
Council Meeting Date: November 24, 2008

Agenda Item: 9(a)

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Adoption of Ordinance No.524, a Site Specific Rezone located at 753 North 185th Street
File No. 201736
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 one parcel located at 753 North 185th Street. The Planning Commission recommends that the parcel be rezoned from R-12 to Community Business ("CB").

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 18, 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 R-12 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.524, (**Attachment A**) thereby approving the rezone located at 753 North 185th Street from R-12 to Community Business (CB).

Approved By:

City Manager  City Attorney 

INTRODUCTION

The rezone recommendation before Council is a request to change the zoning designation for one parcel located at North 185th Street from R-12 to Community Business.

The 13,051 square foot parcel is generally located on the southwest corner of North 185th Street and Linden Avenue North. The parcel currently houses the Richmond Masonic Temple. The Temple is currently used for various performing arts.

A public hearing before the Planning Commission occurred on September 18, 2008. The Planning Commission Findings and Recommendation are included in **Exhibit A**

The Planning Commission recommended on a 7-1 vote (Commissioner Behrens opposed and Commissioner Pyle absent) that the rezone of the property from R-12 to Community Business be approved. The Planning Commission minutes of the public hearing are included in **Attachment E**.

BACKGROUND

In 1998 the City of Shoreline adopted its first Comprehensive Plan. This document includes a map that identifies future land use patterns by assigning each area a land use designation. The subject parcel 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 immediately adjacent to the site have land use designations of Community Business and High Density Residential. Parcels to the north, across North 185th Street, have land use designations of Community Business, Mixed Use and Medium Density Residential. Parcels to the east, across Linden Avenue North, have a land use designation of Community Business.

The site is currently zoned R-12. Under the proposed zone change, the parcel would be zoned Community Business which would allow retail, office, residential, or a mix of uses within the parcel.

The CB zoning designation allows residential density up to 48 units per acre which translates to 14 dwelling units at this site. The development standards allow a 60' high building, 85% impervious surface, and 10' setbacks from adjacent residential properties.

The proposed zone change will also bring a nonconforming use (performing arts/theater) into conformance with the Shoreline Development Code because a performing arts/theatre is not allowed in the R-12 zoning district in Shoreline's Development Code. In addition, a social club (the Masonic Temple itself) is required to obtain a Conditional Use Permit to be located on an R-12 zoned parcel. The Temple does not have this approval either.

APPLICATION PROCESS

The application process for this project began on July 24, 2008, when the applicant held a pre-application meeting with City Staff. Two neighborhood meetings were held on March 9 and March 30, 2008. Neighborhood meeting materials are **Attachment F**.

SEPA analysis done for the proposed CB zoning and staff issued a Determination of Nonsignificance on August 7, 2008. The SEPA Determination was not appealed.

A public hearing was held before the Planning Commission on September 18, 2008. The Planning Commission made a recommendation and formulated findings, conclusions, and recommendation that evening to recommend a rezone to Community Business.

PUBLIC COMMENT

The City received 2 comment letters in response to the standard notice procedures for this application prior to the public hearing (**Attachment B**). Both of the letters were against the proposal. One person in addition to the applicant testified at the public hearing.

The comments focused on the following issues:

- Supporting mixed use development on the site
- Concerns about the historical status of the current building on-site
- Concerns about traffic around the site

The Planning Commission addressed these comments in its findings, conclusions and recommendation.

PLANNING COMMISSION RECOMMENDATION: Rezone to Community Business

The Commission in its Findings, Conclusions, and Recommendation found that a rezone to **Community 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 7-1 vote (Commissioner Behrens voting against and Commissioner Pyle absent). Their comments are reflected in the 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 Community 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 R-12 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 (R-12) and the requested and recommended zoning (CB). If the zoning remains R-12, the uses on the property will continue to be nonconforming and future modifications and/or new uses will not be allowed within the structure.

RECOMMENDATION

Staff recommends that Council adopt Ordinance No.524, (**Attachment A**) thereby approving the rezone of one parcel located at 753 North 185th Street from R-12 to Community Business (CB).

ATTACHMENTS

Attachment A: Ordinance No.524: R-12 to CB

Exhibit A – Planning Commission Findings and Determination- September 18, 2008

Exhibit B – Proposed Zoning Map

Attachment B: Public Comment Letters

Attachment C: Vicinity Map with Comprehensive Plan Land Use Designations

Attachment D: Vicinity Map with Zoning Designations

Attachment E: Planning Commission Minutes- September 18, 2008

Attachment F: Neighborhood Meeting Materials

ORDINANCE NO. 524

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON AMENDING THE CITY'S ZONING MAP TO CHANGE THE ZONING FROM R-12 (RESIDENTIAL-12 UNITS PER ACRE) TO CB (COMMUNITY BUSINESS) FOR THE PROPERTY LOCATED AT 753 NORTH 185TH STREET.

WHEREAS, the subject property, located at 753 North 185th Street is zoned R-12; and

WHEREAS, the owner of the property has applied to rezone the property to CB, Community Business; and

WHEREAS, the rezone of the property is consistent with the Comprehensive Plan land use designations of Community Business; and

WHEREAS, the Planning Commission considered the application for zone change at a public hearing on September 18, 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 property 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 property described as RICHMOND HIGHLANDS ADD N 65 FT LESS W 200 FT (Parcel No. 7283900303) depicted in Exhibit B attached hereto, from R-12, Residential 12 units per acre, to CB, Community 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 NOVEMBER 24, 2008.

Cindy Ryu, Mayor

ATTEST:

APPROVED AS TO FORM:

Scott Passey
City Clerk

Ian Sievers
City Attorney

Date of Publication:
Effective Date:

CITY OF SHORELINE
PLANNING COMMISSION

FINDINGS, CONCLUSIONS AND RECOMMENDATION

PROJECT INFORMATION SUMMARY

Project Description: Rezone application to change the zoning designation of one parcel from R-12 to Community Business (CB).

Project File Number: 201736

Project Address: 753 North 185th Street, Shoreline, WA 98133

Property Owner: Richmond Masonic Temple Association.

SEPA Threshold: Determination of Non-Significance (DNS)

Staff Recommendation: Recommend approval of a rezone to Community Business.

FINDINGS OF FACT

Current Development

1. The parcel at issue is located at 753 North 185th Street, generally on the southwest corner of North 185th Street and Linden Avenue North.
2. 753 North 185th Street (tax ID # 7285900065) is 13,051 square feet and is developed with the Richmond Masonic Lodge. The site is zoned R-12 and has a Comprehensive Plan Land Use designation of Community Business ("CB").
3. The surrounding neighborhood has experienced development recently: four townhomes have been developed west of the former James Alan Salon. Also, there is a current rezoning request at 18501 and 18511 Linden Avenue N to change the zoning from CB to RB.
4. 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.
5. The existing building on-site is listed in Shoreline's Historic Inventory List.

Proposal

6. The applicant proposes to rezone the parcel to Community Business ("CB").

7. Staff analysis of the proposed rezone includes information submitted in a pre-application meeting conducted on January 24, 2008 and two separate neighborhood meetings conducted on March 9 and March 30, 2008.
8. A Public Notice of Application was posted, mailed and advertised on July 17, 2008.
9. A Public Notice of Hearing was posted, mailed and advertised on August 7, 2008.
10. Two comment letters were received as of the date of the issuance of the staff report. The comment letters cited concerns about the Masonic Lodge being on Shoreline's Historic Inventory List and potential traffic issues.
11. The Planning Department issued a SEPA Determination of Non-Significance on August 7, 2008. The DNS was not appealed.
12. An open record public hearing is being held by the Planning Commission for the City of Shoreline on September 18, 2008.
13. City staff has reviewed the proposal and recommend that the parcels be rezoned to Community Business.

Comprehensive Plan Land Use Designations.

14. The site is designated Community Business in the Comprehensive Plan. Parcels to the west and east also have a Comprehensive Plan Land Use designation of Community Business. Parcels to the north, across N 185th Street, have land use designations of Community Business, Mixed-Use, and Medium Density Residential. The MU designation allows R-8 through R-48 residential zoning and all commercial and industrial zoning. Parcels to the south have High Density (HDR) and Medium Density Residential (MDR) Designations. The HDR designation allows R-12 through R-48 zoning and the MDR designation allows R-8 and R-12 zoning.
15. 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

16. Parcels immediately to the west of the subject parcels are zoned Office, R-18, and R-12 and developed with medical offices, condos, a fire station and other office uses. The parcel to the south is zoned R-48 and developed with an apartment building. The Fred Meyer shopping center is zoned RB and located directly east of this parcel. To the north is the former James Alan Salon building zoned CB.

Proposed Zoning

17. The proposal is to change the zoning on the site from R-12 to Community Business (CB). Under SMC 20.30.060, a rezone is a 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.
18. The purpose of a Community Business zoning district, as set forth in the Shoreline Municipal Code 20.40.040, is to "provide for the location for a wide variety of business activities, such as convenience and comparison retail, personal services for local service, and to allow for apartments and higher intensity mixed use developments.

Impacts of the Zone Change

19. The following table outlines the development standards for the current zoning (R-12) and the proposed zoning (CB):

	R-12	CB
Front Yard Setback	10'	0'
Side Yard Setback	5'	10'
Rear Yard Setback	5'	10'
Max. Impervious Surface	75%	85%
Height	35'	60'
Density (residential development)	12 du/ac	48 du/ac
Total Units (potential)	4	14

20. Traffic Impacts

Since the proposed CB zoning permits a variety of uses, specific impacts are uncertain at this time. However, two scenarios can be defined to provide a reasonable set of bookends regarding traffic impacts.

