Council Meeting Date: September 22, 2008 **Agenda Item:** 9(a)

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Adoption of Ordinance No.521, a Site Specific Rezone located at 18501 and 18511 Linden Ave. N. File No. 201570
DEPARTMENT:	Planning and Development Services
PRESENTED BY:	Joseph W Tovar, FAICP, PADS Director Steven Szafran, AICP, Associate Planner

PROBLEM/ISSUE STATEMENT:
The issue before the City Council is a Site Specific Rezone for two parcels located at 18501 and 18511 Linden Ave. N (see **Attachment B2 and B3**). The Planning Commission recommends that the parcels be rezoned from Community Business ("CB") to Regional Business ("RB"). About 2 years ago, the applicant had requested a change to RB and the Planning Commission recommended CB.

Since the site is currently zoned CB, the major effect of the proposed zone change is to allow greater residential density on the site.

A rezone of property in single ownership is a Quasi-Judicial decision of the Council. A public hearing was conducted before the Planning Commission for this proposal on September 4, 2008. Council's review must be based upon the 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
- The Council could deny the rezone request, leaving the zoning at CB or remand the request back to the Planning Commission for additional review and analysis.

FINANCIAL IMPACTS:

- There are no direct financial impacts to the City.

RECOMMENDATION

The Commission recommends that the Council adopt Ordinance No.521, (**Attachment A**) thereby approving the rezone located at 18501 and 18511 Linden Avenue North from Community Business (CB) to Regional Business (RB).

Approved By: City Manager ____ City Attorney ____

INTRODUCTION

The rezone recommendation before Council is a request to change the zoning designation for two parcels located at 18501 and 18511 Linden Ave N. from Community Business to Regional Business.

A public hearing before the Planning Commission occurred on September 4, 2008. The Planning Commission Findings and Recommendation are included in **Exhibit A**

The Planning Commission recommended on a 5-1 vote, with two abstentions and one Commissioner absent, that the rezone of the property from Community Business to Regional Business be approved. The draft minutes of the public hearing are included in **Attachment C**.

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. One of the subject parcels, the James Alan Salon Site, has a land use designation of Community Business. Appropriate zoning designations for the Community Business land use designation include R-12, R-18, R-24, R-48, O, NB, CB and RB. The parcels to the north are designated Mixed Use in the Comprehensive Plan. Appropriate Zoning designations for the Mixed Use land use designation include R-8, R-12, R-18, R-24, R-48, O, NB, CB, RB and I.

The site, consisting of two parcels, is currently zoned Community Business. A commercial building sits on the one parcel and a single-family home used as office and storage space sits on the other parcel. Under the proposed zone change, both parcels would be zoned Regional Business to allow for a future development that could be a mixture of commercial and residential uses.

The proposed zone change will allow a slightly larger building envelope than currently permitted in the CB zone. The recommended RB zoning would permit more residential units and marginally larger number of commercial uses than currently permitted in a CB zone.

APPLICATION PROCESS

The application process for this project began on July 24, 2008, when the applicant reapplied for RB zoning on the site. Since a neighborhood meeting was held for the earlier RB application and SEPA analysis done for RB as well, staff concluded that there was not a requirement to re-do these processes.

A public hearing was held before the Planning Commission on September 4, 2008. The Planning Commission made a recommendation and formulated Findings and Determination that evening to recommend a rezone to Regional Business.

PUBLIC COMMENT
The City received 42 comment letters in response to the standard notice procedures for this application prior to the public hearing (**Attachment B1**). 40 of the letters were in support of the proposal and two of the letters were against. Eight people in addition to the applicant testified at the public hearing.

The comments focused on the following issues:

- Supporting mixed use development on the site
- Supporting higher density in appropriate areas and not in single-family neighborhoods
- Supporting neighborhood businesses
- Supporting redevelopment of the sites
- Concerns about traffic flow north of the site
- Issues of increasing permitted heights from 60 to 65 feet

The Planning Commission addressed the comments in its Findings and Determination **(Attachment B)**.

PLANNING COMMISSION RECOMMENDATION: Rezone to Regional Business
The Commission in its Findings and Determination found that a rezone to **Regional Business** has been evaluated and found to be consistent with the rezone decision criteria, 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 Commission voted to recommend approval of the rezone on a 5-1-2 vote (5 in favor, 1 opposed, 2 abstentions and 1 Commissioner absent). Their comments are reflected in the draft minutes, attached.

OPTIONS FOR CITY COUNCIL
The options available to the City Council are:
1) Adoption of the Planning Commission and Staff's recommendation of Regional Business

2) Remand the rezone back to the Planning Commission for additional review.

3) Denial of the rezone request. The Council may review the written record and determine that the existing Community Business zoning is the most appropriate designation for the subject parcel. This determination would be consistent with the Comprehensive Plan designation for the parcels, as this designation includes both the existing zoning (CB) and the requested and recommended zoning (RB).

RECOMMENDATION

Staff recommends that Council adopt Ordinance No.521, (**Attachment A**) thereby approving the rezone of two parcels located at 18501 and 18511 Linden Avenue North from Community Business (CB) to Regional Business (RB).

ATTACHMENTS

Attachment A: Ordinance No.521: CB to RB.
- Exhibit A – Planning Commission Findings and Determination- September 4, 2008
- Exhibit B – Proposed Zoning Map

Attachment B: Planning Commission Staff Report
- B1: Public Comment Letters
- B2: Vicinity Map with Comprehensive Plan Land Use Designations
- B3: Vicinity Map with Zoning Designations

Attachment C: Planning Commission Minutes- September 4, 2008

ORDINANCE NO. 521

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON AMENDING THE CITY'S ZONING MAP TO CHANGE THE ZONING FROM CB (COMMUNITY BUSINESS) TO RB (REGIONAL BUSINESS) FOR THE PROPERTIES LOCATED AT 18501 AND 18511 LINDEN AVE N.

WHEREAS, the subject properties, located at 18501 and 18511 Linden Ave N are zoned CB, Community Business; and

WHEREAS, the owner of the property has applied to rezone the properties to RB, Regional Business; and

WHEREAS, the rezone of the properties is consistent with the Comprehensive Plan land use designations of Mixed-Use and Community Business; and

WHEREAS, the Planning Commission considered the applications for zone change at a public hearing on September 4, 2008, and has recommended approval of the rezone; 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 residential 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 parcel, 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 the properties described as RICHMOND HIGHLANDS ADD N 65 FT LESS W 200 FT (Parcel No. 7283900303) and RICHMONG HIGHLANDS ADD LESS W 200 FT LESS N 65 FT LESS CO RD (Parcel No. 7283900302) depicted in Exhibit B attached hereto, from CB, Community Business, to RB, Regional Business.

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 September 22, 2008.

Cindy Ryu, Mayor

ATTEST:

Scott Passey
City Clerk

APPROVED AS TO FORM:

Ian Sievers
City Attorney

Date of Publication:
Effective Date:

CITY OF SHORELINE
PLANNING COMMISSION

FINDINGS, CONCLUSIONS AND RECOMMENDATION

PROJECT INFORMATION SUMMARY

Project Description: Rezone application to change the zoning designation of two parcels from Community Business (CB) to Regional Business (RB).
Project File Number: 201753
Project Address: 18501 and 18511 Linden Avenue North, Shoreline, WA 98133
Property Owner: FMAB, LLC.
SEPA Threshold: Determination of Non-Significance (DNS)
Staff Recommendation: Recommend approval of a rezone of the two parcels zoned Community Business (CB) to Regional Business (RB).

FINDINGS OF FACT

Current Development

1. The parcels at issue are located at 18501 and 18511 Linden Avenue N, generally on the northwest corner of N 185th Street and Linden Avenue N.

2. 18501 Linden Avenue N (tax ID # 7283900302) is 7,565 square feet and is developed with the former James Alan Salon. The site is zoned Community Business ("CB") and has a Comprehensive Plan Land Use designation of Community Business ("CB").

3. 18511 Linden Avenue N (tax ID # 7283900303) is 6,631 square feet, directly to the north of 18501 Linden Avenue N, and developed with one single-family residence used as storage space. The site is zoned Community Business and has a Comprehensive Plan Land Use designation of Mixed Use ("MU").

4. The surrounding neighborhood has experienced development recently: four townhomes have been developed west of the 742 N. 185th Street parcel. Also, there is a current rezoning request at 753 N.185th Street (the Masonic Temple) to change the zoning from R-12 to CB.

5. There are existing sidewalks along N 185th Street adjacent to the applicant's property. No sidewalks exist along Linden Ave N. A traffic signal with crosswalks is located at the intersection of Linden Ave N and N 185th Street.

6. The site was rezoned from Office and R-48 to Community Business by the Shoreline City Council on March 26, 2007, Ordinance # 460. The Planning Commission's Public Hearing on the request was held on January 4, 2007.

Proposal

7. The applicant proposes to rezone both parcels to Regional Business ("RB").

8. Staff analysis of the proposed rezone includes information submitted in a pre-application meeting and neighborhood meeting for the previous rezone request, conducted on June 19, 2006 and July 31, 2006 respectively.

9. A Public Notice of Application combined with a Public Notice of Hearing was posted at the site on July 31, 2008 for the current action.

10. 42 comment letters were received. Of these, 40 were in favor of the request, citing compatible uses, need for housing next to transportation routes, affordable housing opportunities and economic development reasons. The comment letters that were not in favor cited concerns about the potential height in the RB zone, density, environmental impacts and not being located on an arterial street. See ***Attachment 1.***

11. Advertisements were placed in the Seattle Times and Shoreline Enterprise, and notices were mailed to property owners within 500 feet of the site on July 31, 2008 describing the Notice of Application and Notice of Public Hearing with SEPA Determination.

12. The Planning Department issued a SEPA Determination of Non-Significance and notice of public hearing on the original proposal on October 12, 2006. Since this rezone request is the same request as recently applied for, staff is adopting the SEPA Determination made at the time of the original rezone. The DNS was not appealed.

13. An open record public hearing was held by the Planning Commission for the City of Shoreline on September 4, 2008.

14. The City's Senior Planner, Steven Cohn, and Associate Planner Steve Szafran, have reviewed the proposal and recommend that the parcels be rezoned to Regional Business.

Comprehensive Plan Land Use Designations.

15. The site contains two parcels, designated Community Business and Mixed Use. Parcels to the north and east have a Comprehensive Plan Land Use designation of Mixed Use, which identifies areas where uses change from lower intensity uses (usually single family uses) to higher intensity uses. The MU designation allows R-8 through R-48 residential zoning and all commercial and industrial zoning. Parcels to the south (across 185th) have a Community Business designation, intended to designate higher intensity uses, both residential and commercial. The CB designation allows R-12 through R-48, Office, Neighborhood Business, Community Business and Regional Business. Parcels to the west are designated Medium Density Residential, which allows R-8 and R-12. See ***Attachment 2 (Comprehensive Plan Map).***

16. The Comprehensive Plan describes Mixed Use as applicable "to a number of stable or developing areas," and to the potential annexation area at Point Wells and 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." Regional Business is allowed under Mixed Use land use designation.

17. The Comprehensive Plan describes Community Business as areas within the Aurora Corridor, North City and along Ballinger Way. This designation provides for retail, office, and service uses and high density residential uses. Significant pedestrian connection and amenities are anticipated. Some limited industrial uses might be allowed under certain circumstances. Appropriate zoning designations for this area might include the Neighborhood Business, Community Business, Regional Business, Office, R-12, R-18, R-24, or R-48.

Current Zoning and Uses

18. Parcels immediately to the north of the subject parcels are zoned R-18 and developed with a public utility building, single-family homes and condominiums; parcels to the south (across 185th) have a variety of uses and zoning designations including offices zoned R-12, R-18 and Office, the Fred Meyer shopping center zoned RB; parcels to the west are zoned R-12 and townhomes are currently under development; and parcels to the east (across Linden Avenue North) have a variety of uses and zoning designations including retail, office and apartments zoned RB, Office, and R-48. See ***Attachment 3 (Zoning Map).***

Proposed Zoning

19. The proposal is to change the zoning on the site (two properties) from Community Business (CB) to Regional Business (RB). 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:

(a) The rezone is consistent with the Comprehensive Plan; and
(b) The rezone will not adversely affect the public health, safety or general welfare; and
(c) The rezone is warranted in order to achieve consistency with the Comprehensive Plan; and
(d) The rezone will not be materially detrimental to uses or property in the immediate vicinity of the subject rezone; and
(e) The rezone has merit and value for the community.

20. The purpose of a Regional Business zoning district, as set forth in the Shoreline Municipal Code 20.40.040, is to "provide for the location of integrated complexes made up of business and office uses serving regional market areas with significant employment opportunities". The Regional Business category permits a variety of commercial uses and residential densities. It is distinguished from CB in that it permits more intense land uses such as warehousing, kennels, construction, retail, and auto rental and allows residential densities up to 110 units per acre.

Impacts of the Zone Change

21. The following table outlines the development standards for the current zoning (CB) and the proposed zoning (RB):

	CB	**RB**
Front Yard Setback	0'	0'
Side Yard Setback	10'	15'
Rear Yard Setback	10'	15'
Max. Impervious Surface	85%	95%
Height	60'	65'
Density (residential development)	48 du/ac	110 du/ac
Total Units (potential)	16	36

The RB zone is a zone that allows more intense development than the CB zone. Side and rear yard setbacks are slightly greater in the RB zone and the amount of impervious service allowed is somewhat higher, as is the permitted height. The most significant difference between CB and RB is the maximum potential residential units allowed. On this site, the current zoning would allow 16 dwellings; the proposed zone would permit 36.

If the structure is developed with commercial uses rather than residential uses, the amount of commercial space would be dictated by the building envelope, which could potentially be marginally larger in RB. A development in an RB zone might

be a story taller than that in a CB zone. This height difference is somewhat offset by the increased side yard and rear yard setbacks required in RB.

22. Traffic Impacts

Since the zoning permits a variety of uses, specific impacts are unknowable at this time. However, two scenarios can be defined to provide a reasonable set of bookmarks about the traffic impacts.

(a) Scenario 1: Develop the property as office. A reasonable development assumption is one with ½ the parking on grade and one full level of underground parking. This results in 80-90 stalls. Setting aside some stalls for visitors, it is reasonable to assume 85 employees. These could be housed in a 26,000 square foot building, which would suggest a 3 or 4 story building on this site.

Under the assumption that the amount of parking dictates the amount of development, the total building square footage is likely to be similar under both CB and RB zoning, and by extension if the site is developed in office uses, the parking impacts will be the same. This scenario would generate 282 trips daily (3.32 daily trips, half of them are inbound and half outbound) and 39 trips during the PM rush hour (.48 trips during each hour of the PM peak).

(b) Scenario 2: Develop the property as housing. Because there is a maximum density in RB and CB, the number of units, and by extension, the traffic impacts, can be defined. The ITE trip generation handbook estimates 6.72 daily trips per unit (half inbound and half outbound) and .62 average trips during one hour during the PM peak. If 16 units are built, this translates to an additional 108 trips during the day and 10 more trips during rush hour. If 36 units are built, the trips would be 242 additional daily trips and 22 additional trips during one hour of the rush hour.

(c) It is possible that a housing development could also include a retail component. In a mixed use building on this site, a retail component on the ground floor is likely to be around 8500 square feet. The retail space will have a trip generation of 377 trips daily and 21 trips during rush hour.

Since the rezone is not tied to a site plan, it is impossible to define specific impacts. However, during the peak hour today, there are times that 185th eastbound is backed up from Aurora to Linden. This situation makes left turns (i.e., outbound traffic) from Linden to 185th difficult at times.

If access to the site is from Linden Avenue and the site is developed as office (as it could under both the current and proposed zoning) , there might be difficulties leaving the site during PM peak hours as people turn onto Linden and want to turn left onto 185th. In this case, it is possible that some people may decide to turn left and drive north on Linden for a few blocks in order to eventually connect with Aurora Avenue.
If, in the building application review, analysis shows this to be a likely outcome, the City's Traffic Engineer would probably suggest mitigation measures such as limiting turn movements to right-turn only or developing an access onto 185th.

If future development is largely residential, that will not present much of a problem because most of the traffic will be inbound into the complex during the PM peak times, and not be affected by eastbound congestion on 185th.

Future Aurora Corridor Improvements
The City recognizes the concerns about this intersection and has developed plans to improve the eastbound travel lanes of 185th Street. This will include a left and right turn only lanes to Aurora Avenue as well as two through lanes continuing on 185th Street. These improvements will alleviate some of the traffic backups that occur on 185th Street.

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 been met in this case.

Rezone criteria

Is the rezone consistent with the Comprehensive Plan?

3. a. Under the first criterion, Regional Business is appropriate under Land Use Element Goals I and V of the Comprehensive Plan.

2. Land Use Element Goal I of the Comprehensive Plan is to "[e]nsure 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."

3. Land Use Element Goal V of the Comprehensive Plan is to "assure that a mix of uses, such as services, office, retail, and residential, are allowed either in low intensity buildings placed side by side or within the same building in designated areas, on arterials, or within close walking distance of high frequency transit, serving a neighborhood commercial and residential function."

   The RB rezone proposal is consistent with Land Use Element Goal I and V because a more intense commercial zone will promote redevelopment and allow for a greater mix of uses. RB zoning would permit a greater number of dwelling units or slightly more commercial space in close proximity to area services than a CB designation.

Will the rezone adversely affect the public health, safety or general welfare?

4. The GMA planning process of developing Comprehensive Plan designations which allows this level of development and the City's development standards in its zoning regulations for the RB zone protect against uses that would be contrary to the public health, safety or general welfare.

5. If the site is developed with residential uses, it could have a positive impact on public health. Placing density closer to area amenities such as shopping, restaurants and public transportation, encourages walking or biking rather than driving. Density in this instance creates better health opportunities than before.

Is the rezone warranted in order to achieve consistency with the Comprehensive Plan?

