

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Adoption of Ordinance No. 360, a preliminary long plat for 19 zero lot line lots located at 14515 Whitman Avenue North
DEPARTMENT: Planning and Development Services
PRESENTED BY: Timothy M. Stewart AICP, PADS Director Paul MacCready, Planner

ISSUE STATEMENT:

The issue before Council is an application for a preliminary long plat that would create nineteen lots proposed for single family located at 14515 Whitman Avenue North.

The applicant proposes to demolish the existing seven unit multifamily development in order to subdivide the lot into nineteen building lots, two open space tracts and one access tract. The new development is proposed as nineteen zero lot line single family townhomes in four buildings.

Other improvements required for this proposal include stormwater detention, landscaping, including significant tree replacement. The final plat will either dedicate the easternmost six feet of the existing lot to the City of Shoreline, or establish an easement to allow for public street improvements.

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 July 1, 2004.

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

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

ALTERNATIVES ANALYZED:

The following options are within the discretion of the Council and have been analyzed by staff:

- The Council could adopt the preliminary long plat recommended by the Planning Commission and staff by adopting Ordinance No. 360, included as Exhibit B.
- The Council could adopt the preliminary long plat, but amend the Findings of Fact, Conclusions and Conditions, included as Exhibit B.

- The Council could amend the Findings of Fact and Conclusions and deny the preliminary long plat.

FINANCIAL IMPACTS:

There are no direct financial impacts to the City.

RECOMMENDATION:

The Planning Commission and staff recommend that Council adopt Ordinance No. 360, included as Exhibit B, thereby approving the preliminary long plat for nineteen building lots, two open space tracts and one access tract located at 14515 Whitman Avenue North.

Approved By:

City Manager  City Attorney 

EXHIBITS:

Exhibit A: Planning Commission Staff Report, July 1, 2004
with Attachments A, B, and H

Exhibit B: Ordinance 360, with Planning Commission Findings, Conclusions, and
Recommendation, July 29, 2004

Exhibit C: Planning Commission Minutes, July 1, 2004

 Planning Commission Meeting Date: July 1, 2004

Agenda Item: 6a

PLANNING COMMISSION AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Whitman Town Homes Preliminary Long Plat Review
DEPARTMENT: Planning and Development Services
REPORT BY: Jeffrey B. Thomas, Senior Planner
PRESENTED BY: Paul E. MacCready, Associate Planner

I. PROPOSAL

The proposed Preliminary Long Plat (File No. 201310) would create nineteen new lots and three private land tracts from one existing lot at 14515 Whitman Avenue North (**Attachment A**). An existing seven unit multifamily complex is proposed to be demolished and construct nineteen zero lot line town homes with a private land tract for access and two private land tracts for open space (**Attachment B**). Onsite improvements required for this proposal include storm water detention and landscaping.

II. FINDINGS OF FACT AND CONCLUSIONS**1. PROJECT SITE CHARACTERISTICS**

- 1.1 The project site is approximately 23,445 square feet in size and consists of one lot at 14515 Whitman Avenue North (Tax Parcel No. 2827100076).
- 1.2 An existing seven unit multifamily complex at the project site is accessed from Whitman Avenue North.
- 1.3 The existing density is 13.0 units per acre.
- 1.4 The project site slopes very gradually from west to east, approximately 3.8%.
- 1.5 Three significant trees are located at the project site, one of which is located near the front lot line and the other two are located in the center area.

2. NEIGHBORHOOD CHARACTERISTICS

- 2.1 The project site is located in the Westminster Triangle Neighborhood near the northwest corner of North 145th Street and Whitman Avenue North.
- 2.2 The immediate neighborhood on Whitman Avenue North is characterized by multi-family developments. One block to the east on Aurora Avenue North, there is a large number of varying of commercial developments. The new Interurban Trail is one-half block to the west, accessed from North 145th Street.
- 2.3 Aurora Avenue North is classified as a State Route. North 145th Street is classified as a Principal Arterial. Whitman Avenue North 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 Mixed Use. This designation is applied to stable and developing areas and is intended to encourage the development of pedestrian oriented places, with architectural interest that integrate a wide variety of retail, office and service uses with residential uses.
- 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 The proposal consisting of the Preliminary Long Plat application and State Environmental Policy Act (SEPA) checklist were received on May 14, 2004.
- 5.2 The proposal was determined to be complete for processing on May 25, 2004.
- 5.3 A Consolidated Notice of Application and Notice of Public Hearing for the proposal was issued on May 27, 2004 with request for public comment ending on June 11, 2004.
- 5.4 A SEPA Threshold Determination of Nonsignificance (**Attachment C**) for the proposal was issued on June 16, 2004 with the administrative appeal ending on June 30, 2004.

6. PUBLIC COMMENT

- 6.1 Public Comment – There was no written public comment received for this proposal.

7. ZONING DESIGNATION, DENSITY AND PERMITTED USES

- 7.1 The project site is zoned as Residential – 48 units per acre (R-48).
- 7.2 The proposed density is 35.3 units per acre.
- 7.3 SMC 20.40.120 sets forth zero lot line town homes as a permitted use in the R-48 Zoning District.

8. SITE DEVELOPMENT STANDARDS

- 8.1 R-48 Lot Size - Pursuant to SMC 20.50.020(A)(1)(2), the nineteen zero lot line town home lots propose to reduce minimum lot size of 2,500 square feet to a lot size range of 528 square feet to 660 square feet. Building setbacks may also be reduced to provide a usable building area.
- 8.2 Open Space – Two private land tracts are proposed for open space with landscaping. Combined, the total area of open space will need to meet the calculation requirements of SMC 20.50.160 and be clearly delineated on the Landscape Plan. If the nineteen units each have two bedrooms, a total of 2,470 square feet of open space is required. If the nineteen units each have three bedrooms, a total of 3,230 square feet of open space is required. These private land tracts will be owned and maintained by the nineteen zero lot line town home lots.
- 8.3 Significant Tree Removal – All three significant trees located at the project site are proposed to be removed as depicted by the Tree Removal Plan (**Attachment D**), thereby exceeding the minimum tree retention requirement of 20% or one trees as set forth in SMC 20.50.350. SMC 20.50.350(B) provides the following criteria for granting an exception to this standard, provided that an additional four trees are planted for each significant tree removed that would otherwise count towards the minimum tree retention requirement:
- Criteria #1 – There are special circumstances related to the size, shape, topography, location or surroundings of the subject property.
Staff Analysis – The subject property is located in an area zoned to promote higher density types of development – specifically 48 units per acre.
 - Criteria #2 - Strict compliance with the provisions of this Code may jeopardize reasonable use of the property.
Staff Analysis – Although the subject property could still be developed while retaining any one significant tree, the location of any one of these significant trees would require eliminating an undetermined number of units from the proposal, thereby reducing the development density from 35.3 units per acre. The subject property is zoned to promote higher density types of development – specifically 48 units per acre.
 - Criteria #3 – Proposed vegetation removal, replacement, and any mitigation measures are consistent with the purpose and intent of the regulations.
Staff Analysis – The proposal must comply with all requirements of SMC 20.50.350(B) including mitigation measures of planting four trees of certain size for each significant tree removed that would otherwise count towards the minimum retention percentage.
 - Criteria #4 – The granting of the exception or standard reduction will not be detrimental to the public welfare or injurious to other property in the vicinity.
Staff Analysis – There is no evidence that granting this exception would be detrimental to the public welfare or injurious to other property in the vicinity.
- The Landscaping Plan will need to demonstrate compliance with this minimum tree retention exception.
- 8.4 Parking and Access – SMC Table 20.50.390A requires that a minimum of two off street parking spaces per unit be provided for single family attached units. A proposed 5,616 square foot private land tract for access will be owned and maintained by the nineteen zero lot line town home lots. Separate pedestrian walkway access is proposed for all lots from the public street frontage.

- 8.5 Landscaping – SMC 20.50.490 requires Type II landscaping in building setbacks for multi-family residential development adjacent to multi-family and/or commercial zoning. The Landscaping Plan will need to demonstrate compliance with this Type II landscaping requirement.
- 9. Adequacy of Public Facilities**
- 9.1 Water Supply – Seattle Public Utilities has issued Water Availability Certificates (**Attachment E**) for the proposal.
- 9.2 Sewer Service – Ronald Wastewater District has issued Sewer Availability Certificates (**Attachment F**) for the proposal.
- 9.3 Fire Protection – The Shoreline Fire Department has reviewed and approved the preliminary plat for site access and fire lane distance.
- 9.4 Traffic Capacity – An estimated average of 10.5 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 Drainage Plan (**Attachment G**) for the proposal.
- 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 Whitman Avenue North subject to the design standards of the Engineering Development Guide. Frontage improvements built to these design standards on Whitman Avenue North will require land in addition to the right-of-way, as it is not wide enough. Therefore, the developer will need to dedicate the eastern most 6' of the existing lot to the City of Shoreline pursuant to SMC 20.70.050 or the applicant will need to enter an easement agreement for the eastern most 6' of the existing lot with the City of Shoreline pursuant to SMC 20.70.230.

