

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Adoption of Ordinance No. 499, rezoning the properties located at 16520, 16522, 16526, 16532, and 16538 Linden Avenue North from R-8 to R-24
File No. 201699

DEPARTMENT: Planning and Development Services

PRESENTED BY: Joseph W. Tovar, FAICP, Director
Steven Szafran, AICP, Associate Planner

PROBLEM/ISSUE STATEMENT:

The issue before the City Council is a Site Specific Rezone for five parcels located at 16520, 16522, 16526, 16532, and 16538 Linden Avenue North. The applicant has requested R-48 zoning for the subject parcels. The Planning Commission recommends that the parcels be rezoned from R-8 (Residential 8 dwelling units per acre) to R-24 (Residential 24 dwelling units per acre).

A rezone of property in single ownership is a Quasi-Judicial decision of the Council. An open record public hearing was conducted before the Planning Commission on March 6, 2008 and the Planning Commission entered its Findings, Conclusion and Recommendation in support of the rezone after receiving public testimony. Council's review must be based upon the Planning Commission's written record and no new testimony may be accepted.

ALTERNATIVES ANALYZED: The following options are within Council's discretion and have been analyzed by staff:

- The Council could adopt the zoning recommended by the Planning Commission and Staff (a rezone from R-8 to R-24).
- The Council could adopt the zoning requested by the applicant (a rezone from R-8 to R-48)
- The Council could deny the request, leaving the zoning at R-8.
- The Council could remand the request back to the Planning Commission for additional review and analysis on specified criteria.

FINANCIAL IMPACTS:

- There are no direct financial impacts to the City.

RECOMMENDATION

The Planning Commission and Staff recommend that Council adopt Ordinance No. 499, (**Attachment A**) thereby approving the rezoning from R-8 to R-24 of five parcels located at 16520, 16522, 16526, 16532, and 16538 Linden Avenue North.

Approved By: City Manager  City Attorney Fpc

INTRODUCTION

The quasi-judicial action item before the Council is a request to change the zoning of five parcels at 16520, 16522, 16526, 16532, and 16538 Linden Avenue North from R-8 to R-24.

A public hearing before the Planning Commission occurred on March 6, 2008. The Planning Commission unanimously voted in approval of the rezone to R-24. The Planning Commission Findings, Conclusion and Recommendation are attached as **Exhibit A to Attachment A**.

BACKGROUND

In 1998 the City of Shoreline adopted its first Comprehensive Plan. This document includes a map that identifies future land use patterns by assigning each area a land use designation. The five subject parcels have a land use designation of Mixed Use. All of the surrounding parcels to the north, south, and east have a land use designation of Mixed Use. Parcels to the west have a land use designation of Low Density Residential. The Comprehensive Plan Land Use Map is included as **Attachment B**.

The subject parcels are zoned R-8. Appropriate zoning designations for the parcels' current land use designations of Mixed Use include R-8 through R-48. Mixed Use also allows for all commercial and industrial zoning categories.

The parcels to the west have current zoning designations of R-6. Most of these parcels are developed with single-family homes and the Richmond Highlands Park is also immediately to the west. Parcels to the north are zoned R-8 and developed with single-family homes, parcels to the east are zoned Regional Business and developed with commercial business that include Uhaul, Mann's Welding and Central Trailer Exchange. Parcels to the south are zoned R-12 and R-18 and developed with townhomes. The zoning map is included as **Attachment C**.

Four of the parcels subject to the rezone are developed with single-family homes with one of the parcels being developed as a duplex. A majority of the structures on the five parcels are used as rental housing.

APPLICATION PROCESS

The application process for this project began on August 7, 2007, when the applicant held a pre-application meeting with city staff. A neighborhood meeting was held on August 27, 2007 with property owners within 500 feet of the proposed rezone. The formal application was submitted to the city on December 7, 2007 and was determined complete on December 20, 2007.

The requisite public hearing was held before the Planning Commission on March 6, 2008. After deliberation, the Planning Commission recommended approval of the rezone to R-24.

PUBLIC COMMENT

The City received 1 comment letter during the required comment period regarding the rezone. At the public hearing before the Planning Commission 4 people commented on the rezoning proposal with all 4 in support of staff's recommended zoning of R-24. The public comment letter is included as **Attachment D**.

PLANNING COMMISSION RECOMMENDATION: Rezone five parcels from R-8 to R-24

The applicant has requested that the subject parcels be rezoned to R-48. The Planning Commission in its Findings and Determination found that a rezone to R-24 has been evaluated and found to be more consistent with the rezone decision criteria than R-48, listed below, provided in Section 20.30.320(B) of the Development Code.

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

The above zoning decision criteria was evaluated at length in the Planning Commission Findings and Determinations included as **Exhibit A to Attachment A**.

OPTIONS FOR CITY COUNCIL

The options available to the City Council are:

- The Council could adopt the zoning recommended by the Planning Commission and Staff (a rezone from R-8 to R-24).
- The Council could adopt the zoning requested by the applicant (a rezone from R-8 to R-48)
- The Council could deny the request, leaving the zoning at R-8.
- The Council could remand the request back to the Planning Commission for additional review and analysis on specified criteria.

RECOMMENDATION

The Planning Commission and Staff recommend that Council adopt Ordinance No. 499, (**Attachment A**) thereby approving the rezone from R-8 to R-24 of five parcel located at 16520, 16522, 16526, 16532, and 16538 Linden Avenue North.

ATTACHMENTS

Attachment A: Ordinance No. 499

Exhibit A: Planning Commission Findings and Determination- March 6, 2008

Exhibit B: Zoning Map (with proposed zoning designation)
Attachment B: Comprehensive Plan Map
Attachment C: Zoning Map
Attachment D: Public Comment Letter
Attachment E: Neighborhood Meeting Notes
Attachment F: Traffic Study
Attachment G: Planning Commission Minutes- March 6, 2008

ORDINANCE NO. 499

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON AMENDING THE CITY'S ZONING MAP TO CHANGE THE ZONING FROM R-8 (RESIDENTIAL, 8 UNITS PER ACRE) TO R-24 (RESIDENTIAL, 24 UNITS PER ACRE) FOR THE PROPERTIES LOCATED 16520, 16522, 16526, 16532, AND 16538 LINDEN AVENUE NORTH (PARCEL NOS. 0726049128, 0726049319, 0726049278, 0726049129, AND 0726049127)

WHEREAS, the subject properties, located at 16520, 16522, 16526, 16532, and 16538 Linden Avenue North are zoned R-8, Residential, 8 units per acre; and

WHEREAS, the owners of the properties have applied to rezone the properties to R-48, Residential, 48 units per acre; and

WHEREAS, the Planning Commission considered the application for zone change at a public hearing on March 6, 2008, and has recommended the properties be rezoned to R-24; and

WHEREAS, the rezone of the properties to R-24 or R-48 is consistent with the Comprehensive Plan land use designations of High Density Residential; and

WHEREAS, a Determination of Non-Significance has been issued for the proposal pursuant to the State Environmental Policy Act; and

WHEREAS, the City Council concurs with the Findings and Recommendation of the Planning Commission and determines that the rezone of the properties should be approved to provide for a mix of predominately apartment and townhouse dwelling units and other compatible uses consistent with the goals and policies of the City's Comprehensive Plan;

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

Section 1. Findings. The Planning Commission's Findings and Recommendation to approve rezone of the parcels, attached hereto as Exhibit A, are hereby adopted.