6. Both RB and CB zoning are consistent with the Comprehensive Plan vision for the area (CB and Mixed Use). Efficient use of land, higher densities in appropriate areas, close to services and transportation and an improved circulation pattern on 185th and Aurora support more intense development on this site and the proposed zoning.

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

7. The proposed rezone will have minimal negative impacts to the properties in the immediate vicinity. Concerns have been raised by one nearby resident about the appropriateness of commercial zoning and increased building height allowed by the proposed RB zoning.

   (a) Appropriateness of Commercial Zoning

   The Comprehensive Plan has identified this area as being appropriate for mixed use development which permits a variety of uses—single-family and multifamily uses, offices, and retail businesses. The James Alan Salon has been a long-time fixture on the property as has a telephone company building located north of the site.

As the two parcels have Mixed Use and Community Business land use designations, commercial zoning is appropriate. Under the Shoreline Development Code Section 20.40, uses allowed under the CB and RB zoning designations are very similar. RB zoning allows somewhat more intense commercial uses than does CB zoning, such as warehousing. Staff believes that the more intense uses allowed in an RB zone are unlikely to locate on a relatively small site.

With general uses, development standards, design standards and parking standards being similar, one major distinction between CB and RB is density. CB allows 16 units, RB allows up to 36 units. Staff believes density should be located in areas that are less intrusive to the single-family neighborhoods, are in close proximity to amenities and transit, and are located on major collector, arterial streets that do not impact local streets.

(b) Height

The height difference between RB and CB zoning is 5 feet. RB zoning permits heights of 65 feet; CB zoning permits heights up to 60 feet. Given current building design, RB buildings could attain a height of 6 stories, whereas CB buildings would likely be 5 stories. In this location, with multifamily zoning to the west and a telephone utilities building to the north, transition to single family zones is addressed through zoning.

In addition, the City recently adopted transition standards for areas adjacent to single family zoning. Though not affecting this site (because it is not adjacent to single family), transition through building and site design will occur on neighboring sites if they are rezoned to CB or RB.

(c) Traffic

Analysis shows that the heaviest traffic impacts will occur if the property is developed in office uses. The likely impacts will be no different whether the site is zoned CB or RB because a building constructed under in either zoning district is likely to be a similar size because of parking constraints due to the cost of developing more than one level of underground parking.

Will the rezone have merit and value for the community?

8. The proposed rezone will allow commercial and residential expansion to meet the changing needs of the community. Recent actions by the City Council will ensure that new buildings will comply with transition area requirements and density of the RB zone must be capped at 110 units per acre.

9. Unlike last time the applicants made application for RB, there was no guarantee of a unit maximum on the site since there was no numerical density cap. With RB now limited to 110 dwelling units per acre, the greatest number of units on the site is now limited to 36.

10. This criterion is met since the rezone provides an opportunity to accommodate more jobs and multi-family dwelling units in an area not immediately adjacent to existing single-family neighborhoods and in close proximity to services and transportation.

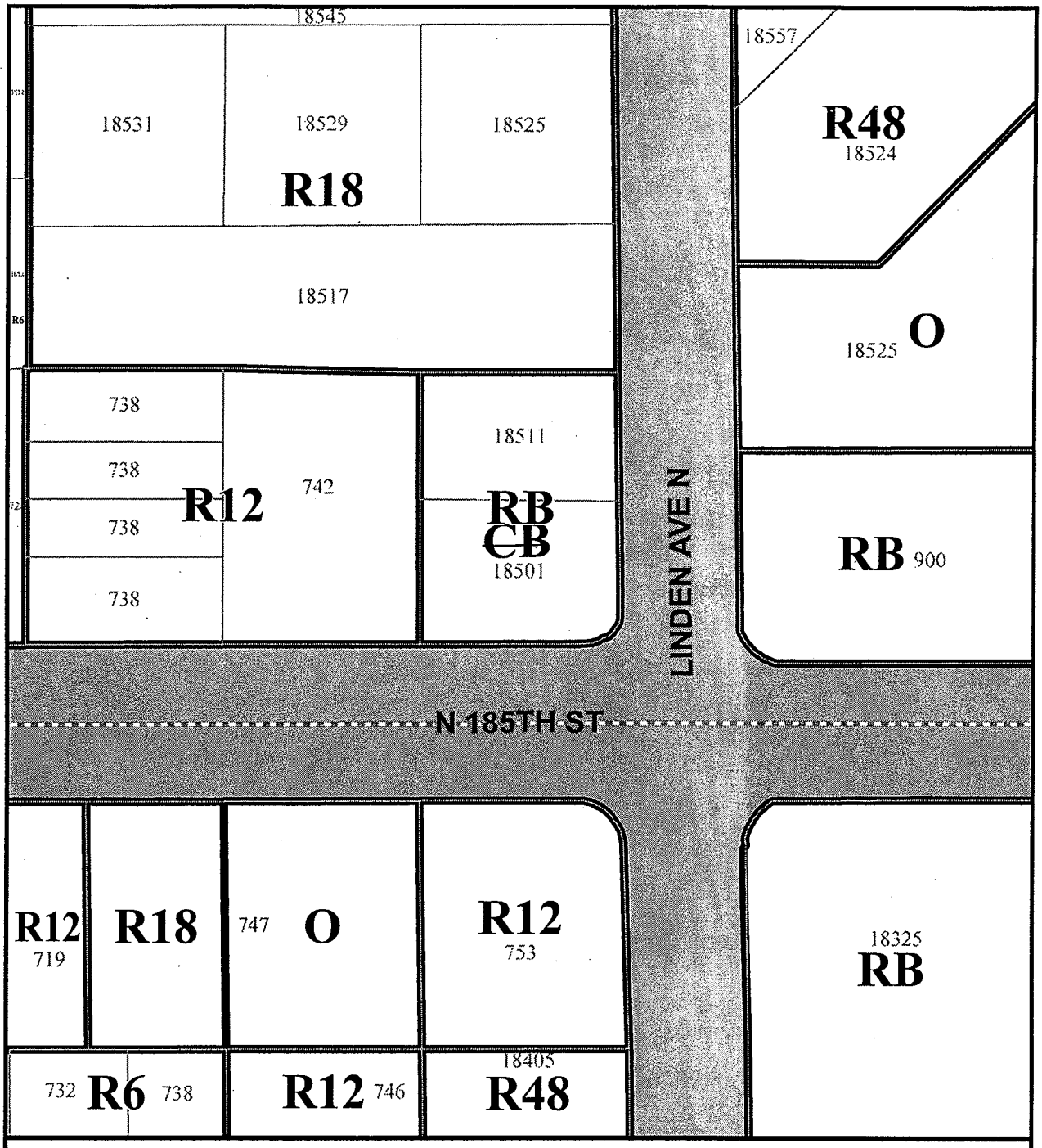
RECOMMENDATION

The Planning Commission recommends that the City Council approve a rezone of the two parcels to Regional Business.

Date: _____

By: _____
Planning Commission Chair

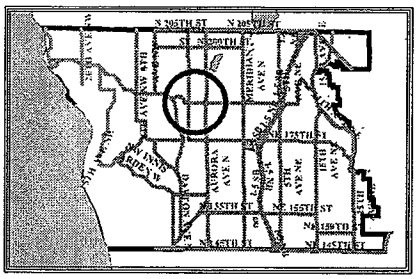
Exhibit B



18501,18511 Linden Ave N Rezone
CB to RB

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		



0 20 40 80 120 160 Feet

Feature Legend

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

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.

CITY OF SHORELINE

CITY OF SHORELINE

Memorandum

DATE: August 28, 2008

TO: Shoreline Planning Commission

FROM: Steven Cohn, Senior Planner
Steve Szafran, Associate Planner

RE: James Alan Salon Rezone

At your next meeting you will be reviewing the proposal to rezone the James Alan Salon site (two properties at 18501 and 18511 Linden Avenue North) from Community Business (CB) to Regional Business (RB). The Planning Commission considered a similar proposal in January, 2007. At that time, the site was zoned R-48 and Office. The applicant requested a rezone to RB, which was and is consistent with the Comprehensive Plan designation for the site of Community Business and Mixed Use. The Mixed Use and Community Business comprehensive plan designations permit a variety of zoning districts, including multifamily residential districts and most commercial districts.

Background

At the time of the previous request, staff and the Commission both recommended that the zoning be changed to Community Business. The rationale for the recommendation was that development in a Regional Business zone would be somewhat more intense than would development in a Community Business zone and therefore would be a better fit. The recommendation was accepted by Council and the zoning changed to CB (Ordinance 460).

The recommendation was made with the expectation that staff would, in the near future, propose an additional change to the Development Code that would permit increased residential densities on Community Business zoned properties located within a short walking distance of Aurora Avenue. In staff's mind, a CB zone with a provision for added density would have been appropriate on the site.

Staff Rationale for Recommendation

It has been almost two years since the Commission reviewed the rezone. Since that time, there have been changed circumstances that have caused the proponent of the rezone to re-submit their original request (to rezone to Regional Business) and caused staff to re-evaluate its recommendation to the Commission.

The first is that the Council did not modify the Development Code to permit greater housing densities on CB sites located close to Aurora Avenue. In making that decision, the Council signaled that decisions would occur on a site-by-site basis through the rezone process or, alternatively, as a result of a Subarea review.

The second change is that the Council has signaled that it wants to look closer at maximum density permitted in RB zones. Currently there is a moratorium on development in RB zones at residential densities greater than 110 du/acre. Staff expects that, after the moratorium is lifted, the densities permitted in RB zones will have a numerical upper limit, though we are not certain what that limit will be.

As noted in staff's analysis of the current rezone request, staff has concluded that this site is appropriate for higher density development due to its proximity to Aurora. As the City continues to attract new residents, it is important to house them in an efficient and cost effective manner, so long as that is compatible with a market niche that is supported by housing demand. There is a portion of the housing market that wants to live near transit corridors and is comfortable living in multistory buildings. This demand can best be satisfied by allowing people to build to higher densities on and near Aurora. This site, located within walking distance of transit, is an appropriate location for higher density.

Conclusion

As shown in the "Initial Findings" that is attached, Staff has reviewed the proposal and concluded that, given the changing circumstances that have occurred since the staff recommendation in January 2007, staff will support the current request to rezone the sites from CB to RB because the request meets the intent of the Comprehensive Plan and the criteria for rezoning listed in 20.30.310.

If you have questions about items included in the staff report or have questions that warrant additional research, please contact Steve Szafran prior to the public hearing. He can be contacted at 206-801-2512 or sszafran@ci.shoreline.wa.us.

Attachment B 1

August 12,2008

City of Shoreline
17544 Midvale Ave. N.
Shoreline, WA 98133

RECEIVED

AUG 12 2008

CITY CLERK
CITY OF SHORELINE

RE: Application #201753
18501 and 18511 Linden Ave.
Attn: Steve Szafran

To whom it may concern:

This application does not meet the requirements of the Shoreline city comprehensive plan and should be denyed as described in the current proposal. As is evident from the address of the project it is sited on a neighborhood street and not an arterial as directed by the comprehensive plan. In reviewing the information submitted to the public at a public meeting I saw that the height of the building is contrary to the Shoreline comprehensive plan. The comprensive plan has directed this height of structure to be located on Aurora Avenue not adjacent to a residential neighborhood. The proposal representative at the meeting I attended made the statement that the stair stepping of this structure on the west side met the intent of the "wedding cake" statement in the comprehensive plan. The height of this structure by being placed next to a residential neighborhood will negate the plan for Aurora Avenue because buildings will need to be very high to be above this structure. The property value increases dramatically at the height of 65 feet and above because a view of Puget Sound and downtown Seattle is available at that height. The wedding cake concept in the comprehensive plan preserved views on the west side of Aurora Avenue because structures a block or more to the west of Aurora could not be significantly taller than those sited on Aurora.

The adjoining structures across from this proposal are no where near as high as this building. The concept of "community business" is not intended to create such a high structure that towers over every other residence and commercial building in the neighborhood. Mixed use zoning such as the Echo Lake site is sited on Aurora Avenue. Just because this property came up for sale before the properties on Aurora Avenue is no reason to rezone this property and in effect amend the comprehensive plan. It appears that these concerns were not correctly taken into consideration when the DNS for this site was issued.

Sincerely,

Kenneth Howe

Kenneth Howe
745 N. 184th Street
Shoreline, WA. 98133
206-546-6883

Steve Cohn

From: Barbara Boldrin [Barbara.Boldrin@PREMERA.com]
Sent: Tuesday, August 19, 2008 9:00 AM
To: Steve Cohn
Subject: James Allen Salon Proposed Project

I have lived in Shoreline since 1996 and live a block and a half from the James Allen Salon location at the corner of Linden and 185th. I've been a customer of the salon for the past several years and drive and walk by the location daily.

This area has been commercial in nature from the day I arrived. The proposed enlargement of the James Allen Salon seems very consistent with the development of the area and should enhance the quality of life for nearby residents in bringing more services to the area within walking distance of where they live. I feel the proposed building and the services proposed would help to anchor the intersection considering the proposed changes for the Mason building and the already existing structures for Windermere Realty, the Bank of America, Fred Meyer and the dental offices adjacent to the fire department.

The volume of traffic on 185th certainly isn't compatible with private residential use and the provisions built into the plan for James Allen for parking seem responsible and well considered. Frankly, I don't understand the opposition to this project as originally proposed but do hope you will reconsider the current proposal and approve it.

Thank you for your service to the community.

Barbara Boldrin
18233 Linden Avenue N
Shoreline, WA
206-546-9649

Steve Cohn

From: harrysloan@comcast.net
Sent: Tuesday, August 19, 2008 10:40 AM
To: Steve Cohn
Subject: Rezone request at 18501 Linden Ave N #201753

Steve,

I hope this e-mail finds you well. I'm writing to you in support of a rezone request #201753 for the James Alan Salon.

As you well know, we spent a year together as part of the Shoreline Housing Commission effort to help identify the future housing needs for the city of Shoreline and how best to meet those needs. By way of background I lived in Shoreline for four years and currently work in Shoreline as a Windermere residential specialist. I'm also a client of the James Alan Salon.

As a client I've come to appreciate how much the Salon contributes back to the community and its reputation as one of the best places to work. As a residential specialist and a past member of the Housing commission I can appreciate that the development supports the economic development, housing and sustainability strategies adopted by the city council.

Over the course of a year the Housing Commision looked at a variety of possibilities for the city and found in some instances how difficult it can be to find a perfect solution where a development can make economic sense for the developer while staying within the character and guidelines of the city's plan. The James Alan request comes as close as any I've seen to fitting that "perfect solution".

>It has great access to public transportation.
>Gives the city 34 new apartment units
>All 70 parking spaces weill be below and behind the building making for nice street appeal.
>It is not out of character for the neighborhood.

The James Alan Salon has been a productive member of the Shoreline Community for over 28 years and I urge you and the rest of the planning commision to approve the rezone request.

Thanks for taking the time to read and consider this.

Sincerely,

Harry

Harry D Sloan
206-295-9551

Steve Cohn

From: CRAIG SCHOCH [schoch5@msn.com]
Sent: Tuesday, August 19, 2008 3:35 PM
To: Steve Cohn
Subject: Fw: James Alan Salon

----- Original Message -----
From: CRAIG SCHOCH
To: schohn@ci.shoreline.wa.us
Sent: Tuesday, August 19, 2008 3:33 PM
Subject: James Alan Salon

I have been a resident in Shoreline for the past 22 years. I ask the Planning Commission to reconsider the request and rezone the property to "Regional Business". James Alan Salon has been a supporter in this community for many years. They donate their time and materials to support the education system here. This is a responsible owner who will add to the city's economic development.

Thank you,

Patty Schoch
518 North 188th Street
Shoreline, WA 98133

Steve Cohn

From: emoke@windermere.com
Sent: Tuesday, August 19, 2008 3:36 PM
To: Steve Cohn
Subject: James Alan Salon

Dear Mr. Cohn,

As a member of Shoreline Breakfast Rotary and immediate past president, I am requesting the Council's support of and the Planning Commission's approval of the rezone request #201753 for the James Alan Salon. These people are a vital part of our community and do so much pro-actively to support the community's needs. Their proposal is in excellent taste and would enhance the aesthetics of the neighborhood.. Additionally it would provide quality affordable housing and parking. I urge all to support a positive motion.

Thank you,

Emoke Rock

Emoke Rock
Associate Broker
Windermere G.H. L.L.C.
cell: 206-794-2920
office: 425-672-1118
web: emoke.com

August 20, 2008

Planning Commission
City of Shoreline

Re: Rezone Request at 18501 Linden Ave N., #201753

Dear Commissioners,

This is a request for you to support the James Alan Salon project. The proposal to rezone the area at 18501 Linden Ave N. would benefit our city. It would continue the effort to provide more affordable housing choices for Shoreline and also concentrate the multi-unit housing with businesses within walking distance of other businesses and accessible to public transportation.

As a 40 year resident of Shoreline, I participated in the visioning process prior to incorporation, participated in the King County citizen panel that recommended incorporation and was a member of the public works committee upon incorporation. Throughout these activities there was an effort to protect residential areas and focus business in areas easily accessed by public transportation. We need to support those businesses that cooperate with this goal.

As I understand the James Alan Salon project, having 34 apartments and parking spaces below and behind the building would reduce the amount of in and out traffic and make it easier for residents to walk. It supports the economic development strategy, the sustainability strategy and the housing strategy adopted by the city council.

James Alan Salon has been a model business in Shoreline by providing volunteer services, participating in community activities and providing excellent hair cuts to us citizens over the years. This is the type of business we should be encouraging in Shoreline.

Please support the James Alan rezone request. You will be helping to implement the vision of Shoreline as a safe, friendly and economically viable community.

