

**ORIGINAL**

**ORD NO 390  
EXHIBIT 1**

**FINDINGS AND DETERMINATION OF THE CITY OF SHORELINE  
PLANNING COMMISSION**

**John Harper Rezone Request  
File #201277**

***Summary-***

Following the public hearing and deliberation on the request to change the zoning of a 9,307 Sq. Ft. parcel located at 19671 15<sup>th</sup> Ave NE, the City of Shoreline Planning Commission has determined that the request is in compliance with City codes and not detrimental to the health, safety, or welfare of the City of Shoreline, and therefore recommends approval of such action.

**I. FINDINGS OF FACT**

**1. Project Description-**

- 1.1 Action: Rezone the subject parcel from R-6 (Residential 6 units per acre) to R-24 (Residential 24 units per acre).
- 1.2 Vicinity: 19671 15<sup>th</sup> Ave NE
- 1.3 Parcel Number: 3971701190
- 1.4 A concurrent proposal to change the land use designation of this parcel from Ballinger Special Study Area to HDR has been filed and is under review by the Shoreline City Council. If the Shoreline City Council approves the request this parcel will be designated as HDR. Consistent zoning for the HDR land use designation ranges from R-12 to R-48. The proposed rezoning of this parcel from R-6 to R-24 following the proposed change in land use designation would be consistent with the new comprehensive plan designation.

**2. Procedural History-**

- 2.1 City Council is scheduled to hold a Public Hearing on the 2004-2005 Comprehensive Plan Annual Review Docket (which is comprised of four Site Specific Land Use Designation change requests) on June 6, 2005 and expects to adopt them on June 13, 2005.
- 2.2 Planning Commission deliberations on the request for change in land use designation and findings in support of request: April 14, 2005
- 2.3 Public hearing held by the Planning Commission: March 3, 2005
- 2.4 Corrected Notice of Public Hearing and SEPA Determination of Nonsignificance: February 16, 2005
- 2.5 Notice of Public Hearing and SEPA Determination of Nonsignificance: February 10, 2005

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- 2.6 End of 14 day Public Comment Period: February 4, 2005
- 2.7 Notice of Application with Optional DNS: January 20, 2005
- 2.8 Complete Application Date: January 14, 2005
- 2.9 Application Date: December 13, 2004
- 2.10 Neighborhood meeting Date: April 28, 2004
- 2.11 Pre-Application Meeting Date: April 8, 2004
- 2.12 Notification of Neighborhood Meeting: April 14, 2004

**3 Public Comment-**

- 3.1 Oral testimony at the Public Hearing has been received from:

Janet Way- 940 NE 147<sup>th</sup> St.

**4 SEPA Determination-**

- 4.1 The optional DNS process for local project review, as specified in WAC 197-11-355, was used. A Notice of Application that stated the lead agency's intent to issue a DNS for this project was issued on January 20, 2005 and a 14-day comment period followed ending February 4, 2005. City staff determined that the proposal will not have a probable significant adverse impact on the environment and that an environmental impact statement is not required under RCW 43.21C.030(2)(c). This decision was made after visits to the project site and review of the environmental checklist, and other information on file with the City (there was no public comment received). A notice of determination of nonsignificance was issued on February 10, 2005. That notice was corrected to properly reflect the appeal period and was re-issued on February 16, 2005.

**5. Consistency-**

- 5.1 Site Rezone:

The application has been evaluated and found to be consistent with the five criteria listed in Shoreline Municipal Code Section 20.30.320 (B).

## II. CONCLUSIONS

Rezone requests are subject to the criteria contained in the Development Code. The proposal must meet the decision criteria listed in Section 20.30.320(B) of the SMC. The criteria are listed below, with a brief discussion of how the request meets the criteria.

### **SITE REZONE CRITERIA:**

**1. The rezone is consistent with the Comprehensive Plan.**

If the Shoreline City Council approves the request to designate this parcel as High Density Residential, the rezoning of this parcel from R-6 to R-24 will be consistent with the parcel's new Comprehensive Plan land use designation. The following is the description of the High Density Residential Designation (This definition is identical in both the 1998 Comprehensive Plan and the 2004 Planning Commission Recommended Comprehensive Plan Draft):

"High Density Residential designation is intended for areas near employment and commercial areas; where high levels of transit service are present or likely; and areas currently zoned high density residential. This designation creates a transition between high intensity uses, including commercial uses, to lower intensity residential uses. All residential housing types are permitted. The permitted base density for this designation will not exceed 48 dwelling units per acre unless a neighborhood plan, subarea plan or special district overlay plan has been approved. Appropriate zoning for this designation is R-12, R-18, R-24 or R-48 Residential."

**2. The rezone will not adversely affect the public health, safety or general welfare.**

The future development of this site shall show compliance with Title 20 of the Shoreline Municipal Code. Applicable sections of this code include, but are not limited to: Dimensional and Density Standards (20.50.010-20.50.050), Tree Conservation (20.50.290-20.50.370), Parking Access and Circulation (20.50.380-20.50.440), Wastewater, Water Supply and Fire Protection (20.60.030-20.60.050), Surface and Stormwater Management (20.60.060-20.60.130). Compliance with these sections of code has proven sufficient to protect public health, safety, and general welfare.

**3. The rezone is warranted in order to achieve consistency with the Comprehensive Plan.**

If the Shoreline City Council approves the request to designate this parcel as High Density Residential, the concurrent proposal to rezone the parcel from R-6 to R-24 would be consistent with the new Land Use Designation of the parcel. See Site Rezone Criteria #1 above.

**4. The rezone will not be materially detrimental to uses or property in the immediate vicinity of the subject rezone.**

It has been shown that the rezone and future development of the subject site will not be detrimental to uses in the immediate vicinity, and in fact the rezone would make the parcel consistent with the surrounding zoning. Adequate infrastructure (water, sewer, storm, etc.) exists in the area to support development at R-24 zoning. This has been verified through Certificate of water and sewer availability provided by the utility purveyors, and initial review of the City stormwater infrastructure.

**5. The rezone has merit and value for the community.**

The rezone will help the City achieve the housing targets established by the Comprehensive Plan and required by the GMA. Further, this site is an appropriate place to accommodate development, as the surrounding area is zoned at the same high density of R-24. A map depicting this zoning is attached as **Attachment I**. The rezone also has merit and is a good candidate because the site is free of environmentally sensitive features, and because of good proximity to infrastructure (15<sup>th</sup> NE).

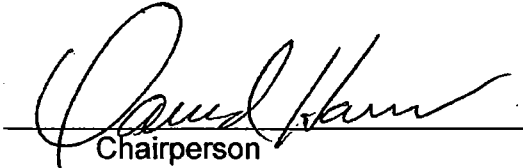
**CONCLUSIONS:**

Previous findings made by the Planning Commission (as identified above) in support of the associated Comprehensive Plan land use designation change request (that is being processed as a separate action) indicate that this change is consistent with the characteristics of the surrounding neighborhood. The re-zoning of this parcel from R-6 to R-24 would be warranted to achieve consistency with the Comprehensive Plan if the Shoreline City Council approves the request for re-designation of this parcel as High Density Residential (HDR).

**III. RECOMMENDATION**

Based on the Findings, and if the Shoreline City Council approves the request for re-designation of this parcel as High Density Residential (HDR), the Planning Commission recommends approval of application #201277; a request to change the zoning for parcel number 3971701190 located at 19671 15<sup>th</sup> Ave NE from R-6 to R-24.

**City of Shoreline Planning Commission**

 Date: 5/26/2005  
Chairperson