Section 2. Amendment to Zoning Map. The Official Zoning Map of the City of Shoreline is hereby amended to change the zoning classification of those certain properties described as follows:

Parcel No. 0726049128: LOT 2 OF KC SP #788021 REC #9008220833 SD SP DAF - POR OF SE 1/4 OF SE 1/4 OF SW 1/4 BAAP 203 FT E & 220 FT S OF NW COR OF SD SUBD TH S PLW WLY LN OF SD SUBD 117.50 FT TO POB TH CONT S PLW SD WLY LN

143 FT TH W PLW N LN OF SD SUBD 198 FT TH N PLW SD WLY LN 143 FT TH E
198 FT TO POB;

Parcel No. 0726049319: LOT 3 OF KCSP #788021 REC #9008220833 SD SP DAF - POR
OF SE 1/4 OF SE 1/4 OF SW 1/4 BAAP 203 FT E & 220 FT S OF NW COR OF SD SUBD
TH S PLW WLY LN OF SD SUBD 117.50 FT TO POB TH CONT S PLW SD WLY LN
143 FT TH W PLW N LN OF SD SUBD 198 FT TH N PLW SD WLY LN 143 FT TH E
198 FT TO POB;

Parcel No. 0726049278: LOT 1 OF KC SP #788021 REC #9008220833 SD SP DAF - POR
OF SE 1/4 OF SE 1/4 OF SW 1/4 BAAP 203 FT E & 220 FT S OF NW COR OF SD SUBD
TH S PLW WLY LN OF SD SUBD 117.50 FT TO POB TH CONT S PLW SD WLY LN
143 FT TH W PLW N LN OF SD SUBD 198 FT TH N PLW SD WLY LN 143 FT TH E
198 FT TO POB;

Parcel No. 0726049129: N 67.5 FT OF S 400.5 FT OF E 198 FT OF W 203 FT OF SE 1/4
OF SE 1/4 OF SW 1/4 ESMT W 20 FT FOR RD;

Parcel No. 0726049127: S 70 FT OF E 198 FT OF FOLG N 270 FT OF W 203 FT OF SE
1/4 OF SE 1/4 OF SW 1/4)

and depicted in Exhibit B attached hereto, from R-8, Residential, 8 units per acre to R-24,
Residential, 24 units per acre.

Section 3. Effective Date and Publication. 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 APRIL 14, 2008.

Cindy Ryu, Mayor

ATTEST:

APPROVED AS TO FORM:

Scott Passey
City Clerk

Ian Sievers
City Attorney

Date of Publication:
Effective Date:

**CITY OF SHORELINE
PLANNING COMMISSION**

FINDINGS, CONCLUSIONS AND RECOMMENDATION

PROJECT INFORMATION SUMMARY

Project Description: Change the zoning of five parcels from R-8 to R-48 for future development.

Project File Number: 201699

Project Address: 16520, 16522, 16526, 16532, and 16538 Linden Avenue North, Shoreline, WA 98133

Property Owner: Mike Matulovich (authorized agent).

SEPA Threshold: Determination of Non-Significance (DNS)

Staff Recommendation: Recommend approval of the rezone of five parcels to R-24.

Date of Public Hearing: March 6, 2008

INTRODUCTION

The owners of the five parcels are requesting the zoning be changed on five separate parcels from R-8 to R-48. The rezone will facilitate the development of additional residential units as well as to provide a more suitable transition between commercial businesses to the east and low-density single family homes to the west. The subject parcels in question are located adjacent (share a property line) to businesses that front on Aurora Avenue (Mann's Welding, Central Trailer Exchange, Uhaul) and are zoned Regional Business.

Staff has reviewed the application and recommends a rezone to R-24 which is a less intense zoning designation than the one proposed by the applicant.

FINDINGS OF FACT

Current Development

1. The subject parcels are located at 16520, 16522, 16526, 16532, and 16538 Linden Avenue North.
2. The individual parcels range in size from 7,481 to 13,860 and have a total land area of the rezone is 53,020 square feet. The parcels are developed with a 4 single-family homes and one duplex. All of the parcels are zoned R-8. All of the subject parcels have a Comprehensive Plan Land Use designation of Mixed Use ("MU"). See **Attachment 1** for surrounding Comprehensive Plan designations and **Attachment 2** for surrounding zoning designations.

3. If the request is approved, the combined development potential of the 5 sites is 58 units dwelling units (R-48 zoning).
4. There are no existing sidewalks along Linden Avenue North adjacent to the subject properties. Right-of-way improvements are required when the applicant applies for building permits and include sidewalk, street lighting and curb and gutters.

Proposal

5. The applicant proposes to rezone the parcels from R-8 to R-48.
6. A pre-application meeting was held with the applicant and City staff on August 7, 2007, the applicant held the requisite neighborhood meeting on August 27, 2007, and a Public Notice of Application was posted at the site.
7. Comments received at the neighborhood meeting included the following topics (**Attachment 4**):
 - Traffic
 - Property values and taxes
 - Spill-over parking
 - Apartments and neighborhood character
 - Landscaping
8. Advertisements were placed in the Seattle Times and Shoreline Enterprise, and notices were mailed to property owners within 500 feet of the site on December 19, 2007 for the Notice of Application. The Notice of Public Hearing and SEPA Determination were posted at the site, advertisements were placed in the Seattle Times and Shoreline Enterprise, and notices were mailed to property owners within 500 feet of the site on January 30, 2008. Public comment letters can be found in **Attachment 3**.
9. The Planning Department issued a SEPA Determination of Non-Significance and notice of public hearing on the proposal on January 30, 2008. The DNS was not appealed.
10. An open record public hearing was held by the Planning Commission for the City of Shoreline on March 6, 2008.
11. The City's Long Range Planner, Steven Cohn, and Associate Planner, Steve Szafran, have reviewed the proposal and recommend that the parcels be rezoned to R-24.

Comprehensive Plan Land Use Designations.

12. All of the surrounding parcels to the north, south and east have a Comprehensive Plan Land Use designation of Mixed Use. (See Attachment 2). Parcels to the west, across Linden Ave N, have a land use designation of Low Density Residential and Public Open Space.
13. The Comprehensive Plan describes Mixed Use as “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.
14. The Comprehensive Plan describes Low Density Residential as “areas currently developed with predominately single family detached dwellings”.

Current Zoning

15. The subject parcels are currently zoned R-8. The subject parcels are developed with 4 single-family homes and one duplex. Most of the units are renter-occupied. Parcels to the north are zoned R-8 and R-18 and developed with three single-family homes and two fourplex's. Parcels to the south are zoned R-12 and R-18 and developed with townhomes. To the east are parcels zoned RB and developed with a variety of commercial uses. Parcels on the west side of Linden Ave N are predominately developed with single family homes zoned R-6 with a public park (Richmond Highlands park) zoned R-6 as well.
16. The purpose of R-8 zones, as set forth in Shoreline Municipal Code 20.40.030, is to “provide for a mix of single-family homes, duplexes, triplexes, townhouses, and community facilities, in a manner that provides for additional density at a modest scale.”
17. The purpose of R-24 and R-48 zones, as set forth in Shoreline Municipal Code 20.40.030, is to “provide for a mix of predominately apartment and townhouse dwelling units and other compatible uses.”

Proposed Zoning

18. Under SMC 20.30.060, a rezone is Type C action, decided by the City Council upon recommendation by the Planning Commission. The decision criteria for deciding a rezone, as set forth in SMC 20.30.320, are:
 - The rezone is consistent with the Comprehensive Plan; and
 - The rezone will not adversely affect the public health, safety or general welfare; and
 - The rezone is warranted in order to achieve consistency with the Comprehensive Plan; and
 - The rezone will not be materially detrimental to uses or property in the immediate vicinity of the subject rezone; and

- The rezone has merit and value for the community.

19. The purpose of an R-48 zoning district, as set forth in the Shoreline Municipal Code 20.40.030, is to "provide for a mix of predominately apartment and townhouse dwelling units and other compatible uses." The R-24 zoning category allows all residential land uses, including detached single-family dwelling units (if a Conditional Use Permit is secured).

Impacts of the Zone Change

20. The following table outlines the development standards for the current zoning (R-8), the staff recommended zoning (R-24), and the most intense zoning allowed under the Comprehensive Plan (R-48):

	R-8 (Current)	R-24	R-48
Front Yard Setback	10'	10'	10'
Side Yard Setback	5'	5'	5'
Rear Yard Setback	5'	5'	5'
Building Coverage	55%	70%	70%
Max. Impervious Surface	75%	85%	90%
Height	35'	35'(40' with pitched roof)	35'(40' with pitched roof)
Density (residential development)	8 du/ac	24 du/ac	48 du/ac
Maximum # of units	10	29	58

CONCLUSIONS

1. The purpose of a rezone is to provide a mechanism to make changes to a zoning classification, conditions or concomitant agreement applicable to property. Rezone criteria must be established by substantial evidence.
2. The notice and meeting requirements set out in SMC 20.30 for a Type C action have all been met in this case.

Staff reviewed the rezone criteria and recommends that a higher density zoning designation is warranted. In its review, staff concluded that an R-24 zoning designation is

more appropriate for the subject properties than an R-48 zone. Staff's analysis is reflected below:

Rezone criteria

REZONE CRITERIA 1: Is the rezone consistent with the Comprehensive Plan?

