

1 talking about is that staff hasn't reviewed them and
2 approved them all.

3 Is that what we are talking about?

4 MR. STEWART: I think you will hear
5 testimony from the Applicant as to their opinion of
6 these conditions. If you would like us to hold our
7 review of these until later, we would be happy to do it
8 that way too, whichever way you prefer.

9 I think it would be better to do it now because
10 there may be an issue here that the public would like to
11 know about and comment upon.

12 MR. KUHN: I understand that. It's
13 just, you know, sometimes it has occurred -- and I am
14 not saying that this is an instance of it -- but things
15 have come in purportedly on behalf of the Applicant, and
16 the Applicant hasn't yet had the time to review what was
17 submitted.

18 MR. STEWART: No. I spoke with the
19 Applicant briefly before the meeting, and we discussed
20 some of the items on the letter.

21 MR. KUHN: Okay. Now I'm clear.

22 MR. STEWART: All right.

23 To make the issue even more confusing, there was
24 one concern that the Applicant had that was not included
25 in the letter, so let me start there.

1 This is on Page 29 -- and maybe it would be
2 helpful to the audience to let the audience know
3 generally what we are doing. We have proposed 20
4 conditions to the approval, and some of these
5 conditions, there have been request of changes by the
6 Applicant.

7 The first change is on Item 1-D, and the current
8 condition states that "Biofiltration shall be provided
9 in off-site, downstream ditch sections with specific
10 locations to be determined in the final engineering
11 plans."

12 The Applicant and the city engineering staff have
13 discussed and agreed that on-site water quality would be
14 appropriate or could be done appropriately, and staff
15 would recommend that that condition now read:

16 "Water quality measurements equivalent to
17 biofiltration shall be provided."

18 That would mean that it could be done equivalently
19 on-site through a vault or off-site, but the discharge
20 of the water would have to be at the same quality as if
21 it were a biofiltration system.

22 Our engineer and the Applicant's engineer are both
23 nodding their head in agreement to that.

24 MR. BRETZKE: In that discussion,
25 there is no quantifying statement with regards to parts

1 per million or temperature or what have you.

2 UNIDENTIFIED SPEAKER: Okay. Why
3 don't you address that.

4 MR. BRETZKE: Daniel Bretzke, City
5 of Shoreline.

6 We could go to 1998, King County Service Water
7 Design Manual, specifies a reduction of 80 percent of
8 suspended solids, and we could, perhaps, use that one as
9 a qualitative number.

10 UNIDENTIFIED SPEAKER: It seems to
11 be appropriate to do that.

12 And with biofiltration, there is also -- you know,
13 there is the dark side of that; that the stuff that it
14 takes out of the water running through it stays there,
15 it doesn't just magically disappear, and you have to be
16 up to deal with that.

17 MR. STEWART: The second proposed
18 change would be the first one listed on the fax that you
19 have received, and that is the condition related to
20 Condition No. 2 on Page 29. That condition currently
21 reads:

22 "The developer shall provide a 32-foot-wide paved
23 roadway."

24 The Applicant has requested that that now read:

25 Provide a 24-foot paved roadway within the 30-foot

1 right-of-way -- did I say 30? -- 31-foot right-of-way.

2 Staff has no objections to this. This is what was
3 negotiated between staff and the Applicant at the series
4 of meetings.

5 UNIDENTIFIED SPEAKER: So is this a
6 typo?

7 UNIDENTIFIED SPEAKER: That was a
8 typo. The 24-foot and the 30-foot meets the road
9 standards without any variation at all.

10 UNIDENTIFIED SPEAKER: Has the fire
11 department given their comments on this?

12 UNIDENTIFIED SPEAKER: Yes.

13 MR. STEWART: The third condition
14 and change, the Applicant correctly notes that the
15 proposal is for curb, gutter, and sidewalk on one side,
16 not both sides of the street. That also was previously
17 agreed to between the Applicant and staff.

18 UNIDENTIFIED SPEAKER: Which number
19 is that?

20 MR. STEWART: This is No. 3. I'm
21 sorry.

22 And it currently reads:

23 "The developer shall provide a pedestrian
24 sidewalk, curb, and gutters on both sides of 192nd
25 Street."

16

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1 This should now read:

2 Sidewalk on -- is to be installed on only one side
3 of the street, 182nd Place.

4 The third condition is a request for clarification
5 from the Applicant regarding which standards would be
6 used. And the staff would object to the change that
7 they are asking for, to the '95 standard.

8 The reason that we object to that is because the
9 '98 standard was included in the SEPA Determination,
10 included on Page 35 of your document, stating clearly
11 that the 1998 manual shall be used. That condition has
12 not been appealed and therefore the SEPA Determination
13 would stand and the '98 manual would be the standard.

14 Condition No. 6 states that -- the Applicant is
15 concerned that -- right now the statement reads:

16 "The developer shall provide and install street
17 lighting as proposed on the site plan submitted by the
18 applicant."

19 The site plans do not include street lighting
20 plans, and staff would agree with the Applicant's
21 comment. We would suggest that Condition No. 6 read
22 that the developer shall provide and install street
23 lights, period.

24 UNIDENTIFIED SPEAKER: Again, Tim,
25 did you ask him how many street lights he would like to

17

1 have?

2 MR. STEWART: Yeah. If you would
3 like to make that more elaborate condition and include
4 that, a plan -- street lighting plan shall be
5 submitted --

6 UNIDENTIFIED SPEAKER: That would be
7 fine.

8 MR. STEWART: Perhaps an alternative
9 suggestion would be that the staff shall -- developer
10 shall provide a street lighting plan to the City for
11 approval and install those plans as drawn.

12 UNIDENTIFIED SPEAKER: I'm sure
13 there is a formula out there.

14 MR. STEWART: The Applicant has
15 requested a change to the Condition No. 11 and has asked
16 that we insert a word "generally" -- shall "generally"
17 control.

18 The site plan staff would not agree to that. We
19 think that there is sufficient latitude within our
20 ability to amend within the current regulations without
21 going further and stating that it shall generally
22 conform to the plans that were submitted.

23 We understand that these are not the building
24 plans, that there will be building plans that come in,
25 but we want to make sure that we build out there what we

18

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1 are approving. So we would not support the change to
2 "generally" be controlled.

3 Condition No. 16, there is a clarification, and
4 the staff does not have any objection to that. We think
5 it is also the landscaping plan.

6 And Condition No. 18 is redundant with Condition
7 No. 6.

8 Again, I would like to apologize to the
9 Commission, the Applicant, and also the members of the
10 audience for the last-minute changes, but I think it's
11 better to get it right than -- that concludes the staff
12 presentation.

13 UNIDENTIFIED SPEAKER: Tim or Allen,
14 in a nutshell, what's the gist of the difference between
15 the '95 and the '98 standards?

16 MR. STEWART: Well, let me take a
17 crack at that. Daniel can correct me.

18 The '98 standard is a much more rigorous standard.
19 It addresses the issue of quality significantly more
20 than the older standard does.

21 Any other...(Pause.)

22 UNIDENTIFIED SPEAKER: The '98
23 standard is based on a different methodology for
24 determining the rainfall. It's based upon the last 50
25 years of actual rainfall data in Western Washington,

1 and, specifically, in -- basically on the SeaTac type of
2 a...(Inaudible.)

3 So it's a lot more accurate in methodology of
4 determining sizing of detention tanks, and there is also
5 a lot more -- they have expanded the ability for them to
6 use different types of water quality methods.

7 There is -- the old manual had just basically one
8 method, and that was biofiltration. The new manual has
9 60-some-odd pages of different ways to meet water
10 quality.

11 So it's -- it's very similar to what the State
12 of -- the Washington State will be passing for their
13 2000 Department of Ecology manual. So it's kind of
14 getting toward being ESA compliant.

15 We are also proposing that in our -- to be our
16 standard for the development code coming up soon here or
17 something similar to that manual.

18 MR. KUHN: All right. Any other
19 questions? This is the Applicant's opportunity to make
20 their presentation.

21 MR. SMITH: My name is Steven
22 Michael Smith. I work for Lovell-Sauerland &
23 Associates. Our offices are in Lynnwood at 19400-33rd
24 Avenue West, Suite 200, Lynnwood, 98036.

25 We have been retained by Viking Properties for

1 representation through the design and the negotiation of
2 this project.

3 First of all, I would like to thank staff quite a
4 bit for --

5 MS. MARX: Excuse me. Director
6 Kuhn, did you swear him in?

7 MR. KUHN: Yes. Do you swear or
8 affirm that the testimony you're about to give to be the
9 truth?

10 MR. SMITH: I do.

11 MR. KUHN: Thanks.

12 MR. SMITH: Staff has been very
13 helpful in the preparation and negotiations through the
14 process on this project. We've dealt with -- as
15 Mr. Stewart said previously -- three project managers,
16 all of which we thought did an exemplary job of trying
17 to navigate us through the very difficult world of
18 getting through the preliminary plat process. So thanks
19 to the staff.

20 Overall, we're satisfied with the product that
21 came out in the staff recommendation divisions. As
22 Mr. Stewart did go through, we had a few questions about
23 the conditions, and the staff recommendations to the
24 changes in those conditions are mostly satisfactory to
25 us. 1-D sounds absolutely fine. That was fairly close

1 to the kind of language that we would have expected or
2 written ourselves if we had the chance. Same with
3 Conditions 2 and 3.

4 Condition 5, we do realize that the 1998 version
5 of the storm water manual was included in the threshold
6 determination, and Mr. Stewart was absolutely correct in
7 pointing out to me earlier that since we did not appeal
8 this threshold determination, that that subject cannot
9 be up for review at this point.

10 However, we did prepare the drain report according
11 to the 1995 manual, which cites that we officially adopt
12 the drainage standard that Shoreline is currently using.
13 And we're not quite understanding, exactly, how the 1998
14 manual got into special determinations, but be that as
15 it may, it was our fault; we didn't catch it.

16 Condition No. 6 is fine. We don't have any
17 problem with that change, that is, as proposed by staff.

18 Condition No. 11, we don't necessarily have any
19 difficulty with that. The only reason that there was a
20 request for the addition of the word "generally" to that
21 condition is that this is a preliminary subdivision. We
22 do intend to substantially build a product that you see
23 before you in the plans in your packages.

24 The chances that there are going to be significant
25 changes are slim. And certainly we would expect that if

1 there were significant changes, that we would be back
2 before you again in the future when those additions were
3 proposed. And we have gone through the necessary steps
4 with staff to get back here appearing again.