III. STAFF RECOMMENDATION

Staff recommends that the Planning Commission forward to the City Council a recommendation of approval with conditions as described in **Attachment H** for the Whitman Town Homes Preliminary Long Plat application.

Respectfully submitted to the Planning Commission for review this date, June 24, 2004.

Jeffrey B. Thomas
Senior Planner

IV. ATTACHMENTS

Attachment A: Vicinity Map

Attachment B: Preliminary Plat

Attachment C: SEPA Threshold Determination of Nonsignificance, June 16, 2004

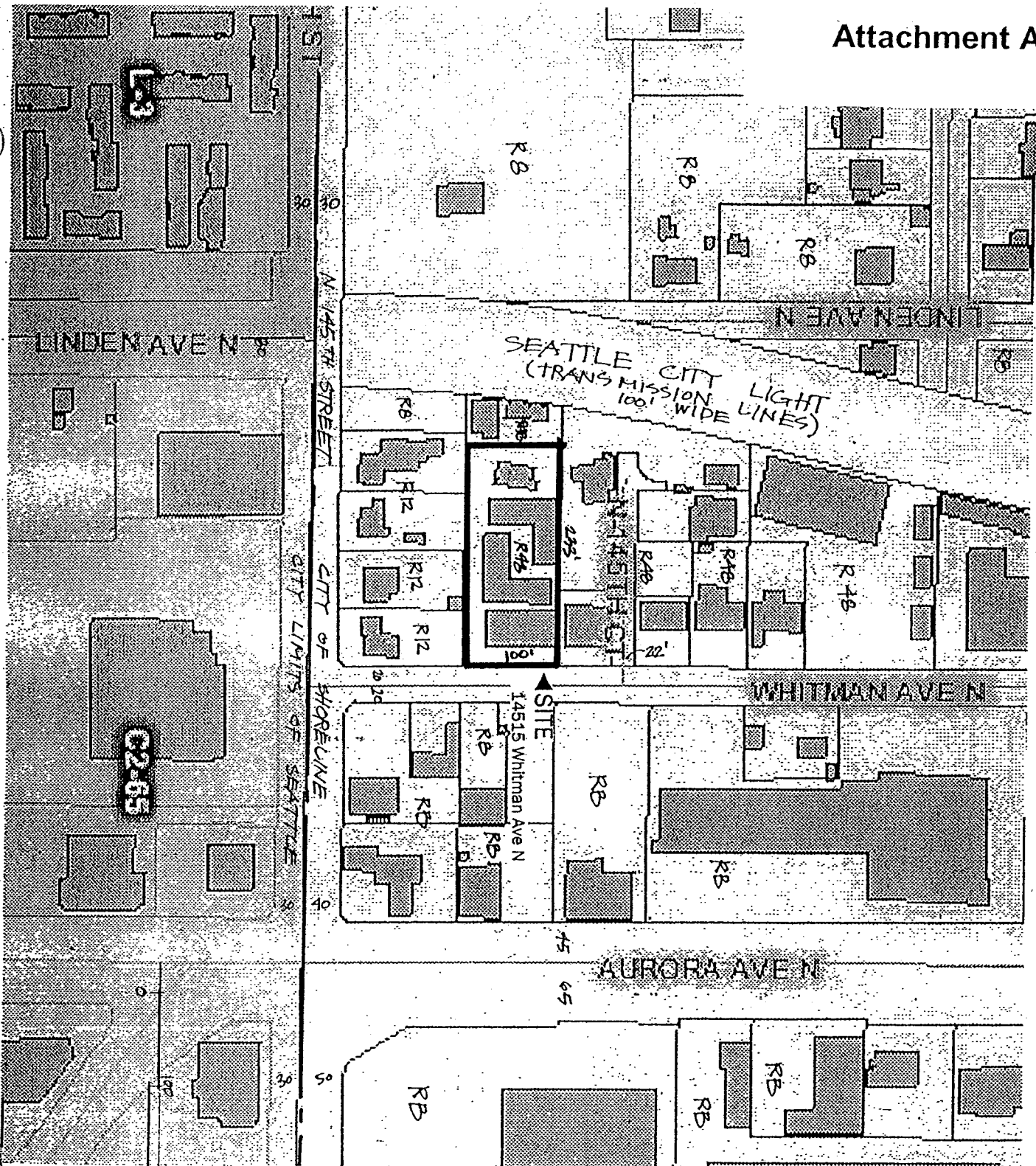
Attachment D: Tree Removal Plan


Attachment E: Seattle Public Utilities Water Availability Certificate, April 16, 2004

Attachment F: Ronald Wastewater District Sewer Availability Certificate, April 16, 2004

Attachment G: Drainage Plan

Attachment H: Staff Recommended Conditions of Approval




 1" = 100'
 VICINITY MAP
 400
 200

Date: 10/22/00
 Drawn: PS
 Vicinity Map
 Sheet

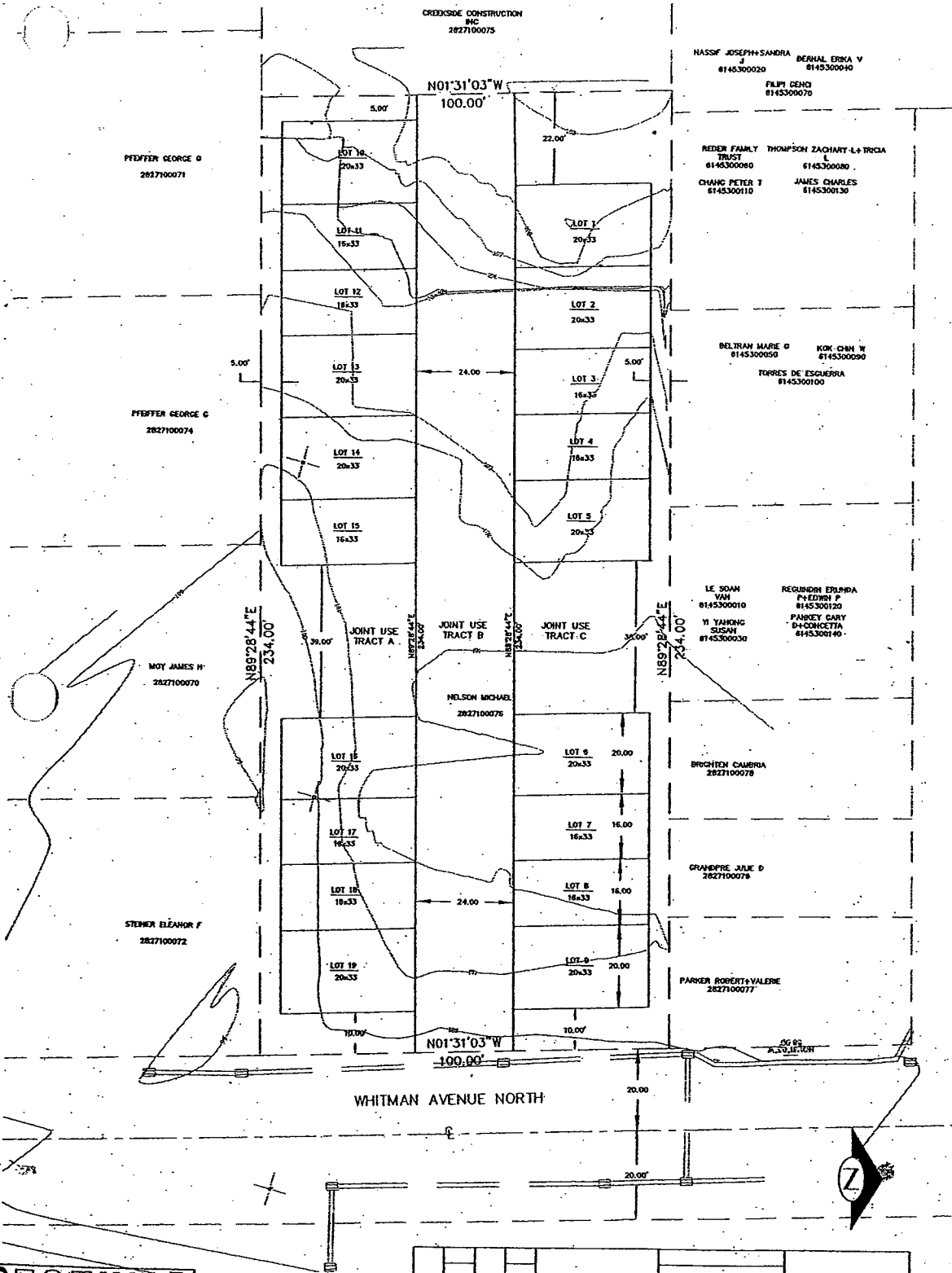
Whitman Ave Townhomes
 14515 Whitman Ave North

PETER SCHEIDT ARCHIT
 1010 1st Avenue North
 Seattle, WA 98107


WHITMAN AVENUE NORTH TOWNHOMES

Attachment B

SE 1/4 of SW 1/4, SECTION 18, TOWNSHIP 26, RANGE 4. E.



