

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Discussion of Proposal for Legislative Rezone to Implement Southeast Neighborhoods Subarea Plan		
DEPARTMENT:	Planning and Community Development		
PRESENTED BY:	Joseph W. Tovar, FAICP, Director of Planning and Community Development Miranda Redinger, Associate Planner, Project Manager		
ACTION:	<input type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Motion
	<input checked="" type="checkbox"/> Discussion	<input type="checkbox"/> Public Hearing	

PROBLEM/ISSUE STATEMENT:

Councilmember Roberts and Eggen have proposed a change to the zoning recommendation forwarded from the Planning Commission for the southeast corner of the SE Neighborhoods Subarea from Community Business (CB) to Mixed Use Zone (MUZ). The affected parcels comprise the nearly seven acre area bounded by 145th St. to the south, Bothell Way to the east, 149th St. to the north, and 32nd Ave. to the west. This is reflected in Attachment A, revised zoning map. The maximum density allowed under CB zoning is 48 units per acre; the maximum density allowed under MUZ can reach up to 150 units per acre, if certain conditions are met.

Staff analyzed traffic and other environmental impacts through the SEPA review process assuming a development scenario possible under CB zoning. In order to determine if the impacts of development possible under MUZ would be non-significant or significant (for example, whether they could cause traffic problems that would preclude that level of development) staff must undertake further analysis. Such analysis will need to be performed by a transportation consultant, and staff will complete another environmental review based on these findings. The SEPA Responsible Official needs this information before another threshold determination can be rendered.

The required additional analysis will have budget and timeline implications for implementation of the Subarea Plan. This staff report will delineate a potential decision-making process and other considerations.

RESOURCE/FINANCIAL IMPACT:

The additional traffic analysis is estimated to cost between \$4,000 and \$7,000 depending on scope and data available. The issuance of another SEPA threshold determination would require an allocation of staff resources and advertising costs, but would not require additional budget authorization.

RECOMMENDATION

Council should determine if staff should proceed with traffic and environmental analyses to determine the appropriateness of MUZ designation for implementation of SE Neighborhoods Subarea Plan or if staff should schedule the adoption of the Planning Commission recommended rezone implementing the SE Neighborhood Subarea Plan.

Approved By: City Manager *JM* City Attorney

INTRODUCTION

Councilmember Roberts and Eggen have proposed a change to the zoning recommendation forwarded from the Planning Commission for the southeast corner of the SE Neighborhoods Subarea from Community Business (CB) to Mixed Use Zone (MUZ). The affected parcels comprise the nearly seven acre area bounded by 145th St. to the south, Bothell Way to the east, 149th St. to the north, and 32nd Ave. to the west.

DISCUSSION

Development Code Standards

To understand how the Southeast Neighborhoods could be impacted by a change in proposed zoning from Community Business (CB) to Mixed Use Zone (MUZ), it is important to first understand the development standards that would apply under each designation. Below is a chart that summarizes significant features of each designation. Since MUZ is a tiered zone, certain criteria must be met in order to achieve full development potential. The chart depicts different levels of possible height and density for MUZ, but does not explain what conditions would need to be met in order to attain these levels. The full standards are included as Attachment B.

	CB	MUZ
Dwelling Units per Acre	48	48/70/110/150
Height	60	35/45/55/65
Front Yard Setback	10 ft.	10 ft.
Rear Yard Setback	15 ft.	15 ft.
Side Yard Setback	10 ft.	15 ft.
Maximum Hardscape Area	85%	95%

Criteria for rezone

When Council is considering whether an MUZ designation is appropriate for the southeast corner of the subarea, they are obligated to evaluate the proposal using the following criteria from SMC 20.30.320.