5 The concern that the Applicant has is that as with
6 any development project, there are -- can be some small
7 changes to the plan. For instance, Mr. Sundquist
8 actually plans on building four different homes at this
9 point on that project, although there were only two sets
10 of floor plans that were submitted to -- I believe to
11 Mr. Holland when he was the project manager some time
12 ago. And over time, Eric has decided that he wants to
13 put in, you know, four different site plans or four
14 different plans, house plans, to kind of break up the
15 look and try to vary it as much as possible.

16 And, you know, it is possible that one of those
17 plans would be replaced with another plan. Very soon
18 we're flipped around. We're not talking about something
19 that's going to be straddling a lot line or encroaching
20 into a building set back or something like that.

21 But we just are hoping to attain enough
22 flexibility to maybe change one house and put in another
23 house that's very similar to the ones that are shown on
24 the site plans before you. And it's just impossible to
25 know at this very early stage exactly what house is

1 going to want to go under. Somebody may approach
2 Mr. Sundquist and want to put up a fully custom home on
3 that, and Mr. Sundquist and Viking Properties, our
4 builder, and they have the capability to put together a
5 custom home that would look very nice and be very much
6 in character with their -- with the approved plans, but
7 maybe not exactly what you see on the site plan before
8 you now.

9 UNIDENTIFIED SPEAKER: How about if
10 we kind of suggested instead of the way it reads and
11 instead of the way you suggest it to be "generally,"
12 what if we change it to "substantially"?
13 "Substantially" gives a little wiggle room, but it's not
14 as loose as "generally."

15 MR. SMITH: Substantially works
16 perfectly well for me.

17 UNIDENTIFIED SPEAKER: Fine. That's
18 where we are at.

19 MR. SMITH: Condition 16 --
20 Condition 16, I only had -- just had a question about
21 the vegetation mitigation plan. That question has been
22 clarified by Mr. Johnson. I don't have any problem with
23 the vegetation mitigation plan. We just weren't sure
24 exactly how that works.

25 And Condition 18, we will provide lighting plans

1 according to city standards when we -- (Inaudible) --
2 instruction plans.

3 And that's all I have for my direct testimony.
4 I'm certainly available to answer questions, or as
5 questions come up with the neighborhood, certainly I can
6 answer questions.

7 UNIDENTIFIED SPEAKER: With your
8 lighting plan, can you stress to make it clear?

9 MR. SMITH: I am not a lighting
10 designer myself, but I know when the lighting plans are
11 prepared, the lamps are intended or designed to focus
12 very much down towards the ground so that they light
13 only the intended area and don't end up looking like a
14 Costco parking lot or something like that. And
15 they're -- I wouldn't -- (Inaudible) -- that there be
16 more than two street lights on this. It would be
17 directed very much down towards the street. The folks
18 that live in the houses don't want the glare to go in
19 their windows any more than the people in the adjacent
20 homes.

21 UNIDENTIFIED SPEAKER: Could you
22 indicate what the approximate size, square footage of
23 those homes are going to be and what Mr. Sundquist would
24 estimate their retail value to be?

25 MR. SUNDQUIST: Let me answer that.

25

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1 MR. SMITH: I'll turn the microphone
2 over to Mr. Sundquist, and he can answer that himself.

3 MR. KUHN: Your name and address,
4 Mr. Sundquist, and then the "I swear or affirm to tell
5 the truth."

6 MR. SUNDQUIST: Eric Sundquist. I
7 live in Edmonds, Washington. Yes, I do solemnly swear
8 to tell the truth.

9 Just a little bit of a correction, first of all.
10 I did submit a report of compliance to James Holland and
11 somehow two of them end up in this package, so I am
12 thinking right now about putting in a fifth one. So --
13 it sounds like we have addressed that problem at any
14 rate.

15 Right now, these homes are going to be
16 approximately 1300 to 1500 square feet, and I estimate
17 they will sell between \$225,000 and \$240,000. I have
18 had several requests -- two the past two weeks -- from
19 potential customers to build even larger homes than
20 that, and that's one of the reasons why I want to go
21 to littler rooms because people want possibly a
22 four-bedroom home in there, and it would be probably
23 substantially more money if I was to do that,
24 so...(Pause.)

25 UNIDENTIFIED SPEAKER: How many

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1 square feet?

2 MR. SUNDQUIST: It would probably
3 take up between 1600 to 1800, depending on what they
4 decided.

5 UNIDENTIFIED SPEAKER: Would the
6 foot room change or just the --

7 MR. SUNDQUIST: No. The footprint
8 would stay pretty much the same.

9 MR. KUHN: Have any questions,
10 Commissioners? (No response.)

11 Okay. I'll grab my list over here. Given the
12 fact that we have had more people sign up than was
13 signed up when I had announced the initial allocation of
14 time, that's being readjusted from four minutes to three
15 minutes. First up is Mr. Rod Anderson.

16 MR. ANDERSON: Yes. My name is Rod
17 Anderson. I live on the southeast corner of the
18 proposed development and --

19 MR. KUHN: Your address, and do you
20 swear or affirm to tell the truth?

21 MR. ANDERSON: My address is 18021
22 Ashworth Avenue North, Shoreline, and I do swear to tell
23 the truth.

24 MR. KUHN: Thank you.

25 MR. ANDERSON: I'm a little curious

27

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1 as to why we are rezoning this property. All of us
2 bought and built our houses expecting to have reasonably
3 sized neighbors, not houses packed on 2000-square-foot
4 lots.

5 I think that the appropriate density has already
6 been achieved in that neighborhood. I don't feel that
7 rezoning it to double the density helps any of the
8 neighbors.

9 I realize that building these houses isn't here to
10 help us. We live there. It's all about developing and
11 making a lot of money, trying to put twice as many
12 houses in there as all the rest of us live on. I
13 realize Mr. Sundquist lives in Edmonds, and he probably
14 has a nice, big lot and neighbors that are appropriately
15 sized with his house.

16 I am very concerned about water runoff. I realize
17 that engineering-wise you guys have addressed that, but
18 I live on the downhill side of that, and I suspect that
19 when we take an acre and a half approximately and cover
20 probably over two-thirds of it with nonporous surfaces,
21 there is a lot of water going somewhere, and I just want
22 to make my statement that I'm opposed to this
23 development as it stands as to the density and the
24 rezoning. I don't feel it's appropriate.

25 MR. KUHN: Thank you. Rosalyn

1 Bates?

2 MS. BATES: Hi, I am Rosalyn Bates.
3 I live at 18027 Ashworth Avenue North, and I swear to
4 tell the truth.

5 MR. KUHN: Thank you.

6 MS. BATES: I also -- I don't
7 understand the rezoning. And it sounds the way things
8 are being discussed like this is already decided. You
9 know, I don't even feel like we are having a fair say.

10 I mean, if you look at this vicinity map that the
11 developer put out, there is likely to be six houses on
12 that size of space, maybe seven, and they want to put
13 sixteen. And then what size are the lawns going to be
14 on these, especially the bigger ones, or do they even
15 have a lawn? Is that why they have one lot with nothing
16 on it because nobody has a lawn?

17 And, I agree, I think the water runoff is going to
18 be bad. But -- I mean, I walk my dog in that
19 neighborhood, and I just can't imagine cramming 16 lots
20 into a place where everybody else, if you look on the
21 map, there is six or seven. And I don't think that
22 stands true with the neighborhood at all.

23 And I noticed there is a house across the street
24 where they are selling their house. They're probably
25 saying "I want to get out of here now." But I think

1 it's going to bring down everybody's property value. I
2 think it's going to look ugly. I think they're going to
3 be all crammed in there. And I just don't understand
4 why we even have this rezone process.

5 Do we have any say in this? That's what I would
6 like to know. I mean, it sounds like it's all decided.
7 So I would like to know what can we do to keep this
8 rezone from happening because none of us want it.
9 That's what I think.

10 MR. KUHN: Thank you.

11 UNIDENTIFIED SPEAKER: Is there an
12 answer?

13 MR. KUHN: We are not here to give
14 answers, and you're not here to speak out of turn.

15 UNIDENTIFIED SPEAKER: Sorry.

16 MR. KUHN: Thank you. Penny Wales?

17 MR. WALES: I am not Penny Wales.
18 My name is Lloyd Wales, and I live at 18034 Ashworth
19 Avenue North, and I do solemnly swear to tell the truth.

20 MR. KUHN: Thank you.

21 MR. WALES: My wife and I have been
22 living on this property for approximately 30 years, and
23 we have watched Shoreline grow, and we are here to see
24 that it's grown in an appropriate way.

25 We are concerned with the runoff on this property.

1 The property on which the Elena Lane project is being
2 built on is a slopey piece of ground that slopes to the
3 east and it slopes towards Ashworth Avenue North.

4 Now, we have residents there at 18031, 18035, and
5 37, and 39 who are on the cul-de-sac, and in the past
6 few years, we have been having a water problem.
7 And since this building project that's being brought up,
8 the water is going to continue to get worse, and we
9 would like to know what progress have been made or what
10 provisions have been made to get this water to drain off
11 and drain through the proper channels so that we don't
12 have the problems.

13 The last two years, water has crept under our
14 house, and it's all coming from the slope of this hill.
15 So we are greatly concerned about the runoff, and we
16 would like to have some answers on it, and we also
17 oppose to this high-density building on this property.

18 Thank you.

19 MR. KUHN: Gordan Swan?

20 MR. SWAN: My name is Gordon Swan.
21 I live at 18027 Ashworth Avenue North, and I do swear to
22 tell the truth.

23 MR. KUHN: Thank you.

24 MR. SWAN: We live on the property
25 which is -- has quite a lot of drainage right at the

1 bottom of the hill. There is a slope on this property.
2 We are adjacent to it. So the water directly runs to
3 our property.

4 And we have expected this property to be
5 developed, however, not 15 houses. It just -- it does
6 seem very inappropriate. It does not fit in with the
7 neighborhood. As it is, there is some discrepancies I
8 have noticed, and one statement in the letter sent out
9 that says -- by Viking Properties -- We feel this would
10 be a better transition between -- (Inaudible) --
11 department and the rest of the site and mostly single-
12 family east of it.

13 It is all single-family east of it. There are no
14 apartments or anything else. And the other side of
15 Stone is a -- I think either duplex or single-family
16 home. I'm not sure on that.

17 But I know that -- sorry -- but the description of
18 the soil given in the document here is that it's very
19 sandy, loamy, and down to 40 inches. I've dug on the
20 property exactly on the outside of the fence, and it is
21 clay about 16 inches down to two feet; it's hard clay.
22 So that -- that's an issue.

