

**CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON**

AGENDA TITLE:	Adoption of Ordinance No. 348, a preliminary long plat for ten lots and two private land tracts from two contiguous lots located at 14515 Dayton Avenue North and 422 North 145 th Street
DEPARTMENT:	Planning and Development Services
PRESENTED BY:	Timothy M. Stewart AICP, PADS Director Jeffrey B. Thomas, Senior Planner

ISSUE STATEMENT:

The issue before Council is an application for a preliminary long plat that would create ten new lots and two private land tracts from two contiguous lots located at 14515 Dayton Avenue North (north lot) and 422 North 145th Street (south lot).

The approximate existing north lot is proposed to demolish one detached home and construct nine zero lot line townhomes with a private land tract for access. The approximate south lot is proposed to demolish one detached home and construct one home with a private land tract for storm water infiltration and passive open space.

Onsite improvements required for this proposal include storm water infiltration, landscaping and mitigation for significant tree removal. The proposal will dedicate to the City of Shoreline and improve to current right-of-way standards the eastern most 30' from both existing lots adjacent to Dayton Avenue North. An Engineering Variance has been issued for the North 145th Street right-of-way to allow for the retention of the current aligned sidewalk and three significant trees that are needed in part to meet the tree retention requirement of our code.

Shoreline Municipal Code (SMC) 20.30.060 requires preliminary long plats to be processed as a quasi-judicial or "Type-C" action. Type-C actions require an open record public hearing, which was conducted by the Planning Commission on February 5, 2004.

The Planning Commission unanimously recommends that Council approves the preliminary long plat as recommended by staff and detailed in Attachment A.

Council review of Type-C actions must be based upon the written record and no new testimony may be heard.

ALTERNATIVES ANALYZED:

FINANCIAL IMPACTS:

There are no direct financial impacts to the City.

RECOMMENDATION:

The Planning Commission and staff recommend that Council adopt Ordinance No. 348, included as Attachment B, thereby approving the preliminary long plat for ten lots and two private land tracts from two contiguous lots located at 14515 Dayton Avenue North and 422 North 145th Street.

Approved By:

City Manager 

City Attorney 

ATTACHMENTS:

Attachment A: Planning Commission Staff Report, February 5, 2004

Attachment B: Ordinance No. 348

Exhibit 1: Planning Commission Findings and Determination

Exhibit 2: Preliminary Long Plat and Legal Description

Attachment C: Planning Commission Minutes, February 5, 2004

Planning Commission Meeting Date: February 5, 2004

Agenda Item: 6a

PLANNING COMMISSION AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

<p>AGENDA TITLE: Dayton Townhomes Preliminary Long Plat Review DEPARTMENT: Planning and Development Services PRESENTED BY: Jeffrey B. Thomas, Senior Planner</p>

I. PROPOSAL

The proposed Preliminary Long Plat (File No. 201265) would create ten new lots and two private land tracts from two contiguous existing lots at 14515 Dayton Avenue North (north lot) and 422 North 145th Street (south lot) (**Attachment A**). The approximate existing north lot is proposed to demolish one detached home and construct nine zero lot line townhomes with a private land tract for access. The approximate south lot is proposed to demolish one detached home and construct one home with a private land tract for storm water infiltration and passive open space (**Attachment B**). Onsite improvements required for this proposal include storm water infiltration, landscaping and mitigation for significant tree removal. The proposal will dedicate to the City of Shoreline and improve to current right-of-way standards the eastern most 30' from both existing lots adjacent to Dayton Avenue North.

II. FINDINGS OF FACT 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 multi-family developments. A few blocks to the west, there are number of commercial 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 project site for Medium Density Residential Use. 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-judicial 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 (**Attachment C**). 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 proposal consisting of the Preliminary Long Plat application and State Environmental Policy Act (SEPA) checklist were received on October 8, 2003.
- 5.3 The proposal was determined to be complete for processing on November 14, 2003.
- 5.4 A Notice of Application for the proposal was issued on November 20, 2003 with request for public comment ending on December 5, 2003.
- 5.5 A SEPA Threshold Determination of Nonsignificance (**Attachment D**) for the proposal was issued on January 14, 2004 with the administrative appeal ending on January 28, 2004.
- 5.6 A Notice of Public Hearing for the proposal was issued on January 22, 2004.

6. PUBLIC COMMENT AND STAFF RESPONSE

- 6.1 Public Comment - King County METRO Transit (**Attachment E**) 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.

- 6.2 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.

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 (**Attachment F**), 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 (**Attachment G** and **Attachment H**) for the proposal.
- 9.2 Sewer Service – Ronald Wastewater District has issued Sewer Availability Certificates (**Attachment I** and **Attachment J**) 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 (**Attachment K**) 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.

III. STAFF RECOMMENDATION

Staff recommends that the Planning Commission forward to the City Council a recommendation of approval with conditions as described in **Attachment L** for the Dayton Townhomes Preliminary Long Plat application.

Respectfully submitted to the Planning Commission for review this date, January 29, 2004.



Jeffrey B. Thomas
Senior Planner

IV. ATTACHMENTS

Attachment A: Preliminary Plat

Attachment B: Site Plan

Attachment C: Administrative Order No. 301150, June 17, 2003

Attachment D: SEPA Threshold Determination of Nonsignificance, January 14, 2004

Attachment E: King County METRO Transit Comments, December 4, 2003

Attachment F: Arboricultural Consulting Evaluation Report and Map, July 24, 2003

Attachment G: Seattle Public Utilities Water Availability Certificate, May 13, 2003

Attachment H: Seattle Public Utilities Water Availability Certificate, May 13, 2003

Attachment I: Ronald Wastewater District Sewer Availability Certificate, May 19, 2003

Attachment J: Ronald Wastewater District Sewer Availability Certificate, May 19, 2003

Attachment K: Road and Storm Drain Plan

Attachment L: Staff Recommended Conditions of Approval

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

KNOW ALL PEOPLE BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF THE HEREIN BY HEREBY SUBDIVIDED, HEREBY DECLARE THIS PLAT TO BE THE GRAPHIC REPRESENTATION OF THE SUBDIVISION MAKE HEREBY, AND DO HEREBY DEDICATE TO THE USE OF THE PUBLIC THE STREETS AND AVENUES NOT SHOWN AS PRIVATE HEREON AND DEDICATE THE STREETS AND AVENUES SHOWN AS PRIVATE TO THE PUBLIC. THE CITY OF SHORELINE IS THE ONLY PUBLIC ENTITY TO HAVE THE RIGHT TO MAKE ALL NECESSARY SLOPES FOR GRASS AND FILLS UPON THE LOTS SHOWN THEREON IN THE ORIGINAL REASONABLE CORNERS OF THE PUBLIC STREETS AND AVENUES, AND FURTHER DEDICATE TO THE PUBLIC PURPOSES AS INDICATED THE TRACTS SHOWN ON THIS PLAT FOR ALL OPEN SPACE, UTILITIES AND DRAINAGE UNLESS OTHERWISE SPECIFICALLY IDENTIFIED ON THIS PLAT AS BEING DEDICATED OR TRACTS TO A PERSON OR ENTITY OTHER THAN THE PUBLIC, IN WHICH CASE WE DO HEREBY DEDICATE SUCH STREETS, EASEMENTS OR TRACTS TO THE PERSON OR ENTITY IDENTIFIED AND FOR THE PURPOSE STATED.

FURTHER, THE UNDERSIGNED OWNERS OF THE LAND HEREBY SUBDIVIDED, WAIVE FOR THEMSELVES, THEIR HEIRS AND ASSIGNS, THE CITY OF SHORELINE, ITS SUCCESSORS AND ASSIGNS, HARLESS FROM AND HOLD THE CITY INCLUDING ANY COSTS OF DEFENCE, CLAIMED BY PERSONS WITHIN OR WITHOUT THIS SUBDIVISION TO HAVE BEEN CAUSED BY ALTERATIONS OF THE GROUND SURFACE, VEGETATION, DRAINAGE OR SURFACE OR SUBSURFACE WATER FLOWS OF THE ROADS WITHIN THE SUBDIVISION. PROVIDED, THIS WAIVER AND INDEMNIFICATION SHALL NOT BE CONSTRUED AS LIMITING THE CITY OF SHORELINE, ITS SUCCESSORS OR ASSIGNS, FROM ALLEGING THAT THE CITY OR INDIVIDUALS INCLUDING THE COSTS OF DEFENCE, RESULTING IN WHOLE OR IN PART FROM THE NEGLIGENCE OF THE CITY OF SHORELINE, ITS SUCCESSORS OR ASSIGNS.

THIS SUBDIVISION, DEDICATION, WAIVER OF CLAIMS AND AGREEMENT TO HOLD HARLESS IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF SAID OWNERS.

IN WITNESS WHEREOF, WE SET OUR HANDS AND SEALS, THIS ____ DAY OF _____, 2003.

SHAUN C. LEISER

ACKNOWLEDGEMENTS
STATE OF WASHINGTON)
COUNTY OF KING)
I, CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT CHARLES 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: _____
PRINT: _____
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON
RESIDING AT _____
MY APPOINTMENT EXPIRES _____

STATE OF WASHINGTON)
COUNTY OF KING)
I, 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: _____
PRINT: _____
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON
RESIDING AT _____
MY APPOINTMENT EXPIRES _____

APPROVALS

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

FINANCE DIVISION CERTIFICATE

I HEREBY CERTIFY THAT ALL PROPERTY TAXES ARE PAID, THAT THERE ARE NO DELINQUENT SPECIAL ASSESSMENTS CERTIFIED TO THIS OFFICE FOR COLLECTION AND THAT ALL SPECIAL ASSESSMENTS CERTIFIED TO THIS OFFICE FOR COLLECTION ON ANY OF THE PROPERTY HEREON REMAINED DEDICATED AS STREETS, ALLEYS OR FOR ANY OTHER PUBLIC USE, ARE PAID IN FULL.

THIS _____ DAY OF _____ 2003.
FINANCE DIVISION
MANAGER, FINANCE DIVISION

RECORDING CERTIFICATE

FILED FOR RECORD AT THE REQUEST OF SHAUN C. LEISER, THIS _____ DAY OF _____ 2003, AT _____ OF PLATS, PAGES _____, INCLUSIVE, RECORDS OF KING COUNTY, WASHINGTON.

RECORDING NUMBER _____
DIVISION OF RECORDS AND ELECTIONS
MANAGER

SURVEYORS CERTIFICATE

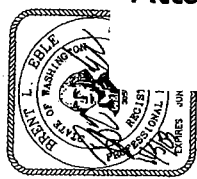
I HEREBY CERTIFY THAT THIS PLAT OF "DAYTON TOWNHOMES" IS BASED UPON AN ACTUAL SURVEY AND SUBDIVISION OF THE TOWNSHIP 26 NORTH, RANGE 4 EAST, W.M., AS REQUIRED BY STATE STATUTES. THAT THE MONUMENTS HAVE BEEN SET ON THE LOT, BLOCK AND TRACT CORNERS HAVE BEEN STAKED CORRECTLY ON THE GROUND AND THE PLAT IS FULLY COMPLIED WITH PROVISIONS OF THE STATE AND LOCAL STATUTES AND REGULATIONS GOVERNING PLATTING.

BREKTI L. EBLE
AND SURVEYOR
CERTIFICATE NO. 13698
EMERALD LAND SURVEYING, INC.
PO BOX 13694
MILL CREEK, WA 98082 (425) 359-7198

REVISION

IN THE SW 1/4 SW 1/4, SECTION 18, T26N,
EMERALD LAND SURVEYING, INC.
PO BOX 13694
MILL CREEK, WA 98082 (425) 359-7198
PAGE 1 OF 3

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RAINAGE FACILITIES MAINTENANCE

If the City of Shoreline determines that maintenance or repair work is required to be done to the private drainage facilities proposed on the described property, the Director of Public Works shall give the owners of the property written notice of the condition of the drainage facility, the person responsible for the facility, the nature of the facility, or other person or agent in charge of the facility. The Director of Public Works shall give written notice of the condition of the facility and the nature of the facility to the title holders of the property and the person or agent in charge of the facility. If the above required maintenance and/or repair is not completed within the time set by the Director, the city may perform the required maintenance and/or repair. Written notice will be sent to the title holders of the property and the person or agent in charge of the facility. The city's intention to perform such maintenance and/or repair work will not commence until at least seven days after such notice is mailed.

If at any time the City of Shoreline reasonably determines that any existing retention/detention system creates any of the conditions stated in the Shoreline Code and herein incorporated by reference, the Director may take measures specified herein.

The title holders shall assume all responsibility for the cost of any maintenance and for repairs to the retention/detention facility. Such responsibility shall include reimbursement to the city within 30 days of the receipt of the invoice for any such work performed. Overdue payments will require payment of interest at the current legal rate for liquidated judgments, if legal action ensues, and any costs or fees incurred by the city will be borne by the parties responsible for said reimbursements. This covenant benefits all citizens of the City of Shoreline and concerns the land and shall run with the land and be binding on all heirs, successors and assigns.

SEATTLE CITY LIGHT EASEMENT-EXHIBIT A

EASEMENT (Overhead and Underground)

THIS EASEMENT GRANTS to the City of Seattle (hereafter referred to as Grantee), its successors and assigns, the right, privilege and authority to install, construct, maintain, operate, repair, energize, operate and maintain electric overhead and underground distribution facilities at depths not exceeding 15 feet, which consist of poles with braces, guys and anchors, crossarms, transformers, ducts, vaults, manholes, cabinets, containers, conduits, wires and other necessary or convenient appurtenances to make said underground and overhead installation and electric system. All such underground and overhead installation and appurtenances shall be located on the following described lands and premises situated in the County of King, State of Washington, to wit:

AS SHOWN ON THE FACE OF THE PLAT.

Together with the rights at all times to the Grantee, its successors and assigns, of ingress to and egress from said lands across adjacent lands abutting the described easement area for the purpose of installing, constructing, reconstructing, repairing, renewing, altering, changing, patrolling, energizing and operating said electrical system, and the right at any time to remove all or any part of said electrical system from said lands.

Also the right to the Grantee, its successors and assigns, at all times to cut and trim brush, trees or other plants standing or growing upon said lands or adjacent lands which, in the opinion of the Grantee, interfere with the maintenance or operation of the system, or constitute a menace or danger to said electrical system.

It is further covenanted and agreed that no structure or fire hazards will be erected or permitted within the above described easement area without prior written approval from the Grantee, its successors and assigns; that no digging will be done or permitted within the easement area which will in any manner disturb the facilities or their solidity or unearth any portion thereof; and that no blasting or discharge of any explosives will be permitted within fifty (50) feet of said lines and appurtenances.

The City of Seattle is to be responsible, as provided by law, for any damage through its negligence in the construction, maintenance or operation of said electric system access, lines, poles, towers and under the property granted in this easement or adjacent lands thereto.

The rights, title, privileges and authority hereby granted shall continue and be in force until such time as the Grantee, its successors, assigns shall permanently remove said poles, wires and appurtenances from said lands or shall otherwise permanently abandon said electric system, at which time all such rights, title, privileges and authority hereby granted shall terminate.

LEGAL DESCRIPTION

SOUTH ORIGINAL PARCEL:

THE EASTERLY 80 FEET OF THE FOLLOWING DESCRIBED PORTION OF THE QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER, TOWNSHIP 26 NORTH, RANGE 4 EAST, 1/4, IN KING COUNTY, WASH. DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION; THENCE NORTH 30 FEET; THENCE EAST 463.4 FEET TO THE TRUE POINT OF BEGINNING; THENCE EAST AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION, THENCE N 0°08'00" W, 90.45 FEET; THENCE WEST AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION, THENCE S 0°08'00" E, 90.45 FEET TO THE TRUE POINT OF BEGINNING.

SITUATE IN THE COUNTY OF KING, STATE OF WASHINGTON.

NORTH ORIGINAL PARCEL:

THE NORTH 180.9 FEET OF THE SOUTH 210.9 FEET OF THE EAST 280.1 FEET OF THE WEST 625.20 FEET OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 26 NORTH, R. 1/4, IN KING COUNTY, WASHINGTON.

LESS THE SOUTH 90.45 FEET OF THE EAST 158.8 FEET; ALSO LESS THE WEST 158.64 FEET; ALSO LESS THE SOUTH 65 FEET OF THE WEST 120.10 FEET THERE

NOTES

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APPROXIMATE POINT ACCURACY: ±0.05'

SURVEY MEETS OR EXCEEDS STATE STANDARDS PER WAC 332-130-05 MONUMENTS SHOWN HEREON WERE VISITED ON FEBRUARY 27 & 28, 21 THE INFORMATION SHOWN ON THIS MAP REPRESENTS THE RESULTS OF MADE ON THE INDICATED DATE AND CAN ONLY BE CONSIDERED AS THE EXISTING CONDITION AT THAT TIME.