- a. Scenario 1: Develop the property as office. A reasonable development assumption is that as an office, $\frac{1}{2}$ of the parking would be on grade and another full level of underground parking would be available. This results in 75-85 stalls. Setting aside some stalls for visitors, it is reasonable to assume 80 employees. These could be housed in a 21,000 square foot building, which would suggest a 3 or 4 story building on this site.

This scenario would generate 266 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 the CB zone, the number of units, and by extension, the traffic impacts, can be defined. Under a CB zone, 14 units could be developed. 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 14 units are built, this translates to an additional 94 trips during the day and 9 more trips during rush hour.

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.

City of Shoreline Historic Inventory List

Because the current development on the property is listed on the historic inventory, staff contacted King County for suggestions about how to address the possibility that a site on the Historic Inventory might be demolished. The County suggested a number of options, which include asking the developer to place the building up for sale, and if the building cannot be sold and moved, to make a historical record of the building. Staff will inform a potential owner of the property that the City will place certain requirements on them if they intend to

demolish the building. These requirements will be part of the SEPA for building/site development permits and not part of this rezone.

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?

The rezone is consistent with the following goals and policies of the comprehensive plan:

3. Goals LUI, LU III, LUIV, LUV, Land Use Policies LU1, LU30, LU155, H2, T17, every goal and policy within the Economic Development Element, CD 48, and CD 61.
4. Goal LUI, "Ensure that the land use pattern of the City encourages needed, diverse, and creative development, protects existing uses, safeguards the environment, reduces sprawl, promotes efficient use of land, encourages alternative modes of transportation and helps to maintain Shoreline's sense of community".
5. Goal LUIII, "Encourage a variety of quality housing opportunities and appropriate infrastructure suitable for the needs of Shoreline's present and future residents".
6. Goal LUIV, "Encourage attractive, stable, quality residential and commercial neighborhoods that provide a variety of housing, shopping, employment and services".
7. Goal LUV, "To assure that a mix of uses, such as service, 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".
8. Policy LU1, "Preserve environmental quality by taking into account the land's suitability for development and directing intense development away from natural hazards and important natural resources".

9. Policy LU30, "Encourage a mix of residential and commercial development in close proximity to create retail synergy and activity".
10. Policy LU36, "Provide opportunities and amenities for higher density residential communities to form within or adjacent to the Aurora Corridor in harmony with the surrounding neighborhoods".
11. Policy LU155, "Support the expansion of public mass transit and encourage cycling and walking in the City as an alternative to dependence on individual vehicles".
12. Policy H2, "Provide incentives to encourage residential development in commercial zones as a support to commercial areas".
13. Policy T17, "Utilize the Arterial Classification Map as a guide in balancing street function with land uses. Minimize through traffic on local streets".
14. Policy CD48, "Develop attractive, functional, and cohesive commercial areas that are harmonious with adjacent neighborhoods, by considering the impacts of land use, building scale, views and through traffic".
15. Policy CD61, "Work cooperatively with other jurisdictions, agencies, organizations, and property owners to preserve historic resources".

The rezone may be inconsistent with the following goals and policies of the Comprehensive Plan:

16. Policy LU84, "Consider and evaluate the immediate, long-range, and cumulative environmental impacts of policy and development decisions consistent with the SEPA and GMA".
 Full environmental impacts cannot be addressed at this time. The City is uncertain what will be built on the site at this time since this rezone is a non project action. Full environmental impacts will be addressed when and if an applicant submits building permits for a specific project.
17. Policy LU96, "Encourage the use of green building methods and materials that may reduce impacts on the built and natural environment".
 The City has recently adopted the Sustainability Strategy but Shoreline's Development Code does not require green building methods.
18. Policy T47, "Monitor traffic growth on collector arterials and neighborhood collectors and take measures to keep volumes within reasonable limits".
 The site is accessible by a Minor Arterial (N 185th Street) and a Neighborhood Collector Street (Linden Ave N). Linden Ave N will be

impacted by any new development but has the capacity to handle additional trips.

19. Policy PR1, "Monitor changes in both existing and planned population and evaluate how the Parks, Recreation and Cultural Services Department can adapt to the changing population and varying needs".

20. Policy PR9, "Develop and distribute multi-use neighborhood, community and regional park facilities throughout the City to satisfy varying levels of citizen needs".

If the property is developed with residential uses, park facilities and open spaces are scarce in this area though the interurban trail is easily accessible.

21. Policy CD58, "Review proposed changes to historic landmark sites and structures to ensure that these resources continue to be part of the community".

The structure on site is on Shoreline's Historic Inventory List. This status will not be changed because of the rezone as the rezone is only changing the zoning designation of the site. Specific building impacts will be addressed by subsequent SEPA Determinations.

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

22. 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 CB zone protect against uses that would be contrary to the public health, safety or general welfare.

23. 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?

24. CB as well as Neighborhood Business, Office, and residential zoning categories R-12 through R-48 are consistent with the Comprehensive Plan vision for the area (Community Business). Specifically, CB is a better fit for this site because recent land use actions have been approved in close proximity of this site (#201753 was approved for CB zoning and recently recommended for a change to RB), adjacent land uses include medical/office buildings, apartments, the Fred Meyer shopping center and the former James Alan Salon.

25. 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 CB zoning.

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

26. Staff does not believe that this rezone will be materially detrimental to uses or properties in the immediate vicinity for the following reasons:
27. Concerns have been raised about the historical status of the building on-site and pedestrian and traffic safety issues by the proposed CB zoning.

(a) Historic Inventory List

The Current building on-site is listed on Shoreline's Historic Inventory List. Staff has contacted King County's Historic Preservation Officer, who had specific procedures for these types of properties. Specific requirements will be placed on the applicant if and when building permits are applied for. These requirements include archival documentation (photos, plans, additional research) and require a good faith effort to advertise the building for sale to be moved to another site and the cost of demolition and disposal contributed to the move. Digital photos by a professional photographer would be available to King County as well as the Shoreline Museum. A historic preservation professional will be required to do supplemental research on the property and Lodge that is acceptable by King County's Historic preservation Officer.

(b) Traffic and Pedestrian Circulation

Analysis shows that the heaviest traffic impacts will occur if the property is developed as office uses. Future improvements to N. 185th Street and the Aurora Corridor by the Aurora Corridor Improvement Project will help traffic flow in this area, specifically traveling east-bound on N. 185th Street. Sidewalks, traffic signals, and crosswalks are all available at the corner of N. 185th Street and Linden Ave. N.

Will the rezone have merit and value for the community?

28. The proposed rezone will allow commercial and residential expansion to meet the changing needs of the community. The CB zoning category will allow commercial uses, residential uses or a mix of both uses. The CB zoning category is capped at 48 dwelling units per acre making the increase in density minimal at this location.
29. 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

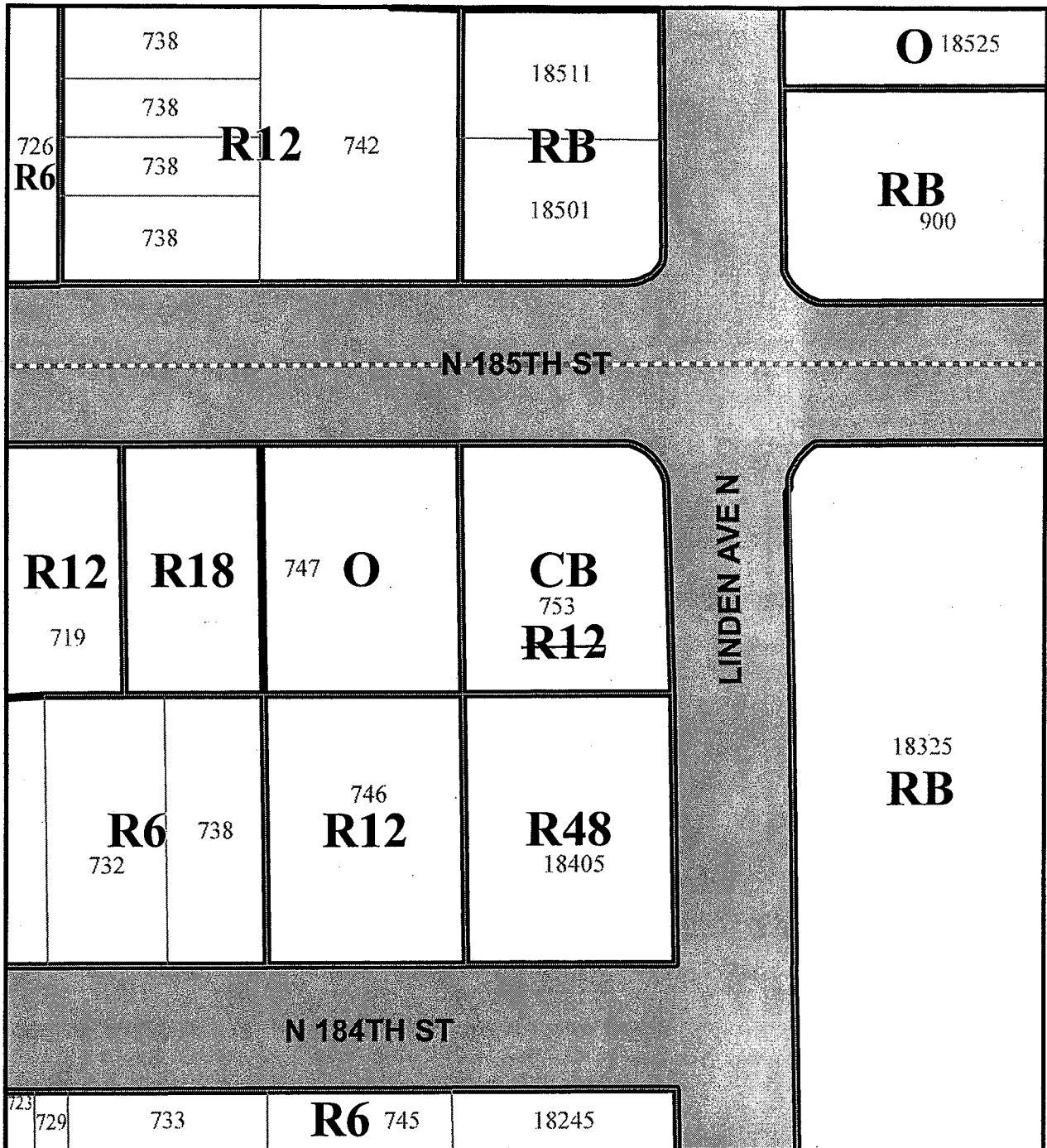
The Planning Commission recommends that the City Council approve a rezone of one parcel located at 753 N. 185th Street from R-12 to Community Business.

