

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	QUASI-JUDICIAL: Discussion of Ordinance No. 811 – Approving the Argueta Rezone Application to Amend the City’s Official Zoning Map from Residential 8-units Per Acre (R-8) to Residential 24-units Per Acre (R-24) for Three Parcels of Land Located at 903, 909, and 915 North 167 th Street
DEPARTMENT:	Planning & Community Development
PRESENTED BY:	Steven Szafran, AICP, Senior Planner
ACTION:	<input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Motion <input checked="" type="checkbox"/> Discussion <input type="checkbox"/> Public Hearing

PROBLEM/ISSUE STATEMENT:

Mr. Jose Argueta requests application approval for a rezone of three (3) parcels (Subject Property) from Residential 8-units per acre (R-8), a medium density residential zone, to Residential 24-units per acre (R-24), a high density residential zone, for the purpose of building townhomes. Per Shoreline Municipal Code (SMC) Section 20.30.060, this request is a Type C permit and therefore is a quasi-judicial decision. The public hearing for this requested rezone was held on November 15, 2017 by the Hearing Examiner which created the record for the basis of a recommendation from the Hearing Examiner to the City Council. As such, the City Council cannot hear any additional public comment on this item and should not have external discussion regarding this request with members of the public.

The Hearing Examiner’s Findings, Conclusions, and Recommendation (Attachment A, Exhibit A), dated, November 29, 2017, state that the rezone application meets all of the criteria for a rezone and should therefore be approved. Adoption of proposed Ordinance No. 811 (Attachment A) would approve this rezone application.

RESOURCE/FINANCIAL IMPACT:

The proposed rezone will not have a direct resource or financial impact to the City. The rezone does have the potential to add up to fourteen dwelling units adding to the City’s property tax base.

RECOMMENDATION

No action is required at this time; this item is for discussion purposes only. The Hearing Examiner recommends that the rezone application be approved. Staff recommends that the Council adopt proposed Ordinance No. 811 when it is brought back to Council for final consideration on January 22, 2018.

Approved By: City Manager **DT** City Attorney **MK**

BACKGROUND

Rezoning is provided for in SMC 20.30.320. The purpose of a rezoning is a mechanism to make changes to a zoning classification, conditions or concomitant agreement applicable to property. Changes to the zoning classification that apply to a parcel of property are text changes and/or amendments to the official zoning map.

SMC 20.30.060 classifies a rezoning as a Type C decision. Pursuant to Table 20.30.060, the City of Shoreline Hearing Examiner, after holding an open record public hearing and preparing findings and conclusions, makes a recommendation to the City Council. The City Council is the final decision making authority on a rezoning.

Mr. Jose Argueta (the Applicant) proposes to rezone adjacent parcels located at 903, 909, and 915 North 167th Street from R-8 to R-24 for the purpose of constructing townhomes. The Applicant is the property owner of the parcel located at 903 North 167th Street. The parcel located at 909 North 167th Street is owned by the Sarah Taylor Sherman Trust and the parcel located at 915 North 167th Street is owned by the Estate of Genevieve Brenny (collectively, "Adjacent Property Owners").

The Adjacent Property Owners are requesting their properties to be included in the proposed rezoning but have no immediate plans to redevelop the properties (Attachment B – Affidavits).

Per SMC Section 20.30.060, this request is a Type C permit and therefore is a quasi-judicial decision. The public hearing was held by the Hearing Examiner on November 15, 2017 which created the record for the basis of a recommendation from the Hearing Examiner to the City Council. As such, the City Council cannot hear any additional public comment on this item and should not have external discussion regarding this request with members of the public.

Project Description

The Applicant has not yet submitted plans for the proposed townhomes but has indicated that the property at 903 North 167th Street will be developed first. The intended development will consist of two buildings, each with three townhomes (Attachment C – Site Plan).

Property Descriptions

The site at 903 North 167th Street is 10,200 square feet (0.23 acres). There is currently a one-story, 1,020 square foot, single-family home that is occupied by the Applicant.

The site at 909 North 167th Street is 5,100 square feet (0.12 acres). There is currently a one-story, 1,120 square foot, single-family home on the site.

The site at 915 North 167th Street is 10,200 square feet (0.23 acres). There is currently a one-story, 1,650 square foot, single-family home on the site.

All three parcels together (collectively, "Subject Property") are 25,500 square feet (0.59 acres) and are located approximately 400 feet east of Aurora Avenue North (Attachment D – Vicinity Map). The Subject Property is relatively flat with no known critical areas

present. The Subject Property has no significant trees and there are no sidewalks along North 167th Street or Linden Avenue North.

Zoning and Land Use

The Subject Property is located approximately 400 feet east of Aurora Avenue N in the Richmond Highlands Neighborhood (Attachment E – Current Zoning Map). The Subject Property is currently zoned R-8.

The surrounding area has a mix of zoning. The parcel to the west, across Linden Avenue N, is zoned R-6 and is the location of the City's Richmond Highlands Recreation Center and Park. The parcels immediately to the north and northwest, across N 167th Street, are zoned R-6 and are developed with single-family homes. The parcel across N 167th Street to the northeast, however, is zoned R-18 and maintains a 10-unit townhome development. The parcels to the south are zoned R-24 and are developed with townhomes. The parcel to the east is zoned R-18 and developed with four-plex apartments.

The Subject Property and the parcels to the south have a Comprehensive Plan Land Use designation of Mixed Use 2 (Attachment F – Comprehensive Plan Land Use Map). As provided in Comprehensive Plan Policy LU10, the Mixed-Use 2 (MU2) designation is similar to the Mixed-Use 1 (MU1) designation, except it is not intended to allow more intense uses, such as manufacturing and other uses that generate light, glare, noise, or odor that may be incompatible with existing and proposed land uses. The MU2 designation applies to commercial areas not on the Aurora Avenue or Ballinger Way corridors, such as Ridgecrest, Briarcrest, Richmond Beach, and North City. This designation may provide retail, office, and service uses, and greater residential densities than are allowed in low-density residential designations, and promotes pedestrian connections, transit, and amenities.

The adjoining parcels to the east have a Comprehensive Plan Land Use designation of MU1. The MU1 designation encourages the development of walkable places with architectural interest that integrate a wide variety of retail, office, and service uses, along with form-based maximum density residential uses. Transition to adjacent single-family neighborhoods may be accomplished through appropriate design solutions. Limited manufacturing uses may be permitted under certain conditions. *Id.*

Parcels to the north, across N 167th Street, have a Comprehensive Plan Land Use designation of Low Density Residential and High Density Residential. The Low Density Residential land use designation allows single-family detached dwelling units. Other dwelling types, such as duplexes, single-family attached, cottage housing, and accessory dwellings, may be allowed under certain conditions. The permitted base density for this designation may not exceed six (6) dwelling units per acre. *Id.*

The High Density Residential designation is intended for areas near employment and/or commercial areas, where high levels of transit service are present or likely. This designation creates a transition between commercial uses and lower intensity residential uses. Some commercial uses may also be permitted. The permitted base density for this designation may not exceed 48 dwelling units per acre. *Id.*

The parcel to the west, across Linden Avenue N, has a Comprehensive Plan Land Use designation of Public Open Space and is developed with the Richmond Highlands Park.

The current zoning of R-8 permits townhomes, however, this zoning district would limit the development of the Subject Property to only five (5) townhouse units. Under the proposed R-24 zoning, the Subject Property could support 14 units.

The Subject Property is accessed from Linden Avenue N or N 167th Street which are classified as Nonarterial Streets in the City's Transportation Master Plan.

Public Notice and Comment

Staff analysis of the proposed rezone considered information gathered from a pre-application meeting on March 14, 2017, two neighborhood meetings, public comments, site visits, the Shoreline Comprehensive Plan, and the Shoreline Municipal Code, Title 20 Unified Development Code.

Per SMC 20.30.060 and 20.30.090, the Applicant held two neighborhood meetings, one on April 3, 2017 and another on September 18, 2017. Comments raised at the neighborhood meetings were related to increased traffic, traffic speed on local streets, lack of neighborhood parking, and lack of sidewalks (Attachment G – Neighborhood Meeting Summary).

As required by SMC 20.30.120 and 20.30.180, public notice of the rezone application for the proposal was posted on site, mailed to all residents within 500 feet, advertised in the *Seattle Times*, and posted on the City's website on October 3, 2017 (Attachment H). The notice of public hearing for the rezone proposal was also posted on site, mailed to all residents within 500 feet, advertised in the *Seattle Times*, and posted on the City's website on October 26, 2017 (Attachment I).

The City received one public comment letter in response to the proposed rezone and one comment was submitted at the public hearing. The public comment letter and comment are included as Attachment J.

Agency Comment

The Applicant's proposal was circulated among City departments and outside agencies for review and comment. The Public Works Department commented on the proposal and stated that proposal will require frontage and sidewalk improvements around the Subject Property when developed.

The Applicant has submitted a Certificate of Water Availability from Seattle Public Utilities and a Certificate of Sewer Availability from Ronald Wastewater District. Both of these agencies state that sewer and water are available to the Subject Property.

Environmental Review

The City of Shoreline is acting as Lead Agency for the State Environmental Policy Act (SEPA) review and environmental determination. The City issued a SEPA Determination of Non-significance on October 26, 2017 (Attachment K).

DISCUSSION

Rezone Applications – Legal Standard

Three general rules apply to rezoning applications: (1) there is no presumption of validity favoring a rezoning; (2) the rezoning proponent must demonstrate that circumstances have changed since the original zoning; and (3) the rezoning must have a substantial relationship to the public health, safety, morals, and general welfare. *Phoenix Development Inc. v. City of Woodinville*, 171 Wn. 2d 820, 834 (2011) (citing *Citizens for Mount Vernon v. City of Mount Vernon*, 133 Wash. 2d 861, 947 P.2d 1208 (1997)).

However, as is the case for this rezoning application, when a proposed rezoning implements the policies of a comprehensive plan, the rezoning proponent is not required to demonstrate changed circumstances. *Bjarnson v. Kitsap County*, 78 Wash. App. 840, 899 P.2d 1290 (1995).

The decision criteria set forth in SMC 20.30.320(B) address these general rules as well as other considerations the City has established for determining whether or not a rezoning should be granted.

Decision Criteria – SMC 20.30.320(B)

Decision criteria that the Hearing Examiner must examine for a rezoning is set forth in SMC 20.30.320(B). The Applicant provided responses to the following decision criteria (Attachment L) and staff has analyzed each of the criteria in the staff report to the Hearing Examiner (Attachment A, Exhibit B).

SMC 20.30.320(B) provides that an application for a rezoning of property may be approved or approved with modifications if:

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

Staff's analysis of these criteria concluded that the proposed rezoning met all the required criteria and it was staff's recommendation that the Hearing Examiner provide a recommendation to the City Council to approve the rezoning application. The Hearing Examiner's findings, conclusions and recommendation (Attachment A, Exhibit B) found that the Department's Staff Report provided a thorough analysis of the application's consistency with each of the rezoning criteria. The Hearing Examiner also concluded that the application meets all the criteria for a rezoning and should therefore be approved.

ALTERNATIVE ANALYSIS

The City Council has three options:

1. Approve the rezoning application as recommended by the Hearing Examiner (staff recommendation).

2. Deny the rezone application. The Council would need to provide at least a basic reason for making this decision which is contrary to the recommendation of the Hearing Examiner.
3. Approve the rezone application with conditions. Staff does not recommend that the Council add any conditions to the approval of the rezone application. The Hearing Examiner did not recommend any conditions to the approval.

RESOURCE/FINANCIAL IMPACT

The proposed rezone will not have a direct resource or financial impact to the City. The rezone does have the potential to add up to fourteen dwelling units adding to the City's property tax base.

RECOMMENDATION

No action is required at this time; this item is for discussion purposes only. The Hearing Examiner recommends that the rezone application be approved. Staff recommends that the Council adopt proposed Ordinance No. 811 when it is brought back to Council for final consideration on January 22, 2018.

ATTACHMENTS

- Attachment A – Proposed Ordinance No. 811
- Attachment A, Exhibit A – City of Shoreline Hearing Examiner Findings, Conclusions and Recommendations for Jose Argueta Rezone Application
- Attachment A, Exhibit B – City of Shoreline Planning and Community Development Staff Report for Jose Argueta Rezone Application
- Attachment A, Exhibit C – Amended Zoning Map
- Attachment B – Affidavits
- Attachment C – Proposed Site Plan
- Attachment D – Vicinity Map
- Attachment E – Current Zoning Map
- Attachment F – Comprehensive Plan Land Use Map
- Attachment G – Neighborhood Meeting Summary
- Attachment H – Notice of Application
- Attachment I – Notice of Public Hearing
- Attachment J – Public Comment Letters
- Attachment K – City of Shoreline SEPA Determination of Non-significance
- Attachment L – Applicant's Response to Decision Criterion

ORDINANCE NO. 811

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON APPROVING THE JOSE ARGUETA REZONE APPLICATION TO AMEND THE CITY'S OFFICIAL ZONING MAP FROM R-8 TO R-24 FOR THREE PARCELS OF LAND LOCATED AT 903, 909, AND 915 NORTH 167th STREET.

WHEREAS, the City of Shoreline is a non-charter optional municipal code city as provided in Title 35A RCW, incorporated under the laws of the state of Washington, and planning pursuant to the Growth Management Act, Title 36.70C RCW; and

WHEREAS, the applicants, via Application No. PLN17-0062, seeks a site-specific rezone of three parcels of land located at 903, 909, and 915 North 167th Street, identified by Tax Parcel Nos. 0726049202, 0726049203, and 0726049204; and

WHEREAS, the requested site-specific rezone would amend the City's Official Zoning Map for these parcels from the current zoning of Residential 8 units per acre (R-8) to Residential 24 units per acre (R-24); and

WHEREAS, the site-specific rezone implements the Comprehensive Plan land use designation for the parcels of Mixed Use 2; and

WHEREAS, the environmental impacts of the site-specific zone resulted in the issuance of a Determination of Non-Significance (DNS) on June 19, 2017; and

WHEREAS, SMC 20.30.060 classifies a site-specific rezone as a Type C decision for which the City of Shoreline Hearing Examiner, after an open record public hearing, prepares findings and conclusions, and makes a recommendation to the City Council; and

WHEREAS, the City of Shoreline Hearing Examiner held a properly noticed open record public hearing on November 15, 2017; and

WHEREAS, on November 29, 2017, the City of Shoreline Hearing Examiner issued "Findings, Conclusions and Recommendation," finding that the site-specific rezone satisfied the criteria set forth in SMC 20.30.320; and

WHEREAS, the City of Shoreline Hearing Examiner recommended approval of the site-specific rezone; and

WHEREAS, pursuant to SMC 20.30.060, the City Council has final decision making authority and this decision is to be made at a public meeting; and

WHEREAS, the City Council considered the Hearing Examiner's recommendation at its January 8, 2018 regular meeting; and

WHEREAS, the City Council concurs with the November 29, 2017 "Findings, Conclusions, and Recommendation" of the City of Shoreline Hearing Examiner and determines that the site-specific rezone should be approved;

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

Section 1. Hearing Examiner's Recommendation. The City of Shoreline Hearing Examiner's November 29, 2017 Findings, Conclusion and Recommendation attached as Exhibit A, is hereby adopted. The Staff Report that Conclusion (4) of Exhibit A relies upon is attached as Exhibit B.

Section 2. Amendment. The City's Official Zoning Map shall be amended to change the zoning designation for the parcels located at 903, 909, and 915 North 167th Street, identified by Tax Parcel Nos. 0726049202, 0726049203, and 0726049204, as depicted in Exhibit C, from Residential 8 units per acre (R-8) to Residential 24 units per acre (R-24).

Section 3. Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and/or the Code Reviser are authorized to make necessary corrections to this ordinance, including the corrections of scrivener or clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering and references.

Section 4. Severability. Should any section, subsection, paragraph, sentence, clause, or phrase of this ordinance or its application to any person or situation be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance or its application to any person or situation.

Section 5. Publication and Effective Date. A summary of this Ordinance consisting of the title shall be published in the official newspaper. This Ordinance shall take effect five days after publication.

PASSED BY THE CITY COUNCIL ON THE 22nd DAY OF JANUARY, 2018.

Mayor _____

ATTEST:

APPROVED AS TO FORM:

Jessica Simulcik-Smith
City Clerk

Margaret King
City Attorney

Date of Publication: , 2018
Effective Date: , 2018

CITY OF SHORELINE HEARING EXAMINER
FINDINGS, CONCLUSIONS AND RECOMMENDATION **RECEIVED**

PROPOSAL INFORMATION SUMMARY

NOV 29 2017

CITY CLERK
CITY OF SHORELINE

Project: Jose Argueta Rezone Application
File Number: PLN17-0062
Applicant: Jose Argueta
Property Location: 903, 909, and 915 North 167th Street, Shoreline WA 98133
Recommendation: Planning and Community Development Department:
Approve
Public Hearing: November 15, 2017

Introduction

The applicant seeks a rezone of property from R-8 to R-24 for construction of townhomes. A public hearing on the application was held on November 15, 2017, in Council Chambers at Shoreline City Hall, 17500 Midvale Avenue North in Shoreline. The Planning and Community Development Department ("Department") was represented by Steve Szafran, Senior Planner. The applicant, Jose Argueta, was represented by Dave Hynden. The Department's Staff Report, with 10 attachments, was admitted into the record. The Hearing Examiner inspected the site prior to the hearing.

For purposes of this decision, all section numbers refer to the Shoreline Municipal Code ("SMC" or "Code") unless otherwise indicated. After considering the evidence in the record, the Hearing Examiner enters the following findings of fact, conclusions and recommendation on the application.

Findings of Fact

1. The subject property consists of three parcels that together are 25,000 square feet, and is located at the corner of Linden Avenue N and N 167th Street. The property is zoned R-8, and is located in the Richmond Highlands Neighborhood. It is relatively flat, with no identified critical areas. The parcel addressed as 903 North 167th Street is owned by the applicant. The applicant has indicated plans to develop two buildings containing three townhomes each, but no plans have been submitted to the City for approval. The parcels addressed as 909 North 167th Street and 915 North 167th Street are owned separately, and the owners have no immediate plans for development.
2. Each lot within the site is developed with a single-family residence. Parcels to the north across N 167th Street are zoned R-6 and R-18, and are developed with single family homes and a 10-unit townhome. Properties to the east are zoned R-18, and are developed with four-plex

apartments. To the west, across Linden Avenue N, is R-6 zoned property developed with a community park. To the south properties are zoned R-24, and are developed with townhomes.

3. The Comprehensive Plan Land Use designation for the site is Mixed Use 2. This designation is intended to create a transition between commercial uses and lower intensity residential uses and also allows some commercial uses.