NO EASEMENTS, RESTRICTIONS OR RESERVATION OF RECORD WHICH WERE DISCLOSED BY A TITLE REPORT ARE SHOWN.

REFERENCES:
SURVEYS RECORDED UNDER THE FOLLOWING KING COUNTY AUDITOR FILE NUMBERS: 198103269006, 20011120900001 AND 20020215900002.

MAXIMUM IMPERVIOUS SURFACE ALLOWED = 90%
MAXIMUM BUILDING COVERAGE ALLOWED = 70%

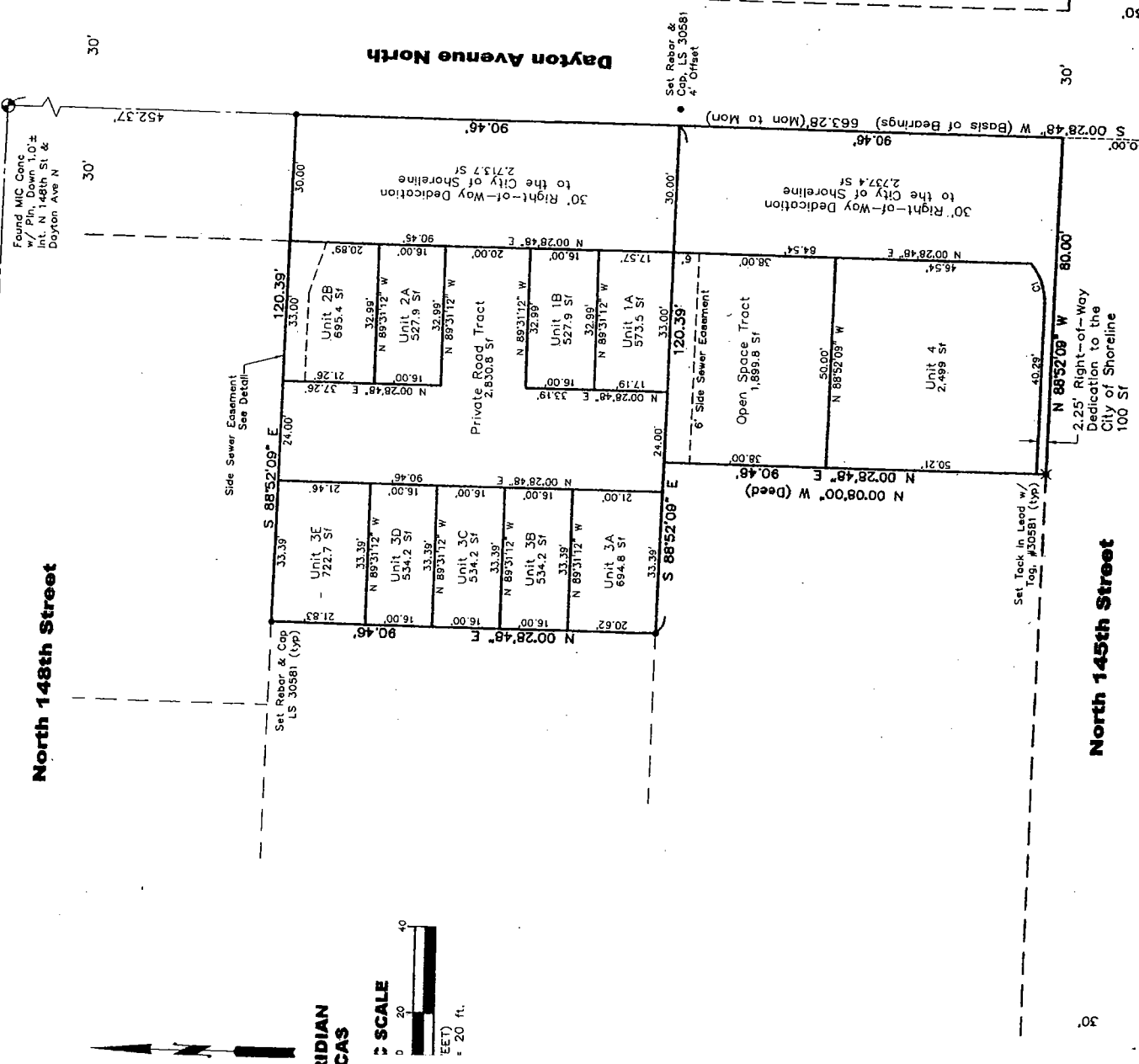


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MILL CREEK, WA 98082 (425) 359-7198
PAGE 2 OF 3

DAYTON TOWNHOM
SECTION 18, T.26N., R4E.,
CITY OF SHORELINE
KING COUNTY, WASHINGTON



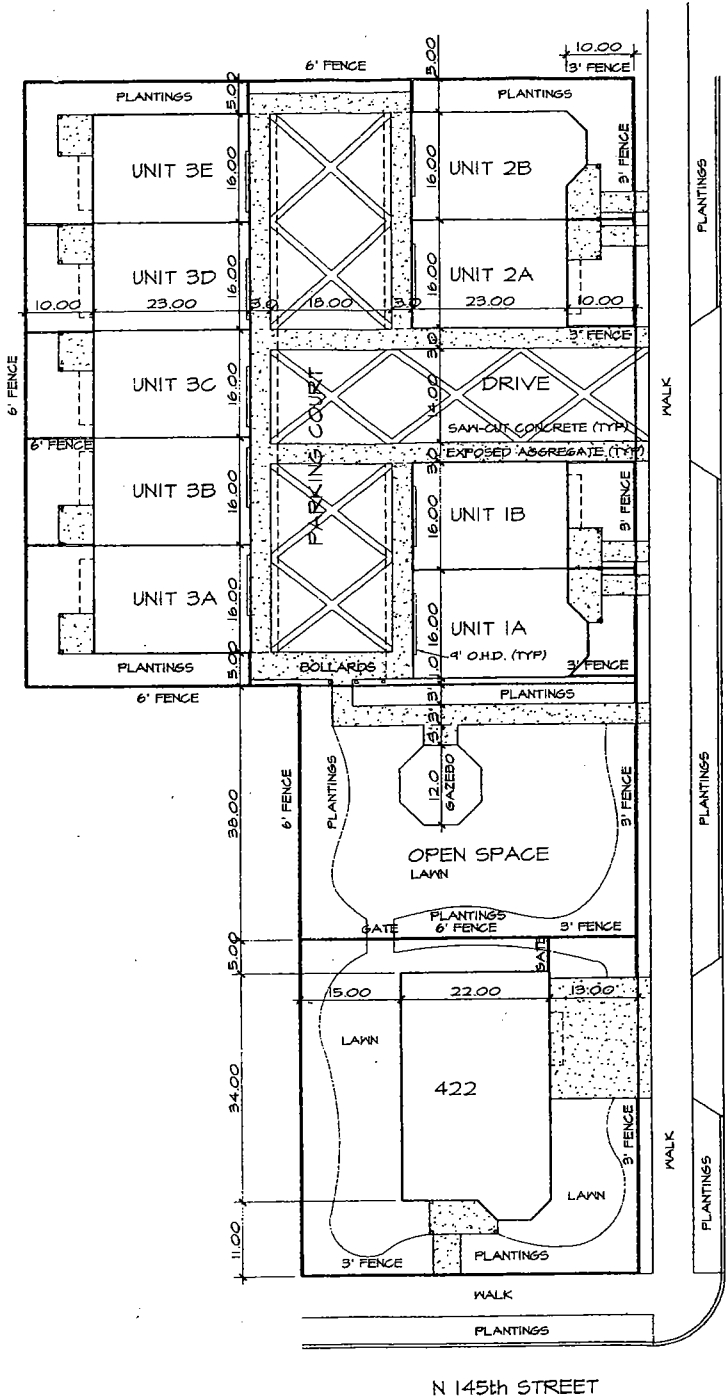
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 Dayton Ave N

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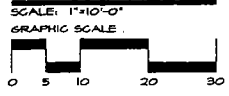


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site plan



ASSESSORS PARCEL #:
LEGAL DESCRIPTION:

DRAWING INDEX	
A1	SITE PLAN
A2	FOUNDATION PLAN AND FIRST FLOOR PLAN
A3	SECOND FLOOR PLAN AND ROOF FRAMING PLAN
A4	ELEVATIONS
A5	ELEVATIONS
A6	DETAILS AND SECTIONS
L1	LANDSCAPING PLAN
S	STRUCTURAL PLANS AND DETAILS
C	CIVIL PLANS AND DETAILS

Jerry Jutting, Architect
4114 Phinney Avenue N
Seattle, WA 98103
Telephone and Fax 206-545-1500

DAYTON TOWNHOMES, LLC
14515 Dayton Avenue N, Shoreline, WA
422 N 145th Street, Shoreline, WA
SCL ENTERPRISES, Contact: Shaun Leiser
1702 Linden Avenue N, Shoreline, WA 98159
206-324-4026 (phone) / 425-935-6026 (fax)

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SCHEMATIC	SHORTLIST	DATE	BY
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		10/20/03	JL

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City of Shoreline
Planning & Development Services Dept.

17544 Midvale Avenue North
 Shoreline, WA 98133-4921
 (206) 546-1811 ♦ Fax (206) 546-8761

ADMINISTRATIVE ORDER #301150
INTERPRETATION OF DEVELOPMENT CODE

CODE SECTION: 20.50.400.B

Request for reduction of minimum parking requirements for a proposed townhouse development. The proposal includes two lots, one of which is zoned R-48 (14515 Dayton), and one that is currently zoned R-12 (422 N. 145th St.). The applicant is considering applying for a comprehensive plan amendment and zone change for the R-12 parcel to R-48. The current proposal assumes the zone change; it shows the R45 parcel with 8 units, the R12 parcel with 4 units.

FINDINGS:

S.M.C. Section 20.50.400(B) states:

The Director may approve a reduction of up to 50 percent of the minimum required number of spaces if:

1. *The applicant can prove that parking demand can be adequately met with a reduced parking requirement through measures such as proximity to transit routes, commuter trip reduction programs, supplementary on-site non-motorized and high occupancy vehicle facilities, or*
2. *The applicant can prove that parking demand can be adequately met through a shared parking agreement.*

The proposal presented here is for a townhouse development consisting of two-bedroom units. Oversized one-car garages that allow for storage space are included with each unit. The parking requirement for 2-bedroom unit under Shoreline Municipal Code (S.M.C.) 20.50.390(A) is 1.8 spaces per unit. This request is to reduce the parking requirement to 1.0 space per unit (a 45 percent reduction).

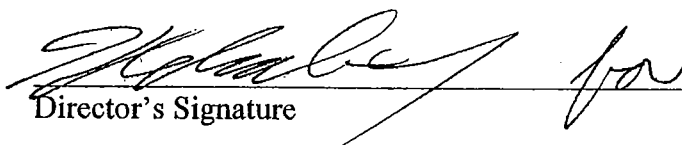
The site is located in the Westminster Triangle Neighborhood and is very close to the Highland Terrace Neighborhood. Across N. 145th Street to the south is the north end of Seattle. The area has multiple transit stops with frequent service. It is within walking and biking distance to the commercial districts of Greenwood Ave N. and Aurora Ave. N. Many services are located nearby, including restaurants, grocery store, bank, retail, mini-storage and pharmacy.

The parcels abut a portion of Dayton Ave N. that is only 30-feet wide, therefore the city would probably require dedication of 30 feet for a new development. Taking the probability of dedication into account, the R-48 zoned parcel would support the number of units proposed in this application. If the R-12 zoned parcel were rezoned to R-48, it would also support the number of units proposed here.

DECISION:

R-48 zoned parcel (14515 Dayton Ave N): The units as proposed in this application, (two-bedroom units with over-sized one-car garages with bicycle storage), meet the criteria for parking reduction under S.M.C. Section 20.50.400.B.1 (*proximity to transit routes and supplementary on-site non-motorized vehicle facilities*), and may be granted the requested parking reduction.

R-12 zoned parcel (422 N. 145th St.): If this parcel is granted a Comprehensive Plan amendment and a re-zone to R-48, the units as proposed in this application, (two-bedroom units with over-sized one-car garages with bicycle storage), meet the criteria for parking reduction under S.M.C. Section 20.50.400.B.1 (*proximity to transit routes and supplementary on-site non-motorized vehicle facilities*), and may be granted the requested parking reduction.


Director's Signature

6/17/03
Date



**SEPA THRESHOLD DETERMINATION OF NONSIGNIFICANCE (DNS)
PRELIMINARY FORMAL SUBDIVISION**

PROJECT INFORMATION

DATE OF ISSUANCE: January 14, 2004
PROJECT NUMBER: 201265
PROJECT LOCATION: 422 North 145th Street and 14515 Dayton Avenue North
PROJECT DESCRIPTION: Subdivide two existing parcels into ten parcels. Nine of the parcels fronting Dayton Avenue are proposed as single family zero lot line town homes and one parcel at the northwest corner of North 145th Street and Dayton Avenue is proposed as a single family detached residence. Associated improvements include landscaping, street frontage improvements and storm water drainage improvements.
PROJECT APPLICANT: SCL Enterprises L.L.C.
ZONING DESIGNATION: Split zoned as Residential Twelve Units per Acre (R-12) and Residential Forty Eight Units per Acre (R-48)
COMPREHENSIVE PLAN DESIGNATION: Split designated as Mixed Use and Medium Density Residential
APPEAL DEADLINE: January 28, 2004 at 5:00 p.m.

SEPA THRESHOLD DETERMINATION OF NONSIGNIFICANCE (DNS)

This Determination of Nonsignificance (DNS) is issued in accordance with WAC 197-11-340. The City of Shoreline has determined that the proposal will not have a probable significant adverse impact(s) on the environment and that an Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of the submitted SEPA Environmental Checklist, the preliminary formal subdivision application, technical information reports, received written public comments and other information on file at the City of Shoreline.* This information is available for public review upon request at no charge.

PUBLIC COMMENT AND APPEAL INFORMATION

There is no additional comment period for this DNS. The optional DNS process as specified in WAC 197-11-355 is being used. The Notice of Application issued on November 20, 2003 stated the intent of the City of Shoreline to issue a DNS for this proposal using the optional process. Appeals of this DNS must comply with the Shoreline Municipal Code (SMC) general provisions for land use hearings and appeals and be received by the City of Shoreline on or before January 28, 2003 at 5:00 p.m. The accompanying appeal fee is \$372.00. For questions, please contact Jeff Thomas, Project Manager at 206-546-1811, or write to: *City of Shoreline Planning and Development Services, 17544 Midvale Avenue North, Shoreline, WA 98133.*

Jeff Thomas, Project Manager – City of Shoreline Planning & Development Services

January 14, 2004
Date

Jeff Thomas

From: Kriedt, Gary [Gary.Kriedt@METROKC.GOV]
Sent: Thursday, December 04, 2003 9:24 AM
To: Jeff Thomas
Cc: Kittredge, Lori
Subject: Metro Comments on Dayton Townhomes, Project Number 201265

Hi Jeff -- King County Metro Transit staff reviewed the Dayton Townhomes Preliminary Formal Subdivision (Project Number 201265) and have the following comments.

Metro has a bus stop on eastbound NE 145th St. east of Dayton Ave. N. If the right lane of eastbound NE 145th St. is obstructed during construction of the Dayton Townhomes project, Metro buses will not be able to merge back into traffic. Please ensure that construction of the Dayton Townhomes project does not block the right lane of NE 145th St.; construction-related loading and unloading should be done from Dayton Ave N.

Thank you for the opportunity to comment on this proposal.

Gary Kriedt

Senior Environmental Planner

Metro Transit

201 South Jackson St., MS KSC-TR-0431

Seattle, WA 98104-3856

(206) 684-1166 fax: (206)-684-1900

July 24, 2003

Shaun Leiser
SCL Enterprises L.L.C.
17923 Linden Ave. N.
Shoreline, WA
98177

RE: Tree Evaluation, Impact Assessment, Protection and Replacement Plan, Dayton Townhomes

Shaun:

This report is provided to you as a means of addressing the conditions of the trees on the site of the proposed Dayton Townhomes development in the City of Shoreline, WA. I conducted a site visit for the purpose of evaluating the trees on July 14, 2003.