Date: 11/6/2008

By: [Signature]

Planning Commission Chair

Exhibit B



753 N 185th St Rezone

R-12 to CB

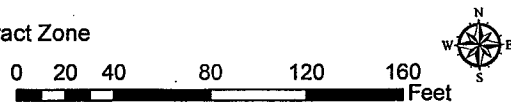
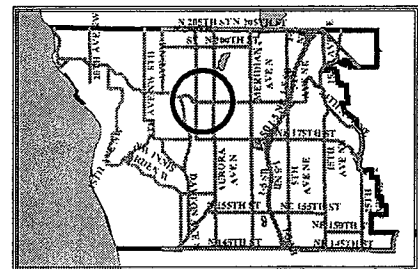
Zoning Legend

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

Feature Legend

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

140



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 November 6, 2008.



August 4, 2008

City of Shoreline

Planning Department


RE: Rezone Application on parcel #7285900065
Richmond Masonic Temple
753 N. 185th Street

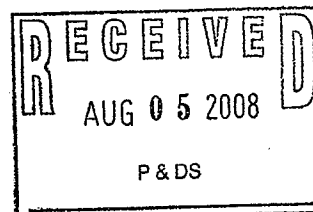
To whom it may concern:

The Richmond Masonic Temple is listed on the historic properties document prepared by King County for the City of Shoreline when the city was incorporated. The City of Shoreline funded a historical marker on the property as part of the neighborhood improvement grants. Unlike many historical properties in Shoreline this site has maintained its original purpose (Masonic Lodge) and significance in the community as a place for dances and meetings. The newspaper for the communities of Richmond Highlands and Richmond Beach in the 1920s had numerous articles about activities held at the Masonic Lodge. When the City of Shoreline created a comprehensive plan the designation for community landmark was established but has never been used by the city. Our only community landmark plaque is on the Shoreline Museum and it was designated a landmark by King County before Shoreline was a city.

Before any SEPA Determination of Non significance (DNS) is issued by the city on this property full documentation of the efforts to designate this site as a community landmark needs to be included. The participation and consultation with the designated Kind County Landmark's Commission representative needs to be included and well documented. The issue is "Community Landmark" not National Historic Site. In the City of Shoreline comprehensive plan and the agreement with King County there are very clear directions for the correct process to follow before the city issues a DNS at this site. Being as the Comprehensive Plan has goals that address historic properties in Shoreline, a full statement needs to be included in the SEPA report as to why the city of Shoreline never acted on the responsibility it has to include this site in its Community Landmarks. A statement in the DNS needs to address the efforts that the city made to enlist the participation of the property owner in the landmark process after the community members nominated it as a significant landmark.

I participated in the committee that chose the Masonic Lodge as a site for a historical marker, and suggested the language that is inscribed on the stone. The City of Shoreline should not and can not minimize in the SEPA record all the community's effort to recognize this significant property.


Ken Howe
745 N. 184th Street
Shoreline, Washington



Steve Szafran

From: aspi5@mac.com on behalf of Cassandra Aspinall [aspi5@mac.com]
Sent: Sunday, July 27, 2008 5:33 PM
To: Steve Szafran
Cc: PDS
Subject: Richmond Masonic Temple Assoc #201736

I live in a neighboring household to the 753 185th St parcel and received your Notice of Rezone Application. I must complain that this notice is completely impossible to understand in regards to the description of the Environmental Review.

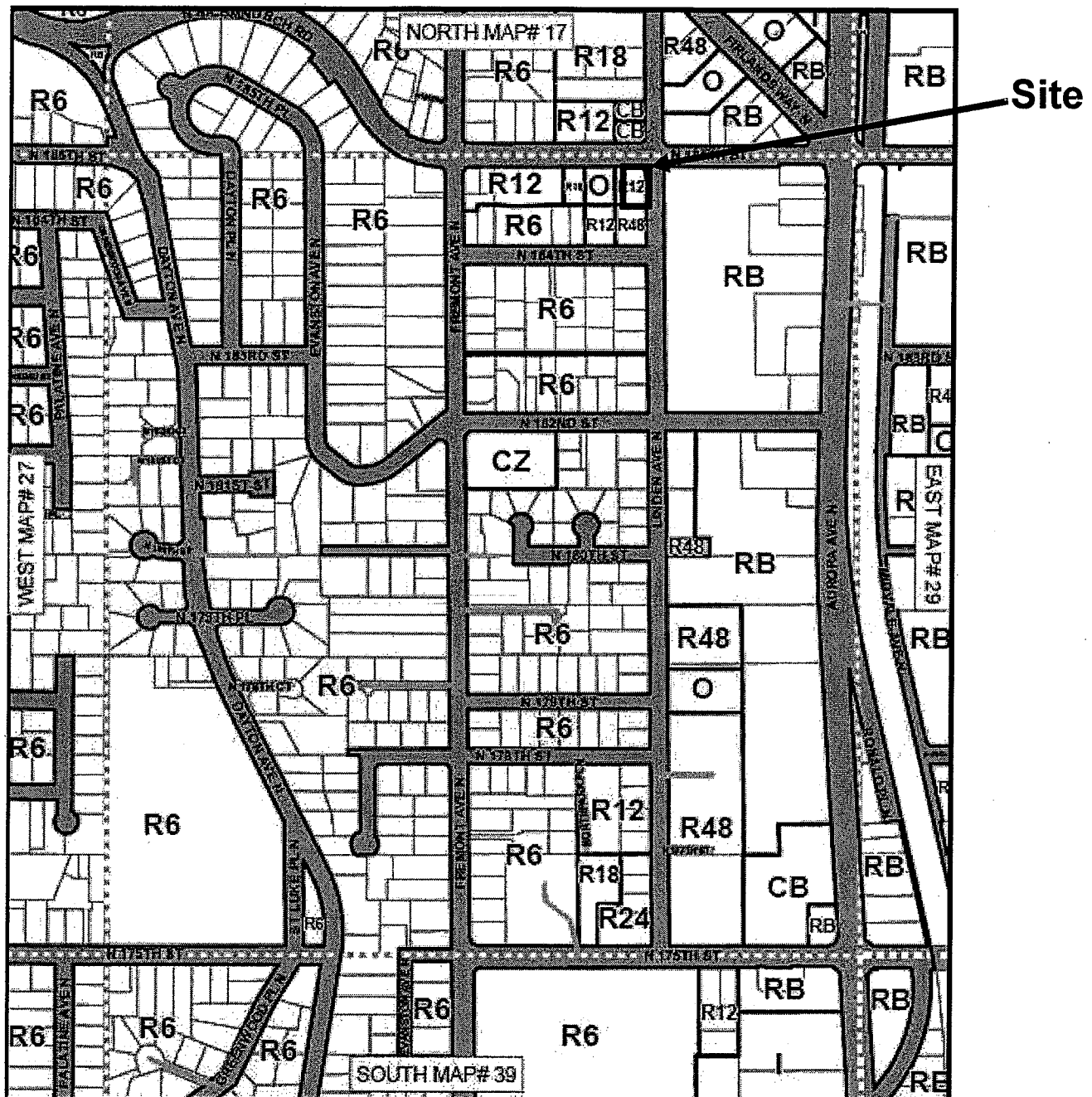
I live at 18531 Linden Ave. N, and even before the project for the James Alan Salon and this proposal move forward there are significant traffic and pedestrian safety issues. The intersection at 185th and Linden is often impassable due to high volume, timing of the light and the lack of a left turn arrow in all directions. There have been many traffic accidents as cars take risks to turn left, or block the intersection in their desperation to make progress on Linden or on 185th towards or away from Aurora Ave. Cars parked on the parking strip make it impossible to walk in the area safely, and as sidewalks are constructed in many areas around us, the area between 188th and 185th on Linden remains untouched.

I will do my best to attend the public hearing, but my husband and I work full time and have 3 children which makes it hard to carve this time out.

As there are now 2 very large projects being considered in this same intersection, I hope you will consider having a discussion about how the construction will impact the area in light of both proposals together, versus looking at them separately.

Thank you.