Respectfully,

Edie Loyer Nelson
19544 15th Ave NW
Shoreline, WA 98177
206-546-6323

Cc: James Alan Salon

Steve Cohn

From: Allen Anderson [jeada1118@gmail.com]
Sent: Wednesday, August 20, 2008 11:10 AM
To: Steve Cohn
Subject: Improving Shoreline

Planning Commission, City of Shoreline

Dear Ladies and Gentlemen

I am writing on behalf of the Rezone Request at: 18501 Linden Avenue North # 201753

I favor the proposed rezone and the building proposed for that site. Having served on the City's Economic Development Committee, this is just one type of development for the City that the committee envisioned.

As I understand the proposed building it will consist of a business and thirty-four apartments with more than adequate parking. The site is geographically located to provide easy access for the tenants to a wide variety of businesses, medical facilities, restaurants, banks and public transportation. I am assured that the building will have street appeal and be a meaningful addition to the City of Shoreline.

The proposed building accomplishes many benefits to the City including: A business site to provide meaningful employment, additional housing,and improvement to the neighborhood.

The owners of the property have been in business over over a quarter of a century and have long been contributors, hands-on and financially, to the community of Shoreline. While I have met Mr. Fairfax, I am not involved in any way with him or his business. My interest is solely on the improvement to the City of Shoreline.

I ask your approval of this zooning change and recommendation to the City of Shoreline Council.

If the current building code will allow a single use building of business offices but not allow a mixed used building of the same size the City should really change to code.
Sinderely,

Allen D. Anderson
19819 5th Avenue NW
Shoreline WA 98177
206 546 6631

8/20/2008

Steve Cohn

From: Witeck, Jennifer L [Jennifer.L.Witeck@mercer.com]
Sent: Wednesday, August 20, 2008 12:06 PM
To: Steve Cohn
Subject: Letter in Support of the James Alan Salon Project, #201735

Dear Shoreline Planning Commission Members:

My name is Jennifer Witeck and I am writing to you in support of the James Alan Salon Project (#201735). I respectfully encourage the Planning Commission to honor the project's request to rezone their location at 18501 Linden Avenue North.

Although I am not a Shoreline resident, I am in support of the Salon project being rezoned as a Regional Business vs. a Community Business. I live in Ballard and I have been a James Alan Salon customer over the past seven years. Hearing about their project, I believe the retail and residential space created by the project would benefit both the Shoreline community and the region as a whole. The salon has a 28-year history of being a respectable community-involved business and it is only logical that their project would continue to directly benefit the city of Shoreline.

From the retail perspective, the development of this property supports the economic development strategy and the sustainability strategy adopted by the city council. With its location, the new building would provide easy access to public transportation as well as other retail services such as food, medical/dental, pharmacy, restaurants and banking, thereby generating financial growth to surrounding businesses in the community. With new retail space available, the Shoreline community will benefit from the increased economic growth.

From the residential perspective, the development is in line with recommendations from the Housing Commission as well as Shoreline's growth plan. The 34 apartments will help mitigate the limited apartment availability created by the past several years of condo conversions, thus providing a financially-viable option for Shoreline residents. With the easy access to transportation and other businesses mentioned above, residents will also add to the city's financial success.

Again, I encourage the Planning Committee to approve the rezoning request. With the responsible community growth provided by this multi-family dwelling and additional retail space, Shoreline could only benefit from the James Alan Salon project.

Sincerely,
Jennifer Witeck

This e-mail and any attachments may be confidential or legally privileged. If you received this message in error or are not the intended recipient, you should destroy the e-mail message and any attachments or copies, and you are prohibited from retaining, distributing, disclosing, or using any information contained herein. Please inform us of the erroneous delivery by return e-mail. Thank you for your cooperation.

FE01

Steve Cohn

From: Tom Corbett [tom.corbett@comcast.net]
Sent: Wednesday, August 20, 2008 1:21 PM
To: Steve Cohn
Subject: James Alan Hair Salon - Public Hearing: Rezone Request at 18501 Linden Ave N, #201753

To: Shoreline Planning Commission
From: Tom Corbett, 19599 - 27th Ave NW, Shoreline, WA 98177
Date: August 20, 2008

I strongly support James Alan Solon's rezoning request. The city of Shoreline desperately needs more affordable housing alternatives that simply cannot be found in the city today. With 4 million new residents expected in the Puget Sound region by 2050, we need to begin to make room today. Having traveled to many locations in Europe and Asia, I have seen the huge benefits that cities and even small towns realize with higher-density housing, particularly near areas like 185th and Aurora. With its access to shopping, medical/pharmacy, restaurants, banking and bus lines, it could be an ideal location for independent seniors. With its easy access to the Interurban Bike Trail, it could be ideal housing for students going to Shoreline Community College, or even U.W. and S.P.U., who would appreciate the savings made possible by biking rather than driving and parking. Both of these groups need more affordable housing, and would be happy to live within the smaller spaces. In other cities, I have witnessed people who have smaller living quarters make better use of "third places", such as coffee shops, book stores, and restaurants, which keeps a community healthy and vibrant. Higher density means more eyes on the street, which would help keep Aurora and the neighborhoods nearby more crime-free. The city would be making a positive statement and taking a leadership role with regard to sustainable development, since the construction, heating, and maintenance of these units would be leaving a significantly smaller carbon footprint per resident. I know that the Planning Commission has wisely supported this project in the past, and that it has been the City Council that has stood in the way. I hope that you can continue to educate the City Council to see that projects like this are the way of our future. The huge demand and exceedingly small supply of units such as these guarantee that they would seldom/never be vacant.

In the interest of public disclosure, I would not benefit financially or any other way directly or indirectly, other than my general level of satisfaction would increase in knowing that I live in a city that gives more than lip-service support of economic development, sustainability and affordable housing.

Most sincerely,
Tom Corbett
19599 - 27th Ave NW
Shoreline, WA 98177

Steve Cohn

From: d.fosmire@comcast.net
Sent: Wednesday, August 20, 2008 2:18 PM
To: Steve Cohn
Subject: Public Hearing: Rezone Request at 18501 Linden Ave N, #201753

Dear Mr. Cohen,

I am writing to express my support for the re-zone request at the property located at 18501 Linden Ave. N. I am surprised to hear that the City Council has still not approved this re-zone. As a Shoreline resident who holds a degree in Urban Geography from the University of Washington I would offer several reasons this property re-zone should be approved.

It has access to public transportation as well as services such as food, medical/dental, pharmacy, restaurants, and banking located on the Aurora Corridor.

This project falls within the parameters of the economic development strategy, the sustainability strategy and the housing strategy, all three of which have been adopted by the City Council.

This development is in line with the GMA as well as supporting Shoreline's growth plan.

As the owner of apartments in Seattle who has resisted condo conversion, this new building will provide 34 apartments helping increase the limited number of apartments built in the past several years of condo construction and conversion.

It provides for responsible growth – multi-family dwellings built near the Aurora Corridor and not in adjacent residential areas.

Both the retention of James Alan Salon business and construction of new multi-family residences will add to the city's economic growth.

Sincerely,

David Fosmire

8237 14th Ave NW
bsp;

8/20/2008

Steve Cohn

From: Lamar and Cathy Scott [scott7911@msn.com]
Sent: Thursday, August 21, 2008 8:30 PM
To: Steve Cohn
Subject: James Allen Salon Project

We want to express our support for the James Allen Salon Project.

We strongly support development of new apartments in Shoreline particularly those along public transportation corridors and within walking distance of shopping and community services. It is past time for our community to recognize the importance of development that does not rely on private vehicles generating more traffic and causing more road construction.

This is a responsible development, consistent with Shorelines growth plan, by a responsible community business.

Lamar Scott
Cathy Scott
2133 N 159th St
Shoreline, WA 98133

Steve Cohn

From: DANIEL LYONS [danlyons1@verizon.net]
Sent: Thursday, August 21, 2008 10:36 AM
To: Steve Cohn
Subject: Rezone request at 18501 Linden Ave. N. #201753

Dear Planning Commission members,

It seems to me that the community would benefit from construction of additional rental apartments, and to accomplish this it will apparently be necessary to change the present zoning at the subject address from "Community Business" to "Regional Business".

Therefore, we strongly urge you to make this change.

Daniel and Maureen Lyons
18033 13th Ave. NW
Shoreline, WA 98177

Steve Cohn

From: Gordon Mehus [gm.boosters@verizon.net]
Sent: Thursday, August 21, 2008 4:07 PM
To: Steve Cohn
Subject: Public Hearing: Rezone Request at 18501 Linden Ave N, #201753

Dear Mr Cohn,
I am writing to express my complete support for the zoning variance requested by James Alan Salon. This is *exactly* the type of business activity that we in Shoreline should be encouraging at every turn. James Alan has been a fixture at the 185th and Linden location for many years. They have supported the community in a number of ways and proven to be a very good neighbor. Now they want to improve and expand their business. They have earned any assistance the City can offer.

The James Alan project is the perfect use of a location that abuts a utility sub-station, a bank, a real estate office, Fred Meyer and one of the busier intersections on 185th. What better use is there for this particular property? It puts higher density apartments within walking distance of mass transit and shopping. The parking is off-street, which I personally feel is important. The new, revived business and additional residences will add to Shoreline's economic development.

The City needs to do everything it can to encourage and keep businesses like James Alan Salon here in Shoreline.

Sincerely,
Gordon Mehus
17 Year Shoreline Resident

Steve Cohn

From: rlspeed@aol.com
Sent: Friday, August 22, 2008 9:09 AM
To: Steve Cohn
Subject: Public Hearing: Rezone Request at 18501 Linden Ave N, #201753

To: City of Shoreline Planning Commission
From: Valerie Speed
Subject: Public Hearing Rezone Request at 18501 Linden Ave N, #201753
Date: August 22, 2008

I am sending this testimony in regards to the zoning change needed for the James Alan Salon building project at the above noted address. As a twenty five year resident of Shoreline, and a ten year patron of the salon, I urge you to approve this application.

The City of Shoreline has promoted sustainability, responsible growth and multi-family housing near to business districts. This project meets these goals set out by the city council, and provides so much more! The salon, in addition to providing great services to its customers, employs over 25 people, many of whom live in the city. It has been an established and responsible community member, participating in local organizations and charities. The new building will provide apartments, which are disappearing at an alarming rate. Last but not least, the proposed project provides for on site parking which should plea se patrons, neighbors and general citizens as well! It is located on a major bus route, and one block from the busy Aurora corridor, an ideal setting for a project of this kind.

I would like to also point out there is an adjacent property with recently completed project of condominiums, and there is a large, long standing condominium complex on Linden north of the property adjacent to the power/phone substation. I think these structures indicate that this proposed project is ideally suited to this location.

Fortunately for the patrons of this great business, they have stayed open in a temporary location. Hopefully, with your approval and the City's blessing, they will be able to return to their original location as soon as possible. Thank you.

Steve Cohn

From: anastacia spear [anastacia_spear@hotmail.com]
Sent: Friday, August 22, 2008 6:02 PM
To: Steve Cohn
Subject: #201753

To Whom It May Concern:

I am writing in support of the James Alan Salon project, I would like to state a few key points in my support of the project.

First, the James Alan Salon has been a responsible community business and partner for over 28 years and during this time, the salon has made countless service and financial contributions back to the community. Second, over 25 employees are employed by the salon and almost half of them are Shoreline residents, Third, their development is in line with recommendations from the Housing Commission as well as in line with Shoreline's growth plan. Lastly, their development plans support the economic development strategy, sustainability strategy and housing strategy, all three of which have been adopted by the city council.

Thank you for your time.

Respectfully,
Anastacia Spear

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Steve Cohn

From: Joan Dressler [gemlady@mail.com]
Sent: Monday, August 25, 2008 5:31 PM
To: Steve Cohn
Subject: Support For The James Alan Salon Project

I am writing in support of a rezoning of the property, James Alan Salon project at 18501 Linden Ave N, #201753.

This development is in line with recommendations from the Housing Commission, as well as being in line with Shoreline's growth plan.

It is responsible growth with multi-family dwellings planned one block west of Aurora Avenue, not in residential neighborhoods. At the same time it will provide 34 apartments to assist with the replacements of those apartments lost through condo conversions.

The Salon has been a responsible community business and partner for over 28 years. Both the business and residences will add to the city's economic development.

Thank you for taking this rezoning proposal under serious consideration.

Yours truly,
Joan Dressler, Shoreline Resident

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Steve Cohn

From: Monica Johns [Monica.Johns@tideworks.com]
Sent: Monday, August 25, 2008 10:43 AM
To: Steve Cohn
Subject: Public Hearing: Rezone Request at 18501 Linden Ave N, #201753
Importance: High

Dear Planning Commission:

Please note that I am a Shoreline resident and a valid registered voter.

This email serves as my support for the James Alan Salon Project.

Below are few of my reasons as to why I am in support of said project:

- This development supports the economic development strategy, the sustainability strategy and the housing strategy, all three of which have been adopted by the city council
- All 70 parking spaces will be below and behind the building, making for very nice street appeal
- It is responsible growth – multi-family dwellings planned one block off of Aurora (not in the residential neighborhoods)
- James Alan Salon has been a responsible community business and partner for over 28 years and during this time, James Alan Salon has made countless service and financial contributions back to the community.
- Both the business and residences will add to the city's economic development

Thank you,
Monica Johns
638 NW 181st Court
Shoreline WA 98177

16229 14th Ave. NE
Shoreline, WA 98155
August 25, 2008

To: Shoreline Planning Commission

From: Janice R. Ellis

Re: **Public Hearing: Rezone Request at 18501 Linden Ave N, #201753**
(James Alan Salon project)

As a resident of Shoreline since 1966 and a client of the James Alan Salon for many of those years, I am writing in support of their request for a rezone to permit the teardown of the old salon and the construction of a new building which would house the salon on the first floor and 34 apartments on floors above. My support lies in three main areas.

1. The salon has been a significant business in Shoreline for 28 years. With 25 employees it is an important part of the overall economic structure of the community. As a business it has been very successful and has received an award for the quality of the management and the way employees are treated. This is the type of small business that Shoreline needs both to serve residents and to enhance the overall livability of the city. If the city does not support this rezone, it may not be economically viable for the Salon to rebuild in the city of Shoreline. Forcing a business such as this to relocate is a loss for all. Sustaining Shoreline's business climate is important.
2. All businesses serving the public need to address issues of access. As a retired person, I recognize that there is a significant aging population in the city of Shoreline as well as individuals with disabilities. The old building (not the current temporary one) lacked appropriate access for those with any kind of disability. A new building with adequate parking and access is essential for a business that must serve the public. The plan would include adequate parking for clients as well as residents and thus would not impinge on the neighboring housing area. As an individual who may need an accessible salon in the future, I encourage support for a business that is making this change a part of its planning.
3. Placing high density apartment housing close to the Aurora corridor meets multiple community needs. Apartments are essential for many individuals for whom purchasing a home may not be either desirable or in some instances possible. This is true of those with lower incomes, young people beginning independent living, the disabled, some older individuals, and those who simply prefer apartment living. This urban center on Aurora would be a great place for apartment dwellers and the number of units would add significantly to a segment of the housing stock of the city that is greatly needed. These apartments would be close to bus lines, near shopping and medical resources, and within easy walking distance of the Interurban Trail and other community amenities. This is an environmentally sound plan as we all search for ways to decrease the use of single person car trips.

Windermere

Windermere Real Estate/Shoreline

August 26, 2008

City of Shoreline
Attn: Steven Szafran
17544 Midvale Av North
Shoreline, WA 98133

Re: Rezone Permit #201753
18501 and 18511 Linden Av N

Dear Mr. Szafran:

We are located directly across Linden Avenue to the east of James Alan Salon and have received your notice of rezone application for these properties. James Alan Salon has been an excellent neighbor for many years.

We are in support of this rezone and consider the project to be of great benefit to the whole community. Shoreline is a growing city and needs to retain and attract well respected businesses and employees. This should be a fundamental concern to the city.

We have a couple concerns that we hope will be addressed without further delay. The first is the length of time this property has been vacant. It is in a deteriorated state which we feel is detrimental to our property. This is also an invitation for vandalism which does not bode well for the community.

The second concern is regarding the apparent length of time this rezone is taking. Your notice refers to an original date of October 2006. In checking with the city as to why it was taking so long we were told that there was a code amendment that was up for adoption which could affect the property. Apparently since that time it has been brought to the city council four times with recommendation for approval by both the planning commission and the city staff. Each time the city council majority has sent it back to the planning commission for further study. It would appear that this process is taking an inordinate amount of time. Is this now or has this become a standard rezoning process and/or code amendment adoption in the City of Shoreline?

We feel this is an ideal location for the intended purposes and the rezone should be approved without further delay.

Sincerely,

Gary Alston,
Owner, Broker

cc: Steve Cohn

900 North 185th Street • Shoreline, WA 98133 • Tel. 206/546-5731 • Fax 206/546-5741 • E-mail: shorline@windermere.com

Received 4:43 on Aug 26

-----Original Message-----
From: Ken and Pearl Noreen [mailto:noreen@seanet.com]
Sent: Tuesday, August 26, 2008 4:42 PM
To: Steve Cohn
Subject: Letter of support for rezone#201753

2625 NW 205h
Shoreline, Washington 98177
August 26, 2008

Dear Planning Commission Members,

We want to strongly urge you to support the Rezone Request at 18501 Linden Ave North #201753 for the James Allen Salon. The James Allen Salon has been a responsible community business and contributor in our community for the past 28 years. We can personally vouch for their unbelievable support for a variety of community organizations. Their support is highly visible at fundraisers and events for the Shoreline Public School Foundation, the Shoreline Art's Council, the new Dale Turner YMCA, the Center for Human Services, and Rotary. They have also given young mothers in the Healthy Start program makeovers at the Salon. No other business in Shoreline has contributed at this level in our community!

We urge your support for this rezone. The City Council has supported the Gambling Casinos by lowering their taxes repeatedly, and we find Casinos support for the community vacant. The Casinos have repeatedly turned organizations down when asked for contributions. We know we have asked them. How can the city turn a deaf ear to this rezone when James Allen is so supportive in this community?