23 We want to know -- (Inaudible) -- we wanted to
24 know how the water would be treated at this end of the
25 property, which is on the other side of our fence and

1 whether that swale as described -- I'm not sure what it
2 is -- but is that going to take the question before the
3 bio -- (Inaudible) -- the bioswale. There is some
4 containment of material that's left there. I want to
5 know who is responsible for that. And if it's failing,
6 it's going to come on my property. I want to know who
7 is responsible to alleviate that.

8 One last thing, in the document that's presented
9 over here, in the -- I think it's in the proposal by the
10 developer. It says that approximately 30 percent
11 impermeable on the building or pavement. Even from just
12 looking at this plan, there is a lot more than 30
13 percent of the ground covered up by rooftops and
14 asphalt. It works okay now. As Mr. Wales has
15 described, we have a water problem whenever it's rainy
16 or snowy. There is a lot of water coming off of this.
17 If you cover it with asphalt and housetops, it's not
18 going to work so well.

19 I would just really like to see it developed with
20 a much fewer number of houses.

21 Thank you very much.

22 MR. KUHN: Thank you. Leslie Swan.

23 MS. SWAN: I live at 18027 Ashworth
24 Avenue North. I am Gordon's wife, and I solemnly swear
25 to tell the truth.

1 MR. KUHN: Thank you.

2 MS. SWAN: I wanted to say that my
3 husband and I have moved here a couple years ago and
4 like he said, we did expect it to be developed at some
5 point, but we do plan to be in Shoreline --
6 (Inaudible) -- you know, that high, and we plan to live
7 here at least until they get through school, so we are
8 talking another, you know, 15 to 20 years at least. So
9 we're very concerned about this.

10 And two things that I wanted to address were, of
11 course, the drainage issue that quite a lot of other
12 people have already brought up. The drainage is a
13 problem at this point, somewhat of a problem at this
14 point, so we want to make sure that it's done exactly
15 right.

16 And the other issue is the integration into the
17 neighborhood and the number -- I've seen quite a few
18 different developments that probably have about the same
19 density, R-12, but you have two and three's, and I
20 haven't seen quite this many in one block. You know,
21 just more filling in little gaps here around Shoreline,
22 but not such a large number in one spot.

23 So those are the main things I wanted to share.
24 Thanks.

25 MR. KUHN: Thank you. Judith

1 Chandler?

2 MS. CHANDLER: I am Judith Chandler.
3 I swear to tell the truth. I live at 18016 Stone Avenue
4 North, which is the property that's directly next door
5 to the property that's being developed.

6 I have lived there for about 11 years, and I
7 purchased my home about five years ago. At the time I
8 purchased my home, I was given the information that --

9 (Change of tape.)

10
11 MS. CHANDLER: -- about six houses.
12 I was expecting that. But the amount of houses going
13 in, essentially in my backyard or in my side yard is,
14 I think, obscene.

15 One of the things to think about in addition to
16 the loss of the trees and grass and the absorption,
17 which a number of people have already discussed, is, you
18 know, this is glacial till that we're on, and there are
19 sinkholes. There have been sinkholes that have appeared
20 in other areas of Shoreline. I think that needs to be
21 addressed.

22 I think what we need to think about is what is
23 going to happen during the building and after the
24 building. There is going to be a huge amount of toxins
25 just from the building site going into the soil and into

35

1 the water after people buy these houses, if indeed they
2 do. There's three houses above on a very small piece of
3 the property not far away and nobody is buying those.

4 But if these houses are up being occupied, we can
5 expect an additional, you know, 30-45 cars, based on,
6 you know, people have two or three cars a household.
7 Another 30 to 60 people with their families. Could be
8 even more. If they have pets, another 15 to 30 animals.

9 There is going to be noise coming out of 15
10 houses -- radios, television sets, open windows, people
11 having arguments or yelling at their kids or whatever.
12 That's going to add a considerable amount of noise to
13 the neighborhood. Toxins running off the roof.

14 Another suggestion, I ask that we take a look at
15 plans that Mr. Sundquist has submitted in the past and
16 what he has actually ended up building and compare that
17 with what he is offering here.

18 And another thing that I am interested in -- and
19 this is, again, this meeting tonight is the first I've
20 heard about this -- is the sidewalk that go along Stone
21 Avenue which would impact directly on the front of my
22 house, and I would like to have some printed information
23 on that, how far that would encroach on my property.
24 Because I have a number of large trees right in my
25 front, and I have to make sure that I am not going to be

1 losing my trees or my garden and that kind of thing.

2 Thank you.

3 MR. KUHN: Thank you. Brian Lee?

4 MR. LEE: I am Brian Lee. I live at
5 1808 Stone Avenue North. I swear to tell the truth.
6 And just to give you an idea of where I am, Judith lives
7 in front of me and Rod lives behind me.

8 The consistent theme here has been water and
9 density. I can state for a fact that water is a huge
10 problem. I have got a 15,000 square foot lot on the
11 back side of Rod now, and I do have a very small
12 filtration drain system that consistently overflows,
13 even with just small rain. That water has to go
14 somewhere. And the water that doesn't go through the
15 drainage system all ends up going down around his
16 driveway.

17 I don't care how good of a drainage system you put
18 in, it's not going to help these people that live behind
19 this property. They're going to get soaked. And the
20 solution is to not overbuild. Unless you want to dig a
21 trench 40-feet deep and put some sort of a barrier down
22 there. We know that's not going to happen.

23 So then we get to the -- the consistent theme is
24 density, and I, along with the others, have felt that
25 the density that the zoning as it stands now is

37

1 adequate. By the builder's own admission, by putting
2 this development in, it changes the consistency and the
3 compatibility with the neighborhood.

4 You don't find sidewalks on other areas of the
5 street in that area. Why not? Because they're not
6 needed; because it's not that dense. You increase the
7 traffic by approximately 60 percent on a residential
8 street, all of a sudden you have to do that. Why is
9 that? Because you have safety hazards.

10 Looking at these homes, we've got 15 homes with a
11 typical setback of looks like seven and a half to five
12 feet on the side yards and the rear yards. My guess is
13 these are built for families. Families have kids. And
14 I'm sure the builder would like you to believe that
15 those kids are all going to migrate to that little area
16 that he has in back. Being a parent, I know that that
17 ain't going to happen.

18 These kids have got to go somewhere. The only
19 other place they have is in the street. I don't feel
20 it's appropriate to build a development as dense as this
21 is, forcing children into the street. There is
22 virtually no off-street parking, so you've got a problem
23 of cars coming in and out of driveways, backing up,
24 bicycles. This is a huge problem. All because of
25 density. Now, eight homes would be perfect.

1 The other thing that we lose with this development
2 is design, site plan. We've got, as Mr. Sundquist
3 states, four designs. By seeing these designs -- he has
4 built them before. I think we have a few of them right
5 across the street, if I am not mistaken, and I know he
6 has built them in other places. This design is nothing
7 new. It's nothing unique. It's basically the split
8 level of the '90s. It's designed to being built fast
9 and make a lot of money on it.

10 And I understand that that's what he is in
11 business for, is to make money. I've got no problem
12 with that. But he is making it at the expense of
13 shoreline.

14 Pride and ownership needs to come into play here
15 somewhere, and I think we have an opportunity here, as
16 well as Mr. Sundquist, where he can build something that
17 he can be proud of, as opposed to something like this
18 where there is really no -- other than squeezing a lot
19 of people into a fairly small amount of space in
20 maximizing his properties. He is not going to be able
21 to come by here and say, "Boy, I would really like to
22 live there."

23 Thank you.

24 MR. KUHN: Martin Crawl?

25 MR. CRAWL: My name is Martin Crawl.

1 I live at 1317 North 183rd Street, and I swear to tell
2 the truth.

3 MR. KUHN: Thank you.

4 MR. CRAWL: My property is directly
5 north of the proposed development, and I have been much
6 concerned over the years over what would happen to this
7 area because I know there was some intention at one time
8 to rezone the area all the way down to Ashworth, and I
9 was only hoping, after working the last several years
10 with folks connected with Comprehensive Planning, Growth
11 Management Act, so that we could at least retain some of
12 the features of a single-family neighborhood in the
13 immediate proximity of what once was considered to be
14 the potential downtown Shoreline.

15 This project has been on the board for about six
16 months, and we have gone through four project managers
17 or at least we now have a 4th project manager, and I
18 think some of the staff recommendations might reflect
19 the fact that there has not been a seasoning of the
20 staff and the questions asked that need to be asked.

21 For example, this is a contract-free zone or
22 proposed, but they -- I would assume that a
23 contract-free zone has an expiration date. There is no
24 expiration date listed.

25 I took umbrage at the traffic study that was

1 proposed that was conducted. I think that to get
2 traffic data out of a book and calculate it does not fit
3 the needs of Shoreline or this immediate neighborhood.
4 We have had some serious traffic accidents, pedestrian
5 accidents, on 183rd. The neighbors have gotten together
6 over the last ten years and twice conducted traffic
7 counts, and our counts come in much higher than
8 something that a traffic engineer gets out of a book.

9 The other question, of course, that has been
10 raised by everybody is the waste level treatment. And I
11 really urge you to commit the builder to the 1998 King
12 County requirements. In particular, I was questioning
13 the biofiltration system, the ultimate runoff into
14 Ronald Bog. As we know, Ronald Bog is being impacted
15 from all sides. There is some work being done right
16 now, but I don't think it's going to be sufficient to
17 satisfy the folks downstream that this is not going to
18 be a year where they will have flooded basements.

19 My personal concern, ultimately, is privacy. The
20 builder is proposing fencing all around the vegetation,
21 except there is darn little room for vegetation in this
22 spot. We have a few nice, mature trees. I realize the
23 Madrona in the middle is dying, like so many of the
24 Madronas, and I would not like to replace it with
25 Madronas. But the staff is recommending some changes on

1 the landscape plan, and I don't think the builder will
2 have room to put those kind of changes in. There is not
3 enough room to put the -- the trees and the vegetation
4 in that we would like to see.

5 I have particular concern with privacy because I
6 seen in the development just to the south of us where
7 the new home's homeowner will be looking directly in the
8 living room of the folks who have been living there for
9 the last 20 years. I don't want that to happen to my
10 house. My backyard is very close to those buildings.

11 I want to know what the covenant is all about and
12 how it's going to be administered, and I really urge you
13 to allow no variation of units once this is approved
14 because there is really no room to move the footprint.
15 I'm really anxious of a builder coming in, giving us one
16 thing, and then finishing another.

