

Motion ID	Criterion	Proposed Motion	Rationale	Staff Response
PART A - FINDINGS MOTIONS (may be adopted individually, in any combination, regardless of final action)				
1-A	MICC 19.15.230(F)(1)	I move to amend the staff analysis under MICC 19.15.230(F)(1) to add the following finding: The consistency demonstration for Countywide Planning Policies FW-6, DP-2, DP-4, DP-6, DP-8, EC-2, EC-14, EC-26, EC-29, and PF-19, and for the Comprehensive Plan community values and Land Use Goals 7.4 and 7.5, rests on programs and services provided by the current owner and operator. A Comprehensive Plan land use designation runs with the land and does not require the continuation of any use or program. The record contains no instrument that would secure the community benefits relied upon. The Commission therefore finds that the applicant has not carried its burden of demonstrating consistency under MICC 19.15.230(F)(1) on the basis of those policies, absent an enforceable instrument running with the land. The Commission therefore recommends an instrument to run with the land be required by the City Council.	Every cited policy is satisfied by SJCC programming (scholarships, early childhood school, 5th largest employer, garden), not by the CO designation. Designation runs with the land; a general office building satisfies it fully and delivers none of these benefits. Findings and instrument are mismatched.	
1-B	MICC 19.15.230(F)(1)	I move to amend the recommendation to advise the City Council that any approval of CPA25-002 and RZN25-002 should be conditioned upon the concurrent execution and recording of a development agreement pursuant to RCW 36.70B.170 through .210, running with the land and binding upon successors, that at minimum (i) limits permitted uses on the redesignated parcels to community facility, recreation, education, and assembly uses; (ii) establishes a maximum gross floor area substantially below the CO-zone theoretical buildout; (iii) fixes permitted vehicular access locations; and (iv) commits the property owner to identified transportation mitigation. Such restrictions shall run to the use of the property and shall not be conditioned on the identity of the owner or occupant.	Cures 1-A. RCW 36.70B.170-.210 development agreements bind successors. Applicant has repeatedly represented that no change of use is proposed and the rezone is 'for the use of the SJCC only' - so this costs nothing it has claimed to want. Condition on use, not on owner identity.	
1-C	MICC 19.15.230(F)(1)	I move to amend the staff analysis under MICC 19.15.230(F)(1) to add the following finding: RCW 36.70A.070 requires that the Comprehensive Plan be an internally consistent document, and RCW 36.70A.070(6)(a)(i)(C) requires that the Transportation Element be based on the land use assumptions in the Land Use Element. The proposed amendment increases the theoretical development capacity of the subject property from approximately 94,723 gross square feet to approximately 402,261 gross square feet, a factor of approximately 4.25, according to the applicant's own transportation consultant. The record contains no analysis of whether the Transportation Element's travel forecasts, level-of-service standards, or capital facilities program remain valid under the amended Land Use Map. The Commission therefore finds the record insufficient to support a finding of internal consistency under RCW 36.70A.070.	The FLUM is the input to the travel forecast. A 4.25x capacity change was never checked against the Transportation Element. Staff adopted the applicant's CPP responses wholesale and never addressed internal consistency.	
1-D	MICC 19.15.230(F)(1)	I move to amend the staff analysis under MICC 19.15.230(F)(1) to add the following finding: Land Use Goal 7.1 defines neighborhood character as the form, bulk, scale, and intensity of the built environment. The record analyzes the existing built environment but does not analyze form, bulk, scale, or intensity under the proposed designation. Transportation Goal 9.2 directs the City to address parking overflow impacts on neighborhoods caused by major traffic generators; the record documents an existing overflow condition on East Mercer Way and SE 40th Street and defers its resolution to a future project-level review. The Commission finds that consistency with Goal 7.1 and Transportation Goal 9.2 has not been demonstrated on the present record.	Two goals the applicant cites actually read against it. Goal 7.1 defines character as intensity - which is precisely what is unanalyzed. Goal 9.2 says 'address' overflow; deferring is not addressing.	
1-E	MICC 19.15.230(F)(1)(a)	I move to adopt the staff finding under MICC 19.15.230(F)(1)(a) that there is no obvious technical error in the Comprehensive Plan, and to note that the applicant therefore must satisfy MICC 19.15.230(F)(1)(b) in full.	No dispute;	
2-A	MICC 19.15.230(F)(1)(b)	I move to amend the staff analysis under MICC 19.15.230(F)(1)(b) to add the following finding: The applicant's sole articulated theory of changed circumstances was the 2017 amendments to the residential development standards and the City's subsequent code interpretation. Staff has found that those 2017 amendments were legislative policy decisions and do not constitute changing circumstances of the city as a whole, and has further found the applicant's assertion that no exception exists for alteration or enlargement of nonconforming structures to be incorrect in light of MICC 19.01.050(D)(3). MICC 19.15.230(F) places the burden of demonstration on the applicant. The Commission finds that the applicant has not carried that burden as to MICC 19.15.230(F)(1)(b), and that the substitution of an alternative rationale by staff does not satisfy the applicant's burden.	Staff already rejected the applicant's only theory and found its factual premise incorrect. Staff then supplied a replacement rationale sufficient to approve. Under 19.15.230(F) the burden is the applicant's; staff carrying it is a procedural defect.	