I. Purpose of this Report

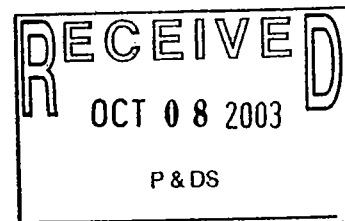
The purpose of this Tree Evaluation, Impact Assessment, Protection and Replacement Plan is to address the conditions of the existing trees on the site of the proposed Dayton Townhomes, the expected impacts associated with the proposed development, required and recommended protection measures for any retained trees and tree replacement recommendations as required by the City of Shoreline Planning and Development Services Department. As required by the city, a tree plan addressing these elements is required to be submitted as part of the development proposal. All specifications regarding retention, protection and replacement are based upon the City of Shoreline's provisions outlined in *Tree Preservation, Land Clearing, and Site Grading Standards*.

As previously stated, a site visit and tree evaluation was conducted on July 14, 2003, during which all trees were identified with numbered flagging. Please see the accompanying map for locations and numbers of the existing trees and the accompanying Tree Evaluation Data form for specific information on the existing trees.

II. Site Conditions

The project site includes two existing lots, each developed with single family residences. The entire site is sparsely vegetated in both the overstory and understory. The properties are landscaped with turfgrass and ornamental shrub species. The overstory is dominated by evergreen trees, namely large Douglas firs (*Pseudotsuga menziesii*), but also includes other species of smaller trees below the fir canopies. In total, there are 21 trees on the entire site, 12 of which are Douglas firs. The species of trees noted on the project site include the following:

- Pacific madrone (*Arbutus menziesii*)
- Incense cedar (*Calocedrus decurrens*)
- Golden chain tree (*Laburnum x watereri*)
- Apple (*Malus domestica*)
- Cherry (*Prunus species*)
- Douglas fir (*Pseudotsuga menziesii*)



Through a surface evaluation, it appears as though most of the soils across the site are compacted, however, the bulk density was not tested so the level of compaction cannot be guaranteed. Given that the each property has been developed with single family residences for many years, it is very possible that the soils are indeed compacted. The soils also appeared to be well-drained and extremely dry at the present time. The combination of compacted and well-drained, dry soils can create a very stressful soil environment for trees and plants alike. None of the trees showed any symptoms of drought stress. Most of the trees, particularly the Douglas firs and the Pacific madrone, are well adapted to dry summers which are commonplace in the Pacific Northwest.

III. Methodology of Tree Evaluations and Results

A total of 21 trees are located on the project site. Although all of these trees were evaluated and flagged, four of the trees do not meet the size requirement to be classified as significant by the City of Shoreline. The evaluations of the trees on the subject site, and those off-site but potentially affected by the proposed development impacts, were conducted to determine the condition of each tree. No trees off-site were found to be near enough to be affected by the proposed development. The condition of each tree was arrived at using the guidelines in *A Photographic Guide to the Evaluation of Hazard Trees in Urban Areas*, 1994. All above ground portions of each tree was inspected visually. If present, external symptoms of internal conditions were noted. No condition of any tree warranted investigative procedures requiring the increment borer or drill, therefore no damage was caused to any tree during this investigation. Below ground investigations of the root collar and roots, were not warranted and therefore not conducted.

The condition of each tree is shown on the accompanying Tree Evaluation Data and Recommendation Sheet as a number between 1 and 4. Trees with a score of 1, 2 and 3 can be retained provided they are not stressed further due to development impacts. All trees near proposed targets are subject to further scrutiny to determine their hazard potential and possibility of retention. Trees with a score of 4 are to be removed regardless of proposed impacts or presence of a target. Following is the classification of each numerical designation;

- 1 – Excellent condition. No defects or signs of natural decline;
- 2 – Good condition. Limited, or minor, defects and no signs of natural decline, remove if impacted;
- 3 – Fair condition. Significant defects and/or signs of natural decline, remove if impacted, and
- 4 – Poor condition. Major defects, obvious decline or dead. Remove regardless of impacts.

In general, all of the trees are in good condition. One tree, number AC21, was found to be in a declining condition thereby warranting removal. Tree number AC5 has multiple leaders at the base. Advanced rot and decay is present at the crotch between these leaders. Trees number AC9, AC10, AC11, AC12, AC13, AC14, AC15, AC18, AC19 and AC20, all Douglas firs, are very large, both in height and girth. Given the size of some of these trees (some in excess of 30" dbh), it is likely that they are quite mature. As trees age, they become less vigorous and therefore are less capable of recovering from impacts, such as the root impacts associated with development. Unless sufficient space and protection are provided, such large trees are not the best candidates for retention. The health of these trees, however, is good, and therefore removal is not warranted for that reason.

IV. Proposed Development Plan

The proposed development of this site involves removal of both homes and all existing site features and new development across the entirety of the site. This includes housing units on both the northern and southern portions of the site, internal roadways, driveways and parking spaces, and frontage improvements along both Dayton Ave. and N 145th St.. As you informed me, the eastern 30 feet of the project site along Dayton has been dedicated to the City of Shoreline, and you are required to improve the road way and establish curbs and sidewalks.

V. Constraints Limiting Tree Preservation and Concerns

The City of Shoreline permits the removal of trees within planned roadways or parking lots, utility easements and building footprints, however such removals are not exempt from replacement. Due to the impacts associated with the proposed development, such as grading, excavation and frontage improvements, some trees outside the building footprints and proposed internal road ways may not be able to be retained. Leaving trees that have suffered considerable root loss to adjacent development, those that may be diseased and/or declining, or those that may be more exposed to direct winds due to the loss of adjacent vegetation, would likely present hazardous conditions, provided they have a target. People or property potentially damaged if the tree were to fail are considered targets. The objective of this plan is to identify potential existing hazardous conditions or to project those that may result from the proposed development. Hazardous conditions can often be alleviated, and trees can be preserved, through instituting the proper protection measures. Specifically, the constraints of this site and the proposed development which limit the preservation of the on-site trees include the following:

1. Proposed Buildings – As the accompanying map shows 3 trees are in the locations of the proposed buildings, those being numbers AC3, AC5 and AC7. These trees are proposed to be removed to accommodate the proposed development. Only trees numbers AC3 and AC5 meet the size requirement to be classified as significant, therefore tree number AC7 does not factor into the required replacement. Tree number AC5, however, has a considerable amount of trunk rot at the crotches between the co-leaders. This defect presents a considerable weakness which greatly increases the failure potential of the tree and thereby classifies it as hazardous. Therefore, tree number AC5 should not factor into the required replacement.
2. Excavation and Grading Impacts – While not displaced by proposed development features, trees number AC1, AC2 and AC4 are very likely to be impacted considerably by foundation excavation and/or grading. The main concern with regards to these trees is the loss of feeder root area and the related decrease in the ability of the trees to acquire the needed resources. However, the distances between these trees and the impacts may be enough that the impacts are not drastic, thereby eliminating the need for removal. Given the type of impacts and that they are within the preferred area of protection, these trees should be proposed as removed but retained if the actual impacts are not so severe.
3. Frontage Improvements – The City of Shoreline is requiring frontage improvements along Dayton Ave. N. and N. 145th St.. These required improvements necessitate the removal of 14 trees, those being numbers AC8, AC9, AC10, AC11, AC12, AC13, AC14, AC15, AC16, AC17, AC18, AC19, AC20 and AC21. Tree number AC8 does not meet the size requirement to be classified as significant and tree number AC21 is nearly dead. Therefore, neither of these trees should be factored into the replacement numbers.

Please see the attached Tree Evaluation Data and Recommendation Sheet for specifics regarding retention, removal and/or monitoring of these trees.

VI. Required Tree Replacement

The City of Shoreline requires that at least 20% of the significant trees on a given site shall be retained, or, based upon the City's concurrence with a written recommendation of a(n) arborist certified by the International Society of Arboriculture and approved by the City that retention of the minimum percentage of trees is not advisable on an individual site, the Director may allow a reduction in the minimum significant tree retention percentage. As noted under Exception 20.50.360(C) of the Shoreline Development Code, no tree replacement is required in the case that a tree is found to be hazardous, dead, diseased, injured or in a declining condition with no reasonable assurance or remaining vigor.

As a partial exemption to the provisions of chapter specifying tree retention requirements, the removal of up to six significant trees and associated removal of understory vegetation from any property provided the development activity does not occur in a critical area or critical area buffer is permitted. Under the proposed development plan, 15 of the significant and non-hazardous/diseased trees are proposed to be removed. Of the trees proposed/recommended to be removed, six are allowed to be removed without replacement leaving replacement required for 9 of the trees proposed/recommended to be removed.

It is worth noting that 12 of the 15 trees to be removed are required to be removed in order to meet the city's requirements for frontage improvements along Dayton Ave. and N. 145th St.. Being along the perimeter of the site, these trees are in prime locations for retention if the improvements were not required.

VI.i. City of Shoreline Replacement Requirements

Per the City of Shoreline, replacement is based upon the following formula:

- A. One existing significant tree of eight inches in diameter at breast height for conifers, or 12 inches in diameter at breast height for all others equals two new trees.
- B. Each additional three inches in diameter at breast height equals one additional new tree, up to four trees per significant tree removed.

Based upon the number and size of the trees proposed to be removed, less the six allowed to be removed, a total number of 36 trees are required to be planted as replacement. The City of Shoreline requires that all deciduous replacement trees are at least 1.5 inches in caliper and evergreen trees are at least six feet in height.

Given the tight constraints of the site, post-development, it may not be feasible to plant 36 replacement trees in locations where they will be allowed to mature without compromising their health. In order that adequate numbers and the appropriate locations are specified, it is preferred that the replacement trees are incorporated into the landscape plan for this proposed development.

VII. Tree Protection Standards

The following tree protection standards are specified by the City of Shoreline under 20.50.370 of Subchapter 5; Tree Conservation, Land Clearing and Site Grading Standards.

- A. All required tree protection measures shall be shown on the tree protection and replacement plan, clearing and grading plan, or other plan submitted to meet the requirements of this subchapter.

*Tree Evaluation, Impact Assessment, Protection and Replacement Plan
Dayton Townhomes - SCL Enterprises L.L.C.
July 24, 2003*

- B. Tree dripline areas shall be protected. No fill, excavation, construction materials, or equipment staging or traffic shall be allowed in the dripline areas of trees that are to be retained.
- C. Prior to any land disturbance, temporary construction fences must be placed around the dripline of trees to be preserved. If a cluster of trees is proposed for retention the barrier shall be placed around the edge formed by the drip lines of the trees to be retained.
- D. Tree protection barriers shall be a minimum of four feet high, constructed of chain link, or polyethylene laminar safety fencing or similar material, subject to approval by the Director. "Tree Protection Area" signs shall be posted visibly on all sides of the fenced areas. On large or multiple-project sites, the Director may also require that signs requesting subcontractor cooperation and compliance with tree protection standards be posted at site entrances.
- E. Where tree protection areas are remote from areas of land disturbance, and where approved by the Director, alternative forms of tree protection may be used in lieu of tree protection barriers; provided, that protected trees are completely surrounded with continuous rope or flagging and are accompanied by "Tree Leave Area – Keep Out" signs.
- F. Rock walls shall be constructed around the tree, equal to the dripline, when existing grade levels are lowered or raised by the proposed grading.
- G. Retain small trees, bushes and understory plants within the tree protection zone to the maximum extent practicable.
- H. Preventative Measures. In addition to the above minimum tree protection measures, the applicant should support tree protection efforts by employing, as appropriate, the following preventative measures, consistent with best management practices for maintaining the health of the tree:
 1. Pruning of visible deadwood on trees to be protected or relocated;
 2. Application of fertilizer to enhance the vigor of stressed trees;
 3. Used of soil amendments and soil aeration in tree protection and planting areas;
 4. Mulching over tree dripline areas, and
 5. Ensuring proper watering during and immediately after construction and throughout the first growing season after construction.

VIII. Monitoring and Follow-up Assessments

Monitoring, or follow up condition assessments, may be necessary to assess the conditions of the preserved trees following development of the site. The hemlocks to be preserved are of a major concern, and should be included in at least a yearly monitoring program with recommendations for removals as deemed necessary. Monitoring should also be done to follow up on the replacement plantings and make recommendations for care or further replacement. In order to insure proper diagnosis of hazard tree conditions, all monitoring should be conducted by an ISA Certified Arborist.

IX. Use of This Report and Limitations

This Tree Evaluation, Impact Assessment, Protection and Replacement Plan is supplied to SCL Enterprises LLC., as a means of determining, to the most thorough extent possible, the conditions of the existing trees on the project site, the extent of the proposed impacts, and to specify replacement and protection measures as required by the City of Shoreline. This report is based largely on readily observable conditions and, to a lesser extent, on readily ascertainable conditions. There are several conditions affecting a tree's health which are pre-existing and cannot necessarily be ascertained with a surface analysis. These conditions include root and stem rot, internal cracks or construction root damage which may be hidden beneath the soil. In addition, certain circumstances can cause a rapid deterioration of a tree's condition. While I have used every reasonable means to examine these trees, this report is an

*Tree Evaluation, Impact Assessment, Protection and Replac
Dayton Townhomes – SCL Enterprises L.L.C.
July 24, 2003*

opinion and I cannot guarantee or warrant the condition of these trees. No attempt has been made to determine hidden or concealed conditions. Reports may be adversely affected due to the physical condition of the site and the difficulty of access which may lead to observation or evaluation difficulties.

The work for this report has conformed to the standard of care employed by ISA Certified Arborists. No other representation or warranty is made concerning the work or this report and any implied representation or warranty is disclaimed.



Tony Shoffner, ASCA
ISA Certified Arborist #PN-0909

Dr. Claus Mattheck *An Archery Model for the Tree* The Body Language of Trees Workshop, International Society of Arboriculture – Pacific Northwest Chapter Annual Conference, Harrison Hot Springs, BC, 2001.

Arboriculture-Integrated Management of Landscape Trees, Shrubs and Vines. Richard W. Harris, 1992, Regents/Prentice Hall. pg. 174.

Trees and Development – A Technical Guide to Preservation of Trees During Land Development. Nelda Matheny and James R. Clark, 1998, International Society of Arboriculture.

A Photographic Guide to the Evaluation of Hazard Trees in Urban Areas. 2nd Edition. Nelda Matheny and James R. Clark, 1994, International Society of Arboriculture.

The Body Language of Trees – A Handbook for Failure Analysis Claus Mattheck and Helge Breloer, 1998. Department of The Environment and the Regions.

TREE EVALUATION DATA
Dayton Townhomes
SCL Enterprises, LLC

Tree #	Tree Spp	DBH (in)	Height (Ft)	Spread (Ft)	LCR (%)	Windsnap Potential	Condition Rating	Tree Condition Notes	Anticipated Impacts	RETAIN/REMOVE	Significant	Replacement #s
1	PR sp	24	80	40	85	30	3	Large and likely old, but in good condition, well branched	Foundation excavation impacts	REMOVE	*	Allowed
2	PR sp	6	35	15	65	70	2	Generally good condition	Foundation excavation impacts	REMOVE	Exempt-size	0
3	PSME	16	50	20	80	38	2	Generally good condition	In location of proposed building	REMOVE	*	Allowed
4	CADE	18	30	15	85	20	2	Generally good condition	Foundation excavation impacts	REMOVE	*	Allowed
5	LA x wa	12	25	25	70	25	4	Multi-trunked at base, extensive trunk rot at base crotch	In location of proposed building	REMOVE	Exempt-condition	0
6	MADO	8	10	15	70	15	2	Generally good condition	In location of proposed building	REMOVE	Exempt-size	0
7	MADO	6	10	15	60	20	2	Generally good condition	Foundation excavation impacts	REMOVE	Exempt-size	0
8	MADO	4	10	15	60	30	2	Generally good condition	Displaced for frontage improvements	REMOVE	Exempt-size	0
9	PSME	36	95	25	75	32	3	Branched to ground, somewhat sparse half way up	Displaced for frontage improvements	REMOVE	*	Allowed
10	PSME	40	110	30	85	33	3	Large in size/advanced in age, large upper limbs	Displaced for frontage improvements	REMOVE	*	Allowed
11	PSME	36	110	30	85	37	3	Large in size/advanced in age, large upper limbs	Displaced for frontage improvements	REMOVE	*	Allowed
12	PSME	22	100	25	70	55	3	Codominant leader (8" dbh) at 25', minor epicormics	Displaced for frontage improvements	REMOVE	*	4
13	PSME	30	90	30	85	36	2	Fully branched to 15' from ground	Displaced for frontage improvements	REMOVE	*	4
14	PSME	30	90	30	85	36	2	Fully branched to 15' from ground	Displaced for frontage improvements	REMOVE	*	4
15	PSME	24	80	30	80	40	2	Fully branched to 20' from ground	Displaced for frontage improvements	REMOVE	*	4
16	ARME	24	35	35	80	18	3	Leans to the east, well-branched, minor trunk decay	Displaced for frontage improvements	REMOVE	*	4
17	PSME	16	65	25	70	49	2	Generally good condition, rooting bound by rockwall to S.	Displaced for frontage improvements	REMOVE	*	4
18	PSME	30	80	25	80	32	2	Generally good condition, rooting bound by rockwall to S.	Displaced for frontage improvements	REMOVE	*	4
19	PSME	30	90	25	80	36	2	Generally good condition, rooting bound by rockwall to S.	Displaced for frontage improvements	REMOVE	*	4
20	PSME	30	90	30	80	36	2	Generally good condition, rooting bound by rockwall to S.	Displaced for frontage improvements	REMOVE	*	4
21	PR sp	14	15	15	<20	13	4	Advanced decline	Displaced for frontage improvements	REMOVE	Exempt-condition	0