We urge your support for the #201753 rezone because the rezone supports the economic strategy, the sustainability strategy, and the housing strategy for the city of Shoreline. This development also supports the Shoreline growth plan. With 34 much need apartments and 70 parking spaces this development enhances responsible business development in Shoreline.

What a tragedy for the Shoreline community if the James Allen does not get its rezone and chooses to move its business to another community! I cannot believe that this City Council and Planning Commission would let this happen! Unfortunately the city of Shoreline is gaining a reputation for being unfriendly to businesses! For over two years this rezone has been held up by the city! That is unbelievable to us!

We once again urge your support for Rezone Request at 18501 Linden Ave N. #201753. It is incomprehensible that it has taken 2 years to complete this process!

Steve Cohn

From: Dave Tousley [DTousley@nfcorp.com]
Sent: Tuesday, August 26, 2008 9:22 AM
To: Steve Cohn
Subject: Rezone request for 18501 Linden Ave N. #201753

Dear City of Shoreline Planning Commission

I am writing this letter in support of the Rezone Request at 18501 Linden Ave N., #201753.

The City Council of the City of Shoreline has adopted a housing strategy, a sustainability strategy and an economic development strategy. I assume that means the council supports these strategies. The project planned for the James Alan Salon property also supports those strategies.

It is time for the planning commission, the city and the city council to start supporting the well established small businesses in our community and approving this rezone might show that Shoreline can be a business friendly community.

Sincerely,

David & Roseann Tousley

-----Original Message-----
From: Catherine Furnia [mailto:cmfurnia@gmail.com]
Sent: Tuesday, August 26, 2008 4:56 PM
To: Steve Cohn
Cc: Matthew@JamesAlanSalon.com
Subject: rezone request for James Alan Salon

To Whom It May Concern,
I am writing because I am concerned that the Shoreline City Council is acting in a biased manner toward the owners of James Alan Salon in their effort to get zoning for their building project at 18501 Linden Ave N. I do not know the owners, but have been a customer of theirs for the last two years.

I have watched the HUGE development of the south Echo Lake YMCA and housing units over the last year, and cannot fathom why the city council would then object to such a small project in what is clearly a mixed used neighborhood, when they approved such a behemoth project in an environmentally sensitive area. This is the same city council that has allowed cottage housing in R-6 neighborhoods, so why would there be concern about a 34 unit mixed use building? Although Fred Meyer is very useful, it is an eyesore. I believe this new building would only benefit the neighborhood financially and aesthetically. The location in question is bordered by a major arterial, Windermere Real Estate, a fairly questionable apartment complex to the northeast, a utility station directly to the north. In what way would the James Alan project hurt the neighborhood? They have made, from what I can ascertain, reasonable accommodations for increased traffic and parking.

I also do not understand why zoning would allow a building of the same size if it were all office space, but not for mixed use. The logic completely escapes me. This is a perfect place to have apartments that would actually help REDUCE car traffic, since tenants/owners would be able to literally walk across the street to have almost all their needs met at nearby businesses.

It seems as though James Alan Salon has been a very "good neighbor" to the community through the years. I can only deduce that there are city council members who are acting out of spite or financial motivation to prevent this project from getting the appropriate permits and zoning.

I look forward to your response to my questions and concerns.

Sincerely,
Catherine McConnachie
(206)546-5992

From: CaraLee Cook [caraleester@yahoo.com]
Sent: Tuesday, August 26, 2008 10:17 PM
To: Steve Cohn
Subject: Rezone of property at 185th and Linden
Dear members of the city of Shoreline's planning Commision,

I live in the Richmond Highlands neighborhood of Shoreline, and wish to express my support for the re-zoning of the land on the corner of 185th and Linden Ave N., currently the James Alan Salon and the two surrounding parcels. The goal is to develop this property into a mixed use building with 36 apartments and office space.

Please grant the re-zone necessary to enable this project. There is a huge need for affordable housing in our city.Many of our transitioning households do not desire a detached single family home. Dense apartment style housing is needed, but belongs in the commercial corridors where public transport, shopping and services can be accessed on foot. The design of this project will enhance the aescetics of the area, I especially appreciate the design of parking in the back and under the site, so it is not visible from the street view. An increase in property value increases the return of tax revenue to the city. Mixed use provides the best return for the space and resource, and is the preferred development model for urban corners.

There are many positive outcomes of this project and I urge you to grant the needed rezone so that the project moves forward with the highest number of housing units possible. If you have any questions, please do not hesitate to call me.

CaraLee Cook, (206) 546-0145

Steve Szafran

From: Steve Cohn
Sent: Thursday, August 28, 2008 8:09 AM
To: Steve Szafran
Subject: FW: James Alan Salon Rezone

Sent Aug 28

-----Original Message-----
From: Agreement Dynamics, Inc. [mailto:hq@agreementdynamics.com]
Sent: Thursday, August 28, 2008 7:25 AM
To: Steve Cohn
Cc: 'Matthew Fairfax'
Subject: James Alan Salon Rezone

Dear Planning Commission:

As a resident and business owner in Shoreline, I'm writing to support the James Alan Salon proposed rezone to a regional business designation.

Please support their request for increased housing units on the site. The James Alan Salon is a long-time neighborhood business that employs a number of Shoreline residents and makes a positive contribution to our community. This type of development is good for Shoreline because:

- It increases rental property in the area, much of which has been converted to condos in the past several years.
- Its location is one block off Aurora, allowing residents to walk to shopping and transportation services. This is sensible development for our community's future.
- The mix of business and residences there will increase the economic vitality of the area.
- Without the additional residences proposed their business plan for this building project may not be economically viable.

Please feel free to contact me if you have any questions. Thank you for your consideration of this important request.

Sincerely,

Rhonda Hilyer, President, Agreement Dynamics, Inc.
18410 16th Ave. NW, Shoreline, WA98177

Agreement Dynamics, Inc.
relationships, agreements, results
(206) 546-8048

RECEIVED
AUG 27 2008
P&DS

August 28th, 2008

Subject: SEPA and Rezone Request at 18591 Linden Ave N #201753

To: Steve Szafran, Steve Cohn, City of Shoreline Planning Commission

Please let me apologize for writing at the last minute and without making time to personally review the file. I did not realize how quickly time was passing. I am trying to better understand what has/has not transpired before it's too late to ask. I am writing in regards to both the SEPA and the requested rezone on the reference property commonly known as the "James Alan" property owing to the hair salon that has operated there from a one story building for a number of years. I will address my SEPA questions/concerns first and then provide my re-zone concerns.

Regarding SEPA

1. It's my understanding the only SEPA currently available on this property is for the current Community Business (CB) permit application of 20 units. Is this correct? SEPA

2. Was there a recent period for SEPA review that I missed? If not, could you please enlighten me as to why not?

3. I assume a SEPA was done for the proposed re-zone? Could I please get a copy of it? When did I miss the chance to comment on it?

4. Are the applicant required copies of Washington Department of Fish and Wildlife Habitat Species maps for this location provided? to verify if the property is part of a migratory route and if so, for what species?

5. Also, how will the loss of solar lighting/energy on the single family home immediately to the north be mitigated? by shape/height/location of the proposed structure?

Please provide a *written response* to each of the above SEPA related questions.

Re-Zone Concerns

I implore you keep the zoning of this property at CB (R48) and to look at the most current facts available. It concerns me that comments I have been able to review are from the following:

Harry Sloan – Windermere Real Estate Agent
Emoke Rock – Windermere Broker
David Fosmire – 14th Ave NW
Edie Loyer Nelson – 15th Ave NW
Allen D Anderson – 198th & 5th NW
Patty Schoch – 500 block of N 188th
Barbara Boldrin – 18233 Linden Ave N

Of these, only the last is really a neighbor that will be affected.

Here are calculations I did on the lot dimensions and the proposed increase in units:

There are 43, 560 sf/acre
The lot is 14,200sf or 32.6% of an acre
36 units (based on receipt of the requested RB re-zone) proposed units.
(I believe this would be 34 housing units plus the James Alan Salon itself)

2

14,200 x 3.0675 = 43,560

Or

36 units x 3.0675 (multiplier determined above = 110 units per acre

110 units per acre *might* be appropriate in some locations that face directly onto Aurora, however, this property not on Aurora and is on the edge of a single family neighborhood.

The proposed re-zone would allow what is now a five story building, immediately adjacent to a two story, single family residence to grow to six stories.

	Zoning Code	Zoning Density	Height	Stories
Current	Community Business (CB)	Max R48	Max 60 ft	Max 5
Proposed	Regional Business (RB)	Max R110?	Max 65	Max **6**

The existing CB zoning will allow for 4 additional stories and 20 residential units not currently on site. To increase that level of growth even further is simply unwarranted "piling on". If this property is allowed to re-zone to RB it will represent and additional 125% increase in units over those already zoned, an additional story and not require any of the small businesses so badly needed to re-vitalize or city. This seems both unwise and totally unwarranted.

I have lived in Shoreline, at the same address since 1965. I have seen many changes and how they have affected the neighborhood near this property. I live one block north of the James Alan Salon where Linden Ave N becomes Firlands Way and intersects N 188th Street. I was also a member of the Planning Academy. The Academy's sole purpose was to work as a diverse group made up of developers, contractors, home owners and

businesses to of "form" so they could be used to show by means of example what citizens wanted their neighborhoods to look like. This process, by default, also defined the least desirable attributes.

One the most undesirable forms identified was the lack of any transition from one type (multi-family; large bulk) building(s) to another type of building like single family. The larger building literally overshadows the smaller one and destroys any sense of local character and continuity.

The existing, Community Business zoning already allows for up to five stories that will be erected just feet away from a small 2 story home. Regional Business zoning would allow this to increase all the way to six stories looking down on this 2 story home.

Furthermore, I am concerned the existing SEPA is no longer timely, nor reflective of the increased impacts the proposed re-zone might cause.

Also, Firlands Way is a residential street that already experiences traffic volumes considered to be excessive for the street and neighborhood characteristics. I have attached the average weekday total axel counts provided by Traffic Engineer, John Marek. These were done for the Hillwood Neighborhood Traffic Plan. You can see that during the course of the average weekday in February 2007 there are 2213 cars coursing through the neighborhood at a rate of 1 every 15 seconds at the 7AM & 5PM peak times. I am very concerned that 34 housing units, with 70 additional parking spaces (not to mention overflow parking on the street) will simply add more traffic to this already overused, unsafe street. I am absolutely opposed to anything that would add even one more car to the traffic on this street until the City finds, implements and demonstrates the means to successfully reduce the existing traffic volumes in our once relatively quiet neighborhood.

4

Furthermore, RB zoning would allow for all the units in the proposed building to be residential without any commercial occupants. While this may prove lucrative for the owner, it will not bring locally owned small businesses into the community to diversify and deepen our business tax base. Having all housing units, which some find most attractive, would not only increase daytime commuter traffic, it would also mean the local neighborhood streets would have an increase in evening traffic as well. Local neighbors have a right to expect reasonable traffic volumes. According to the City's own current traffic counts, before any changes to this site are made, we have unacceptably high traffic volumes and adding even more units than currently allowed, will simply exacerbate an untenable situation. Then imagine that even more of the units are likely to be 24 hour residential units and you can easily imagine the outcomes.

Zoning and Comprehensive Plan Disconnect

I understand the Zoning Code allows for R-110 density. However, aren't the Comprehensive Plan and accompanying Environment Impact Statement (EIS), which don't address this level density, the controlling documents? This continues to be a concern that needs to be addressed before even considering this level of density directly adjacent to single family housing.

Thank you for your thoughtful consideration and responses to my concerns.

Sincerely,

Boni Biery

Boni Biery
903 N 188th St
Shoreline, WA 98133

5

City of Shoreline

Public Works - Traffic Service
17544 Midvale Ave N

Location : Firlands Way N
Cross-St : N 190 St
Direction : s/o DirectionTOT

Site:
Date: 01/29/07

Interval Begin	Mon 1/29	Tue 1/30	Wed 1/31	Thu 2/1	Fri 2/2	Sat 2/3	Sun 2/4	Weekday Avg	Week Avg
12:AM	*	*	*	*	*	8	15	*	11
1:00	*	*	*	*	*	8	4	*	6
2:00	*	*	*	*	*	9	4	*	6
3:00	*	*	*	*	*	8	8	*	8
4:00	*	*	*	*	*	1	4	*	2
5:00	*	*	*	*	*	5	4	*	4
6:00	*	*	*	*	*	12	9	*	10
7:00	*	*	*	*	*	14	7	*	10
8:00	*	*	*	*	*	43	44	*	43
9:00	*	*	*	*	*	76	48	*	62
10:00	*	*	*	*	*	110	73	*	91
11:00	*	*	*	*	*	150	90	*	120
12:PM	*	*	*	*	*	149	99	*	124
1:00	*	*	*	*	*	144	114	*	129
2:00	*	*	*	*	*	104	140	*	122
3:00	*	*	*	*	*	136	95	*	115
4:00	*	*	*	*	*	110	66	*	88
5:00	*	*	*	*	*	97	74	*	85
6:00	*	*	*	*	*	94	33	*	63
7:00	*	*	*	*	*	52	62	*	57
8:00	*	*	*	*	*	41	54	*	47
9:00	*	*	*	*	*	45	30	*	37
10:00	*	*	*	*	*	26	25	*	25
11:00	*	*	*	*	*	28	9	*	18
Totals	0	0	0	0	0	1,470	1,111	0	1,283
AM Peak	*	*	*	*	*	11:00	11:00	*	11:00
Volume	*	*	*	*	*	150	90	*	120
PM Peak	*	*	*	*	*	12:00	2:00	*	1:00
Volume	*	*	*	*	*	149	140	*	129

City of Shoreline

Public Works - Traffic Service
17544 Midvale Ave N

Location : Firlands Way N
Cross-St : N 190 St
Direction : s/o

Site:
Date: 02/05/07

DirectionTOT

Interval Begin	Mon 2/5	Tue 2/6	Wed 2/7	Thu 2/8	Fri 2/9	Sat 2/10	Sun 2/11	Weekday Avg	Week Avg
12:AM	4	4	1	8	*	*	*	4	4
1:00	4	2	2	2	*	*	*	2	2
2:00	2	4	3	3	*	*	*	3	3
3:00	2	2	1	1	*	*	*	1	1
4:00	6	4	4	4	*	*	*	4	4
5:00	16	16	14	13	*	*	*	14	14
6:00	64	66	69	64	*	*	*	65	65
7:00	210	309	226	211	*	*	*	239	239
8:00	148	202	154	135	*	*	*	159	159
9:00	116	102	89	98	*	*	*	101	101
10:00	111	86	76	114	*	*	*	96	96
11:00	136	117	95	107	*	*	*	113	113
12:PM	127	144	127	142	*	*	*	135	135
1:00	142	125	116	128	*	*	*	127	127
2:00	142	156	152	142	*	*	*	148	148
3:00	243	168	195	174	*	*	*	195	195
4:00	247	163	176	182	*	*	*	192	192
5:00	276	197	230	216	*	*	*	229	229
6:00	135	150	129	155	*	*	*	142	142
7:00	88	88	92	84	*	*	*	88	88
8:00	53	80	60	68	*	*	*	65	65
9:00	39	56	43	52	*	*	*	47	47
10:00	22	30	38	30	*	*	*	30	30
11:00	20	10	9	17	*	*	*	14	14
Totals	2,353	2,281	2,101	2,150	0	0	0	2,213	2,213
AM Peak	7:00	7:00	7:00	7:00	*	*	*	7:00	7:00
Volume	210	309	226	211	*	*	*	239	239
PM Peak	5:00	5:00	5:00	5:00	*	*	*	5:00	5:00
Volume	276	197	230	216	*	*	*	229	229

August 29th 2008

To: The city Of Shoreline Planning Commission
From: Patricia Erickson
Regarding Public Hearing Rezone Request for 18501 Linden Ave North #201753

As a long time resident of Shoreline, since 1960, I have seen our community go through many changes. Some of these projects have been thought out better than others. I believe that the project that James Alan salon is proposing will enhance our community. It will beautify the corner of 185th and Linden. It will add needed housing and resources for the neighborhood. It will make driving along what is currently a rather unsightly stretch of 185th more pleasing to the eye.

It seems nonsensical that an area that is already commercial and has been for years would be denied the right to progress in the direction that our community needs and desires. James Alan Salon has been a valued contributor to our community and what it stands for, giving back in many ways as tax payers, employers and community involvement.

When "Valuemart" [now Fred Meyer] was built in the 60's, it was an exciting asset to our burgeoning community. How exciting it was to go to that store with my parents. It made Richmond Beach feel more solid and desirable. If we halt progress because of a misguided group within our government, we keep Shoreline from being what it desperately needs to be, a viable, accessible spot where people want to come and spend their money.

Please help our community in welcoming the project set before you. We *need* successful businesses, we *need* good contributors to our community and we *need* accessible housing for bus riders and others with limitations.

Thank you for approving this request!

Patricia K Erickson
206 542-2895
19206 14th LN NW
Shoreline, WA 98177
Long time Richmond Beach Resident

Cc Shoreline Enterprise and the Richmond Beach Community News

Steve Szafran

From: Steve Cohn
Sent: Friday, August 29, 2008 8:42 AM
To: Steve Szafran
Subject: FW: James Alan Salon

Sent Thursday evening Aug 28

-----Original Message-----
From: Jill Mckinley [mailto:jillbentleymckinley@comcast.net]
Sent: Thursday, August 28, 2008 5:29 PM
To: Steve Cohn
Subject: James Alan Salon

Dear Planning Commission,
Please vote to let James Alan rebuild on their old site. That hair salon is not only a long time fixture in our community, they are huge supporters in Shoreline Schools, they bring in a good tax base and serve the needs of Shoreline, and are very convenient to get to. What a shame to send them off to another city.....please. please do not let them leave, Shoreline will lose a wonderful establishment with long time employees, whom most of them live here. It will be a nice building that will beautify the area and servet he needs of alot of Shoreline residents.
Think this through...be smart.
Sincerely, Jill Mckinley

August 31, 2008

RE: Public Hearing: Rezone Request at 18501 Linden Ave N, #201753

Dear Shoreline City Council:

I am writing to express my support for the James Alan Salon request to rezone its property to "Regional Business." Though I am not a resident of the city of Shoreline, I spend a great deal of time in Shoreline as a Professor of Biology at Shoreline Community College (18 years). I have been a client of James Alan Salon for many of those years. I am writing this letter as a client of the salon, not in my capacity as a professor.