Cassy Aspinall



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	Unclassified ROW
City Boundary	Parcel Line

NW1/4-S7-T26N-R4 E

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.

SHORELINE

CITY OF SHORELINE

SHORELINE PLANNING COMMISSION SUMMARY MINUTES OF REGULAR MEETING

September 18, 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 Wagner

Commissioners Absent

Commissioner Pyle

Staff Present

Joe Tovar, Director, Planning & Development Services
Steve Cohn, Senior Planner, Planning & Development Services
Steve Szafran, Associate Planner, Planning & Development Services
Flannary Collins, Assistant City Attorney
Jill Mosqueda, Drainage Review Engineer
Jeff Forry, Permit Services Manager, Planning & Development Services
Belinda Boston, Clerk, Planning & Development Services

Guests

Keith McGlashan, City Council
Cindy Ryu, Mayor of Shoreline (left the meeting at 7:20 p.m.)

CALL TO ORDER

Chair Kuboi called the regular meeting of the Shoreline Planning Commission to order at 7:08 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 Wagner. Commissioner Pyle was excused.

APPROVAL OF AGENDA

The Commission approved the agenda as presented.

DIRECTOR'S COMMENTS

Mr. Cohn noted that the Director's comments would be postponed to later in the meeting.

APPROVAL OF MINUTES

The minutes of September 8, 2008 were approved as corrected.

GENERAL PUBLIC COMMENT

Les Nelson, Shoreline, complained that it is still difficult to find information about Planning Commission meetings on the City's website. He suggested that the meeting announcement and agenda should be featured on the website's home page. He said he has brought this problem to staff's attention on numerous occasions, but it has still not been resolved.

Commissioner Piro pointed out that the City has a program that electronically sends out announcements of Planning Commission meetings to people on the list. Mr. Cohn said that the Planning Commission information is also accessible from the Planning Division's home page. He said staff has been working to implement additional changes to address Mr. Nelson's concerns, but they have to wait until the new website is up and running. Chair Kuboi added that the Planning Commission meetings have also been advertised on the list of "what's happening" in Shoreline on the right side of the home page, but this meeting was not included for some reason. Mr. Cohn agreed that staff would make sure the meeting is included on the list in the future.

Cindy Ryu, Mayor of Shoreline, thanked the Commissioners for their service. She said she is looking forward to the joint Planning Commission/City Council Dinner Meeting that is scheduled for September 22nd. She pointed out that she would not stay for the hearing.

PUBLIC HEARING ON REZONE REQUEST FOR PROPERTY LOCATED AT 753 NORTH 185TH STREET

Chair Kuboi reviewed the rules and procedures for the quasi-judicial public hearing. He reminded the Commission of the Appearance of Fairness Rules. He opened the public hearing and invited the Commissioners to disclose any communications they might have received about the subject of the hearing outside of the hearing. None of the Commissioners disclosed ex parte communications, and no one in the audience expressed a concern, either.

Staff overview and Presentation of Preliminary Staff Recommendation

Mr. Szafran said the application is to rezone property located at 753 North 185th Street from R-12 (Single-Family Residential) to Community Business (CB). He displayed a Comprehensive Plan Map for the area, which identifies the parcel as Community Business. Property to the north is identified on the map as Community Business, Medium-Density Residential, and Mixed-Use. Properties directly to the south are designated as High-Density Residential, with Medium and Low-Density Residential towards the west.

Mr. Szafran displayed a zoning map of the area and explained that parcels immediately to the west of the subject parcel are zoned Office (O), R-18 and R-12 and developed with medical offices, condos, a fire

station and other office uses. The parcel to the south is zoned R-48 and developed with an apartment building. The Fred Meyer shopping center is zoned RB and located directly east of the subject parcel. To the north is the former James Alan salon building, which is currently zoned CB. He advised that the building currently located on the subject parcel has been designated on Shoreline's Historic Inventory List. He also provided numerous photographs to identify the existing conditions on surrounding properties.

Mr. Szafran advised that the proposal is to change the zoning on the site from R-12 to CB. He referred to a chart outlining the differences between the proposed CB zoning and the Regional Business (RB) and Neighborhood Business (NB) zones. He summarized that the CB zone would allow 14 dwelling units on the site, a 60-foot height limit, 85% impervious surface, and 10-foot setbacks from adjacent residential properties. The NB zone would allow 7 dwelling units on the site, as well as a 35-foot height limit if developed as commercial only and a 50-foot height limit if developed as mixed-use. The setbacks and impervious surface requirements would be the same for both the NB and CB zones. Currently, the RB zone would allow up to 33 dwelling units, a 65-foot height limit, a setback requirement of 15 feet, and more impervious area.

Mr. Szafran reported that the City received two comment letters regarding the proposed rezone. One voiced a concern about traffic in the area, and it noted there were no sidewalks available. The other voiced a concern that the SEPA Determination ignored the historical significance of the site. Mr. Szafran noted that the Aurora Corridor Project would improve traffic circulation in the area, and the parking demand would be addressed on site. Therefore, the proposal should not impact existing parking areas on Linden Avenue. Mr. Szafran pointed out that the current proposal only deals with land use and not a specific project so the City would deal with the historical impact of the existing building if and when a building permit comes in.

Mr. Szafran referred to a map outlining the proposed improvements associated with the Aurora Corridor Project. He also explained how the proposal would meet the zoning criteria as follows:

- ***Is the rezone consistent with the Comprehensive Plan?*** Mr. Szafran noted that the staff report lists numerous specific Comprehensive Plan goals and policies that would be met by the rezone application, as well as six policies that might not be fully met. He summarized that, overall, the rezone would be consistent with the Comprehensive Plan designation of Community Business.
- ***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 if the site were developed with residential uses, the impacts could be positive because the greater residential density and commercial development would be located on arterial and collector streets and away from single-family neighborhoods. These services would also be located closer to existing retail centers.
- ***Is the rezone warranted in order to achieve consistency with the Comprehensive Plan?*** Mr. Szafran said staff believes the rezone is warranted to achieve consistency with the Comprehensive Plan, which calls for more efficient use of land and higher densities in appropriate areas that are close to services

and transportation. The Aurora Corridor Project would result in improved circulation patterns on 185th and Aurora Avenue, which would support more intense development on the subject property.

- *Will the rezone be materially detrimental to uses or property in the immediate vicinity of the subject rezone?* Mr. Szafran said staff does not believe the rezone would be detrimental to uses or property in the area.
- *Will the rezone have merit and value for the community?* Mr. Szafran said staff believes the rezone would have merit and value for the community since it would provide an opportunity to accommodate more jobs and multi-family dwelling units in an area that is not immediately adjacent to existing single-family neighborhoods. The subject parcel is also in close proximity to services and transportation.

Mr. Szafran said staff recommends approval of the application to rezone the subject property from R-12 to CB.

Commissioner Kaje thanked staff for providing a thorough assessment of which Comprehensive Plan goals and policies the proposal would be consistent with, as well as those it would not be consistent with. He noted that the staff report indicates the proposed rezone would be consistent with Policy CD61, which talks about working cooperatively with other jurisdictions, agencies, organizations and property owners to preserve historic resources. On the other hand, the staff report also suggests that the issue of historic inventory is not on the table for discussion at this time. He suggested these two statements are inconsistent.

Chair Kuboi invited staff to provide more clarification about whether or not the issue of historic preservation is germane to the Commission's deliberation on the rezone application. Mr. Cohn said staff does not believe a discussion regarding historic preservation is germane to the Commission's deliberation. However, because the issue was raised in a comment letter, staff attempted to address the concern. He noted that the property could be redeveloped under the current zoning, as well as any alternative zoning. City Attorney Collins agreed that the Commission should not address the issue of historic preservation as part of their deliberation on the rezone application. Instead, the issue would be addressed later when and if a building permit application is submitted.

Applicant Testimony

Shimon Shriki, Applicant, reminded the Commission that the purpose of the rezone is to enable him to redevelop the property into something else. Therefore, he suggested it is important to deal with the issue of historic preservation now. If the building has to remain on the subject parcel, there would be no ability to redevelop the site in another fashion. Chair Kuboi again reminded Mr. Shriki that the rezone action would have no bearing on the issue of historic preservation. Mr. Shriki questioned the point of rezoning the parcel if redevelopment would never be possible. Vice Chair Hall emphasized that it is important to keep in mind that even if the property is not rezoned, a property owner could submit a building permit based on the current zoning. A decision regarding the historic value of the property would be made at the building permit stage. The Commission does not have the authority to address

historic preservation. Mr. Shriki said his understanding was that the building had no historical value. He said they have a company that is interested in moving the structure to another location.

Commissioner Behrens requested clarification from the City Attorney as to whether the City has the ability to prevent the property owner from tearing the building down. Commissioner Hall clarified his earlier comment that even if the Commission recommended denial of the rezone, they could not prevent someone from tearing down the building. Again, City Attorney Collins reminded the Commission that historic preservation is not something they should consider in conjunction with the rezone application. Mr. Cohn clarified that the building is on the City's Historical Inventory, but it is not on either the King County or Washington State Registers of Historic Properties. Mr. Cohn suggested this subject could be addressed after the hearing.