Tree# - Corresponds to numbers allocated to evaluated trees as shown on accompanying map

Tree Species Codes:

ARME=Arbutus menziesii (Pacific madrone)

CADE=Calocedrus decurrens (Inoense cedar)

LAXWA=Laburnum x watereri (Goldenrain tree)

MADO =Malus domestica (apple)

PR sp=Prunus species (cherry)

PSME=Pseudotsuga menziesii (Douglas fir)

DBH - Diameter in inches at 1' above grade (provided in survey)

Height - Approximate tree height in feet

Spread - Approximate average crown spread in feet

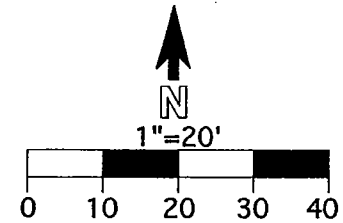
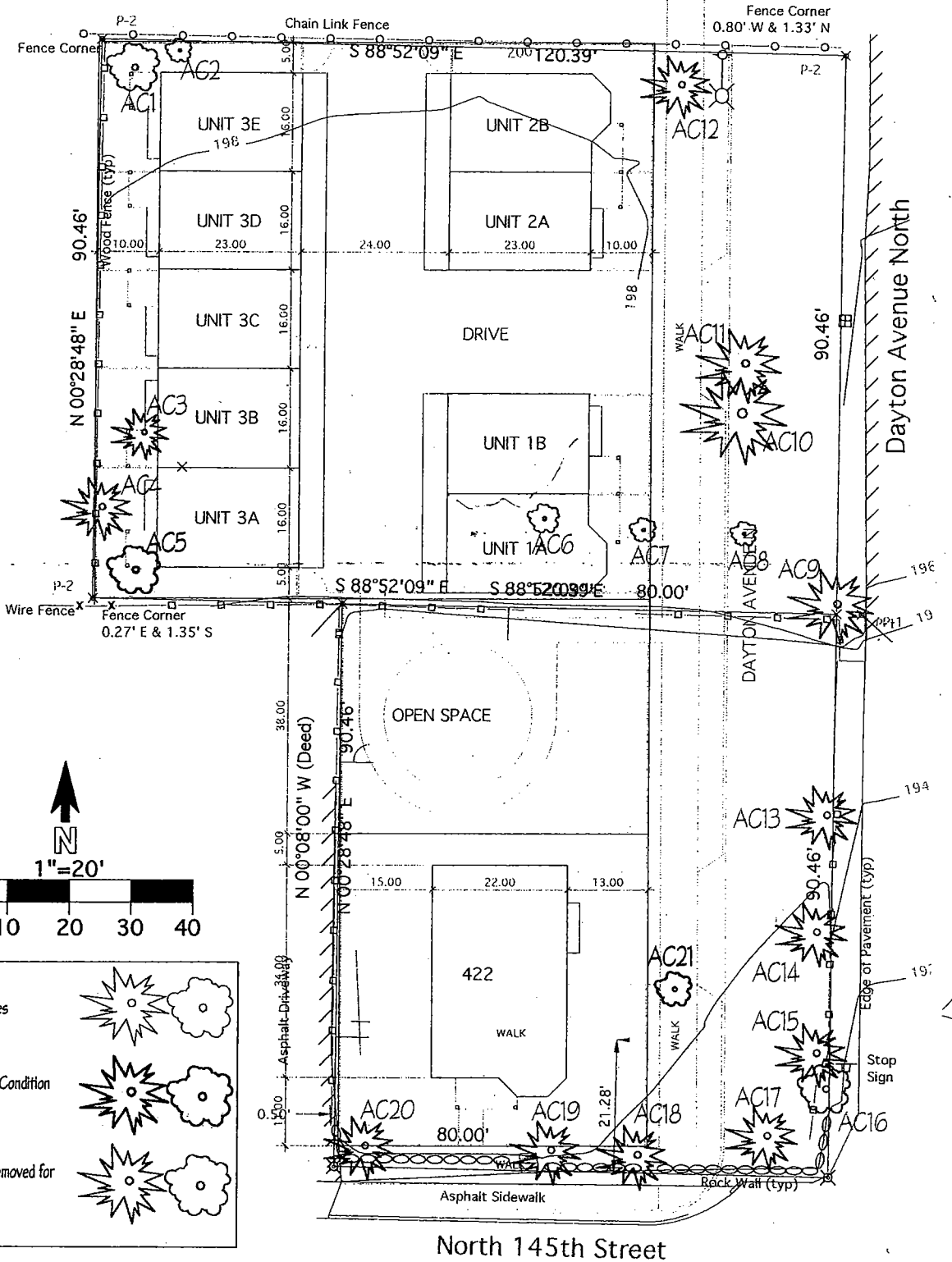
LCR - Live Crown Ratio (percent of live crown along length of trunk)

Windsnap Potential = A factor of trunk taper, measures the potential for windsnap/mid-trunk failure (see report for description)

Condition Rating - Value pertaining to tree condition

1=Excellent Condition; 2=Good condition, candidate for retention given no, or limited impacts; 3=Fair condition, candidate for retention given no, or limited impacts; 4=Poor condition, removal recommended

TREE EVALUATION MAP
Dayton Townhomes
City of Shoreline, WA



LEGEND	
Valuated Trees	
Trees in Poor Condition	
Trees to be Removed for Impacts	

<p>Arboricultural Consulting Tony Shoffner, ASCA Consulting Arborist, Horticulturist ISA Certified Arborist #PN-0909 PO Box 135 Mountlake Terrace, WA 98043-0135</p> <p>Phone and Fax: (425) 776-0850 Mobile (206) 755-2871 email: arboricultural.consulting@verizon.net</p>	<p>TREE EVALUATION MAP 422 N. 145th St. CITY OF SHORELINE, WA</p> <p>SCL Enterprises, LLC 17921 Linden Ave. North Shoreline, WA 98133</p>
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WATER AVAILABILITY CERTIFICATE

for Property 14515 Dayton Ave N City Shoreline

Developer Shaun C Leiser

Date Recd by SPU 5/19/03 SPU Map/Kroll 214.3 DCLU Project SH BP/LU

- Approved; Permit for building or land use may be approved at this time.** Property owner may order water service after meeting all service requirements. No change to the water distribution system is needed. (see Water Service Requirements).
- Approved; Permit for building or land use may be approved at this time.** Property owner has contracted with Seattle Public Utilities and paid fees in preparation for extending, replacing or altering the existing water distribution system. (see Water Service Requirements)
- Not Approved; Permit for building or land use should NOT be approved at this time.** The following changes to the water distribution system are required; please call (206) 684-5976.

Design of approximately _____ feet of _____-inch diameter DIP water main in _____ extending from _____ to _____, including approximately _____ standard fire hydrant(s).

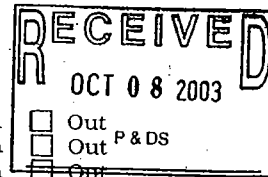
Installation of approximately _____ feet of _____-inch diameter DIP water main in _____ extending from _____ to _____ to cross the full frontage of the legal parcel(s) described above, including _____ standard fire hydrant(s).

Design and installation of _____

Prepared by JM CERTIFIED by Janya Murphy Date 5/13/03
 Water Availability Certificate ID No. 2003-0478 shall be valid for no more than 18 months from the date of certification. Changes after certification date may alter requirements. Fireflow or other Seattle Fire Department requirements may alter water availability at any time. Water availability requirements will change if existing system cannot support desired water service.

EXISTING WATER SYSTEM INFORMATION

Water service: None Size 3/4" Type Cu Meter In Out
 Size _____ Type _____ Meter In Out
 Size _____ Type _____ Meter In Out



Pressure zone 660: Static 69 psi Recommended design pressure is 20 psi less than static pressure.

Proximity of fire hydrant 130 feet meets does not meet standards
to the NE of property

Rate of flow at peak demand at test hydrant at 20 psi for 2 or more hours
 Less than 500 gpm (approx _____) 2000-2999 gpm
 500-999 gpm 900 gpm 3000-3999 gpm
 1000-1999 gpm 4000 gpm or more
 Based on flow test hydraulic modeling result

2nd nearest hydrant, 170 feet to the SE, can provide 1500 gpm, based on modeling

standard substandard water main is available to serve in

Dayton Ave N 8" CIP CL22 1973

Distance of main to W margin of street is ~15 feet
 Public ROW width is 30 feet unimproved ROW

The water system is in conformance with a County approved water comprehensive plan, and has water right claims sufficient to provide s
 The proposed project is within Seattle's water utility's _____ rea.

WATER SERVICE REQUIREMENTS:

Property 14515 Dayton Ave N WAC ID No. 2003-0478

New Meter Location Dayton Ave N

If the legal parcel is shortplatted prior to approval for occupancy after final inspection of the building permit, then separate meters will be required for each legally described parcel. This may necessitate the installation of a water main by the developer. One meter will serve the domestic water needs of a single legal parcel.

The property owner is responsible for the installation, maintenance and liability of the service line from the City union near the meter to the building served. New service piping from City union to the building must be inspected by SPU prior to covering. Call (206) 684-5800 for an inspection.

For new water services, Property owner must sign SPU's Application and Agreement for Water Service, pay all connection, service, and other charges, and submit the legal description of the property to be served. Apply for service at 700 5th Avenue, 31st Floor. The time between the service order and installation varies depending on workload, service size and type. **Wait times can be 30-90 days;** call (206) 684-5800 for the current projected wait time.

Backflow Prevention Assembly(ies) on private property may be required. SPU and KCHD (King County Health Dept) are the administrative authorities engaged in a joint program identifying actual and potential cross-connections between the public water supply and possible sources of contamination. The control of cross-connections is accomplished by (1) Premises isolation: SPU protects of the public water supply by requiring backflow protection at the water service connection; and (2) In-Premises Isolation: KCHD protects the water supply within the premises. All backflow assemblies used must be on the current WSDOH approved list. To either schedule inspection of your system after assemblies have been installed and tested, or if you have questions concerning backflow prevention, please call the appropriate administrative authority as follows: SPU (206) 684-3536, or KCHD (206) 233-5135.

- Three copies of an approved Street Use Plan are required when ordering service within the CBD (Central Business District).
- Payments are due for:
 - New service connection(s) and meter for property to be served
 - Charges for retiring or re-establishing existing water service
 - Property owner must pay either a Special Tap Charge, or a Connection Charge due when ordering water service.
 - King County right-of-way, or water main-hydrant permit
 - Payment of charges for WA State DOT right-of-way permit. Water Availability is subject to WA State DOT permit whenever service is to be provided from a water main within a State-owned street.

Easement through private property is required for private service lines as follows:

Recorded easements (minimum 3' wide) allowing underground water service to any back lots

- Underground piping from the City union to the building must be either type K or L copper, or Ipex Kitec (PE-AL-PE) and fittings.
- PRV (pressure-reducing valve) on private property is required. The Uniform Plumbing Code requires a PRV when water pressure is 80 psi or greater.
- Pump on private property is recommended

One domestic meter per legal parcel. Short plat must be approved and addresses assigned prior to ordering new meters. Final sub-divided lot dimensions must be provided to aid in calculation of any Special Tap Charges that may be due

REV 12/02



WATER AVAILABILITY CERTIFICATE

for Property 422 N 145th St City Shoreline

Developer Dede Kirk

Date Recd by SPU 5/19/03 SPU Map/Kroll 214.3 DCLU Project SH BP/LU

Approved; Permit for building or land use may be approved at this time. Property owner may order water service after meeting all service requirements. No change to the water distribution system is needed. (see Water Service Requirements)

Approved; Permit for building or land use may be approved at this time. Property owner has contracted with Seattle Public Utilities and paid fees in preparation for extending, replacing or altering the existing water distribution system. (see Water Service Requirements)

Not Approved; Permit for building or land use should NOT be approved at this time. The following changes to the water distribution system are required; please call (206) 684-5976.

Design of approximately _____ feet of _____ -inch diameter DIP water main in _____, extending from _____ to _____, including approximately _____ standard fire hydrant(s).

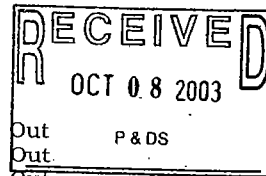
Installation of approximately _____ feet of _____ -inch diameter DIP water main in _____, extending from _____ to _____, to cross the full frontage of the legal parcel(s) described above, including _____ standard fire hydrant(s).

Design and installation of _____

Prepared by JM CERTIFIED by Janya Murphy Date 5/13/03 ✓
 Water Availability Certificate ID No. 2003-0477 shall be valid for no more than 18 months from the date of certification. Changes after certification date may alter requirements. Fireflow or other Seattle Fire Department requirements may alter water availability at any time. Water availability requirements will change if existing system cannot support desired water service.

EXISTING WATER SYSTEM INFORMATION

Water service: None Size 3/4" Type Cu Meter In Out
 Size _____ Type _____ Meter In Out
 Size _____ Type _____ Meter In Out



Pressure zone 660 Static 69 psi Recommended design pressure is 20 psi less than static pressure.

Proximity of fire hydrant 90 feet meets does not meet standards
to the SE of property

Rate of flow at peak demand at test hydrant at 20 psi for 2 or more hours
 Less than 500 gpm (approx _____) 2000-2999 gpm
 500-999 gpm 3000-3999 gpm
 1000-1999 gpm 1500 gpm 4000 gpm or more
 Based on flow test hydraulic modeling result

standard substandard water main is available to serve in

Dayton Aven 8" CIP CL22 1973

Distance of main to W margin of street is ~15 feet
 Public ROW width is 30 feet unimproved ROW

The water system is in conformance with a County approved water comprehensive plan, and has water right claims sufficient to provide service.
 The proposed project is within Seattle's water service area.

WATER SERVICE REQUIREMENTS:

Property 422 N 145th St WAC ID No. 2003-0477

New Meter Location Dayton Ave N

If the legal parcel is shortplatted prior to approval for occupancy after final inspection of the building permit, then separate meters will be required for each legally described parcel. This may necessitate the installation of a water main by the developer. One meter will serve the domestic water needs of a single legal parcel.

The property owner is responsible for the installation, maintenance and liability of the service line from the City union near the meter to the building served. New service piping from City union to the building must be inspected by SPU prior to covering. Call (206) 684-5800 for an inspection.

For new water services, Property owner must sign SPU's Application and Agreement for Water Service, pay all connection, service, and other charges, and submit the legal description of the property to be served. Apply for service at 700 5th Avenue, 31st Floor. The time between the service order and installation varies depending on workload, service size and type. Wait times can be 30-90 days; call (206) 684-5800 for the current projected wait time.

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 - New service connection(s) and meter for property to be served
 - Charges for retiring or re-establishing existing water service
- Property owner must pay either a Special Tap Charge, or a Connection Charge due when ordering water service.
- King County right-of-way, or water main-hydrant permit
- Payment of charges for WA State DOT right-of-way permit. Water Availability is subject to WA State DOT permit whenever service is to be provided from a water main within a State-owned street.

Easement through private property is required for private service lines as follows:
Recorded easements (minimum 5' wide) allowing
underground water services to any back lots

- Underground piping from the City union to the building must be either type K or L copper, or Iplex Kitec (PE-AL-PE) and fittings.
- PRV (pressure-reducing valve) on private property is required. The Uniform Plumbing Code requires a PRV when water pressure is 80 psi or greater.
- Pump on private property is recommended

One domestic meter allowed per legal parcel. Short-
plat must be approved and address assigned
prior to ordering meters. Final sub-divided lot
dimensions must be provided
Special Tap Charges that m recalculation of any

RONALD WASTEWATER DISTRICT
CERTIFICATE OF SEWER AVAILABILITY

Attachment I

This certificate provides the Department of Health and Development Services Group with information necessary to evaluate development



Do not write in this box

number _____ name _____

Building Permit Preliminary Plat or PUD Short Subdivision Rezone or other _____

APPLICANT'S NAME: Shaun C. Leiser

PROPOSED USE: 9 Zero Lot Line Town Houses

LOCATION: 14515 Dayton Ave N

SEWER AGENCY INFORMATION

Sewer service will be provided by side sewer connection only to an existing 6" or Main size sewer adjacent feet from the site and the sewer system has the capacity to serve the proposed line.

