Exhibit 1

FINDINGS, CONCLUSIONS AND RECOMMENDATION OF THE CITY OF SHORELINE PLANNING COMMISSION

Dayton Townhomes Preliminary Long Plat Review, Project No. 201265

Summary -

After reviewing and discussing the Dayton Townhomes Preliminary Long Plat proposal on February 5, 2004 the City of Shoreline Planning Commission did find and conclude that the application is in compliance with applicable codes and therefore unanimously recommended approval of such action with conditions.

I. FINDINGS AND CONCLUSIONS

1. Project Site Characteristics

- 1.1 The project site is approximately 18030 square feet in size and consists of two contiguous lots at 14515 Dayton Avenue North (Tax Parcel No. 1826049114) and 422 North 145th Street (Tax Parcel No. 1826049329).
- 1.2 A detached home is located on each lot and a concrete driveway for each is accessed from Dayton Avenue North.
- 1.3 The net residential density of the project site is 4.83 units per acre.
- 1.4 The project site slopes very gradually from north to south, approximately 4.4%.
- 1.5 Seventeen significant trees are located at the project site, with most being on or near the current front lot lines of each lot.

2. Neighborhood Characteristics

- 2.1 The project site is located in the Westminster Triangle Neighborhood at the northwest corner of North 145th Street and Dayton Avenue North.
- 2.2 The immediate neighborhood on Dayton Avenue North is characterized by multifamily developments. A few blocks to the west, there are number of commercials developments on Greenwood Avenue North.
- 2.3 Both North 145th Street at the project site and Westminster Way are classified as Principal Arterial streets. Greenwood Avenue is classified as a Collector Arterial street. Dayton Avenue is classified as a Residential Street.

3. Comprehensive Plan Land Use Designation and Policy Support

- 3.1 The Land Use Map, Figure LU-1 designates the north lot for Mixed Use and the south lot for Medium Density Residential Use at the project site. The Mixed Use designation encourages the development of pedestrian oriented places, with architectural interest, that integrate a wide variety of retail, office and service uses with residential uses. The types of housing permitted by Medium Density Residential Use include detached single family homes, duplexes, triplexes, zero lot line townhomes, cottage housing, and under certain conditions, apartments.
- 3.2 LU23 Ensure land is designated to accommodate a variety of types and styles of residences adequate to meet the growth of 1,600 to 2,400 new housing units and the future needs of Shoreline citizens.
- 3.3 H1 Encourage a variety of residential design alternatives that increase housing opportunities in a manner that is compatible with the character of existing residential and commercial development throughout the city.
- 3.4 H6 Encourage compatible infill development on vacant or underutilized sites.

4. Regulatory Authority

- 4.1 Shoreline Municipal Code (SMC) 20.30.060 requires preliminary long plats to be processed as a quasi-judical or "Type-C" action. Type-C actions require an open record public hearing and review by the Planning Commission, who then forwards a recommendation to the City Council for final approval.
- 4.2 Other applicable regulatory controls are set forth in the SMC as follows:
 - SMC 20.30 Procedures and Administration
 - SMC 20.40 Zoning and Use Provisions
 - SMC 20.50 General Development Standards
 - SMC 20.60 Adequacy of Public Facilities
 - SMC 20.70 Engineering and Utilities Development Standards

5. Procedural History

- 5.1 Administrative Order No. 301150 was issued on June 18, 2003 granting an onsite parking reduction to one space per unit for the north lot and one space per unit provided a Comprehensive Plan amendment and Rezone application were approved for the south lot. The City of Shoreline never received a Comprehensive Plan amendment and Rezone application for the south lot therefore this portion of the administrative order is not applicable.
- 5.2 The required Neighborhood Meeting was held on August 14, 2003.
- 5.3 The proposal consisting of the Preliminary Long Plat application and State Environmental Policy Act (SEPA) checklist were received on October 8, 2003.
- 5.4 The proposal was determined to be complete for processing on November 14, 2003.
- 5.5 A Notice of Application for the proposal was issued on November 20, 2003 with request for public comment ending on December 5, 2003.
- 5.6 A SEPA Threshold Determination of Nonsignificance for the proposal was issued on January 14, 2004 with the administrative appeal ending on January 28, 2004.
- 5.7 A Notice of Public Hearing for the proposal was issued on January 22, 2004.