Questions by the Commission to Staff and Applicant

Commissioner Behrens asked staff to delineate the borders of the Aurora Corridor Project. Mr. Szafran said the western boundary is Linden Avenue and the eastern boundary is Midvale Avenue. Commissioner Behrens also asked staff to provide more information about how the proposed rezone would be consistent with Comprehensive Plan Policies LU20 and LU31. Mr. Szafran clarified that LU20 and LU31 were mistakenly included in the list of policies the rezone would be consistent with. Commissioner Behrens referred to LU55, which refers to the expansion of public mass transit and encouraging cycling and walking in the City as an alternative to dependence on individual vehicles. He asked if the Aurora Corridor Project would include expansion of bicycle lanes or trails. Mr. Szafran said there are no specific plans to expand bicycle lanes, but there are plans to redevelop the sidewalks in front of the subject property.

Commissioner Behrens asked staff to describe how transit would play a supportive role for the proposed rezone. He particularly asked for clarification regarding the number of parking spaces that would be required. Mr. Cohn clarified that the numbers provided in the staff report were based on staff's assumption of the number of employees that could be housed in the new structure on the subject property, plus an additional five stalls for visitors. Commissioner Behrens pointed out that if the new building is used as a medical or dental office, it would generate more traffic beyond just the people that work there. While he understands the numbers are assumptions only, he expressed concern that it assumes a lot of the people working and visiting the building would use the transit system. Mr. Cohn clarified that, at this time, staff doesn't know what the building would be used for or how large it would be. The numbers identified in the staff report came from the ITE Manual for a general office building.

Commissioner Behrens said he lives close to the subject parcel, and he uses the transit service in the area. He noted that there is not a lot of transit service available on Aurora Avenue, except during peak hours. Mr. Cohn said it is important to keep in mind that the County has made a commitment to provide rapid-ride service along Aurora Avenue at regular intervals throughout the day.

Commissioner Behrens referred to Comprehensive Plan Policy T17, which is supposed to minimize through traffic on local streets. He asked staff to share how the proposed rezone could impact Linden Avenue. Mr. Szafran responded that the subject parcel would not gain access from any local street.

While Linden Avenue is identified as a collector street in this location, 185th Street serves as an arterial. Commissioner Behrens agreed but noted that traffic from the site would access Linden Avenue North, which is a collector and not an arterial, and this would have an impact on the residential neighborhood. Mr. Szafran said that because there is no specific development proposal, staff cannot identify the direction traffic would flow from the site. However, he agreed that Linden Avenue could potentially be impacted.

Commissioner Behrens referenced Comprehensive Plan Policy T47, which states the City should monitor traffic growth on collector arterials and neighborhood collectors and take measures to keep volumes within reasonable limits. Once again, he pointed out that Linden Avenue is a collector street that has been identified as being somewhat stressed. He asked if something could be done in this location to address the problem. Mr. Szafran said the City's Traffic Engineer has indicated the traffic counts on Linden Avenue are not heavy, and a redeveloping the subject parcel would not unduly stress the street. Chair Kuboi noted that while one of the citizen letters characterized Linden Avenue as stressed, the Public Works Department has indicated that the current traffic on Linden Avenue does not meet their definition of "stressed."

Commissioner Broili said that he understands that staff must make some parking assumptions as part of their review of the rezone application. However, he expressed concern that the balance between employees and potential customers is out of line. Commissioner Piro expressed his belief that it is robust to assume there would be 75 vehicles for 75 employees. This would assume no one would carpool or use the transit system. Mr. Cohn explained that the assumption was driven by the amount of parking that would fit in a 1.5 story space and not on how tall the building was, etc. Staff used the ITE Manual to identify a rough estimate of the number of trips a project would generate based on the number of parking stalls that could be provided. He clarified that the assumptions were intended to give the Commission an idea of what might be built. While staff could have done more analysis, it is important to keep in mind that they do not know the types of uses that will be located on the site in the future.

Public Testimony or Comment

Wendy DiPeso, Shoreline, suggested the Commission consider the possibility of changing the process so a rezone request can be heard in conjunction with a building permit application. She pointed out that this would help the Commission and public better understand what to expect of the site. It would also allow them to mitigate any neighborhood concerns prior to approval of the rezone and building application. In addition, it would save developers both time and money if the City's expectations were clear and upfront and would ensure there is no staff bias in support of a developer. Why approve a rezone application if the developer's ultimate plan is something the citizens of Shoreline will not accept?

Chair Kuboi said there is a natural tendency to want to talk about rezones and projects as part of the same discussion. However, he clarified that the City's current process requires the Planning Commission to evaluate a proposal based on five rezone criteria, and none of them are project specific. He explained that in the past, the City did contract rezones that were premised on a particular project. However, that is no longer an option in Shoreline. He expressed his belief that intertwining the specific merits of a rezone versus the perceived merits of and actual project could easily convolute the

discussion. He noted that any changes to the current process would require a separate legislative action. Commissioner Broili explained that staff makes decisions based on existing codes, and the appropriate way to deal with staff bias, either perceived or real, is to strengthen the codes so there are no gray areas. This would take the emotional aspect out of the review so staff decisions could be based solely on the code and regulations.

Commissioner Behrens said he appreciates the thorough reports that are prepared by staff. However, he suggested that instead of providing a recommendation as part of the report, staff could merely present the facts for the Commission's review. This would be another way to make staff reports appear absolutely neutral.

Les Nelson, Shoreline, expressed concern that if the historic preservation discussion is postponed until a development permit application has been submitted, neither the Commission nor the public would not have the ability to comment. He suggested that perhaps the City should consider options for moving the building to a location near the new City Hall, which would create a type of City Center. It could also be relocated to a property close to the Historical Museum, but if they wait until the development permit stage, it would be too late for groups to work together to relocate the structure. He suggested the Commission consider opportunities for them to play a role in the process of preserving historic structures. The Commission agreed to put this topic on their list of parking lot agenda items.

Final Questions by the Commission

None of the Commissioners had additional questions of the staff, the applicant or the public.

Deliberations

VICE CHAIR HALL MOVED THE COMMISSION RECOMMEND APPROVAL OF THE REZONE APPLICATION BASED ON THE FINDINGS AND RECOMMENDATIONS PRESENTED BY STAFF. COMMISSIONER PIRO SECONDED THE MOTION.

Vice Chair Hall said he was glad Commissioner Behrens brought up issues related to transit and bicycle opportunities. He noted that the subject parcel is located close to the Aurora Corridor and the Interurban Trail, and it is better to put this more intense development on Linden Avenue and 185th Street than in many other locations in the City. He agreed it would be a challenge to obtain adequate bus service along the Aurora Corridor, but he noted that transit agencies tend to wait to add service until there is adequate demand.

Vice Chair Hall applauded staff for trying to create assumptions as part of their report. Because the Commission cannot consider the actual type of development that might be proposed by the applicant, it is helpful to have some assumptions. At the same time, the Commission should not assume that the assumptions represent what would actually be built or that they represent the absolute worst case scenario. In terms of parking stalls, for example, if the Fred Meyer site were to develop into something much larger, the subject parcel could become a parking garage. He cautioned that if the Commission relies on any set of assumptions when making a recommendation on a rezone application, whether

presented by the applicant or staff, they must keep in mind that the property could be sold the next day and something totally different could be built. The challenge to the Commission is to recognize that anything allowed under the Development Code could potentially be built on the subject parcel.

Vice Chair Hall pointed out that the City's adopted Economic Development Strategy addresses the need to redevelop the commercial areas. It is important to keep in mind that any redevelopment is likely to take place at a higher density or higher intensity of use than what currently exists. Every proposal that is submitted to the Planning Division is likely to have some incremental impact on traffic. The Commission needs to be cognizant of whether or not the codes are adequate enough to protect the neighborhoods; and if not, they need to recommend changes. They must also make sure the City's long-range plan includes a long-term transportation plan to meet the needs of future development. He concluded that he supports the proposed rezone because the associated incremental parking and traffic impacts would be acceptable due to the site's proximity to the center of the City and the main transportation corridor.

Commissioner Piro said he appreciates the concerns raised by Commissioners Broili and Behrens regarding the long-term ramifications of the proposal. He noted that the parameters the Commission must work within enables them to not be limited to one specific project, but an array of possibilities given the rezone potential. He referred to the list provided by staff to identify which Comprehensive Plan policies the rezone proposal would be consistent with, as well as those it might not be consistent with. He noted that good issues were raised as a result of this process.

Commissioner Piro expressed his belief that redevelopment and infill provides a way for Shoreline to manage growth and meet growth management objectives, housing targets, economic development strategies, sustainability strategies, etc. It is important to strategically identify opportunities for locating and advancing more compact urban form, and clearly this can be done along the Aurora Corridor. He summarized that the modest additional intensity that would occur as a result of the proposed rezone would be a significant step towards achieving the City's overall objectives.

Commissioner Wagner said her biggest concerns about this site, as well as other rezones the Commission has considered in this same area, are related to traffic. She said she takes her daughter to a daycare in the vicinity of the subject parcel, so she can appreciate the concerns raised about traffic. However, she is comfortable recommending approval of the proposed rezone because it is the right place for greater density, particularly given the site's close proximity to Aurora Avenue. She said her concerns were further addressed by staff's analysis on Page 26 of the staff report, which identifies where the heaviest traffic impacts would be and how the Aurora Corridor Improvement Project would address concerns associated with cumulative impacts.

Vote by Commission to Recommend Approval or Denial or Modification

THE MOTION TO RECOMMEND APPROVAL OF THE REZONE APPLICATION AS PROPOSED WAS APPROVED 7-1, WITH COMMISSIONER BEHRENS VOTING IN OPPOSITION.

THE COMMISSION TOOK AT 5-MINUTE BREAK AT ABOUT 8:20 P.M. THEY RECONVENED THE MEETING AT 8:25 P.M.