17 And, once again, I offered Mr. Sundquist the
18 opportunity to meet with us neighbors, and he has not
19 responded to my letter. I must assume he figures this
20 is a done deal and he can go forth as he wishes. But I
21 do urge you to consider that with all deliberation and
22 have the City Council take a look at the documentation,
23 in particular my submittal.

24 MR. KUHN: Thank you. Daniel Man?

25 MR. MAN: My name is Daniel Man. I

1 live at 17920 Stone Avenue North. I do swear to tell
2 the truth.

3 One of the overlying goals -- the framework goals
4 of the Shoreline Comprehensive Plan was to approve
5 quality building and development that is compatible with
6 the surrounding environment. I am quoting from the
7 planning book that the City developed, mentioning that
8 Shoreline remains a proud residential community.
9 Individual homes will be maintained. City has
10 fulfilled -- (Inaudible) -- and ensured new residential
11 uses are compatible.

12 Building the density on the east side of Stone
13 Avenue is not compatible with this neighborhood. If you
14 look at the map, you'll see that the residences, the
15 plots, are all R-6. Stone Avenue serves as a defacto
16 buffer between the single-family residential on the east
17 and the duplex slightly higher density to the west. And
18 although the City Council in its infinite wisdom did
19 attempt to look closely at these issues, this is one
20 area where they didn't look quite closely enough, and
21 they could have done a better job, and therefore it
22 falls to you to look at it more closely.

23 If you look beneath the neighborhood, you'll see
24 that we have in dealing with the planning department
25 over the last couple of three years, we have attempted

1 to negotiate awareness that this is a -- this is a
2 sensitive residential neighborhood that is in close
3 proximity to Aurora Avenue and needs to be given some
4 protection by this body.

5 If you are to double the density in this street,
6 then you are effectively doubling the density because
7 you have got 15 existing lots on one street, and you're
8 throwing another 15 on top of them. You just cannot
9 imagine the impact.

10 So I am encouraging you to look at the plan that
11 envisioned this as being R-12 and look at it long and
12 hard because it's not a well thought out process. This
13 lot on the -- on the east side is not consistent with
14 the existing neighborhood.

15 I would add that the soil is not loamy. I have
16 recently experienced in digging some foundations in that
17 neighborhood -- and I can give you references that will
18 tell you just how imporous that soil is, and the
19 Planning Department will verify that -- they're going to
20 need every bit of mitigation they can to meet the
21 requirements even if they were to go with R-6, let alone
22 R-12.

23 All of these concerns you've heard voiced about
24 runoff, listen to them. They are telling you the truth.
25 They're not making this up. We have all lived there for

1 years. It's a high watertable in that area. It doesn't
2 go down quickly. Once it gets wet, it stays up there.
3 You get snow. It's wet all the time. This is not
4 porous soil.

5 In addition to traffic noise and inconsistent -- I
6 just think are inconsistent -- that you could project
7 are inconsistent with the vision that Shoreline is
8 trying to project as a place that's friendly to the
9 neighborhoods. I think it would be a great idea if we
10 had a good residential development -- eight homes, maybe
11 ten. But certainly the numbers that are showing up
12 there right now are not consistent with the
13 neighborhood; they're not consistent with good planning;
14 they're not consistent with the ability of the ground to
15 accommodate them.

16 Thank you.

17 MR. KUHN: Thank you. Colleen
18 Holbrook?

19 MS. HOLBROOK: Good evening. My
20 name is Colleen Holbrook, and I am here to tell the
21 truth. I live at 1361 North 180th Street.

22 MR. KUHN: Thank you.

23 MS. HOLBROOK: -- and I have never
24 been to the Planning Commission. I am not familiar with
25 this process. I didn't realize I was speaking out of

1 turn, so I do apologize. I thought it would be more of
2 a dialog.

3 So what I first want to say -- because most of my
4 neighbors have already said the same things that I was
5 thinking and I am nodding in agreement -- is that I'm
6 opposed to the rezoning. And I even asked some of your
7 staff members if this has been a done deal, because of
8 the way that they have talked about their plans and
9 their propositions -- I understand are for the
10 paperwork -- it sounded like they were pretty confident,
11 and that scared me.

12 I have children. My neighbors have children. I
13 don't want 15 or 30 more cars coming up and down my
14 street. I already live between Aurora and I-5. You
15 know, it's actually kind of a quite neighborhood, and I
16 would like to keep it that way.

17 So if it's going to be developed, have it be
18 developed as it is zoned. I really oppose the rezoning.
19 And I talked to Mr. Sundquist on the phone several
20 months ago and told him my concerns and asked him why so
21 many homes in such a small space, and he really couldn't
22 give me an answer, other than money.

23 Thank you.

24 MR. KUHN: Thank you. Chuck
25 Holbrook?

1 MS. HOLBROOK: He couldn't make it.

2 MR. KUHN: Oh, thank you.

3 Walt Hagen?

4 MR. HAGEN: Walt Hagen, 711 North
5 193rd Street. I don't live near this, but the surface
6 water problems that we do have in Shoreline are
7 everybody's problems throughout the state --

8 MS. MARX: Swear the witness,
9 please.

10 MR. KUHN: Oh, excuse me. Do you
11 swear to tell the truth?

12 MR. HAGEN: I do swear to tell the
13 truth.

14 MR. KUHN: Thank you.

15 MR. HAGEN: The surface water
16 problems are apparent throughout the city, and one major
17 problem that we have is Ronald Bog, and whatever you do
18 upstream from Ronald Bog impacts Ronald Bog. This
19 water, I don't care what you do to retain it on site, it
20 eventually gets to Ronald Bog, and that problem has to
21 be solved.

22 As quoted out of the neighborhood minutes last
23 month, Councilman Hansen says, "We have \$600 million
24 worth of infrastructure and not enough money to maintain
25 it, let alone improve it."

1 So I don't know how you can allow more building
2 that impacts already overtaxed water in the area.

3 The 16th lot -- (Inaudible) -- for recreation.
4 wait a minute. That's where the swale goes for the
5 water. I don't see that as a recreation area. That's
6 the water detention they are talking about. I think
7 that has to be given a lot of consideration. If the
8 watertable is truly as high, as high as they say it is,
9 there is a real problem there.

10 The trees, I heard that the developers cited here
11 speak that they were going to retain as many of the
12 trees as possible. I don't see one they can keep in
13 there. So let's tell the truth about it. Are you going
14 to take them all down and then you're going to mitigate
15 and put in new trees? Say that. Don't tell everybody
16 that you plan to keep the trees in there because you
17 can't do it.

18 Thank you.

19 MR. KUHN: Thank you. Is there
20 anyone else who wishes to speak?

21 MS. MARX: Will you sign the sheet,
22 please, if you haven't already. Okay, great. Thank
23 you.

24 MS. WALES: My name is Penny Wales,
25 and I live at 18031 Ashworth Avenue North, and I do

1 swear to tell the whole truth.

2 MR. KUHN: Thank you.

3 MS. WALES: I can't emphasize enough
4 to all of you -- and you're welcome to come and look at
5 the water problem that everybody has talked about. Now,
6 in the winter -- this is in the summertime, but in the
7 wintertime, the water comes through there and the whole
8 front of our house, the whole street, is solid ice from
9 all this water drainoff.

10 Now, I'm gardener, and I love the peace and quite
11 of our neighborhood and our neighbors, and, you know,
12 this is going to impact the wildlife, the birds, all the
13 wild birds that come, all the buildings and all the
14 trees are going to be gone.

15 I'm a gardener, and I can tell you the soil has so
16 much clay that when I water, the west side of our house,
17 which is -- this property is in back that they're going
18 to develop, the west side of our house -- just watering
19 with the sprinkler is so much clay in the soil that the
20 water stands on this one little side of my garden, and
21 there's very little plants I can grow with that much
22 water even though I have added sand and prepared the
23 soil. So it's just a real problem.

24 And our neighborhood is very quite. We're very
25 considerate of each other. Most of us have lived there

1 quite a long time, and it's a lovely neighborhood. It's
2 just an average American lovely neighborhood. What's
3 going to happen if all these houses and dogs and the
4 cats and the children -- and I love all three of those,
5 but I don't want that many houses -- two houses from
6 where I live, all this building is going to grow.

7 What's going to happen to this wonderful
8 neighborhood that we have lived in for almost 30 years?
9 I love the peace and quiet, and I love the wildlife and
10 the trees, and I love gardening, and I really like my
11 neighbors. And I ask you, please consider this, and
12 come up and see where we live and take a real good look
13 at this for yourself here. You're welcome to come
14 anytime to our neighborhood because we'll all appreciate
15 it. So I hope you can do the very best you can for all
16 of us.

17 Thank you.

18 MR. KUHN: Thank you. At this time,
19 does the Applicant have any response to any of the
20 questions that were raised?

21 UNIDENTIFIED SPEAKER: Yes. There
22 were many, many questions. I think the one that we
23 heard the most was in regards to the drainage. And if I
24 could -- does this detach -- if I could come over here
25 and kind of explain how the drainage system works, I'll

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1 try to get as low as I can so everybody can see.

2 Basically, this entire area, the entire project is
3 going to be drained. All the water, the surface water
4 that comes off the project isn't just going to run where
5 it's going now but faster because it's impervious.
6 Actually, the storm water from the entire project is
7 going to be directed toward a very large detention site
8 that's going to lie underneath North 182nd Place. It's
9 going to from there be directed to an underground vault,
10 not a biofiltration swale.

11 The early drawings that we had shown did propose a
12 biofiltration swale that was going to be above ground.
13 That's been revised. We have now -- now we are now
14 going to have an underground vault that's going to
15 provide the storm water biofiltration, and it will be
16 directed into an underground site to the northeast
17 property corner, and from there it will go north --
18 (Inaudible) -- contained.

19 So that would be -- the system is actually going
20 to end up directing a lot of the storm water problems
21 that all of you have been seeing in the neighborhood
22 away from the traditional drainage pattern.

23 A lot of people testified to the fact that the
24 soils in the area are hardpan and only a couple of feet
25 below the surface, that the water is just running off

1 our site onto theirs. Well, we're actually going to be
2 taking that water that's been running onto the
3 neighbor's property and we are going to be directing it
4 around their property so that now they're not going to
5 have this 1.4 acres of basically what's already
6 impervious surface two feet under the ground. We're
7 going to be directing that away from their property and
8 actually getting it out. And you may see a lot of the
9 drainage problems in the immediate vicinity actually
10 reduced.

11 UNIDENTIFIED SPEAKER: Question?
12 Where does the water go that's collected by the curb and
13 gutter on the street -- on the -- what's the name of
14 that street? -- Stone Avenue?