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6. Public Comment and Staff Response

- 6.1 Written Public Comment King County METRO Transit requested that the right westbound lane of North 145th Street not be blocked during construction in the immediately vicinity of METRO public transit stop located on North 145th Street just east of Dayton Avenue North.
 - Staff Response The City of Shoreline would not permit loading and unloading to be completed in right of way owned by King County as the west bound lanes of North 145th Street currently are. However, in a case where a City of Shoreline Right-of-Way Use Permit is required for any construction and/or equipment staging, the permit process ensures that any appropriate traffic control is implemented and all access to a public transit stop is maintained.
- 6.2 Public Hearing Testimony The Planning Commission received testimony from both Mark Deutsch, residing at 19715 Ashworth Avenue North, Shoreline and Kirsty Cameron, residing at 14356 Evanston Avenue North, Seattle regarding the lack of tree preservation for this project.
 Staff Response Staff recommended in Attachment L, Condition 5 that the developer shall meet the minimum tree retention requirement of 20% or four trees at the project site as set forth in SMC 20.50.350 through alternate building designs and/or frontage improvement variances.

7. Zoning Designation, Maximum Density and Permitted Uses

- 7.1 The project site is split zoned as Residential 48 units per acre (R-48) for the north lot and Residential 12 units per acre (R-12) for the south lot.
- 7.2 The proposed densities are 36.2 units per acre for the north lot and 6.1 units per acre for the south lot.
- 7.3 SMC 20.40.120 sets forth zero lot line townhomes as a permitted use in the R-48 Zoning District and detached single family homes as a permitted use in the R-12 Zoning District.

8. Site Development Standards

- 8.1 R-12 Lot Size The one lot for the detached home meets the minimum lot size of 2,500 square feet as set forth in SMC 20.50.020(A)(1).
- 8.2 R-48 Lot Size Pursuant to SMC 20.50.020(A)(1)(2), the nine zero lot line townhome lots propose to reduce minimum lot size of 2,500 square feet to a lot size range of 527.9 square feet to 722.7 square feet. Building setbacks may also be reduced to provide a usable building area.
- 8.3 Open Space A proposed 1,900 square foot private land tract for storm water infiltration and passive open space exceeds the maximum open space requirement of 1,530 square feet for nine, three bedroom or more units as calculated using the standards in SMC 20.50.160. This private land tract will be owned and maintained by the nine zero lot line townhome lots.
- 8.4 Significant Tree Removal All seventeen significant trees located at the project site are proposed to be removed as depicted by the Arboricultural Consulting Evaluation Report and Map, thereby exceeding the minimum tree retention requirement of 20% or four trees as set forth in SMC 20.50.350. The evidence

- submitted is not sufficient to warrant a reduction of this minimum requirement when alternate building designs and frontage improvement variances are possible.
- 8.5 Parking and Access Administrative Order No. 301150 permitted an onsite parking reduction to one space for each of the nine zero lot line townhome lots. A proposed 2,830.8 square foot private land tract for access will be owned and maintained by the nine zero lot line townhome lots. For all proposed lots with public street frontage, direct pedestrian access is proposed.
- 8.6 Landscaping SMC 20.50.490 requires Type II landscaping in building setbacks for multi-family residential development adjacent multi-family and/or commercial zoning. A Landscaping Plan to demonstrate this requirement has not been submitted.

9. Adequacy of Public Facilities

- 9.1 Water Supply Seattle Public Utilities has issued Water Availability Certificates for the proposal.
- 9.2 Sewer Service Ronald Wastewater District has issued Sewer Availability Certificates for the proposal.
- 9.3 Fire Protection The Shoreline Fire Department has reviewed and preliminarily approved the Site Plan for site access and fire hydrant proximity to the site.
- 9.4 Traffic Capacity An estimated average of 5.41 p.m. peak hour trips will be generated by this proposal, well below the traffic study requirement threshold of 20 p.m. peak hour trips as set forth in SMC 20.60.140(A).