3. The rezone complies with the following Comprehensive Plan Goals and Policies:

Land Use

- Land Use Element Goal I - Ensure that the land use pattern of the City encourages needed, diverse, and creative development, protects existing uses, safeguards the environment, reduces sprawl, promotes efficient use of land, encourages alternative modes of transportation and helps maintain Shoreline's sense of community.
- Land Use Element Goal III - Encourage a variety of quality housing opportunities and appropriate infrastructure suitable for the needs of Shoreline's present and future residents.
- LU14 – The Mixed Use designation creates a transition between high intensity uses (commercial) to lower intensity residential uses.

Housing Goals

- Goals HI, HII, and HIII – Provide sufficient development capacity, pursue opportunities to develop housing for all economic segments of the community, and maintain and enhance multi-family residential neighborhoods with new development that is compatible with the neighborhood and provides effective transitions between different uses.
- H1 and H5 – Increase housing opportunities that is compatible with the character of existing residential and require new residential development to meet the minimum density as allowed in each zone.
- H24, H27 and H28 – Promote first time home ownership, anticipate future restoration needs of older neighborhoods and assure that design guidelines create effective transitions.

Transportation Goals

- TI, TIII, TIV, TVI, and TVII – These transportation goals speak to safe and friendly streets, access to transit, livability and safety of residential neighborhoods, and encouragement of use of alternative modes of transportation.

- T17, T26, T27, and T29- These transportation policies speak to minimizing traffic on local streets and installing sidewalks for new construction projects to improve pedestrian safety.
- T45 – Reduce speeds and cut-through traffic on local streets while maintaining connectivity to the transportation system.

The R-48 (proposed) rezone proposal is consistent with all of the above Comprehensive Plan Land Use Element Goals and Policies because more intense residential zoning is consistent with the Mixed Use designation and would act as a transition between commercial and lower density residential uses.

However, an R-24 zone (staff recommendation) would allow greater development intensity than the current zoning and be more compatible with the already constructed condo/townhome developments to the south and northwest. The current R-8 zoning category is consistent with the Mixed Use designation; however, the existing detached single-family homes on these sites are not as appropriate a transition to the intense commercial businesses fronting on Aurora Avenue as a multifamily development would be.

R-24 provides a better transition between commercial uses to the east and low-density single-family residential to the west across Linden Ave than does R-8. This section of Linden Avenue, between N 165th and N 170th, is classified as a local street and should reflect densities that are appropriate for these types of street sections.

The difference in unit count between R-48 and R-24 is substantial. 58 units are allowed in the R-48 zone and 29 units are allowed in the R-24 zoning category. Since the development standards for R24 and R-48 are similar, the major impact will be the additional traffic generated by the units (see response to criteria 4).

Rezoning the parcels to R-24 is consistent with the Comprehensive Plan as it would allow more intense residential uses, and is supported by land use, housing, transportation and community design/transition goals of the Comprehensive Plan.

REZONE CRITERIA 2: Will the rezone adversely affect the public health, safety or general welfare?

4. Staff believes the rezone and associated future development will positively affect the neighborhoods general welfare. A rezone to R-24 (staff recommendation), will result in an effective transition from commercial uses on Aurora Ave to high density residential uses to low density residential.
5. New development requires improvements to access and circulation through curb and gutters, sidewalks and street frontage landscaping. Allowing this rezone and new development in general improves public health, safety and general welfare.

In addition, the City has plans for drainage upgrades in front of the applicants' property. By improving the way surface water moves in and around these sites, existing drainage problems in the area will be solved.

REZONE CRITERIA 3: Is the rezone warranted in order to achieve consistency with the Comprehensive Plan?

6. R-8 (current), R-24 (recommended), and R-48 (proposed) zoning maintains consistency with the Mixed Use designation in the Comprehensive Plan. However, as staff reviews the Plan's policies for additional direction, we conclude that the Comprehensive Plan envisions a transition from high intensity commercial zoning along Aurora Ave to lower densities as you transition to the west. The proposal for R-24 meets this long term vision for the area as higher residential densities are expected within this transitioning area and are appropriate between commercial uses and low-density homes.

REZONE CRITERIA 4: Will the rezone be materially detrimental to uses or property in the immediate vicinity of the subject rezone?

After reviewing the information submitted by the applicant, staff concludes that the proposed rezone will not have a negative impact to the existing single-family properties in terms of traffic or drainage.

7. The applicant submitted a traffic report (Attachment 5) evaluating an additional 58 units. Approximately 25 new p.m. peak hour trips would be added with an additional 293 daily trips added. These numbers are based on an R-48 zoning. Staff is recommending an R-24 zoning so potential car trips will be less than the traffic report mentioned.
8. The City is planning on making drainage improvements to Linden Ave N. between N 165th and N 167th. These improvements will correct drainage problems that have occurred in the past.
9. Under the current codes, townhomes as well as single-family homes may be 35 feet in height (40 feet with pitched roofs in the R-24 zone). This rezone could potentially add 53 additional units (5 units exist now, current zoning will allow 10 units; an R-24 would add 24 units and the requested R-48 rezone would permit up to 58 units).
10. An increase in additional units envisioned by an R-24 zoning designation is not detrimental to the property in the vicinity because appropriate infrastructure is or will be in place, the zoning will provide a reasonable transition between commercial and existing low density residential uses, and new development will provide amenities such as curb, gutter, and sidewalk improvements.

A DNS has been issued, and no environmental issues remain.

REZONE CRITERIA #5: Will the rezone have merit and value for the community?

Staff has reviewed the applicant's materials and believes that the issues raised in the past have been adequately addressed.

- By rezoning 5 lots the Commission will be implementing the vision that has been adopted and avoid the site by site rezoning that has occurred in the past;
- Drainage and traffic issues have been analyzed -drainage issues will be corrected by City improvement project and traffic impacts can be handled by the existing infrastructure.
- This rezone will encourage redevelopment of the area in accordance with the existing Comprehensive Plan designation of MU.
- Appropriate transition requirements, specifically density, are being employed to address proximity to intense commercial uses and transitions from multi-family uses to low-density single-family uses to the west.

RECOMMENDATION

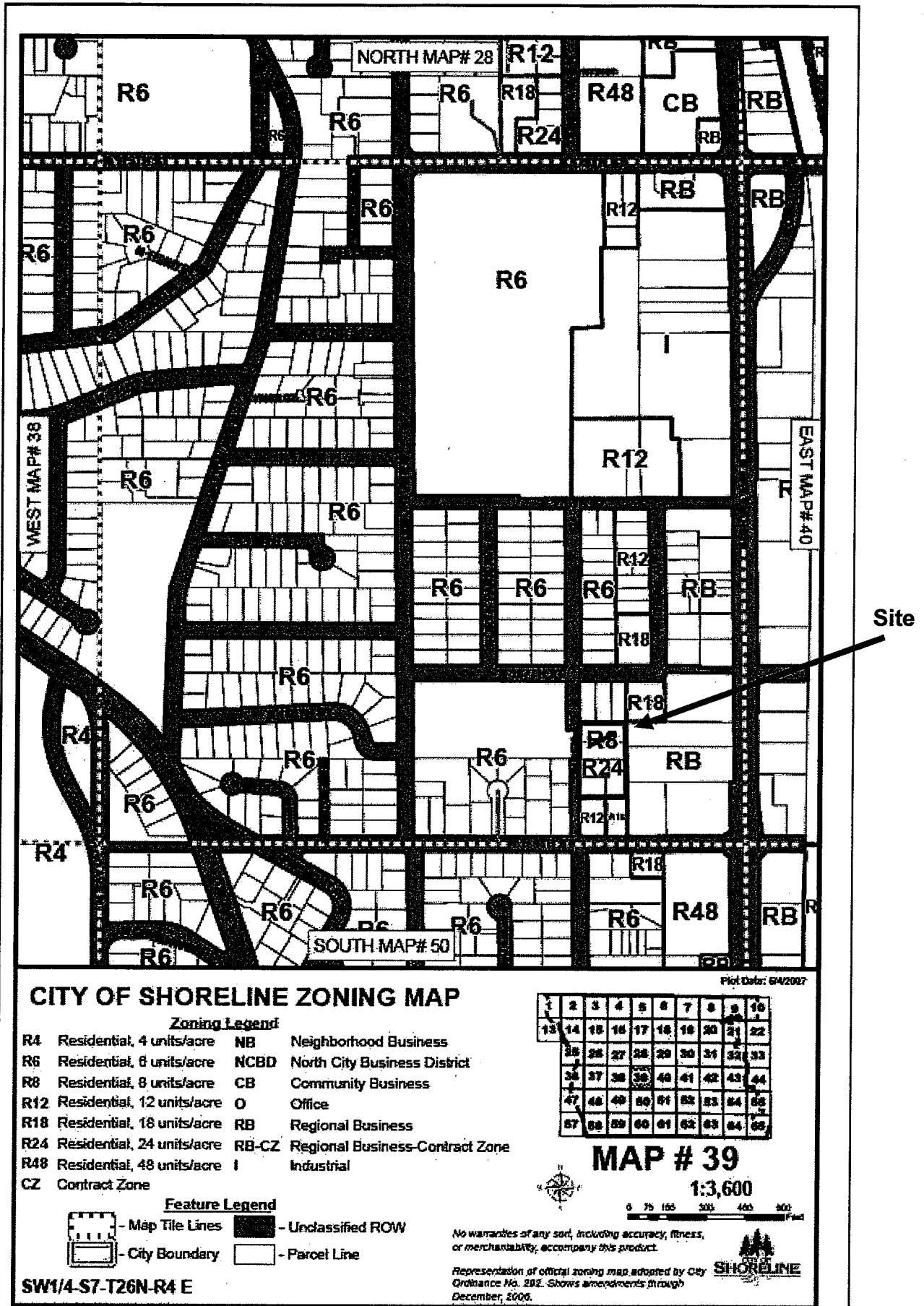
The Planning Commission recommends that the City Council approve a rezone of 5 parcels at 16520, 16522, 16526, 16532, and 16538 Linden Avenue North, Shoreline, WA 98133 from R-8 to R-24.