4. The site is accessed via N 167th Street. There are currently no sidewalks adjacent to the site. One block to the east is Aurora Avenue, which is an arterial and a major transit corridor.

5. Townhomes are a permitted use on the subject property. The existing R-8 zoning would allow redevelopment with 5 townhouse units. The proposed R-24 zoning would allow fourteen units.

6. The Applicant seeks a rezone of the subject property to R-24 for purposes of constructing townhomes, each of which would have parking space for two vehicles. Exhibit 1, attachment 2.

7. The Staff Report recites the public notice and public involvement process for the application, as well as agency comment. Exhibit 1 at 3. Comments raised at the neighborhood meetings were related to increased traffic, traffic speed on local streets, parking, and sidewalks. The Department received one public comment letter expressing concern about a potential increase in traffic, lack of sidewalks, lack of neighborhood parking, incompatibility with single-family homes, and additional issues related to the application. Exhibit 1, attachment 9.

8. Two members of the public testified at the public hearing on the proposal and expressed concern about the proposal adding vehicles to existing traffic and parking issues in the area, the lack of sidewalks, and loss of solar access. The Department noted that the project would be fully reviewed for traffic concurrency, and that impact fees would be imposed if warranted.

9. The Department issued a SEPA Determination of Non-Significance for the proposal on October 26, 2017, which was not appealed. Exhibit 1, attachment 10.

10. The Department reviewed the proposal and recommends that the rezone be approved. Exhibit 1.

11. SMC 20.30.320 provides that a rezone may be approved if it meets the following criteria:

1. The rezone is consistent with the Comprehensive Plan; and
2. The rezone will not adversely affect the public health, safety or general welfare; and
3. The rezone is warranted in order to achieve consistency with the Comprehensive Plan; and

4. The rezone will not be materially detrimental to uses or property in the immediate vicinity of the subject rezone; and
5. The rezone has merit and value for the community.

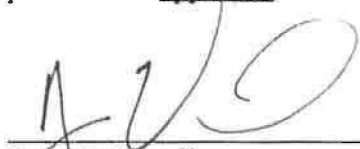
Conclusions

1. The Hearing Examiner has jurisdiction to make a recommendation on this application pursuant to SMC 20.30.060.
2. Under Rule 3.6 of the Rules of Procedure for Administrative Hearings of the City of Shoreline, the applicant has the burden of establishing that the application complies with applicable laws and regulations.
3. Public comments concerning the proposal primarily voiced concerns about existing traffic and parking issues in the area and an existing lack of infrastructure, such as sidewalks. These are valid concerns, but existing conditions are not sufficient grounds on which to deny the proposal. In addition, in this case, these concerns are better addressed at the project level of the proposal rather than to a rezone of the property where the particular project to be developed is not under review.
4. The Department's Staff Report at pages 3-8 provides a thorough analysis of the application's consistency with each of the rezone criteria. The Staff Report's rezone analysis is adopted by reference.
5. The application meets all the criteria for a rezone and should therefore be approved.

Recommendation

The Hearing Examiner recommends that the rezone application be approved.

Entered this 29th day of November, 2017.



Ryan P. Vancil
Hearing Examiner

CITY OF SHORELINE

PLANNING AND COMMUNITY DEVELOPMENT STAFF REPORT

Project Name: Jose Argueta Rezone Application

Project File No.: PLN17-0062

REQUEST: Jose Argueta requests application approval for a rezone of three (3) parcels from Residential 8-units per acre (R-8), a medium density residential zone, to Residential 24-units per acre (R-24), a high density residential zone.

GENERAL INFORMATION:

Applicant: Jose Argueta
903 North 167th Street
Shoreline, WA 98133

Property Owners: Jose Argueta, Genevieve Brenny, and the Sarah Taylor Sherman Trust

Property Location: 903, 909, and 915 North 167th Street, Shoreline, WA 98133

Tax Parcel Numbers: 0726049202, 0726049203, and 0726049204

Legal Description: 903 = E 60 FT OF W 82 FT OF N 200 FT OF SE 1/4 OF SE 1/4 OF SW 1/4
LESS CO RD
909 = LOT 1 SHORELINE SP SHSP 2008-04 REC #20091217900015 SD SP
BEING E 60 FT OF W 142 FT OF N 200 FT OF SE 1/4 OF SE 1/4 OF SW 1/4
LESS CO RD
915 = E 61 FT OF W 203 FT OF N 200 FT OF SE 1/4 OF SE 1/4 OF SW 1/4
LESS CO RD

PROJECT DESCRIPTION:

The Applicant proposes to rezone adjacent parcels located at 903, 909, and 915 North 167th Street from R-8 to R-24 for the purpose of constructing townhomes. The Applicant is the property owner of the parcel located at 903 North 167th Street. The parcel located at 909 North 167th Street is owned by the Sarah Taylor Sherman Trust and the parcel located at 915 North 167th Street is owned by Genevieve Brenny (collectively, “Adjacent Property Owners”).

The Adjacent Property Owners are requesting their properties to be included in the proposed rezone but have no immediate plans to redevelop the properties. (**Attachment 1 – Affidavits**). The Applicant has not yet submitted plans for the townhomes but has indicated that the property at 903 North 167th Street will be developed first. The intended development will consist of two buildings, each with three townhomes. (**Attachment 2 – Site Plan**).

PROPERTY DESCRIPTION:

The site at 903 North 167th Street is 10,200 square feet (.23 acres). There is currently a one-story, 1,020 square feet, single-family home that is occupied by the applicant.

The site at 909 North 167th Street is 5,100 square feet (.12 acres). There is currently a one-story, 1,120 square foot, single-family home on the site.

The site at 915 North 167th Street is 10,200 square feet (.23 acres). There is currently a one-story, 1,650 square foot, single-family home on the site.

All three parcels together (collectively, “Subject Property”) are 25,500 square feet (.59 acres) and are located approximately 400 feet east of Aurora Avenue North (**Attachment 3 – Vicinity Map**). The Subject Property is relatively flat with no known critical areas present. The Subject Property has no significant trees and there are no sidewalks along North 167th Street or Linden Avenue North.

ZONING and LAND USE:

The Subject Property is located approximately 400 feet east of Aurora Avenue N in the Richmond Highlands Neighborhood (**Attachment 4 – Zoning Map**). The Subject Property is currently zoned R-8.

The surrounding area has a mix of zoning. The parcel to the west, across Linden Avenue N, is zoned R-6 and is the located of the City’s Richmond Beach Recreation Center and ballfields. The parcels immediately to the north and northwest, across N. 167th Street, are zoned R-6 and is developed with single-family homes. The parcel across N. 167th Street to the northeast, however, is zoned R-18 and maintains a 10-unit townhome development. The parcels to the south are zoned R-24 and are developed with townhomes. The parcel to the east is zoned R-18 and developed with four-plex apartments.

The Subject Property and the parcels to the south have a Comprehensive Plan Land Use designation of Mixed Use 2 (**Attachment 5 – Comprehensive Plan**). As provided in Comprehensive Plan Policy LU10, the Mixed-Use 2 (MU2) designation is similar to the Mixed-Use 1 (MU1) designation, except it is not intended to allow more intense uses, such as manufacturing and other uses that generate light, glare, noise, or odor that may be incompatible with existing and proposed land uses. The MU2 designation applies to commercial areas not on the Aurora Avenue or Ballinger Way corridors, such as Ridgecrest, Briarcrest, Richmond Beach, and North City. This designation may provide retail, office, and service uses, and greater residential densities than are allowed in low-density residential designations, and promotes pedestrian connections, transit, and amenities.

The adjoining parcels to the east have a Comprehensive Plan Land Use designation of Mixed Use 1. The Mixed-Use 1 (MU1) designation encourages the development of walkable places with architectural interest that integrate a wide variety of retail, office, and service uses, along with form-based maximum density residential uses. Transition to adjacent single-family neighborhoods may be accomplished through appropriate design solutions. Limited manufacturing uses may be permitted under certain conditions. *Id.*

Parcels to the north, across N. 167th Street, have a Comprehensive Plan Land Use designation of Low Density Residential and High Density Residential. The Low Density Residential land use designation allows single-family detached dwelling units. Other dwelling types, such as duplexes, single-family

attached, cottage housing, and accessory dwellings may be allowed under certain conditions. The permitted base density for this designation may not exceed 6 dwelling units per acre. *Id.*

The High Density Residential designation is intended for areas near employment and/or commercial areas, where high levels of transit service are present or likely. This designation creates a transition between commercial uses and lower intensity residential uses. Some commercial uses may also be permitted. The permitted base density for this designation may not exceed 48 dwelling units per acre. *Id.*

The parcel to the west, across Linden Avenue N, has a Comprehensive Plan Land Use designation of Public Open Space and is developed with the Richmond Highlands Park.

The current zoning of R-8 permits townhomes, however, this zoning district would limit the development of the Subject Property to only five (5) townhouse units. Under the proposed R-24 zoning, the Subject Property could support 14 units.

The Subject Property is accessed from Linden Avenue N or North 167th Street which are classified as Nonarterial Streets in the City's Transportation Master Plan.

PUBLIC NOTICE AND COMMENT:

Staff analysis of the proposed rezone considered information gathered from a pre-application meeting on March 14, 2017, two neighborhood meetings, public comments, site visits, the Shoreline Comprehensive Plan, and the Shoreline Municipal Code, Title 20 Unified Development Code.

Per SMC 20.30.060 and 20.30.090, the Applicant held two neighborhood meetings, one on April 3, 2017 and another on September 18, 2017. Comments raised at the neighborhood meetings were related to increased traffic, traffic speed on local streets, lack of neighborhood parking, and lack of sidewalks. (**Attachment 6** for summary)

As required by SMC 20.30.120 and 20.30.180, public notice of the rezone application for the proposal was posted on site, mailed to all residents within 500 feet, advertised in the *Seattle Times*, and posted on the City's website on October 3, 2017 (**Attachment 7**) and notice of public hearing for the rezone proposal was posted on site, mailed to all residents within 500 feet, advertised in the *Seattle Times*, and posted on the City's website on October 26, 2017 (See **Attachment 8**).

The City received one public comment letter in response to the proposed rezone. The public comment letter is included as **Attachment 9**.

AGENCY COMMENT:

The Applicant's proposal was circulated among City departments and outside agencies for review and comment. The Public Works Department commented on the proposal and will require frontage and sidewalk improvements around the Subject Property when developed.

The Applicant has submitted a Certificate of Water Availability from Seattle Public Utilities and a Certificate of Sewer Availability from Ronald Wastewater District. Both of these agencies state that sewer and water are available to the Subject Property.

ENVIRONMENTAL REVIEW:

The City of Shoreline is acting as Lead Agency for the SEPA review and environmental determination. The City issued a SEPA Determination of Non-Significance on October 26, 2017 (See **Attachment 10**).

DEPARTMENT ANALYSIS:

Rezoning is provided for in Shoreline Municipal Code (SMC) 20.30.320. The purpose of a rezoning is a mechanism to make changes to a zoning classification, conditions or concomitant agreement applicable to property. Changes to the zoning classification that apply to a parcel of property are text changes and/or amendments to the official zoning map.

SMC 20.30.060 classifies a rezoning as a Type C decision. Pursuant to Table 20.30.060, the City of Shoreline Hearing Examiner, after holding an open record public hearing and preparing findings and conclusions, makes a recommendation to the City Council. The City Council is the final decision making authority on a rezoning.

Rezoning Applications – Legal Standard

Three general rules apply to rezoning applications: (1) there is no presumption of validity favoring a rezoning; (2) the rezoning proponent must demonstrate that circumstances have changed since the original zoning; and (3) the rezoning must have a substantial relationship to the public health, safety, morals, and general welfare. *Phoenix Development Inc. v. City of Woodinville*, 171 Wn. 2d 820, 834 (2011) (citing *Citizens for Mount Vernon v. City of Mount Vernon*, 133 Wash. 2d 861, 947 P.2d 1208 (1997)). However, as is the case for the present rezoning application, when a proposed rezoning implements the policies of a comprehensive plan, the rezoning proponent is not required to demonstrate changed circumstances. *Bjarnson v. Kitsap County*, 78 Wash. App. 840, 899 P.2d 1290 (1995).

The decision criteria set forth in SMC 20.30.320(B) address these general rules as well as other considerations the City has established for determining whether or not a rezoning should be granted.

Decision Criteria – SMC 20.30.320(B)

Decision criteria that the Hearing Examiner must examine for a rezoning is set forth in SMC 20.30.320(B). The Applicant provided responses to the following decision criteria and staff has analyzed each of the criteria below.

SMC 20.30.320(B) provides that an application for a rezoning of property may be approved or approved with modifications if:

1. The rezoning is consistent with the Comprehensive Plan.

Applicant’s Response:

The rezoning request is a change from the existing zone of R-8 to the proposed zone of R-24. The Comprehensive Plan designation of the site is Mixed Use 2. The R-24 Zone is considered an implementing zone for this designation.

Comprehensive Plan Policy LU-10 reads, “The Mixed-Use 2 (MU2) designation is similar to the MU1 designation, except it is not intended to allow more intense uses, such as manufacturing and other uses that generate light, glare, noise, or odor that may be incompatible with existing and proposed land uses. The Mixed-Use 2 (MU2) designation applies to commercial areas not on the Aurora Avenue or Ballinger Way corridors, such as Ridgecrest, Briarcrest,

Richmond Beach, and North City. This designation may provide retail, office, and service uses, and greater residential densities than are allowed in low-density residential designations, and promotes pedestrian connections, transit, and amenities.

Staff Analysis:

In addition to the policy stated by the Applicant, the proposed rezone also meets the following Goals and Policies:

Goal LU I: Encourage development that creates a variety of housing, shopping, entertainment, recreation, gathering spaces, employment, and services that are accessible to neighborhoods.

Goal LU II: Establish land use patterns that promote walking, biking and using transit to access goods, services, education, employment, recreation.

Goal LU V: Enhance the character, quality, and function of existing residential neighborhoods while accommodating anticipated growth.

LU8: Provide, through land use regulation, the potential for a broad range of housing choices and levels of affordability to meet the changing needs of a diverse community.

Goal CD I: Promote community development and redevelopment that is aesthetically pleasing, functional, and consistent with the City's vision.

T28. Encourage development that is supportive of transit, and advocate for expansion and addition of new routes in areas with transit supportive densities and uses.

Goal H II: Encourage development of an appropriate mix of housing choices through innovative land use and well-crafted regulations.

Goal H V: Integrate new development with consideration to design and scale that complements existing neighborhoods, and provides effective transitions between different uses and intensities.

H1: Encourage a variety of residential design alternatives that increase housing choice.

H3: Encourage infill development on vacant or underutilized sites.

H23: Assure that site, landscaping, building, and design regulations create effective transitions between different land uses and densities.

NE1. Promote infill and concurrent infrastructure improvements in areas that are already developed in order to preserve rural areas, open spaces, ecological functions, and agricultural lands in the region.

Based on the noted Comprehensive Plan Goals and Policies and the R-24 zone being one of the implementing zones of the Mixed-Use 2 Land Use Designation, the proposed rezone is consistent with the Comprehensive Plan and meets criteria #1.

2. The rezone will not adversely affect the public health, safety or general welfare.

Applicant's Response:

The Applicant states that this proposed rezone will not adversely affect public health, safety, or the general welfare of the City.

Staff Analysis:

The rezone will not adversely affect the public health, safety, or general welfare for the following reasons:

The Subject Property is located in close proximity of the Aurora Corridor, Richmond Highlands Park, and Shorewood High School. The Subject Property is adjoined by parcels zoned R-24 to the south, R-18 to the east and to the north, across North 167th Street, a mix of R-6 and R-18 zoning. The adjacent parcels to the south and east are designated for mixed-use development in the Comprehensive Plan and parcels to the north are designated for a mix of high-density residential and low-density residential uses.

The intended use for the Subject Property (townhomes) is an approved use in the R-24 zone and will be required to fully comply with the Shoreline Municipal Code at the time of building permit application. Specially, any future develop will be connected to sanitary sewer and public water system and will be required to install frontage improvements, including sidewalks and stormwater controls, to ensure public health and safety.

The rezone will not adversely affect the public health, safety or general welfare since the Applicant is not introducing a use (townhomes) that cannot already be developed on the site. The rezone will allow the Applicant and Adjacent Property owners to develop more townhomes than currently allowed which complies with the goals and policies of the Comprehensive Plan. The parcels to the south are in transition which is evident from the recent construction of multiple townhome projects.

This proposed rezone meets criteria #2.

3. The rezone is warranted in order to achieve consistency with the Comprehensive Plan.

Applicant's Response:

The Applicant states that the rezone is warranted in order to achieve consistency with the Comprehensive Plan.

Staff Analysis:

The rezone is warranted in order to achieve consistency with the Comprehensive Plan. Policy LU-10 states:

The Mixed-Use 2 (MU2) designation is similar to the MU1 designation, except it is not intended to allow more intense uses, such as manufacturing and other uses that generate light, glare, noise, or odor that may be incompatible with existing and proposed land uses. The Mixed-Use 2 (MU2) designation applies to commercial areas not on the Aurora Avenue or Ballinger Way corridors, such as Ridgecrest, Briarcrest, Richmond Beach, and North City. This designation may provide retail, office, and service uses, and greater residential densities

than are allowed in low-density residential designations, and promotes pedestrian connections, transit, and amenities.

The proposed rezone to R-24 is warranted since the proposal satisfies Land Use Policy LU-10. Specifically, this proposal will provide greater residential densities than are allowed in low-density residential designations. The proposed R-24 Zone is in an area near employment, commercial areas, and where high levels of transit are present. The proposed R-24 zone is similar to the R-24 zone directly to the south and the R-18 zone directly to the east.

It should be noted that the proposed R-24 zoning designation is one of many implementing zones in the Mixed-Use 2 Land Use Designation. The policy states, in part: "Greater residential densities than are allowed in the Low-Density Residential designations." This statement from Policy LU-10 makes it clear that increased residential density should be allowed over that of the Low-Density Residential designation which allows up to an R-6 zone. What is not clear in Policy LU-10 is what the maximum density should be in the Mixed-Use 2 designation. The Mixed-Use 2 designation supports the R-8 zoning all the way up to a Community Business zone which does not have a density limit.

The Subject Property has R-24 zoning to the south and R-18 zoning to the east. Both zones implement the Land Use designation of Mixed-Use 2 and are very similar in terms of building height and hardscape. The only difference is the density limit. An R-24 zone will allow 14 units compared to 11 units if the site were to be rezoned to R-18.

Staff supports the request to rezone the Subject Property to R-24 because the five (5) parcels to the south were rezoned to R-24 in 2008 and the physical differences between the R-18 and R-24 are nominal. The R-24 zoning will allow more units to be developed where it is supported by the Comprehensive Plan.