10. Engineering and Utility Development Standards

- 10.1 Storm Water Management The City of Shoreline Public Works Department has preliminarily approved the Road and Storm Drain Plan for the proposal.
- 10.2 Right-of-Way Dedication Pursuant to SMC 20.70.050, the proposal will dedicate to the City of Shoreline the eastern most 30' from both existing lots adjacent to Dayton Avenue North. As higher density redevelopment occurs on Dayton Avenue in this neighborhood, the City of Shoreline continues to require additional right-of-way dedication to accommodate the resulting increasing number of vehicles and pedestrians. The proposal to dedicate 2' in the right-of-way for North 145th Street is not required by the City of Shoreline as this right-of-way owned by King County.
- 10.2 Utility Undergrounding SMC 20.70.470(A)(3) requires the undergrounding of utilities when new residential lots are created.
- 10.3 Frontage Improvements The proposal will require the installation of frontage improvements on Dayton Avenue North subject to the design standards of the Engineering Development Guide. Frontage improvements on North 145th Street may be required by King County, but are not encouraged by the City of Shoreline in an effort to preserve three significant trees in close proximity to the right-of-way edge where curb, gutter and sidewalk currently exist.



II. RECOMMENDATION

Based on the aforementioned Findings and Conclusions, the Planning Commission unanimously recommends approval of the Dayton Townhomes Preliminary Long Plat proposal, Project No. 201265 with the following conditions:

- 1. In the sizes described and depicted by Attachment A, a maximum of ten lots and two private land tracts, one for access and one for storm water infiltration and open space shall be created. The sizes and the assigned addresses shall be shown on the face of the Final Plat.
- 2. The following language shall be shown on the face of the Final Plat, "Any further proposed subdivision or adjustment to the lot lines within this plat must use all lots of this plat for calculation of the density and dimensional requirements of the Shoreline Municipal Code."
- 3. Owners shall be required to establish and maintain in force and effect, a Covenant for a Homeowner's Association. The Association is to be held with undivided interest by the nine zero lot line townhome lots (described as units 1A, 1B, 2A, 2B, 3A, 3B, 3C, 3D and 3E) in this subdivision. The Homeowner's Association (owners of the parcels having legal access therefrom and their heirs, assigns or successors) is to be responsible for maintaining, repairing and/or rebuilding of: (1) Private Land Tract for storm water infiltration and passive open space (1899.8 square feet) and all other common areas; (2) Private Road Tract (2830.8 square feet); (3) Landscaping in all common areas; and (3) Infrastructure and utilities not dedicated to the City of Shoreline. The Homeowner's Association shall also be responsible for prevention of temporary or permanent encroachment of structures or equipment (e.g., boats, recreational vehicles) into the right-of-way and into other public areas.
- 4. A maximum of nine zero lot line townhomes and one detached home are permitted as proposed by Attachment B.
- 5. Developer shall meet the minimum tree retention requirement of 20% or four trees at the project site as set forth in SMC 20.50.350 through alternate building designs and/or frontage improvement variances.
- 6. Developer shall have a Site Development Permit reviewed and approved by the City of Shoreline that includes (a) all onsite engineering and utility installation and (b) all onsite landscaping. The completion of this work shall be secured by a plat performance financial guarantee.
- 7. Developer shall dedicate to the City of Shoreline the eastern most 30' from both existing lots adjacent to Dayton Avenue North as described and depicted in Attachment A, which shall be become effective upon recording of the Final Plat.
- 8. Developer shall have a Right-of-Way Use Permit reviewed and approved by the City of Shoreline that includes (a) pedestrian sidewalk, (b) non-glare street lighting and (c) curb and gutters all designed to City of Shoreline guidelines on the west side of Dayton Avenue North adjacent to the project site. The completion of this work shall be secured by a plat performance financial guarantee.

- 9. Developer shall meet any required conditions established by the Seattle Public Utilities Water Availability Certificates in Attachment F and Attachment G.
- 10. Developer shall meet any required conditions established by the Ronald Wastewater District Sewer Availability Certificates Attachment H and Attachment I.

City of	Shoreline	Planning	Commissi	on
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Brian F. Ovennahil		
Brian Doennebrink	Date	
Chairperson		

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SECTION 18, T.26N., R4E., W.M. KING COUNTY, WASHINGTON CITY OF SHORELINE

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DAY IN WINESS WHEREOF, WE SET OUR HANDS AND SEALS, THIS OF

SHAUN C. LEISER

ACKNOWLEDGEMENTS

STATE OF WASHINGTON) SS

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT CHARLES DOHNER, SIGNED THIS INSTRUMENT AND ACKNOWLEDGED IT TO BE HIS PREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT. DATED:

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON RESIDING AT PRINT: SIGN:

STATE OF WASHINGTON) SS MY APPOINTMENT EXPIRES

COUNTY OF KING

! CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT BARBARA DOHNER, SIGNED THIS INSTRUMENT AND ACKNOWLEDGED IT TO BE HIS FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED: SIGN NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON RESIDING AT

MY APPOINTMENT EXPIRES

APPROVALS

2003 CLERK OF THE COUNCIL 2003 DEPUTY KING COUNTY ASSESSOR 2003 ATTEST: DAY OF DAY OF DAY OF DAY OF PLANNING AND DEVELOPMENT SERVICES DEPARTMENT PLANNING AND DEVELOPMENT SERVICES DIRECTOR KING COUNTY DEPARTMENT OF ASSESSMENTS EXAMINED AND APPROVED THIS. EXAMINED AND APPROVED THIS EXAMINED AND APPROVED THIS EXAMINED AND APPROVED THIS MAYOR, CITY OF SHORELINE KING COUNTY ASSESSOR ACCOUNT NUMBER: CITY ENGINEER

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FINANCE DIVISION CERTIFICATE

I HERBY CERTIFY THAT ALL PROPERTY TAXES ARE PAID, THAT THERE ARE NO DELINOUENT SPECIAL ASSESSMENTS CERTIFIED TO THIS OFFICE CPR COLLECTION AND THAT ALL SPECIAL ASSESSMENTS CERTIFIED TO THIS OFFICE FOR COLLECTION ON ANY OF THE PROPERTY HEREIN CONTAINED DEDICATED AS STREETS, ALLEYS OR FOR ANY OTHER PUBLIC USE. ARE DAY OF

MANAGER, FINANCE DIVISION

FINANCE DIVISION

RECORDING CERTIFICATE

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DAY OF
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OF KING COUNTY, WASHINGTON. DIVISION OF RECORDS AND ELECTIONS RECORDING NUMBER MANAGER

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SURVEYORS CERTIFICATE

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(425) 359-7198 BREKT L. EBLE
PROF. LAND SUNEYOR
CERTIFICATE NO. 30581
EMERALD LAND SURVEYING. INC.
PO BOX 13594
MIL CREEK, WA 98062 (425) IN THE SW 1/4 SW 1/4, SECTION 18, T26N

Exhibit 2

(425) 359-719 EMERALD LAND SURVEYING. INC. PO BOX 13694 MILL CREEK, WA 98082 (425

PAGE 1 OF 3

ESTRICTIONS AND COVENANTS

RAINAGE FACILITIES MAINTENANCE

to were given notice. If the above required maintenance and/or report is not impleted within the line set by the Director, the diffy many perform the required oitherwood only do report. Written notice will be sent to the title holders aling the city's intention to perform such maintenance and/or report would not be performed to the city's intention to perform such maintenance and/or report would not be sent to the seven days fer such notice is maintenance until at least seven days If the City of Shoreline determines that moil tenomer or resolution work is required be done to the protect definings to clittles proposed on the described property.

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SEATTLE CITY LIGHT EASEMENT-EXHIBIT A

EASEMENT (Overhead and Underground)

THIS EASEMENT GRANTS to the City of Seatile (hereafter referred to as Grantee), rist successors and cassigns, the right, privilege and authority to install, construct, enert, client, improve, repoir, energize, operate and maintain electric overhead and undergound alterlibution fortilises of debths not exceeding 15 lead, which consist up to fells with brones, guys and enchors, creasonra, transformers, ducits, vaults, membles, cabinets, confoints, and of other necessary or convenient appartmenter is make said undergound and overhead installation on integrate electric system. All such electric system is to be located across, over, upon and under the fallowing described fonds and premises situated in the County of King, State of Weshingdon, to with.

AS SHOWN ON THE FACE OF THE PLAT.

Together with the rights at all times to the Grantee, its successors and assigns, or of ingers to and egress from said lands across adjocent lands obuting the described ensement oreo for the purpose of installing, constructing, reconstructing, reconstructing, receiving, renewing, altering, changing, pottrolling, energizing and opperating said electric system, and the right at any time to remove all or any port of said electrical system from said lands.

Also the right to the Creater, its successors and assigns, at all times to cut and thin broat, trees or other plants standing or growing upon said lands or adjacent lands which, in the opin of the Gardee, interfers with the land or maintenance or operation of the system, or constitute a menate or danger to said electrical system.