RECEIVED
MAY 14 2004
201310
P.E.D.S.

KDD
Environmental
Civil
Transportation
Land Survey
& ASSOCIATES, P.C.
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SeaTac, Washington 98168
206.829.0100 Fax: 206.374.2432
kdd@kddassoc.com



PETER SCHROEDER ARCHITECTS
2207 35th Avenue West
Seattle, Washington 98122
Tel: (206) 723-0262 Fax: (206) 214-0208

14515 WHITMAN AVENUE N.
ROLAND HINES
3600 FREEMONT AVENUE NORTH
SEATTLE, VA 98003
PRELIMINARY PLAT DRAWING
143

ORDINANCE NO. 360

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON APPROVING A PRELIMINARY FORMAL SUBDIVISION FOR NINETEEN LOTS AND THREE PRIVATE LAND TRACTS LOCATED AT 14515 WHITMAN AVENUE NORTH.

WHEREAS, owners of certain properties, with parcel number 2827100076, have filed a preliminary long plat application for nineteen building lots and two open space tracts and one access tract located at 14515 Whitman Avenue North; and

WHEREAS, on July 1, 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 July 1 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 Whitman Avenue North (with parcel number 2827100076) 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 Conclusion on Project No. 201310, as set forth in Part I, Planning Commission Findings, Conclusion and Recommendation dated July 1, 2004, attached hereto as Exhibit A are hereby adopted.

Section 2. Preliminary Formal Subdivision Adoption. The Whitman Avenue Townhomes Preliminary Long Plat, Project No. 201310, as further described and depicted in Exhibit B attached hereto is hereby adopted subject to the conditions set forth in Part II, Planning Commission Findings, Conclusion and Recommendation dated July 1, 2004 and attached hereto as Exhibit A.

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 ordinance, 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 AUGUST 23, 2004.

Mayor Ronald B. Hansen

ATTEST:

APPROVED AS TO FORM:

Sharon Mattioli, MMC
City Clerk

Ian Sievers
City Attorney

Date of Publication: August 26, 2004
Effective Date: August 31, 2004

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

Whitman Avenue Townhomes Preliminary Long Plat Review, Project No. 201310

Summary –

After reviewing and discussing the Whitman Avenue Townhomes Preliminary Long Plat proposal on July 1, 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 23,445 square feet in size and consists of one lot at 14515 Whitman Avenue North (Tax Parcel No. 2827100076).
- 1.2 An existing seven unit multifamily complex at the project site is accessed from Whitman Avenue North.
- 1.3 The existing density is 13.0 units per acre.
- 1.4 The project site slopes very gradually from west to east, approximately 3.8%.
- 1.5 Three significant trees are located at the project site, one of which is located near the front lot line and the other two are located in the center area.

2. NEIGHBORHOOD CHARACTERISTICS

- 2.1 The project site is located in the Westminster Triangle Neighborhood near the northwest corner of North 145th Street and Whitman Avenue North.
- 2.2 The immediate neighborhood on Whitman Avenue North is characterized by multi-family developments. One block to the east on Aurora Avenue North, there is a large number of varying of commercial developments. The new Interurban Trail is one-half block to the west, accessed from North 145th Street.
- 2.3 Aurora Avenue North is classified as a State Route. North 145th Street is classified as a Principal Arterial. Whitman Avenue North 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 Mixed Use. This designation is applied to stable and developing areas and is intended to encourage the development of pedestrian oriented places, with architectural interest that integrate a wide variety of retail, office and service uses with residential uses.

- 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.
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- 5.2 The proposal was determined to be complete for processing on May 25, 2004.
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- 5.4 A SEPA Threshold Determination of Nonsignificance (**Attachment C**) for the proposal was issued on June 16, 2004 with the administrative appeal ending on June 30, 2004.

6. PUBLIC COMMENT

- 6.1 Public Comment – There was no written public comment received for this proposal. One oral public comment was received during the Planning Commission Public Hearing that expressed concern regarding the ability to turn left (east) from Whitman Avenue North onto North 145th Street. Staff noted that this proposal did not meet the threshold to require a traffic impact study, but that the Public Works Department Neighborhood Safety Program can assist the customer with this concern.

7. ZONING DESIGNATION, DENSITY AND PERMITTED USES

- 7.1 The project site is zoned as Residential – 48 units per acre (R-48).
- 7.2 The proposed density is 35.3 units per acre.
- 7.3 SMC 20.40.120 sets forth zero lot line town homes as a permitted use in the R-48 Zoning District.

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- 8.5 Landscaping – SMC 20.50.490 requires Type II landscaping in building setbacks for multi-family residential development adjacent to multi-family and/or commercial zoning. The Landscaping Plan will need to demonstrate compliance with this Type II landscaping requirement.

9. Adequacy of Public Facilities

- 9.1 Water Supply – Seattle Public Utilities has issued Water Availability Certificates (**Attachment E**) for the proposal.
- 9.2 Sewer Service – Ronald Wastewater District has issued Sewer Availability Certificates (**Attachment F**) for the proposal.
- 9.3 Fire Protection – The Shoreline Fire Department has reviewed and approved the preliminary plat for site access and fire lane distance.
- 9.4 Traffic Capacity – An estimated average of 10.5 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 Drainage Plan (**Attachment G**) for the proposal.
- 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 Whitman Avenue North subject to the design standards of the Engineering Development Guide. Frontage improvements built to these design standards on Whitman Avenue North will require land in addition to the right-of-way, as it is not wide enough. Therefore, the developer will need to dedicate the eastern most 6' of the existing lot to the City of Shoreline pursuant to SMC 20.70.050 or the applicant will need to enter an easement agreement for the eastern most 6' of the existing lot with the City of Shoreline pursuant to SMC 20.70.230.

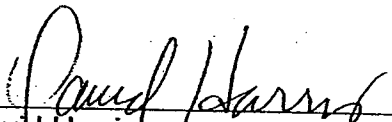
II. RECOMMENDATION

Based on the aforementioned Findings and Conclusions, the Planning Commission unanimously recommends approval of the Whitman Avenue Townhomes Preliminary Long Plat proposal, Project No. 201310 with the following conditions:

- 1. In the sizes described and depicted by Attachment B, a maximum of nineteen lots and three private land tracts, one for access (Joint Use Tract B) and two for open space (Joint Use Tracts A and C) shall be created. The sizes and the assigned addresses for the lots shall be shown on the face of the Final Plat. The delineation and sizes of all private land tracts shall be declared on all plans submitted for the Site Development Permit and also shown on the face of the Final Plat.
- 2. 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 nineteen zero lot line town home lots (described as lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19) 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 Tracts for open space (Joint Use Tracts A and C) and all other common areas; (2) Private Land Tract for access (Joint Use Tract B); (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.

3. A maximum of nineteen zero lot line town homes are permitted as proposed by Attachment B.
4. 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."
5. Developer shall have a Site Development Permit reviewed and approved by the City of Shoreline that includes (a) all onsite engineering and utility installation, (b) the delineation and sizes of all private land tracts, (c) all onsite landscaping, including the Type II landscaping requirement and specifications and (d) all required tree replacement and specifications for the tree retention exception. The completion of this work shall be secured by a plat performance financial guarantee.
6. Developer shall dedicate the eastern most 6' of the existing lot to the City of Shoreline or the applicant will need to enter an easement agreement for the eastern most 6' of the existing lot with the City of Shoreline as described and depicted in Attachment B, which shall become effective upon recording of the Final Plat.
7. Developer shall have a Right-of-Way Use Permit for frontage improvements reviewed and approved by the City of Shoreline that includes (a) pedestrian sidewalk, (b) planting strip, (c) non-glare street lighting and (d) curb and gutters for installation on Whitman Avenue North adjacent to the project site. The completion of this work shall be secured by a plat performance financial guarantee.
8. Developer shall meet any required conditions established by the Seattle Public Utilities Water Availability Certificates in Attachment E.
9. Developer shall meet any required conditions established by the Ronald Wastewater District Sewer Availability Certificates Attachment F.

City of Shoreline Planning Commission



David Harris
Chairperson

7-29-2004
Date



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

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

PROJECT INFORMATION

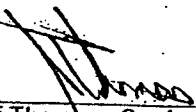
DATE OF ISSUANCE: June 16, 2004
PROJECT NUMBER: 201310
PROJECT LOCATION: 14515 Whitman Avenue North
PROJECT DESCRIPTION: Subdivide one existing parcel into nineteen parcels proposed for single family zero lot line town homes. Associated improvements include landscaping, street frontage improvements and storm water drainage improvements.
PROJECT APPLICANT: Noland Homes L.L.C.
ZONING DESIGNATION: Residential Forty Eight Units per Acre (R-48)
COMPREHENSIVE PLAN DESIGNATION: Mixed Use
APPEAL DEADLINE: June 30, 2004 at 5:00 p.m.