This proposed rezone meets criteria #3.

4. The rezone will not be materially detrimental to uses or property in the immediate vicinity of the subject rezone.

Applicant Response:

The Applicant states that the rezone will not be materially detrimental to uses or property in the immediate vicinity of the subject rezone since new development will improve the area.

Staff Analysis:

The rezone will not be materially detrimental to uses or property in the immediate vicinity of the subject rezone because the area around this proposed rezone has been in transition and parcels just south of the subject parcels have recently been redeveloping. The City Council approved Ordinance No. 499 in April 2008 which rezoned five (5) parcels at 16538, 16532, 16526, 16522, and 16520 Linden Avenue North from R-8 to R-24 directly to the south of the subject parcels. In the last year, townhomes have been constructed at the 16538 Linden address and four new units have been constructed at the 16532 address (**See Attachment 9 and Attachment 11**).

Any new development on the Subject Property will be required to comply with the City's Municipal Code, Stormwater Manual, Engineering Development Manual, and other City relevant codes that ensure the site will be developed with the latest building and engineering codes.

The rezone and any future development will be required to install frontage improvements which will improve pedestrian safety in front of the Subject Property. New development will be required to provide stormwater and surface water improvements which will mitigate flooding around the Subject Property. New development will also be required to provide sufficient parking onsite to mitigate any effects of street parking on the adjacent right-of-way.

Because of the recent development of townhomes near the Subject Property, improvements the surrounding area will gain when the Subject Property is developed in the future, and the rezone being supported by the Comprehensive Plan, this proposed rezone meets criteria #4.

5. The rezone has merit and value for the community.

Applicant's Response:

The Applicant states that the rezone has merit and value for the community because new development will be aesthetically pleasing with a slightly modern architecture that will only improve the neighborhood.

Staff Analysis:

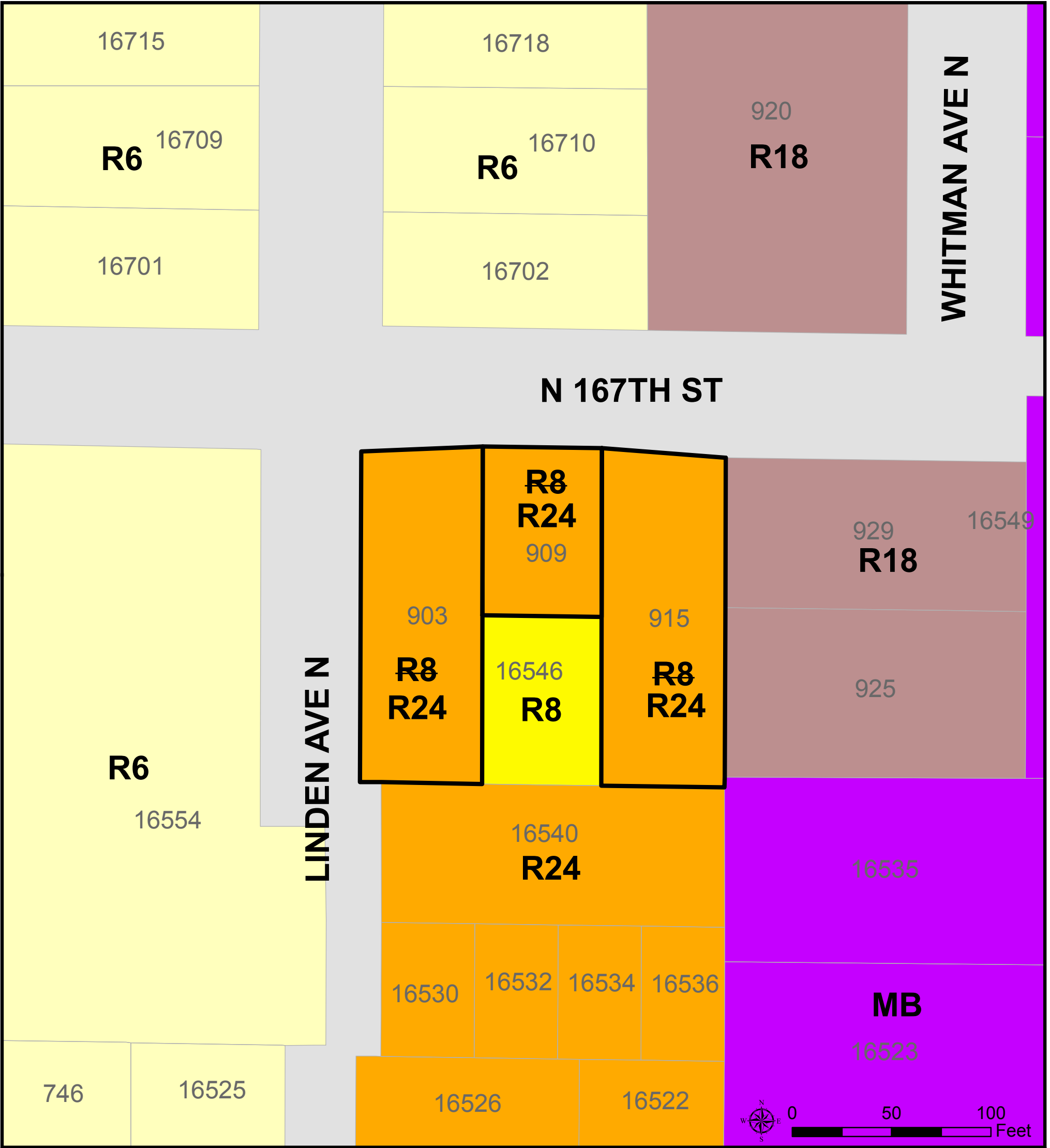
The proposed rezone and subsequent development has merit and value for the community. The proposed rezone is implementing the City's vision for this area as stated in Comprehensive Plan Policy LU-10. This location was chosen for allocation of the City's population growth and the proposed townhome development is consistent with other townhome projects that have been recently constructed. The rezone will increase property values for the Subject Property, thereby creating increase property tax benefits. Existing commercial uses are in close proximity to the site and transit is a short walk from the Subject Property given that Aurora Avenue N. is approximately 400 feet to the east. Any future development will be required to install full frontage improvements that include sidewalk, curb, gutter, and landscape/amenity zone adjacent to the sidewalk. New sidewalks around the site on North 167th Street and Linden Avenue North will alleviate the neighborhood concerns of unsafe walking surfaces for pedestrians. In addition, new residential development will require the payment of transportation impact fees and park impact fees, thereby allowing for system-wide improvements that are being required due to growth within the community.

This proposed rezone meets criteria #5.

DEPARTMENT RECOMMENDATION:


















Based on the above applicant response to the rezone criteria, the Planning & Community Development Department recommends **APPROVAL** of the Rezone for Jose Argueta file PLN17-0062.

Exhibit C



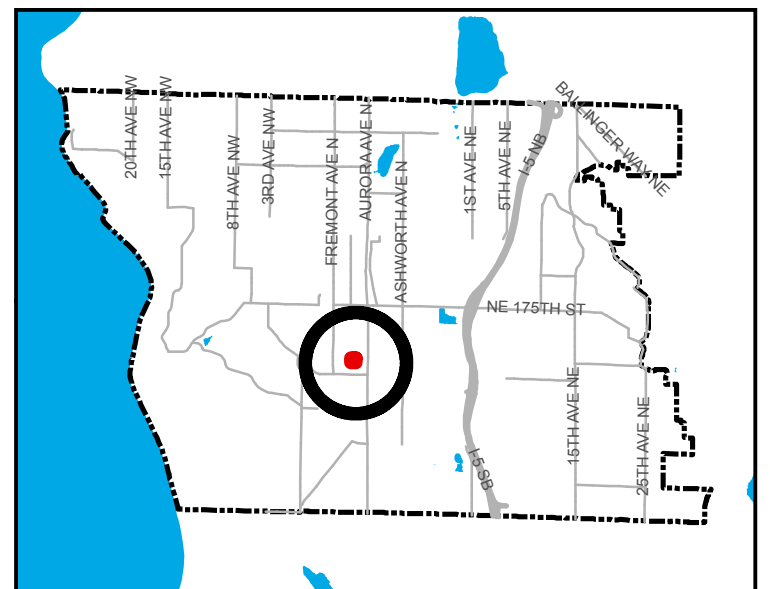
903, 909, & 915 NE 175th St Rezone R-8 to R-24

Zoning Legend

 CZ; Contract Zone	 TC-1 to TC-4; Town Center
 R-48; Residential, 48 units/acre	 MUR-70; Mixed Use Residential (70' height)
 R-24; Residential, 24 units/acre	 MUR-45; Mixed Use Residential (45' height)
 R-18; Residential, 18 units/acre	 MUR-35; Mixed Use Residential (35' height)
 R-12; Residential, 12 units/acre	 MB; Mixed Business
 R-8; Residential, 8 units/acre	 CB; Community Business
 R-6; Residential, 6 units/acre	 NB; Neighborhood Business
 R-4; Residential, 4 units/acre	 PA 3; Planned Area 3
	 C; Campus

Feature Legend

 Parcel Line	 Parcel Change	 Unclassified ROW
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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 June, 2016.



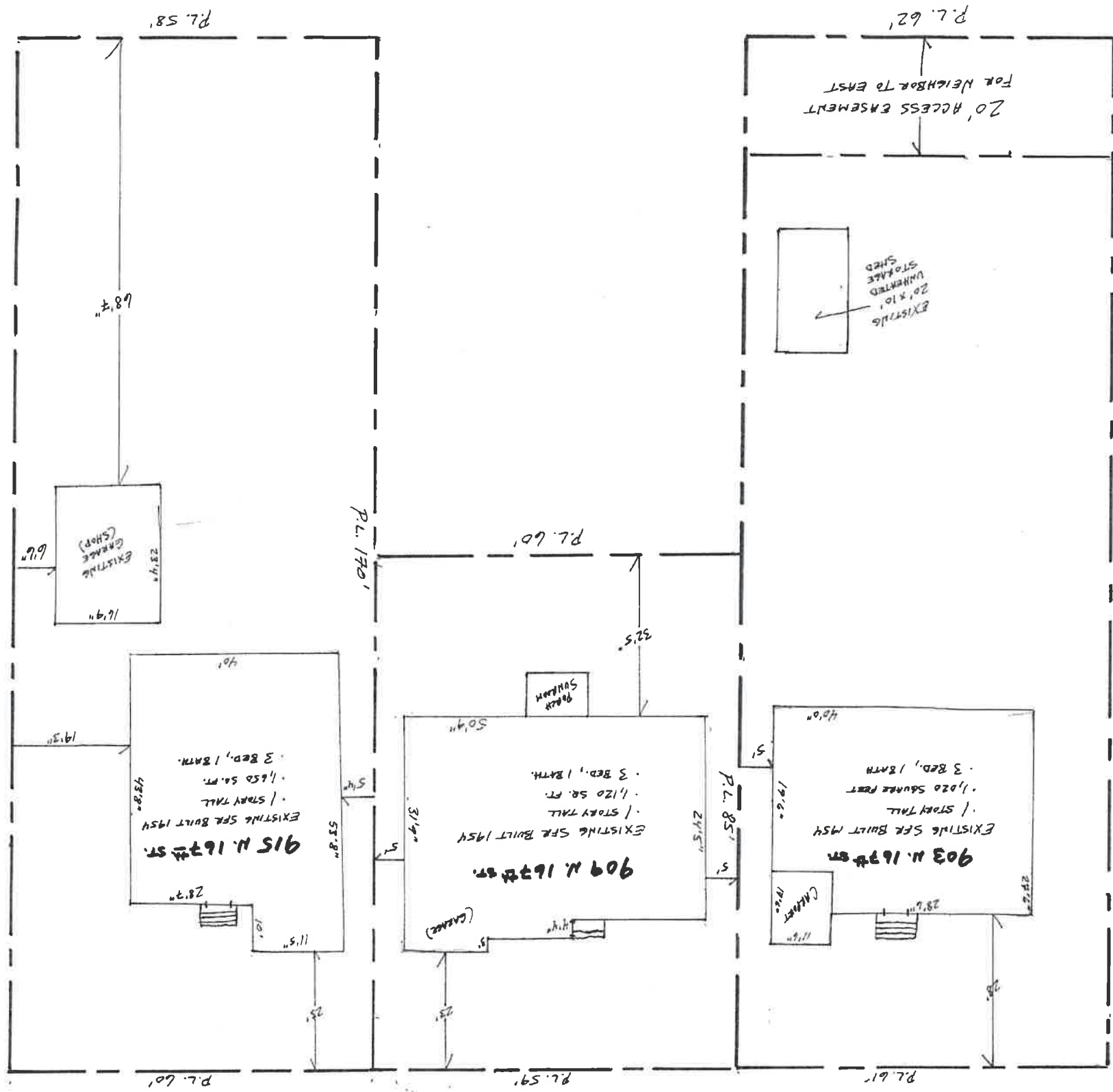
Map: Req13716
Date Saved: 12/28/2017

DATE: 9/5/17
SCALE: 20' : 2"

REVISION
SEP 19 2017
P&DS

PREPARED BY:
DAVE HYDELL
1532 ALI. 195th ST. #6
SHORELINE, WA. 98147
(206) 778-7355

ARGUETA RE-ZONE



8a-24
NORTH
N. 167th ST.

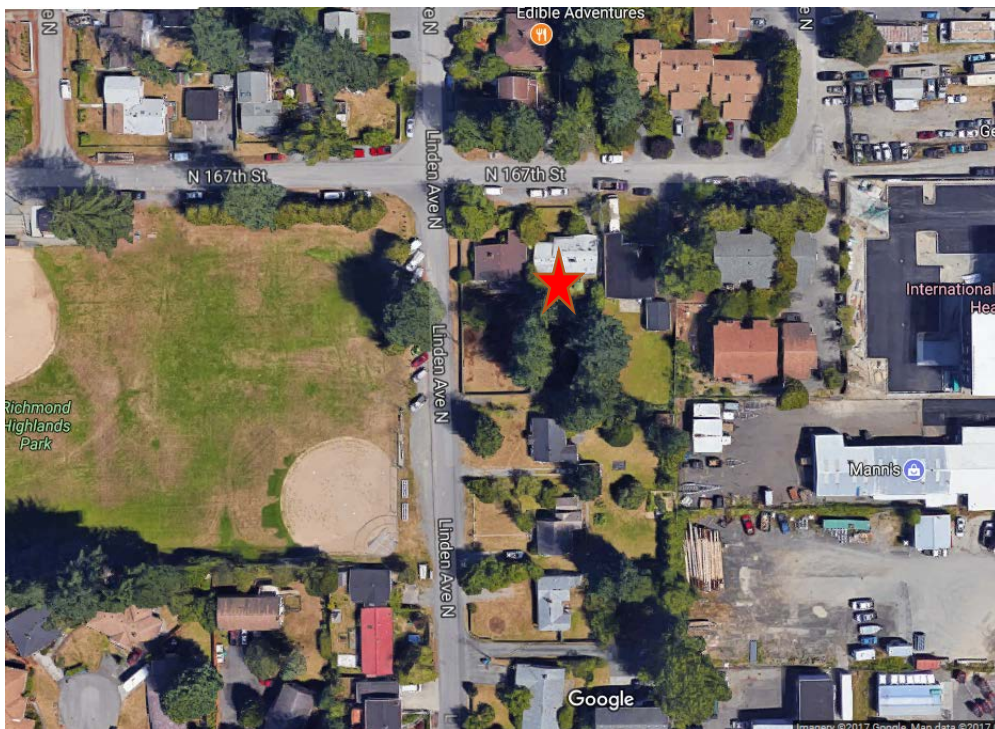
LINDEN AVE. N.

22' Row

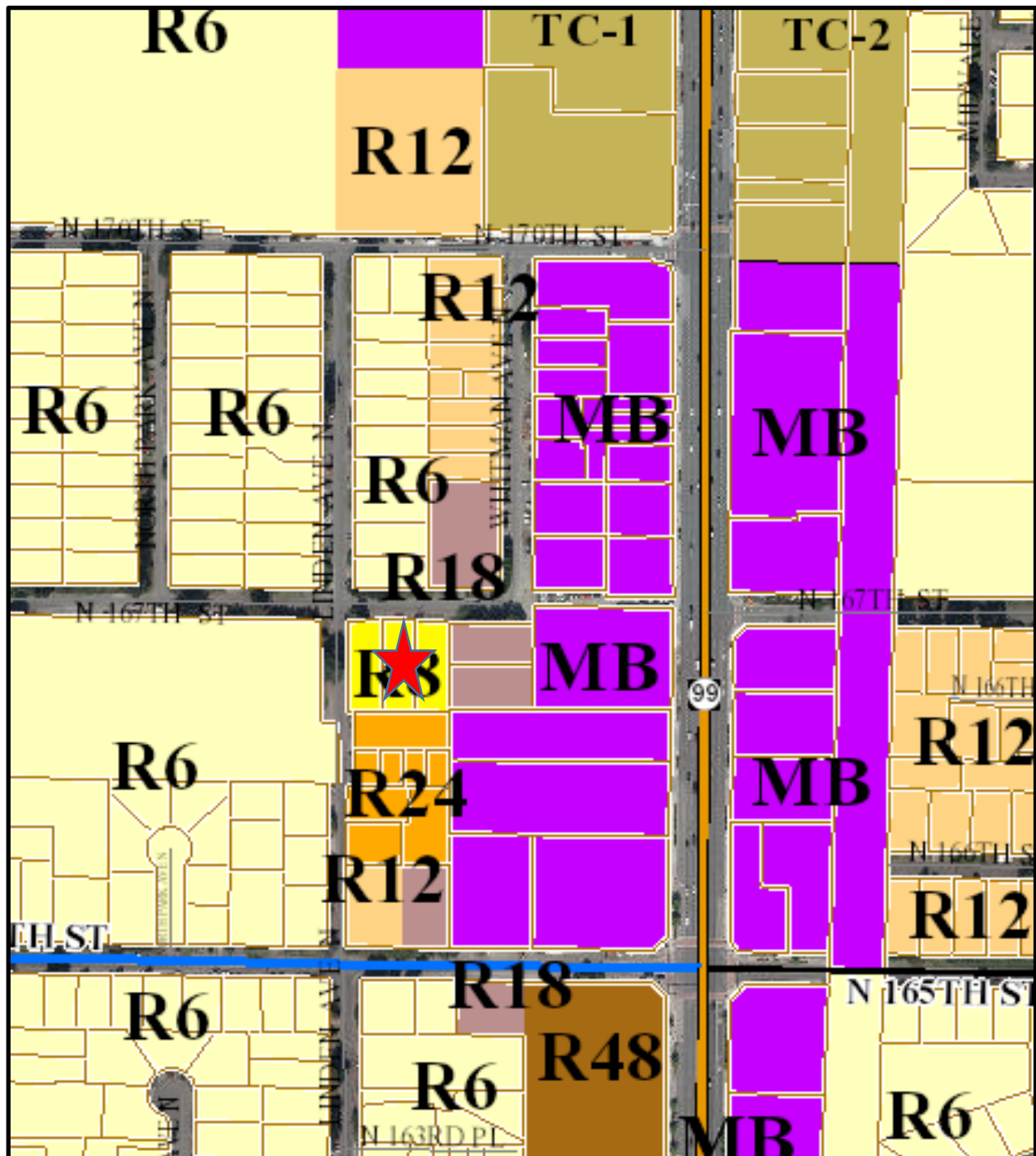
28' Row

20' SCALE
20' x 20'

903, 909, and 915 North 167th Street Vicinity Map



City of Shoreline – Current Zoning Designations



Comprehensive Plan Land Use Designations



Summary of Neighborhood meeting

September 18, 2017

This is the summary of the neighborhood meeting for the proposal to re-zone the 3 lots (903, 909, 915 N. 167th St. Shoreline, Wa.) from the current R-8 zoning to R-24 zoning.