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2-B	MICC 19.15.230(F)(1)(b)	I move to amend the staff analysis under MICC 19.15.230(F)(1)(b) to add the following finding: The alternative rationale identified in the staff report - increased demand for a facility at the end of its useful life - is not supported by evidence in the record. The record contains no membership or enrollment trend data, utilization study, demographic demand analysis, facility condition assessment, structural or building systems evaluation, or cost-to-cure estimate. The Commission further finds that the physical condition and capacity of a single privately owned facility is a circumstance of that property rather than a changing circumstance of the city as a whole, and that the record as presently constituted does not establish otherwise.	Staff's substituted theory is unsupported in the application documents. Only demand evidence offered is a 57-year population figure with no link to facility demand. And one building's condition is a circumstance of the property, not 'of the city as a whole.'	
2-C	MICC 19.15.230(F)(1)(b)	I move to amend the recommendation to advise the City Council that to the extent the residential development standards adopted in 2017 and the City's variance interpretation constrain the maintenance, renovation, and reconstruction of community facilities, social and recreation clubs, schools, and religious institutions across the City's residential zones, the appropriate remedy consistent with Comprehensive Plan Land Use Goal 7.4 is a code amendment or community facility overlay applicable to that class of uses city-wide, and that the Commission recommends Council direct staff to docket such an amendment for the next available cycle.	A city-wide regulatory gap affecting a class of institutions calls for a code fix, not a parcel-specific FLUM change. Goal 7.4 itself says 'measures within the land use code.'	
3-A	MICC 19.15.230(F)(2)(a)	I move to amend the staff analysis under MICC 19.15.230(F)(2)(a) to add the following finding: Compatibility under this criterion must be evaluated against the range of uses and development intensity permitted by the proposed designation, consistent with WAC 197-11-060(4)(d) and with the City's own direction to the applicant in Review Letter 1, items 2, 5, and 8. The staff analysis and the applicant's narrative evaluate the compatibility of the existing Stroom Jewish Community Center facilities rather than the compatibility of development permitted under the Commercial Office designation. The Commission finds that compatibility with adjacent land use has not been demonstrated for the range of development the amendment would authorize.	Staff told the applicant this exact thing in Review Letter 1 ('these impacts must be addressed through this application'), the applicant declined, and the staff report then adopted the existing-use frame anyway. Apply the frame staff itself articulated.	
3-B	MICC 19.15.230(F)(2)(a)	I move to amend the staff analysis under MICC 19.15.230(F)(2)(a) to add the following finding: The applicant's transportation consultant estimates that the Commercial Office designation would permit approximately 402,261 gross square feet of development on the subject property, compared with approximately 94,723 gross square feet of existing development, an increase of approximately 4.25 times. The dimensional standards of MICC 19.04.020(E) regulate setbacks, height, and lot coverage and thereby mitigate edge conditions at the property boundary. They do not regulate trip generation, hours of operation, parking demand, or aggregate use intensity. The Commission finds that the record does not demonstrate that development at the intensity permitted by the proposed designation is compatible with the adjacent single-family development pattern.	The existing condition may well be compatible - that is not the question presented. Setbacks address abutment, not intensity. The 4.25x figure is the applicant's own consultant's number.	
3-C	MICC 19.15.230(F)(2)(a)	I move to amend the staff analysis under MICC 19.15.230(F)(2)(a) to add the following finding: The criterion requires compatibility with the adjacent development pattern in addition to adjacent land use. The proposed amendment would create a narrow remnant of residentially designated property to the west of the subject site, situated between the Public Institution and Commercial Office designations, and would isolate a pocket of residentially designated parcels in the southeast portion of the block sharing a common property line with the subject site. The staff report contains no analysis of the resulting district boundary configuration, of the continued viability of the remnant residential areas as designated, or of whether the amended boundary is orderly and logical. The Commission finds that compliance with the development pattern element of MICC 19.15.230(F)(2)(a) has not been demonstrated, and directs that any recommendation transmitted to the City Council include this finding.	Development pattern' is a distinct element staff never analyzed. Irregular boundaries following one owner's parcel assembly are the evidentiary pattern WA courts look to in spot-zoning analysis.	
3-D	MICC 19.15.230(F)(2)(a)	I move to amend the recommendation to advise the City Council that, if it proceeds with CPA25-002, staff should first prepare and present a district boundary analysis evaluating alternative amendment boundaries, including at minimum (i) the boundary as proposed, (ii) a boundary excluding parcel 2655500132, and (iii) a boundary that concurrently addresses the designation of the remnant residential properties to the west and in the southeast portion of the block, so that the Council may adopt a boundary that produces a coherent land use map.	Gives Council a coherent map option instead of an either/or vote on a boundary no one would draw from scratch.	