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

- 1. The rezone is consistent with the Comprehensive Plan; and*
- 2. The rezone will not adversely affect the public health, safety or general welfare; and*
- 3. The rezone is warranted in order to achieve consistency with the Comprehensive Plan; and*
- 4. The rezone will not be materially detrimental to uses or property in the immediate vicinity of the subject rezone; and*
- 5. The rezone has merit and value for the community.*

Potential Process for Decision Making

Should Council direct staff to proceed with traffic and environmental analyses of an MUZ designation in the southeast corner of the subarea, the first step would be to contract with a transportation consultant to perform a traffic study. A potential scope of

work, including budget and timeline, is included as Attachment C. Assuming this contract could be executed by November 10th, it is estimated that staff would have the results to analyze by mid-December. Once this data is available the SEPA Responsible Official will perform another environmental analysis and decide if the original Determination of Non-Significance (DNS) would still be appropriate or whether a more detailed Environmental Impact Statement would need to be prepared. Release of a DNS would trigger noticing requirements and a public comment period. Typically, a public hearing on the zoning proposal would not be held until this comment period is closed.

An additional factor to consider in the timing of adoption of a legislative rezone is that the Department of Commerce requires 60 days notice of the decision under consideration before Council makes a final determination. It is possible to notify them of the proposal and start the clock before staff has all information needed for decision-making. Alternatively, if the DNS stands, staff would send the Department of Commerce an addendum, which requires a 14 day review time period rather than the full 60 days. Commerce had no comments to offer regarding the zoning proposal forwarded by the Planning Commission.

Given these factors and the required procedural requirements, it is unlikely that a legislative rezone could be adopted before January or February of 2012.

Influence of zoning on tax assessment and property values

Staff has contacted the King County Assessor's Office to get additional clarification regarding the impact of the rezone on the property values of the properties directly affected and those in the surrounding area. As of the writing of this staff report we have not been able to get a response, but staff hopes to receive an answer prior to the Council meeting discussion scheduled for this evening.

Alternative

The Council could determine that given the additional cost and extended timeline that they want to enact the Planning Commission recommendation for the legislative rezone implementing the SE Neighborhood Subarea Plan. The Council may also wish to augment the Planning Commission's recommendation by directing staff to return with a work plan scope to improve design, neighborhood transition and public amenity standards for all commercial zones (NB, O, NCBD, CB, MUZ and I) based on the recently adopted Town Center Subarea Plan and Development Code. This may address some of the issues that were discussed through the SE Neighborhoods Subarea Plan discussion.

STAKEHOLDER OUTREACH

Staff has sent an email to the SE Neighborhoods Subarea distribution list explaining the potential revision of the zoning proposal and inviting public comment.

RECOMMENDATION

Council should determine if staff should proceed with traffic and environmental analyses to determine the appropriateness of MUZ designation for implementation of SE