I am particularly impressed with this business because the owners care about their clients, their employees and their community. James Alan has been cited as one of the "Best Companies to Work For" by *Washington CEO Magazine*. The business is run with a participatory form of management that encourages employee initiative and growth. They have given much back to their community, by supporting children's sports teams, participating in fund-raising events such as "Race for the Cure", and by getting involved in community governance.

Because this business is so popular, I've often had to park in front of residences or other businesses. The new plans will alleviate this problem by having all parking behind or below the building. This, along with the ability to provide additional apartment spaces, demonstrates to me that the owners want to make the most efficient use of space. This development will add affordable housing close to public transportation and other businesses. Given the recent upscale development in the immediate vicinity of this location (the new YMCA and senior apartments, as well as upgrades to the Aurora Avenue corridor), I would think that the Council would encourage such a development. This salon has always been meticulously landscaped, adding beauty to an area that has seen some blight.

As a biologist, I am pleased that James Alan Salon is trying to do the most good with this land. I could choose to patronize a national-chain salon and save lots of money. But, I like to patronize businesses that give back to the community, support their employees, and are focusing on sustainability. Therefore, I encourage you to approve the zoning change for James Alan Salon.

Respectfully,

Judy L. Penn, M.S.
630 Scandia Pkwy
Camano Island, WA 98282
Phone: 360.572.4201

Steve Szafran

From: Steve Cohn
Sent: Tuesday, September 02, 2008 7:36 AM
To: Steve Szafran
Subject: FW: Support of James Alan Salon project

Received Sept 2

-----Original Message-----
From: juankris@comcast.net [mailto:juankris@comcast.net]
Sent: Tuesday, September 02, 2008 7:09 AM
To: Steve Cohn
Subject: Support of James Alan Salon project

To Whom it May Concern on the Planning Commission: This letter is sent as a comment of support for the James Alan Rezone Request #201753. Although my husband and I just moved (a few days ago) to the property alongside of the proposed project (732 N. 185th St), we have been long-time residents of Shoreline for over 30 years. We have seen the growth and development of Shoreline through those years and we have bought property in multi-use buildings a number of times. We have also lived in those buildings. We have seen the drawing of the proposed building, we know of James Alan's longterm commitment and care for Shoreline, we understand the issues involved in the development of commercial and residential properties to improve a "downtown" area for business and residents...and, with all those factors, including our own desire to see Shoreline grow and prosper, we are in full support of the James Alan project at 18501 Linden Ave. N.

As new neighbors to this development project and old Shoreline residents, I hope you will consider our support as a valuable in your decision regarding the rezoning request. Please reply to let me know you have received our comments. In addtion, if you have questions regarding any other specific reasons for our support, please feel free to email those questions and I'll be happy to respond. Also, please let us know what time the hearing on September 4th is so we might attend. Thank you. Juan and Kris Espinoza

Steve Szafran

From: Steve Cohn
Sent: Tuesday, September 02, 2008 7:44 AM
To: Steve Szafran
Subject: FW: James Alan Project

Received Sept 2

-----Original Message-----
From: Dan Matlock [mailto:dbb.matlock@comcast.net]
Sent: Monday, September 01, 2008 10:56 AM
To: Steve Cohn
Subject: James Alan Project

I am writing in support of the James Alan Project for several reasons. They have been a valuable member of the business community – my entire family have used their services for over 12 years. In addition, this project would add to the economic development of Shoreline. Thank you.

Steve Szafran

From: Steve Cohn
Sent: Tuesday, September 02, 2008 7:44 AM
To: Steve Szafran
Subject: FW: James Alan Salon project

Received Sept 2

-----Original Message-----
From: Ron Greeley [mailto:ragreeley@mindspring.com]
Sent: Monday, September 01, 2008 10:32 AM
To: Steve Cohn
Subject: James Alan Salon project

September 1, 2008

TO: Shoreline Planning Commission
RE: James Alan Salon Project

We need to support private development especially if it is promoting housing.

I spoke to a 25 year old woman who works at a local business. She said it was difficult for her afford to go the University of Washington because of increases in tuition. Even if she could get a loan it would be difficult. She went on to say that she now has a low paying job and she cannot afford to live in Shoreline because rentals are too expensive. She now lives in Renton and commutes.

We need to support sensible housing projects that will allow for local workers to live in Shoreline.

Furthermore I do not understand a decision-making process that causes such delays. It seems unreasonable and unfair.

I encourage the Planning Commission and City Council to support this project.

Sincerely,
Ron Greeley

Ron Greeley
20233 – 23 Ave NW
Shoreline, WA 98177-2364
206-546-8186
Email: ragreeley@mindspring.com

Steve Szafran

From: Steve Cohn
Sent: Tuesday, September 02, 2008 7:47 AM
To: Steve Szafran
Subject: FW: PUBLIC HEARING: Rezone Request at 18501 Linden Ave N, #201753

Received Sept 2

-----Original Message-----
From: Jack Malek, Realtor ASR [mailto:jmalek@windermere.com]
Sent: Sunday, August 31, 2008 5:02 PM
To: Steve Cohn
Subject: PUBLIC HEARING: Rezone Request at 18501 Linden Ave N, #201753

August 31, 2008

Shoreline City Planning Commission:

I am a local area Realtor and a seven year resident and I am writing to support the change from community business (CB) to residential business (RB) or professional/residential (PR) in the proposed areas of Shoreline presently under moratorium.

This change would allow the higher density housing we need to support our own economic development plan including the anticipated 10,000 more residents by 2028. However it seems that the goals and plans set by the City of Shoreline are not supported by the present City Council.

I must express my concern that our City Council is sending negative messages to local business partners (in particular the James Alan Salon). Waiting for this precedent setting decision from the Council without a clear timeline or sense of urgency is not cost effective for anyone. It has negatively impacted James Alan Salon and has tarnished out City's image.

The owners of James Alan Salon have demonstrated a clear commitment to this community when buying Shoreline land, renting and remodeling a temporary Shoreline facility, and expanding their stake. They have risked much and our Council has failed to match or honor that commitment with a timely decision.

Unnecessary delays will significantly increase James Alan Salon's holding costs (mortgages, rent, inflationary increases, limited income capacity, etc.) and will surely give cause for any entrepreneur to reconsider developing here in Shoreline and thwart future prosperity.

The City Council needs to be accountable and the moratorium should not be extended past the November 11th 2008 deadline. The Planning Commission has completed the task of providing information to the City Council in order for them to answer the three outstanding questions:

1- What should be the base density; can it be exceeded?

2- Should there be additional transition requirements?

3- Is development of a new transition zone an idea worth exploring (professional/residential zone)?

It's up to the Council to complete this task.

Thank you,

Jack

Jack Malek, Realtor ASR
Windermere RE SHoreline
900 N 185th Street
Shoreline, WA 98133
206-498-2189 cell
206-533-5079 office
206-299-9344 fax
www.jackmalek.com

Steve Szafran

From: Steve Cohn
Sent: Tuesday, September 02, 2008 7:48 AM
To: Steve Szafran
Subject: FW: Rezone Request at 18501 Linden Ave N, #201753

Received Sept 2

-----Original Message-----
From: Deborah Buck [mailto:debbuck@gmail.com]
Sent: Sunday, August 31, 2008 12:03 PM
To: Steve Cohn
Subject: Rezone Request at 18501 Linden Ave N, #201753

To: Shoreline Planning Commission

I am emailing in support of the rezone request for the property at 18501 Linden Ave. N. My understanding is that the Planning Commission has supported this project in the past, and I urge you to persist in your support. Given the growth projected for King County, our city needs to take action now to support high density, mixed use projects such as this one.

I moved to Shoreline in 1989. Long before I knew much about Shoreline businesses, I was impressed by what I heard about the James Alan Salon's commitment to the community, and to supporting local non-profits. This is the kind of business that every community needs in order to keep a vibrant, ethical core.

Thanks in advance for your consideration of my comments.

Deborah Buck
Precinct Committee Officer and Shoreline resident since 1989

Steve Szafran

From: Steve Cohn
Sent: Tuesday, September 02, 2008 7:48 AM
To: Steve Szafran
Subject: FW: To the Shoreline City Council

Received Sept 2

-----Original Message-----
From: Lee Craig [mailto:leemail2@comcast.net]
Sent: Saturday, August 30, 2008 4:05 PM
To: Steve Cohn
Subject: To the Shoreline City Council

To the Shoreline City Council,

In this election year where politicians are resorting to personal attacks to win votes, I wanting to believe that in Shoreline, Washington, we are better than that. Right now, I am looking to the Shoreline City Council to demonstrate a form of politics that models cooperation, vision and forward-thinking. One way I will measure the effectiveness of the work our Council does will be to see approval of the permit for the James Allen complex.

My husband and I have lived in Shoreline forever, and we love this community. I try to patronize local businesses whenever possible, and am grateful to have the quality services of the James Allen Salon in my own neighborhood. I was delighted to hear that they intended to remain in their existing location when they outgrew their current building. Keeping them in our community is an important investment in bringing both increased business and conveniently located multi-family dwellings to Shoreline. After the initial approval of their proposed plans, I am frustrated and saddened to see the progress grind to a halt. Unfortunately, those I have talked to in my neighborhood perceive that the denial of permits has become political posturing by some members of the City Council. Please. Not again.

As a Shoreline resident, I want to see my community grow and prosper. The beautiful complex being proposed by the James Allen Salon, **Public Hearing: Rezone Request at 18501 Linden Ave N, #201753,** will add to the beauty of our city. I believe they have considered every potential problem with parking, with traffic, and with keeping the structure within recommendations from the Housing Commission. There is simply no down-side to this proposed development. It will enhance our community in many ways.

But for me, this is more than a dispute over a code amendment. We need businesses in our city that reach out into the community. That outreach is something that sets the James Allen Salon apart. The reason I became a customer of the James Allen Salon in the first place was because of the high visibility they have as members of this community. Every charity function I attend in Shoreline has a donation from the salon. The owners and the employees of the salon give back more than any other business I can name. They have done everything I would ask of a good neighbor. Please resolve this stalemate and let us get on with making Shoreline the best place to live in the northwest.

Thank you for your attention to this matter,
Lee Craig
1311 NW 200th

Steve Szafran

From: Steve Cohn
Sent: Tuesday, September 02, 2008 9:27 AM
To: Steve Szafran
Subject: FW: new apartment building

Received Sept 2

-----Original Message-----
From: patricia druxman [mailto:pattyrose@aol.com]
Sent: Tuesday, September 02, 2008 9:16 AM
To: Steve Cohn
Subject: new apartment building

Patricia Druxman
1048 NW 196th
Shoreline, WA 98177

September 2, 2008

Dear Shoreline Planning Commissioners:

In regard to the possible apartment building on the former James Alan Salon property, I wish to add to those who are in support of the larger size. I have been a resident of Shoreline since 1969 (except for two years) and a member of St. Luke's Parish.

I believe we need places for people to live closer to the Aurora corridor where there are so many commercial business in walking distance, including the bus, grocery, bank, Starbucks and other restaurants, new YMCA and more. We need more concentration of attractive properties there. This would be attractive building and also a source of more income to those business. Further, I know that the owner of the salon have been generous citizens of Shoreline supporting many charities including the one I am involved in - Healthy Start - by providing special evenings of services free to young mothers.

Sincerely,
Patty Druxman

Steve Szafran

From: Steve Cohn
Sent: Tuesday, September 02, 2008 12:49 PM
To: Steve Szafran
Subject: FW: James Allen Salon re-zone

Received Sept 2

-----Original Message-----
From: ranandles@verizon.net [mailto:ranandles@verizon.net]
Sent: Tuesday, September 02, 2008 11:16 AM
To: Steve Cohn; Joe Tovar
Cc: City Council
Subject: James Allen Salon re-zone

Dear Mr. Cohn, Mr. Tovar and all Honorable Councilmembers:

We are writing this letter to urge you to approve the re-zone of the James Allen Salon property for the following reasons:

(1) It is the job of elected positions to increase density "appropriately". This property is surrounded on the South by Fred Meyer, to the East by a bank, a real estate office and apartments, to the West by a new condo development, and to the North by a Verizon sub-station and a condo complex (St. Charles Place). This property, located in the middle of all these, is obviously not going to affect any views or impact the neighborhood in any great fashion.

(2) The impact to the area will basically be zero. Traffic is already affected by street lights (which can be timed to the added density) and the side streets to the North already have speed bumps everywhere.

(3) There will really be no additional retail because the James Allen Salon has already been there for years.

(4) The addition of density will benefit the City greatly at a time when revenue is needed. IF condos are built, then there is additional property tax benefit. IF condos or apartments are built, both will bring additional sales tax revenue because the tenants will probably do their shopping at Fred Meyer or Gateway Plaza.

(5) If you want to build "walkable" neighborhoods, this is the perfect site. It is close to shopping, transit, highways, trails and of course, the new City Hall.

We urge you to do the right thing. Approve this re-zone. Please forward this on to the Planning Commission prior to the Thursday meeting on this issue.

Sincerely,

Randy Hughes and Leslie Addis
19802 8th Ave NW
Shoreline, WA 98177
206.546.6353

Steve Szafran

From: Steve Cohn
Sent: Tuesday, September 02, 2008 4:18 PM
To: Steve Szafran
Subject: FW: Public Hearing: Rezone request at 18501 Linden Avenue North, #201753

Received Tuesday Sept 02

-----Original Message-----
From: Huse, Doug [mailto:DHuse@daviswire.com]
Sent: Tuesday, September 02, 2008 2:18 PM
To: Steve Cohn
Subject: Public Hearing: Rezone request at 18501 Linden Avenue North, #201753

Hello,

I am writing in support of the rezone of this property from **community business** to **regional business.** This development supports the economic development and housing strategy, and will provide 34 apartments, which the community is in need of. The property is in the right location for this type of project, with great access to public transportation as well as critical services.

James Alan Salon has been in business for over 28 years and has provided countless support for the community. The city is in need of affordable housing near the Aurora corridor and projects such as this which provide nice street appeal along with responsible growth are important to our city.

Thank you,

Doug Huse
Shoreline Resident
1816 N.W. 198th Street
Shoreline, WA 98177

Steve Szafran

From: Steve Cohn
Sent: Wednesday, September 03, 2008 8:05 AM
To: Steve Szafran
Subject: FW: James Alan Salon - Please allow rezone

Received Wednesday Sept 3

-----Original Message-----
From: Sylvia Levy [mailto:sylvia.levy@verizon.net]
Sent: Tuesday, September 02, 2008 6:28 PM
To: Steve Cohn
Subject: James Alan Salon - Please allow rezone

>
> The James Alan Salon is a great community business and has
> contributed in countless ways to our Shoreline community. I think
> the building they want to put up on Richmond Beach Road would be
> another wonderful way for the company to continue contributing - we
> need multi use buildings in this day and age, and Richmond Beach
> Road is hardly a residential street! Please allow the rezone to go
> through. I like this company very much and hate the thought of them
> moving to Edmonds.
>
> Sylvia Levy
> Richmond Beach Resident
>
> 1128 NW 201st Street
> Shoreline, WA 98177

Steve Szafran

From: Steve Cohn
Sent: Wednesday, September 03, 2008 8:06 AM
To: Steve Szafran
Subject: FW: James Alan Salon Rezone Request

Received Sept 3

-----Original Message-----
From: Angie [mailto:moozmom@verizon.net]
Sent: Tuesday, September 02, 2008 9:01 PM
To: Steve Cohn
Subject: Fw: James Alan Salon Rezone Request

----- Original Message -----
From: Angie
To: schon@cishoreline.wa.us
Cc: Matthew
Sent: Tuesday, September 02, 2008 6:59 PM
Subject: James Alan Salon Rezone Request

To Whom It May Concern,

I am writing in support of James Alan Salon. I have been a client for years. It was so good to find a high caliber salon in Shoreline and be able to quite going all the way downtown. I first found out about them from a friend. Now all of my friends are clients , as well as my extended family.

They give so much to this community. They never turn down a request to donation to our school auctions and art walks. I also have a very personal experience with their generosity and community building philosophy.

My daughter Charlotte has a progressive neuro-muscular disease that has left her completely disabled and ventilator dependent . She is now six and we care for her at home with the help of nurses.

About five years ago, Keri Huse, who cuts my hair asked if anyone cuts Charlotte's hair? I said that I have attempted to keep it trimmed, but it was pretty long and uneven. She immediately offered to come to our home and cut it. Not an easy task for two reasons. One Keri has a pretty tough time with tubes and scary medical stuff, and two, Charlotte has uncontrolled movements and is bed confined.

Keri has been cutting Charlotte's hair ever since, every month, on her day off, and will not accept payment. It is one of the many ways our life has been touched by kindness. It is not the exception at James Alan, it is the norm.

Lastly, for me it is so important to have them in Shoreline. I need to stick pretty close to home and the convenience of the location is key. I am excited to see them grow and develop new services. They are the kind of business Shoreline needs more of.

Sincerely yours,
Angie Sutphen

Steve Szafran

From: Steve Cohn
Sent: Wednesday, September 03, 2008 8:06 AM
To: Steve Szafran
Subject: FW: 185th and Linden

Received Sept 3

-----Original Message-----
From: Susan Bell [mailto:neko.bell@verizon.net]
Sent: Tuesday, September 02, 2008 10:52 PM
To: Steve Cohn
Subject: 185th and Linden

I support the zoning change of the property at 185th and Linden.

