

Consideration of SRM Affordable Housing Rezone Application

Site-Specific Rezone

Charmaine Arredondo | City Clerk

Trisna Tanus | City Attorney

January 13, 2026



Initial Consideration

Consideration of an application by SRM Development for the SRM Affordable Housing Rezone, located at 999 118th Ave SE.



Agenda

1. Quasi-judicial process
2. Ex parte disclosures
3. Council's role
4. Decision criteria
5. Staff report
6. Hearing Examiner's recommendation and next steps



Quasi-judicial Process



Council sits in a quasi-judicial role

- Decision based on established criteria, rather than policy preferences
- Appearance of Fairness rules apply

City Code changes in 2022 – Council removed from most quasi-judicial processes (Process I and II)

- State law requires Council to be final decision maker on site specific rezones (Process III)

Quasi-judicial Process

Site Specific Rezone (Process III, Land Use Code 20.35.300)

- ✓ Notice of application and minimum comment period
- ✓ Public meeting held
- ✓ Director's recommendation to Hearing Examiner
- ✓ Public hearing held by Hearing Examiner
- ✓ Hearing Examiner makes a recommendation to City Council



Ex Parte Disclosures

Appearance of Fairness doctrine: Proceedings must be fair and unbiased

- ✓ Decisionmakers must not engage in ex parte communications
- ✓ Mitigated when Councilmembers disclose an ex parte communications on the record
- ✓ Parties have opportunity to rebut the substance of the communication

Administrative search:

- ✓ No ex parte contacts discovered

Additional disclosures:

- ✓ Opportunity for Councilmembers to disclose any ex parte communications occurring outside of city email



Council's Role

- Consider and take final action on this site-specific rezone application
 - Council shall not accept new information
 - Council shall consider complete record developed before Hearing Examiner and the recommendation of Hearing Examiner
 - Decision based upon defined decision criteria



Decision Criteria

The City may approve or approve with modifications an application for a rezone of property if:

- A. The rezone is consistent with the Comprehensive Plan; and
- B. The rezone bears a substantial relation to the public health, safety, or welfare; and
- C. The rezone is warranted in order to achieve consistency with the Comprehensive Plan or because of a need for additional property in the proposed land use district classification or because the proposed zoning classification is appropriate for reasonable development of the subject property; and
- D. The rezone will not be materially detrimental to uses or property in the immediate vicinity of the subject property; and
- E. The rezone has merit and value for the community as a whole





SRM Rezone

Hearing Examiner Public Hearing

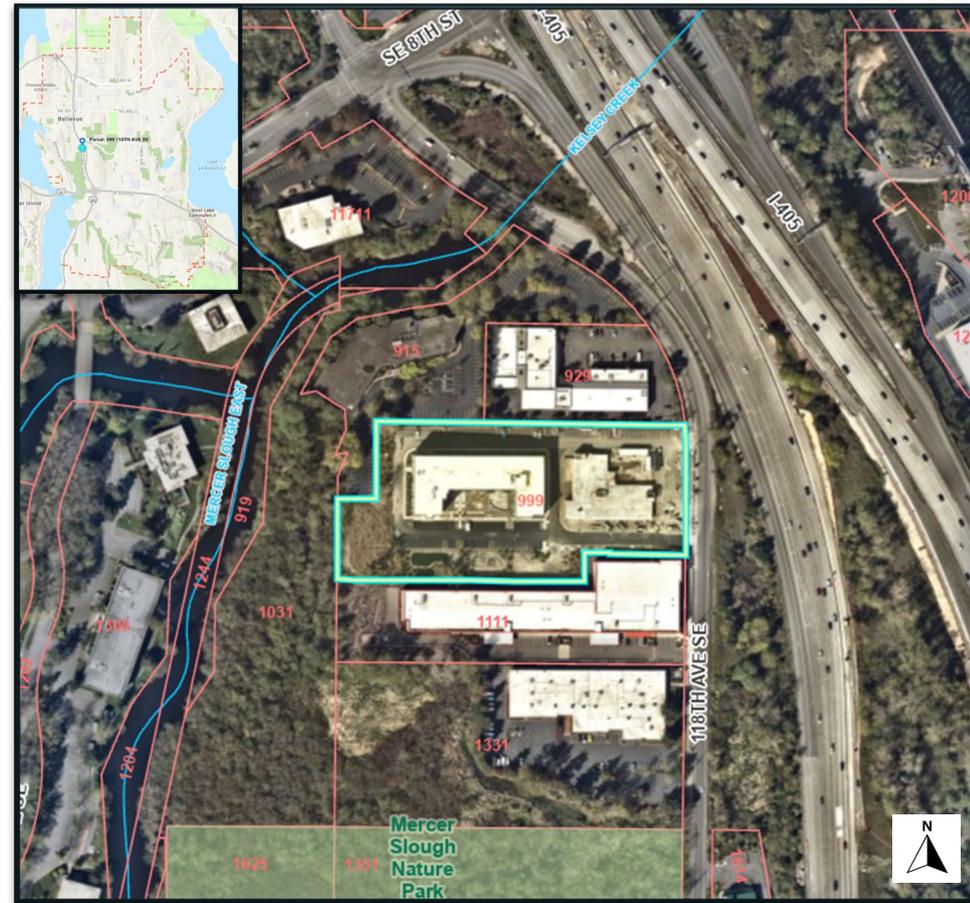
Permit number: 22-118369 LQ

November 3, 2025

Wayland Barton
Senior Planner
Development Services Department

Project Request

- Rezone an existing 4.55-acre site, located at 999 118th Ave. SE, from Office/Limited Business (OLB) zoning to Neighborhood Mixed-Use (NMU) zoning.



Site Context

- Site currently consists of a 135-unit apartment complex (Nuovo) and a partially built hotel (Holiday Inn Express).
- Office and light industry uses adjacent to the subject site including Mercer Slough and I-405.



Rezone Process

Process III Land Use procedure (LUC 20.35.300): Quasi-Judicial City Council Decision

- First, the Land Use Director recommended **Approval** to the Hearing Examiner
 - An open house was held on 11/7/22 and 2/5/25, with no attendance from the public; and
 - Rezone notice published on 10/8/25, with no comments received from the public.
- Second, Hearing Examiner held Public Hearing, and recommended **Approval** to City Council
 - HEX public hearing on 11/3/25

Hearing Examiner's Recommendation

Hearing Examiner recommends **approval** of the application to rezone the site from Office/Limited Business (OLB) to Neighborhood Mixed Use (NMU), which is consistent with the Comprehensive Plan land use designation assigned to the area.



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Next steps: Final action by City Council is scheduled for January 27