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4-A	MICC 19.15.230(F)(2)(b)	I move to amend the staff analysis under MICC 19.15.230(F)(2)(b) to strike the statement that 'The City agrees that the subject property is suitable for development in conformance with the standards in the proposed C-O zoning designation,' as inconsistent with the subsequent finding in the same section that at least one parcel would not be suitable for development in conformance with those standards as it currently exists, and to substitute the following: The Commission finds that the subject property, as presently configured, is not suitable for development in conformance with the standards under the potential zoning.	The staff report grants and denies this criterion within the same section. A recommendation to Council containing an internal contradiction on an express decision criterion is a vulnerability regardless of how the Commission votes.	
4-B	MICC 19.15.230(F)(2)(b)	I move to amend the staff analysis under MICC 19.15.230(F)(2)(b) to add the following finding: Applying the yard requirements of MICC 19.04.020(E) to the parcel dimensions set forth in the staff report, parcel 2655500132, at 75.5 feet in width and 108 feet in depth, yields a theoretical building envelope of approximately 0.5 feet in width and 8 feet in depth and cannot be developed in conformance with the standards of the Commercial Office zone. The parcel's south property line abuts residentially zoned and developed property, triggering the additional 50-foot setback within which no parking or driveways are permitted. The Commission finds that parcel 2655500132 is not suitable for development in conformance with the standards under the potential zoning.	75.5' width less 75' of required side yards = 0.5'. 108' depth less 50' front and 50' rear = 8'. Not marginally unsuitable - categorically unbuildable. Cannot even serve as parking along the south edge.	
4-C	MICC 19.15.230(F)(2)	I move to amend the recommendation to the City Council to exclude parcel 2655500132 from CPA25-002, and to add the following supporting findings: (i) the staff report finds that parcels 2655500137, 2655500115, and 2655500136 appear integrated in their daily operations as the Stroum Jewish Community Center site and does not so find as to parcel 2655500132; (ii) parcel 2655500132 is developed with a two-story, 1,860 square foot single-family residence constructed in 1986 and has not been used for recreational or community facility purposes; (iii) the applicant's compatibility demonstration, which rests on more than fifty years of continuous community facility use, does not apply to this parcel; (iv) no changed circumstance has been demonstrated as to this parcel; and (v) the parcel cannot be developed in conformance with Commercial Office standards. The Commission finds that the applicant has not carried its burden under MICC 19.15.230(F)(2) as to parcel 2655500132. The Commission finds that the applicant has carried its burden under MICC 19.15.230(F)(2) subject to the removal of parcel 2655500132.	Does not impair renovation of the main facility	
5-A	MICC 19.15.230(F)(2)(c)	I move to amend the staff analysis under MICC 19.15.230(F)(2)(c) to add the following finding: MICC 19.15.230(F)(2)(c) is conjunctive and requires both a demonstration of benefit to the community as a whole and a demonstration that the amendment will not adversely affect community facilities or the public health, safety, and general welfare. The staff analysis addresses the benefit element only. The record contains no analysis of traffic safety, intersection operations, vehicle queuing, emergency vehicle access, pedestrian conditions, or parking overflow. The Commission finds that the applicant has not carried its burden as to the second element of MICC 19.15.230(F)(2)(c).	The criterion has a negative element that is not satisfied by showing benefits outweigh harms. Staff's entire analysis is four sentences and none addresses health or safety.	
5-B	MICC 19.15.230(F)(2)(c)	I move to amend the staff analysis under MICC 19.15.230(F)(2)(c) to add the following finding: The Commission has received and considered 225 written public comments. Comments in the record document recurring adverse conditions at and near the site access, including vehicle queuing on East Mercer Way extending toward and onto the Interstate 90 interchange during drop-off and pick-up periods; restricted sight distance at the site access due to the horizontal curve on East Mercer Way; the absence of sidewalks along the East Mercer Way frontage and along SE 40th Street, combined with shoulder parking that displaces pedestrians into the travel lane; and spillover parking onto adjacent residential streets. These conditions are not evaluated in the staff report or in the applicant's transportation memorandum. The Commission finds these comments credible and material to MICC 19.15.230(F)(2)(c) and finds the record insufficient to support a finding of no adverse effect on the public health and safety.	Opposition comments are specific and non-conclusory (EX11.001, .002, .099, .148 among others).	
5-C	MICC 19.15.230(F)(2)(c)	I move to amend the recommendation to advise the City Council that, any approval should be accompanied by a recorded development agreement prohibiting vehicular access to the subject property from SE 40th Street and prohibiting parking within the SE 40th Street frontage setback.	SE 40th st is a local access street serving single-family residences without sidewalks. The record contains no analysis of SE 40th's functional classificatoin, its capacity, the appropriateness of a commercial access point on it, or the spillover parking consequence.	