SEPA THRESHOLD DETERMINATION OF NONSIGNIFICANCE (DNS)

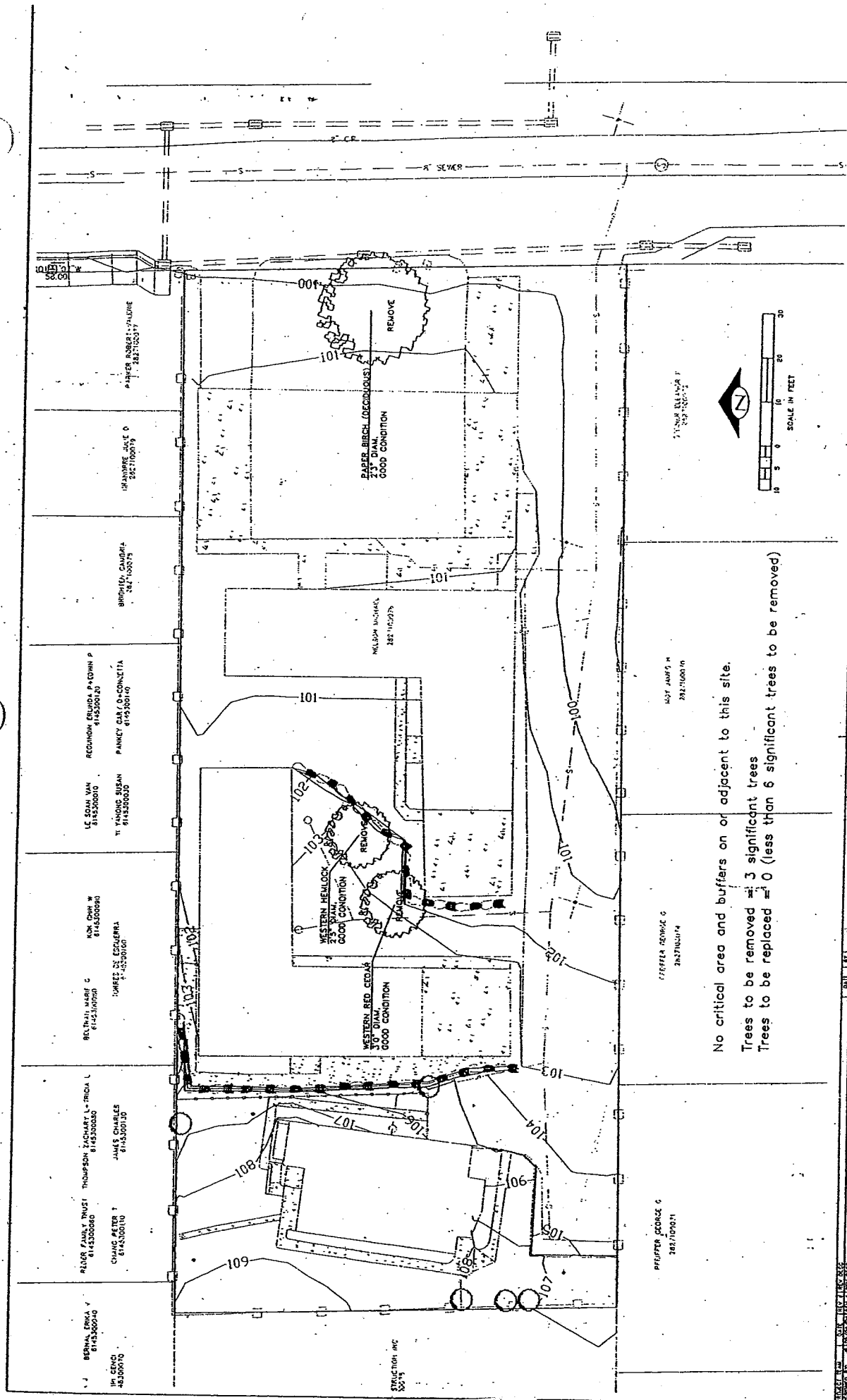
This Determination of Nonsignificance (DNS) is issued in accordance with WAC 197-11-340. The City of Shoreline has determined that the proposal will not have a probable significant adverse impact(s) on the environment and that an Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of the submitted SEPA Environmental Checklist, the preliminary formal subdivision application, technical information reports 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 Consolidated Notice of Application and Notice of Public Hearing issued on May 27, 2004 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 June 30, 2004 at 5:00 p.m. The accompanying appeal fee is \$373.00. For questions, please contact Paul MacCready, Project Manager or Jeff Thomas, Senior Planner at 206-546-1811, or write to: *City of Shoreline Planning and Development Services, 17544 Midvale Avenue North, Shoreline, WA 98133.*


Jeff Thomas, Senior Planner – City of Shoreline Planning & Development Services

June 16, 2004
Date



No critical area and buffers on or adjacent to this site.
 Trees to be removed = 3 significant trees
 Trees to be replaced = 0 (less than 6 significant trees to be removed)

SUBMITTAL: SITE DEVELOPMENT PERMIT DATE: _____ PROVIDED FOR CONSTRUCTION		14515 WHITMAN AVENUE N. 3800 FREEDOM AVENUE NORTH SEATTLE, WA 98148	
TREE RENTION/CRITICAL AREA PLAN		DATE: _____ THESE DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF THE CITY AND COUNTY OF SEATTLE. NO PART OF THESE DRAWINGS OR SPECIFICATIONS MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE CITY AND COUNTY OF SEATTLE.	
KDD ASSOCIATES, P.L.L.C. Environmental Transportation Land Survey 1000 1st Avenue, N. Seattle, WA 98109 Phone: 206.465.0100 Fax: 206.465.0101 kdd@kddassociates.com		PETER SCHROEDER ASSOCIATES 1000 1st Avenue, N. Seattle, WA 98109 Phone: 206.465.0100 Fax: 206.465.0101 peter@schroeder.com	
CITY OF SEATTLE DEPARTMENT OF PERMITS 325 WEST ALASKA STREET SEATTLE, WA 98101 Phone: 206.465.0100 Fax: 206.465.0101 cityofseattle.com		CITY OF SEATTLE DEPARTMENT OF PERMITS 325 WEST ALASKA STREET SEATTLE, WA 98101 Phone: 206.465.0100 Fax: 206.465.0101 cityofseattle.com	

BERNARD ERICA Y
 8145300070

CHANG PETER T
 8145300110

JAMES CHARLES
 8145300130

ROBERT EARL W TRUST
 8145300060

DAVID S J ECHEVERRIA
 8145300100

KOK OHN W
 8145300080

LE SOAN VAN
 8145300070

TI KHAIUS BUI
 8145300020

BRONKHED, CAMBODIA
 8145300075

IRANMAYRE JUICE O
 8145300019

PARKER ROBERT J
 8145300317



WATER AVAILABILITY CERTIFICATE

for Property 14515 Whitman Ave N City Shoreline
Developer Michael, Laura Nelson
Date Recd by SPU 4/16/04 SPU Map/Kroll 214.3 DCLU Project SH - BP

- 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 _____, including _____ standard fire hydrant(s).
 frontage of the legal parcel(s) described above, including _____ standard fire hydrant(s).
 Design and installation of _____

Prepared by JE CERTIFIED by Janya Elder Date 4/16/04
 Water Availability Certificate ID No. 2004-0419 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 1" Type PI Meter In Out
 Size _____" Type _____ Meter In Out
 Size _____" Type _____ Meter In Out

Pressure zone 590 Static 52 psi Recommended design pressure is 20 psi less than static pressure.

Proximity of fire hydrant 145 feet meets does not meet standards
to the South

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 1800 gpm 4000 gpm or more
 Based on flow test hydraulic modeling result

hydrant to the North of property can provide 950 gpm

standard substandard water main is available to serve in Whitman Ave N 8" CIP CL22 1970

Distance of main to W margin of street is 30 feet
 Public ROW width is 40 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 utility service area.

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 KDD & ASSOCIATES, PLLC

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WATER SERVICE REQUIREMENTS:

Property 14515 Whitman Ave N WAC ID No. 2004-0419

New Meter Location Whitman 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:

- 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.