In attendance:

Jack Noble (206)542-7090 746 N. 165th St. Shoreline, WA. 98133

David Jackson (206)409-6279 16723 Whitman Ave. N. Shoreline, WA. 98133

Candy Hamel (206)931-5567 16723 Whitman Ave. N. Shoreline, WA. 98133

Sarah Sherman (206)334-1838 909 N. 167th St. Shoreline, WA. 98133

Cynnemin and Jim O'Sullivan (206)533-0007 16707 North Park Ave. N.
Shoreline, WA. 98133

Candy who lives directly across from Gerber Towing on Whitman Ave N., expressed that the area is "already too congested." Not enough places to park around the Park. She mentioned petitioning to get speed bumps on Whitman to slow traffic down. She also asked why the proposal is for R-24 and not R-18 or R-12? She is ok with the project, but would like to see fewer Townhouses built. She is worried about all the cars and the safety of children. She also mentioned the lack of access off of Aurora. She doesn't want the Townhouses to be over 2-stories high.

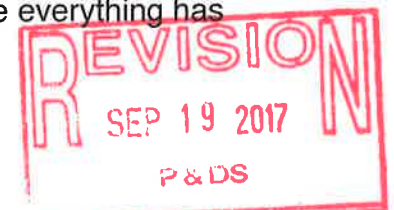
Jack shared his concern about lack of parking in the area. He was curious that during the process of permits and building, whether or not he was able to see how the off-street parking would look like.

David shared his concern for parking. He lives across the street from Gerber Towing, as well. Finds it very difficult to park in front of his own house, with the amount of cars on the street, from the surrounding businesses.

Cynnemin asked about how the extension of the sidewalks would look, extending to the North from the new construction on Linden? Will the sidewalks "dive-in" or "dive-out" into Linden? She was also concerned about the off-street parking.

Jim mentioned that Gerber Towing seems to just be able to park wherever they wish. Shared his frustration with all the new construction and how expensive everything has gotten.

Meeting lasted approximately 1 hour and there was no fist fights.



Summary of Neighborhood meeting

April 5, 2017

RECEIVED
MAY 22 2017

This is the summary of the neighborhood meeting for the proposal to re-zone the 3 lots (903, 909, 915 N. 167th St. Shoreline, Wa.) from the current R-8 zoning to R-24 zoning.

In attendance:

Janet Murray 15508 Ashworth Ave N. Shoreline, Wa. 98133
(representing her mother who owns 915 N. 167th St.)

David Jackson 16723 Whitman Ave. N. Shoreline, WA. 98133

Candy Hamel 16723 Whitman Ave. N. Shoreline, WA. 98133

Thomas Giylometi 16726 N. Park Ave N. Shoreline Wa. 98133

Julie Fisher 16525 Linden Ave N. Shoreline, Wa. 98133

Candy who lives directly across from Gerber Towing on Whitman Ave N., expressed that the area is "already too congested." Not enough places to park around the Park. She mentioned petitioning to get speed bumps on Whitman to slow traffic down. She also asked why the proposal is for R-24 and not "R-12"? She is ok with the project, but would like to see fewer Townhouses built.

Julie Fisher who lives at 16525 Linden Ave N. is worried about more traffic and what will happen to the street. She had heard that the street was supposed to be narrowed at some point in time. She was curious when this was going to happen, and exactly where on the street. Also expressed concern for the amount of traffic that races up and down Linden. Safety for her kids walking to school.

Both Candy and Julie were under the impression that just 903 N. 167th was proposing a re-zone, from the way that the letter was written. They thought the letter was intentionally misleading, without stating all 3 addresses on N. 167th.

Meeting lasted 1 hour and no fighting took place.

170062



**Re-Notice of Rezone Application
including Optional SEPA DNS Process
(October 3, 2017)**

Name of Applicant and Application No.: Jose Argueta, PLN17-0062

Location & Description of Project: 903, 909, and 915 N. 167th Street. The applicant has requested to rezone three parcels from Residential 8-units per acre (R-8) to Residential 24-units per acre (R-24) in order to construct townhomes.

Application Re-Submitted & Complete: September 19, 2017 and September 25, 2017.

Project Manager Name & Phone #: Steven Szafran, AICP. 206-801-2512.

Environmental Review: The City expects to issue a SEPA Determination of Nonsignificance (DNS) on this project. This may be the only opportunity to comment on the environmental impacts of this proposal. The proposal may include mitigation measures under applicable codes, and the project review process may incorporate or require mitigation measures regardless of whether an environmental impact statement is prepared. A copy of the subsequent threshold determination for the specific proposal may be obtained upon request.

Public Comment: The public comment period ends **October 18, 2017 at 5:00 p.m.** Interested persons are encouraged to mail, fax (206) 801-2788 or deliver comments to City of Shoreline, Attn. Steven Szafran, 17500 Midvale Avenue N, Shoreline, WA 98133 or email to sszafran@shorelinewa.gov. You may also request a copy of the decision once it has been made.

Development Regulations Used and Environmental Documents submitted:

Current editions of Shoreline Municipal Code and Comprehensive Plan, Stormwater Manual, Engineering Development Manual, Transportation Master Plan, and SEPA Checklist, All documents are available for review at City Hall, 17500 Midvale Avenue N.

Other Required Permits: Building, Demolition, and Right-of-Way Permits.

NOTICE OF DISCLOSURE

The City of Shoreline will enter all comments received into the public record and may make these comments, and any attachments or other supporting materials, available unchanged, including any business or personal information (name, email address, phone, etc.) that you provide available for public review. This information may be released on the City's website. Comments received are part of the public record and subject to disclosure under the Public Records Act, RCW 42.56. Do not include any information in your comment or supporting materials that you do not wish to be made public, including name and contact information.



Notice of Public Hearing of the Hearing Examiner and SEPA Determination

Applicant, Application No. and Permit Requested: Jose Argueta, PLN17-0062 Rezone

Location & Description of Project: 903, 909, and 915 N. 167th Street. The applicant has requested to rezone three parcels from Residential 8-units per acre (R-8) to Residential 24-units per acre (R-24) in order to construct townhomes.

Interested persons are encouraged to provide oral and/or written comments regarding the above project at an open record public hearing. The hearing is scheduled for Wednesday, November 15, 2017 at 6:00 pm in the Council Chamber at City Hall 17500 Midvale Avenue N, Shoreline, WA.

Any person requiring a disability accommodation should contact the City Clerk at (206) 801-2230 in advance for more information. For TTY telephone service call (206) 546-0457. Each request will be considered individually, according to the type of request, the availability of resources, and the financial ability of the City to provide the requested services or equipment.

SEPA Threshold Determination

Effective Date of Notice: October 26, 2017

Threshold Determination: The City of Shoreline has issued a Determination of Nonsignificance (DNS) under the State Environmental Policy Act Rules (Chapter 197-11 WAC) for the project described above. After review of the environmental checklist and other information on file, the City has determined this proposal will not have a probable significant adverse impact on the environment.

The optional process, as specified in WAC 197-11-355, was used. A notice of application that stated the City's intent to issue a DNS for this project was issued on October 3, 2017 and the public comment period expired on October 18, 2017. There is no additional public comment period for this Threshold Determination.

Judicial Appeal: There is no administrative appeal available for this decision. The SEPA Threshold Determination may be appealed with the decision on the underlying action to superior court. If there is not a statutory time limit on filing a judicial appeal, the appeal must be filed within 21 calendar days following the issuance of this decision and in accordance with State law.

Copies of the notice of application, SEPA threshold determination, application materials, applicable codes and more specific information on submitting a judicial appeal are available for review at City Hall, 17500 Midvale Avenue N.

NOTICE OF DISCLOSURE

The City of Shoreline will enter all comments received into the public record and may make these comments, and any attachments or other supporting materials, available unchanged, including any business or personal information (name, email address, phone, etc.) that you provide available for public review. This information may be released on the City's website. Comments received are part of the public record and subject to disclosure under the Public Records Act, RCW 42.56. Do not include any information in your comment or supporting materials that you do not wish to be made public, including name and contact information.

October 17, 2017

Mr. Steve Szafran, AICP
City of Shoreline
17500 Midvale Ave N.
Shoreline, WA 98133-4905

RE: Application No: PLN17-0062
Applicant: Jose Argueta

Dear Steve:

We are taking this opportunity to present our comments on the Re-Notice of Rezone Application including Optional SEPA DNS Process regarding the above referenced Application located at 903, 909 and 915 N. 167th Street, Shoreline, WA. Since all of the residents that live next to and across the street from these properties are renters, Dave Jackson and I are the closest homeowners that will be directly impacted by the possible rezoning to R-24 of these properties.

We feel the best way is to present numbered items listing our concerns and comments about this potential rezoning. Please see these below:

1. We want to clarify some points of the Summary of Neighborhood meeting notes that were submitted after the September 18, 2017 meeting.
 - a. It was incorrectly reported that Dave Jackson and I live directly across from Gerber Towing. We actually live at 16723 Whitman Ave N, across from the Methadone Clinic parking lot (which is next to Gerber Towing). It is also incorrect to state that I am "ok with the project". What I said, numerous times, is that I understand that there is growth happening in Shoreline and welcome it. I currently work for a developer and understand how things are changing. However, Dave Jackson and I both have concerns about these three properties on N 167th potentially being rezoned to R-24.
 - b. Since the first neighborhood meeting was held earlier in the year, the Owner of 915 N 167th St has passed away. Jose Argueta and his Realtor, Dave, told us at the second meeting that they have been in discussion with the deceased owner's family regarding purchasing this property, upon condition that this property be rezoned to R-24. That is why both properties are now being considered to be developed as soon as possible.
 - c. As was discussed at both neighborhood meetings, with Jose and Dave (the realtor), they envision adding at least 5 and possibly 6 new townhomes each on the 903 and 915 N. 167th properties. When Jose first told us about the possibility of what he wants to build on his lot, he said it would probably be the maximum height of 35' with a roof top deck on each one. We believe he may have a different idea now, but we also believe that he intends to make them as tall as the City will allow (35' – 40' depending on design) in an R-24 zone. All of the current townhomes across the street (zoned R18), apartment buildings the east of 915 167th (zoned R18) and homes on Lynden and Whitman (zoned R6 thru R12) in this area are no more than two story. The apartments that are located just east of 915 N 167th are surrounded by trees and are not obtrusive to the neighborhood. PLEASE SEE ATTACHED "Townhomes Across Street", "Apartments next door" and "Corner of Whitman and 167th".
 - d. What is also concerning, and not included in the Summary of the Neighborhood Meeting, is that Sarah Sherman, the woman who lives at 909 N 167th also attended the meeting and had many questions and concerns about what it would mean if her property and the other two properties were rezoned to R-24. She had not realized, or it was not clarified to her, that if these properties

were rezoned, there would be two sets of townhomes going up on both sides of her and her home. As she described it, she wasn't comfortable with having a wall on both sides of her property. Additionally, her property was originally subdivided into two lots years ago and the 2nd lot was purchased and a brand new single family home (16546 Lynden Ave N) now located directly behind her house, nestled in between the back portion of the 903 and the 915 properties. It is zoned R-8 and is not being rezoned. This house, too, would be "walled in" by the possibility of 6 townhomes each, one in front and one in back of this new home. PLEASE SEE ATTACHED "New Home #1".

- e. Here is another bit of history regarding the five properties located on Lynden that are currently zoned R-24 and that is referenced in the August 29, 2017 letter regarding the Neighborhood meeting. The 3 owners of these 5 properties got together about 14 years ago (before Shoreline's Comprehensive Plan was prepared) and tried to have their properties rezoned to R-48. We believe it was their intention to sell all of their properties to one individual and a potential 48 unit apartment building was being considered. Fortunately (for us) and unfortunately (for them), there was a large neighborhood turnout to the neighborhood meeting and for whatever reason, they did not wish to pursue the R-48 zoning. Since then, two of the 5 lots have been developed. One has added TWO story townhomes and kept them as rentals. PLEASE SEE ATTACHED "New Home #1". They look nice and fit in with the R-6 and R-8 zoning in the surrounding neighborhood. Unfortunately, the 2nd lot was subdivided and four HUGE homes were built and sold. Again, we understand a need for homes but this looks like Gulliver in the land of Lilliput. They look like monsters and are out of place in this neighborhood. PLEASE SEE ATTACHED "New Home #2".
2. **The issue of traffic and parking** is a big one. This development is proposed, and may require access to the townhomes, from N 167th, which forces people to either go west on 167th to Lynden Ave. and turn south to 165th or north to 170th to then go East to Aurora OR people go east on 167th and merge on to Whitman and proceed north to 170th, then East to Aurora. The problem with this plan is that from 170th and Whitman south to 167th & Lynden, we are already inundated with traffic, parking and driving hazards as described below.
- a. We have the back entrance to the methadone clinic, which serves just under 700 guests A DAY (and yes, a lot of them do drive or are driven by taxi, Mercy Care, Cabulance, Access vans, etc.),
 - b. We have a landscape company with their 8 trucks and their employees cars,
 - c. We have Gerber Towing PLEASE SEE ATTACHED "Gerber Towing #1 and #2" which tows, drops off, picks up, parks in the middle of the street, etc. and
 - d. We have the ICHS Clinic back entrance, which not only has people and cars cutting through it each day but has their employees parking on both sides of 167th between Whitman and North Park Ave and around Richmond Highlands Rec Center. PLEASE SEE ATTACHED "Clinic Parking #1 thru #7".
 - e. We have a 2nd junkyard directly across the street from the 903 and 909 property which is definitely zoned R-6 and should not have a junkyard there. PLEASE SEE ATTACHED "2nd Junkyard #1 and #2".
 - f. The parking around the park and up and down the neighboring streets is full every weekend by families using the field and facilities PLEASE SEE ATTACHED "Weekend Parking #1 thru #5". The four large townhomes built on Lynden already have some of their homeowners parking across the street at the park.
 - g. Last but not least – there are at least 10 children that walk DAILY from 170th & Whitman down around the corner to wait for the school bus at 167th and Lynden each day.

3. The drainage system in this area is not good and at one time was not even connected to the City's main system at the southeast corner of the property located at 915 N 167th (behind Mann Welding). There is also a drain located on the East side of Whitman, and just north of Gerber Towing, that does not drain and is constantly blocked by debris anyway. There is usually a very large pool of water in the middle of the road for quite a few days after it rains. About 10 years ago, I met with 4 gentlemen from the City of Shoreline regarding this drain. They all confirmed that the infrastructure was bad in this area and yep, this drain and the one it is connected to basically goes to nowhere down behind Mann's Welding. Nothing has ever been done about this drain on Whitman and we don't know if something was corrected down the line when ICHS or the new storage facility were recently built. **PLEASE SEE ATTACHED "Drainage #1 & #2"**.

To summarize, we are very aware that Shoreline is growing and are glad to be a part of this community. Dave and I truly believe that rezoning these three lots, 903, 909 and 915 N 167th, to R-24 would be a detriment to this little pocket of Shoreline. There simply is not the existing infrastructure or capacity to hold a lot more homes, traffic, runoff, etc. on this little two block area. If a different rezone is considered, we strongly request that you consider some size and height limitations to blend in more with the homes that are already existing in the surrounding neighborhood.

Thank you for the opportunity to share our concerns about this possible rezone. We realize there were concerning statements made at the neighborhood meetings regarding discussions the realtor had with you, and after talking with you, we now understand the full picture. We have lived here for over 15 years and appreciate knowing that we are heard and can have a voice and some input.

Would you please notify us once a decision has been made? We would really appreciate it.