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5-D	MICC 19.15.230(F)(2)(c)	I move to amend the recommendation to advise the City Council that no final action be taken on CPA25-002 until the record includes (i) written confirmation that the Washington State Department of Transportation received the SEPA threshold determination and notice of this application, and any WSDOT response; (ii) a level-of-service and queuing analysis of the East Mercer Way site access intersection and the Interstate 90 Exit 8 ramp terminal intersections under both existing conditions and the development intensity permitted by the proposed designation; and (iii) a sight distance evaluation of the site access on East Mercer Way and a review of reported collision history in the study area.	WAC 197-11-340(2) requires the DNS go to agencies with jurisdiction and expertise. <i>SAVE v. City of Bothell</i> , 89 Wn.2d 862 (1978): a city must consider impacts beyond its boundaries. Queuing onto a state interstate ramp is such an impact.	
6-A	(F)(1), (F)(2)(a), (F)(2)(c)	I move to add the following finding to the staff analysis, applicable to MICC 19.15.230(F)(1), (F)(2)(a), and (F)(2)(c): The transportation memorandum at Exhibit 5 compares the existing 94,723 gross square foot recreational community center use against a 402,261 gross square foot general office use. This comparison varies both development scale and land use type simultaneously and does not evaluate the reasonably foreseeable scenario of the existing use at the development capacity permitted by the proposed designation, which the applicant has consistently represented as its intent. Applying the memorandum's own ITE land use 495 rate of 2.89 trips per 1,000 square feet to the stated 402,261 gross square foot capacity yields approximately 1,163 weekday PM peak hour trips, compared with the 429 trips presented, and compared with 274 existing trips. The memorandum further eliminated Government Office Building (ITE 730, 625 trips) and Medical-Dental Office Building (ITE 720, 1,376 trips) as outside the ITE data range while retaining General Office Building (ITE 710, 429 trips) as the highest generating use, notwithstanding that both eliminated uses are permitted in the Commercial Office zone and both generate more trips than the use retained. The memorandum analyzes only the weekday PM peak hour and does not analyze the AM peak hour, notwithstanding that the site contains an early childhood school, a day camp, and a co-located private school. The memorandum contains no intersection level-of-service analysis, no queuing analysis, and no sight distance evaluation. The Commission finds the transportation record insufficient to support findings under MICC 19.15.230(F)(1), (F)(2)(a), or (F)(2)(c).	The memo changes two variables at once and never tests the scenario the applicant says will happen. Its own rate at its own buildout yields ~1,163 PM trips vs. the 429 presented - understating the increase roughly six-fold. Screening rule removed the two highest generators, then called the survivor 'highest.' PM peak only, at a site whose dominant complaint is AM drop-off.	
6-B	supplemental analysis	I move to amend the recommendation to advise the City Council that no final action be taken on CPA25-002 until the applicant submits a supplemental transportation analysis, prepared by a qualified professional and peer reviewed at the applicant's expense by a consultant retained by the City, that includes: (i) trip generation for the existing recreational community center use at the full development capacity permitted under the Commercial Office designation, in addition to the office scenario already presented; (ii) trip generation for all uses permitted in the Commercial Office zone, with any use excluded from consideration on data-range grounds expressly identified together with the trip estimate that would result from its inclusion; (iii) both weekday AM and PM peak hour analysis; (iv) level-of-service and queuing analysis at the site access on East Mercer Way and at the Interstate 90 Exit 8 ramp terminal intersections, under existing conditions and under the intensity permitted by the proposed designation; (v) sight distance evaluation at all site access points and a review of reported collision history; (vi) reconciliation of the 94,723 gross square foot existing-use baseline with the building areas reported in the staff report, and a statement of whether French American School trips and land area are included in the baseline and in the buildout calculation respectively; (vii) the derivation of the 402,261 gross square foot buildout figure, demonstrating conformance with the yard, height, and lot coverage requirements of MICC 19.04.020; and (viii) evaluation of the cumulative condition with the French American School and any other approved or pending nearby institutional development.	Cures 6-A.	