OR

Sewer service will require an improvement by the sewer system of:

(1) Sewer trunk or lateral to reach the site; and/or (2) the construction of a collection system on the site; and/or (3) other (describe):

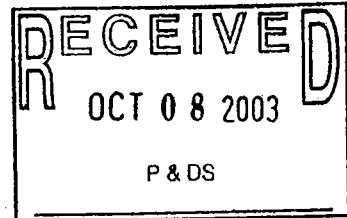
2. a. The sewer system improvement is in conformance with a City approved sewer comprehensive plan OR
b. The sewer system improvement will require a sewer comprehensive plan amendment.

3. a. The proposed project is within the corporate limits of the District or has been granted Boundary Review Board approval for extension of service outside the District or City OR

b. Annexation or BRB approval will be necessary to provide service.

4. Service is subject to the following:

- a. Connection charge: Will be due. See attachment.
- b. Easement(s): Will be required
- c. Other: See attachment.



I hereby certify that the above sewer agency information is true. This certification shall be valid for one year from date of signature.

Ronald Wastewater District

Al Dann

Agency Name

Signatory Name

Technical Support Specialist

19 May 2003

Title

Signature

Date

ATTACHMENT TO CERTIFICATE OF SEWER AVAILABILITY

Dated: 19 May 2003

For Applicant: Shaun C. Leiser

Sewer service is available contingent upon the owner meeting all District requirements under our Rules and Regulations, Res. 90-11 as amended, and any other District policies pertinent to the particular project. We have reviewed the applicant's request and noted some conditions below. A more comprehensive review during the application process may reveal other conditions to be met.

4. c. Other

- Applicable District permits, fees, plan review and approval.
- All new connections, additional connections, or revised connections are subject to Metro Capacity Charge. Questions: contact Metro Community Relations at 684-1138.
- Connections are subject to Ronald Wastewater District General Facilities Charge and/or Local Facilities Charge as outlined in Res. 91-04.
- Approved/Recorded short plat or lot line adjustment submitted to District with side sewer permit application.
- Addition encroaches on existing side sewer. Check with Local Plumbing Agency regarding current plumbing regulations.
- Rezone may impact our sewer facility and require future upgrading of our facilities. You will be responsible for all costs (FOR ALL APARTMENT AND CONDO REQUESTS).
- This project requires a developer (mainline) extension. Developer to complete application and submit fees.
- May require saddle on main and right of way permits.
- May require Department of Fisheries approval and permit.
- Hold Harmless (Indemnification) required.
- Cap off of existing sewer required prior to demolition of any structure. Permit and inspection is required.

NOTE: Unit will remain in billing until cap off is completed per District specifications.

- Easement will be required on District form and must be returned to District for recording along with appropriate fee. Easement must be submitted prior to issuance of any permits.

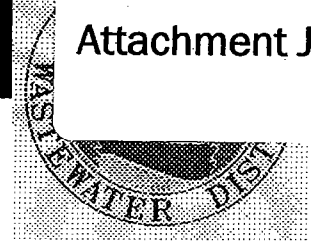
Prepared by Alton C. Dann

Alton C. Dann

RONALD WASTEWATER DISTRICT
CERTIFICATE OF SEWER AVAILABILITY

Attachment J

This certificate provides the Department of Health and Development Services Group with information necessary to evaluate development



Do not write in this box

number _____ name _____

Building Permit Preliminary Plat or PUD Short Subdivision Rezone or other _____

APPLICANT'S NAME: Shaun C. Leiser

PROPOSED USE: ~~4 Zero Lot Line Town Houses~~ 1 single family Res.

LOCATION: 422 N 145 St

SEWER AGENCY INFORMATION

Sewer service will be provided by side sewer connection only to an existing 6" or Main size sewer adjacent feet from the site and the sewer system has the capacity to serve the proposed line.

OR

Sewer service will require an improvement by the sewer system of:

(1) Sewer trunk or lateral to reach the site; and/or (2) the construction of a collection system on the site; and/or (3) other (describe):

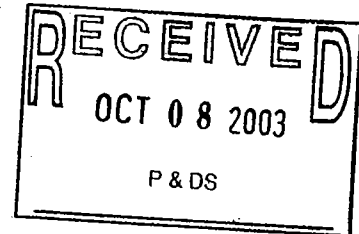
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- b. Easement(s): Will be required
- c. Other: See attachment.



I hereby certify that the above sewer agency information is true. This certification shall be valid for one year from date of signature.

Ronald Wastewater District

Al Dann

Agency Name

Signatory Name

Technical Support Specialist

19 May 2003

Title

Signature

Date

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Dated: 19 May 2003

For Applicant: Shaun C. Leiser

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Prepared by Alton C. Dann
Alton C. Dann

SITY 14, SW 14 SECTION 18 TOWNSHIP 28 NORTH, RANGE 4 EAST, W.M.

LINE	DIST.	BEARING
L1	18.50	N 80°11'20" W
L2	10.96	N 69°15'16" W
L3	10.46	N 72°19'54" W
L4	23.00	N 89°31'12" W



WORK DESCRIPTION:

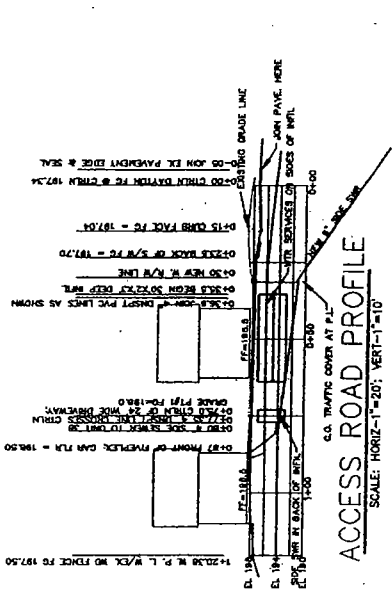
1. QUANTITIES BELOW ARE APPROXIMATE & ARE NOT FOR PRICING PURPOSES.
2. PLACE 3740 SF OF 1 1/2" CL. B ASPH ON 3" C.A. TOP COURSE ON-ROAD WIDENING.
3. INSTALL 12" CURB - 50 LF IN 2 SECTIONS AT ENDS OF DRIVEWAY ON SHT C2/3.
4. INSTALL 12" CURB - 50 LF IN 2 SECTIONS AT ENDS OF DRIVEWAY ON SHT C2/3.
5. INSTALL 6" CONCRETE SIDEWALKS ON THE SOUTH AND EAST SIDES OF THE DRIVEWAY AND TO GREAT RIM 14370' AND TO NEW STREET TRENCH.
6. INSTALL 6" CONCRETE SIDEWALKS ON THE SOUTH AND EAST SIDES OF THE DRIVEWAY AND TO GREAT RIM 14370' AND TO NEW STREET TRENCH.
7. CONSTRUCT 5' WIDE CONCR. WALK AND STEPS FROM THE END OF THE DRIVEWAY TO THE SIDEWALK ALONG THE N. SIDE OF OPEN SPACE AND TO THE S. SIDE OF THE DRIVEWAY.
8. CONSTRUCT 3' HIGH ROCKERY'S ALONG THE SOUTH AND EAST SIDE OF THE DRIVEWAY.
9. INSTALL 4" INFILTRATION TRENCHES AS SHOWN; REUSE EX. ROCKERY ROCKS AND ALONG THE NORTH SIDE OF THE OPEN SPACE AS SHOWN; REUSE EX. ROCKERY ROCKS AND ALONG THE SOUTH SIDE OF THE OPEN SPACE AS SHOWN FOR ROOFS AND FOR THE NEW STREET TRENCH.
10. INSTALL EIGHT SWALE BOXES AS SHOWN; PROPOSAL TO ALLOW UNIT 4 DUMP TO PASS.
11. INSTALL EIGHT SWALE BOXES AS SHOWN TO GET DOWNSPOUT PIPES TO THE INFILTRATION TRENCHES.
12. INSTALL A 1" CARTRIDGE STORM FILTER CATCH BASIN, PART CRES1-L WITH CARTRIDGE ON S. SIDE AS SHOWN ON HEREON. SEE C2/3 FOR VAULT DETAIL. IT SHALL BE MAINTAINED BY THE OWNERS AND A COVENANT SET UP FOR SAID MAINTENANCE.
13. INSTALL 3" NEW SEWER STUBS AS SHOWN; REUSE THE NORTHERLY SIDE SEWER ON DAYTON BEHIND THE EXISTING SEWER FOR 422 N 145TH ST AFTER EXISTING HOUSE IS DEMOLISHED.
14. REUSE THE EXISTING DAYTON WATER METER AND INSTALL A NEW 1" METERS IN BANKS AS SHOWN ON HEREON. REUSE THE EXISTING 1 1/2" WATER METER FOR UNIT 4.
15. TWO EXISTING FIRE HYDRANTS ARE SHOWN WITHIN 145TH ST WATER METER FOR UNIT 4.
16. ADDITIONAL R/W DEDICATION OF 2' ALONG THE NORTH SIDE OF N 145TH ST IS PROVIDED FOR ADDITIONAL LANDSCAPING OF 4' IN BACK OF 5' WIDE SIDEWALK.

PLAT OF DAYTON TOWNHOMES LLC
14515 DAYTON AV N & 422 N 145TH ST
SHORELINE, WASHINGTON

DEAN HOLROYD & ASSOCIATES
8915 117TH ST NE
SILVERDALE, WA 98138-4407
PHONE: 425-538-0287

STORM WATER MANAGEMENT PLAN
- Road/Storm Drain Plan

Attachment K

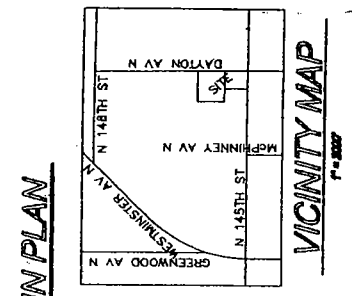
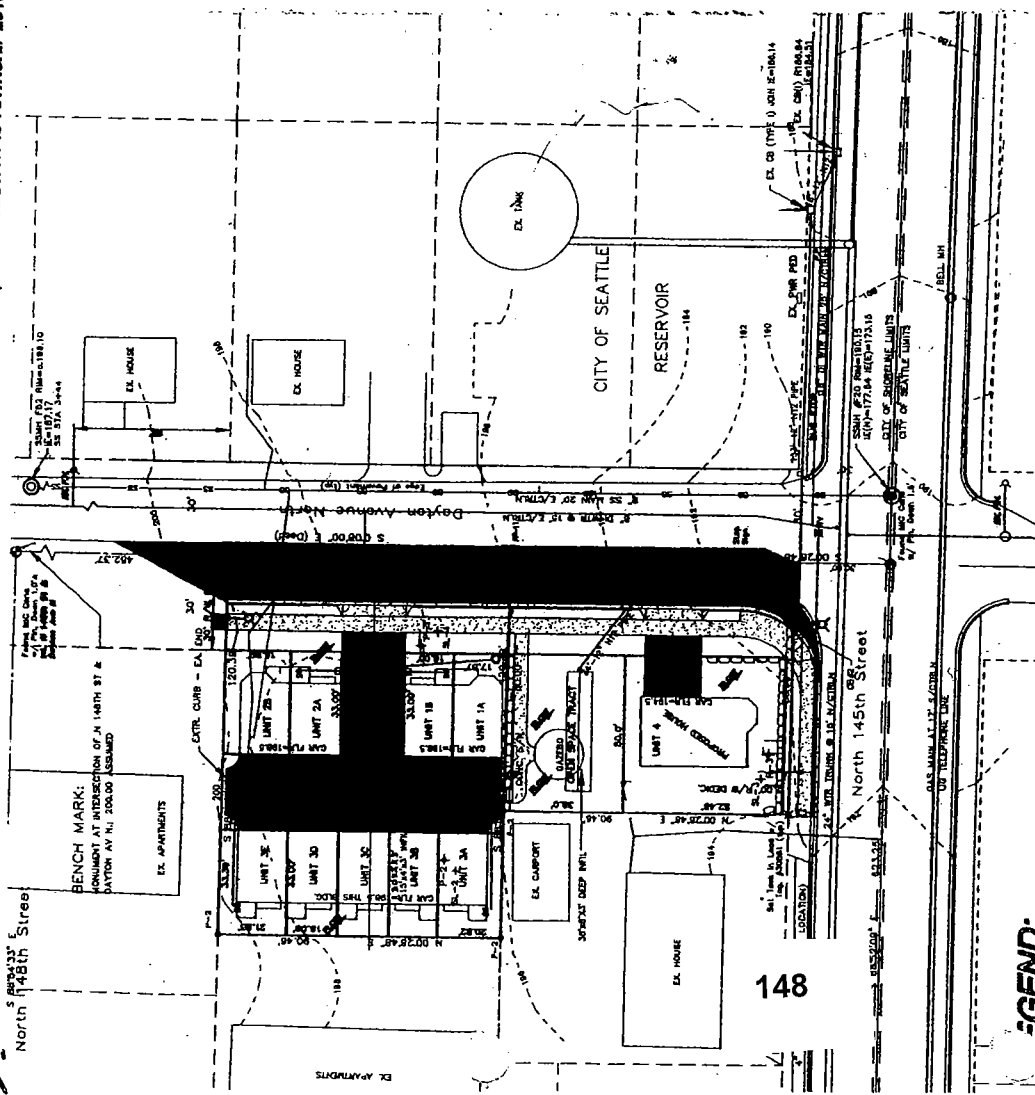
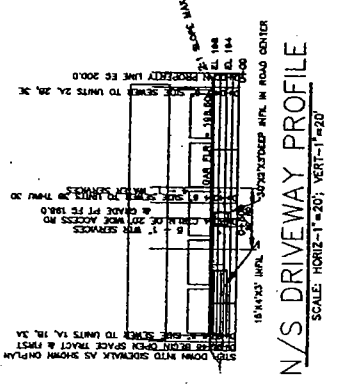


OWNER (BOTH LOTS):
MR. MANU O LEMMER
RCL ENTERPRISES, LLC
1701 LINDSEY AV N
SHORELINE, WA 98158

LENDER (BOTH LOTS):
WELLS FARGO HOME MORTGAGE, INC
2108 17TH AV NE, SUITE 200
BOTHELL, WA 98041
PHONE: 425-488-8474

SURVEYOR:
EMERALD LAND SURVEYING INC
10000 10TH AV NE
SUITE 1000
BELLINGHAM, WA 98226
PHONE: 360-835-0718

ENGINEER:
DEAN HOLROYD & ASSOCIATES
8915 117TH ST NE
SILVERDALE, WA 98138
PHONE: 425-538-0287



RECEIVED

OCT 08 2003

P & DS

201235



**DAYTON TOWNHOMES PRELIMINARY LONG PLAT
STAFF RECOMMENDED CONDITIONS OF APPROVAL**

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 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.

ORDINANCE NO. 348

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON APPROVING A PRELIMINARY LONG PLAT FOR TEN LOTS AND TWO PRIVATE LAND TRACTS FROM TWO CONTIGUOUS LOTS LOCATED AT 14515 DAYTON AVENUE NORTH AND 422 NORTH 145TH STREET.

WHEREAS, owners of certain properties, with parcel numbers 1826049114 and 1826049329, have filed a preliminary long plat application for ten lots and two private land tracts from two contiguous lots located at 14515 Dayton Avenue North and 422 North 145th Street; and

WHEREAS, on February 5, 2004, a public hearing on the application for the preliminary long plat was held before the Planning Commission for the City of Shoreline pursuant to notice as required by law; and

WHEREAS, on February 5, 2004, the Planning Commission recommended approval of the preliminary long plat and entered findings of fact and conclusions based thereon in support of that recommendation; and

WHEREAS, the City Council does concur with the Findings and Recommendation of the Planning Commission, specifically that the preliminary long plat of certain properties, located at 14515 Dayton Avenue North and 422 North 145th Street (with parcel numbers 1826049114 and 1826049329) is consistent with both the City of Shoreline Comprehensive Plan and Development Code and is appropriate for this site;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE DO ORDAIN AS FOLLOWS:

Section 1. Findings. The Findings and Recommendation on File No. 201265 as set forth by the Planning Commission on February 5, 2004 and as attached hereto as Exhibit 1 are hereby adopted.

Section 2. Preliminary Long Plat Adoption. The preliminary long plat is adopted as further described and depicted in Exhibit 2 attached hereto.