Respectfully,

Candy Hamel
Dave Jackson
16723 Whitman Ave N
Shoreline, WA 98133
(206) 931-5567

/cjh
Enclosures



8a-35



8a-36



8a-37



8a-38



8a-39



8a-40



8a-41



8a-42



8a-43



8a-44



8a-45



8a-46



8a-47





8a-49



8a-50



8a-51



8a-52



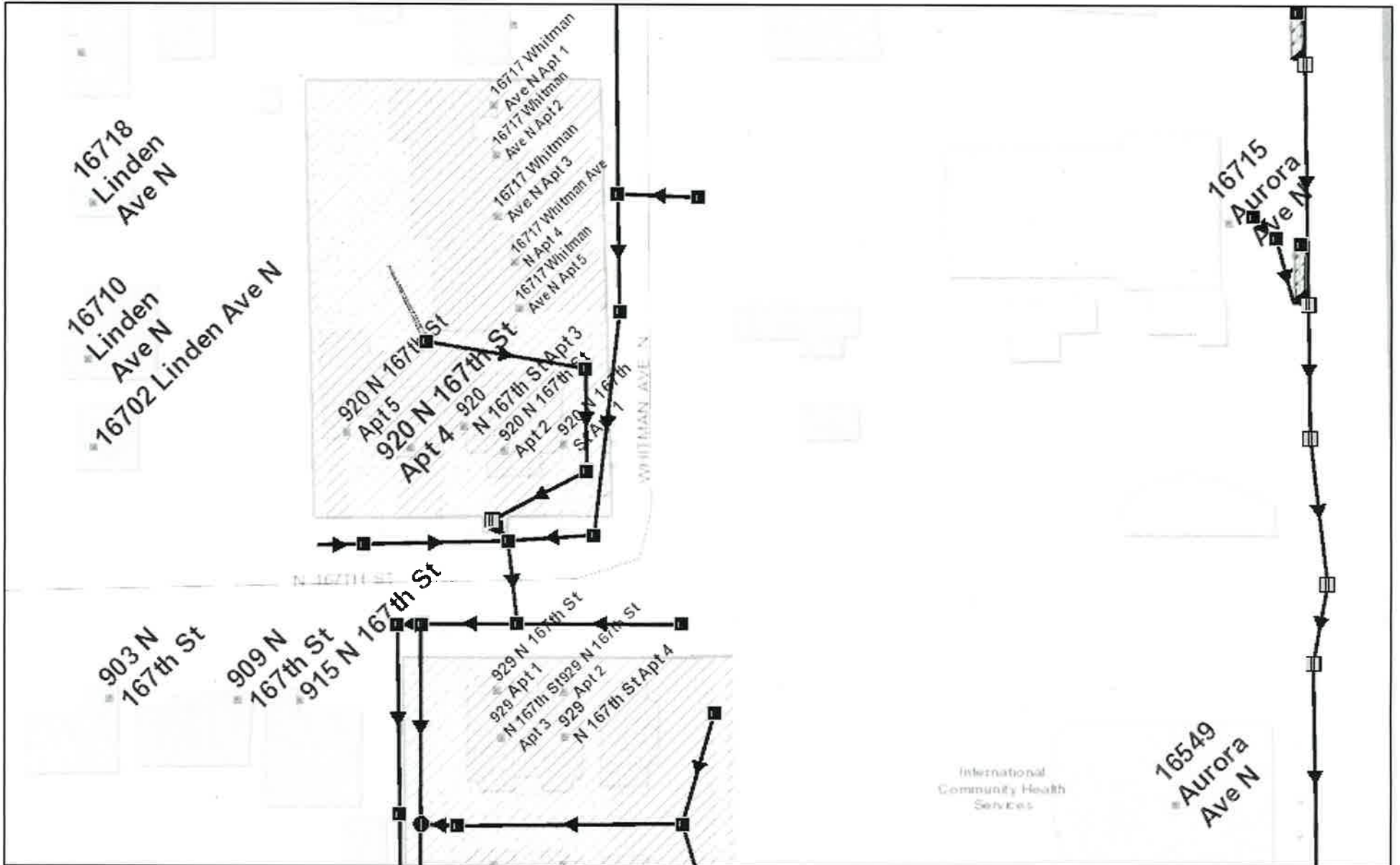


8a-54



8a-55

ArcGIS Web Map



October 17, 2017

Catch Basin

- Type 1 Catch Basin
- Type 2 Catch Basin
- Downspout Drain

- Area Drain
- Yard Drain

Manhole

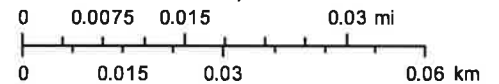
- Type 1 Man Hole

- Type 2 Man Hole
- Type 3 Man Hole
- Energy Dissipator
- Access Riser

- Pipe Inlet
- Guage
- Outfall

- Pump Station Controls

1:1,128

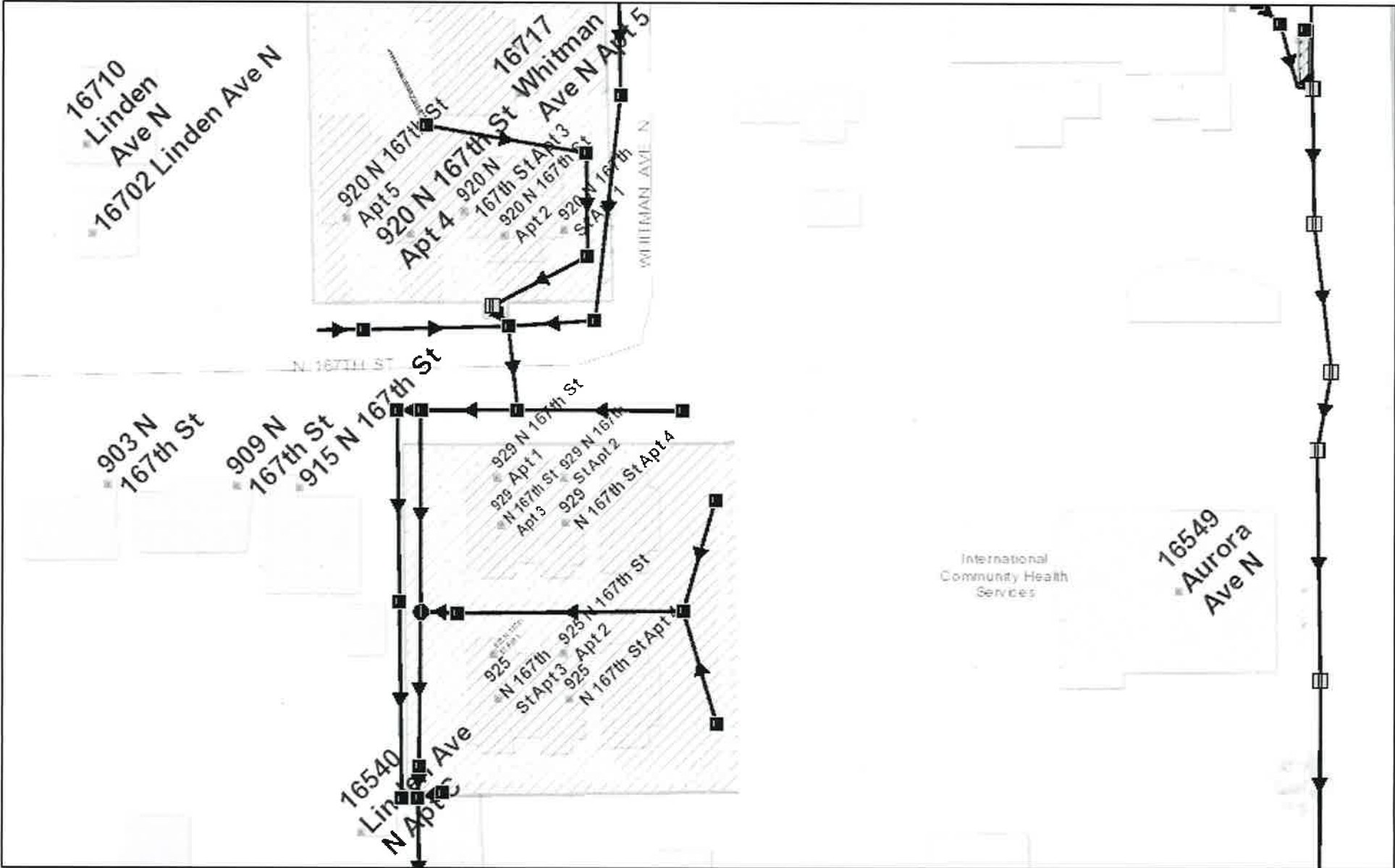


Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey,

No warranties of any sort, including accuracy,

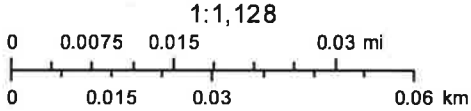
Web AppBuilder for ArcGIS

ArcGIS Web Map



October 17, 2017

- | | | | |
|--------------------|-----------------|-------------------|-----------------------|
| Catch Basin | Area Drain | Type 2 Man Hole | Pipe Inlet |
| Type 1 Catch Basin | Yard Drain | Type 3 Man Hole | Gauge |
| Type 2 Catch Basin | Manhole | Energy Dissipator | Outfall |
| Downspout Drain | Type 1 Man Hole | Access Riser | Pump Station Controls |



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey,

November 15, 2017

Hearing Examiner
City of Shoreline
17500 Midvale Ave N
Shoreline, WA 98133

RE: Notice of Public Hearing of the Hearing Examiner and SEPA Determination
Jose Argueta, PLN17-0062 Rezone
903, 909 and 915 N 167th, Shoreline, WA

Thank you for the opportunity to submit our additional thoughts and comments regarding the above referenced project. One of the reasons we are writing this letter is that we are the closest residential property owner that could/would be affected by this zoning change. All other properties located in this proximity are currently rentals.

With that said, we are providing numerous items that seem to be either incorrect and/or misleading in the paperwork that was provided to you in the City of Shoreline Planning and Community Development Staff Report dated November 6, 2017.

1. Under **PROJECT DESCRIPTION:** (Attachment 1 – Affidavits). There is an affidavit, signed by Janet C Murray on the 16th day of August, stating she is the attorney-in-fact for Brenny Genevieve, the owner of the property located at 915 N 167th, Shoreline WA. However, the Property Owner originally listed on the application is a person by the name of Genevieve Brenny, who unfortunately passed away on August 4, 2017. I'm not sure how that works in that 1) the name is incorrect on the affidavit and 2) the owner has passed away PRIOR to the affidavit being signed. **(See Exhibit A).**
2. Under **ZONING and LAND USE:** The attached Zoning Map is labeled as such to imply that the properties directly across the street North of the above referenced property is R18, when it is in fact zoned as R6. **(See Exhibit B).**
3. Under **ZONING and LAND USE:** There are multiple references to the surrounding properties, which, on paper, are virtually correct in quoting them. However, the actual facts are a bit more telling.
 - As noted in item 2 above, the property located at 903 N 167th and the majority of the property located at 909 N 167th sits directly across from current property zoned R6. Only the property located at 915 N 167th is located across from, and next to, any property that is zoned R18. **(See Exhibit C, items 3 and 4)**
 - The original application states that they want to rezone to R24, "to match the parcels to the South of these properties that are zoned R24". However, there was no mention of a parcel that sits directly in the middle of all three of these properties, that being the brand new home

that has just been built BEHIND 909 N 167th, the address being 16546 Lynden Ave N. (**See Exhibit C, Item 1**).

- In addition, all of the properties directly abutting and surrounding the subject properties, whether they be zoned R24, R18 or R6, do not exceed two story units, which fit more in with the residential neighborhood in this area. Even the townhomes that are located on the property directly adjacent to the south end of 903 and 915 N 167th, which were built a few years ago, were built as 2 story units to better fit in with the neighborhood. (**See Exhibit C, Item 2**).
 - The report states "The Subject Property is accessed from Lynden Avenue N. **OR** North 167th" We must point out that **ONLY ONE (1)** of the subject properties can possibly be, if it ever has been, accessed from Lynden Ave N. The other two properties can only be accessed from North 167th.
4. Under **PUBLIC NOTICE AND COMMENT**: The City states that they received only one public comment letter and it is included as Attachment 9. However, there were a few pictures/attachments that were inadvertently left out of the package that was sent to you. (**See Exhibit D**). We believe it is important for you to see these pictures as the rezoning and potential project proposed for 903 N 167th could possibly impact the quality and enjoyment of those using the Richmond Highland Rec Center and Playfield (Open Space). These pictures reflect what a typical weekend and/or week day/evening can look like at 167th and Lynden when the field is being utilized, which is quite often. In the package of Exhibit D, Picture marked **(1)** is taken standing at the corner of 167th and Lynden, facing south. The Picture marked **(2)** is taken standing at the other end of the playfield facing north on Lynden. The Picture marked **(3)** is taken at the corner of 167th and Lynden facing west on 167th.
 5. On September 15, 2017, we submitted to the City of Shoreline, a Petition for Beginning a Neighborhood Traffic Study (**See Exhibit E**) for the two blocks running from the corner of Lynden and 167th, west to Whitman and then North to 170th. Currently there are about 4 or 5 business that have exits funneling in from and out onto Whitman and 167th, but there are no through streets. These businesses consist of the THS Methadone Treatment facility, which serves just under 700 people **a day**; Gerber Towing, which has trucks and cars being parked up and down 167th and Whitman and coming and going any time of the night or day; there is the ICHS clinic that serves numerous individuals, however, they charge their employees to park in their facility so many employee park up and down 167th and Whitman; and additionally, we also have Yard Butlers Landscaping which has approximately 8 trucks that are in and out each day. And when their employees are driving their work trucks, they have to park their personal vehicles up and down Whitman and 167th also.
 6. Since there are **NO DIRECT OUTLETS** from anywhere in the middle of these two streets (**See Exhibit E-1a, and E-1b**), we, **and the seventeen (17) people** who also signed the petitions, requested that a traffic study be done to see if we can't get some help in slowing people down from speeding down our street(s) every day and every night. Some of the 17 people that signed reside on 167th and are included in the Rezone application.

7. I finally received, yesterday, an e-mail regarding “raw data” for the traffic study that was done. Kendra Dedinsky, City Traffic Engineer, refers in her e-mail that “traffic counts for both streets show less than 500 vehicles per weekday....” (**See Exhibit E-2**). However, since the original Petition for the Traffic Study requested “N 167th, beginning at Lynden and proceed to N 170th via Whitman Ave N”, and also having talked with Kendra on Monday, October 2, that our request was for both streets at the same time since there was no street leading out to Aurora from those two locations, it would seem that the counts for BOTH STREET should be added together for this study. Kendra did send me preliminary reports for the count for Whitman Ave N. (which averaged 390 vehicles per day over a 7 day average) and a separate report for the count for N 167th (which averaged 303.1 vehicles per day over a 7 day average). (**See Exhibit E-3a, and E-3b**). It seems, that since the original traffic study was requested for a two block side street that has no arterial exit except for Whitman or 167th, the totals of these two reports should be combined and the more realistic figure of **693.10 vehicles are averaged PER DAY over a 7 day average** should be considered.

We appreciate the time you have given us to express these items of concern and discrepancies, with regard to making your decision regarding the Rezone Application for Jose Argueta, PLN17-0062 Rezone, located at 903, 909 and 915 N 167th.

We believe that allowing the zoning of these three properties to be changed to R24 from R8 would be a disservice to this neighborhood and this area, and we believe the neighborhood would be better served if either an R12 or R18 zoning (with height restrictions) would be granted. This would still give an opportunity for these property owners to develop their properties and also would allow the proposed projects to be more blended within the community that it will sit.

Respectfully submitted,

Candace J Hamel
David M Jackson
16723 Whitman Ave N
Shoreline, WA 98133
(206) 931-5567



DECLARATION OF JANET C. MURRAY

I, Janet C. Murray, as attorney-in-fact for Brenny Genevieve under the Durable Power of Attorney for Brenny Genevieve dated 8/16/17, state that Brenny Genevieve is the owner of real property located at 915 N. 167th Street, Shoreline, Washington and identified by King County Tax Parcel No. 0726049204 ("Property").

I, Janet C. Murray, as attorney-in-fact, have current and present authority to manage the financial assets of Brenny Genevieve, including real property owned by Brenny Genevieve.

I, Janet C. Murray, as attorney-in-fact and on behalf of Brenny Genevieve, appoint Jose A. Argueta as the authorized agent for the limited purpose of seeking a change in the zoning classification of the Property pursuant to the rules and regulations of the City of Shoreline.

I make this declaration subject to penalty of perjury under the laws of the state of Washington.

Dated this 16 day of August, 2017, at Shoreline, Washington.

Janet C. Murray
Janet C. Murray, Attorney-in-Fact for Brenny Genevieve

State of Washington)
) ss.
County of King)

I certify that I know or have satisfactory evidence that Janet C. Murray is the person(s) who appeared before me, and acknowledged that he/she/they signed and delivered this instrument as his/her/their free and voluntary act for the uses and purposes set forth.

Dated this 16th day of August, 2017.

Kari Tate
Notary Public in and for the State of Washington
My commission expires 6th May 2020



Genevieve Theodora Brenny(1927 - 2017)

Genevieve Theodora Brenny

Born June 17, 1927 in Rolla North Dakota to father Spero Manson and mother Florence Manson (both deceased) died peacefully August 4, 2017.

One of 11 children: brothers, John, twins Frank and George, Pete, Spero, Raymond, Paul and Robert; sisters Grace and Gertrude.

Genevieve is survived by her brother Paul; 3 adult children: Jim, Janet, and Jeff; 6 grand-children: Shannon, Heather, Alissa, Ross, Thomas, and Kyle; and 2 great grandchildren Anthony and Ashley; and numerous nieces and nephews.

Viewing on Thurs., Aug. 10 at 10am with a Funeral to begin at 11am at Beck's Tribute Center, 405 Fifth Ave. S, Edmonds; with Burial following at Holyrood Cemetery in Shoreline, WA.

Please share memories at

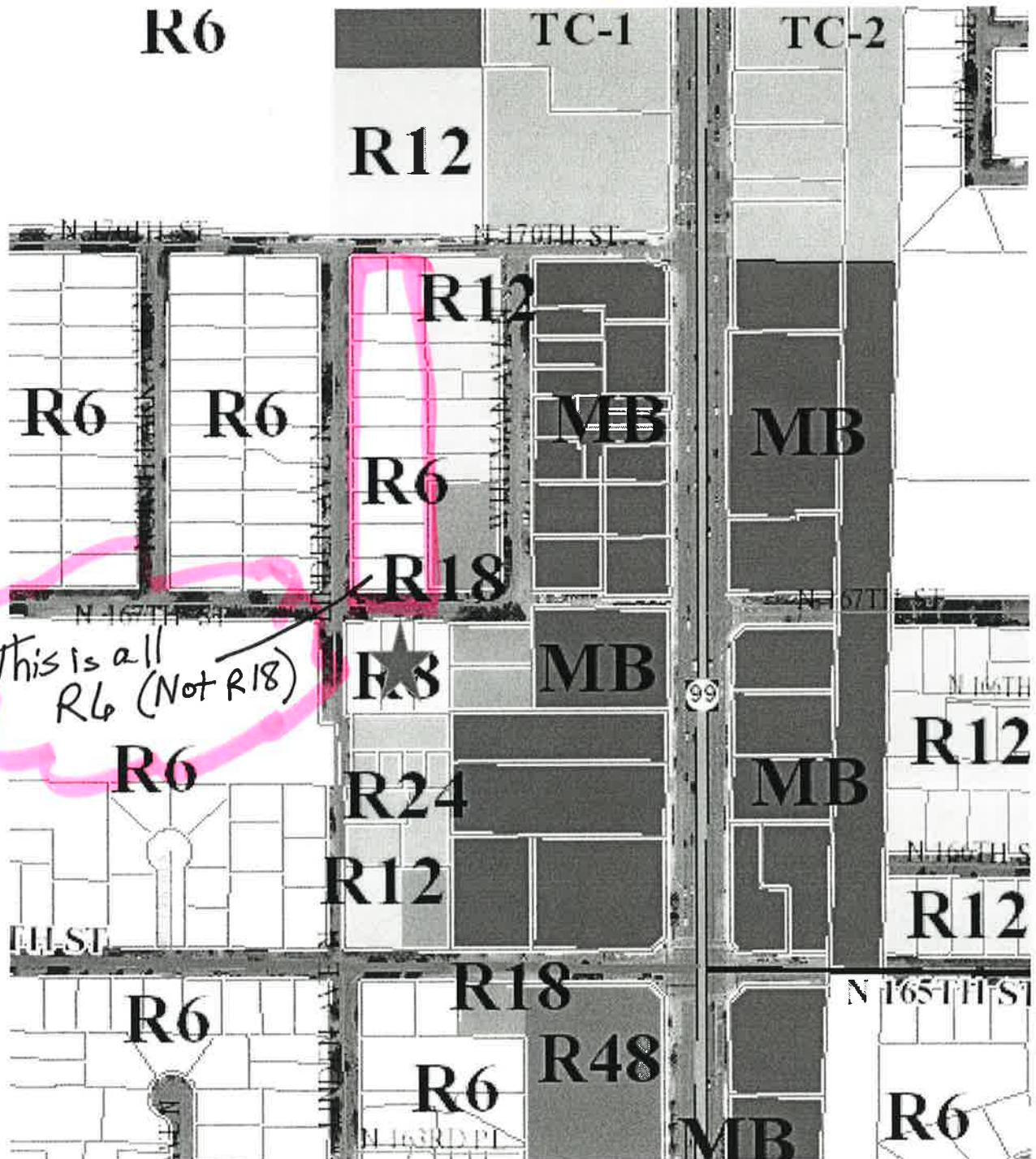
www.becksfuneralhome.com.