15 UNIDENTIFIED SPEAKER: I believe,
16 and I would -- I'm going to go back and check with
17 the -- we do have a representative from engineering
18 here. I believe that the topography will actually allow
19 for all of that to be brought back into North 182nd
20 because it's actually -- degrades along Stone Avenue
21 here fairly flat, and we will be able to keep the north
22 and the south silted up just enough to get the storm
23 water along the curb back to North 182nd and into our
24 drainage facility so that we are not going to be just
25 dumping storm water wherever it may be.

1 UNIDENTIFIED SPEAKER: That's true.

2 UNIDENTIFIED SPEAKER: How about to
3 adjacent property?

4 UNIDENTIFIED SPEAKER: It will be
5 going -- the road improvements from our frontage will be
6 coming south from the north line and north from the
7 south line to North 182nd into our storm drainage
8 facility, and then into existing drainage facilities
9 north of the subject property.

10 And, actually, I was going to go through -- I'll
11 try to be as brief as I can --

12 UNIDENTIFIED SPEAKER: Just stay
13 with the water for a second.

14 UNIDENTIFIED SPEAKER: Oh, sure.

15 UNIDENTIFIED SPEAKER: What kind of
16 flow rate are you going to have out of your vault?

17 UNIDENTIFIED SPEAKER: I believe the
18 number is .44 cubic feet per second. The threshold for
19 requiring -- (Inaudible) -- was 2.55 CFS, I believe.

20 UNIDENTIFIED SPEAKER: And how many
21 gallons is this vault? What is it?

22 UNIDENTIFIED SPEAKER: These vaults
23 are really cool, except they get filled up real fast,
24 and then they're -- they don't work anymore.

25 UNIDENTIFIED SPEAKER: Now, you're

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1 referring to the detention vaults or --

2 UNIDENTIFIED SPEAKER: Yes.

3 UNIDENTIFIED SPEAKER: They're huge.

4 The one that's going to go in here is going to be eight
5 feet in diameter, so two feet taller than me, and
6 probably 300 feet long. That holds a lot of water. And
7 when, you know, we do design these, we design for the
8 50-year, 100-year storm events, and they're intended to
9 hold all the water of that.

10 There is some potential that it could overflow,
11 but we are talking about an extraordinary event. You
12 know, you have that -- some pretty significant storms in
13 the past few years, but they are -- especially the '98
14 manual it will be designed to is very realistic as far
15 as the storm water that actually does fall, and they're
16 designed not to fail.

17 Certainly, there is a possibility that they could
18 fail. Anything people build can fail. But it --
19 certainly, this represents the best technology that
20 science can offer right now as storm water management.
21 King County is actually cutting edge in Western
22 Washington. As far as storm water management, they are
23 first and foremost, so...(Pause.)

24 UNIDENTIFIED SPEAKER: Could you
25 also help me understand how you're going to maintain the

1 vault?

2 UNIDENTIFIED SPEAKER: Well --
3 you're referring to the detention vault or the
4 biofiltration vault?

5 UNIDENTIFIED SPEAKER: They're --
6 the detention vault.

7 UNIDENTIFIED SPEAKER: The detention
8 vault, I don't believe requires much maintenance. There
9 are manholes on either end for maintenance of the inlet
10 and the outlet structures if they ever need to be
11 cleaned. Generally, they don't.

12 The biofiltration vault is actually -- when you
13 buy the system -- it's produced by a company called
14 Storm Water Management down in Portland, and they --
15 when they sell you the system, they also sign you up
16 with a maintenance contract, and they come out either
17 twice a year or once a year, depending on what you think
18 the stat system will need, to replace the cartridges
19 that actually do the biofiltration.

20 And those are actually rated to a higher level of
21 biofiltration than a swale. So the system is more
22 expensive, but it works better, and it stays out of
23 people's way, and --

24 UNIDENTIFIED SPEAKER: Well, catch
25 basins generally need a great deal of maintenance, and

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1 these big vector trucks are there all the time sucking
2 up the grit that comes out of there.

3 I cannot believe that this -- these sediments that
4 these -- this rain water runoff is going to pick up is
5 not going to completely, you know, sediment -- deposit
6 in the bottom. And as you put the deposits and don't
7 maintain it, it holds less and less water.

8 UNIDENTIFIED SPEAKER: I would
9 imagine that that would be true, and periodic
10 maintenance would be ensured by the covenants,
11 conditions, and restrictions that would be recorded with
12 the final subdivision.

13 UNIDENTIFIED SPEAKER: Thank you.

14 UNIDENTIFIED SPEAKER: Excuse me.
15 Question? Are there going to be those types of
16 restrictions?

17 UNIDENTIFIED SPEAKER: I had
18 actually written down the names, and I was going to go
19 through the list of...(Inaudible.) I'll try to keep it
20 as short as I can.

21 Mr. Anderson had a question about why are we
22 rezoning the property, and the real short answer there
23 is that the current zoning doesn't comply with the
24 comprehensive plan.

25 As you all know, the State of Washington adopted

1 the Growth Management Act about five years ago and
2 required that urban areas actually increase the density
3 within their areas.

4 I was looking through the Shoreline Comprehensive
5 Plan, and the estimate in there is that within the
6 next -- well, before 2015, that Shoreline has the
7 ability to increase the population 1600 to 2400 people
8 in the city before 2015. That's a mandate coming from
9 the State. Your counsel has adopted a comprehensive
10 plan that slates this area for medium density
11 residential. The current zoning of R-6 does not comply
12 to that.

13 So the current zoning is out of compliance with
14 the comprehensive plan. Our proposed rezone brings the
15 property into compliance to the comprehensive plan. It
16 was passed by your counsel.

17 The statement that we are only there for money.
18 well, that's not true. Certainly development is a
19 business; that's absolutely true. But Mr. Sundquist and
20 Viking Properties do take pride in their work. And
21 while some of the folks may not believe that that's
22 true, that's a difference of opinion.

23 Water -- we also discussed water runoff. I have
24 already described the system there.

25 Ms. Bates also had a question about the rezone as

1 I have gone through. How small are the lawns? Well,
2 they're pretty small. This is more -- this is a
3 subdivision application, but not everybody wants a big
4 yard to maintain. I personally don't want a big yard to
5 maintain, and I am renting right now. Not everybody
6 wants a yard. Older folks that are retired and the kids
7 are out of the house, some of them might want a big
8 yard. Those people will look for a big yard.

9 This fills a niche in the market. And while we
10 appreciate that all these folks that live in the area
11 bought their houses because they were bigger lots,
12 people move into these houses because they're smaller
13 lots, and they don't want to deal with the maintenance
14 responsibilities.

15 Lloyd Wales had a question about runoff, and that
16 was -- sounds like the biggest concern that he had, and
17 I think I addressed that as well as need be. And I can
18 certainly answer more questions as they come up.

19 Mr. Swan said that our characterization of the
20 neighborhood was incorrect. There may be some
21 differences there between what we had said and what he
22 states as a resident of the area, although I think that
23 generally our characterization of the neighborhood is
24 pretty close.

25 He said that the soils are -- (Inaudible) -- and I

1 believe he was referring to the environmental checklist
2 was incorrect and it was not sandy loam. That's true.
3 We do use the Department of Agriculture's Soil
4 Conservation manual, which is about a one inch equals
5 800 feet scale. Not really enough to get down to
6 detail, although there will be a geotechnical study done
7 on this property before the construction is done that
8 will take care of the potential sinkhole problem, if
9 there be one, and making sure that the soils are easy to
10 use for construction purposes are compact enough that
11 they won't be allowing roads and houses and things to
12 fall into.

13 Mr. Wales had a question about if the drainage
14 system fails. Well, if the drainage system fails, then
15 it will be the responsibility of the owner, which is
16 going to be the homeowner's association maintain it.

17 These things are generally pretty well designed
18 and built. Complete failure is not something that
19 generally happens, but there are also designs being
20 maintained that if they do fail, then the appropriate
21 measures will be taken to fix whatever the difficulty
22 is.

23 Leslie Swan had a question about drainage, and I
24 have answered that. (Inaudible) had a question about
25 sinkholes and toxins that will go into the soils and

1 water. Washington State Department of Ecology regulates
2 construction practices through their Best Management
3 Practices, which is a manual for construction on sites
4 like this. It's possible that some gasoline or
5 something like that could get into the soil, but
6 gasoline can get into the soil from somebody filling up
7 their lawn mower on their yard, too. The chances of
8 this becoming a Superfund site are nominal, and I don't
9 think there is any real significant chance that
10 something like that would happen.

11 Brian Lee had questions about water and density,
12 and he said he had a -- (Inaudible) -- infiltration
13 system and that he had a drainage problem. He is
14 located next door to this property. I would guess that
15 following construction of this project, his drainage
16 system will actually work better than it does now based
17 on the fact that all of the water that's flowing
18 northerly now and easterly is going to be redirected
19 through existing systems, and with that, we'll improve
20 the situation.

21 He is worried about kids and recreation, and, you
22 know, that may be a legitimate concern. It may not. If
23 I was looking at raising a family, I probably wouldn't
24 buy a house that had a 5-foot backyard. If I was an
25 older person that didn't have kids running around and

1 recreation wasn't as big of an issue, I might think
2 about it. And to some extent, you know, the market will
3 work itself out there. I doubt that there are going to
4 be a lot of young families moving into places like that.

5 I don't do too many projects that end up with
6 really small lots like this, but we do -- one of our
7 clients up in Snohomish County actually do a lot of
8 townhouse and multifamily condominium projects, and they
9 don't get very many families moving in, just because of
10 that very reason, there isn't a yard. But a lot of
11 empty-nesters really like those kind of things and this
12 may attract a similar client.

13 Martin Crawl had a question about this being a
14 contract rezone. This is not actually a contract
15 rezone, so it doesn't have a built-in expiration date as
16 you would see with a contract rezone. This is a simple
17 rezone with a preliminary plat. And once the rezone
18 becomes approved, the zoning will take place on the
19 property. The subdivision will come later on
20 recordation.

21 You say that the traffic study using the ITE
22 manual is not appropriate, although the ITE manual is
23 used by every jurisdiction I know of in Snohomish and
24 King County as the appropriate traffic innovation manual
25 for projects of this type. I don't actually know of any

1 other model that's used by any jurisdiction in the area,
2 so without having any better solution than that, that
3 was what we went with.