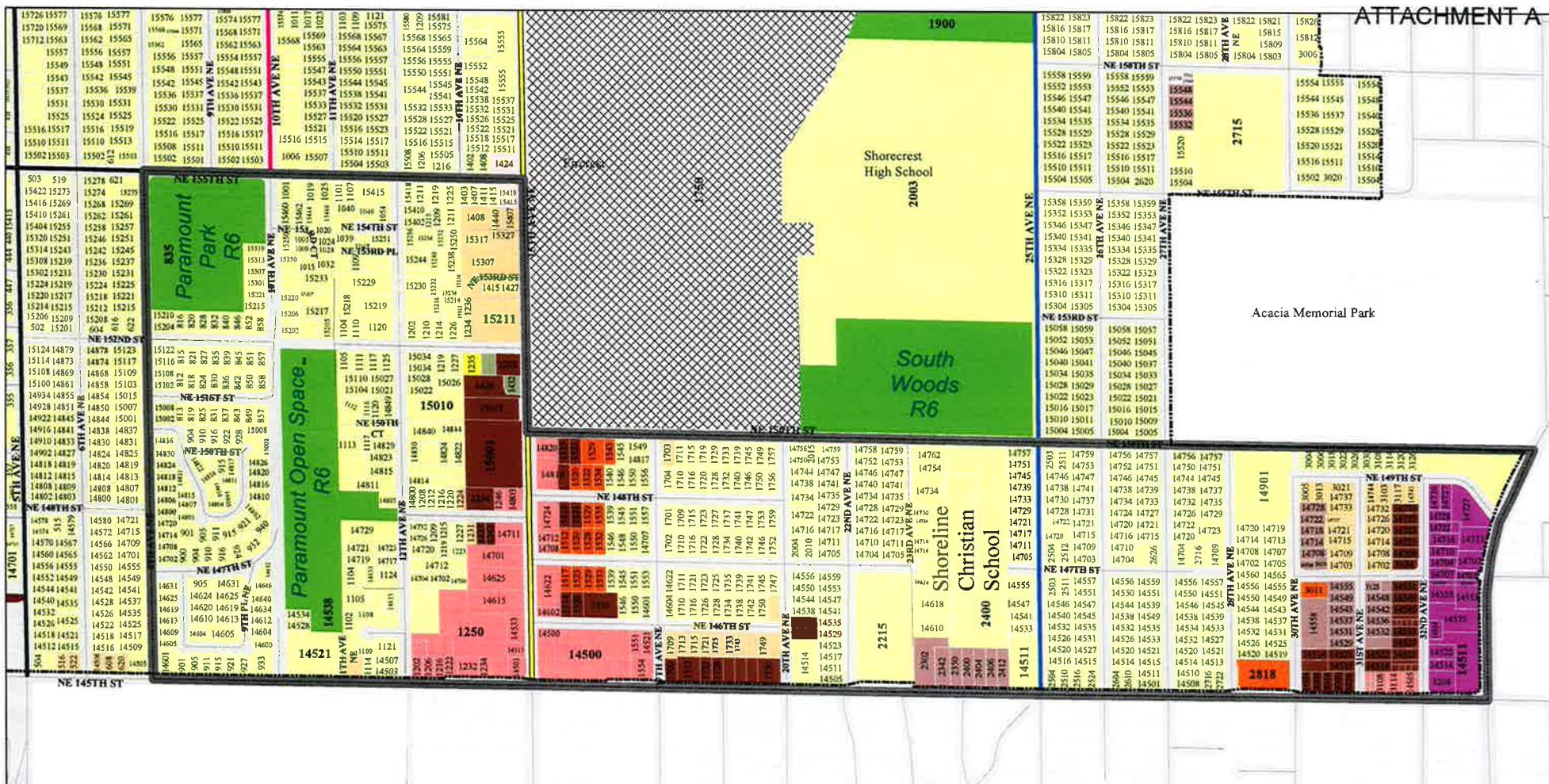
Neighborhoods Subarea Plan or if staff should schedule the adoption of the Planning Commission recommended rezone implementing the SE Neighborhood Subarea Plan.

ATTACHMENTS

Attachment A - Revised zoning map showing MUZ proposal

Attachment B - Development Standards for MUZ

Attachment C - Potential scope for traffic analysis

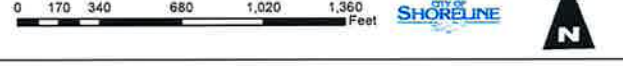


City of Shoreline
Southeast Shoreline

Proposed Changes to Current Zoning

- | | | | | | |
|----------------------------------|------------------------------------|---------------------------|---------------|------------------------|---------------------------|
| R-4; Residential, 4 units/acre | R-48; Residential, 48 units/acre | O; Office | City Boundary | Principal Arterial | Park |
| R-6; Residential, 6 units/acre | MUZ; Mixed Use Zone | CB; Community Business | Open Water | Minor Arterial | Unclassified Right of Way |
| R-8; Residential, 8 units/acre | NMUZ; Neighborhood Mixed Use Zone | NB; Neighborhood Business | Planning Area | Collector Arterial | Tax Parcel |
| R-12; Residential, 12 units/acre | PA; Planned Area | I; Industrial | Interstate | Neighborhood Collector | |
| R-24; Residential, 24 units/acre | C; Campus | CZ; Contract Zone | Local Street | | |
| | NCBD; North City Business District | | | | |

User: jclark
Date: 10/28/2011
Path: J:\GIS\Maps\FADS\SEShoreline\Zoning\SEShoreline_1117_Staff\K.mxd



20.50.021 Development in the mixed-use zone (MUZ).

Development in the MUZ zone shall meet the following requirements:

- A. All developments in the MUZ zone are subject to administrative design review as approved by the Director. The Director is authorized to adopt and amend design guidelines by administrative order.
- B. All developments in the MUZ zone are subject to providing public gathering spaces. Public gathering spaces shall be provided at a rate of 1,000 square feet per one acre of site. Eighty percent of the public space shall be contiguous, with a maximum contiguous requirement of 1,600 square feet.
- C. A maximum 35-foot building height and 48 dwellings per acre for residential-only buildings and 45-foot building height for buildings designed to accommodate commercial uses, maximum density of 70 dwellings per acre, and a FAR (floor area ratio) of 2.0, except:

1. A maximum building height of 55 feet, maximum FAR of 3.2, and maximum density of 110 dwellings per acre is permissible if the development meets the following conditions:

- a. The development includes infrastructure for electric vehicle recharging. The Director is authorized to adopt guidelines for this requirement; and
- b. The building is designed to accommodate ground floor commercial uses; and
- c. "4-star" construction standards under King County Built Green Standards as amended, or equivalent standard approved by the Director; and
- d. Eight hundred square feet of common recreational space for residents of the development is provided for developments of five to 20 units; 40 square feet of recreational space per unit is provided for developments over 20 units.

2. A maximum height of 65 feet, maximum housing density of 150 dwellings per acre and maximum FAR of 3.6 is permissible if all the conditions under subsection (C)(1) of this section are met and the following conditions are met:

- a. Fifteen percent of the units are affordable to households in the 75 percent King County median income category for a minimum of 30 years. The average number of bedrooms for affordable units shall be similar to the number of bedrooms for market rate units. The affordable housing units shall be distributed throughout the building or development; and
- b. "5-star" construction standards under King County Built Green Standards as amended, or equivalent standard approved by the Director; and
- c. After the pre-application meeting and prior to submitting an application for construction, the developer must hold a neighborhood meeting with City staff in attendance to identify impacts caused by the new development and propose appropriate mitigation measures.

Meetings will be advertised by mailing to property owners and occupants within 500 feet of the property.

D. The maximum building height for developments within 100 feet of the property line from R-4, R-6, R-8, and R-12 is limited to 45 feet and the maximum building height for developments between 100 and 200 feet from the property line of R-4, R-6, R-8, and R-12 is 55 feet.

E. Structures allowed above the maximum height of the district under Exception 20.50.230(6) may not exceed the maximum building height by more than 10 feet, or four feet for parapet walls.

F. All conditions under Exception 2(b), (c), and (d) of Table 20.50.020(2) must be met for development in the MUZ zone abutting or across street right-of-way from R-4, R-6, R-8, and R-12 zones. (Ord. 560 § 1 (Exh. A), 2009).

Potential scope for Traffic Analysis

1. Update and rerun the City's 2030 travel demand model to reflect the increased density of households and jobs for the zone representing the area bounded by NE 145th St, Bothell Way, NE 149th St, and 30th Ave NE.
2. Utilize existing turning movement counts and model outputs to develop post processed traffic forecasts for the signalized intersections of:
 - o NE 145th St/30th Ave NE
 - o NE 145th St/Bothell Way
 - o NE 149th St/Bothell Way
3. Utilize existing turning movement counts at the unsignalized intersections of NE 145th/31st Ave NE, NE 145th/32nd Ave NE and NE 147th St/Bothell Way to adjust the traffic forecasts to take into account the effects of minor streets not represented within the travel demand model on trip distribution to/from the site.
4. Evaluate future LOS and queuing issues using Synchro software at a maximum of 3 signalized intersections.
5. Summarize the results of the intersection analysis in a technical memorandum for the City of Shoreline staff.

It is assumed that the City would provide the number of households and jobs that should be assumed in 2030 for the full build out of the zone with the proposed mixed use zoning. It is also assumed that the City would provide current intersection turning movement counts for the intersections noted above.

The estimated cost of this analysis is \$4,500 and could be completed within 3 to 4 weeks.

As an optional task, (consultant firm) could also update and rerun the City's 2030 travel demand model for an alternate land use, assuming a moderate build-out of the mixed use zoning area, and complete a comparative analysis to the maximum build out of mixed use land use described above. This task would include an intersection LOS/queuing comparison against the maximum build-out of the site. The estimated cost of this additional analysis is \$2,500.

This page intentionally left blank.