No change in water service has been requested at this time of review

CERTIFICATE OF SEWER AVAILABILITY

Attachment F

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



number _____ name _____ Do not write in this box

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

APPLICANT'S NAME: Jinny Son

PROPOSED USE: Multi-Family Townhomes Development

LOCATION: 14515 Whitman 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) _____ feet of 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 needed.
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

Jesse Peterson

Agency Name

Signatory Name

Technical Support Specialist

Jesse Peterson

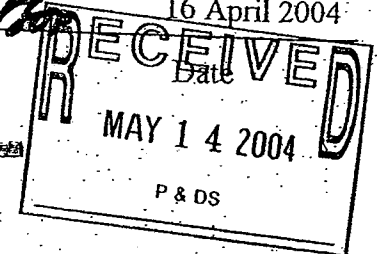
16 April 2004

Title

Signature

Date

201310



Dated: 16 April 2004

For Applicant: Jinny Son

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 296-1450.
- 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

Jesse Peterson

Jesse Peterson

Rev12001

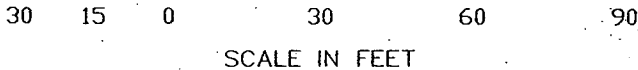
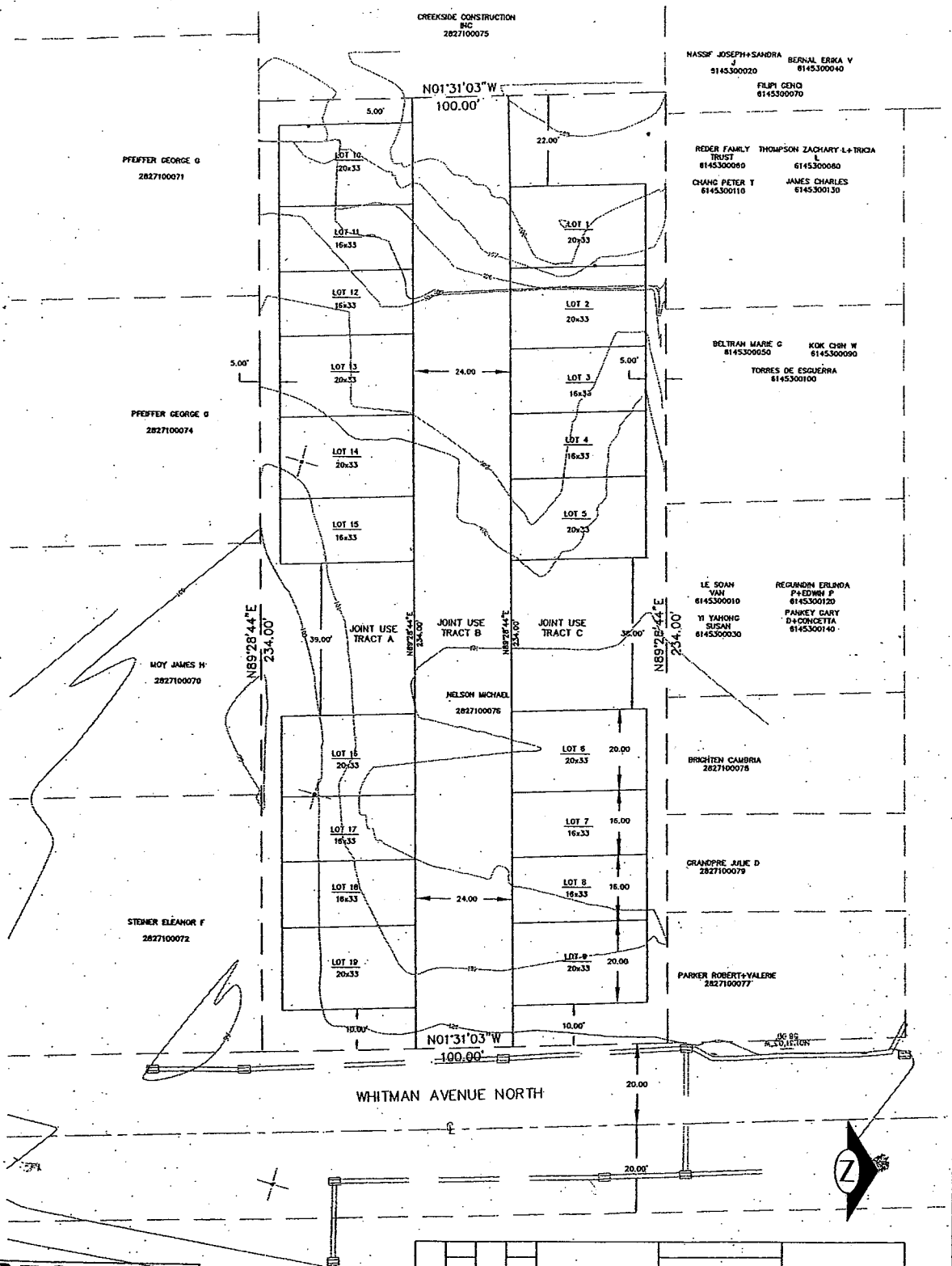
**WHITMAN TOWN HOMES PRELIMINARY LONG PLAT
STAFF RECOMMENDED CONDITIONS OF APPROVAL**

1. In the sizes described and depicted by Attachment B, a maximum of nineteen lots and three private land tracts, one for access (Joint Use Tract B) and two for open space (Joint Use Tracts A and C) shall be created. The sizes and the assigned addresses for the lots shall be shown on the face of the Final Plat. The delineation and sizes of all private land tracts shall be declared on all plans submitted for the Site Development Permit and also shown on the face of the Final Plat.
2. 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 nineteen zero lot line town home lots (described as lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19) 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 Tracts for open space (Joint Use Tracts A and C) and all other common areas; (2) Private Land Tract for access (Joint Use Tract B); (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.
3. A maximum of nineteen zero lot line town homes are permitted as proposed by Attachment B.
4. 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."
5. Developer shall have a Site Development Permit reviewed and approved by the City of Shoreline that includes (a) all onsite engineering and utility installation, (b) the delineation and sizes of all private land tracts, (c) all onsite landscaping, including the Type II landscaping requirement and specifications and (d) all required tree replacement and specifications for the tree retention exception. The completion of this work shall be secured by a plat performance financial guarantee.
6. Developer shall dedicate the eastern most 6' of the existing lot to the City of Shoreline or the applicant will need to enter an easement agreement for the eastern most 6' of the existing lot with the City of Shoreline as described and depicted in Attachment B, which shall become effective upon recording of the Final Plat.
7. Developer shall have a Right-of-Way Use Permit for frontage improvements reviewed and approved by the City of Shoreline that includes (a) pedestrian sidewalk, (b) planting strip, (c) non-glare street lighting and (d) curb and gutters for installation on Whitman Avenue North adjacent to the project site. The completion of this work shall be secured by a plat performance financial guarantee.
8. Developer shall meet any required conditions established by the Seattle Public Utilities Water Availability Certificates in Attachment E.
9. Developer shall meet any required conditions established by the Ronald Wastewater District Sewer Availability Certificates Attachment F.

WHITMAN AVENUE NORTH TOWNHOMES

EXHIBIT B

SE ¼ of SW ¼, SECTION 18, TOWNSHIP 26, RANGE 4. E.



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P. & D.S.

KDD & ASSOCIATES, P.C.
Civil
Transportation
Land Survey
3229 S. 148th St. P.O. Box 68846
SeaTac, Washington 98168
206.829.0100 Fax: 206.374.2432
kdd@kddassoc.com



PETER SCHROEDER ARCHITECTS
2207 21st Avenue West, Seattle, WA 98149
Seattle, WA 98149
Tel: (206) 221-0413 Fax: (206) 221-0413

14515 WHITMAN AVENUE N.
KELAND HINES
3600 FREEMANT AVENUE NORTH
SEATTLE, WA 98103
159 PRELIMINARY PLAT DRAWING

These Minutes Approved
July 15, 2004

CITY OF SHORELINE

SHORELINE PLANNING COMMISSION SUMMARY MINUTES OF REGULAR MEETING

July 1, 2004
7:00 P.M.

Shoreline Conference Center
Board Room

PRESENT

Chair Harris
Vice Chair Piro
Commissioner Doering
Commissioner Hall
Commissioner Kuboi
Commissioner MacCully
Commissioner Phisuthikul

STAFF PRESENT

Rachael Markle, Planning Manager, Planning & Development Services
Paul MacCready, Planner, Planning & Development Services

ABSENT

Commissioner McClelland
Commissioner Sands

1. CALL TO ORDER

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

2. ROLL CALL

Upon roll call by the Commission Clerk, the following Commissioners were present: Chair Harris, Vice Chair Piro, Commissioners Hall, Kuboi, Doering, MacCully and Phisuthikul. Commissioners McClelland and Sands were excused.

3. APPROVAL OF AGENDA

The Commission unanimously approved the agenda as written.

4. APPROVAL OF MINUTES

COMMISSIONER PIRO MOVED THAT THE MINUTES OF JUNE 17, 2004 BE APPROVED AS CHANGED. COMMISSIONER DOERING SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

5. PUBLIC COMMENT

Liegh Brendemuhl said he was present to speak on behalf of his mother-in-law, **Ruth McCurdy**, 19023 Richmond Beach Drive NW, regarding the proposed building permit for 19027 Richmond Beach Drive NW, Parcel #7284900055. He advised that Ms. McCurdy lives directly to the south of the building site. He said the points he would make are shared by members of the organization, Sensible Growth for Richmond Beach. He asked that the participants of this group please stand.