4 He had a statement about Ronald Bog being a
5 problem, and we agree, Ronald Bog is a problem and
6 something should very probably be done about that. Like
7 I did say, we are going to be constructing a
8 state-of-the-art detention system that's going to be
9 bigger than probably anything this size that's been done
10 in Shoreline just because the pipes were growing very
11 rapidly.

12 The '95 manual would have required probably a much
13 smaller pipe. Only three years later, now we're
14 building bigger pipe, and we are releasing the storm
15 water through something about the size of a garden hose,
16 which means that the amount of water leaving the site
17 permitted is going to be substantially less than it is
18 even now, since we do have a hardpan layer underneath
19 the Peat soil.

20 Daniel Man had a question about compatibility with
21 the neighboring land owners. This comprehensive plan
22 designation specifically states that townhouse buildings
23 are acceptable in this comprehensive plan designation,
24 which means we could have 3-, 4-, 5-unit buildings with
25 more of a multifamily concept.

1 I don't think that that's the best solution for
2 this property. I think single-family actually works
3 quite a bit better. It certainly is a matter of
4 opinion.

5 There was one letter in the file that said
6 anything short of a condominium building with spa
7 facilities would be offensive to the neighborhood. So
8 definitely there is room for interpretation on what
9 would be appropriate for this property. But based on
10 the fact you have single-family homes, we believe that
11 this is the best solution for this property while being
12 compliant with the comprehensive plan.

13 Colleen Holbrook's two questions were that she was
14 opposed to the rezoning based on the fact that she would
15 prefer less density.

16 Like I said, this is a comprehensive plan approved
17 density for this property. And, actually, the entire --
18 from the east line of this property, north to 185th and
19 down to 175th, I believe is all the same designation.
20 So the comprehensive plan is expecting to get some of
21 those 16- and 2400 new people living in along that
22 strip. And, certainly, that entire area shouldn't be
23 developed with this density along the whole way. Some
24 of the lots are incapable of subdivision. Counsel
25 certainly knew that when they installed the

1 comprehensive plan designation. But certain pockets of
2 this along that should be expected in the future.

3 Then she had a question about whether this was a
4 "done deal." And I'm a little bit offended by that,
5 actually. We work really hard to try to meet all the
6 codes and requirements of the comprehensive plans of the
7 City when we prepare these plans. There is an
8 extraordinary amount of work that goes into the
9 preparation of the plans. The engineers do a lot of the
10 work to make sure that there aren't going to be drainage
11 problems.

12 I know it seems to some people like we are just
13 here trying to make money, but we are actually trying to
14 do something that works, and we are trying to make
15 something that's going to fit as well as it possibly
16 can. And so while it's not a "done deal," it is our job
17 as a consulting company to do as good as a job as we can
18 to meet all of these codes, and if we meet all the codes
19 as required by the City, then the project should be
20 approved, and that's -- that's our job; that's our
21 business. So while it's not a "done deal," that's why
22 we are all here.

23 I do think that what you're seeing before you is
24 something that's been very carefully considered. It's
25 not just an attempt to take from the City of Shoreline.

1 I think this is something that Counsel has specifically
2 requested in the comprehensive plan, and I think we are
3 trying to fulfill that.

4 Walt Hagen wanted to know about surface water with
5 Ronald Bog. We talked about those things. The 16th
6 lot, he was wondering about the swale. There is no
7 swale. It's an underground vault. He was wondering why
8 there were -- we had said there would be trees retained
9 and then indeed there will not. There actually are a
10 group of trees, maybe 15 or so along the southwest
11 corner, that are serving as a privacy screen right now.
12 Those will be retained.

13 Then Penny Wales had a question about drainage,
14 which we answered. wildlife, which, yes, there will be
15 some reduction in wildlife value on this property.
16 There is nothing to be done about that in an urbanizing
17 area.

18 Dogs, cats, and children, I don't really have an
19 answer for that. There will probably be more of all
20 those things. I doubt there will be many more children,
21 but there will certainly be a few dogs or cats that may
22 be running around, but I don't see there is much to be
23 done about that.

24 And that's all the additional information I have.

25 UNIDENTIFIED SPEAKER: Okay. Did

1 you design it for a 50-year storm or a 100-year storm?

2 UNIDENTIFIED SPEAKER: I believe it
3 is actually designed for a 50-year storm. And the
4 reason for that was that under the takeout surface water
5 manual, this project wasn't technically required to
6 provide any detention whatsoever according to the
7 applicable manual.

8 And when we submitted the plans originally to
9 planning and engineering, it became obvious since there
10 was a documented downstream problem, that problem being
11 Ronald Bog, that we would need to provide some sort
12 of -- (Inaudible) -- to do what we can to minimize our
13 impacts with Ronald Bog. And in response to that, we
14 provided above and beyond what would actually be
15 generally required by -- by the code, which I believe is
16 a 50-year storm.

17 Oh, I'm sorry. It's a 100-year storm. Let's see.

18 UNIDENTIFIED SPEAKER: It is a
19 100-year. That's good.

20 UNIDENTIFIED SPEAKER: Is there a
21 reason you have chosen not to meet with the neighbors
22 when they have asked for a meeting?

23 MR. SUNDQUIST: One of the reasons
24 we started this project, and before I even made an
25 application to the City, I sent out two letters about a

1 month a part to all the neighbors in the same radiant of
2 500 feet that the -- (Inaudible) -- filled out the same
3 ones that you guys used. I sent them maps, a lot of
4 things, explaining exactly what I was going to do. And,
5 indeed, many, many people did call me and ask questions.

6 Martin Crawl did, in fact, write me a letter in
7 about June or July, which I responded to and answered
8 many of his specific questions. And I again got another
9 letter from Martin Crawl, which I received approximately
10 two weeks ago when I returned from a family vacation.
11 And at that late date, I -- just a few days before the
12 meeting, it was way too late to do any major design
13 changes.

14 I asked for everybody's input and break through to
15 mitigate -- (Inaudible) -- several letters six months
16 ago, and suddenly at the last minute, I get a -- you
17 know, I'm supposed to go out and meet with them. And
18 there just simply wasn't time at this late date. I did
19 my best to try to reach out to the neighbors and this is
20 what happened, so...(Pause.)

21 UNIDENTIFIED SPEAKER: Any other
22 questions?

23 MR. KUHN: Nope, sorry, we don't
24 have public questions. At this time, I am closing the
25 public testimony, and we will have deliberations.

1 Who wants to start?

2 UNIDENTIFIED SPEAKER: I have a

3 question I guess to the City. Do you concur with the

4 Applicant that the drainage situation will improve?

5 UNIDENTIFIED SPEAKER: Yes, I do.

6 UNIDENTIFIED SPEAKER: Okay.

7 UNIDENTIFIED SPEAKER: I can't hear

8 you.

9 UNIDENTIFIED SPEAKER: Yes, I do

10 believe it will improve.

11 UNIDENTIFIED SPEAKER: That's my

12 question.

13 UNIDENTIFIED SPEAKER: That's your

14 question.

15 MR. KUHN: Gentlemen, you were

16 having a debate as to who wanted to put their foot

17 first.

18 MR. MONROE: I'll start. Two things

19 that we hear each time that we have a hearing and the

20 folks come is neighborhood character is important to

21 them and storm water runoff is important. And we have

22 been told oftentimes by the developer in --

23 (Inaudible) -- and I actually believe that, that the

24 system that they have developed is a good one and it

25 will work.

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1 I've spent a lot of -- several years in storm
2 water runoff working for King County with catch basins
3 on the street and other types of vaults, and I'm pretty
4 familiar with them, and I have done a lot of research of
5 different kinds of methods throughout the United States,
6 and I, in fact, wrote The Fact of Waste Disposal Plan
7 for King County, which was adopted. So I think I have
8 some knowledge.

9 Vaults are really cool for the first storm event,
10 and they tend to fill up. And we have been having very
11 wet winters, and we are predicted to have very wet
12 winters. I live in Shoreline on glacial till and clay
13 too. It seems that there is a lot of that around
14 Shoreline. I don't have flooding problems, but I see
15 how they can happen. I have a larger lot.

16 I think that what the developer is offering is a
17 reasonable -- is a reasonable request; however, it seems
18 to me that this body should pay a great deal of
19 attention to the folks who live in the
20 neighborhoods where these developments are taking place.

21 Tonight I heard them -- what I heard is that they
22 don't oppose the development, but they would like a less
23 dense development. And I really see that meeting the
24 developer halfway.

25 I can't say that I am against this application,

1 but I can say that I feel very strong support for the
2 neighborhood folks.

3 MR. KUHN: Moving right.

4 UNIDENTIFIED SPEAKER: I agree with
5 Commissioner Monroe that we really need to pay more
6 attention to the neighborhood. And I note particularly
7 that of all the people who have testified tonight, other
8 than a developer and a developer's representative, that
9 there was a unanimity of the persons testifying.

10 I would also like to comment on the comprehensive
11 plan's relationship to the actual condition -- zoning
12 condition of the neighborhood. The comprehensive plan
13 numbers that were theoretically imposed on us forced us
14 to designate some areas for more possible density where
15 we knew that the neighborhoods impacted by this possible
16 increased density were not happy with this possibility.

17 However, we also believed -- let's say I believed
18 that this theoretical density increase did not have to
19 happen. It had to appear on a piece of paper, but it
20 does not have to happen. And I think this is a
21 particular case where it is not appropriate to change
22 the character on the east side of the street, and I
23 think that it would be tragic to increase the density
24 over what is presently allowed.

25 MR. KUHN: Moving right.

1 MS. MARX: well, I went and visited
2 the lots to see what was there and across the street,
3 and I went to the City offices and looked at the maps to
4 see what things were zoned as because the maps I have
5 are hard to follow sometimes, because I was concerned
6 looking at the current lots and looking at the proposed
7 increase in density and the size of the lots. I think
8 it would be a lot easier to accept if like the R-12 zone
9 across the street, they had been townhouses or duplexes,
10 because that gives the outward appearance of a larger
11 house on a larger lot. And when you're going through
12 the neighborhood, the appearances actually do make a
13 difference. It also allows for more open space, more
14 room for kids to be -- and I think it would fit better
15 with the neighborhood. I'm very concerned that this
16 doesn't fit with what exists there currently.

17 I also would like to point out that I think that
18 taking surface water, putting it in a vault and in a
19 drain and in a ditch, etc., will help the immediate area
20 with their surface water runoff, but it does nothing to
21 help recharge the surface -- the groundwater, and the
22 water gets carted away one place or another, and it
23 doesn't go to the groundwater. It doesn't help much in
24 that regard. Where a bioswale does a little bit more
25 for getting it back in ground on site.