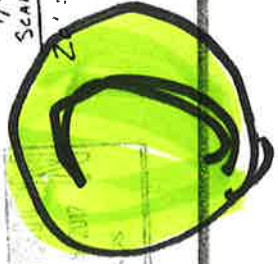
Funeral Home**Beck's Funeral Home**

405 5TH AVE S EDMONDS, WA 98020

(425) 771-1234

Published in The Seattle Times from Aug. 8 to Aug. 9, 2017



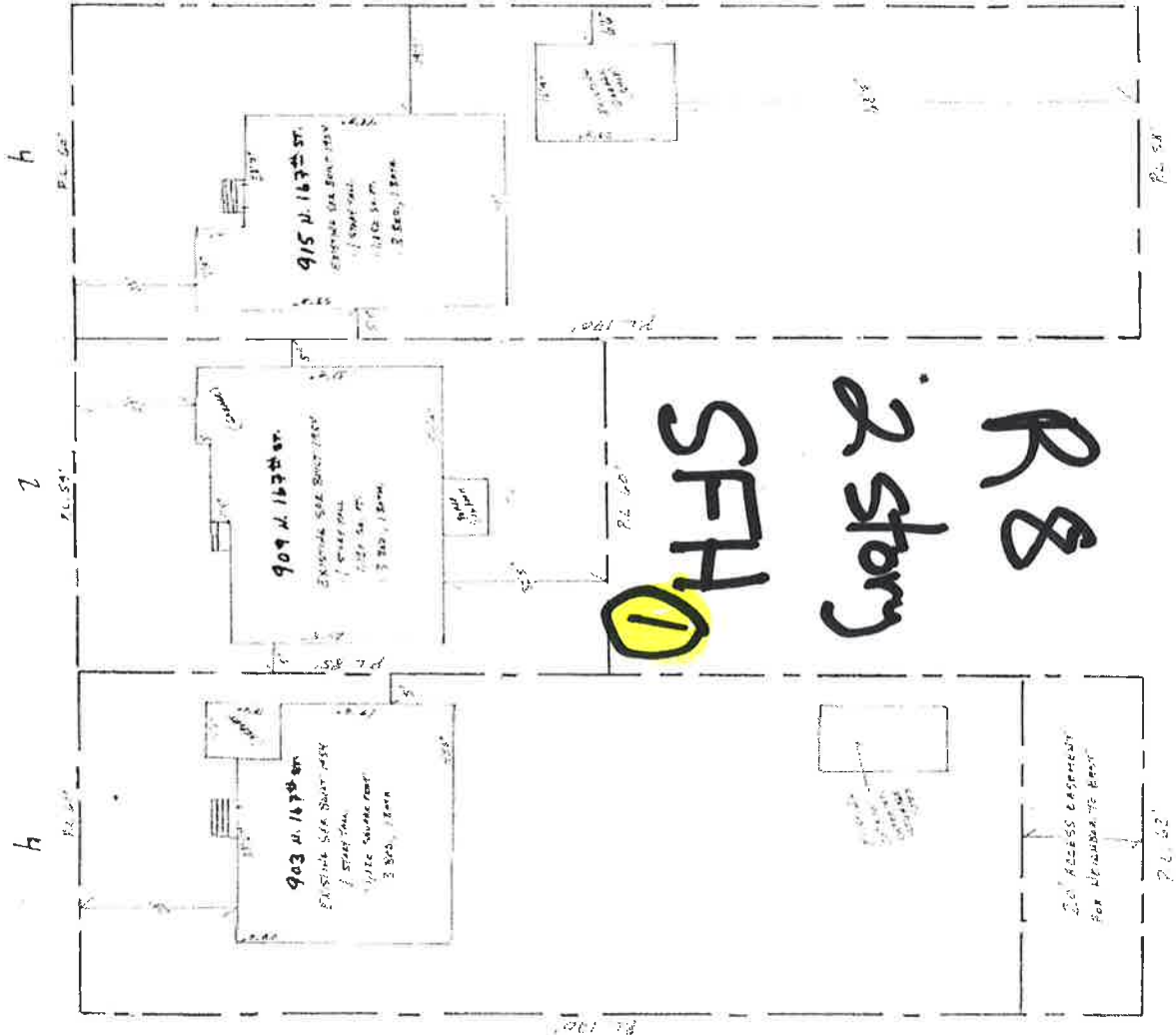


DATE: 9/5/17
SCALE: 1/2" = 1'

PREPARED BY
DATE ISSUED
1532 2ND ST. S.W.
SPRINGFIELD, MO 65702
(417) 778-7355

ARGUETA RE-ZONE

R-24 - 2 story **2**

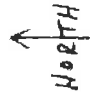


R18
2.5 story
3

R8
2.5 story
SFH **1**

4 R18 - 2.5 story

N. 167th ST.



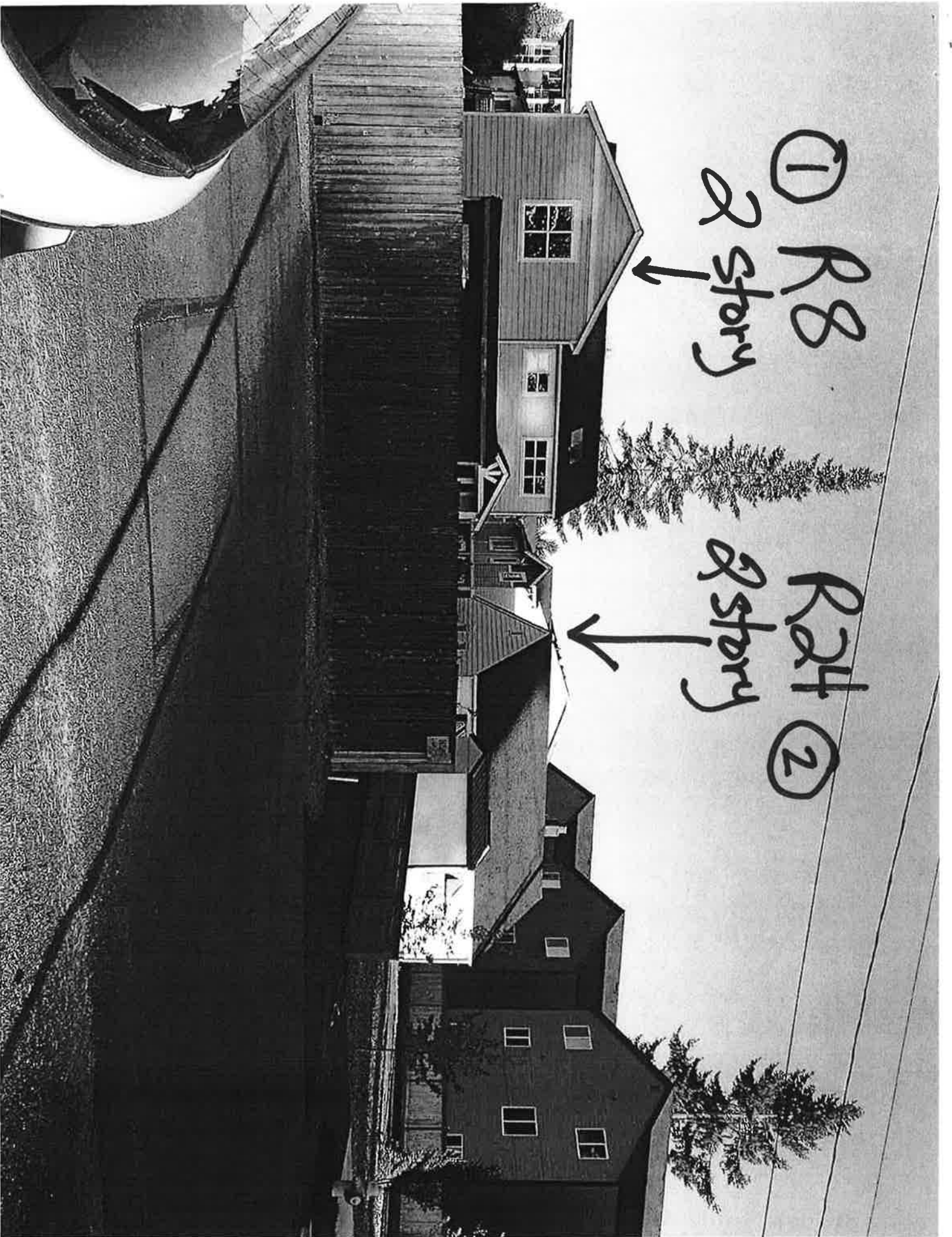
LINDEN AVE. N.

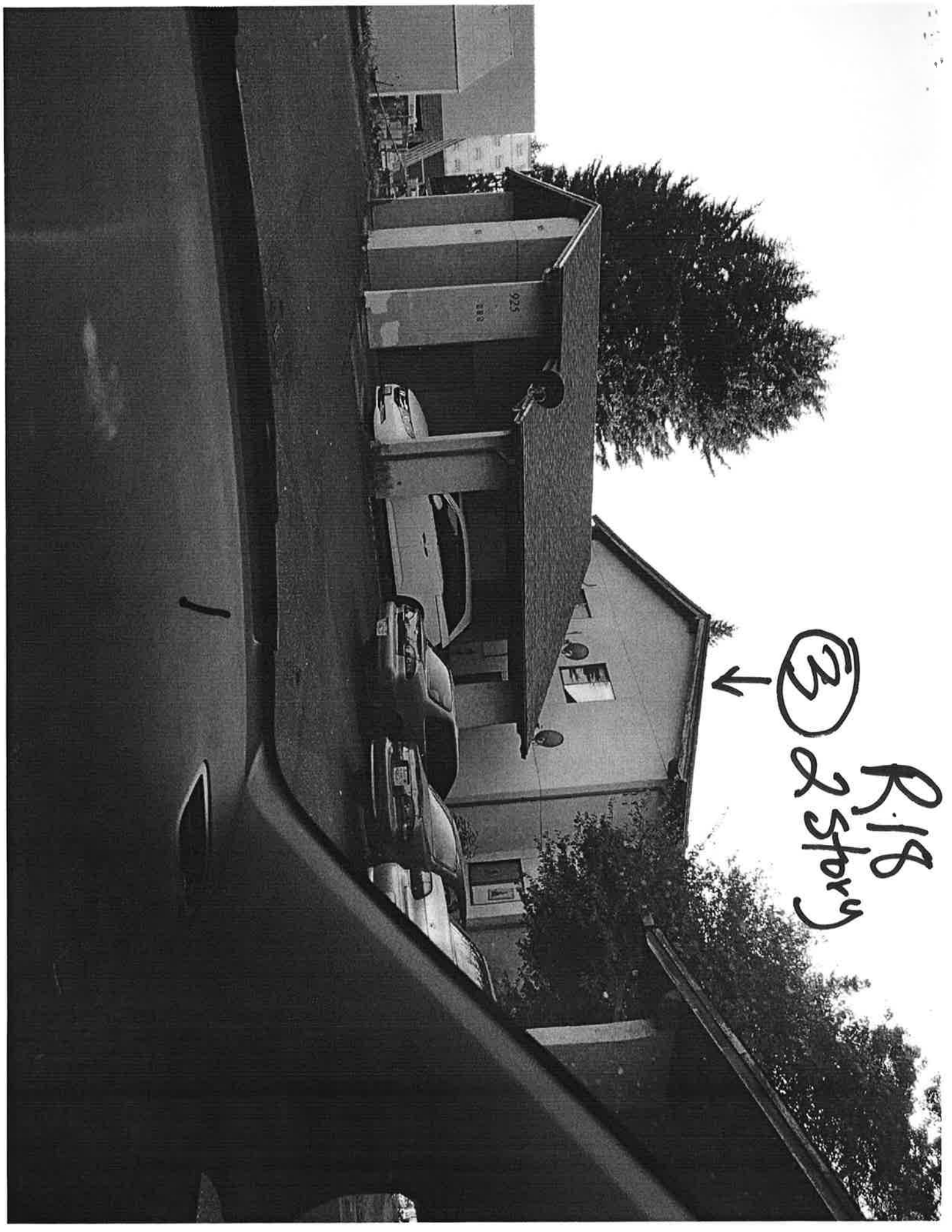
28' ROW

22' ROW

① R8
2 story

R24
2 story
②

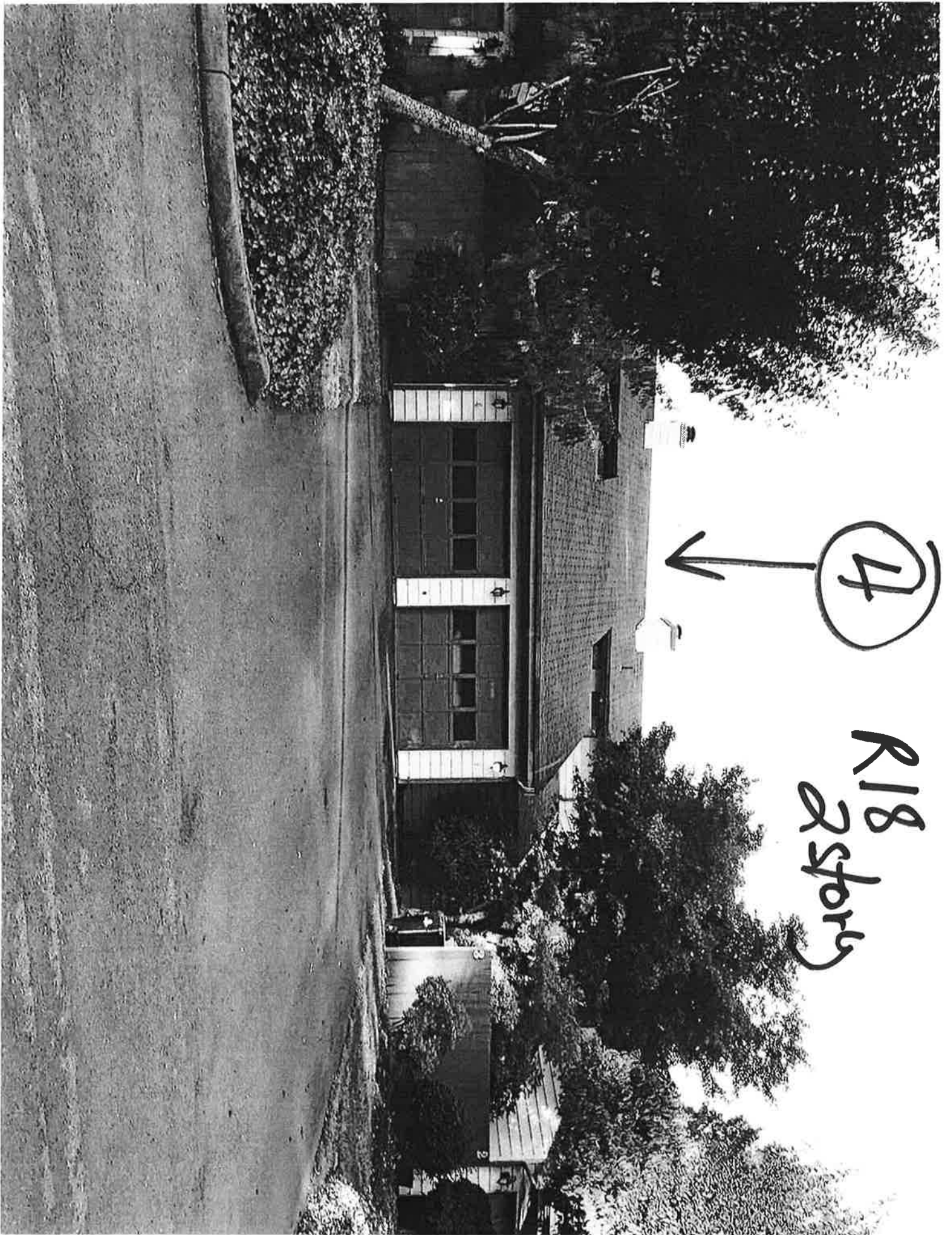




R18
2 stories



1



④
R18
2 story



ARGUETA RE-ZONE

DATE: 9/5/17
SCALE: 20' : 1"

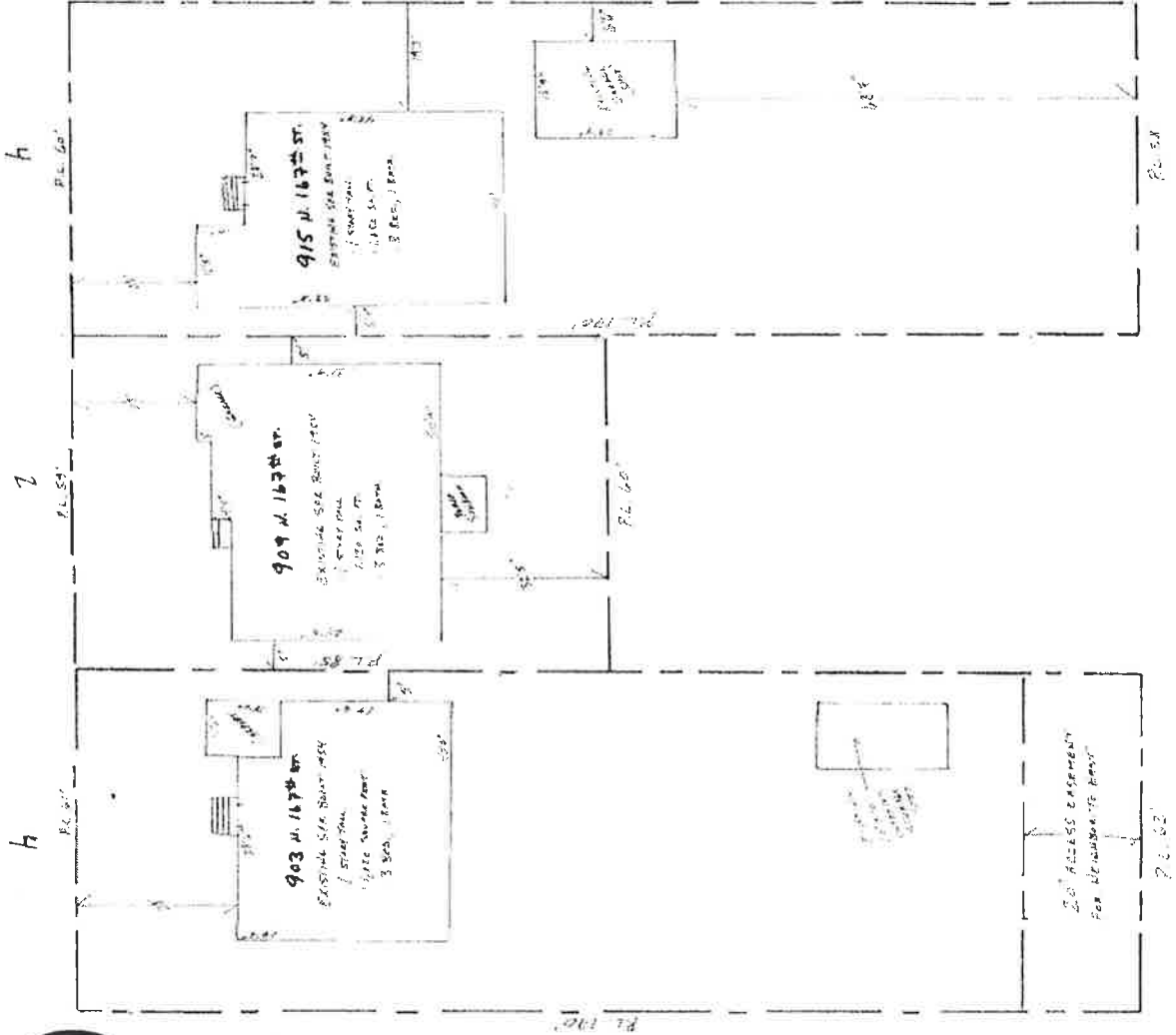
170052



RE-ZONED BY
DATE ISSUED
DATE AND TIME OF FC
SHEETING, AND APPROV
QUALIFIED TREE



NORTH
↑
N. 167th ST.