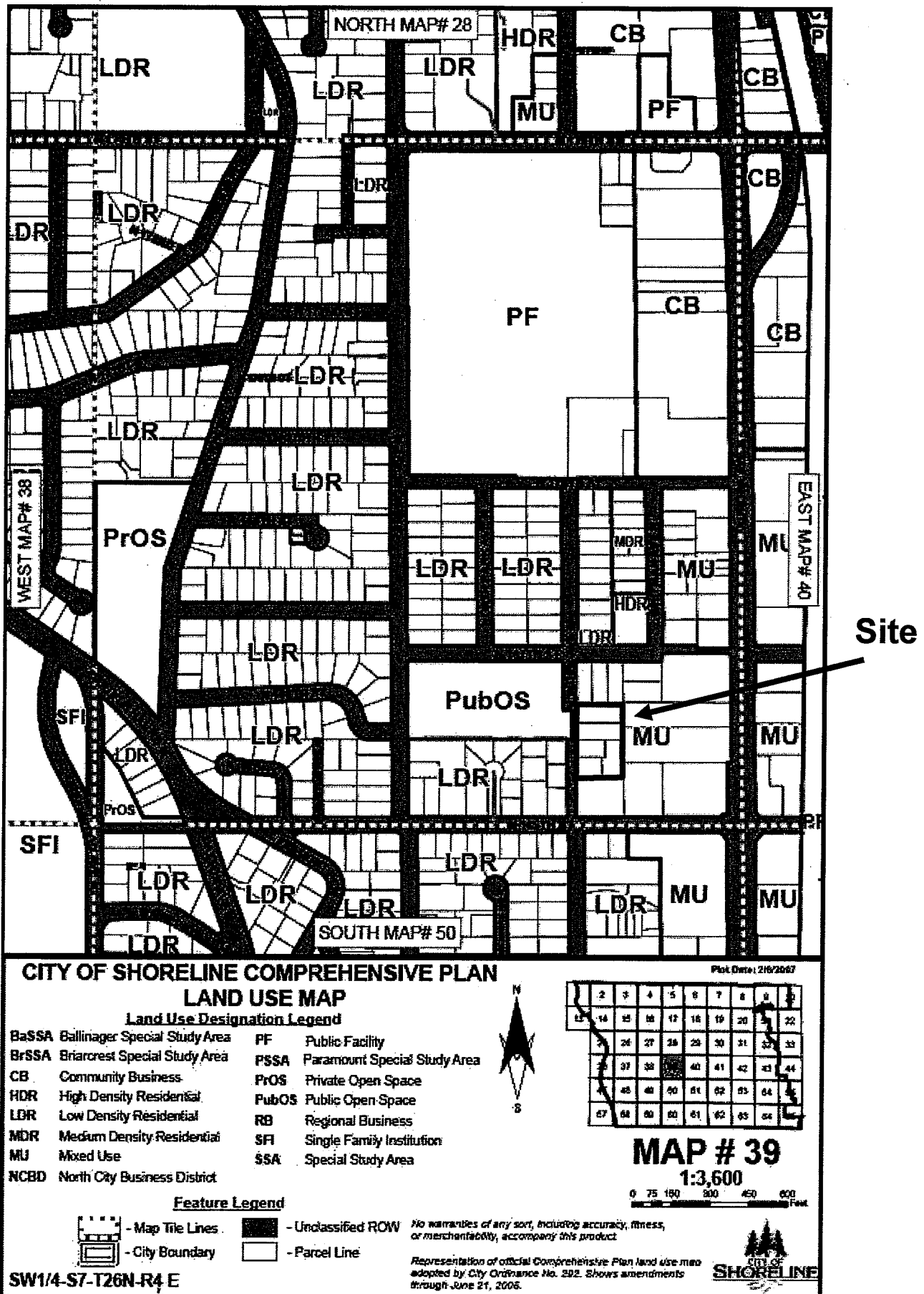
Date: 25 MARCH 2008

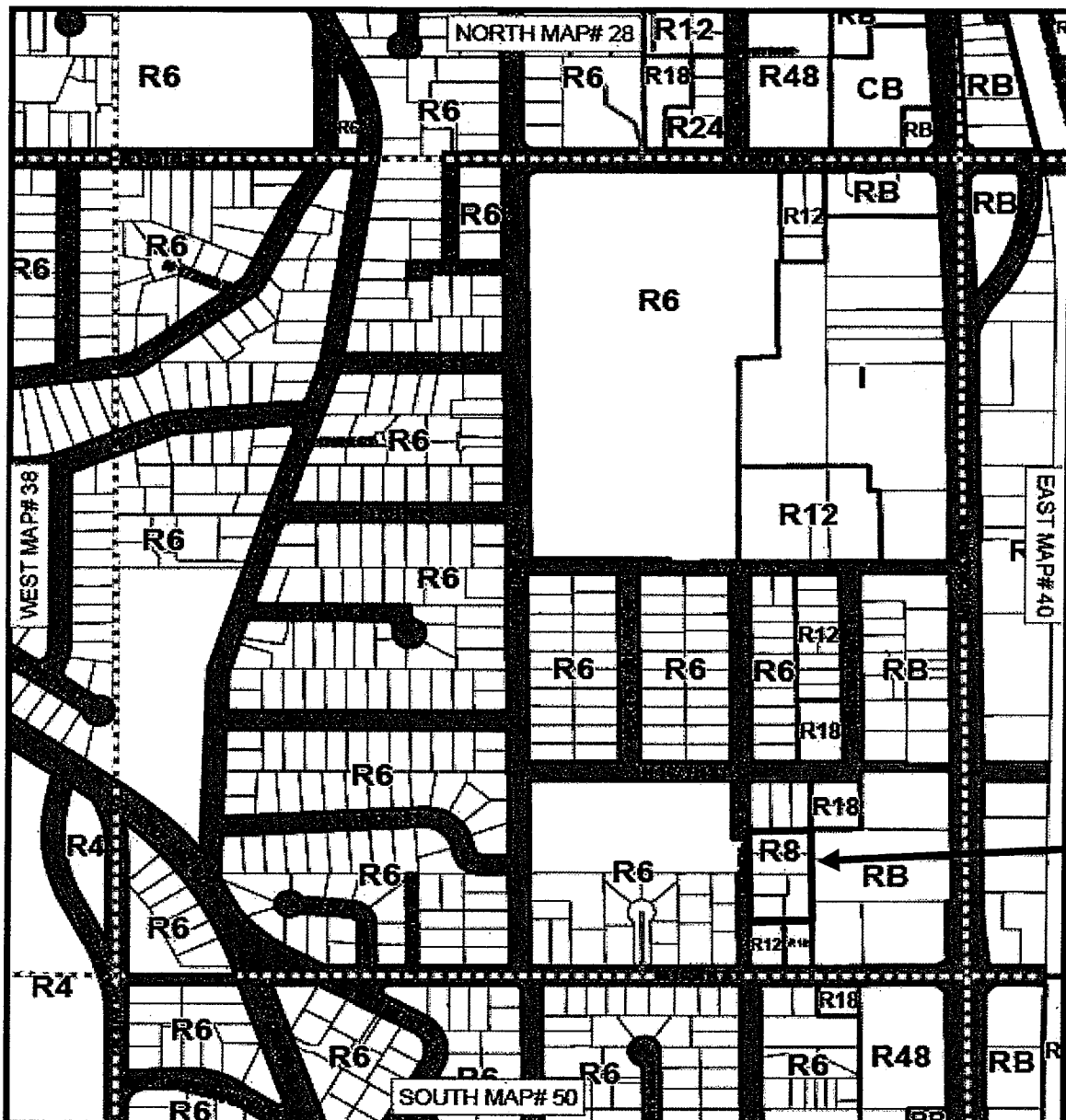
By: Nicky Rao
Planning Commission Chair

ATTACHMENTS

- Attachment 1 - Comprehensive Plan Map
- Attachment 2 - Zoning Map
- Attachment 3 - Public Comment Letter
- Attachment 4 - Neighborhood Meeting Notes
- Attachment 5 - Traffic Study