Mr. Brendemuhl advised that the King County Parcel and Development Conditions Report that is on the website for this parcel states that this parcel is designated as a landslide hazard area, as well as a seismic hazard area. The applicant's geotechnical investigation report dated March 22, 2004 states in Section 5.6 that, "The project site lies within Seismic Zone 3 as defined in the 1997 Uniform Building Code." Mr. Brendemuhl pointed out that the parcel exhibits slope failure as illustrated in the pictures of the paver patio that was installed less than two years ago. He advised that their organization has a significant concern about the soil stability relative to the tremendous amount of weight this project would have on such a small half size lot, and they want to know what the projected seismic impact would be on the slope since it has continually shown signs of failure. He said the applicant's technical report does not evaluate this issue, but the geotechnical engineering report that was submitted in April 1992 does. However, they believe this report is no longer valid because the scope of the new project is changed and because of the February 2001 earthquake.

Mr. Brendemuhl advised that their organization realizes the Planning Department is still engaged in the permit process, but they would like to call their attention to the information revealed in the geotechnical report. It states that, "to shore up the planned deep excavation, an ecology block wall would be required." One option entails installing approximately 125 tons of ecology blocks. The report further states, "you would need to obtain permission from your neighbors to install the anchors across property lines." He advised the adjacent property owners, including his mother-in-law, would not allow this tremendous weight to be anchored to their properties. Mr. Brendemuhl said another option would also place the blocks on the building site, and the neighbors want to know what impact the blocks would have on the impervious surface area of the lot, as well as how seismic activity would effect the land mass with the blocks in place.

Nikki Johnson, 19105 Richmond Beach Drive NW, advised that her comments would be directed towards the same site Mr. Brendemuhl spoke about since her house is located two doors down from the subject property. She said she also represents the organization "Sensible Growth for Richmond Beach." She explained that in addition to the seismic and slope failure issues, the group has concerns about the critical areas worksheet that was submitted to the Planning Department in April.

She referred to the Map in the Shoreline Comprehensive Plan (Page 215, Figure EN-2), which illustrates that this unique parcel of land is directly adjacent to a wetland area. She referred to the pictures the organization provided to the Commissioners showing standing water with cattails during this low rainfall year. Alders are also present on adjacent properties, and blackberries grow profusely on the bank.

Ms. Johnson said the organization believes it is imperative that a qualified biologist study this wetland area and evaluate the environmental impact, as well as address concerns regarding stormwater retention and detention. She summarized that the organization realizes that the permit is in the planning process, but they would like to specifically ask the Planning Department to investigate the issues of seismic shock, slope failure, and the environmental impact this huge structure would have on the wetlands. She said this would provide scientific, objective reports to determine the buildable footprint and evaluate potential hazards to the neighborhood. She said their organization looks forward to having access to these reports.

Andrea Massoni, 19101 Richmond Beach Drive NW, said she lives directly to the north of the proposed building site. She said she also represents the group "Sensible Growth for Richmond Beach." She drew the Commission's attention to the Shoreline Comprehensive Plan SM-47, which states "align new residential setbacks along the shoreline with existing setbacks of the residents of each side of the development to protect views unless it causes a property to be unbuildable." She said that, to her knowledge, no one has ever breached this neighborhood understanding, and no one has ever blocked the view of a neighbor. If the proposed development were allowed to happen, precedence would be set for all and would pit neighbor against neighbor. She believes the code was written to protect her from what is happening right now to her property. She said there would be a limited number of homes that this code provision would apply to, and this standard would be measurable and should be applied to the permit.

Ms. Massoni said the subjective use of the optional aggregate setback does not provide her with any type of benefit. She would only receive a benefit if Section 20.50.060 of the code were used to design a neighborhood friendly structure. She continued by stating her belief that the codes are written to protect all properties when an infill home is designed. As a citizen of the community, the Planning Department should honor her rights as a homeowner and protect her property from devaluation. She summarized that the permit should be denied because it does not meet the requirements stated in Section SM-47 regarding the minimum 15-foot side yard setback or Section 20.50.060. She extended an invitation to each of the Commissioners to visit her property to view the true impact the proposed structure would have in changing the style and character of the unique and special neighborhood forever.

Chair Harris advised that public comments provided by the neighborhood group would be forwarded to the staff for consideration.

Commissioner MacCully inquired if the Commission would be reviewing this issue at some point. He questioned if a Commissioner could create some type of conflict of interest situation if they were to visit the site. Ms. Markle answered that there would be no conflict of interest since the Commission is not likely to see any land use permit coming before them regarding this application.

Commissioner MacCully inquired regarding the status of the application. Ms. Markle reported that the proposal is in the building permit application stage now. Since it is a Type A application, it would not come before the Commission for review. If anything related to this application comes before the Commission for review, it would be a legislative issue, and the Commission has the ability to visit the property and talk to people about the application.

6. STAFF REPORTS

6a. Type C Quasi-Judicial Public Hearing on Preliminary Formal Plat for the Property Located at 14515 Whitman Avenue North

Chair Harris reviewed the rules and procedures for the public hearing. He reminded the Commissioners of the rules of the Appearance of Fairness Law. He inquired if any of the Commissioners had received any ex parte communications. None of the Commissioners indicated that they had been contacted by anyone regarding the subject of the hearing. No one in the audience voiced a conflict of interest concern on behalf of any of the Commissioners, either.

Chair Harris opened the public hearing.

Paul MacCready, Planner, reviewed the staff report. He explained that formal subdivisions are Type C Actions. As such, this proposal requires an open record hearing before the Commission. After considering the proposal, the Commission would make a recommendation to the City Council, who would make the final decision on the application. If a party of record is unhappy with the City Council's decision, they could appeal to Superior Court within 21 calendar days after the final decision is issued. He noted that no one submitted a comment letter or asked to be a party of record for the proposal prior to the hearing. Mr. MacCready explained that the applicant would have three years from the date of preliminary approval to record the final plat. For the next five years, the owner of any of the lots is entitled to use the lot under the development code in effect at the time of filing a complete application.

Mr. MacCready advised that there are three significant trees on the site, and one tree is required to be retained. He noted that the replacement trees would be approved as part of a landscaping plan. He referred to Condition 5, which specifies what plans must be submitted for development review.

Mr. MacCready pointed out that the right-of-way on Whitman Avenue is not wide enough for all of the required frontage improvements, which include a full six-foot sidewalk, a four-foot planter strip and curb and gutter. Either a street dedication or a sidewalk easement should be required with the recording of the final plat, and this determination would be made by the Public Works Department during the site development permit review. He said an engineering variance might also be necessary if the four-foot planter strip along the curb is not possible, and this would also be reviewed during the site development permit review. Mr. MacCready referred to Conditions 6 and 7, which address this issue further.

Mr. MacCready referred to Condition 1, which states that the size of the open space tracts would be determined when the permits are submitted. But for the Commission's information, he advised that the developer actually applied for the site development and building permits on June 30, so the staff knows the number of bedrooms in each unit. This allows them to calculate the minimum size the open space tracts must be. Mr. MacCready advised that the landscape plan shows more than ten replacement trees, and the conditions allow for flexibility. He pointed out that these issues do not need to be resolved as part of this process, but would be addressed as part of the site development and final plat processes.

Mr. MacCready reviewed that the Planning Commission has the following options:

- Deny the application.
- Approve the application as is.
- Approve the application with modifications or additions to the conditions as described in Attachment H.

Mr. MacCready emphasized that if the Commission decides to deny the application or change the conditions, they must state the purpose for their recommendation based on the review procedures and criteria found in Development Code Section 20.30.410. The conditions must be equal to or greater than the minimum standards specified in the code. He said the staff recommends that the Planning Commission forward to the City Council a recommendation of approval with the conditions as listed on Attachment H.

Peter Schroeder, Project Architect representing the Applicant, advised that the pre-application process for this application was started five months ago. He pointed out that the Interurban Trail is located just to the west of the subject property, which lies just north of 145th and west of Aurora Avenue North. He pointed out the schematic site plan that includes four buildings, and nineteen units. He noted that the underlying zoning is R-48, which is the City's most dense multi-family zoning designation. The neighborhood has been redeveloped in some areas, particularly the property that abuts the subject property to the north. At this time, there are two single-story rental houses located on the subject property, along with a few significant trees that don't work into their development plans. He summarized that the proposal is to do 19 town homes, with common walls, and the existing zoning would allow up to 26 units. The goal is to provide moderately priced housing for entry-level homeowners, which is consistent with the Comprehensive Plan goal of creating a diverse housing supply.

Mr. Schroeder advised that a neighborhood meeting was held three months ago in the community meeting room at the Library Building. One homeowner, who abuts the property to the north, shared her thoughts and concerns related to privacy and the alignment of the windows. It was determined that her property would be aligned with their open space so there would be no negative impact. They are planning to construct three-story, wood frame structures that are all one unit thick. An auto drive area would be provided between the two facing buildings, with the two main doors facing north and south. He pointed out where the pedestrian path along the property line would be located to access the front doors. All of the automobile traffic would be consolidated away from the pedestrian traffic in theory.