Susan Bell
1851 NW 202nd St
Shoreline

Steve Szafran

From: Steve Cohn
Sent: Thursday, September 04, 2008 10:35 AM
To: 'Will Hall'; 'Ben Perkowski'; 'David Pyle (H)'; 'David Pyle (W)'; 'Janne Kaje'; 'John Behrens'; 'Michael Broili'; 'Michelle L. Wagner (H)'; 'Rocky Piro (H)'; 'Rocky Piro (W)'; 'Sid Kuboi (H)'; 'Sid Kuboi (W)'
Cc: Steve Szafran
Subject: FW: James Alan Property

Commissioners Broili and Berens received this email earlier today. We are circulating it to the entire Commission and will include it in the desk packet of additional comments that we have received since the packet went to press.

Steve C

-----Original Message-----
From: Mike Broili [mailto:mbroili@speakeasy.net]
Sent: Thursday, September 04, 2008 10:22 AM
To: Steve Cohn
Cc: 'Behrens, John'
Subject: RE: James Alan Property

Hi Steve,

John and I received this from Boni Biery and in the spirit of full disclosure I would like you to circulate this to the rest of the PC.

Thanks and Cheers,

Mike

From: Boni Biery [mailto:birdsbeesfishtrees@gmail.com]
Sent: Thursday, September 04, 2008 9:59 AM
To: Behrens, John; Broili, Mike
Subject: James Alan Property

Hi Mike & John,

Here is rough draft of my concerns relative to tonight's planning commission. From what I understand, mine will be the only voice speaking against the up
-zone.....

The staff report begins on page 19 of the packet. The areas that I find most "contestable" would be:

Proposal
item 17 - "to encourage the development of pedestrian oriented places,..." with the traffic already on Linden/Firlands Way there's no way this can be considered pedestrian oriented.

item 18. mid paragraph ...."Significant pedestrian connection and amentieis anticipated" This is NOT satisfactory. If the city wants to provide these amenities, or require them as mitigation for the length of Firlands Way, then I might feel the rezone something to be given serious consideration. As things are

now, it's totally unacceptable.

Proposed Zoning

item 20. sub 2. "..will not adversely affet the public health, safety or general welfare." This same report indicates that *Traffic Impacts* will include traffic re-routing itself to avoid congestion by using Linden (which become Firlands Way) "for a few blocks in order to eventuall connect with Aurora" This exactly why this rezone should not be approved!

item20. sub 5. the rezone had merit and value to the community. I disagree. Will Jame Alan may be a neighborhood friendly landlord, there is no knowing how the next property owner may choose to use the site and this is a unwarranted upzone that could very easily have adverse affects on the surrounding porperty values and neighbors ten years from now.

22. please note that RB allows for 95% imperious surface, 10% greater than CB. This site is at the very top of Boeing Creek Basin and impervious surface should be minimized to reduce the downstream impacts of runoff. This is in direct conflict with the spirit of the Sustainability Strategy and Low Impact Development

the Masonic Temple site, directly across N 185th from this site will be CB, this is a much more appropriate zoning; with condominiums right next door, to go from single family housing at one end of the block, to 4 condominium unit, directly to R-110 density is out of character. This is also an abrupt density change along the Linden side of the development and along Linden to the south as well.

Traffic

item 23. "Since the rezone is not tied to a site plan, it is impossible to define specific impacts..." whatever the impact may be, they will most certainly be more traffic on the already overloaded residential street of Linden/Firlands Way that is primarily used for cut-through traffic by-passing Aurora. Until the existing traffic on this street is addressed ther should not be zoning that would allow a single additional car at any time of the day and certainly not the additional traffic loads that would be generated by the proposed up-zone from R48 to R110!

Conclusions

Rezone critieria

item 2. "...protects the environment,.....helps maintain Shoreline's sense of community." This re-zone does nothing to protect the environment. This site is at the very top of the watershed and allowing 95% impervious surface assures at least 95% of the runoff from this site will be running onto someone down stream, increasing the volume of water and conataminates going into Boeing Creek and Puget Sound. How does adding more cut-through traffic to LInden/Firlands Way help maintain a sense of community? The 2213 cars a day on this street are already destroying the safety of the neighborhood by not just travelling through but by leaving graffiti, litter, and other crime. Please don't add any more.

item 5. "If the site is developed with residential uses, it could have a psitive impact on public health" It also might have the reverse effect on those already living in the area. If this agument is based on the concept of the uban village, then traffic and pediestrian amentities must be addressed prior to allowing increases to density.

Will the rezone be materially detrimental to uses or property in the immediate vicinity of the subject

rezone?

Yes! adding cut-through traffic and the associated graffiti, litter, and "faceless" crime that comes with it comprises quality of life and property values of neighboring home owners.

item 7. sub b "In addition, the City recently adopted transition standards for areas adjacent to single family zoning. though not affecting this site(because it is not adjacent to single family), transition through building and site design will occur on neighboring sites if the are reaon`

always,
Boni

--
"The tree rustled. It had made music before they were born, and would continue after their deaths, but its song was of the moment." E.M. Forester

No virus found in this incoming message.
Checked by AVG - http://www.avg.com
Version: 8.0.169 / Virus Database: 270.6.16/1651 - Release Date: 9/4/2008 6:57 AM

323 NW 177th
Shoreline, Washington 98177
August 30, 2008

RECEIVED
SEP 04 2008
P & DS

RECEIVED
SEP - 3 2008
City Manager's Office

Dear Planning Commission Members,

We want to strongly urge you to support the Rezone Request at 18501 Linden Ave North #201753 for the James Allen Salon. The James Allen Salon has been a responsible community business and contributor in our community for the past 28 years. We can personally vouch for their unbelievable support for a variety of community organizations. Their support is highly visible at fundraisers and events for the Shoreline Public School Foundation, the Shoreline Art's Council, the new Dale Turner YMCA, the Center for Human Services, and Rotary. They have also given young mothers in the Healthy Start program makeovers at the Salon. No other business in Shoreline has contributed at this level in our community!

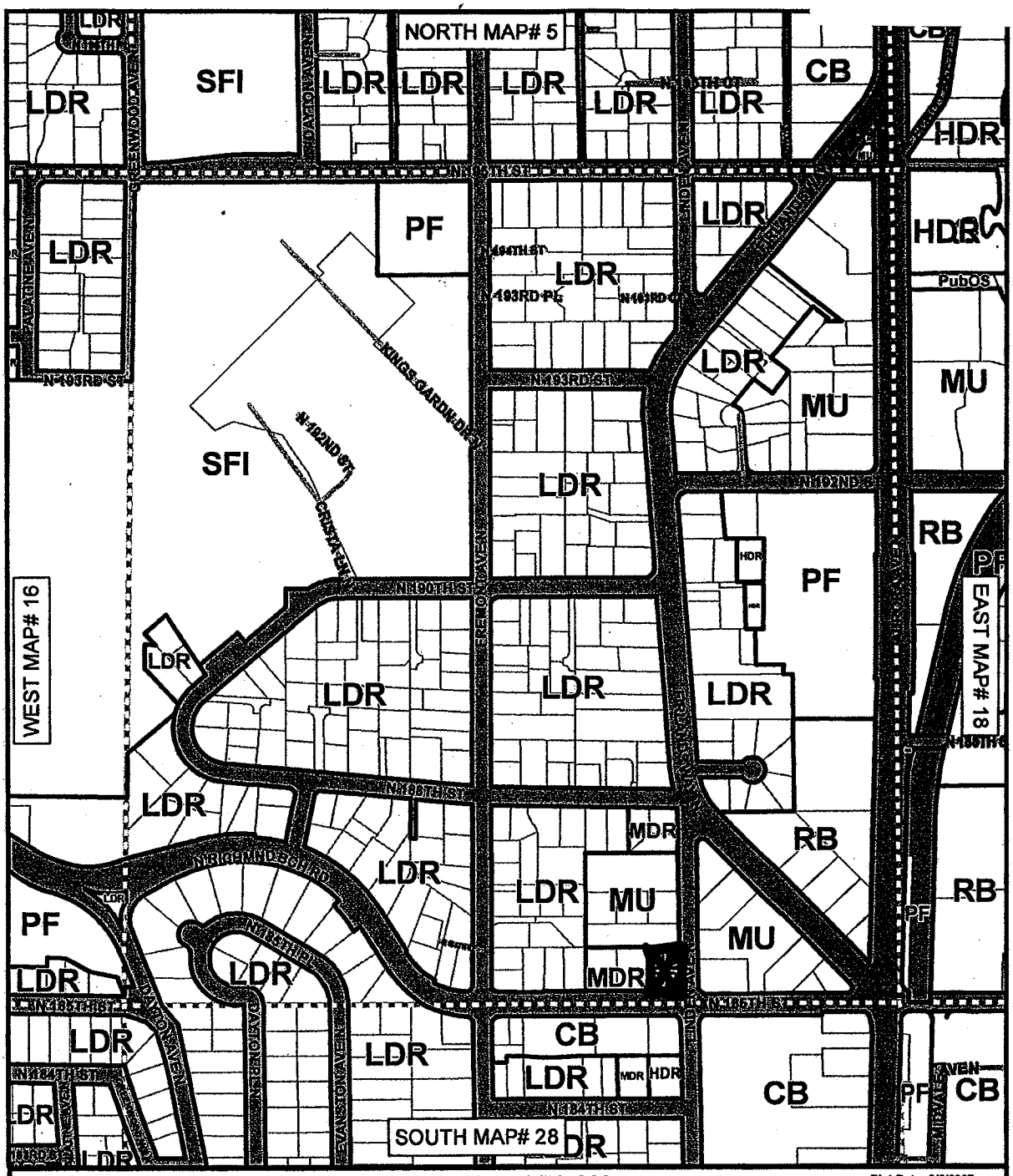
We urge your support for this rezone. The City Council has supported the Gambling Casinos by lowering their taxes repeatedly, and we find Casinos support for the community vacant. The Casinos have repeatedly turned organizations down when asked for contributions. We know we have asked them. How can the city turn a deaf ear to this rezone when James Allen is so supportive in this community?

We urge your support for the #201753 rezone because the rezone supports the economic strategy, the sustainability strategy, and the housing strategy for the city of Shoreline. This development also supports the Shoreline growth plan. With 34 much needed apartments and 70 parking spaces this development enhances responsible business development in Shoreline.

What a tragedy for the Shoreline community if the James Allen does not get its rezone and chooses to move its business to another community! I cannot believe that this City Council and Planning Commission would let this happen! Unfortunately the city of Shoreline is gaining a reputation for being unfriendly to businesses! For over two years this rezone has been held up by the city! That is unbelievable to us!

We once again urge your support for Rezone Request at 18501 Linden Ave N. #201753. It is incomprehensible that it has taken 2 years to complete this process!

Sincerely,
Mary Bayard
W C Bayard
Bill and Mary Bayard
Shoreline residents for 55 years
30+years - Shoreline School Dist Employee
Educator



CITY OF SHORELINE COMPREHENSIVE PLAN
LAND USE MAP

Plot Date: 2/6/2007

Land Use Designation Legend

BaSSA	Ballinager Special Study Area	PF	Public Facility
BrSSA	Briarcrest Special Study Area	PSSA	Paramount Special Study Area
CB	Community Business	PrOS	Private Open Space
HDR	High Density Residential	PubOS	Public Open Space
LDR	Low Density Residential	RB	Regional Business
MDR	Medium Density Residential	SFI	Singfe Family Institution
MU	Mixed Use	SSA	Special Study Area
NCBD	North City Business District		

N

S

	2	3	4	5	6	7	8	9	10
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	26	27	28	29	30	31	32		33
	37	38	39	40	41	42	43		44
	48	49	50	51	52	53	54		
57	58	59	60	61	62	63	64		

MAP # 17

1:3,600

0 75 150 300 450 600 Feet

Feature Legend

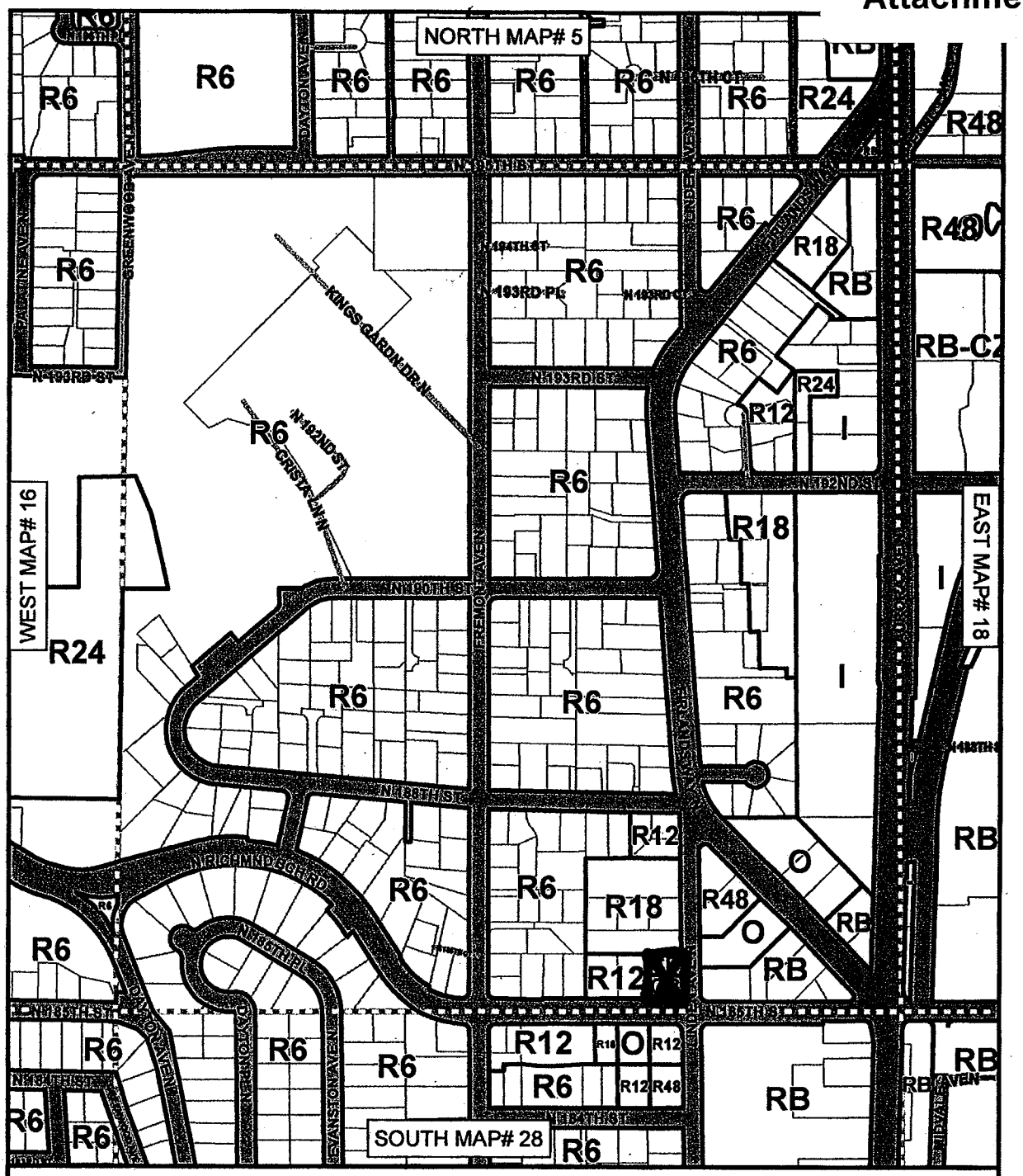
- Map Tile Lines
- City Boundary
- Unclassified ROW
- Parcel Line

SW1/4-S6-T26N-R4 E

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

Representation of official Comprehensive Plan land use map adopted by City Ordinance No. 292. Shows amendments through June 21, 2005.

CITY OF SHORELINE



Plot Date: 5/4/2007

CITY OF SHORELINE ZONING MAP

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
- City Boundary
- Unclassified ROW
- Parcel Line

SW1/4-S6-T26N-R4 E

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

MAP # 17

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.

CITY OF SHORELINE

DRAFT

These Minutes Subject to September 18th Approval

CITY OF SHORELINE

SUMMARY MINUTES OF REGULAR MEETING OF THE PLANNING COMMISSION

September 4, 2008
7:00 P.M.

Shoreline Conference Center
Mt. Rainier Room

Commissioners Present
Chair Kuboi
Vice Chair Hall
Commissioner Behrens
Commissioner Broili
Commissioner Kaje
Commissioner Perkowski
Commissioner Piro
Commissioner Pyle

Staff Present
Steve Cohn, Senior Planner, Planning & Development Services
Steve Szafran, Associate Planner, Planning & Development Services
Flannary Collins, Assistant City Attorney
Renee Blough, Technical Assistant, Planning & Development Services

Guest
Keith McGlashan, Shoreline City Council Member

Commissioners Absent
Commissioner Wagner

CALL TO ORDER

Chair Kuboi called the regular meeting of the Shoreline Planning Commission to order at 7:00 p.m.

ROLL CALL

Upon roll call by the Commission Clerk, the following Commissioners were present: Chair Kuboi, Vice Chair Hall, and Commissioners Behrens, Broili, Kaje, Perkowski, Piro and Pyle. Commissioner Wagner was excused.

APPROVAL OF AGENDA

The agenda was accepted as presented.

DIRECTOR'S COMMENTS

Mr. Cohn announced that Mr. Tovar would not be present at the meeting. He said he would provide a full director's report after the rezone hearing.

APPROVAL OF MINUTES

The minutes of August 7, 2008 were accepted as amended.

GENERAL PUBLIC COMMENT

No one in the audience expressed a desire to address the Commission during this portion of the meeting.