CITY OF SHORELINE ZONING MAP

Plot Date: 6/4/2007

Zoning Legend

R4	Residential, 4 units/acre	NB	Neighborhood Business
R6	Residential, 6 units/acre	NCBD	North City Business District
R8	Residential, 8 units/acre	CB	Community Business
R12	Residential, 12 units/acre	O	Office
R18	Residential, 18 units/acre	RB	Regional Business
R24	Residential, 24 units/acre	RB-CZ	Regional Business-Contract Zone
R48	Residential, 48 units/acre	I	Industrial
CZ	Contract Zone		

Feature Legend

	- Map Tile Lines		- Unclassified ROW
	- City Boundary		- Parcel Line

SW1/4-S7-T26N-R4 E

1	2	3	4	5	6	7	8	9	10
11	12	13	14	15	16	17	18	19	20
21	22	23	24	25	26	27	28	29	30
31	32	33	34	35	36	37	38	39	40
41	42	43	44	45	46	47	48	49	50
51	52	53	54	55	56	57	58	59	60
61	62	63	64	65	66	67	68	69	70

MAP # 39

1:3,600

0 75 150 300 450 600 Feet

No warranties of any sort, including accuracy, fitness, or merchantability, accompany this product.

Representation of official zoning map adopted by City Ordinance No. 292. Shows amendments through December, 2006.



Steve Szafran

From: annaguerrero@comcast.net
Sent: Wednesday, January 09, 2008 2:45 PM
To: Steve Szafran
Cc: annaguerrero@comcast.net; guerrero.m@comcast.net
Subject: Linden Avenue Zone Change

Dear Mr Szafran,

I would like to send my official comment in for the proposed zone change from R-8 to R-48 application # 201699. My name is Anna Guerrero and I am located at 16710 Linden Ave North and I was at the proposal meeting we had in September.

I am EXTREMELY concerned for this amount of increase in zoning that would allow such a large number of units and traffic here in our neighborhood but specifically on our street. I understand that none of the applicants do live or have ever lived on this street and they cannot imagine the impact that our street has from the park and all of the activities there (baseball, little league, and soccer from the community, baseball school and the high school). We also have on our block a five block road that leads straight to the high school parking lot and is zooming with high schoolers before school, during lunch and after school. I am constantly calling the school to complain about the speed and amount of people that are just walking up and down the street everyday not even moving to the side for me to drive through. I cannot imagine adding 48 residences to the mess the street already is.

I am also concerned for the impact this will have on my property value as the people that do not live here and are not suffering the consequences line their pockets with money that just melted from my house value. I do not believe that I live in a neighborhood that has the highest housing prices in Shoreline but I do believe that it is mainly a single family residence neighborhood and attracts people that are looking for that sort of an environment. How am I to be compensated when my house value falls because of their gain? Lower taxes? I doubt it. And how am I to know that they will not be bought out by a large developer and the whole thing will be amass down the street with no appeal. I have no guarantee and that is frustrating as a home owner that has worked so hard to make something out of my house with upgrades that I may never get my money back on.

My third and final thought is that I have two small children that I would like to raise in a safe neighborhood. This past year our block worked night and day to have a home owner that had moved in and was selling drugs and prostitutes removed by the city. We called 911 daily, multiple times a day, so much that the operators knew the house # as soon as we said Linden. We have worked so hard to have this be a family friendly neighborhood despite the above mentioned traffic and to see that washed away by persons that do not live here and cannot understand what we just fought through is heartbreaking. Our street is now safe for our children and neighbors come out and talk to each other as single family residence neighborhoods do. To add 48 residences, traffic, maybe they are all rentals and have no investment into their property, maybe they are even drug dealers again, is just disappointing and unfair to us, the residents that have been here for years.

Thank you for your time in reading my comments and I hope this will help curb your decision in changing this zoning. I will certainly be at the hearing and will hope to hear that the answer after hearing our neighborhood speak is a definite NO to zone R48. I would also be happy to give my verbal opinion at the hearing if it would help to sway the council or they are looking for that sort of report.

Sincerely,

Anna Guerrero
 16710 Linden Ave N
 Shoreline, WA 98133

JOE FARRIS	16739 Linden Ave N. ✓
DAVE JACKSON	16723 WHITMAN AVE N. ✓
B. J. Covey	16731 Whitman Ave N. ✓
Paullette Coulter	16720 LINDEN AVE N. ✓
Tack Noble	746 N 165th St ✓
Sunny Melchert	16751 Linden Ave. N. ✓
Candy Hamel	16723 Whitman Ave N. ✓
Oliver Mond	16715 Linden Ave N. ✓
Anna Guerrero	16710 Linden Ave N. ✓

Traffic - will there be too much,
For area? - We will
be having a traffic impact
Study done

Property Values - will property values
go down? Improvements
to area should improve
value

Parking - where will all these people
park? the city has guidelines
for parking with new construction

Landscaping - low building requirements.
we don't have a building
plan right now, but we
aren't looking to be a
negative eye sore on the
neighborhood

Apartments? - Low income housing?
Crime? Drugs? Property values?

No one wants Apartments
with crime and Drugs or
Property values to go down.
We have no building plan
now but that would be something
no one would want including
us.

Taxes Going up? - Property taxes
Would be payed by
the new residence of
the proposed property,
which would generate
new revenue and possibly
level load property taxes

other Zoning in area - People were shown a Map
of other Zoning in area.

neighbor hood

- how will this change
our family orientated
neighborhood? We all either
grew up or have been long
time residence of this area.
We know what a great family
place it is and wouldn't
want to change that.



Transportation Engineering NorthWest, LLC

Memorandum

DATE: November 28, 2007

TO: Robert Koo, Owner

FROM: Michael J. Read, P.E.
Transportation Engineering Northwest, LLC

RE: Linden Avenue N Rezone of Existing Residential Properties – Traffic Analysis

This memorandum outlines a preliminary traffic analysis of the potential rezone of five existing residential properties from R-8 to R-48 along Linden Avenue N north of N 165th Street in Shoreline, WA. The analysis was performed to address typical weekday daily impacts to existing streets serving the site, namely Linden Avenue N, N 170th Street, and N 165th Street in the immediate vicinity.

In general, the residential properties are located in a vicinity west of the Aurora Avenue N corridor that was recently enhanced to provide a continuous boulevard treatment and access management control. In the vicinity are public park uses, Shoreline Community College, the Westminster Retail Center, and various commercial uses fronting Aurora Avenue N.

Existing Traffic Volumes

Recent daily traffic volumes collected by the City of Shoreline in 2006 were reviewed on streets that serve as access to these residential properties. As shown in **Attachment A**, existing average weekday daily traffic (AWDT) volumes range from approximately 700 AWDT on Linden Avenue to over 1,900 AWDT on N 170th Street east of the site.

Rezone Trip Generation Potential

Currently, there are 5 residential units located on the five residential properties under consideration for a rezone. Under the rezone request, up to 58 total residential units could be developed on the properties under R48 on the 1.21 acres. For the purposes of evaluating potential increases in trip generation from these properties, redeveloped residential uses were assumed as townhome/condominiums.

As shown in **Attachment B**, approximately 25 new p.m. peak hour trips and 293 daily trips would be generated by increased housing units that could be developed on the properties under R48 zoning. As the net increase in new trips distributed onto vicinity streets would represent an approximately 11 percent or less increase in existing traffic volumes (see **Attachment A**), no significant traffic impacts would result due to the proposed change in residential zoning.