Mr. Schroeder summarized that the application meets all of the code requirements to this point, and they are willing to address any reasonable comments and concerns raised by the public.

Commissioner Doering asked Mr. Schroeder to provide a ballpark figure for what he would consider to be a moderate priced condominium. Mr. Schroeder said the price would be in the lower \$200,000 range. He said the units would be two-bedrooms each and about 1,000 to 1,100 square feet in size, without counting the garages and parking spaces.

Commissioner Doering inquired if guest parking space would be provided. Mr. Schroeder said the proposal meets the underlying parking requirements of two stalls per unit. There would be 38 covered stalls on site, with a little extra space for volunteer parking that could possibly be used for visitors. There could also be limited street parking.

Commissioner Kuboi inquired regarding the types and sizes of the proposed replacement trees. Mr. Schroeder reviewed that four street trees would be proposed along the front of the property. These trees would be deciduous and meet the City of Seattle's standards for frontage requirements. He said he is not familiar with the other types of trees that are being proposed, but they would be a mix of conifers and deciduous.

Commissioner Phisuthikul inquired if there would be any private open space for individual units. Mr. Schroeder answered that there would be individual open space. He noted some of the units would have on-grade yards and other units would have two decks of 72 square feet on the second and third floors. This would meet the 100 square foot requirement for private open space.

Larry Lewis, 806 North 145th Court, said he is part of the group of town homes located near the subject property. He said he received a copy of the proposed drawings (Attachment B) and noted the outline of the three town homes that were built on the corner of North 145th Court and Whitman. These town homes are not large, and the footprint of each is perhaps three times the area of the footprint of any of the 19 proposed town homes. This leads him to assume they would be very small and skinny.

Mr. Lewis said he is particularly interested in the corner of Whitman Avenue where it intersects with 145th, since this is a very dangerous traffic situation that is caused partially by the post office that is located across the street where people ignore the right turn only requirement. In addition, he said there are large, uncontrolled parking lots for the card houses that are located in the vicinity. He expressed his concern that the proposal would increase the congestion at this one intersection, which is largely uncontrolled. He said he is in favor of much greater density in every incorporated city in the Puget Sound basin and none at all in the unincorporated areas, but he is worried that the proposed development would increase a problem that is already very dangerous.

Mr. Schroeder said the applicant agrees with Exhibit H, which lists the conditions for approval. They are also in favor of approval of the proposed project. He said that perhaps the new development might be a straw on the camel's back that overloads the local street system, but they are not the sole generator of traffic. There are large, uncontrolled parking lots located in the area.

They plan to follow the recommendations and guidance of the City's Engineering Department in regards to the proposed project's prorated impact on traffic in the neighborhood. If a traffic study were required, they would do it. Mr. Schroeder said he has visited the site on numerous occasions at different hours, and it has been pretty easy to access. He suggested that one option to improve the traffic situation would be for the card businesses in the area to fix up their lots.

Mr. Lewis said the neighbors in the area would very much like the card business owners to improve their lots to provide some type of curb between the parking lot and the actual street so that people are not tempted to park in unconventional fashions. This might help some of the situations. But some of the property owners are very particular and will chase people who park in front of their property off. Also, if people get into a habit of using alternate streets, the streets might get shut down. He said that in order to get to the freeway he has to turn left. The normal light cycle at Aurora Avenue backs traffic up during most hours of the day well beyond Whitman. That means you have to be very patient or take a right and use an alternate route to get on at 130th, which is not necessarily the best option. Perhaps a street light change would help. He said he would like to see the post office provide an entrance from 145th and an exit onto Aurora Avenue.

Mr. Lewis said he would very much like to see the traffic situation in this area addressed irrespective of this particular project, at least so far as defining what Whitman is. There is one stretch near the town home that has a sidewalk that provides a definition for where the street ends, and he would like this to continue all the way down the road, so it is clear where street parking can occur.

Commissioner Piro requested that staff address any traffic improvements that are planned for either 145th or the north/south streets in that district. Mr. MacCready said there are none generated by the proposed development. Commissioner Piro summarized that as each development comes in, accompanying improvements would be made.

Commissioner MacCully recalled that in the past there has been some question about who owns what portions of 145th. Is 145th in this area owned by King County as it is in most cases? Mr. MacCready answered that the City of Seattle owns the southern half of the street, and King County owns the other half. Commissioner MacCully noted that the vicinity map (Attachment A) is not quite correct when it identifies ownership of the street. He asked if there is sidewalk along this street coming up to the beginning of the Interurban Trail. Mr. MacCready answered that there is a sidewalk, but it is in poor condition. Since it is in the right-of-way, it is not owned by the City of Shoreline. Commissioner MacCully summarized that, at this particular intersection, the Federal Government is across the street, the City of Seattle owns the sidewalk and half the street, and unincorporated King County owns the rest of the street. The City of Shoreline only starts once they get past all of these jurisdictions.

Commissioner MacCully inquired if Whitman Avenue is a dead end going north. Mr. MacCready said it stops at 149th and then connects along 149th to Aurora Avenue. Commissioner MacCully summarized that it is possible to access Aurora Avenue just four blocks down at 149th. He said he understands the traffic concerns in this area.

Commissioner Kuboi inquired if any of the permits for the card rooms have stipulations regarding overflow parking onto adjacent streets. Ms. Markle said that because these two card rooms have not expanded or intensified, there are no stipulations in place that would require them to improve the parking situation.

Commissioner Phisuthikul inquired if having a "no left turn" at the intersection of Whitman and 145th would help the situation. Mr. Lewis said the situation already forces people to go right, so requiring a right-turn only would not have any practical impact. But in the rare case when traffic is good, it would prevent him from making a left turn like he wants to.

Commissioner Hall said he couldn't tell from the staff report whether or not the tree retention plan would meet the criteria. He referred to Criteria 1, which speaks to size, shape and topography of the property. He questioned if the zoning is relevant to Criteria 1. Mr. MacCready answered that it is in the sense that because this is a small lot, the size and shape constricts what the configuration of the units can be. Commissioner Hall inquired if the subject property could be developed to a greater density as condominiums or multi-level apartments without needing the zero lot line approach. Mr. MacCready answered that there are ways to develop the property to the maximum density with a smaller building footprint, but it would be difficult because of the height restrictions. A R-48 zoned property is difficult to develop into small lots.

Commissioner Hall clarified that if an application must only meet one of the tree retention criteria in order to be granted an exception. Mr. MacCready agreed that an application does not have to meet all four of the criteria. However, in this case, staff believes that it does.

Commissioner Hall asked Mr. MacCready to explain how retaining the trees would jeopardize the reasonable use of the property. He said his understanding is that reasonable use doesn't have anything to do with target density, but has to do with the economics of the ownership of the property. Mr. MacCready answered that the reasonable use exemption would not apply in this situation because the property is not a critical area. The proposal is reasonable by the fact that a R-48 zone is earmarked for high-density and a reasonable use would be a high-density use. Staff believes the location of the existing trees would prohibit the reasonable use for that zone. Commissioner Hall suggested that the property owner could comply with the code and attain the target density of R-48 without needing an exemption from the tree retention ordinance if a different development scenario were used.

Commissioner Hall agreed that the trees are located in a difficult spot. The way the access is right now, with the road on the southern border of the property, the remaining tall trees are very close to the centerline. He inquired if the applicant reviewed any alternatives that would have protected at least some of the trees. He noted that the height and magnitude of the trees is substantial and they are part of a transition from the very urbanized Aurora Avenue to the much more residential area to the left. Mr. Schroeder said the applicant did consider the trees, and he agreed that they are significant. But the underlying zoning allows 90 percent of impervious surface, which would include all but 2,340 square feet of property. This would accommodate approximately one large tree canopy.

He said they considered the possibility of developing a single building with up to 26 units, and the dimensions of making that economical would have eliminated the trees substantially, which is what the current proposal does, as well. He emphasized that the applicant intends to reforest the site and make it attractive. Landscaping would also be provided along the frontage to improve the view.

Commissioner Hall said it appears that the Hemlock Tree sits right on the curb of the 24-foot flag road. He inquired if shifting the road five feet one way or the other would impact the plans significantly. Mr. Schroeder said they would rather participate in reforestation rather than end up encroaching into the drip line, which could ultimately kill the tree anyway. They believe the best option would be to remove the trees and replace them with new ones. He felt the proposed access would be too tight to fit in the road, the utilities and the other things that are required to connect to the 19 units.

Commissioner Doering referred to the Aurora Avenue Development that is planned for the area between 145th and 165th Streets. She inquired when this work is scheduled to begin. Ms. Markle said it is scheduled to start in about a year. Commissioner Doering inquired why kind of controlled traffic would spill out to the periphery of Aurora, and suggested that some of the traffic issues could be addressed at that time. She pointed out that the goal is to create a walkable community, with a lot of public transportation opportunities, and the proposed development fits into this concept. While she also shares Mr. Lewis' concerns about the traffic in this area, these issues could be addressed as part of the Aurora Plan. She said they particularly studied the traffic flows, especially in the area of 145th in anticipation of this type of development.