PUBLIC HEARING ON JAMES ALAN SALON REZONE APPLICATION

Chair Kuboi reviewed the rules and procedures for the quasi-judicial public hearing and opened the hearing. He reminded everyone that the application before the Commission is a rezone application, and not an application for a specific project. He cautioned that projects are not approved at the rezone stage. Instead, rezones set the ground work for property owners to apply for development permits at a later date for specific projects. He reviewed the following five criteria the Commission would consider when reviewing the rezone application. He noted that the proposed rezone would change the subject property from Community Business (CB) to Regional Business (RB). If approved, any type of project that is a permitted use under the development standards for RB zoning could potentially be built on the site. He advised that the staff presentation would describe the CB and RB zones and identify the development standards that would apply to each one. He cautioned that all comments by the applicant and the public must address the rezone criteria, since these are what the Commission must base their recommendation on. He asked them to avoid discussing a specific project, as no specific project has been proposed for the site at this time.

Chair Kuboi invited all those who intended to provide testimony during the hearing (public and staff) to swear and affirm that their testimony would be the truth. He reminded the Commissioners of the Appearance of Fairness Laws and invited them to disclose any ex parte communications they may have received outside of the hearing. Commissioner Broili disclosed that he and Commissioner Behrens both received an email that was forwarded to staff and circulated amongst the Commission. He said he does not believe the email would influence his decision. Commissioner Behrens explained that because he read the email trail prior to reading the actual email, he chose not to read the document in question. He also noted that both his daughter and his wife have been regular customers at the James Alan Salon for many years. However, he does not believe this would prejudice his decision in any way. Commissioner Hall said he has not had any communications with the proponents or opponents during this current application period. However, he did speak with individuals following the Commission's 2007 action related to the subject property. He noted that because the proposal is different he does not believe this communication would have an impact on his decision. At the invitation of Chair Kuboi, no one in the audience expressed concern about any of the Commissioners participating in the hearing and recommendation process.

Staff overview and Presentation of Preliminary Staff Recommendation

Mr. Szafran provided a brief staff overview of the application. He displayed the Comprehensive Plan map, which identifies one of the subject parcels as mixed use and the other as community business. He

noted that the property owner also owns an adjacent parcel to the west that is not part of the rezone application. He displayed the zoning map, which shows that the two subject parcels are currently zoned Community Business (CB). He noted that surrounding properties are currently developed with a Verizon utility building, a Masonic Temple, a Fire Station, as well as retail, office, single-family homes and multi-family development. He provided pictures of the subject properties, as well as surrounding properties.

Mr. Szafran referred to the chart that outlined the difference in uses and development standards between the requested RB zoning and the existing CB zoning. He noted the major difference would be the number of residential units allowed. The RB zone would allow up to 110 units per acre, which would yield a maximum of 36 units on the subject properties. The current CB zoning would only allow 16 units. The RB zone would allow an additional five feet, as well. The setback requirement would be greater in the RB zone, but the amount of impervious surface allowed would also be greater. The uses allowed in the RB and CB zones are essentially the same, except vehicle sales, research, construction retail and warehousing uses are only allowed in RB zones.

Mr. Szafran reviewed that the applicant submitted a rezone application for the subject parcels in 2006. At that time the two parcels were zoned R-48 and Office, and the request was to change the zoning to RB. The Planning Commission recommended CB zoning, which was ultimately approved by the City Council in March of 2007. However, the following circumstances have changed since that time:

- When the 2006 application was reviewed, the Commission was also considering a proposed development code amendment to eliminate residential density caps in the CB zones that are within close proximity to Aurora Avenue and Ballinger Way. This development code amendment was later denied by the City Council. Therefore, the density in all CB zones is currently set at 48 units per acre.

- The City Council has indicated that they want to look closer at the maximum density permitted in RB zones. Currently, there is a moratorium on development in RB zones at residential densities greater than 110 units per acre.

- The Aurora Avenue Improvement Project will improve circulation near the Linden Avenue/185th Street/Aurora Avenue Corridors. He displayed a map to illustrate what these improvements would include.

- Transition area zoning was adopted by the City Council in May, which would apply to all commercial properties zoned CB, RB and Industrial (I) that are adjacent to single-family zones. However, these new zoning standards would not be applicable to the subject parcels.

Mr. Szafran reported that staff received 40 comment letters in support of the proposed rezone, and 2 that were opposed. Concern was raised that the subject parcels gain access from local streets rather than arterial streets, which is partially true. He explained that Linden Avenue north of 185th Street is categorized as a local street. South of 185th Street, Linden Avenue becomes a neighborhood collector street. However, he emphasized that 185th Street is an arterial street. Mr. Szafran said a suggestion was also made that higher buildings should be located along Aurora Avenue North, with a shearing effect

going down to the single-family residential zones. He pointed out that the current CB zone already allows a height of 60 feet, and the RB zone would only allow an additional 5 feet. He noted that circulation should improve when eastbound 185th Street is changed to provide two through lanes, as well as right and left turn lanes. Vice Chair Hall inquired if improvements are planned for westbound 185th Street as it approaches Aurora Avenue, and Mr. Szafran answered no. At the request of Chair Kuboi, Mr. Szafran reviewed how the proposed rezone would be consistent with the four rezone criteria.

- ***Is the rezone consistent with the Comprehensive Plan?*** Mr. Szafran said the proposed RB rezone would be consistent with Comprehensive Plan Land Use Element Goals I and V because a more intense commercial zone would promote redevelopment and allow for a greater mix of uses. In addition, RB zoning would permit a greater number of dwelling units or slightly more commercial space in close proximity to area services than the CB zoning would allow.

- ***Will the rezone adversely affect the public health, safety or general welfare?*** Mr. Szafran said staff does not believe the rezone would adversely affect the public health, safety or general welfare. He explained that the Comprehensive Plan designation allows for the level of development proposed, and the City's development standards for the RB zone would protect against uses that would be contrary to the public health, safety or general welfare. If the site is developed with residential uses, it could have a positive impact on public health. In addition, placing density closer to area amenities such as shopping, restaurants, and public transportation would encourage walking or biking rather than driving. He summarized that the proposed density would create better health opportunities than would the existing CB zoning.

- ***Is the rezone warranted in order to achieve consistency with the Comprehensive Plan?*** Mr. Szafran advised that both the RB and CB zoning designations would be consistent with the Comprehensive Plan vision for the area. Efficient use of land, higher densities in appropriate areas that are close to services and transportation, and an improved circulation pattern on 185th Street and Aurora Avenue North would support more intense development on the site.

- ***Will the rezone be materially detrimental to uses or property in the immediate vicinity of the subject rezone?*** Mr. Szafran suggested the proposed zoning would have minimal impact to the properties in the immediate vicinity. He noted that the two parcels have Mixed Use and Community Business land use designations, so commercial zoning is already appropriate. In addition, the RB and CB zoning designations are very similar, with RB zoning allowing for somewhat more intense commercial uses than does CB zoning. Staff believes that the more intense uses allowed in an RB zone would not likely locate on a relatively small site.

  Mr. Szafran said another major distinction between the CB and RB zones is density. CB zoning would allow 16 units on the subject parcels, and RB zoning would allow up to 36 units. He said staff believes density should be located in areas that are less intrusive to the single-family neighborhoods, are in close proximity to amenities and transit, and are located on major collector and arterial streets that do not impact local streets.

Mr. Szafran said the height difference between RB and CB zoning is 5 feet. RB zoning could obtain a height of up to six stories, where a CB zone would most likely be limited to five. He suggested the multi-family zoning that surrounds the subject properties would provide a good transition so height would not impact the single-family zones.

Mr. Szafran said analysis shows that the heaviest traffic impacts would occur if the property were developed with offices uses. The likely impacts would be no different whether the site is zoned RB or CB. A building constructed under either zoning district would likely be a similar size because of parking constraints due to the cost of developing more than one level of underground parking.

- ***Will the rezone have merit and value for the community?*** Mr. Szafran said the proposed rezone would allow commercial and residential expansion to meet the changing needs of the community. He said recent actions by the City Council ensure that new buildings comply with transition area requirements, and the density of the RB zone is capped at 110 units per acre. When the previous application for RB zoning was submitted, there was no guarantee of a unit maximum on the site since there was no numerical density cap. With the 110 units per acre limit, the maximum number of units allowed on the site would be 36.

Mr. Szafran concluded his presentation by recommending the Commission approve the proposed RB zoning for the two subject parcels.

Commissioner Behrens pointed out that the RB density cap is only a temporary situation. He noted that, at some point, elements would be imposed on how RB zones could be developed. Therefore, even if the City were to grant a rezone to RB, they don't know exactly what the building requirements are going to be. Mr. Szafran agreed, but said the Commission must work with the zoning language that is currently in place.

Commissioner Behrens noted there are two very large developments taking place north of the subject parcels (Echo Lake and Market Place, and the City's housing and sustainability strategies suggest the Commission consider cumulative effects. He asked if staff has done any modeling or projected traffic studies to see how the proposals north of 185th on Aurora Avenue would impact the intersection. Mr. Cohn answered the traffic that was modeled as part of the Aurora Corridor Project was greater than the two large projects combined would generate. Commissioner Behrens summarized that the traffic modeling would assume a higher level of traffic than what is anticipated as a result of the two large developments.

Commissioner Behrens recalled that on previous occasions, the Commission discussed concern about piecemeal attempts to rezone properties. He asked how the density would be impacted if all three sites were rezoned to CB in a cumulative fashion. Mr. Cohn suggested that the zoning and ownership of the third parcel is not germane to the rezone application that is currently before the Commission. Commissioner Behrens said he was more concerned about zoning than ownership of the third parcel. He expressed concern about having a mixture of zoning on the three parcels. Mr. Szafran clarified that the Comprehensive Plan identifies the third parcel as Medium Density Residential, and CB zoning would not be consistent.

Applicant Testimony

James Abbott, James Alan Salon, advised that he is one of the property owners of the subject parcels. He said he supports the City's recommendation for approval of the RB rezone application. In response to Vice Chair Hall's earlier question, Mr. Abbott clarified that when the east side of Aurora Avenue was developed with the Gateway Plaza Project, 12 feet of right-of-way was dedicated to the City for widening 185th Street as part of the Aurora Corridor Project. He summarized that the Aurora Corridor profile would include six lanes, with a business access/transit lane in each direction. Mr. Abbot again said he supports the staff's recommendation to approve the proposed rezone application, and he offered to respond to any questions the Commission might have.

Questions by the Commission to Staff and Applicant

None of the Commissioners had further questions for the staff and applicant.

Public Testimony or Comment

Marlin Gabbert, Shoreline, spoke in favor of the proposed rezone. He expressed his belief that the proposed RB zoning would allow a greater density and some flexibility in terms of developing the property for the community good. He said the present zoning limits the residential density, but it doesn't limit the amount of office space. Under the current zoning, a potential developer could construct up to 60,000 square feet of office space on the parcels, as long as sufficient parking could be provided. He further explained that the large amount of office space allowed by the current zoning could result in a much greater traffic impact to the community. He referred to studies indicating that multi-family uses would have less traffic impact than office space. He said studies also show that residential densities support retail development better than office uses in the same area. He encouraged the Commission to recommend approval of the rezone because it would be better for the community. It would also provide a better transition between the high-density commercial and single-family residential uses.

Angie Sutphen, Shoreline, said she supports the proposed rezone application. The salon business has been located in the community for a long time, and she supports the opportunity for them to grow their business and create more business space that is within walking distance of the residential neighborhood. She also supports the creation of more apartment housing in the area.

Pearl Noreen, Shoreline, strongly urged the Commission to recommend approval of the proposed rezone because it supports the City's economic, sustainability and housing strategies. It also supports Shoreline's growth plan and is consistent with the City's Comprehensive Plan. She said that on three occasions over the last three years, she was part of a presentation to ask the City Council for funds to support the new Dale Turner YMCA. It seemed a logical request given that the cities of SeaTac, Monroe, and Sammamish had contributed $1 million each to support new YMCA's in their respective cities. However, each time the Shoreline City Council turned down their request because there was no money available. If there is no money to support a non-profit project that would create 250 jobs, spend $19 million in construction dollars and create a space for 5,000 families to recreate, then the City is in a

financial crisis. She pointed out that the City is in desperate need of revenue and tax dollars from new businesses. The City Council was willing to significantly reduce the gambling tax to ensure the sustainability of the casinos, so she questioned why they are not willing to rezone to attract new businesses. She summarized that rezoning brings money to the City.

Cindy Neff, Shoreline, said she was present to read a letter into the record that was written by the owner of Windermere Shoreline in response to the rezone application. The letter noted that the Windermere property is located directly across from the former James Alan Salon on Linden Avenue, and the salon has been an excellent neighbor for many years. The letter indicated support of the proposed rezone since it would be of great benefit to the whole community. It suggests that Shoreline is a growing City and needs to retain and attract well-respected businesses and employees. The letter noted the length of time the property has been vacant. It is currently in a deteriorated state, which is detrimental to the Windermere property and an invitation for vandalism. Secondly, the letters stated a concern about the apparent length of time it has taken for the applicant to obtain approval of the rezone. The City indicated that the reason for the delay was because a proposed code amendment could impact the subject properties. The letter pointed out that the proposed code amendment has been brought before the City Council four times with a recommendation of approval by both the Planning Commission and City staff. Each time, the City Council has sent the matter back to the Planning Commission for further study. The letter concluded that the process is taking an inordinate amount of time. The letter summarized that the subject parcels are an ideal location for the intended purposes, and the rezone should be approved without further delay. In addition to the letter supporting the proposed rezone, Ms. Neff indicated her support of the proposed change, too.

Vice Chair Hall said his understanding is that this is a different application than what was submitted and approved two years ago. Mr. Szafran said the new application was submitted July 24, 2008. However, it is identical to the application that was submitted in 2006. Commissioner Pyle suggested that Ms. Neff may have been confused because the notice referred to the adoption of a previous SEPA determination that was made in 2006. He explained that under Washington State Law, the City is allowed to use a former Determination of Non-Significance. In this case, instead of redoing SEPA, the City chose to simply use the old analysis that considered all the environmental factors at the time.

Les Nelson, Shoreline, said he read through minutes of the 2006 and 2007 Planning Commission hearings at which the subject parcels were discussed. He recalled that RB zoning was deemed inappropriate for the parcels, and the Commission recommended CB zoning, instead. CB zoning would limit development to 48 dwelling units per acre. Mr. Nelson suggested that none of the conditions evaluated in 2007 to arrive at the CB recommendation have changed, so he questioned why staff is now recommending RB zoning.

Mr. Nelson clarified that no Comprehensive Plan amendment was required to rezone the subject parcels to CB, with the associated limitation of 48 dwelling units per acre. However, he suggested a Comprehensive Plan amendment to change the land use designation to Regional Business would be required to change the zoning to RB. He said he also disagrees with staff's decision to resurrect a two-year-old SEPA application that accompanied a previous rezone application. While a decision was made previously, it is important to recognize that the public has changed and they are addressing different

issues related to sustainability, etc. Mr. Nelson said he tried to find notice of the public hearing on the City's website, but it was very difficult to locate. He suggested they address this issue since the problem seems to come up over and over again. The hearing should have been included in the list of public meetings that were scheduled for the month.

Boni Biery, Shoreline, said she has lived just one block from the subject parcels for the past 43 years. She agreed that the James Alan Salon has been a very good neighbor. However, she has some concerns about the proposed rezone and the staff report's implication that unless the rezone is approved, there would be no increase in housing opportunities, businesses, etc. She pointed out that, currently, the property is developed with an empty home and an empty business, and the existing CB zoning would allow the property to develop with a mixture of uses that would provide additional housing and tax revenue for the City. The proposed RB zoning would allow the same type of development, but at a greater density. She expressed her belief that RB zoning would be too intense given that the subject parcels are only one block away from single-family residential development. She said she has tried to get the City to address traffic concerns in her neighborhood for the past six years, but they do not have a way to solve the problems. She said there is no reason to assume that established habits of using Linden Avenue North and Firlands Way as cut-through streets to get to the park and ride, Aurora Village, Fred Meyer, etc. would change. In terms of sustainability, she noted that the subject parcels are at the very crest of the Boeing Creek drainage basin, and increasing impervious surface by 10% would have an impact on all downstream properties.

Jack Malek, Shoreline, said he is a local area realtor. He said he supports the staff's recommendation to rezone the property to RB. The new zone would be consistent with the City's current economic strategy. In addition, it would allow the City to accommodate their growth targets. The subject parcels are close to the Aurora Corridor, where transit and other opportunities are available to support growth.

Tyler Abbott, Shoreline, said he is one of the applicants for the proposed rezone. He referred to the question that was raised earlier about the timing of the initial rezone application. He explained that the property owners originally attempted to rezone the property to RB, but when the application was presented to the Planning Commission, staff changed their recommendation from RB to CB in light of code amendments that were being considered. The intent was that the new zoning code would meet the applicant's requirements, but would not allow unlimited density. The applicant supported the staff's recommendation, but if they had known the outcome of the proposed code amendments, they would have stuck with their original request for RB zoning. Mr. Abbott advised that a traffic study was completed as part of their building permit application, and there would potentially be 12 more daily trips if the property were developed as RB as opposed to CB. He summarized that likely development under the current CB zone would create more traffic since office and business uses would not be limited and they typically generate more traffic than multi-family uses.

Final Questions by the Commission

Commissioner Kaje asked staff to clarify State Law related to reusing SEPA. Ms. Collins explained that SEPA Determinations do not become stale. She noted that the previous application was for RB zoning, and the new application is for the same. However, because the density allowed in an RB zone is now

lower, the impacts would be less. She concluded that the existing SEPA Determination would still be applicable because it analyzed the impacts for an RB rezone that had unlimited density. She said staff determined there were not sufficient changes to warrant a new SEPA analysis. Mr. Cohn added that because SEPA doesn't go stale and none of the impacts have changed, there would be no reason to disclose additional impacts. Whether or not the original SEPA determination was appealed has nothing to do with why it is being used for a second time.