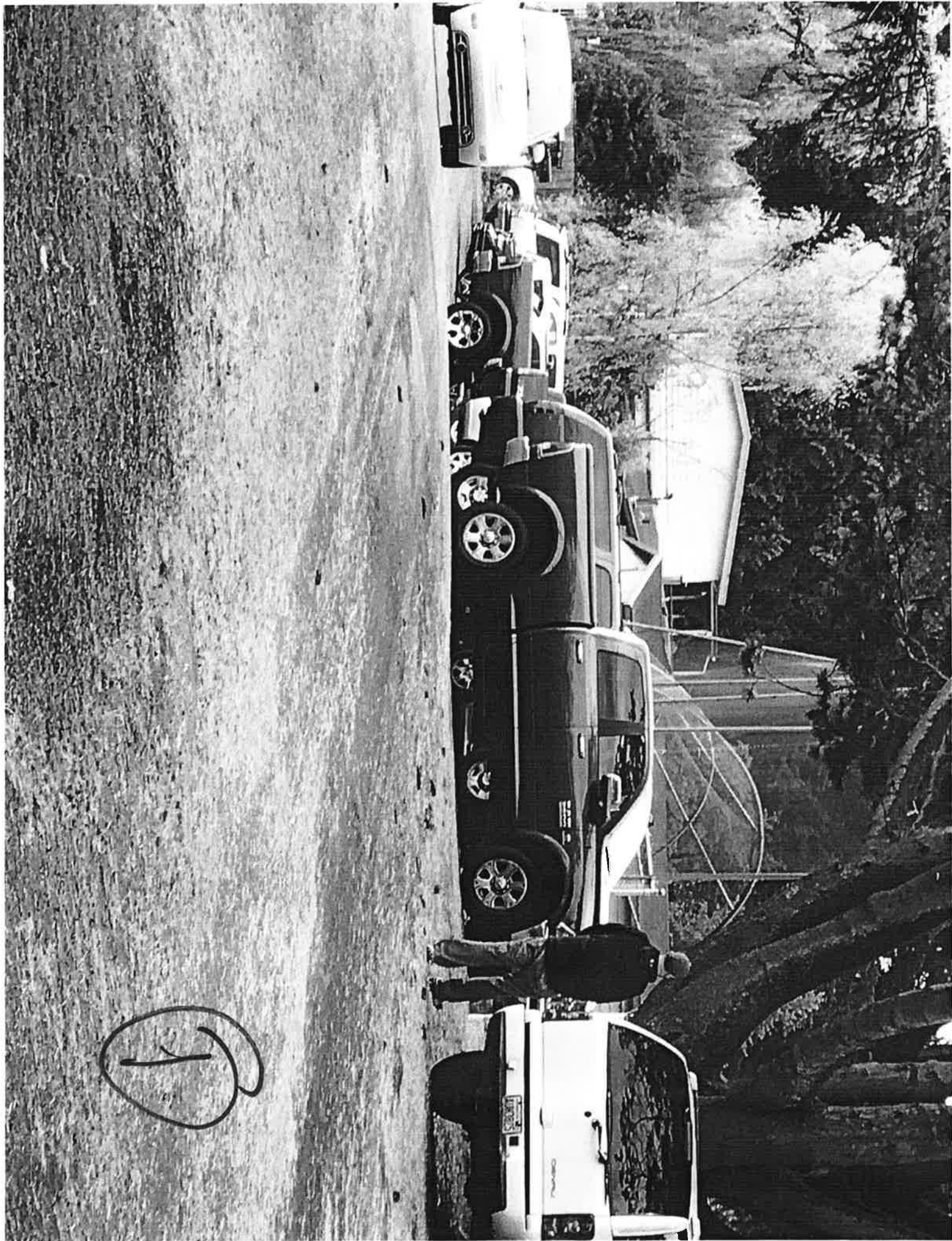
③ →

① →

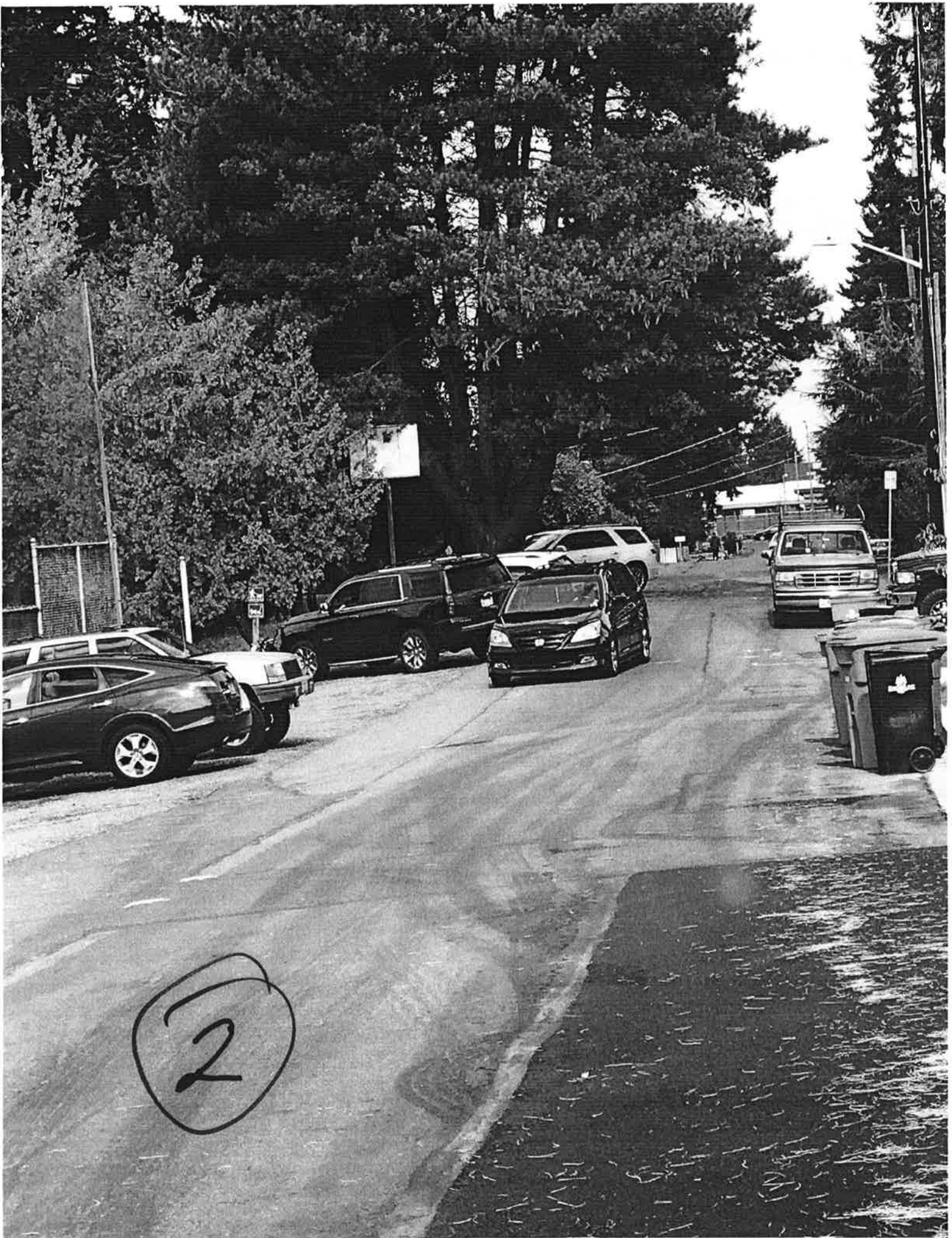
LINDEN AVE N.
28' ROW
21' ROW

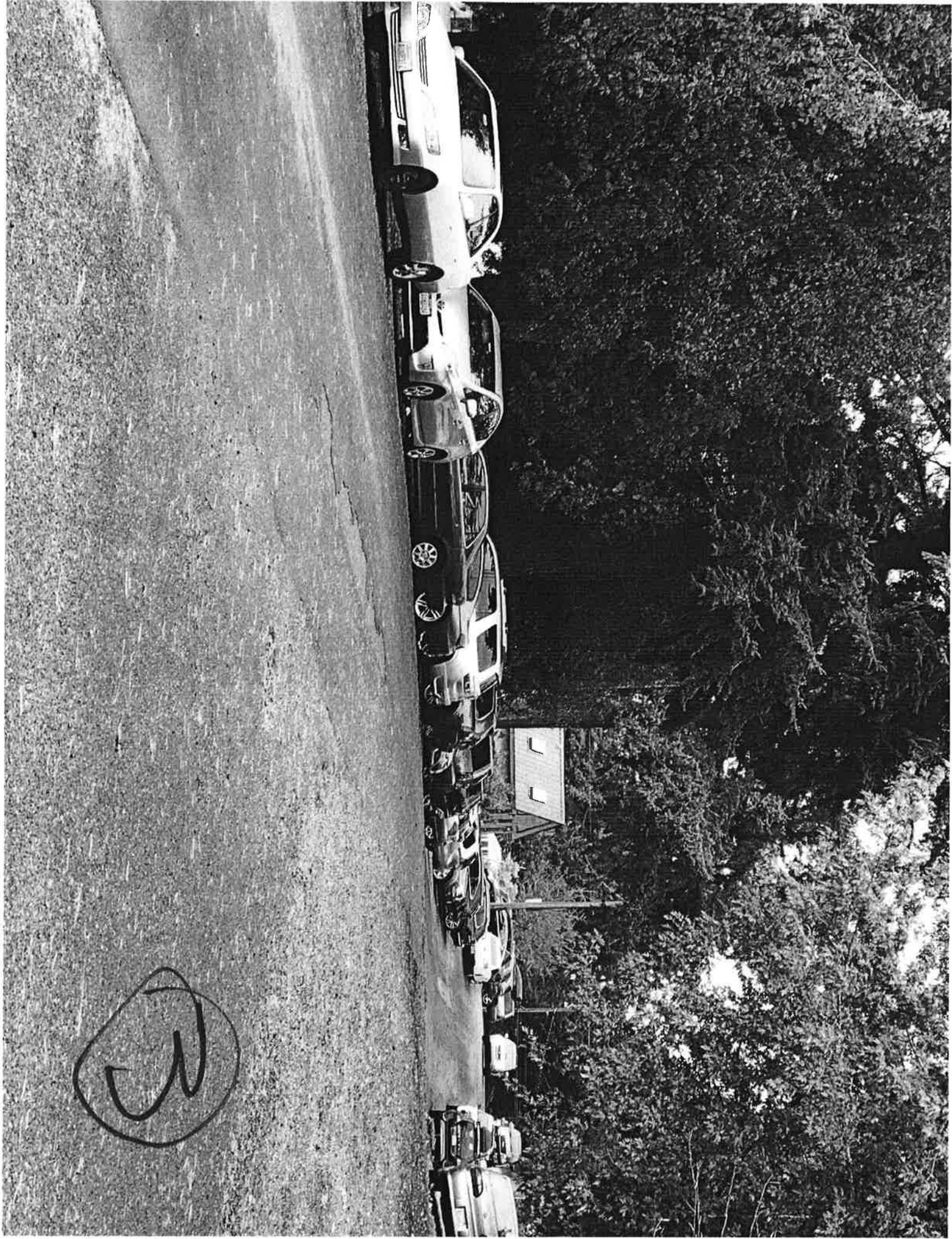
← ②

Richmond Highlands Park



2





S



Attachment 5

N

Neighborhood Traffic Safety Program



Submitted 9/15/17
with 17 neighbor signatures
from both Whitman + 167th



Petition For Beginning the NTSP Process

I am your neighbor and I am contacting you to find out if you share my concerns about cut-through traffic and speeding in our neighborhood. Since our street is a local street, it is a candidate for Shoreline's Neighborhood Traffic Safety Program.

Resident Program Lead Contact Information

NAME

Candy Hamel & Dave Jackson

STREET ADDRESS

16723 Whitman Ave N, Shoreline, WA 98133

EMAIL

candyanddave@msn.com

PHONE NUMBER

(206) 533-8999

STREET TO BE STUDIED

Whitman Ave N include N 167th

FROM

N 167th, begin at Lynden

TO

N 170th & Whitman Ave N

The Neighborhood Traffic Safety Program is a two-phased approach to reducing traffic concerns on neighborhood streets. The first phase uses effective, but non-restrictive measures using education, enforcement, and minor physical device changes to alter driver behaviors. The second phase focuses on physical measures that may be employed only if the first phase is ineffective.

Seven (7) neighbor signatures, one per household, are required prior to beginning the process. If you agree that the issues stated above exist on our street, please sign below with your address, phone number, and email if available and return to me at the address above.