Commissioner Doering asked Mr. Schroeder if he has built projects similar to the one proposed in other locations in the area. Mr. Schroeder answered that most of their collaborative developments have been in the City of Seattle in the form of town homes, which are probably higher in density. He explained that the intent is to make the project appear to be lower density.

COMMISSIONER DOERING MOVED THAT THE COMMISSION RECOMMEND APPROVAL OF THE PROPOSED PRELIMINARY FORMAL PLAT AT 14515 WHITMAN NORTH WITH THE CONDITIONS OUTLINED BY THE STAFF. COMMISSIONER MACCULLY SECONDED THE MOTION.

Commissioner MacCully said the focus of the discussion appears to be on the transportation aspects of the project. He said he doesn't see anything in the recommended conditions for approval that has to do with a traffic analysis requirement. He inquired if this would be necessary. Ms. Markle said the project would generate an estimated 10 additional p.m. peak hour trips, and the regulations would require a traffic analysis if 20 or more p.m. peak hour trips would result. Mr. MacCready pointed out that there are currently seven units on the subject property, so there would only be twelve additional units. Commissioner MacCully suggested that the average peak trips would be 24, since there would be two cars per unit. Ms. Markle clarified that that is not the way peak hour trips are measured. She said no traffic analysis would be required for this project.

Commissioner MacCully noted that something would probably be worked out to require some form of curb, gutter and sidewalk at the south end of the property. This would link up with the sidewalk to the north. Mr. MacCready clarified that if a variance were granted, the sidewalk would link directly to the one on the north. Otherwise, there would have to be a transition. Commissioner MacCully expressed his opinion that it is ridiculous to create sidewalks that go nowhere. He said the Commission has talked before about finding some way to set aside the amount of money it would take to construct a sidewalk and put it into a pot so that the money could be applied to an area where it would make more sense.

Chair Harris said he sees this as a developing little urban area. It is located right off Aurora Avenue and there are new town homes in the vicinity. They must increase density somewhere, and this seems like a natural location.

Commissioner Hall agreed with Chair Harris. He said his questions regarding the trees were not intended as opposition to the project. He agreed that they do need to increase density. By putting it in this location, transit opportunities and sidewalks are already available. He concluded that the proposed project is consistent with the future vision for the vicinity. He also agreed that the City could not place the burden of the traffic concerns on one individual developer. The City must have a transportation plan that addresses the zoning in the Comprehensive Plan.

Commissioner Hall said he wishes they could save the trees, but as he has considered other alternatives, he sees the problems with this option. He agreed with the applicant, that even if they went to extreme measures to protect the trees, there is a good chance they would die anyway. He said he was pleased to see the replanting plan as part of the proposal.

Commissioner Hall referred to the staff's recommendation that a 6-foot dedication or easement be required. He noted that in his presentation, Mr. MacCready stated that a 12-foot amenity zone would be required. Mr. MacCready said this would be 10 feet with curb, gutter, sidewalk, etc. He said there is room for part of this to be located in the current right-of-way, but not all of it. Six feet of dedicated space would be sufficient to meet the public benefits for transportation, drainage, curb and gutter.

Commissioner Piro said he, too, considered opportunities for other configurations for the project. He said he endorses having these types of projects in and around the Aurora Corridor, but he hates to see them remove so much of the mature vegetation that is in place. He said he would vote in favor of the motion, but he is concerned that so many of these types of developments have aesthetic concerns in that the access road becomes the dominant feature on the site and the front of the buildings get left to a side treatment along a gangway. He said it would be nice to come up with more creative ways of developing access through these sites, and perhaps stagger the orientation to make the overall appearance more pleasing.

Commissioner MacCully said he realizes they are not necessarily supposed to consider the economics of proposals that come before them, but he commended the developer for going after the medium income market. There have been numerous proposals of this size or smaller with price tags that most people cannot afford. Seeing something that might be affordable as a first home for a family is reassuring.

He said he also likes the idea of the development being close to mass transportation, but he is concerned about the area through which people will have to walk to get to the sidewalks that access the bus stops. He said Whitman Avenue is well overdue for redevelopment, but the City has little control until something is redeveloped or expanded.

Commissioner Doering asked if it would be possible to place a requirement on the proposal that the applicant work with the neighborhood to come up with a neighborhood traffic study. This could be used as an avenue to address the problems that exist in the area. Mr. MacCready said he has already suggested that Mr. Lewis contact the Public Works Department regarding the possibility of setting up a neighborhood traffic study for the area. Ms. Markle said that in order to move to level 2 where they can actually obtain money to do traffic improvements, a neighborhood group must meet the criteria of having about 60 percent of the people in the neighborhood participate in the program.

Commissioner Kuboi said he trusts staff would properly prioritize the traffic problems in this area in relation to all the other traffic problems that exist in the City. Many of the problems he has heard discussed are structural in nature created by having so many intersections on top of each other. Although there might be a solution through the neighborhood traffic program, this situation might require major revisions. He suggested that perhaps the neighborhood traffic program money should be focused on projects that would do a lot more good.

Commissioner Kuboi applauded the developer for increasing the density of the development to a higher level and pricing the units accordingly to try and reach down to an economic bracket lower than a lot of other developers are shooting for. In light of the fact that density is going up in the area through redevelopment, he strongly suggested that the applicants share their ideas about some of the major architectural features with the people who will look at the development from adjacent properties. This can go a long way in making a development as neighborhood friendly as possible and mitigating the architectural impact.

Commissioner Hall said he is very happy with the proposal and the way it balances the public and private interests that are at stake. However, he suggested that the 145th street problem related to the challenge of ownership would continue to be difficult. Because there is nobody actively maintaining the sidewalk between Aurora Avenue and the Interurban Trail, the City may be setting themselves up for problems. He suggested that the safety of the people living in the newly developed homes would depend, somewhat, on this sidewalk being passable.

Commissioner Hall agreed with Commissioner MacCully regarding the issue of "sidewalks to nowhere." He suggested that the Commission hold a discussion at their retreat regarding this topic.

Commissioner Hall said he disagrees with a good portion of the staff's analysis on the issue of tree retention. While he thinks the proposal does meet Criteria 3 and qualifies for the exemption, he does not believe it would qualify under Criteria 1 or Criteria 2. The analysis appears simply to be attempting to justify the project under each criteria, which is not necessary.

He would prefer, in proposals such as this, to see explicit acknowledgement that there are alternatives to what the developer is proposing that can meet the zoning and retain the trees. However, he again emphasized that he believes the application meets Criteria 3 and Criteria 4.

Commissioner Piro agreed with Commissioner Hall regarding his analysis of reasonable use. With a different roadway configuration, it would be possible to save some of the trees. He agreed that staff should be more creative and attentive to this in the future.

Commissioner Piro said that in light of the problems that exist along 145th, he is planning to introduce the idea of having an on-going discussion on this topic as part of new business on the agenda.

THE MOTION CARRIED UNANIMOUSLY

7. REPORTS OF COMMISSIONERS

Commissioner Piro distributed a product that was put together by the Puget Sound Regional Council as part of implementation of the regional transportation strategy. He specifically referred to the design guide manual, which shows how the ten physical design principals that are incorporated into the regional strategies have been applied in some of the communities that have formally designated regional growth centers. There is an expectation that cities that have made the policy commitment to have these concentrated areas for growth should follow the ten guidelines. There is also the expectation that other communities work with the guidelines and principals, as well. He said that in light of some of the discussion related to the Central Aurora Corridor and the Gateway Plaza Project, he felt this would be a useful piece for the Commission to look at. He said that Shoreline's failure to look at some of the mixed-use development options makes them very remote and on the other end of the spectrum from cities that are doing very innovative things.

Commissioner MacCully said the Commission should be conscious that the growth projections for the City indicate they need to add 100 housing units per year, and the proposal that was just reviewed would take care of 20 percent of this increase. The Commission has known all along that there is a combination of types of housing development (cottage housing, single-family, apartments, etc.): He suggested that there might be some value for the Commission to receive some type of report from the staff to indicate how well the City is meeting their population growth projections, since this could have an impact on future Commission discussions. Ms. Markle said staff could forward the weekly report that is generated by staff to identify the permits that have been issued.

Commissioner Phisuthikul reported that he attended the City Council Meeting of June 28th, and he was particularly interested to hear about the Gateway Plaza Project. He said it appears that it will be put upon the Commission to approve conceptually whether or not the road can be vacated. However, they will not really look at all of the options that are being proposed. The City Council approved a work plan, and the top priority goal was to work towards completion of the Aurora Corridor and Interurban Trail Projects. The goal of the Aurora Corridor Project is to beautify, slow down the speed and add sidewalks. On one hand, the goal is to segregate the automobile and pedestrian uses. On the other hand the goal is to encourage pedestrian activity in and around the Gateway Plaza.