses in the area, and the changing character of the area to commercial uses.

For each of the above referenced reasons, the recommendation of the Planning Commission to the Auburn City Council on the requested rezone and Comprehensive Plan Map amendment is approved.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. The above cited Planning Commission's Findings of Fact and Conclusions, are herewith incorporated in this Ordinance.

1                    Section 2. The property located on the north side of  
2 16th Street N.W. between "A" Street N.E. and "B" Street N.E.  
3 and legally described as follows, situate in the City of  
4 Auburn, County of King, State of Washington, be and the same  
5 is hereby rezoned from M-1 (Light Industrial) to C-3 (Heavy  
6 Commercial) togetherwith a Comprehensive Plan Map Amendment  
7 from Light Industrial to Heavy Commercial:  
8

9                    That portion of the South half of the Joseph  
10 Brannon Donation Land Claim No. 38, situated  
11 in the West half of Section 7, Township 21  
12 North, Range 5 East, W.M.; and the East half  
13 of Section 12, Township 21 North, Range 4  
14 East, W.M., in King County, Washington,  
15 being described as follows:

16                    Beginning at the point of intersection of  
17 the East margin of "B" Street Northwest with  
18 the North line of said South half of said  
19 Donation Land Claim;

20                    Thence S 89°06'01" E, along said North line,  
21 a distance of 1,090.76 feet, to a point  
22 1,510.00 feet West of the East line of said  
23 Donation Land Claim;

24                    Thence S 00°42'32" W, parallel with said  
25 East line, a distance of 329.70 feet, to the  
26 North line of a parcel belonging to "Metro  
Park and Ride";

                  Thence N 89°29'03" W, along said North line,  
a distance of 258.55 feet, to a point of  
intersection with the Northerly projection  
of the East margin of "A" Street Northwest;  
thence S 00°40'40" W along said projection,  
a distance of 268.43 feet, to said margin;

1  
2 Thence Northwesterly along said East margin  
3 of "A" Street Northwest and changing into  
4 the Northerly margin of 16th Street  
5 Northwest, along a curve to the left with a  
6 radius of 330.04 feet, a central angle of  
7  $89^{\circ}45'30''$ , an arc length of 517.03 feet and  
8 a chord which bears  $N 44^{\circ}12'02'' W$ , 465.77  
9 feet

10 Thence  $N 89^{\circ}04'50'' W$ , along said Northerly  
11 margin of 16th Street Northwest, a distance  
12 of 476.63 feet; thence  $N 44^{\circ}11'08'' W$ , a  
13 distance of 38.13 feet, to the East margin  
14 of said "B" Street Northwest; thence  $N$   
15  $00^{\circ}42'35'' E$  along said margin, a distance of  
16 244.01 feet, to the point of beginning.

17 **Section 3.** The applicant prepare a master site plan, to  
18 be approved by the Planning Director, indicating the number  
19 and location of driveways, landscape design, sign plan and a  
20 compatible architectural design for all buildings within the  
21 rezoned area.

22 The plan shall be approved by the Planning Director prior  
23 to building permits being applied for. This would except the  
24 bank which has received prior administrative approval.

25 All other subsequent uses/buildings would have to be  
26 consistent with the site plan. The Planning Director shall  
approve individual site plans including building and parking  
lot layout.

**Section 4.** The following uses to be allowed will be  
those as permitted by Section 18.30.020 as listed below:

- 1 B. Art, music and photography studios;
- 2 J. Bakery and pastry shops, products made must be sold  
at retail on the premises;
- 3 K. Banking and related financial institutions;
- 4 P. Civic, social and fraternal associations;
- 5 S. Day-care, including home based, mini day-care, day-  
care centers, preschool or nursery schools;
- 6 T. Delicatessens;
- 7 U. Drycleaning and laundry services;
- 8 Y. Grocery stores;
- 9 Z. Health and physical fitness clubs
- 10 AA. Hobby shops;
- 11 CC. Hotels;
- 12 KK. Motels;
- 13 MM. Newsstands;
- 14 OO. Personal service shops;
- 15 PP. Pharmacies;
- 16 QQ. Printing and publishing;
- 17 RR. Professional offices;
- 18 VV. Restaurants;
- 19 WW. Retail stores and shops, including department and  
variety stores which offer for sale the following  
and similar related goods:
- 20 1. Antiques;
- 21 2. Art supplies;
- 22 3. Automobile parts and accessories;
- 23 4. Baked goods;
- 24 5. Beverages;
- 25 6. Bicycles;
- 26 7. Books and magazines;
8. Candy, nuts and confectionery;
9. Clothing;
10. Computers;
11. Dairy products;
12. Dry goods;
13. Flowers and house plants;
14. Fruits and vegetables;
15. Furniture and home furnishings;
16. Garden and farm supplies;
17. Hardware, including electrical, heating,  
plumbing, glass, paint, wallpaper, and related  
goods;
18. Home garden supplies;

19. Household appliances;
20. Household pets;
21. Housewares;
22. Jewelry and clocks;
23. Meat, fish, and poultry, pre-processed;
24. Notions;
25. Nursery and horticultural products;
26. Office supplies and equipment;
27. Photographic equipment, including finishing;
28. Radio, television, and stereos;
29. Shoes;
30. Sporting goods;
31. Stationery;
32. Toys.

YY. Schools, including art, business, barber, beauty, dancing, driving, martial arts and music.

**Section 5.** All uses shall be conducted inside of a building except automobile parking, refuse containers, and incidental utility structures. The refuse containers and utility structures shall be screened from the public streets and adjoining properties.

**Section 6.** Upon the passage, approval and publication of this Ordinance as provided by law, the City Clerk of the City of Auburn shall cause this Ordinance to be recorded in the office of the King County Auditor, Division of Records and Elections.

**Section 7.** The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directions of this legislation.



9010051316

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

Section 8. This Ordinance shall take effect and be in force five days from and after its passage, approval and publication as provided by law.

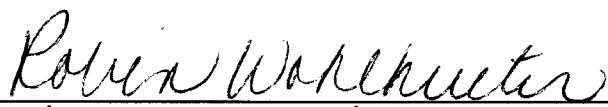
INTRODUCED: 9-4-90

PASSED: 9-4-90

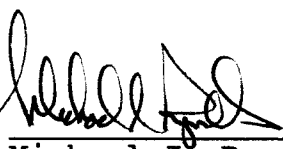
APPROVED: 9-4-90

  
MAYOR

ATTEST:

  
Robin Wohlhueter, City Clerk

APPROVED AS TO FORM:

  
Michael J. Reynolds,  
Acting City Attorney

PUBLISHED: 9-9-90

STATE OF WASHINGTON)

) ss.

COUNTY OF KING )


I, Robin Wohlhueter, the duly appointed, qualified City

Clerk of the City of Auburn, a Municipal Corporation and Code City, situate in the County of King, State of Washington, do hereby certify that the foregoing is a full, true and correct copy of Ordinance No. 4456 of the ordinances of the City of Auburn, entitled "AN ORDINANCE."

I certify that said Ordinance No. 4456 was duly passed by the Council and approved by the Mayor of the said City of Auburn, on the the 4th day of September A.D., 1990.

I further certify that said Ordinance No. 4456 was published as provided by law in the Valley Daily News, a daily newspaper published in the City of Auburn, and of general circulation therein, on the 9th day of September, A.D., 1990.

Witness my hand and the official seal of the City of Auburn this  
December 28, 1990, A.D.

  
\_\_\_\_\_  
Robin Wohlhueter  
City Clerk  
City of Auburn