1 UNIDENTIFIED SPEAKER: Well, I would
2 be in favor with the project with certain modifications.
3 I am concerned a little bit about the density too. Just
4 because we are allowed to have 12 units per acre, I
5 think there has to be some concern shown to the
6 neighborhood.

7 May be a matter of negotiation as to how many lots
8 a person should be able to get there, and I think some
9 of that has been done through the staff. But as a
10 planning commissioner, I guess we have to second guess
11 the staff on some of these issues and also listen to the
12 neighbors.

13 I have been against the small lots, but I was also
14 in favor of increasing the density along the Aurora
15 corridor and off into the adjacent neighborhoods. So to
16 speak against the proposal, I would be inconsistent with
17 my belief in terms of increasing the density along that
18 area.

19 It makes sense to have R-12 zoning across from
20 existing R-12 zoning, and it does meet the contentions
21 of the comprehensive plan in that respect. I feel that
22 the neighbors and the storm water surface water
23 management is being handled in a much better way than
24 the existing natural conditions, that the water is being
25 collected and then channeled off in a metered rate to --

1 down the street.

2 The traffic issues, we have seen more dense
3 developments than this handled appropriately. My main
4 concern is the density and getting a little closer to
5 the character of the neighborhood.

6 MR. KUHN: Moving right.

7 UNIDENTIFIED SPEAKER: I share many
8 of my fellow commissioner's concerns. I look at it and
9 I initially say, "That looks like a lot of houses." But
10 I also say that the comprehensive plan that we have
11 worked on for two years has indicated that this area
12 should be medium density; it should be R-12.

13 And I would like to see fewer houses there, but I
14 am not in the position to say you can only put eight
15 houses there. It's either approve it or not to approve
16 it. And I think to not approve it would be to take what
17 we have worked on in the comprehensive plan, saying,
18 "okay, we said this is going to be medium density," but
19 as soon as somebody wants to do some density on it,
20 we're going to say no.

21 I believe that the product going up there will not
22 diminish in most cases the value of the homes. The
23 duplex across the street that's for sale is for
24 \$235,000, which is right in the middle of the
25 Applicant's estimated range of value.

1 I also believe that the storm water runoff
2 situation will improve, listening to both the City and
3 the Applicant. If I can make it a perfect world, I
4 would say put less houses on there. But in light of the
5 comprehensive plan that we have all worked on and the
6 mitigation methods that the Applicant has gone through,
7 I would have to support this.

8 MR. KUHN: Well, I guess that leaves
9 it to me. Well, you know, it's a conundrum. The
10 comprehensive plan that we worked on for nearly five
11 years, not just two years --

12 UNIDENTIFIED SPEAKER: I worked on
13 it for two years.

14 MR. KUHN: Yeah, you worked on it
15 for two years.

16 But at five years of input, tweaking, and whatever
17 else, and the final resolution was that that east side
18 of Stone Avenue North was medium density. We were
19 looking at buffer zones between the regional business
20 and Aurora and whatever else, and, you know, large
21 density apartment houses. Townhouses, duplexes are
22 envisioned in that medium density, but, obviously, so
23 are single-family, small lot houses. You know, it's --
24 it's a problem, but our long-range plan specified that
25 that be medium density. And the current zoning does not

1 comply with that designation in the comprehensive plan.

2 There was plenty of opportunity before the
3 comprehensive plan was adopted to give input to the
4 density that we considered and finally adopted. The
5 comprehensive plan as such is not subject to amendment
6 but once a year, and it's not appropriate in this
7 proceeding to amend the comprehensive plan. It stands
8 as it is.

9 The proposal is in compliance with the
10 comprehensive plan, and the issues of runoff seem to be
11 handled adequately at least from all the testimony I
12 have heard from those who know about the runoff.

13 Duplex, townhouses, they wouldn't change the
14 density in the area, wouldn't change the number of
15 people, wouldn't change the number of cars or car trips,
16 so whether it's single-family or duplex or townhomes is
17 really a moot issue.

18 As such, I would have to go with the approval of
19 the application with those particular changes that were
20 discussed in the facts and discussed at the beginning of
21 the hearing and with the proviso that the one change be
22 instead of "generally," "substantially" comport with
23 what was submitted.

24 And are there any other comments? Will you call
25 the roll, please?

1 UNIDENTIFIED SPEAKER: Oh, let's
2 have a motion.

3 MS. MARX: Let's have a motion.

4 UNIDENTIFIED SPEAKER: I motion that
5 we accept the staff's recommendation to rezone to R-12
6 from R-6.

7 MR. KUHN: Well, I think we need to
8 be a little more specific here in terms of what
9 conditions we are in qualm because we have suggestions
10 by the Applicant which weren't objected to by staff,
11 suggestions by the Applicant which were objected to by
12 the staff, those that incorporated different language,
13 and so we need to address those.

14 UNIDENTIFIED SPEAKER: Well, let's
15 make that subject to staff's recommendations and
16 conditions as amended by Mr. Stewart's...(Inaudible.)

17 UNIDENTIFIED SPEAKER: I would like
18 a friendly amendment on the, I think, six, the lighting.
19 That would require that there be nonglare street
20 lighting sensitive to the neighborhood.

21 MR. KUHN: Let's do this, let's
22 consider this language, okay, for six: "Developer is to
23 provide and install nonglare street lighting in
24 accordance with an approved lighting plan."

25 Okay? Does that work for everybody?

1 UNIDENTIFIED SPEAKER: Plan approved
2 by director.

3 UNIDENTIFIED SPEAKER: Approved by
4 planning and development services, right. Okay. Does
5 that work? Okay.

6 And then we are also including in Condition 11, as
7 I mentioned, changing -- adding "substantially" after
8 November 3, 1999 -- shall "substantially" control.

9 And let's strike Condition 18 as was pointed out
10 was redundant to Condition No. 6.

11 Any other additions to staff's recommendation?

12 UNIDENTIFIED SPEAKER: How can you
13 approve the plan when you got four to two?

14 MR. KUHN: Could you sit down,
15 please, sir.

16 UNIDENTIFIED SPEAKER: No, sir. I
17 would like to have that question...(Inaudible.)

18 MR. KUHN: Sir, can you sit down,
19 please.

20 UNIDENTIFIED SPEAKER: Just answer
21 my question, please.

22 MR. KUHN: The process will proceed.
23 It will pass or it will fail based upon the vote of the
24 commission.

25 UNIDENTIFIED SPEAKER: So we don't

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1 get to say anything?
2 MR. KUHN: That's correct.
3 Is there a second to the motion? (No response.)
4 well, I'll second the motion.
5 UNIDENTIFIED SPEAKER: You can
6 second your own motion?
7 MR. KUHN: I didn't make the motion,
8 ma'am, and I would appreciate your please keeping your
9 comments to yourself, as I indicated at the beginning of
10 the process.
11 would you call the roll, please?
12 UNIDENTIFIED SPEAKER: Mr.
13 McAuliffe?
14 MR. MCAULIFFE: Yes.
15 UNIDENTIFIED SPEAKER: (Inaudible.)
16 Commissioner Marx?
17 MS. MARX: Yield.
18 UNIDENTIFIED SPEAKER: Commissioner
19 Meloney?
20 MR. MELONEY: No.
21 UNIDENTIFIED SPEAKER: Commissioner
22 Monroe?
23 MR. MONROE: No.
24 UNIDENTIFIED SPEAKER: Chair Kuhn?
25 MR. KUHN: Yes.

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UNIDENTIFIED SPEAKER: Motion fails.

UNIDENTIFIED SPEAKER: Four to two.

MR. KUHN: The application for the staff's recommendation is not accepted. Do we have a second motion?

UNIDENTIFIED SPEAKER: Could I make a motion?

MR. KUHN: Mm-hm. (Answers affirmatively.)

UNIDENTIFIED SPEAKER: I would like to make the identical motion that was on the floor before but to limit the building to eight houses.

MR. KUHN: Second?

UNIDENTIFIED SPEAKER: Could staff have a moment over here, please?

MR. KUHN: Mm-hm. (Answers affirmatively.)

(Inaudible discussion held between staff.)

UNIDENTIFIED SPEAKER: You know, as you can see, staff -- city attorney is not present this evening, so staff has -- in a bit of a quandary as to the appropriateness, legal appropriateness, of an amendment of that nature.

1 The action before you is a proposal to change the
2 zone classification from R-6 to R-12 with then a
3 preliminary plat also accompanying that. I believe that
4 a more appropriate motion would be to move adoption of a
5 change to an R-8 without then approving the preliminary
6 plat, if that is your intent.

7 UNIDENTIFIED SPEAKER: I move to
8 accept that change.

9 UNIDENTIFIED SPEAKER: What that
10 would mean, I believe, would be that you would forward
11 on -- let me run this through. I believe that that
12 would mean that you would forward onto Counsel a
13 recommendation of a change of zone without a preliminary
14 plat recommendation associated with it.

15 If Counsel were to accept that recommendation,
16 then a subsequent plat would have to be resubmitted
17 under the R-8 classification. If Counsel did not accept
18 your recommendation, they would then have the discretion
19 of voting on the original R-12 plat. That would be how
20 I would read it.

21 UNIDENTIFIED SPEAKER: If the zoning
22 remains the same as it is currently, there would be an
23 ability on this property to build eight homes; is that
24 correct?

25 UNIDENTIFIED SPEAKER: Yes, without

1 a public hearing.

2 UNIDENTIFIED SPEAKER: So why don't
3 we -- you know, we have heard from the neighbors. Eight
4 is a substantial number of homes.

5 UNIDENTIFIED SPEAKER: I think
6 that's too few.

7 UNIDENTIFIED SPEAKER: In that case,
8 if that is your intent, not to move to the R-8 zoning
9 designation, then a recommendation of denial would
10 accomplish that.

11 UNIDENTIFIED SPEAKER: I withdraw
12 the motion.

13 UNIDENTIFIED SPEAKER: Is this 1.4
14 acre property?

15 UNIDENTIFIED SPEAKER: Yes.

16 UNIDENTIFIED SPEAKER: You've got
17 43,560 feet in an acre. That's 60,984 square feet. So
18 if you have ten units, you would have 6000 square foot
19 of lots.

20 MR. KUHN: Less the road, less the
21 easements, less the --

22 UNIDENTIFIED SPEAKER: Yeah.

23 UNIDENTIFIED SPEAKER: So your
24 audience would be to -- move to recommend denial or to
25 move to some other less intensive zone than an R-12.