STUDY SESSION ON STORMWATER DEVELOPMENT CODE AMENDMENTS

Mr. Tovar introduced Jeff Forry, who is the Manager of the Permit Services Team. He explained that the Permit Services Team deal with permit applications every day of the week, and they are responsible for making sure sites are engineered so they comply with the City's Development Code, Stormwater Manual and Engineering Development Guide. He invited Mr. Forry to provide an overview of the proposed Development Code amendments related to surface water. He noted that the proposed amendments are intended to help the City do a better job of managing surface water and come close to the objectives articulated in the newly adopted sustainability strategy.

Mr. Forry advised that a work group consisting of representatives from the Public Works and Planning and Development Services Divisions prepared the draft regulations. He said the purpose of the current proposal is to modify the Development Code and amend a chapter to the Shoreline Municipal Code (SMC) to implement a new Stormwater Manual. He noted that the documents provided to the Commission were intended to be working documents, so some typographical errors and some editorial clarifications still need to be made prior to the public hearing.

Mr. Forry recalled that on July 11, 2005, the City Council adopted the City's current Surface Water Master Plan, which was subject to a number of public hearings in conjunction with the Comprehensive Plan update. The plan identifies deficiencies in existing ordinances and incorporates goals and policies from the Comprehensive Plan. The State Department of Ecology (DOE) issued the City a National Pollution Discharge Elimination System (NPDES) Permit on February 16, 2007, which requires the City to implement new regulations that are equivalent to the DOE manual by August, 2009.

Mr. Forry explained that the City's current stormwater regulations were adopted when the City incorporated in 1995 and have been modified piecemeal to address new requirements. The language is based on a 1992 version of the King County Surface Water Code. He advised that the regulatory language supporting the City's stormwater management program is located in Chapters 13 and 20 of the Shoreline Municipal Code (SMC). He advised that the NPDES Permit requires implementation of the DOE equivalent manual, and the City's current Surface Water Management Plan also recommends implementation of this manual. In addition, the sustainable strategies that were recently adopted also place an emphasis on updating the Surface Water Management Code to provide acceptable levels of service.

Mr. Forry noted that the King County 2005 Manual has not been deemed an equivalent manual by the DOE, and there is no timeline for this to occur. Staff considered what impact the DOE Manual would have on the local regulations and how much modification would be required to directly implement the document. He summarized that implementing the King County Manual would require the City to amend their Critical Areas Ordinance, Clearing and Grading Ordinance, some of the land use provisions, etc. These amendments might change the flavor of Shoreline, and they did not feel it would be the

appropriate direction to go. It would involve a time consuming process, and in the end, the City still wouldn't have an equivalent manual in place to comply with the NPDES Permit requirements.

Mr. Forry explained that the DOE Manual is designed specifically for western Washington, and there are five volumes that contain best management practices for implementing stormwater control for both water quality and flow control. It also contains all the technical provisions and the minimum criteria for determining what projects to apply the standards to. It includes the engineering methodologies and the best management practices for flow control through low-impact development techniques and site planning. The DOE Manual is designed to look at proposals from a forested condition, and it provides for a higher level of review as part of the preliminary review process. It emphasizes minimum site disturbance and it offers expanded tools to developers and city staff to achieve water quality standards. It also offers expanded source control for water quality issues and provides for low-impact development. He said the DOE Manual's goal is to minimize impact to sites during construction, achieve post construction compliance, enhance vegetation, and minimize tree removal.

Mr. Forry specifically highlighted the following amendments:

- **Section 20.30.040 and Table 20.30.290 (Engineering Standards).** Mr. Forry explained that the engineering standards provide the technical guidance for development in the City, including street sections and drainage issues. In order to be consistent with the DOE, the word "variance" would be changed to "deviation." He explained that staff could approve a deviation to the standards if an applicant provides an engineering analysis showing another acceptable method of achieving compliance. He emphasized that while deviation would be allowed, the City would not grant a reduction in the standard.
- **Section 20.50.230 (Impervious Surface Standards).** Mr. Forry explained that when staff attempts to apply the impervious surface standards in the Development Code, they always end up debating with developers because they want to apply low-impact development options in order to reduce the impervious surface from a land use standpoint. Staff believes the maximum impervious surface should be considered under the Surface Water Manual (SWM) and not as a land use consideration. Therefore, staff is recommending the term "impervious surface" be changed to "hardscape." This is a slightly different concept that would actually shrink the developable envelope on a property. For example, if a development has a large driveway that exceeds the thresholds for maximum impervious surface, they would typically provide pervious concrete to mitigate their impervious impact, but this would not lessen the development impact. There would still be a mass of development on the property that still exceeds the 50% parameter. Staff believes it would be helpful to move away from conflicts between land use and surface water by dividing the issues and keeping them unique. Hardscape would include pervious and impervious surfaces, gravel walkways and driveways, etc. The intent of the proposed amendment is to keep the footprint of development on sites to a minimum.
- **Section 20.50.310.B.2 (Clearing and Grading Standards).** Mr. Forry reminded the Commission that the City's current Surface Water Manual was adopted in 1995 and amended in 1998. At that time, the City Council chose to use 1,500 square feet of new impervious surface as the threshold for the drainage review requirement. He pointed out that the DOE Manual includes a threshold of 2,000

square feet; but it relates to new, added or a combination of new/added impervious surface. Changing the threshold to 2,000 square feet would not only be consistent with the DOE Manual, it would also give the City more opportunity to review proposals at the development stage using a lower threshold. He summarized that although a 2,000 square foot threshold appears to be greater than the City's existing 1,500 square foot threshold, it would include both new and existing impervious surface.

- **Section 20.60.070 (Adequacy of Public Facilities).** Mr. Forry pointed out that because the surface water management technical criteria would be included as part of the Storm Water Manual (SWM), the technical information that is currently contained in Chapter 20 should be removed. Rather than repeating all of the technical information, Chapter 20 would refer to the new SWM. He summarized that at this time, staff is not proposing any amendments to the technical criteria contained in the DOE Manual.

Mr. Forry advised that staff would provide each of the Commissioners with a copy of the proposed amendments to Shoreline Municipal Code 13.10 when they become available. He explained that, as proposed, a new Surface Water Management Code would replace SMC 13.10 and would adopt a surface water technical manual, incorporate the necessary "legal authorities" now found in the King County Manual, and implement and enhance new and current programs required by the NPDES Permit. He emphasized that this item would be heard separately by the City Council. The Planning Commission would be charged with evaluating and forwarding a recommendation to the City Council regarding the proposed amendments to the Development Code, using the proposed amendments to SMC 13.10 and the DOE Manual as background information.

Commissioner Broili asked Mr. Forry to clarify his earlier comment that the changes made to the King County Manual would not favor the City of Shoreline. Mr. Forry answered that the changes were written around King County's specific codes for critical areas, development regulations and zoning regulations. In order to adopt the manual, the City would have to evaluate their entire Development Code and apply the same rationale to their existing land use, zoning and critical areas regulations. He reminded the Commission that the City's adopted Surface Water Master Plan recommends adoption of the DOE's equivalent manual. There was no indication in the master plan that it would be desirable to adopt the King County Manual. He noted that doing so would be a monumental task and would not meet the requirements of the NPDES Permit, either.

Vice Chair Hall recalled that the staff report talks about adopting maps to complement the adopted SWM, particularly a map related to critical areas. He said he sees critical areas as part of the Growth Management Act (GMA) development regulations. He pointed out that if the critical areas ordinances is amended in the future, all sections of the code that contain the critical areas map would have to be amended, as well. Mr. Forry clarified that the maps would not be adopted as part of the code. Instead, the currently adopted mapping information would be inserted into a technical manual that is provided to applicants.

Vice Chair Hall referred to the proposed amendment that would change the term "impervious surface" to "hardscape" and questioned if it would be appropriate to use the same percentages and only change what they apply to. He agreed it would be appropriate to distinguish between "hardscape" and "impervious

surface,” but the Commission must carefully review the percentages to determine if they would still be appropriate.

Vice Chair Hall raised the question of whether or not a regional stormwater facility should be outright permitted in all zones, or if a conditional use permit should be required in some zones. For example, if a regional detention facility is proposed, should the surrounding property owners have an opportunity to participate in the decision making process through a conditional use permit requirement.

Vice Chair Hall said he understands the proposed amendment that would change the term “variance” to “deviation,” as it applies to the engineering standards. However, he noted that citizens often express frustration and confusion when these distinctions are made. The public gets the perception that the words in the code may not be implemented if a developer goes through a variance or deviation process.

If the SWM purports to regulate development, Vice Chair Hall said it would be important to clearly understand the implications of stormwater no longer being a Growth Management Act (GMA) development regulation. For example, any future amendments to the stormwater code would not come before the Planning Commission, since they only deal with development regulations. He referred to the proposed amendment to Section 20.30.750, which provides a list of code violations that would be determined to be public nuisances. He noted the list includes violations of the stormwater code (SMC 13.10), and this could end up blurring the current distinction between GMA development regulations and the stormwater code. Lastly, Vice Chair Hall referred to Section 20.60.070.B and inquired if the distinctly different language in Items 1 and 2 was intentional.