It is further covenanted and agreed that no structure or fire hozards will be exected or permisted within the above described esserent acts without prior within a population from the Grantee, its successors and assigns that no digging will be done to permitted within the esserent area within will not morn manner disturbe the facilities or their solidity or unearth any portion thereof; and that no blossing or destinations are solosives will be permitted within fifly (50) feet of said interes and appurtanches.

The City of Seattle is to be responsible, as provided by law, for any domage through its negligence in the construction, maintenance and operation of said electric system across, over, upon and under the property granted in this acserment or adjacent lands thereto.

The rights, title, privileges and authority hereby gromente shall continue and be in force unit such time as the Granties, its successors, assigns shall permonently remove said poless wires and opportenoness from said lands or shall otherwise permonently, aboundors said electric system, at which time all such rights, title, privileges and authority hereby granted shall terminate.

LEGAL DESCRIPTION

CITY OF SHORELINE KING COUNTY, WASHING

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NOTES

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APPROXIMATE POINT ACCURACY: ±0.05

NO EASEMENTS, RESTRICTIONS OR RESERVATION OF RECORD WHICH WC DISCLOSED BY A 111,E REPORT ARE SHOWN. MONUMENTS SHOWN HEREON WERE VISITED ON FEBRUARY 27 & 28, 20 THE INFORMATION SHOWN ON THIS MAP REPRESENTS THE RESULTS OF MADE ON THE INDOCRATE DATE AND CAN ONLY BE, CONSIGERED AS THE WASTING CONDITION AT THAT TIME. SURVEY MEETS OR EXCEEDS STATE STANDARDS PER WAC 332-130-09

REFERENCES. SURVEYS RECORDED UNDER THE FOLLOWING KING COUNTY AUDITOR FIL 198103285006, 20011130900001 AND 20020215900002.

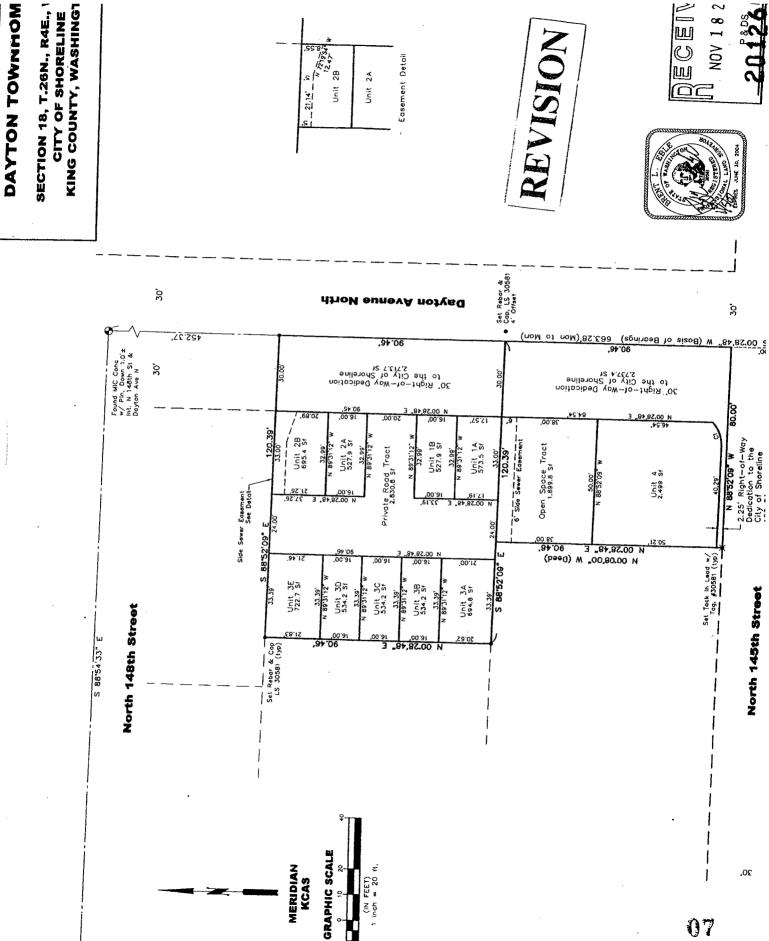
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IN THE SW 1/4 SW 1/4, SECTION 18, T26N,

(425) 359-7198 EMERALD LAND SURVEYING. PO BOX 13694 MILL CREEK, WA 98082 PAGE 2 OF 3

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