Commissioner Pyle pointed out that SEPA would still be required at the time of building permit application. The current SEPA Determination is a non-project action. Mr. Cohn agreed and added that once a building permit application has been submitted, staff would be able to identify impacts and necessary mitigation associated with a specific project. Commissioner Piro clarified there has been no changes in SEPA requirements or other factors that would warrant a new SEPA Determination. Mr. Cohn pointed out that the City regulations have changed, and this was reflected in the SEPA Checklist, but SEPA requirements have not changed.

Commissioner Piro summarized that the existing CB zoning would allow 16 dwelling units on the subject parcels, and the proposed RB zoning would allow up to 36. He asked staff to speak about this difference in the context of the City's current ability to meet their growth targets for accommodating housing. Mr. Cohn answered that the current growth targets would not require any changes to the current Comprehensive Plan designations. However, this assumes the City would not always apply the lowest zoning designation to each Comprehensive Plan designation area. He added that regardless of the growth targets, they know the City will continue to grow. If growth is to happen, the Commission has previously agreed that the additional density should be located close to areas that are well served by transit and other infrastructure.

Commissioner Pyle recalled that one concern is that the amount of impervious surface would increase from 85% to 95% if the rezone application is approved. He noted that the City is close to adopting a new stormwater manual. He questioned if any changes are expected in the new manual that would better detain and treat stormwater on site than what the current manual allows. If the objective of the new manual is to retain and treat stormwater on site without conveyance and to work towards watershed planning, he would feel more comfortable agreeing to a rezone that would increase the amount of impervious surface. Mr. Cohn said the proposed manual would suggest the City move in the direction described by Commissioner Pyle. However, the new manual would not likely be adopted until at least February 2009. With or without a change in zoning, any application submitted before adoption of the new manual would be vested under the existing stormwater requirements.

Commissioner Pyle emphasized that several more intense uses would be allowed in an RB zone than in a CB zone. Mr. Cohn agreed and noted that these differences are identified in the staff report, as well. He expressed his belief that given the parcels are located more than a block away from Aurora Avenue North, many of the additional uses allowed in an RB zone would not likely occur because there would not be sufficient traffic to support the uses.

Commissioner Pyle suggested that if staff wants to avoid considering potential projects as part of rezone applications, they should avoid naming particular types of development such as the James Alan Salon.

To narrow the discussion, he suggested the staff report avoid referring to issues that are not pertinent to the conversation. Mr. Cohn agreed that would be appropriate.

Commissioner Pyle referred to Table 20.50.020.2, which addresses the dimensional standards associated with the RB and CB zones. The RB zone allows for greater height, but it requires greater setbacks from residential zones. However, the impervious limitation is stricter in the CB zone. He suggested that with creative options, a developer could potentially construct a bulkier building under the current CB zone that has more perceived impact to the community than the RB zone. The number of units constructed inside of a box would not ultimately change the size of the box. The size of a building would be driven more by market forces. Mr. Cohn agreed that market forces would drive the size of a building, and this would be true for both residential and office/retail uses.

Commissioner Pyle expressed his belief that while it is a property owner's right to apply for a rezone, it doesn't seem like it is the right time to rezone the property, especially given the current turbulence associated with the RB zone. He expressed concern that the Commission is essentially considering a rezone of a parcel to RB when they don't know the fate of the RB zone. Commissioner Piro cautioned that the goal of the moratorium is not to freeze redevelopment in RB zones. Instead, it establishes a limit of 110 dwelling units per acre. As the zoning code currently exists, the rezone would allow up to 36 dwelling units on the subject parcels, and the current zoning only allows 16. In addition, there are marginal differences in height, setbacks, uses, and impervious surface. He expressed his belief that it is legitimate for an applicant to request a rezone to RB as it currently exists in the zoning code. Ms. Collins agreed that the applicants have every right to apply for a rezone to RB, based on the interim regulations that are currently in place. Whatever changes are made to the RB zone in the future would apply to all properties that are zoned RB, including the subject parcels. Ms. Collins said the Commission must act on the rezone application based on the interim regulations and not based on what they may be at some future point in time.

Commissioner Broili asked if it would be appropriate for the Commission to place a condition on a rezone. Ms. Collins said the City no longer does contract rezones with conditions.

Deliberations

COMMISSIONER PIRO MOVED THE COMMISSION RECOMMEND APPROVAL OF THE APPLICATION TO REZONE THE SUBJECT PARCELS TO REGIONAL BUSINESS AS PRESENTED IN THE STAFF REPORT. COMMISSIONER HALL SECONDED THE MOTION.

Commissioner Piro said he supports the findings of fact found in the staff report, as well as the recommendations made by staff during their presentation. He agreed there are some distinctions between the RB and CB zoning designations. For example, RB zoning would allow for additional dwelling units, which could potentially create more impact to surrounding properties. On the other hand, it would help the City provide additional dwelling units within close proximity to Aurora Avenue North where transit and other infrastructure is available, and this is consistent with stated City goals. In addition, allowing more units in this area would take pressure off of other areas in the community. He

said he appreciated the attention both Commissioner Pyle and Commissioner Broili brought to the issue of impervious surface, and that is a concern of his, too. However, he expressed his belief that having something that is more compact and tight on the site could potentially result in less impervious surface than scattering the 36 dwelling units in other locations throughout the City. He said he plans to support the rezone as proposed.

Vice Chair Hall agreed with Commissioner Piro's comments. He reminded the Commission that they no longer have the ability to recommend that conditions be placed on a rezone. In addition, conditions surrounding the subject properties have changed since the original rezone application was reviewed. He recalled that a few citizens voiced concern about traffic impacts, and he agreed that traffic would continue to be a concern as the City grows. He expressed his belief that the more units that could be constructed in close proximity to transit opportunities, the less impact there would be on the existing network of streets as whole. However, he agreed that those living adjacent to the subject properties would suffer a disproportionate impact. He emphasized that as they approach development in the future, it will be critical to slowly move away from the idea that everyone would drive a car. Instead, they must have alternatives in place. Therefore, he said he plans to support the proposed rezone.

Commissioner Behrens said he would likely support the proposed rezone. He noted that the CB and RB zoning designations are very similar, and the bulk of a potential development would not be significantly different in either zone. He said he likes the fact that an RB zoning designation would require a 15-foot setback adjacent to single-family zones. While it would not be required, he suggested it is probable that this setback area would likely include plantings and grass strips. If you compare the 90% impervious surface allowed in a CB zone with 95% allowed in an RB zone and then include the 15-foot setback area, the difference would be even less. He referred to the developments that are currently taking place to the north and said he is counting on the City staff to thoroughly consider the traffic impacts and come up with a good plan.

Commissioner Kaje reminded the Commission that when they review an application to determine its consistency with the Comprehensive Plan, they must balance the various element and issues addressed by the Comprehensive Plan. He expressed his belief that with this application, as well as a few others that have come before the Commission, it appears that staff has cherry picked the goals that happen to jive with their recommendation, but a similar effort was not given to looking at what goals might be in conflict. If the Commission is to balance the various elements and goals of the Comprehensive Plan, the staff report should provide a list of all the goals and identify which ones are consistent with the application, and which ones are not. He pointed out that in order for the Commission to consider the rezone proposal without reviewing a specific project, they must carefully consider whether or not all of the uses that would be allowed in the RB zone are consistent with the Comprehensive Plan. Commissioner Kaje referred to Comprehensive Plan Land Use Goal 84, which requires the Commission to consider and evaluate the immediate, long-range and cumulative environmental impacts of policy and development decisions. While a SEPA review was conducted on the proposed rezone, he is not sure they've had a full vetting of the balancing of goals.

Commissioner Broili said that based on the information provided in the staff report regarding the site, location, arterials, etc., he felt RB zoning would be appropriate. However, he is concerned that because

the updated stormwater code would come later, whatever development is proposed on the site would not be subject to the more stringent standard. He is greatly bothered when he sees potential new development or redevelopment that is not bound by the more stringent approach to stormwater management and other environmental controls.

Commissioner Perkowski said he plans to support the proposed rezone application because he believes the subject properties are an excellent location for RB zoning. He said he agrees with the comments put forth by Commissioner Piro and Vice Chair Hall.

Chair Kuboi said he would be inclined to support the rezone application, as well. He recalled that he was the chair of the Housing Strategy Committee, and one of the mantras coming from that discussion was the need to increase the amount of flexibility as to what projects could be built on a site. The proposed rezone would expand the flexibility to provide more housing options. He reviewed that a number of comments spoke about the merit and value the rezone would provide to the community. He referred to Commissioner Kaje's comments regarding the need for the staff report to provide a more thorough review of all of the potential uses that would be allowed by the rezone. However, he voiced his concern that these types of actions often need to be looked at from the perspective of the likely outcomes as opposed to worst case scenarios. The staff report offered some perspective as to how future development would be limited by the parking and other requirements. He summarized his belief that the likely development outcomes would provide an overall benefit to the community and be consistent with the Comprehensive Plan.

Vote by Commission to Recommend Approval or Denial or Modification

THE MOTION TO RECOMMEND APPROVAL OF THE REZONE APPLICATION AS PROPOSED IN THE STAFF REPORT WAS APPROVED 5-1-2, WITH CHAIR KUBOI, VICE CHAIR HALL, COMMISSIONER PERKOWSKI, COMMISSIONER BROILI, AND COMMISSIONER PIRO VOTING IN FAVOR, COMMISSIONER KAJE VOTING IN OPPOSITION, AND COMMISSIONER PYLE AND COMMISSIONER BEHRENS ABSTAINING.

DIRECTOR'S REPORT

Agenda Planner

Mr. Cohn referred the Commission to the agenda planner that outlines the meeting agendas for the remainder of the year. He noted that the September 18th agenda would include a public hearing and a study session on the Stormwater Development Code amendments. He cautioned that while the Commission would review the draft amendments, the public hearing would not be scheduled for at least a month and a half later. He said the September 18th agenda would also include a subcommittee report regarding design review. He noted that a semi-annual joint meeting between the Planning Commission and City Council has been scheduled for September 22nd, at which point there will be some discussion regarding the visioning process and what role the Commission would play. There would also likely be some discussion about design review and the proposal to have the Hearing Examiner review most quasi-

judicial items. Commissioner Broili announced that the Design Review Subcommittee would meet on September 16th, in preparation of the Commission's September 18th discussion.

Mr. Cohn pointed out that while the regular Commission meetings have been cancelled for the month of October, Commissioners have been invited to attend and participate in public meetings associated with the visioning process. He noted that a public hearing on the Stormwater Development Code amendments has been scheduled for November 6th, assuming the Commission is comfortable moving forward after their September 18th meeting. Also on November 6th, the Commission would conduct a study session on Package 2 of the Development Code amendments. On November 20th, the Commission would review the City's Shoreline Master Program. An open house would likely be held at 6:00 p.m. followed by the Commission's study session.

Design for Livability Conference

Mr. Cohn advised that staff has already signed up Commissioners Perkowski and Kaje to attend the Design for Livability Conference, and they recently received two free tickets from the Cascade Lands Conservancy that are available to other Commissioners who are interested in attending. Commissioner Broili indicated his desire to attend the conference.

UNFINISHED BUSINESS

There was no unfinished business scheduled on the agenda.

NEW BUSINESS

Follow-Up on Proposal to Have Hearing Examiner Review Most Quasi-Judicial Items

Mr. Cohn reminded the Commission of their retreat discussion about moving quasi-judicial hearings to the Hearing Examiner. The Commission agreed this would be a good idea due to their present workload. Mr. Cohn advised that Mr. Tovar is still quite convinced the Commission's 2009 workload would be significant, but it has not been entirely mapped out. Mr. Tovar suggested the Commission discuss this possibility with the City Council, but wait to make a final recommendation to the City Council until after the 2009 workload has been laid out later in 2008.

Vice Chair Hall pointed out that had the City Council chosen to place quasi-judicial hearings in the Hearing Examiner's hands, the previous hearing would have been conducted before the Hearing Examiner. Everyone would have had a full opportunity to participate, and notice would be given, but he suggested it might be more appropriate for the nine-member Commission to decide whether or not an application has value and merit to the community. He said he still has significant reservations about telling the community that quasi-judicial matters would be heard by an attorney who is hired by the City. Commissioner Broili agreed with Vice Chair Hall's concern, but he questioned if these values would be better addressed by the code and regulations that are put forward by the Planning Commission. Vice Chair Hall agreed that is a good question, but he recalled earlier discussions amongst the staff and Commission about the fact that the current zoning regulations are flawed, and fixing the flaws is

important. While he agreed with staff that there is a lot of work for the Commission to do, he is not convinced that the Commission's workload limitation should be the only factor considered. They must also keep in mind the City's budget.

Commissioner Pyle pointed out that he would likely have been prepared to vote on the previous rezone application if the Commission had taken the time previously to review the code language and determine what they want to see in RB zones. He expressed concern that the Commission does not have enough time to work on the actual zoning issues before them, yet they are being asked to rezone properties to zones that are unclear and in constant fluctuation. He said he sees the value of sending quasi-judicial hearings to the hearing examiner for one year so the Commission can focus their effort and time on rewriting some sections of the code. Then they would be better prepared to assume this responsibility again.

Chair Kuboi agreed with Commissioner Pyle. However, before the Commission could present this recommendation to the City Council, they must be able to show them how they would use time that is freed up. In addition to focusing on what the Commission would give up, they should also spend time articulating the specific benefits of the change. Even if the Commission's time is freed up, they must consider whether or not the Commission would be ultimately constrained by the limited amount of staff time and resources. He said it might not be appropriate to discuss this concept with the City Council until their 2009 work plan has been developed to support the change. Commissioner Piro recalled that the Commission discussed that they would still handle some quasi-judicial items, but this list was never adequately defined. He agreed the Commission must articulate the issues better before they discuss the idea further with the City Council.

Commissioner Behrens recalled that at the previous joint City Council/Planning Board meeting, a City Council Member suggested they consider a system by which they use a rotating pool of hearing examiners, and he felt this proposal had some merit.

Commissioner Broili respectfully disagreed that the Commission should discard the discussion of having the hearing examiner review most quasi-judicial items. If the Commission has to continually conduct rezone hearings, they would have less time to establish a good Development Code foundation. Their proposal to the City Council should identify the priorities and goals they want to achieve in 2009, as well as the steps that would be necessary to accomplish each one.

Chair Kuboi clarified that he was suggesting the proposal be taken off the joint City Council/Planning Commission meeting agenda until they have more concrete information to present as part of their proposal. Commissioner Broili suggested the Commission at least make a brief statement outlining their proposal and why they feel it is appropriate. This would not require a detailed discussion, but they should let the City Council know that it is an important issue to the Commission. Commissioner Perkowski suggested they invite the City Council to review their 2009 workload and identify any items they want the Commission to address, as well. They could also ask the City Council to provide guidance as to how they should prioritize the workload.

Vice Chair Hall said it is likely the City Council would indicate their desire to hold off on any decision until after the visioning process has been completed. He expressed his belief that a vision must be identified before appropriate codes could be created to provide a strong foundation. He suggested that once the visioning process is completed, it might be easier for the Commission to prioritize their 2009 workload.

Chair Kuboi summarized the Commission's consensus that they would like to have an active role in determining where their newfound time would be directed in the future. Much of their support for the concept would be based on whether or not the change would allow the Commission to better accomplish their goals and objectives.

REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS

None of the Commissioners provided reports during this portion of the meeting.

AGENDA FOR NEXT MEETING

Chair Kuboi announced that the September 18th agenda would include a review of the proposed Stormwater Development Code amendments and a subcommittee report on design review.

Commissioner Piro asked if the staff has had any interaction or participation with the work underway with the Puget Sound Partnership. Mr. Cohn said staff would respond to this question at the Commission's next meeting.

ADDITIONAL PUBLIC COMMENTS

Boni Biery, Shoreline, referred to the rezone proposal that was heard by the Commission earlier in the meeting. She said she doesn't have a problem with the proposed Regional Business (RB) zoning if the density was limited to 48 units per acre, but the current RB language allows up to 110 units per acre. She said she is not opposed to density up to a reasonable limit. She pointed out that Echo Lake Project was limited to about 90 units per acre, and this property is located directly across the street from a park and ride. The rezone proposal that was presented to the Commission earlier in the meeting would result in a potential 110 unit per acre development just one block from her house and on a residential street that already has more traffic than the City can control. She summarized that the circumstances are unique, and the City has not been able to find a way to deal with the traffic.

Ms. Biery questioned why everyone was held to only two minutes of public comment when there was plenty of time left after the meeting. The limit meant she and others had very little opportunity to say the things that could have been said that might have changed the Commission's recommendation. She noted that she has no recourse now that the Commission has issued their recommendation.

Commissioner Piro said one of the most valuable ways to participate in the public process is to submit comments to the Commission in writing. These documents are forwarded to the Commission for review prior to the hearing. Commissioner Broili pointed out that it is difficult for the Commission to know at

the beginning of a hearing how long the testimony will go on. The Commission has had numerous occasions when they have stayed until long after the time the meeting was supposed to be closed. This has created frustration because they didn't have enough time to accomplish everything. Vice Chair Hall pointed out that the Commission received and reviewed the email that was submitted by Ms. Biery, as well as other written comments that were received. Ms. Biery said her concern is that once a property is rezoned, neighboring property owners have no control over how the property is used. While she agreed that the James Alan Salon has been a good neighbor, some of the uses allowed in the RB zone might not be appropriate in this location.

Commissioner Behrens said that each time the Commission reviews a proposal; they consider the issue of traffic. He agreed that the intersection near the subject properties is one of the most congested in the City, and they do not have good traffic corridors in the City. He suggested the Commission ask the City Council to consider long-term traffic solutions as part of the visioning process. Traffic impacts must be addressed, and the public should be encouraged to voice their concerns and recommendations. He recognized these changes would take time and cost a lot of money, but changes should take place in an organized fashion.

ADJOURNMENT

The meeting was adjourned at 9:26 P.M.

Sid Kuboi
Chair, Planning Commission

Renee Blough
Clerk, Planning Commission