Commissioner Kaje referred to the new definition for “impervious surface” on Page 39 of the Staff Report. He suggested the term “under natural conditions prior to development” is vague and should be changed to clarify it means “forested condition.” Mr. Forry pointed out that the definition for “impervious surface” came directly from the DOE Manual. Ms. Mosqueda explained that the DOE allows jurisdictions to model their surface water flow to prairie forested land or to existing conditions if 40% of the down stream basin was developed in 1985. At this time, staff is working to determine if any of the City’s downstream basins were developed to 40% in 1985. Commissioner Kaje suggested the definition be more specific to clearly capture the intent. Mr. Forry agreed to offer clarification for the definition to address concerns raised by the Commission.

Commissioner Kaje referred to Section 20.30.290.A, which describes the purpose for a deviation. He expressed his belief that the term “unnecessary hardship on the applicant” appears vague. He suggested the language be changed to provide some boundaries for determining “unnecessary hardship.” He pointed out that Section 20.30.290.B.8.c provides more clarification regarding the threshold for a deviation. Staff agreed to review this section and provide some recommended language for Section 20.30.290.A to address Commissioner Kaje’s concern.

Mr. Forry encouraged Commissioners to forward their questions regarding the proposed amendments to him. He agreed to formulate a formal response to the Commission as soon as possible. In addition, he agreed to provide clarification about the points that were raised by the Commission during the meeting.

Mr. Forry noted that the amendments are tentatively scheduled for a public hearing before the Planning Commission on November 6th. Commissioner Kaje pointed out that the Commission would not have any meetings in October so there would be no opportunity for additional Planning Commission discussion prior to the hearing. Vice Chair Hall suggested the Commission could move the process along more quickly if they forward their comments to staff in writing. Staff could provide a written response to all Commissioners, and all written correspondence could be incorporated into the public record. This would allow the Commission to focus on comments from the community at the hearing. He cautioned that adding another study session prior to the public hearing would likely result in the need to postpone their visioning work. Chair Kuboi agreed it would be appropriate to attempt to hold the hearing on November 6th. Mr. Cohn pointed out that the next available date for the hearing would be December 4th.

Commissioner Broili said he is unclear how the proposed amendments would tie in with the technical requirements for stormwater management. For example, where in the code would low-impact development be addressed. Mr. Forry said all of this information is contained in the DOE Manual that would be adopted by the City. He noted that the DOE Manual, by nature, is low-impact development. Ms. Mosqueda said the Puget Sound Low-Impact Development Manual would also be applicable. Commissioner Broili inquired if the proposed language amendments would provide a strong enough code to enforce the provisions in the listed manuals. Mr. Forry said the new language proposed for SMC 13.10 would allow for sufficient enforcement.

Commissioner Broili referred to Section 20.30.750, which provides language to enable the City to enforce the stormwater management regulations. He pointed out that in his neighborhood, property owners actually paved over pervious areas that are owned by the City, even though the practice is in violation of the current code. The concern was brought to the attention of the City, but it took six months for them to address the problem. He said he supports adoption of the DOE Manual for Western Washington, but it must be accompanied by code language that allows the City to adequately enforce the regulations. Mr. Forry said the language in the Development Code has already established a comprehensive code enforcement program, which includes education. In addition, the City has a fairly robust inspection and compliance program, and he anticipates they will continue to pursue this as a high priority.

Commissioner Broili said he supports the proposed amendments related to the concept of "hardscapes." He said that in his profession, he has to deal with roofscapes, hardscapes, and landscapes. He suggested the City utilize this same concept because there are mitigation tools for each of these scenarios.

Mr. Forry suggested that prior the public hearing, staff could provide an overview of the DOE Manual, but he does not recommend the Commission evaluate the entire technical manual.

DIRECTOR'S REPORT

Mr. Tovar reported that the City retained the services of a videographer and narrator to produce a DVD that would be used at each of the community visioning meetings in October. Staff is currently working with the Mayor, Deputy Mayor, Chair Kuboi and Vice Chair Hall to create a script that outlines the flow

of each of the meetings. They have also discussed the next steps in the process, such as the town hall meeting and the Council's review of the public comments. He recalled that staff previously talked to the Commission about reviewing the three adopted strategies and identifying the pieces that might belong in the vision statement or framework statement. He noted that these issues would all be topics of discussion at the joint City Council/Planning Commission Dinner Meeting on September 22nd. He advised that staff previously sent each of the Commissioners the existing visioning statement, with some framework goals. They also sent the Commissioners the materials from the Cities of Redmond, Kirkland, Bothell and Mountlake Terrace. He agreed to send this same information to the City Council prior to the hearing. He suggested that at the joint meeting, staff could present their concept of what would happen at the public meetings and what the sequence of events would be. He noted that the discussion groups at each of the meetings would be recorded to some extent to make sure that everyone has an opportunity to express their opinions and ideas. At the end of the discussion groups, each participant would be invited to submit their written thoughts to the City to become part of the record.

Chair Kuboi said that while the DVD asks some high-level questions, the discussion group process is not necessarily designed to elicit a lot of detail. Mr. Tovar pointed out that the examples staff provided from other cities are not extremely detailed in nature, either. Chair Kuboi expressed concern that while the Commission has seen examples of what they think the end product could look like, the City Council has not had this opportunity. He said it is important to have some discussion at the joint meeting as to what the City Council envisions as an end product.

Vice Chair Hall said he has extraordinarily high confidence that no matter how much they ask the public to speak regarding the general vision for the City, they will tend to focus on their individual streets and what they want to happen. He suggested the biggest challenge would be managing the disconnect between the anticipated finished product and the specific details most people will want to discuss. He recalled Deputy Mayor Scott's question of how the City Council and Planning Commission could become even better at listening to people so they know they have been heard, even if their words don't end up in the finished document.

Vice Chair Hall said that in the meeting with the Deputy Mayor and Mayor, they were able to set the agenda for the joint City Council/Planning Commission meeting. They also agreed on the sequence and priorities of the discussion items. They agreed to discuss the visioning process first, including the role of both the Planning Commission and City Council. The second item of discussion would be related to Planning Commission's recommendation on master plans, which the City Council is still struggling with. They are concerned about how much specific verbiage should be included in the document, how much ability staff should have to administer the language, and how much the Planning Commission and City Council should be involved. Mr. Tovar said the issue is really about how much the City Council can rely on the Planning Commission to review quasi-judicial master plan permit applications and make a recommendation for the City Council to consider as part of their closed-record review. The City Council would prefer to handle master plans legislatively because there would be fewer rules about who they can talk to about the application. A quasi-judicial review would not allow this same type of free exchange.

Vice Chair Hall said the joint meeting agenda would also include a brief update on the Planning Commission's subcommittee work on design review. In addition, the Commission could describe that advantages they would gain by passing some of the rezone hearings to the Hearing Examiner.

Chair Kuboi reported that Deputy Mayor Scott mentioned a desire to have objectives set up in advance to evaluate whether or not the visioning process is successful. He invited the Commissioners to consider possible parameters that could be used to measure success. He stressed the importance of being able to affirm that the process was valid and inclusive and that valid data and information was obtained.

Chair Kuboi also suggested the master plan discussion should focus on the issues that are creating the most discomfort and concern amongst the City Council. Vice Chair Hall noted that Mayor Ryu expressed concern that the City Council is spending too much time dealing with land use issues when they have a number of other items to deal with. He noted the Commission struggles with balance, too. How much time should they spend on rezones versus handing them off to the Hearing Examiner, etc? He said he invited the City Council to describe how the Commission could deliver their product in a manner that allows them to be more efficient at decision making.

Commissioner Kaje questioned if plans have been made to involve the non-English speaking members of the community in the visioning process. Mr. Tover said the project manager has been working on this issue, and the plan is to provide Korean and Spanish interpreters to help facilitate some discussions with at least these two communities. Commissioner Kaje asked about the possibility of providing translations of the DVD that was prepared by the City. Mr. Tover said they may have to rely upon a translator who is familiar with the script to speak along with the DVD at the events that are designed to accommodate the Korean and Spanish members of the community. Commissioner Kaje said one measure of success is whether or not the outreach program was inclusive of all parts of the community. Vice Chair Hall suggested that distribution success could be measured by how many comments they get in various languages. In addition, staff could prepare a map that identifies the addresses of each of the people who provide comments to measure whether or not the outreach effort obtained input from all geographic areas of the community. Mr. Tovar pointed out that the venues for the public meetings are scheduled in various locations throughout the City.

UNFINISHED BUSINESS

No unfinished business was scheduled on the agenda.

NEW BUSINESS

Commissioner Broili recalled Commissioner Behren's earlier suggestion that the staff report no longer include a staff recommendation. Instead, the staff report could focus on the facts of the proposal only. He recommended the Commission consider this approach for future applications. He expressed his concern that the Commission could be somewhat influenced by the staff's opinion. Mr. Tovar voiced his belief that it is the staff's responsibility to make recommendations to the Commission. He suggested that changing the current process would involve an extensive conversation between the staff and the Commission at some future point. Mr. Cohn reminded the Commission that in a quasi-judicial process

in which the Commission is acting as the judge, it is up to the staff to develop and present a case. Even if the staff did not specifically state their recommendation at the end of their report, the report itself makes a case one way or the other.

Commissioner Behrens expressed concern that neither side should be viewed as a prosecutor or a defender. He said he precisely read through the Planning Commission's rules for open hearings, which clearly outlines that the City would present the staff report and then the applicant and his/her experts would be invited to speak. He said he relies on the City staff to provide background information, which is critical in their decision making process. However, it should not be the City staff's responsibility to provide evidence and testimony in support of an application. This should be the burden of the applicant. He pointed out that after an applicant's presentation, both the proponents and opponents should be given an opportunity to speak. This would allow the Commission to hear a balance of comments both pro and con. In quasi-judicial hearings, the role of the City staff should be to provide the proponents and opponents a background to paint their arguments against. He summarized that it might not be appropriate for the City staff to be an advocate in one way or another in quasi-judicial hearings. The Commission agreed to place this issue on their list of "parking lot" agenda items.