NAME

STREET ADDRESS

EMAIL

PHONE NUMBER

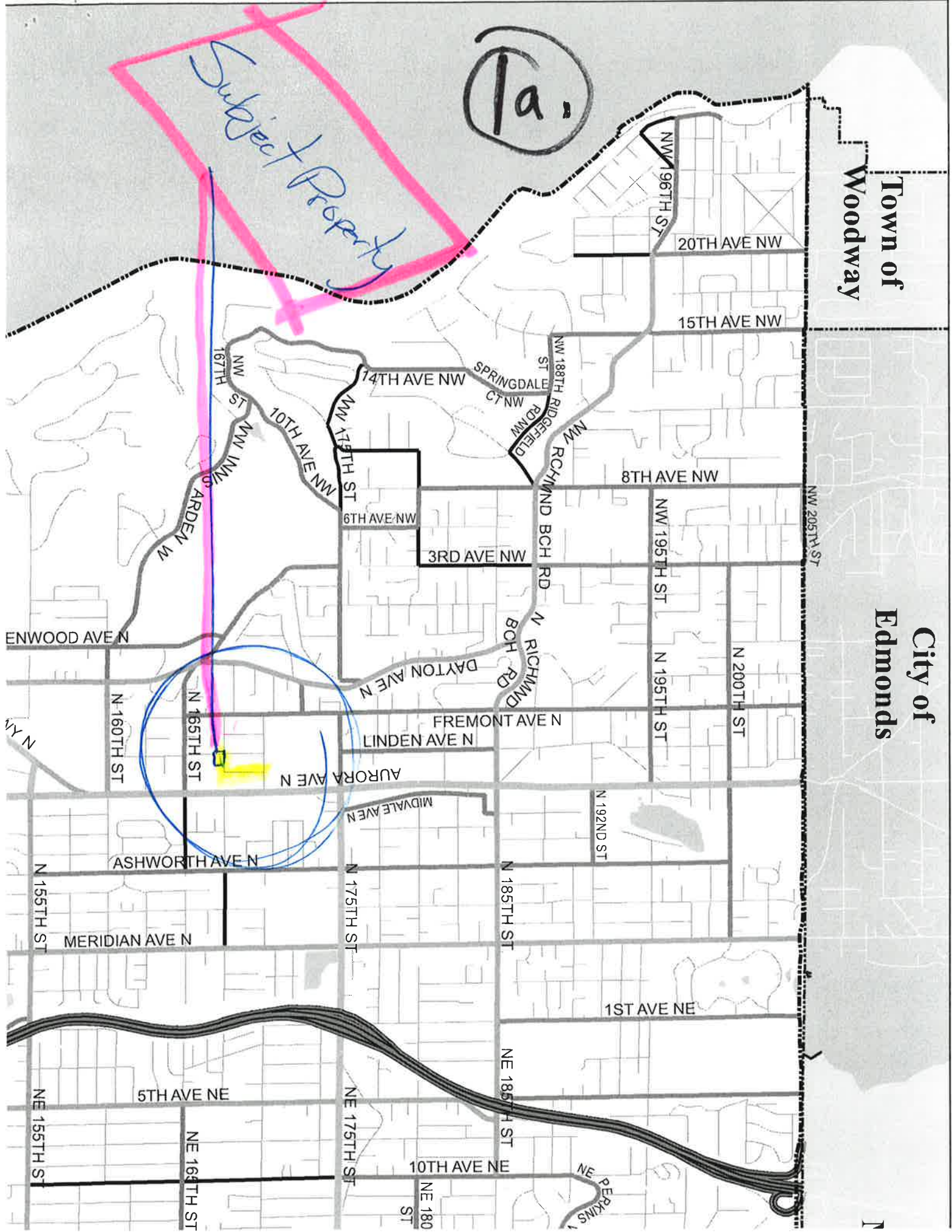
SIGNATURE

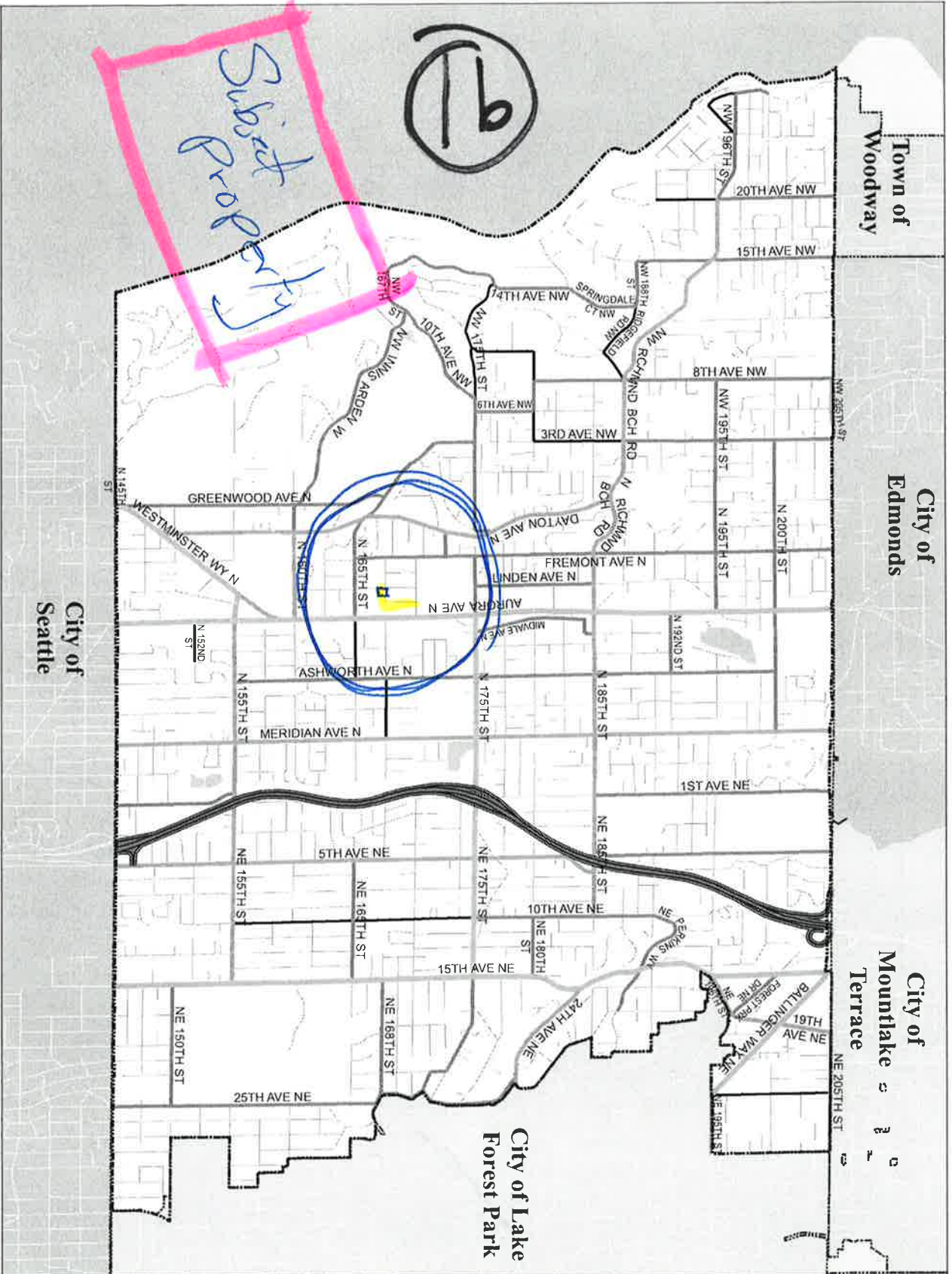
Town of Woodway

City of Edmonds

1a,

Subject Property





Street Classification
 City of Shoreline
 Transportation Master Plan
 with Amendments

- Interstate
- Arterial Streets:
 - Principal Arterial
 - Minor Arterial
- Collector Arterial
- Non-Arterial Streets:
 - Local Primary Street
 - Local Secondary Street
- City Limits



Date: 12/9/2013

Traffic Count Data

Kendra Dedinsky <kdedinsky@shorelinewa.gov>

Tue 11/14/2017 9:44 AM

Inbox

To:candyanddave@msn.com <candyanddave@msn.com>;

Cc:Quang Nguyen <qnguyen@shorelinewa.gov>; Steve Szafran <:sszafran@shorelinewa.gov>;

2 attachments (37 KB)

NTSP - N 167th St w-o Whitman Ave N - VOL EB-WB 10-8-2017.pdf; NTSP - Whitman Ave N s-o N 170th St - VOL NB-SB 10-8-2017.pdf;

Hi Candy,

I was told you stopped by again seeking information on the status of the NTSP effort. Both of my staff are out sick today. I'm attaching the raw data if Quang has not sent it to you yet.

Traffic counts for both streets show less than 500 vehicles per weekday, which is relatively low and too low to warrant physical device installation. As you may have seen in the NTSP guidelines (<http://www.shorelinewa.gov/home/showdocument?id=25435>), physical devices are considered for streets with over 700 vehicles per day on average.

Please understand that we are a small staff and that there are many active NTSP efforts happening right now, as well as other standard work. The full process can take more than a year to work through.

Thanks,

Kendra Dedinsky, PE, PTOE | City Traffic Engineer

Public Works | City of Shoreline | 206-801-2431

Supporting a sustainable and vibrant community through stewardship of our public infrastructure and natural environment.



Location : Whitman Ave N
S-0 : N 170th St

Whitman

City of Shoreline
Public Works - Traffic Services
17500 Midvale Ave N, Shoreline, WA 98133

Site: NTSP

Seven Day Volume

Interval Start	Sun 10/8/2017		Mon 10/9/2017		Tue 10/10/2017		Wed 10/11/2017		Thu 10/12/2017		Fri 10/13/2017		Sat 10/14/2017		Mon - Fri Average		7 Day Average	
	SB	NB	SB	NB	SB	NB	SB	NB	SB	NB	SB	NB	SB	NB	SB	NB	SB	NB
12:00 AM	4	2	2	0	1	1	0	0	1	0	1	0	2	0	1.0	0.2	1.6	0.4
1:00 AM	1	0	0	0	0	0	3	0	0	0	1	1	0	0	0.8	0.2	0.7	0.1
2:00 AM	0	0	1	0	1	1	0	0	0	0	0	0	1	1	0.6	0.2	0.6	0.1
3:00 AM	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0.2	0.0	0.1	0.0
4:00 AM	1	0	1	0	0	0	1	0	1	0	1	1	0	0	1.2	0.2	1.0	0.1
5:00 AM	0	0	16	0	0	0	18	0	19	0	22	2	9	9	18.4	0.6	14.4	0.6
6:00 AM	0	0	33	6	32	32	31	5	37	8	28	2	19	28	32.2	7.4	25.7	5.6
7:00 AM	1	2	37	11	43	43	37	11	46	9	41	8	22	28	40.8	9.2	33.3	7.0
8:00 AM	2	1	44	17	51	51	42	17	55	16	42	16	22	22	48.8	13.0	38.3	10.3
9:00 AM	2	1	31	7	30	30	33	8	40	10	35	10	34	34	33.8	8.4	29.3	7.4
10:00 AM	5	3	40	15	40	40	29	6	35	12	34	12	38	38	35.6	13.2	31.6	11.9
11:00 AM	2	2	31	15	24	24	24	12	25	14	34	7	24	24	27.6	12.2	23.4	11.0
12:00 PM	6	5	16	11	16	16	14	10	13	4	18	13	20	20	15.4	11.0	14.7	10.4
1:00 PM	2	5	11	11	11	11	10	7	3	5	7	10	10	10	8.4	8.0	14.7	7.9
2:00 PM	7	5	5	9	8	8	11	9	6	12	6	9	2	2	7.8	10.8	6.9	8.6
3:00 PM	5	2	5	5	5	5	5	3	5	10	5	5	8	8	5.2	6.8	5.6	5.9
4:00 PM	3	0	4	4	4	4	4	7	4	8	8	4	7	7	9.2	6.2	8.3	6.0
5:00 PM	6	4	5	6	7	7	10	4	8	4	10	6	8	8	6.0	5.2	6.1	5.0
6:00 PM	8	3	6	6	6	6	8	10	8	4	6	4	7	7	7.4	6.0	7.6	5.6
7:00 PM	7	1	6	2	6	6	5	2	8	8	5	4	7	7	6.0	3.4	6.3	3.9
8:00 PM	1	1	4	3	3	3	5	2	9	8	5	1	6	6	5.2	1.6	4.7	2.3
9:00 PM	3	3	4	0	4	4	4	1	8	1	2	1	4	4	4.4	1.0	4.1	1.3
10:00 PM	1	0	2	2	5	5	1	0	2	2	5	0	5	5	3.0	1.2	3.1	1.1
11:00 PM	1	0	2	1	2	2	2	0	2	2	4	0	0	0	2.4	0.8	1.9	0.6
Totals	68	40	306	131	325	325	308	116	347	132	321	130	264	117	321.4	126.8	277.0	113.0
Combined	108	37.0	437	30.0	450	450	424	116	479	132	451	130	381	117	448.2	126.8	390.0	113.0
Split (%)	63.0	37.0	70.0	30.0	72.2	27.8	72.6	27.4	72.4	27.6	71.2	28.8	69.3	30.7	71.7	28.3	71.0	29.0

Peak Hours

12:00 AM - 12:00 PM	5	3	44	17	51	13	52	17	55	22	42	16	38	14
12:00 PM - 6:00 PM	8	5	16	11	16	15	14	12	20	12	18	13	20	13

Peak Hours

Whitman 167th
390.0 +
303.10 +
69.3.10*

39a

Location: N 167th St
 W-O: Whitman Ave N

City of Shoreline
 Public Works - Traffic Services
 17500 Midvale Ave N, Shoreline, WA 98133

Site: NTSF

167th

Seven Day Volume

Interval	Sun 10/8/2017		Mon 10/9/2017		Tue 10/10/2017		Wed 10/11/2017		Thu 10/12/2017		Fri 10/13/2017		Sat 10/14/2017		Mon - Fri Average		7 Day Average		
	Start	WB	EB	WB	EB	WB	EB	WB	EB	WB	EB	WB	EB	WB	EB	WB	EB	WB	EB
12:00 AM - 1:00 AM	1	1	2	1	0	0	0	0	0	0	0	1	0	1	0	0.4	0.0	0.6	0.4
1:00 AM - 2:00 AM	1	1	1	1	0	0	0	3	0	0	0	0	0	0	0	1.0	0.2	0.9	0.3
2:00 AM - 3:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.2	0.2	0.3	0.1	0.1
3:00 AM - 4:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.2	0.0	0.3	0.0	0.0
4:00 AM - 5:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0	2.0	0.1	1.6	1.6
5:00 AM - 6:00 AM	0	0	0	2	2	2	5	4	2	2	2	2	0	2	2.6	3.2	1.9	2.6	2.6
6:00 AM - 7:00 AM	0	0	0	4	7	6	4	4	4	10	8	6	1	9	4.8	10.0	3.6	8.4	8.4
7:00 AM - 8:00 AM	3	1	1	14	14	21	13	18	19	8	19	19	2	9	17.2	12.2	13.0	10.1	10.1
8:00 AM - 9:00 AM	1	0	0	13	21	18	20	22	28	28	17	17	2	8	19.2	24.2	15.6	18.4	18.4
9:00 AM - 10:00 AM	1	0	0	23	14	15	11	16	16	13	19	13	7	7	17.8	14.0	13.9	11.0	11.0
10:00 AM - 11:00 AM	7	1	1	14	13	22	11	13	26	22	11	11	21	12	17.2	13.0	16.3	11.1	11.1
11:00 AM - 12:00 PM	4	1	1	17	7	13	9	10	14	11	14	6	19	16	13.6	9.2	13.0	9.0	9.0
12:00 PM - 1:00 PM	8	6	6	16	9	13	6	16	10	5	12	9	14	10	13.4	7.6	12.7	7.7	7.7
1:00 PM - 2:00 PM	2	3	3	12	15	14	10	10	11	16	13	12	22	7	12.0	15.0	12.0	12.1	12.1
2:00 PM - 3:00 PM	7	2	2	12	7	10	12	8	4	4	8	8	5	4	8.4	7.4	7.7	6.1	6.1
3:00 PM - 4:00 PM	1	1	1	8	13	15	9	6	6	9	11	12	7	7	9.2	9.6	7.7	7.1	7.1
4:00 PM - 5:00 PM	4	1	1	10	8	7	7	17	16	7	12	4	8	1	12.4	6.8	10.6	5.9	5.9
5:00 PM - 6:00 PM	5	3	3	20	7	22	2	18	4	4	19	4	4	6	20.6	5.0	17.6	5.1	5.1
6:00 PM - 7:00 PM	8	4	4	17	1	14	5	18	5	2	11	2	11	6	13.8	2.6	12.6	3.3	3.3
7:00 PM - 8:00 PM	4	3	3	6	2	3	2	4	4	7	7	2	6	5	4.8	3.2	4.9	3.4	3.4
8:00 PM - 9:00 PM	0	0	0	1	1	2	2	3	2	2	2	0	2	3	2.4	1.6	2.6	2.0	2.0
9:00 PM - 10:00 PM	2	1	1	6	1	2	0	0	4	3	4	1	4	1	2.6	2.2	2.7	1.9	1.9
10:00 PM - 11:00 PM	2	0	0	2	1	0	2	2	0	0	2	2	9	1	2.0	1.0	3.0	0.9	0.9
11:00 PM - 12:00 AM	0	0	0	0	0	1	0	0	1	1	0	0	0	0	0.8	0.8	0.6	0.6	0.6
Totals	63	33	199	146	201	157	186	153	201	157	196	142	171	117	196.6	151.0	173.9	129.3	129.3
Combined	96	34.4	345	42.3	358	43.9	339	45.1	358	43.9	338	42.0	288	40.6	347.6	43.4	303.1	42.6	42.6
Split (%)	65.6	34.4	57.7	42.3	56.1	43.9	54.9	45.1	56.1	43.9	58.0	42.0	59.4	40.6	56.6	43.4	57.4	42.6	42.6

Peak Hours

12:00 AM - 12:00 PM	7	2	23	21	22	23	20	22	28	28	19	27	21	16	19.2	24.2	16.3	18.4	18.4
12:00 PM - 12:00 PM	8	6	20	15	22	15	18	15	19	16	24	14	22	10	20.6	15.0	17.6	12.1	12.1

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SEPA THRESHOLD DETERMINATION OF NONSIGNIFICANCE (DNS)

PROJECT INFORMATION

DATE OF ISSUANCE: **October 26, 2017**
PROPONENT: **Jose Argueta**
LOCATION OF PROPOSAL: **903, 909, and 915 N. 167th Street**

DESCRIPTION OF PROPOSAL: The applicant has requested to rezone three parcels from Residential 8-units per acre (R-8) to Residential 24-units per acre (R-24) in order to construct townhomes.

PUBLIC HEARING **Scheduled for November 15, 2017**

SEPA THRESHOLD DETERMINATION OF NONSIGNIFICANCE (DNS)

The City of Shoreline has determined that the proposal will not have a probable significant adverse impact(s) on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of the environmental checklist, the City of Shoreline Comprehensive Plan, the City of Shoreline Development Code, and other information on file with the Department. This information is available for public review upon request at no charge.

This Determination of Nonsignificance (DNS) is issued in accordance with WAC 197-11-340(2). The City will not act on this proposal for 15 days from the date below.

RESONSIBLE OFFICIAL: **Rachael Markle, AICP**
Planning & Community Development, Director and SEPA Responsible Official

ADDRESS: **17500 Midvale Avenue North** PHONE: **206-801-2531**
Shoreline, WA 98133-4905

DATE: 10/19/17 SIGNATURE: *Rachael E. Markle*

PUBLIC COMMENT, APPEAL, AND PROJECT INFORMATION

The public comment period will end on November 11, 2017. There is no administrative appeal of this determination. The SEPA Threshold Determination may be appealed with the decision on the underlying action to superior court. If there is not a statutory time limit in filing a judicial appeal, the appeal must be filed within 21 calendar days following the issuance of the underlying decision in accordance with State law.

The file and copy of the Rezone Application are available for review at the City Hall, 17500 Midvale Ave N., 1st floor – Planning & Community Development or by contacting Steven Szafran, AICP, Senior Planner at sszafran@shorelinewa.gov or by calling 206-801-2512.

The file and copy of this SEPA Determination of Nonsignificance is available for review at the City Hall, 17500 Midvale Ave N., 1st floor – Planning & Community Development.

Rezone of property/zoning map change criteria (903,909,915 N. 167th St. Shoreline)

1. **Purpose:** The purpose of this re-zoning proposal is to have consistency with the surrounding parcels that are zoned R-18 to the immediate East and Northeast, and R-24 to the immediate South of these 3 adjacent parcels (903, 909, and 915 N. 167th St.).

2. **Decision Criteria:**
 - Consistency with the surrounding properties. 4 new townhouses to the immediate South, zoned R-24, and townhouses and apartments, directly to the Northeast and West of these 3 parcels.

 - All 3 parcel owners (903, 909, 915) agree to this re-zone of R-24.

 - New sidewalks will be installed, continuing from the South, and wrapping around the corner of Linden/N.167th St., continuing on to the East.

 - With 6 new townhouses, facing West across to the Richmond Highlands Park, there will be more "eyes" on the park, cutting down any illegal activity that may occur.

 - Potentially 15 new townhouses to be built on parcels 903, 909, and 915, increasing revenue for the City of Shoreline.

 - No adverse affect to the public health, safety or general welfare.

 - This re-zone is consistent with the Comprehensive Plan, and these 3 parcels seems to have gotten lost somehow in the rezone of R-24, directly to the South.

 - This re-zone will absolutely achieve consistency with the Comprehensive Plan, and is warranted.

 - The re-zone brings value to the community, by possibly adding up to 15 new townhouses/ families. The townhouses will be ascetically pleasing, with a slightly modern architecture look, and will only enhance the neighborhood.

 - This re-zone will in no way be materially detrimental to uses or property in the immediate vicinity and will only improve this block of Linden/N. 167th.

 - With possibly 15 new structures, combined, on these 3 lots, there will NOT be any negative traffic or parking impact, because each unit will have their own 1-2 car garage and private driveway, to keep cars off the street.

 - This re-zone for townhouses, fits in perfectly with the package of code amendments that the Shoreline City Council passed recently, including Unit Lot Development (ULD).