Section 3. Severability. If any provision of this ordinance or the application of a provision to any person or circumstance, is declared invalid, then the remainder of this Agreement, or the application of such provision to other persons or circumstances, shall not be affected.

Section 4. Effective Date. This ordinance shall go into effect five days after passage

and publication of the title as a summary of this ordinance.

PASSED BY THE CITY COUNCIL ON MARCH 22, 2004.

Mayor Ronald B. Hansen

ATTEST:

APPROVED AS TO FORM:

Sharon Mattioli, CMC
City Clerk

Ian Sievers
City Attorney

Date of Publication: March 25, 2004
Effective Date: March 30, 2004

**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 multi-family developments. A few blocks to the west, there are number of commercial 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-judicial 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.

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 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 Commission

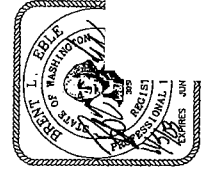
Brian F. Doennebrink
 Brian Doennebrink
 Chairperson

Date 2/12/04

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

Exhibit 2

RECEIVED
 NOV 18 2003
 P & DS
 201265



IN THE SW 1/4 SW 1/4, SECTION 18, T26N,
 EMERALD LAND SURVEYING, INC.
 PO BOX 13694
 MILL CREEK, WA 98082 (425) 359-719
 PAGE 1 OF 3

DEDICATION
 KNOW ALL PEOPLE BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF INTEREST IN THE LAND HEREBY SUBDIVIDED, HEREBY DEDICATE AND TO BE THE GRAPHIC REPRESENTATION OF THE SUBDIVISION MAKE HEREBY AND TO BE HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER, ALL STREETS AND AVENUES NOT SHOWN AS PRIVATE HEREON, AND DEDICATE THE USE THEREOF FOR HIGHWAY PURPOSES, NOT INCONSISTENT WITH THE USE THEREOF FOR PUBLIC PURPOSES, AND TO THE LOSS OF THE RIGHT TO MAKE ALL NECESSARY SLOPES FOR CUTS AND FILLS UPON THE LOTS SHOWN THEREON, AND FURTHER DEDICATE TO THE GRADING OF SAID STREETS AND AVENUES, AND FURTHER DEDICATE TO THE USE OF THE PUBLIC ALL THE EASEMENTS AND TRACTS SHOWN ON THIS PLAT FOR ALL PUBLIC PURPOSES AS INDICATED THEREON, INCLUDING BUT NOT LIMITED TO PARKS, OPEN SPACE, UTILITIES AND DRAINAGE, UNLESS SUCH EASEMENTS OR TRACTS ARE SPECIFICALLY IDENTIFIED ON THIS PLAT AS BEING DEDICATED OR CONVEYED TO A PARTICULAR ENTITY OTHER THAN THE PUBLIC, IN WHICH CASE WE DO HEREBY DEDICATE SUCH STREETS, EASEMENTS, AND TRACTS TO THE PERSON OR ENTITY IDENTIFIED AND FOR THE PURPOSE STATED.

FURTHER, THE UNDERSIGNED OWNERS OF THE LAND HEREBY SUBDIVIDED, WAIVE FOR THEMSELVES, THEIR HEIRS AND ASSIGNS, AND ANY PERSON OR ENTITY DERIVING TITLE FROM THE UNDERSIGNED, ANY AND ALL CLAIMS FOR DAMAGES OCCASIONED BY THE ESTABLISHMENT, CONSTRUCTION OR MAINTENANCE OF ROADS AND/OR DRAINAGE SYSTEMS WITHIN THIS SUBDIVISION, OTHER THAN CLAIMS RESULTING FROM INADEQUATE MAINTENANCE BY THE CITY OF SHORELINE.

FURTHER, THE UNDERSIGNED OWNERS OF THE LAND HEREBY SUBDIVIDED, AGREE TO WAIVE THEIR HEIRS AND ASSIGNS, TO INDEMNIFY AND HOLD THE CITY OF SHORELINE, ITS SUCCESSORS AND ASSIGNS, HARMLESS FROM ANY DAMAGE, INCLUDING REASONABLE ATTORNEY'S FEES, CLAIMED BY PERSONS WITHIN OR WITHOUT THIS SUBDIVISION TO HAVE BEEN CAUSED BY THE ESTABLISHMENT OF THE GROUND SURFACE, VEGETATION, DRAINAGE OR SURFACE OR SUBSURFACE WATER FLOWS WITHIN THIS SUBDIVISION OR BY ESTABLISHMENT, CONSTRUCTION OR MAINTENANCE OF THE ROADS WITHIN THIS SUBDIVISION. PROVIDED, THIS WAIVER AND INDEMNIFICATION SHALL NOT BE CONSTRUED AS RELEASING THE CITY OF SHORELINE, ITS SUCCESSORS OR ASSIGNS, FROM LIABILITY FOR DAMAGES, INCLUDING REASONABLE ATTORNEY'S FEES, RESULTING IN WHOLE OR IN PART FROM THE NEGLIGENCE OF THE CITY OF SHORELINE, ITS SUCCESSORS OR ASSIGNS.

THIS SUBDIVISION, DEDICATION, WAIVER OF CLAIMS AND AGREEMENT TO HOLD HARMLESS IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF SAID OWNERS.

IN WITNESS WHEREOF, WE SET OUR HANDS AND SEALS, THIS _____ DAY OF _____, 2003.

SHAUN C. LEISER

ACKNOWLEDGEMENTS

STATE OF WASHINGTON) SS
 COUNTY OF KING)

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT CHARLES 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: _____
 PRINT: _____
 NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON
 RESIDING AT _____
 MY APPOINTMENT EXPIRES _____

STATE OF WASHINGTON) SS
 COUNTY OF KING)

I 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: _____
 PRINT: _____
 NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON
 RESIDING AT _____
 MY APPOINTMENT EXPIRES _____

APPROVALS

PLANNING AND DEVELOPMENT SERVICES DEPARTMENT
 EXAMINED AND APPROVED THIS _____ DAY OF _____ 2003.

PLANNING AND DEVELOPMENT SERVICES DIRECTOR
 EXAMINED AND APPROVED THIS _____ DAY OF _____ 2003.

MAYOR, CITY OF SHORELINE
 ATTEST: _____
 CLERK OF THE COUNCIL

KING COUNTY DEPARTMENT OF ASSESSMENTS

EXAMINED AND APPROVED THIS _____ DAY OF _____ 2003.

KING COUNTY ASSESSOR
 ACCOUNT NUMBER: _____
 DEPUTY KING COUNTY ASSESSOR

EXAMINED AND APPROVED THIS _____ DAY OF _____ 2003.

CITY ENGINEER

FINANCE DIVISION CERTIFICATE

I HEREBY CERTIFY THAT ALL PROPERTY TAXES ARE PAID, THAT THERE ARE NO DELINQUENT SPECIAL ASSESSMENTS CERTIFIED TO THIS OFFICE FOR 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 PAID IN FULL.

THIS _____ DAY OF _____ 2003.
 FINANCE DIVISION

MANAGER, FINANCE DIVISION

RECORDING CERTIFICATE

FILED FOR RECORD AT THE REQUEST OF SHAUN C. LEISER, THIS
 DAY OF _____ 2003, AT _____ OF PLATS, PAGES _____, INCLUSIVE, RECORDS
 OF KING COUNTY, WASHINGTON.

RECORDING NUMBER _____
 DIVISION OF RECORDS AND ELECTIONS
 MANAGER

SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT OF "DAYTON TOWNHOMES" IS BASED UPON AN ACTUAL SURVEY MADE IN ACCORDANCE WITH THE PROVISIONS OF THE STATE AND LOCAL STATUTES AND REGULATIONS GOVERNING PLATTING.

BRETT L. EBEL
 LAND SURVEYOR
 CERTIFICATE NO. 10000
 EMERALD LAND SURVEYING, INC.
 PO BOX 13694
 MILL CREEK, WA 98082 (425) 359-7198

REVISION

RESTRICTIONS AND COVENANTS

DRAINAGE FACILITIES MAINTENANCE

If the City of Shoreline determines that maintenance or repair work is required to be done to the private drainage facilities proposed on the described property, the Director of Public Works shall give the owners of the property within the jurisdiction of the drainage facility, the person responsible for maintenance of the facility, or other person or agent in control of said property notice of the specific maintenance and/or repair required. The Director of Public Works shall give such notice in writing to the person responsible for maintenance of the facility at a reasonable time in which such work is to be done and the repair is not completed within the time specified. Written notice will be sent to the title holders of the property and the Director of Public Works shall be notified of any objection to the city's intention to perform such maintenance and/or repair. After such notice is mailed,

) If at any time the City of Shoreline reasonably determines that any existing, planned, or proposed detention/detention system creates any of the conditions listed in Shoreline Code and herein incorporated by reference, the Director may take measures specified herein.

) The title holders shall assume all responsibility for the cost of such maintenance and for repairs to the detention/detention facility. Such responsibility shall include the cost of such work performed. Overdue payments will require payment of interest at the current legal rate for liquidated judgments. If legal action ensues, the costs or fees incurred by the city will be borne by the parties responsible for said reimbursements. This covenant benefits all citizens of City of Shoreline, and such and concerns the land and shall run with the land and be binding on all heirs, successors and assigns.

SEATTLE CITY LIGHT EASEMENT-EXHIBIT A

EASEMENT (Overhead and Underground)

THIS EASEMENT GRANTS to the City of Seattle (hereafter referred to as Grantee), its successors and assigns, the right, privilege and authority to install, construct, erect, alter, improve, repair, re-erect, operate, maintain, use, overhead and underground electric lines, apparatus, appurtenances, and equipment exceeding 15 feet, which consist of poles, cross-arms, guys and anchors, crossarms, transformers, ducts, vaults, manholes, cabinets, containers, conduits, wires and other necessary or convenient appurtenances to make said underground and overhead installation an integrated electric system. All such electric system is to be located across, over, upon and under the following described lands and premises situated in the County of King, State of Washington, to wit:

AS SHOWN ON THE FACE OF THE PLAT.

Together with the rights at all times to the Grantee, its successors and assigns, of ingress to and egress from said lands across adjacent lands abutting the described easement area for the purpose of installing, constructing, reconstructing, repairing, renewing, altering, changing, patrolling, energizing and operating said electric system, and the right at any time to remove all or any part of said electrical system from said lands.

Also the right to the Grantee, its successors and assigns, at all times to cut and remove any trees, shrubs or other plants standing or growing upon said lands or adjacent lands which, in the opinion of the Grantee, interfere with the maintenance or operation of the system, or constitute a menace or danger to said electrical system.

It is further covenanted and agreed that no structure or fire hazards will be erected or permitted within the above described easement area without prior written approval from the City of Seattle. The Grantee shall not dig, bore, or disturb the facilities or their solidity or unearth any portion thereof, and that no blasting or discharge of any explosives will be permitted within fifty (50) feet of said lines and appurtenances.

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

The rights, title, privileges and authority hereby granted shall continue and be in force until such time as the Grantee, its successors, assigns shall permanently remove said poles, wires and appurtenances from said lands or shall otherwise permanently abandon said electric system, at which time all such rights, title, privileges and authority hereby granted shall terminate.

REVISION

**DAYTON TOWNHOI
SECTION 18, T.26N., R4E.,
CITY OF SHORELINE
KING COUNTY, WASHING**

LEGAL DESCRIPTION

SOUTH ORIGINAL PARCEL:
THE EASTERLY 80 FEET OF THE FOLLOWING DESCRIBED PORTION OF THE QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 26 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASH- DESCRIBED AS FOLLOWS:
SOUTHWEST CORNER OF SAID SECTION;
THENCE NORTH 30 FEET;
THENCE EAST 463.4 FEET TO THE TRUE POINT OF BEGINNING;
THENCE EAST AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION, THENCE N 0°08'00" W, 90.45 FEET;
THENCE WEST AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION, THENCE S 0°08'00" E, 90.45 FEET TO THE TRUE POINT OF BEGINNING.

SITUATE IN THE COUNTY OF KING, STATE OF WASHINGTON
NORTH ORIGINAL PARCEL:
THE NORTH 180.9 FEET OF THE SOUTH 210.9 FEET OF THE EAST 280.1 FEET OF THE SOUTHWEST QUARTER OF THE SOUTHQUARTER OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 26 NORTH, R W.M., IN KING COUNTY, WASHINGTON.

LESS THE SOUTH 90.45 FEET OF THE EAST 159.8 FEET;
ALSO LESS THE WEST 159.64 FEET;
ALSO LESS THE SOUTH 65 FEET OF THE WEST 120.10 FEET THERE

NOTES

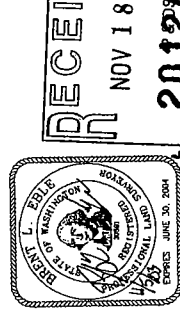
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SURVEY MEETS OR EXCEEDS STATE STANDARDS PER WAC 332-130-05 MONUMENTS SHOWN HEREON WERE VISITED ON FEBRUARY 27 & 28, 2018 THE INFORMATION SHOWN ON THIS MAP REPRESENTS THE RESULTS OF A SURVEY MADE ON THE INDICATED DATE, AND CAN ONLY BE CONSIDERED AS THE EXISTING CONDITION AT THAT TIME.

NO EASEMENTS, RESTRICTIONS OR RESERVATION OF RECORD WHICH WOULD DISCLOSED BY A TITLE REPORT ARE SHOWN.

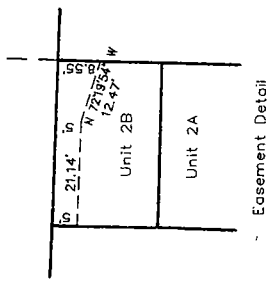
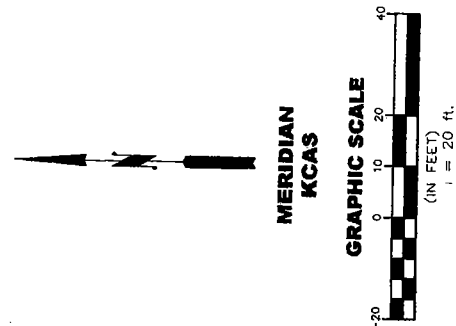
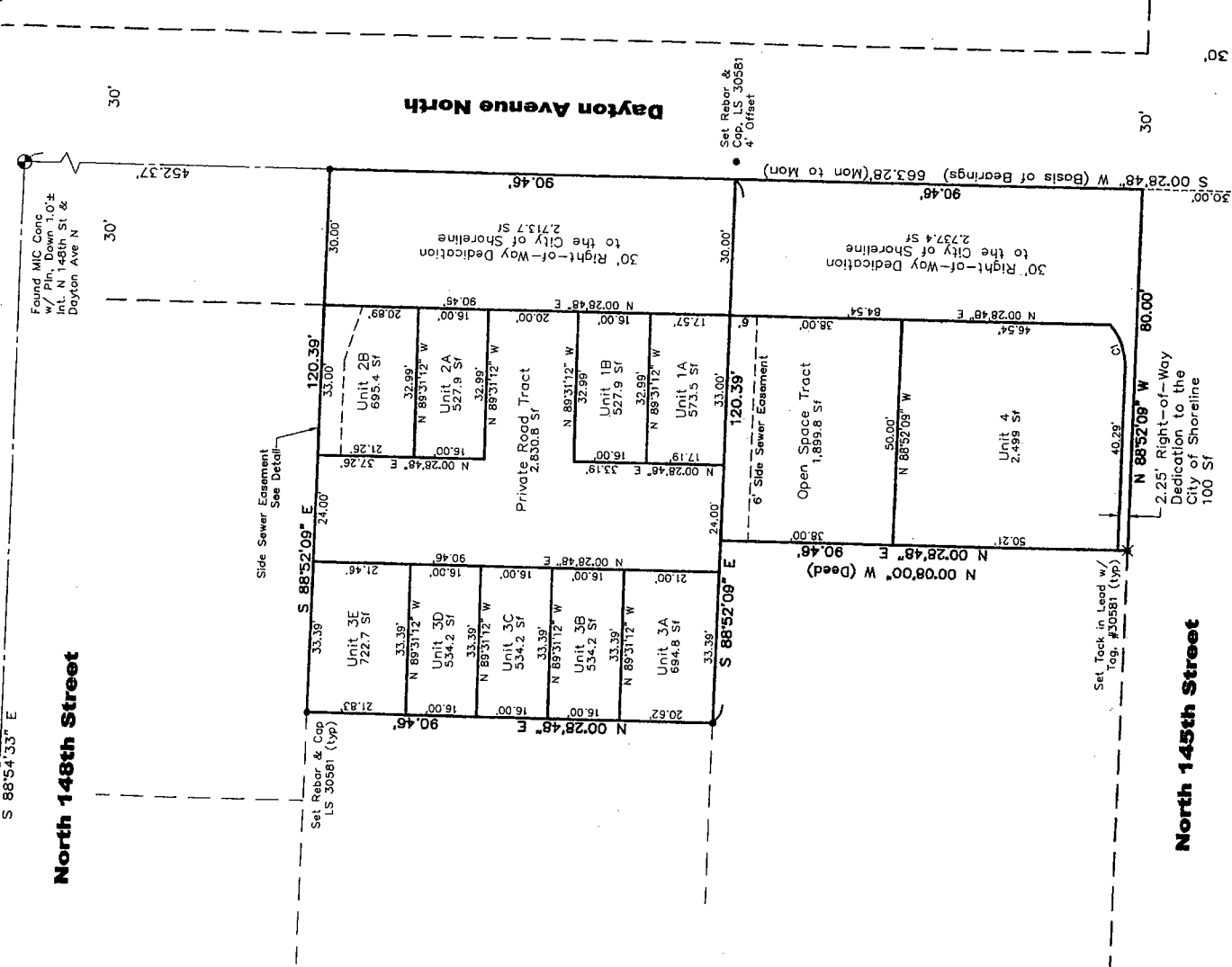
REFERENCES:
SURVEYS RECORDED UNDER THE FOLLOWING KING COUNTY AUDITOR FILE NUMBERS: 198103289006, 2001113090001 AND 2002021590002.