If you have any questions, please do not hesitate to contact me at (206) 361-7333 ext. 101.

www.tenw.com

PO Box 65254 ♦ Seattle, WA 98155
Office/Fax (206) 361-7333 ♦ Toll Free (888) 220-7333

Attachment A
Comparison of Existing Traffic Counts with New Traffic
Generated by Potential Rezone

Attachment A

Shoreline Rezone TIA - 32nd Avenue NE

Location 1 - Linden Avenue N (south of N 170th Street)

Date	AWDT
2006	706
% Trip Distribution	30%
Project Increase	88
% Increase in AWDT	11%

Location 2 - Linden Avenue N (south of N 165th Street)

Date	AWDT
2006	1,635
% Trip Distribution	15%
Project Increase	44
% Increase in AWDT	3%

Location 3 - N 165th Street (west of Aurora Avenue - SR 99)

Date	AWDT
2006	1,578
% Trip Distribution	50%
Project Increase	147
% Increase in AWDT	9%

Location 4 - N 170th Street (west of Aurora Avenue - SR 99)

Date	AWDT
2006	1,943
% Trip Distribution	15%
Project Increase	44
% Increase in AWDT	2%

Source: City of Shoreline 2006 AWDT Traffic County Program.

Attachment B
Trip Generation Potential of Rezone Request

Attachment B

Trip Generation Potential Linden Avenue N Rezone Request

Existing Uses

Existing	ITE Land Use Code	Units	PM Peak			Daily
			Enter	Exit	Trips	Trips
Single Family Homes	210	5	3	2	5	48
Totals		5	3	2	5	48

Proposed Uses (1.21 acres @ 48 du/acre)

Existing	ITE Land Use Code	Units	PM Peak			Daily
			Enter	Exit	Trips	Trips
Townhome/Condominium	230	58	19	11	30	341
Totals		58	19	11	30	341

Net Change in Trip Generation	25	293
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5 properties totaling:
1.21 acres

PUBLIC HEARING ON MATULOVICH REZONE REQUEST FOR PROPERTIES AT 16520, 16522, 16526, 16532 and 16538 LINDEN AVENUE NORTH (FILE NUMBER 201699)

Chair Piro reviewed the rules and procedures for the quasi-judicial public hearing. He reminded the Commissioners of the Appearance of Fairness Rules and invited them to disclose any ex parte contact they might have received regarding the subject of the hearing outside of the hearing. Commissioner Harris announced that one of the parties to the application is a long-time friend. Therefore, he indicated he would excuse himself from participation in the hearing. He left the meeting at 7:13 p.m. No one in the audience voice a concern.

Staff Overview and Presentation of Preliminary Staff Recommendation

Mr. Szafran said the applicant is requesting to rezone five contiguous properties on Linden Avenue from R-8 to R-48. He provided an aerial overview of the subject properties and surrounding properties. He advised that the subject parcels are currently zoned as R-8, and are developed with four, single-family homes and one duplex. Most of the units are renter occupied. Parcels to the north are zoned R-8 and R-18 and developed with three, single-family homes and two fourplexes. Parcels to the south are zoned R-12 and R-18 and developed with townhomes. Parcels on the west side of Linden Avenue North are zoned R-6 and developed predominantly with single-family homes. There is Regional Business (RB) zoning to the east of the subject properties along Aurora Avenue.

Mr. Szafran said the Comprehensive Plan designates the entire block as mixed use to the north, south and east of the subject properties. The majority of the properties west of Linden Avenue are identified as low-density residential and public facility (Richland Highlands Park). Mr. Szafran provided pictures to illustrate the existing site conditions of the subject properties. He also provided pictures to illustrate the single-family residential development and park land that is currently located on the west side of Linden Avenue.

Mr. Szafran displayed a chart comparing the current R-8 zoning designation with both R-24 and R-48 zoning. He noted the applicant is proposing R-48 zoning, but staff is recommending R-24 zoning. He pointed out that building coverage is the same for the R-24 and R-48 zones, with only a 5% difference in the amount of impervious surface allowed. The real difference between the two zones is in the number of units allowed.

Mr. Szafran said both staff's proposal and the applicant's request would be consistent with the mixed-use goals and policies found in the Comprehensive Plan. In addition, it would meet the zoning criteria by:

- Increasing the number of housing units.
- Increasing the housing choices.
- Locating higher-density housing in an appropriate area (adjacent to RB zoning) as directed by the Comprehensive Plan.

- Locating higher-density housing near public transportation (Aurora Avenue) and near a major park.

Mr. Szafran reminded the Commission that the Comprehensive Plan identifies the subject properties as mixed-use so any residential zoning between R-8 and R-48 would be consistent, as would all commercial zones. He pointed out that subsequent development of the properties would create a transition between high-intensity uses (RB along Aurora Avenue) to lower-intensity uses (R-6 to the west). Staff feels the likely zoning for a transition density on the site would be R-24 or R-48.

Mr. Szafran reviewed the concerns raised at the neighborhood meeting as follows:

- Traffic – Neighbors pointed out that streets are already impacted by activities at the park, the high school, speeding cars, and no sidewalks. Many questioned where all the cars were going to park.
- Crime – Neighbors believe by adding additional housing, crime and drugs may infiltrate into the area.
- Property Values – Neighbors expressed their concern that possible rental units would erode the value of the single-family homes in the community.
- Density – Current neighbors were worried that potential renters would change the “feel” of the single-family neighborhood.

Mr. Szafran said staff recommends approval of R-24 instead of R-48 zoning. He explained that Linden Avenue is classified as a local street, meaning it does not have sidewalks and has not been developed to its full width. Typically, staff believes R-48 zoning should front directly onto a collector or arterial street. Staff does not believe that, in most cases, a zone that allows 48 units would be appropriate on a local street. He advised that staff believes the R-24 or R-48 zoning would be a workable transition adjacent to the RB zone. However, because of the very low density on the west side of Linden Avenue, staff believes R-24 zoning would be a better fit for the area.

Commissioner Phisuthikul said the zoning diagram shows the properties encroach onto Linden Avenue, as does the playfield at Richmond Highlands Park. That means that Linden Avenue is partially located on private property. Mr. Szafran answered that a large portion of the street is located on City property that is part of the park, and the remainder is on private property. He said the owners of the properties would be required to dedicate right-of-way for Linden Avenue to be its full width. Vice Chair Kuboi asked if this dedication requirement would impact the unit count for the subject properties. Mr. Szafran answered that the dedication would result in a 3,000 square foot reduction in the amount of property available for development to occur.

Commissioner McClelland questioned why the City’s Public Works Department has not settled the right-of-way issue. Staff noted that, regardless of whether the properties are zoned R-48 or R-24, the unit count would be impacted by the dedication requirement. Commissioner Hall questioned why this situation should impact the Commission’s final decision one way or the other. He suggested it is an issue that could be worked out

through the normal course of development. Even if the applicant were to build a project consistent with the current zoning, he would have to address this situation and provide frontage improvements, etc. He reminded the Commission of the retreat discussion that the questions they ask during a hearing should have a bearing on how they would vote on the proposal. Commissioner Pyle said he deals with right-of-way issues frequently, and it is not unusual to deal with them as part of a development proposal.

Vice Chair Kuboi clarified that the depiction offered by staff of what could happen on the properties given the R-48 or R-24 zoning designation is based on the five parcels being aggregated. Mr. Szafran concurred. Vice Chair Kuboi asked if this would be a requirement of rezone approval. Mr. Szafran answered negatively.

Applicant Testimony

Mike Matulovich, Applicant, Shoreline, said he owns the property at 16532 Linden Avenue. He pointed out that because they requested R-48 zoning, all of the data they collected and submitted to the City would support the R-48 zoning. He suggested the City's Comprehensive Plan supports R-48 zoning for all the subject properties, as does the traffic analysis that was provided. The other zoning and buildings on the block, which is mostly multi-family or business, support R-48 zoning. He advised that upon completion of the development, the property line would be changed to address the right-of-way issue. He pointed out that the property owners currently own 17 feet of Linden Avenue on the north end of the subject properties and 19 feet at the south end. He added that Mr. Koo, owner of the southern two properties, has already donated 19 feet of the front of his property to the City of Shoreline. This was done when the back portion of his property was developed as a duplex. *(The parcel map provided by Mr. Matulovich was entered into the record as Exhibit 1.)*

Mr. Matulovich said people have expressed a concern that the property owners do not have a connection with the neighborhood. He pointed out that the property owners are all long-time residents of the community. He said he grew up just down the street. He has owned his current property for five years, and lived in the home for four years. He summarized that he has many close connections and family in the neighborhood. His desire is to construct a quality development. He said the owners of the parcels believe that the proposed rezone would have a positive impact on the neighborhood. The goal is to create a buffer between the commercial development on Aurora Avenue and the single-family residential and park properties to the west. They do not intend to build substandard housing, and he noted that most of the block has already been developed as multi-family residential or business uses. They believe the proposed change represents positive growth.