PART B - FINAL ACTION MOTIONS (select one; take findings motions first)

Motion ID	Criterion	Proposed Motion	Rationale	Staff Response
FA-1	Final action CONTINUE	I move to continue the public hearing on CPA25-002 to a date certain of [DATE], to leave the written record open until [DATE], and to direct staff to request from the applicant the supplemental information identified in the Commission's findings adopted this evening, specifically: a supplemental transportation analysis meeting the scope set forth in Motion 6-B; documentation supporting the changed-circumstances finding, including facility condition assessment and demand data; completed lot width and depth calculations for parcels 2655500137 and 2655500115; and a district boundary analysis evaluating alternative amendment boundaries.	Declining to make a permanent land use decision on a record with no safety analysis where 225 people wrote in and multiple commenters describe queuing onto a state interstate ramp.	
FA-2	Final action APPROVE WITH MODIFICATIONS	I move to recommend that the City Council approve CPA25-002 as modified to exclude parcel 2655500132, subject to the findings adopted by the Commission this evening, and to advise the Council that approval should be conditioned upon concurrent execution and recording of a development agreement pursuant to RCW 36.70B.170 through .210 as described in Motion 1-B, and upon completion of the supplemental transportation analysis described in Motion 6-B prior to second reading.		
FA-3	Final action DENY WITHOUT PREJUDICE	I move to recommend that the City Council deny CPA25-002 without prejudice, based on the findings adopted by the Commission this evening, and further to recommend that the Council direct staff to docket for the next available amendment cycle a code amendment or community facility overlay addressing the maintenance, renovation, and reconstruction of social and recreation clubs, schools, religious institutions, and community facilities located in residential zones, consistent with Comprehensive Plan Land Use Goal 7.4.		

CPA25-002 - Stroum Jewish Community Center Comprehensive Plan Map Amendment Planning Commission Public Hearing - August 5, 2026 (PCB 26-09)

HOW TO USE THIS WORKBOOK

Column A - Motion ID. Part A motions are findings motions; Part B are final action motions.

Column B - The MICC 19.15.230(F) criterion the motion amends.

Column C - Full motion text, drafted to be read into the record verbatim.

Column D - Concise rationale. For the commissioner's use; not intended to be read aloud.

Column E - BLANK, shaded. For staff response / disposition. Suggested entries: Concur / Concur as modified / Do not concur / Defer to Commission, plus any staff comment.

SEQUENCING

Take Part A findings motions individually before any Part B final action motion. Each findings motion stands on its own and may be adopted in any combination - a colleague may support the parcel 2655500132 removal (4-D) without supporting continuance (FA-1), or the reverse.

Motion 4-D is the priority modification: narrowest, best supported by staff's own findings, and it resolves Concerns 4 and 6 together.

CAUTIONS

1. Statutory and case citations are research leads only. Verify every one with the City Attorney before entering it into the record.
2. Ground all findings in traffic, dimensional, and map-pattern evidence. RLUIPA (42 U.S.C. 2000cc) and Wash. Const. art. I sec. 11 are live considerations, and the applicant has already invited an equal-terms comparison to the City's own City Hall rezone (RZN25-001). Every finding should be one you would apply identically to a country club, a private school, or the City.
3. The SEPA DNS issued June 22, 2026 was not timely appealed and is final. The Commission cannot overturn it, but may find the record insufficient under the separate MICC 19.15.230(F) standard.
4. Approving the CPA supplies the comprehensive-plan-conformance element that defeats a spot-zoning challenge at the rezone stage. There is no second venue for the boundary and intensity questions.
5. Before setting a continuance date under FA-1, confirm with staff the latest date that still permits Council action within the 2026 annual amendment cycle (RCW 36.70A.130).