MAXIMUM IMPERVIOUS SURFACE ALLOWED = 90%
MAXIMUM BUILDING COVERAGE ALLOWED = 70%



IN THE SW 1/4 SW 1/4, SECTION 18, T26N., R4E.,
EMERALD LAND SURVEYING, INC.
PO BOX 13694
MILL CREEK, WA 98082 (425) 359-7198
PAGE 2 OF 3

DAYTON TOWNHOM
SECTION 18, T.26N., R4E.,
CITY OF SHORELINE
KING COUNTY, WASHINGT



REVISION



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North 145th Street

CITY OF SHORELINE**SHORELINE PLANNING COMMISSION
SUMMARY MINUTES OF REGULAR MEETING**February 5, 2003
7:00 P.M.Shoreline Conference Center
Board Room**PRESENT**

Chair Doennebrink
 Vice Chair Harris (arrived at 7:05)
 Commissioner Gabbert
 Commissioner Kuboi
 Commissioner MacCully
 Commissioner McClelland (arrived at 7:05)
 Commissioner Sands
 Commissioner Piro (arrived at 7:15)

STAFF PRESENT

Tim Stewart, Director, Planning & Development Services
 Rachel Markle, Planning Manager, Planning & Development Services
 Jeff Thomas, Senior Planner, Planning & Development Services
 Andrea Spencer, Planner II, Planning & Development Services
 Lanie Curry, Planning Commission Clerk

ABSENT

Commissioner Doering

1. CALL TO ORDER

The regular meeting was called to order at 7:00 p.m. by Chair Doennebrink.

2. ROLL CALL

Upon roll call by the Commission Clerk, the following Commissioners were present: Chair Doennebrink, Commissioners Gabbert, Kuboi, MacCully, and Sands. Commissioner McClelland and Vice Chair Harris arrived at 7:05 pm., and Commissioner Piro arrived at 7:15 p.m. Commissioner Doering was excused.

3. APPROVAL OF AGENDA

COMMISSIONER GABBERT MOVED THAT THE COMMISSION APPROVE THE AGENDA AS AMENDED. COMMISSIONER SANDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

4. APPROVAL OF MINUTES

The January 29th minutes were not available for approval.

5. PUBLIC COMMENT

Patty Crawford let the Commission know about her comments given at the last City Council meeting that the reasonable use permit definition was created after the public hearings had already been conducted, so the public did not get a chance to provide comment. Ms. Crawford asked that the Commission reconsider the reasonable use definition and allow the public to provide their comments.

Ms. Crawford said noted that some of proposed code amendments that are being considered by the Commission at this time relate to the building footprint definition, which is one of the issues she brought up when the Commission was discussing the stream inventory. When the staff added the definition of reasonable use permit, the building footprint definition was taken out.

Ms. Crawford pointed out that the old reasonable use definition in the code was never retracted, yet the new language that was provided for the reasonable use definition leads one to believe that it is entirely new. She asked that the Board reaffirm the discussions that took place during the public hearings related to the reasonable use definition, since the ordinance is declaring that a public process was held for all of the new language. In addition, Ms. Crawford pointed out that none of the housekeeping items were addressed as part of the critical areas ordinance revisions. The ordinance is still confusing.

Vice Chair Harris and Commissioner McClelland arrived to the meeting at 7:05 p.m.

Mr. Stewart referred the Commission to the memorandum he prepared at the request of the City Council to address the comments made by Ms. Botham and Ms. Crawford at the January 26th City Council Meeting. He advised that Ms. Crawford raised the issue of overflow parking at the Aegis site on the east side of the 1st Avenue North right-of-way. She also raised the issue of Aegis overflow parking at the Twin Ponds parking lot.

Mr. Stewart said Ms. Crawford's third comment was that the definition for "reasonable use" was slipped into the ordinance without Planning Commission or public review. Mr. Stewart recalled that the Planning Commission held extensive debates about reasonable use and tried to create a definition. He reminded the Commission of their decision against defining a specific reasonable use. They decided to forward their recommendation to the City Council without this definition. Subsequent to forwarding the Commission's recommendation to the City Council, the Thornton Creek Legal Defense Fund, the City Attorney and City Staff held another round of detailed negotiations over the ordinance, which resulted in an agreement with the Legal Defense Fund. The Legal Defense Fund forwarded a letter to staff (Attachment C) expressing that they were satisfied with the City's efforts to negotiate the agreement.

Mr. Stewart said ten amendments were made following the negotiations, and items changed were identified on a detailed index in Attachment B of the staff report for Ordinance 324 that was presented to the City Council on June 23, 2003.

The second change on the list was a new definition for reasonable use, which was added by the City Attorney as the staff report was being prepared. This new definition has been the subject of concern from Janet Way and Patty Crawford. He noted that Ms. Way advised that while there was cooperation and agreement between the staff and the Legal Defense Fund on many issues, they did not endorse the changes related to the reasonable use permit.

Mr. Stewart said Ordinance 324 was adopted by the City Council, including the new definition for reasonable use. He advised that if the Commission has any desire to review and reconsider the reasonable use definition, staff would be willing to work with them. Staff has done some research since the ordinance was adopted and found that the new State guidance that was issued November 1, 2003 did not include any definitions for reasonable use. Therefore, it might be appropriate to consider whether the City's ordinance should include a definition for reasonable use or if they should just use the criteria found within the reasonable use section of the code.

Mr. Stewart said the fourth concern raised by Ms. Crawford was regarding the play structure at Twin Ponds Park. She suggested that this structure is a violation of the critical areas ordinance.

Mr. Stewart advised that Virginia Botham alleged that staff ignored the Planning Commission's directive related to the issue of "artificial open watercourse" in the stream inventory report. However, he noted that the staff and consultant are currently in the process of working through the issues as requested by the Commission. The consultant's report will come before the Planning Commission sometime within the next few months.

Commissioner Piro arrived to the meeting at 7:15 p.m.

At the request of Commissioner Gabbert, Mr. Stewart read the new language that was adopted for the reasonable use definition. It states, "The minimum use to which a property owner is entitled under applicable State and Federal constitutional provisions, including takings and substantive due process. Reasonable use shall be liberally construed to protect the constitutional rights of the applicant."

Commissioner McClelland inquired if it is true that the new definition for reasonable use was presented and adopted by the City Council, without being considered by the Planning Commission first. She expressed her concern about the use of the word "liberally" in the new definition. Mr. Stewart said there is no record to indicate that the definition of reasonable use was discussed in any great detail by the City Council, so he is not sure they were fully aware of the proposed language. Again, Mr. Stewart advised that if the Commission desires, staff could review other options and provide further analysis for the Commission's consideration. The Commission could certainly initiate an additional Development Code amendment to address their concerns.

Commissioner Kuboi reminded the Commission that they discussed reasonable use at length, and were unable to come up with an objective definition that would reduce the ambiguity. He questioned if the goal of additional review would be to reduce the ambiguity factor. Commissioner McClelland said she would like to discuss the reasons for using the word "liberally."

If the definition did not include the word "liberally," she would be more likely to support the definition. But using the word "liberally" suggests that the City will be leaning significantly towards one side.

Chair Doennebrink requested that staff comment regarding Ms. Crawford's statements regarding building footprint. Mr. Stewart said he has not researched this issue extensively, but he could address Ms. Crawford's concerns at a future meeting.

Commissioner Gabbert recalled that during the public hearing process, there was significant discussion related to building footprint. He said he would be in favor of defining the basic building footprint and then making some adjustments for size of lot, coverage, etc. The building footprint provision should be very specific and not arbitrary. He said that as a building designer, it is important to clearly understand what the requirements are. More specific provisions would be easier for the City to defend in court, as well. He said he would like the Commission to reconsider the building footprint issue, also.

Vice Chair Harris recalled that the Commission previously concluded that they could not reach a decision on building footprint, and therefore, would leave it up to each individual developer to make his/her best case before the Hearing Examiner.

Commissioner Sands agreed that was the Commission's conclusion. He said that although it would be wonderful to come up with a very strict definition, he did not think it would be possible. He said the term "reasonable" does not lend itself to a strict definition. It lends itself more to a case-by-case basis as to what is reasonable in each specific situation. He felt the Commission did the best they could on the issues related to reasonable use and building footprint. He suggested that whether they use the term "liberally" or not, it would not likely make a difference from a legal point of view. Someone would still have to make a determination as to whether or not a use is reasonable. He said that while he would not be opposed to reviewing these definitions further, he did not feel they would get very far other than to change a few words here and there, which would probably not change the definition significantly. He said he believes it would be very difficult to create definitions that would apply to all situations.

Mr. Stewart explained that it would take the majority of the Commission to initiate a formal Development Code amendment. He said that if the Commission desires, staff could provide background information related to building footprint. He explained that the City currently has impervious surface ratios and setback requirements for all zones, and what is left is the envelope in which a building footprint could be placed. He said that, in his mind, building footprint is a simple concept.

Commissioner McClelland agreed with Commissioner Sands' recollection of previous Commission discussions. However, she would prefer to remove the word "liberally" from the definition for reasonable use. She said she understands that reasonable use would involve a judgment call, but using the word "liberally" makes a political statement that suggests a direction. She concluded that she does not feel this word belongs in the definition, but she does not want to rehash the entire issue again.

The Commission took a straw vote and the majority of them indicated that they would like to reconsider the definitions for reasonable use and building footprint.

Commissioner Gabbert recalled that when the Commission was discussing building footprint previously, the City Attorney was shaking his head in favor of having something more definitive in terms of building footprint. Commissioner MacCully recalled that when new Commissioners were appointed a few years ago, an attorney spoke to them. One of the points he made was that anything the Commission should recommend should be as clear and unambiguous as possible since ambiguity leads to lawsuits. He said he would appreciate more information from both the staff and the City Attorney.

6. STAFF REPORTS

a. Type C Quasi Judicial Public Hearing on Dayton Townhomes Preliminary Formal Plat

Chair Doennebrink reviewed the rules and procedures for the public hearing, and then opened the public hearing. He reminded the Commissioners of the Appearance of Fairness Law. He inquired if any of the Commissioners had received any ex-parte communications regarding the subject of the public hearing. None of the Commissioners disclosed ex-parte communications, and no one in the audience expressed a conflict of interest on the part of any of the Commissioners.

Jeff Thomas, Senior Planner, said the proposed preliminary long plat would create ten new lots, nine of which are intended to have zero lot line townhomes constructed on them. The tenth lot would be on the corner of Dayton and 145th and would be developed as a single-family detached residence. He said that, currently, there is a single-family home on each lot, with driveway access from Dayton Avenue. These structures would be demolished. There is an open space tract and a private road tract for the nine zero lot line townhomes for vehicle access coming from the approximate location of the existing driveway cut on Dayton Avenue. He advised that the project site is approximately 18,030 square feet, and the current net residential density for the project site is 4.83 units per acre. The project site is fairly flat with a 4% grade coming from north to south, and 17 significant trees are currently located on the project site, with the majority being in and around the front property lines.

Mr. Thomas said that when staff received the application, they consulted the Comprehensive Plan and noted a number of policies that support this type of application. He reviewed them as follows:

- **Land Use Policy 23** -- To ensure that 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 needs of future citizens.
- **Housing Policy 1** – 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.
- **Housing Policy 6** – Encourage compatible infill development on vacant or underutilized sites.

Mr. Thomas said the zoning of the project site is split. The existing north lot is zoned R-48 and the south lot is zoned R-12. With the proposal, the approximate proposed density on the existing north lot would be about 36.2 units per acre, which is still less than the current R-48 zoning allows. The proposed density on the south lot would be about 6.1 units per acre, which is less than the maximum allowed in the existing R-12 zone.

Mr. Thomas said the project was sent for public comment, along with a copy of the SEPA Checklist, to the SEPA review agencies, and they only received one written public comment. King County Metro Transit expressed some future concern about their existing transit stop, which is on the northeast corner of Dayton and 145th Street. They requested that any possible future construction not interfere with their existing transit stop. Mr. Thomas responded that north half of 145th is still King County right-of-way, so the City does not have direct authority over it. However, any future construction activity in and around Dayton Avenue would be appropriately regulated through a right-of-way use permit.

Mr. Thomas pointed out that the applicant submitted a code interpretation request as to whether the required parking for such a development could be reduced as per the flexible standards in the parking section of the Development Code. On June 18, 2003, the Planning Director issued Administrative Order 301150 granting a reduction in parking to one space per unit for the existing north lot, which is where the zero lot line townhomes would be built. The Administrative Order also granted a parking reduction to one space per unit on the existing south lot, but only if a Comprehensive Plan Land Use Map amendment and a rezone were submitted in the future. Those applications were never received by the City, so the latter half of the code interpretation is not applicable to the project before the Commission for review.

Mr. Thomas explained that the SEPA Determination of Non-significance (DNS) was issued on January 14, 2004 and the administrative appeal period ended on January 28th. There was no SEPA appeal received, so the DNS has been confirmed.

Mr. Thomas briefly reviewed the site development standards found in the Development Code and explained how they apply to the proposal. For new land division, the R-48 zone requires a 2,500 square foot minimum lot size. However, there is a provision in the code that allows the City to reduce the lot size when zero lot line development is taking place. The City also has the ability to reduce the building setback from property lines as long as there is usable building area maintained for any new lot that is created. The applicant is proposing to flex both of these standards. Mr. Thomas said the proposal for the R-12 zoned lot meets the minimum lot size requirement of 2,500 square feet, and no variations have been proposed. All standard building setbacks for R-12 zoning would have to be met.

Mr. Thomas said the 1,900 square foot open space tract that is proposed would have a dual use as open space and for stormwater infiltration, which would meet the Development Code requirements. The applicant has indicated that the units would each be two bedrooms, and this would require an open space of just over 1,500 square feet. The proposed open space tract would exceed that requirement.

Mr. Thomas said the applicant proposes to remove all 17 trees that were inventoried by the applicant's arborist (Attachment F). Staff has reviewed the proposal and the code regulations, and they do not feel that sufficient evidence has been submitted to warrant the removal of all of the trees, thereby not meeting the minimum 20 percent tree retention requirement in the Code. He referred to Attachment L, and said staff is recommending that the minimum tree retention requirement could be met without any reduction in the number of lots that are being proposed by using other design alternatives or by utilizing existing improvements along North 145th.

Mr. Thomas advised that certificates of availability have been issued for both sewer and water. The Shoreline Fire Department has given preliminary approval to the proposed site plan, and City's Public Works Department has also given preliminary approval for the stormwater management plan.

Mr. Thomas referred to the long, rectangular shape in Attachment A that is highlighted by yellow. This identifies a 30-foot right-of-way dedication the City has requested from the applicant to complete the final piece of right-of-way from 145th to 152nd. The intent is that there would be adequate room in the future for both two-way travel and on-street parking. Commissioner Sands inquired if the City would allow the existing perpendicular parking on Dayton Avenue to continue if the application were approved. Mr. Thomas answered that the parking would be parallel parking.

Commissioner McClelland noted that the estimated average peak hour trips generated by the proposal would be 5.41. She questioned how this number was identified. Mr. Thomas explained that staff uses a standard worksheet to calculate average trips, using numbers from the ITE. For townhomes, the number is .55 p.m. peak hour trips. When they multiply the nine units by this number, plus add in an extra trip for a single-family home, they end up with 5.41 peak hour trips. Commissioner McClelland emphasized that the ITE Manual is based on a national average, and could be unrealistic for this project. She suggested that staff research the townhomes on the east side of the street to find out how many actual trips are generated by the units. She said she is not sure it is a good idea to reduce the number of parking spaces required.