Ernest Swanson, Party to the Application, Brier, said he owns the property at 16538 Linden Avenue. He said he grew up in Shoreline from 1954 to 1976, and his mother still owns property on Wallingford Avenue. He said he has a connection to the community and wants the redevelopment to be positive. He said he purchased property in Shoreline because he loved the community. When he purchased the property, the paint was peeling

off all four sides of the house, and the roof was in terrible shape. The backyard was completely covered in blackberry bushes. Over the past five years, he and his family have maintained the property and carefully screened tenants to bring affordable housing to citizens of Shoreline. He commented that this is the only investment property he owns, and he is very committed to redeveloping the property in a quality manner.

Questions by the Commission to Staff and Applicant

Commissioner Hall asked the applicant and parties to the application to comment on their view of the future of the properties if they were rezoned to R-24 as recommended by staff as opposed to their request for R-48. Mr. Matulovich said the property owners do not currently have a building plan. However, the usability of the property would be a lot greater with an R-48 zoning designation, and that's what they would prefer. He emphasized that they are not necessarily interested in developing to the maximum number of units allowed, but they don't want to be limited by a smaller number.

Public Testimony or Comment

Les Nelson, Shoreline, agreed with the staff's recommendation that a lower density would be more appropriate for the subject properties. In fact, he suggested that an R-12 or R-18 zoning designation would be even better, and both would be compatible with the Comprehensive Plan's land use designation of mixed-use. He expressed his belief that zoning in an area should be balanced on both sides of the street so there is not a large demand for parking for the more intense development on one side that causes the lower-density property owners to suffer the consequences.

Commissioner Wagner asked staff to comment on other densities that were considered for the subject property, and why they are recommending R-24. Mr. Cohn pointed out that the Comprehensive Plan identifies the subject properties as mixed-use, so the first density they considered was Community Business. Staff felt that retail businesses or offices were probably not appropriate in the current street environment. Next, they considered the lower-density residential designations and determined that a higher residential density would be more appropriate. He noted there are townhomes next to the subject properties, and staff considered the option of rezoning to a type of townhouse zoning, which are about 24 units per acre. As the Staff Report notes, staff felt R-24 would work better than R-48 in terms of traffic, which has to go through single-family areas to get to Aurora Avenue. Staff made the judgment call that R-24 would be a better transition zone from the R-6 properties.

Commissioner Wagner clarified that the subject properties are owned by three separate people. She asked if the numbers in the staff report are based on the entirety of all the properties as one large, single lot that would require dedicated land for street and frontage improvements. Mr. Szafran answered affirmatively. Commissioner Wagner asked what the property owners would have to do to aggregate the properties. Mr. Szafran said the lot lines could be removed via an administrative process. Mr. Cohn pointed out that if the properties are not aggregated, it could be possible to develop more units because the City

rounds up when calculating the number of units allowed. Commissioner Wagner said she would be curious to know the difference between the numbers of units allowed on the separate subject properties as opposed to aggregated.

Commissioner Hall asked if the applicant would be more likely to develop the properties as five separate projects, one on each parcel. Or would they likely design a development that aggregates the five parcels together. Commissioner Wagner pointed out that the applicant would not be bound to aggregate the properties if the rezone were approved. Therefore, the Commission must consider both alternatives. Mr. Swanson said he does not intend to sell his property, and he would do any redevelopment that occurs on the site. Mr. Matulovich said there are currently no building plans for the subject properties, and they haven't determined if they would be developed as one or separately. Chair Piro summarized that the Commission should consider the parcels as five separate sites and not make the assumption they would be aggregated for development.

Robert Koo, Party to the Application, said he owns the properties at 16520, 16522 and 16526 Linden Avenue. He said he purchased the home at 16520 when it was constructed in 1965, and he lived there for a long time. He recalled that when he purchased the properties, they were part of King County because Shoreline had not been incorporated yet. King County allowed lots that were adjacent to commercial zones to be developed as duplexes. He short platted two lots into three lots and constructed a duplex on the rear lot. At that time, the County recognized there was no Linden Avenue between 165th and 167th Streets, and they asked him to donate 19 feet of his property frontage for this purpose, which he did. He said the duplex is in good condition, and he would like to maintain it for now. The other two homes are fairly old, and he would like to redevelop these sites.

Mr. Koo said he would prefer R-48 zoning for the subject properties, and he expressed his belief that an R-48 zoning designation would not create any more impacts to surrounding properties than would the R-24 zoning. He noted that most residents in the area would travel down Linden Avenue to 165th Street in order to access Aurora Avenue. He said he doesn't anticipate the residents (of the subject properties) would travel northbound on Linden Avenue. He noted that the intersection at 167th and Aurora Avenue only allows right turns. If the City approves R-48 zoning, he would be allowed to construct an additional story of residential space, which would make it more affordable to provide underground parking. The cost per unit would be much less.

Commission Discussion

Commissioner McClelland said she was originally under the impression they were talking about an aggregated piece of property. Now, it appears the owners want to maintain the separate lots, and that some of the existing structures would be maintained. She questioned if the unit count in the Staff Report would be correct given that each lot would have to have its own setbacks. Mr. Szafran said the table was provided to illustrate the unit count differences between the two zoning designations, but staff did not take rights-of-way, etc. into account. Commissioner McClelland inquired how many

units would be allowed on a single 7,500 square foot lot that is zoned R-48. Mr. Cohn pointed out that however many units would be allowed in an R-24 zone, the number would be double for an R-48 zone. Commissioner McClelland said it sounds as though the proposed zoning would be far less dense than the people who attended the neighborhood meeting might have perceived it. Commissioner Broili reminded the Commission that they have been charged with making a decision about whether or not R-24 zoning would be appropriate for the site. How the site is eventually developed has no bearing on the Commission's decision.

Commissioner Pyle agreed with Commissioner Broili in part, but he expressed his belief that the zoning controls found in the Development Code are ultimately what the Commission should consider when reviewing a rezone of this magnitude. They must look at what the current and future zoning controls would provide for upon redevelopment and not what the property owners intend to do with the property. It is important to recognize that a property owner could sell a parcel, and a new owner may come up with a different plan. The Commission should keep in mind that future redevelopment of the site would only be limited by the zoning controls that are in place. Rather than considering sentiment and ownership, they should consider factors such as setbacks, lot coverage, landscaping, numbers of units allowed, parking requirements, proximity to transit, etc. Ultimately, security lies in the development standards.

Commissioner Hall said he applied the R-24 and R-48 density calculations to the five properties, not taking into account any future dedication of land. An R-24 zoning designation would allow between four and eight units per site, and the R-48 zoning designation would allow between eight and fifteen units on each property. He noted this number would likely be less based on right-of-way dedications. If the properties were aggregated, the total number of units allowed might be one greater or one less. He summarized that if the properties were developed individually, the bulk and massing would be broken up by the zoning regulation requirements. If they were aggregated, the potential development could be larger and more contiguous with open space on one side or the other.

Final Questions by the Commission and Commission Deliberation

Commissioner Pyle noted that the Commission does not have an opportunity to condition the rezone application. He also pointed out that a SEPA review would be required for any redevelopment that exceeds four units. If the properties were developed independently, no traffic review would be required. However, if the properties were aggregated, redevelopment could potentially require traffic review. Mr. Cohn agreed but pointed out that the traffic study in the submittal documents suggests the existing road infrastructure is adequate to support an R-24 or R-48 zoning designation.

Commissioner Pyle pointed out that curbs, gutters and sidewalks would be required frontage improvements for any of the sites to be developed. However, the property owners would be eligible to pay a fee in lieu, and no frontage landscaping would be

required by the code. If an applicant were required to put in frontage, street trees could be used in lieu of the landscaping in the front yard. This could ultimately result in no separation of landscaping between the multi-family and single-family developments except the street trees. Commissioner Pyle noted that interior landscaping within the setbacks would be required if the sites were redeveloped independently, and the developer would be eligible for up to a 50% reduction in the parking requirement because of the properties proximity to transit. Mr. Szafran said this parking reduction would be at the discretion of the Planning Director. Commissioner Pyle also noted that side yard setbacks would be required and would provide for more limited development within the sites.