Mr. Tovar recalled that Commissioner Behrens also talked earlier about the process by which things are designated historic and how the City goes about protecting them. He explained that historic properties can be addressed through regulations or through the SEPA review process. However, he suggested this would also be a valid issue to talk about as part of the visioning process.

REPORTS OF COMMITTEES AND COMMISSIONERS/ANNOUNCEMENTS

Chair Kuboi reminded the Design Review Committee that they are scheduled to provide a report at the September 22nd joint City Council/Planning Commission meeting. He suggested that if they are unable to get together before that date, they should communicate via email, compare their thoughts, and perhaps come to some preliminary consensus. It was noted that the report at the joint meeting is the last item on the agenda, so the committee would likely only have a brief opportunity to provide an update.

AGENDA FOR NEXT MEETING

It was discussed that there would be no Planning Commission meetings in October. Instead, the Commissioners were invited to participate in the public forums to discuss a vision for Shoreline. The November 6th agenda would include public hearings on the Stormwater Development Code amendments, as well as a review of the second package of Development Code amendments.

ADJOURNMENT

The meeting was adjourned at approximately 9:50 P.M.

Sid Kuboi
Chair, Planning Commission

Belinda Boston
Clerk, Planning Commission

April 4, 2008

To: City of Shoreline,
Department of Planning and Development Services

From: Shoreline Medical Center, LLC

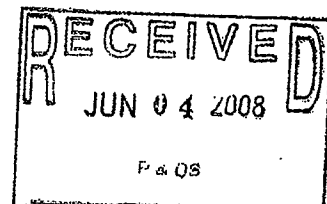
RE: Rezone Application for 753 N. 185th St. (Masonic Temple)

In accordance with the printed guidelines from the City's Department of Planning and Development Services, two Neighborhood Meetings were held on Sunday, March 9th, 2008, and on Sunday, March 30th, 2008, regarding our application to rezone the lot located at 753 N. 185th St. Currently zoned R12, our proposal would change the designation to CB.

A second Neighborhood Meeting was called because only four people attended the March 9th meeting. (No attendees signed the sign-in sheet at the first meeting). The second meeting was held on March 30th and turnout was much better.

At the first meeting there was a spirited discussion regarding 'saving' the old Masonic Lodge building. The attendees were happy to learn of the plan to preserve the building, intact, and move it to another location in Shoreline. Another comment was expressed that the proposed new professional building should fit in with the other three corners of the intersection. No other questions or concerns were expressed at the first meeting.

Attendance at the second meeting improved. (The sign-in sheet for the second meeting is included). The attendees shared a common concern that a development such as a fast food restaurant or convenience store would be a detraction to the neighborhood. Specifically, the attendees were concerned about the evening traffic impact that a fast food or convenience store would generate. The attendees were very supportive of the idea of a professional medical-dental center. One of the attendees had a disability and there was brief discussion concerning disabled access to the building. We assured the residents that our development would include new and improved sidewalks and curb cuts and the building would be fully accessible to disabled persons.



In summary, a total of 11 people attended both Neighborhood Meetings. There were no objections to the future use of this property for a medical-dental center. The fact that the building would not be used evenings and weekends was a big plus for the neighbors. The biggest concern expressed by residents was the fear that a 7-11 type of business or a fast food restaurant might be allowed on the subject property contributing more traffic and noise to the neighborhood. The neighbors were very pleased that the Shoreline Masonic Lodge would be preserved and moved to a new location within the community.

Please feel free to contact us with any questions or concerns you may have regarding our Neighborhood Meeting.

Sincerely,

S.S. & W.A.

Shoreline Medical Center, LLC

**Neighborhood Meeting Notice
Regarding
Proposal for Re-Zoning of 753 N. 185th Street**

Dear Neighbor;

You are invited to attend a presentation regarding the proposed re-zoning of the property located at 753 North 185th Street. During the presentation, we will discuss specific details of the re-zoning request, and solicit comments on the proposal from the neighborhood.

Meeting Information:

Proposal: Currently zoned R-12 (residential, 12 units per acre), the proposal involves the re-zoning of 753 N. 185th St. to CB (Community Business)

Date: Sunday, March 9th, 2008

Time: 9:00 a.m.

Location: Richmond Masonic Lodge
753 North 185th Street
Shoreline, WA 98133

Neighborhood Meeting Notice
Regarding
Proposal for Re-Zoning of 753 N. 185th Street

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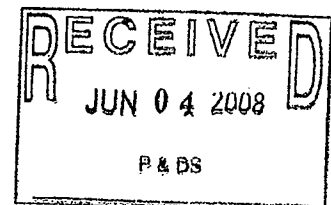
Meeting Information:

Proposal: Currently zoned R-12 (residential, 12 units per acre), the proposal involves the re-zoning of 753 N. 185th St. to CB (Community Business)

Date: Sunday, March 30th, 2008

Time: 9:00 a.m.

Location: Richmond Masonic Lodge
753 North 185th Street
Shoreline, WA 98133



Sign In Sheet
(Print Name, Address, & Contact Number)

3/30/08

Steve Poole 741 N 184th St 546-6460

GARY LETHIAN 729 N 184th St 546-4459

MEYAN ZUSNE 729 N 184th St 546-4459

NEIL WEHMEYER FINLANDS + (INDEN) 206-276-4890

Comments Regarding Re-zoning Proposal:

- How might traffic on Linden
and/or 184th change
- Linden is lacking sidewalks.
lots of foot traffic (High school)

**Neighborhood Meeting Mailing List:
RE: Rezone of 753 N. 185th St., 98133**

**Larry Simpson
7285900115
7300 Ravenna Ave. N.E.
Seattle, WA 98115**

Parcel # 7285900120,

**Fred Meyer Stores, Inc.
C/O Burke & Nickel
3336 East 32nd St., #217
TULSA, OK 74135**

Parcel # 7285900030

**FMAB PROPERTIES, LLC
1501 N. 200TH ST.
SHORELINE, WA 98133**

Parcel # 7283900302

**ENGEEBY JONES, LLC
9792 Edmonds Way, #175
Edmonds, WA 98020**

Parcel # 7283900301

**Tommy Fong & Vivian Bennett
735 N. 185th St.
Shoreline, WA 98133**

Parcel # 7285900072

**Gary and Therasa Alston
21010 Summit Lane
Edmonds, WA 98026**

Parcel # 7283900320

**Ebasa Sarka
738 N 184TH ST**

Parcel # 7285900110

SHORELINE WA 98133

GLENNYCE R. REDIGER
732 N 184TH ST
SEATTLE WA 98133

Parcel # 7285900105

JOHNSON, RICHARD D
18516 FREMONT AVE N
SHORELINE WA 98133

7283900020

QUINN, JOHN PAUL
19525 22ND PL NW
SHORELINE WA 98177

7283900018

ASPINALL, ROBERT & CASSANDRA
18531 LINDEN AVE N
SEATTLE WA 98133

7283900283

CROW, RALPH & DOLORES
14938 VALLEY VIEW DR
MT VERNON WA 98273

7283900281

TAX DEPARTMENT
GTE TELEPHONE OPERATIONS
PO BOX 152206
IRVING TX 75015

7283900291

FELLER, JEFFREY & ZAUHAR, MARYANN
18525 LINDEN AVE N
SEATTLE WA 98133

7283900282

SMITH, GREG C
P O BOX 60176
SHORELINE WA 98160

7283900380

BANK OF AMERICA
ATTN CORP REAL ESTATE ASSESS
101 N TRYON ST #NC1-001-03-81
CHARLOTTE NC 28255

7283900310

PROSSER, KERRY & GAIL
7622 NORTH ST SW
LAKEWOOD WA 98498

7283900351, 340, 341

709 N 184TH ST
SHORELINE WA 98133 7286500060

NEUFFER, BLAKE & AIMEE DEN
3023 NW 72ND ST
SEATTLE WA 98117 7286500062

LOTHIAN, GARY & ZUSNE, MEGAN
729 N 184TH
SEATTLE WA 98133 7286500050

NGUYEN, LINDA
505 13TH AVE #12
SEATTLE WA 98122 7286500045

OWEN, MARK
733 N 184TH ST
SHORELINE WA 98133 7286500046

HOWE, KENNETH
745 N 184TH
SEATTLE WA 98133 7286500040

PETERSON, RON
743 N 184TH ST
SEATTLE WA 98133 7286500041

POOLE, STEPHEN
741 N 184TH ST
SHORELINE WA 98133 7286500042

CHUNG, SUI HING
737 N 184TH ST
SHORELINE WA 98133 7286500047

CURR, WILLIAM & KAREN NISHIYAMA
18225 LINDEN AVE N
SHORELINE WA 98133-4421 7286500035

BOLDRIN, BARBARA
18233 LINDEN AVE N
SHORELINE WA 98133 7286500038

**TJANDRA, YOSEPH
3004 200TH PL SE
BOTHELL WA 98012**

7286500036

Neighborhood Chairs

**Naomi Hardy
17256 Greenwood PL N
Shoreline, WA 98133**

**Lee Michaelis
20353 Fremont Ave N
Shoreline, WA, 98133**

**Ann Erickson
525 N. 190th St
Shoreline, WA 98133**