Mr. Thomas advised that the frontage improvements for the proposed project would either need to be completed or bonded for prior to the final plat approval and before the building permit is completed. He explained that 30 additional feet would be added to the right-of-way along the east property line of the project site. This would provide sufficient space for two-way traffic, as well as on-street parking on both sides.

Vice Chair Harris pointed out that a street dedication of 30 feet with full frontage improvements would provide additional parking. He noted that the code allows for the parking reduction when transit facilities are nearby. If the City is not going to follow that provision, then it should be removed from the code. He said the proposed project is within 100 feet of a bus stop, and the code provision clearly applies. He said he doesn't see a traffic problem associated with the proposed project.

Commissioner MacCully said there are other examples within the City where relatively small units with two bedrooms have been constructed and the people who live in these units do not have very many cars. He suggested that perhaps an assessment of who lives in these types of units would speak to how many vehicles there would be. The proposed units would only be 500 to 700 square feet with two bedrooms each. He said he suspects there would not be multiple cars at the majority of the units. He summarized that the code is designed to reward or encourage public transportation uses, and it would be difficult to find a project that could better meet this intent.

Commissioner Kuboi said he is concerned about allowing the applicant to reduce the parking that is required. He referred to the phrase "proximity to transit" and asked if there is a systematic basis for determining what is proximate enough. He suggested that perhaps this is an arbitrary definition.

He questioned if a 45 percent reduction in the parking requirement is common. Mr. Thomas said the code permits up to 50 percent reduction in the parking requirement when the applicant can demonstrate the proximity to public transit. He noted that public transit is located just right off site from the subject property. On-street parking would be provided due to the dedication of the additional right-of-way. In addition, Greenwood Avenue is two blocks west of the subject property, and Aurora Avenue is about five blocks to the east. The Planning Director felt this combination of factors made the project a candidate for reducing the parking up to the possible 50 percent. When reviewing these requests on a case-by-case basis, staff evaluates projects that have already been developed in the City that are similar. They also take special circumstances into consideration.

Vice Chair Harris referred to Item 5 of the staff's recommended conditions of approval and asked staff to elaborate on what the frontage improvement variances might be. Mr. Thomas referred to Page 20 of the Commission's packet, which is the Tree Evaluation Map that was included in the Arborist's report and submitted as part of the application. Each tree has a corresponding code number and a description of each specific tree can be found in the table on Page 19 of the packet. He noted that Trees 18, 19 and 20 are located on 145th, which is one of the front property lines of the new proposed single-family lot. All three of these trees are Douglas Firs that are in good health. They exist very close to where the front property line is located. Initially, a two-foot dedication was proposed along the front property line for potential future frontage improvements. But, in the staff's opinion, that dedication is not needed because there is existing right-of-way along 145th, which is fully developed with sidewalks on both sides. He referred to photographs he took to illustrate the situation. He said staff believes that if the County were to agree that no improvements are necessary along 145th, the three trees could remain intact and would not interfere with any potential building footprint. Perhaps Tree 12 could be retained to meet the fourth tree requirement. He said the applicant has mapped out how the frontage improvements would look as per the standards in the Engineering Development Guide, but there is a provision that would allow them to route the sidewalk around the trees. The last opportunity to save an additional tree would involve either Tree 1 or Tree 2. The arborist noted that construction might interfere with the root system, but perhaps the design could be modified to allow the applicant to retain at least one of these two trees. If four trees were retained, the tree retention requirement would be met.

Commissioner McClelland inquired about the relationship between the single-family home and the nine townhomes. Mr. Thomas said a single-family home is proposed for the new R-12 single-lot. The open space tract that is required for higher density housing is a second part of the existing single-family lot. Commissioner McClelland clarified that, in essence, the applicant is proposing to use the backyard of the single-family home as open space for the nine townhomes. She inquired if the single-family home would be treated separately and owned separately. She noted that the application for the water availability certificate was made by someone other than the applicant.

Mr. Thomas explained that there is no open space requirement for an individual home on an R-12 zoned lot. The open space tract is intended to meet the requirement for the nine potential zero lot line townhomes. The open space tract, along with the private road tract, would be owned and maintained by the owners of the townhomes. Commissioner McClelland noted that this would mean the owner of the separate single-family home would not be allowed to use the open space. She questioned why the open space was not made part of the back lot, allowing the R-12 lot to be independent.

Mr. Thomas clarified alternative two-step process would require the applicant to do a lot line adjustment first and then come in with the same application minus the front lot. Rather than going through two individual steps, the applicant chose to bring the project forward as one project.

Shawn Leiser, Applicant, 17921 Linden Ave North, provided some preliminary elevation drawings for the Commission's review. He explained that when he originally submitted his application, he didn't own the parcel on the corner, so the current property owner applied for the water availability certificate.

Mr. Leiser said that when he submitted his preliminary application to the City, the staff thought the City owned the right-of-way on 145th. They indicated that a right-of-way dedication would be required. However, because the right-of-way is owned by King County, the right-of-way dedication is no longer required by the City.

He is currently working with King County to find out what their right-of-way requirements are. If King County does not require right-of-way dedication or street frontage improvements, the trees can be retained. Mr. Leiser referred to Tree 12 on the tree plan. He noted that a power pole is also located within the right-of-way, which could create another issue.

Regarding parking, Mr. Leiser said that, generally, because of the small size of the units, they are marketed towards people who only have one car. The parking reduction was approved because transit is available in the area. There are more than 20 transit stops within a mile of the subject property.

Mr. Leiser said the proposal would include a 30-foot right-of-way dedication along Dayton Avenue, which would create more parking for people living in the area. It would also fulfill the last two pieces of the puzzle for right-of-way along Dayton Avenue that would allow for future development.

Commissioner Gabbert inquired if there are future plans to replace the single-family home on the front lot with three or four units. Mr. Leiser said both of the existing homes would be demolished. A new house would be constructed on the corner lot, which would be designed similar to the zero lot line town homes.

Commissioner McCully clarified that at this time, there are two separate lots owned by the applicant. It appears that the proposal is a "mini master plan" with the outcome being a nine-unit lot that has a dedicated open space and a single-family residential lot with one house on it. He asked if the result of the proposal would create a new property line so the individual house could be sold separately. Mr. Leiser answered affirmatively.

Mr. Leiser explained that the corner lot and the lot next to it are the only two lots zoned R-12 on the block. He approached the City with a request for a parking reduction for both parcels because he was thinking about doing a Comprehensive Plan amendment and rezone. He eventually decided to only use one of the R-12 lots in his proposal.

Commissioner McClelland inquired if the R-12 corner lot would have any legal encumbrances associated the other nine units. Mr. Thomas answered that it would not. Commissioner McClelland inquired why the R-12 lot is even part of the application.

Mr. Thomas reminded the Commission of his previous comment that the applicant had the option of rolling everything into one project or using a two-step process of doing a lot line adjustment first. He explained that the plat includes both the existing lots. If approved, the footprint would have ten new tax parcels and two tracts of land, access and open space.

Commissioner MacCully questioned how there could be a minimum lot size of 2,500 square feet in an R-48 zone. Mr. Thomas said the Planning Commission recommended this number, and the City Council approved it with the 2000 Code amendments. However, it does not hold a property owner to only building one unit for every 2,500 square feet. A property owner could build up to the density allowed, but the minimum lot size would 2,500 square feet, with the exception for zero lot line and town homes.

Mark Deutsch, 19715 Ashworth Ave North, said he is concerned about tree preservation. He said he was concerned about the applicant's original proposal to remove all of the significant trees on the site. He appreciates that the City has a tree preservation ordinance that requires some of them to be retained. He suggested that to avoid confusion in the future, the City should clearly indicate that the applicant would be required to retain trees and not replacing trees.

Mr. Deutsch said the way the arborist's report was written, it appears there would be 36 replacement trees instead of retaining four of the large existing ones. The arborist made the point in his report that twelve of the trees are required to be removed in order to meet City requirements for frontage improvements, and they could be saved if the frontage requirements were not required. Again, he said he is dismayed that so many of the trees would be removed if they keep the minimum requirement of only four retained trees.

Mr. Thomas referred to the tree evaluation map (Page 20 of the Commission packet) and said a number of the trees (8, 9, 10, 11,13, 14, 15, 16, and 17) are all within the 30-foot dedication that would be made to the City for the right-of-way improvements on Dayton Avenue. The report indicates that 36 replacement trees would be provided. He noted that the landscaping and final tree preservation issue would be squared away through the site development permit, which is required for a plat. He is not sure 36 replacement trees would be the final number, and this would depend partially on the number of trees that must be retained to meet the code requirements.

Kirsty Cameron, 14356 Evanston Ave North, Seattle, said her home is just one block away from the subject property, and she attended the community meeting that was held regarding the proposal. She agreed with Mr. Deutsch that the City should require the applicant to save as many trees as possible.

Mr. Thomas said the clearing and grading standards in the current code state that for properties that are not within a critical area or a critical area buffer, up to six significant trees can be removed from a tax parcel within any 36-month window of time without a permit. Anything beyond that requires a permit, and the approval of the permit usually results in tree replacement. There are tree replacement standards in the code, as well. Mr. Thomas explained that for the first six trees that are removed from the site, no replacement would be required. But for all the trees that are removed beyond that, tree replacement would be required.

There are formulas in the code that bases replacement on the size of tree removed. Staff would need to affirm the exact formula for identifying the number of replacement trees required, and then roll that into an approved landscaping plan and site development permit.

Commissioner MacCully inquired if replacement trees are allowed to be in the dedicated open space. Mr. Thomas answered affirmatively. Although the City cannot dictate exactly where the trees are placed, they would encourage that because the open space tract is meant to be space where roots would not grow into building footprints, sewer lines, etc.

Commissioner Kuboi asked that Mr. Leiser share more information about the community meeting that was held regarding the proposal. Mr. Leiser said he submitted a list to the City of people who attended the community meeting. There were between 10 and 12 neighbors who attended the meeting, and most comments were minor. No major issues were raised. The neighbor to the west indicated that she was pleased about the trees being removed along 145th because they make a mess on her driveway and roof. Most of the people who attended were neighbors living to the north. Their comments were positive, and they liked the designs that were presented.

Commissioner Gabbert inquired what the curb-to-curb dimension would be when the street improvements were complete. Mr. Thomas answered that the street would include two travel lanes, room for parking and curbs. The right-of-way would be 60-feet wide, and all of the road improvements must fit within the right-of-way. Commissioner Gabbert asked about the opportunity for street improvements on the other side and down the street. Mr. Thomas said there are a few other properties on the east sides of Dayton Avenue that are being redeveloped, and they have installed their portion of the frontage improvements. Either the improvements will be made through redevelopment, or the improvements would be included in the City's capital improvement plan.

Commissioner Gabbert suggested that some of the trees that are along the Dayton Avenue could be retained and the sidewalks and parking could meander around them to provide a more pedestrian friendly street. Commissioner McClelland agreed that there is an opportunity to create a sense of neighborhood in this area. She felt it would be a lost opportunity not to plant street trees or do something else to make it a graceful little urban neighborhood to the extent that it can as it converts to medium density housing. This is their one chance to address things such as light pollution, noise pollution, and the impact of traffic. Mr. Thomas said he is not sure the street tree requirements apply to street trees along residential/collector streets, but they do apply to arterials throughout the City. He suggested that street trees are something the Commission could explore as part of their conditions for approval.

THE PUBLIC HEARING WAS CLOSED.

COMMISSIONER GABBERT MOVED THAT THE COMMISSION FORWARD A RECOMMENDATION OF APPROVAL TO THE CITY COUNCIL FOR THE DAYTON TOWNHOMES PRELIMINARY FORMAL PLAT APPLICATION AS PROPOSED BY STAFF. COMMISSIONER PIRO SECONDED THE MOTION.

Commissioner Gabbert said he feels the project meets all of the code requirements. He also believes there is adequate parking based on the type of units that would be constructed. The ITE Manual is conservative in terms of their estimated trip numbers. The parking requirement of one car per unit would be adequate for the project. However, he would like to work out something that is a little more creative for the Dayton Avenue right-of-way.

Commissioner MacCully said he would vote in favor of the motion. He said he believes the application meets the established code requirements. The staff recommended conditions of approval address every concern that has been brought up. He pointed out that since the developer has to dedicate the eastern most 30 feet of both existing lots to the City of Shoreline, it then becomes the City's responsibility to do something creative with the right-of-way. He said he is marginally concerned about what will happen to the 30-foot right-of-way between now and the time the street is developed. He questioned how people would access the driveway to the new development over the 30-foot right-of-way. He said he assumes that there will be a temporary driveway until the street is developed. He questioned if parking would be allowed on the pervious surface of the right-of-way.

Mr. Thomas advised that the frontage improvement section of the code does require the amenity zone that is identified within the 60-foot right-of-way, and there are provisions for street trees to be installed within the amenity zone. But the code does allow flexibility that can balance the combination between smaller shrub type landscaping and trees that would grow with some sort of canopy. He also advised that the 30-feet of additional right-of-way must be improved either before or concurrent with the completion of the homes. Commissioner MacCully clarified that because the right-of-way improvements must be done before the completion of the project, all of the trees within the public right-of-way would come down as part of the project construction. Mr. Thomas answered affirmatively. He said the street would be paved and the curb and gutter installed. The new trees would also be planted in the amenity zone.

Commissioner Piro thanked the staff for presenting a well-prepared package. The good information made it easy to understand. The applicant and staff also did a good job of responding to the issues and concerns, and this makes it easy for him to enthusiastically support the application. He said he believes this type of project meets the goals of what the City is trying to achieve with comprehensive planning. It is a significant step towards meeting the City's housing targets, as well. However, he said he is concerned about the Commission's discussion related to the parking requirements. He suggested that the Commission review the parking standards at some point in the future. What the Commission is trying to do with comprehensive planning to develop housing and other projects that are much more pedestrian supportive means that they must move beyond the old formulas for what worked for parking in the past. He noted the demographic trend of fewer people per household.

Once the preliminary formal plat is approved, Commissioner McClelland inquired if some sort of separation would be required between the single-family and multi-family housing for transition. Mr. Thomas said the code contains provisions for transition in certain situations. For example when R-48 zoned lots abut R-4 or R-6 zoned lots there are additional setback and screening requirements for the R-48 zoned lot.

There are additional separation requirements between commercial and lower density residential zones, as well. But the proposal would not require separation between the single and multi-family lots.

Commissioner McClelland said approval of the application would recreate a single-family use on a multi-family zoned lot. She asked if the discretion would run with the use or the zone. The public space for the townhomes is right up against a single-family home, and there is no transition. The Commission needs to be extremely aware that they are creating what could be considered a minor nuisance, and anything they can do to protect the homeowners from future concern is in the Commission and property owners' best interest. Mr. Thomas clarified that the use table for the R-12 zone does outright permit a single-family house.

THE MOTION CARRIED UNANIMOUSLY.

b. Comprehensive Plan Update and Master Plan Process Schedule

Andrea Spencer, Planner, thanked the Commission for their input throughout the various workgroup meetings that were held to review the policies and provide input into the content of both the surface water master plan and transportation master plan.

Ms. Spencer said that, at this time, the consultants are working on the 20-year project list. They are also working on the 20-year financial analysis to figure out if the City will have enough money within the 20-year time span to do all of the projects that have been identified. They have been struggling to gather enough data to complete the master plans, and a work team meeting will be held tomorrow to discuss this issue. The meeting will also include representatives from the Parks Department since the Park Master Plan must be part of the Comprehensive Plan update, as well.

Ms. Spencer referred the Commission to the preliminary schedule she prepared for the Comprehensive Plan and Master Plan process. She said the intent is to release the draft Comprehensive Plan to the Commission about a week prior to the public open house where the consultant and staff will provide formal presentations of everything that is contained in the document. Staff will tabulate all of the public comments and bring them before the Planning Commission for consideration. The Planning Commission will also hold a public hearing. The comments received at the public hearing will be tabulated along with the comments from the public open house. They will then be forwarded to the City Council along with the Planning Commission's recommendation. She advised that the dates identified on the schedule are preliminary at this time.

Commissioner McClelland said that when she reviewed the preliminary schedule, she was confused about referring to the Planning Commission workgroup meetings as 20 separate public workshops. She noted that while the workshops were open to the public, they were not really encouraged to participate. She said she would not want to suggest that the meetings were an opportunities for the public to interact with the Commission. Perhaps a better name for these meetings would be "working sessions at which the public was welcome to attend."

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