Vice Chair Kuboi asked if staff agreed with the information provided in the traffic study. Mr. Szafran answered that the traffic study was reviewed by the City's Traffic Engineer, and he did not raise any issues or concerns. Vice Chair Kuboi asked staff to once again review the subjective merits of the R-24 and R-18 zoning designations. Mr. Cohn said both zones would allow the type of density staff would expect to see as a transition from commercial uses along Aurora, and there was not a lot of R-48 zoning close by the subject properties. Nearby development is townhouses, and today's townhomes are typically developed at 24 units per acre. He reviewed that 20 years ago, townhouses were developed at about 8 to 10 units per acre, but that has changed dramatically in the last several years. Mr. Cohn said the staff also considered the impacts of putting additional density on a local street. They felt that even though the local street could handle the additional traffic, there was no compelling reason to do it. The Commission must answer the question of what the best transition would be, given the location of the subject properties between the R-6 and RB zones. Staff believes R-24 zoning would be a better choice than either R-18 or R-48. He cautioned that staff did not take economics into consideration, but they did consider that the market demand for townhouses is about 24 units per acre.

Commissioner Broili noted there is no R-24 zoning nearby. He questioned what is going on in the area to warrant the higher density, when the maximum density currently in the area is R-18. Mr. Cohn said staff believes the market demand is for 24-units per acre, and staff does not see a lot of difference between R-18 and R-24 in either the number of units or the associated impacts.

Vice Chair Kuboi summarized that staff is stating that an R-24 density would allow a developer to construct a unit that would sell on the market. This makes it appear as though staff is beginning to weigh economic, non-planning factors into their recommendation. He said the bigger issue is what the street would look like 20 years from now if a rezone is approved. Approving this rezone could result in other property owners along the east side of the street making the same type of rezone request and this could change the character of the street. Mr. Szafran said that when he considered the appropriate zone for the subject properties, he considered how much density could be most efficiently accommodated on the sites, while being sensitive to the single-family zones and utilizing the opportunities for transit on Aurora Avenue. He noted there are not a lot of areas in the City where they can provide more density close to Aurora Avenue

and directly adjacent to intense business uses. He said he felt R-24 zoning would provide the appropriate balance. Mr. Cohn referred to the aerial photograph and noted that townhouses have already been developed on the south side of the subject properties. A rezone to R-24 would not represent a great change; the change has already started, and the proposed rezone would continue what is already taking place on the street.

COMMISSIONER HALL MOVED TO RECOMMEND APPROVAL OF CHANGING THE REZONE OF FIVE PARCELS ON LINDEN AVENUE SOUTH (16520, 16522, 16526, 16532 AND 16538) FROM R-8 TO R-48 AS PROPOSED BY THE APPLICANT. COMMISSIONER PYLE SECONDED THE MOTION.

Commissioner Hall commended staff for bringing a proposal that is different than what was originally proposed by the applicant. They took a hard look and were willing to recommend something different. This sends a clear message that the staff and Commission are willing to work with the community and the proponents to find a balance. He also applauded the applicant's professionalism in presenting the matter, as well. He suggested it would be appropriate for the Commission to duly consider their proposal for R-48 zoning.

Commissioner Hall shared the reasons why he would be in favor of the rezone, whether it was R-48 or R-24. He recalled Mr. Koo's comment about possibly developing his property far into the future, and this reminded him of the importance of keeping in mind that there are no guarantees on how a property would be developed. He also considered the things about the subject parcels that are inherently long term such as it's proximity to Aurora Avenue, transit service and the park across the street. He disagreed with the citizen comment that it is not appropriate to place high-density residential development next to a park. He suggested a park would provide a magnificent buffer. He also considered such things as the properties' proximity to Shoreline Community College, the high school, etc. While traffic and speeding are already issue, he would not expect this to change as a result of the proposal. Commissioner Hall said he respects the property owners who shared their connections to the community, and he is completely convinced they care about the neighborhood. He expressed his belief that redevelopment would likely enhance the safety and security of the neighborhood by putting more eyes on the street. He said parking would always be an issue, but the more opportunities to walk to parks and transit, the less parking would be a problem.

Commissioner Hall pointed out that the hearing was noticed as R-48 zoning, and the comments from the community were based on R-48. However, no one from the neighborhood attended the hearing to oppose the rezone. He contrasted this with many of the other rezone applications that come before the Commission for review. They often hear from a large number of people who live across the street coming out to voice their opposition. The only three people in the neighborhood they heard from were in support of the rezone for its potential future redevelopment opportunities. For those reasons, he said he would vote to support the rezone at either R-48 or R-24.

Commissioner Pyle agreed with Commissioner Hall's comments. In addition, he suggested the Commission consider the rezone proposal from the perspective of a non-project action, as was disclosed in the SEPA checklist. There is no development proposal to consider. In doing so, he said the Commission must consider the zoning controls as he discussed earlier. He said he would support rezoning the properties to R-48. He believes the properties' proximity to the park and to transit opportunities make it a good location for the higher use. However, at the same time, he feels a great need for the Commission to focus their efforts on possible revisions to the Development Code so they can better the community but also provide for the density they need to achieve along places like Aurora Avenue. In the interim, he said he would support either R-24 or R-48 zoning for the subject properties.

Commissioner Wagner pointed out that the Commission did receive one letter that expressed strong opposition to the R-48 rezone request. She suggested the Commission should contrast this discussion with their recent recommendation to the City Council that would allow a developer to build to the envelope without worrying about how many units are inside a structure. She noted the difference in outside appearance between the R-24 and R-48 zones would be minimal. However, she also referred to Mr. Nelson's comment that this could potentially result in much larger units if a developer were to build to the maximum size possible. She suggested that if the Commission believes this logic is still applicable, then R-48 zoning would make as much sense as R-24 in terms of look, feel and neighborhood character. There would not be a significant difference in the mass of the building.

Commissioner Phisuthikul said he would not support a rezone to R-48. Instead, the staff's recommendation of R-24 zoning would offer a good compromise and an appropriate step down buffer between the higher-density commercial uses on Aurora Avenue and the single-family uses to the west. He reminded the Commission that they would be considering the issue of "transition" in the future as they discuss anticipated redevelopment along Aurora Avenue.

Commissioner McClelland said she would support a rezone to R-24 as an appropriate transition between Aurora Avenue and the single-family neighborhood. However, she said it grieves her to see the cute little starter houses torn down and destroyed. She wished the City had a large piece of land to relocate the houses to. She emphasized that transition to the single-family neighborhoods across the street is a sensitive issue. It is important to keep in mind that the street would be all the transition people have between the higher density commercial uses and the small houses on the west side of Linden Avenue.

COMMISSIONER BROILI MOVED TO AMEND THE MAIN MOTION TO RECOMMEND CHANGING THE ZONING FROM R-48 DOWN TO R-24 AS RECOMMENDED BY STAFF. COMMISSIONER PHISUTHIKUL SECONDED THE MOTION.

Commissioner Broili expressed his belief that staff has reviewed the proposal carefully, and their recommendation to limit the zoning to R-24 would be appropriate. He suggested R-24 zoning would offer an appropriate transition between the RB zoning along Aurora Avenue and the R-6 zoning on the west side of Linden Avenue. He emphasized that at some point in the future as the City grows, the properties could eventually be zoned upward. But presently, R-24 would be an appropriate upgrade.

Chair Piro said he would support the motion to amend. He agreed with the comments provided by Commissioner Hall that it would be appropriate to allow for more intense development, particularly given the properties' proximity to Aurora Avenue and opportunities to take advantage of the emerging transit corridor that is being developed. However, he said he is concerned about the transition issue and that they not set too much of a pattern. He suggested that as the City grows and matures and takes on more density, the density could be accommodated in areas that are already zoned for higher-density development. While there may be a few single-family properties that merit a rezone, they should strive to keep the single-family neighborhoods intact into the future. Again, he said he believes the subject properties are located in an area that is appropriate for higher density, and an R-24 designation would be sensitive to the need for transition to protect the character of the single-family neighborhoods.

THE COMMISSION UNANIMOUSLY APPROVED THE MOTION TO AMEND THE MAIN MOTION.

Closure of the Public Hearing

COMMISSIONER MCCLELLAND MOVED TO CLOSE THE PUBLIC HEARING ON THE MATULOVICH REZONE LOCATED ON LINDEN AVENUE NORTH, PROJECT NUMBER 201699. COMMISSIONER HALL SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

Vote by Commission to Recommend Approval or Denial or Modification

THE MAIN MOTION WAS UNANIMOUSLY APPROVED AS AMENDED.

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