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1 UNIDENTIFIED SPEAKER: Well, I'm
2 trying to be -- can we talk a little bit about this in
3 terms of just the logic? We have approved projects
4 where we've not counted the roads. We have not
5 counted --

6 UNIDENTIFIED SPEAKER: And that was
7 a mistake.

8 UNIDENTIFIED SPEAKER: Well, I'm --
9 but here we have got a more appropriate place to do it
10 than right in the middle of a loosely zoned area. We
11 are close to commercial property. It makes sense this
12 is where you put a denser development.

13 So I think, in a sense, we are being inconsistent
14 here by limiting the number of units that we have here
15 just based on our past action, whether it's been a
16 mistake or not. This is what the code provides.

17 UNIDENTIFIED SPEAKER: Well, but we
18 are being asked to change the zoning, and we have no
19 obligation to change the zoning. This is a
20 discretionary request.

21 UNIDENTIFIED SPEAKER: And we are
22 increasing the population. I mean, we are buying into
23 that to get a more dense area.

24 UNIDENTIFIED SPEAKER: Well, in a
25 sense, this is a contract rezone.

1 UNIDENTIFIED SPEAKER: No, it's not.
2 UNIDENTIFIED SPEAKER: It's not a
3 contract rezone?

4 UNIDENTIFIED SPEAKER: No.

5 UNIDENTIFIED SPEAKER: Could I just
6 make one point, and that is that the comprehensive plan
7 for medium density calls for -- states that appropriate
8 zoning designation for medium density residential would
9 be R-8 or R-12.

10 UNIDENTIFIED SPEAKER: Appropriate,
11 but not mandatory.

12 UNIDENTIFIED SPEAKER: Appropriate
13 zoning for medium density would be R-8 or R-12. It
14 would be my opinion that an R-6 is not in conformance
15 with our plan, but that an R-8 would be.

16 UNIDENTIFIED SPEAKER: But this is a
17 circumstance where we have had extensive testimony
18 that --

19 UNIDENTIFIED SPEAKER: In opposition
20 to the R-12.

21 UNIDENTIFIED SPEAKER: How many --

22 UNIDENTIFIED SPEAKER: -- extensive
23 testimony that eight units on this parcel of land is an
24 appropriate number of units.

25 UNIDENTIFIED SPEAKER: But the

1 density has been calculated and approved, and the
2 comprehensive plan --

3 UNIDENTIFIED SPEAKER: The
4 comprehensive --

5 UNIDENTIFIED SPEAKER: This also
6 talks about --

7 UNIDENTIFIED SPEAKER: The
8 comprehensive plan is a guideline. It is not a mandate.
9 And that's the confusion here. In an R-8, it would be
10 ten houses a lot?

11 MS. MARX: Eleven.

12 UNIDENTIFIED SPEAKER: We would have
13 to do the calculations.

14 MS. MARX: I would like to move that
15 we approve an R-8 zoning change for this parcel.

16 UNIDENTIFIED SPEAKER: You know,
17 what I have here is I don't hear the Applicant
18 requesting or agreeing to a rezone to an R-8.

19 Now, it's either the Applicant or the property
20 owner has that property and is making that request. I
21 don't think we dictate what happens to their property
22 absent their request for a rezone. They might, with
23 this plan not going through, just wish to keep it R-6.
24 I don't know. I haven't heard from them on that.

25 For us to make a motion to rezone it to something

1 that hasn't been requested by the property owner, I
2 think is ridiculous.

3 UNIDENTIFIED SPEAKER: I concur.

4 UNIDENTIFIED SPEAKER: I don't think
5 it's legal.

6 UNIDENTIFIED SPEAKER: Right.

7 UNIDENTIFIED SPEAKER: Okay. Then
8 that's fine. Why don't we just leave it as it is.

9 MR. KUHN: Why don't we just make a
10 motion to deny the application in its current state and
11 see what transpires.

12 UNIDENTIFIED SPEAKER: So moved.

13 UNIDENTIFIED SPEAKER: Seconded.

14 UNIDENTIFIED SPEAKER: Why do we
15 even have to do a motion that's already been denied?

16 MR. KUHN: Well, I think we need to
17 make it clear that the motion to accept the staff's
18 recommendation with the changes failed, and that if we
19 don't want to accept the staff's recommendation absent
20 changes, then we need to make a motion to deny the
21 application in its state without any changes.

22 UNIDENTIFIED SPEAKER: Question?

23 MR. KUHN: Okay.

24 UNIDENTIFIED SPEAKER: Question?

25 MR. KUHN: Ask away.

1 UNIDENTIFIED SPEAKER: Why can't we
2 have a contract rezone?

3 MR. KUHN: We are not the people to
4 determine --

5 UNIDENTIFIED SPEAKER: No, I am
6 asking staff why the Applicant couldn't ask for a
7 contract rezone?

8 UNIDENTIFIED SPEAKER: The Applicant
9 has discretion to ask for many different types of
10 permits, and in this case chose not to. They applied
11 for a reclassification of the zone to an R-12 and
12 attached a preliminary plat to that so that there would
13 be some certainty to what would be built on the R-12.

14 MR. KUHN: And my concern is that we
15 adopt a position, whatever that may be, that if we are
16 not going to accept the application with or without
17 conditions altered through testimony and discussion,
18 that the Applicant then has every available -- every
19 option available to them to do what they want to do with
20 the property, not limited by what we might decide is an
21 appropriate zone decision. And so therefore, we have
22 had a motion and a second to deny the application.

23 Now, can we have any further discussion on that?

24 UNIDENTIFIED SPEAKER: I think
25 you're right, Dan.

1 MR. KUHN: So will you call the
2 roll, please.
3 UNIDENTIFIED SPEAKER: Commissioner
4 McAuliffe?
5 MR. MCAULIFFE: I want to hold off.
6 UNIDENTIFIED SPEAKER: what are
7 we --
8 UNIDENTIFIED SPEAKER: I'm not sure
9 what we're --
10 UNIDENTIFIED SPEAKER: To deny the
11 application.
12 UNIDENTIFIED SPEAKER: In it's
13 current form.
14 UNIDENTIFIED SPEAKER: I thought we
15 did that.
16 MR. KUHN: No, we did not do that.
17 MS. MARX: We voted not to accept
18 the application with the conditions.
19 UNIDENTIFIED SPEAKER: As
20 a...(Inaudible.)
21 UNIDENTIFIED SPEAKER: Remember your
22 primary function is to advise the City Council and to
23 provide the Council with a recommendation on this
24 application, so --
25 MR. KUHN: The motion should

1 probably read in the form of "We recommend to the City
2 Council that they deny the Elena Lane rezone and
3 preliminary plat for a single-family residential
4 development."

5 UNIDENTIFIED SPEAKER: In its
6 current form.

7 MR. KUHN: No, just denied.

8 UNIDENTIFIED SPEAKER: Just denied.

9 MR. KUHN: So that's the reworded
10 motion.

11 MR. MCAULIFFE: I'm going to pass.
12 Start with someone else.

13 UNIDENTIFIED SPEAKER: Vice Chair
14 Gabbert?

15 MR. GABBERT: Aye.

16 UNIDENTIFIED SPEAKER: Commissioner
17 Marx?

18 MS. MARX: Yes.

19 UNIDENTIFIED SPEAKER: Commissioner
20 Meloney?

21 MR. MELONEY: Yes.

22 UNIDENTIFIED SPEAKER: Commissioner
23 Monroe?

24 MR. MONROE: Yes.

25 UNIDENTIFIED SPEAKER: Commissioner

1 McAuliffe?

2 MR. MCAULIFFE: No.

3 UNIDENTIFIED SPEAKER: Chair Kuhn?

4 MR. KUHN: Yes.

5 UNIDENTIFIED SPEAKER: Motion
6 carries, aye won.

7 MR. KUHN: The application will now
8 be forwarded to the City Council along with a complete
9 copy of the record and your recommendation for their
10 consideration and file action.

11 UNIDENTIFIED SPEAKER: Would it be
12 inappropriate for further negotiation between the staff
13 and the Applicant and come back --

14 UNIDENTIFIED SPEAKER: Yes, the
15 record is now closed and so off we are going to the City
16 Council with the recommendation.

17 UNIDENTIFIED SPEAKER: So it would
18 not be appropriate to come back to us with another --

19 UNIDENTIFIED SPEAKER: Denied.
20 There is other matters --

21 UNIDENTIFIED SPEAKER: Well, the
22 City Council has the opportunity to counter our
23 recommendation.

24 MR. KUHN: Okay. You would like to
25 reopen public hearing to mark the -- I guess that's --

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Shoreline Commission - 12/2/99

1 UNIDENTIFIED SPEAKER: So that is
2 the same as its...(inaudible.)

3 UNIDENTIFIED SPEAKER: In the
4 record, right.

5 Unfinished business? None on the agenda that I
6 see. New business? None on the agenda that I see.
7 Agenda for the next meeting, December 16th, another
8 hearing on a rezone. (Inaudible.)

9 Anybody have any idea now whether or not they will
10 be present on the 16th?

11 UNIDENTIFIED SPEAKER: I will not.

12 MS. MARX: I may not. I get in late
13 night the 15th and may not have --

14 UNIDENTIFIED SPEAKER: 16th.

15 UNIDENTIFIED SPEAKER: I will not be
16 here either. I'm in San Francisco on the 16th.

17 MR. KUHN: You've now just -- you're
18 getting real close to your deal there.

19 UNIDENTIFIED SPEAKER: With your
20 permission, I ask to reschedule this action for January.

21 MR. KUHN: How does the schedule
22 look in January?

23 UNIDENTIFIED SPEAKER: Allen will
24 brief you on the pipeline coming at you.

25 UNIDENTIFIED SPEAKER: The calendar

1 that we had tentatively set had the Derich rezone
2 scheduled on the next meeting on the 16th, and we had
3 the entire meeting of January 6th devoted to the Fire
4 Department Administrative Training Center rezone and
5 special use permit.

6 It may be possible to combine hearings on that
7 date. I'm not aware of the intricacies of each of those
8 files at this point as to whether that would be viable
9 or not.

10 We have on the meeting of the 20th scheduled a
11 workshop on the Phase II Development Code.

12 UNIDENTIFIED SPEAKER: So we
13 could -- that Phase II Development Code could be moved
14 to a special meeting or subsequently delayed.

15 UNIDENTIFIED SPEAKER: Yeah.

16 UNIDENTIFIED SPEAKER: You will be
17 getting it on the 6th, so you may -- and it's a
18 substantial document, so you may --

19 UNIDENTIFIED SPEAKER: There will
20 be -- you know, so far, there is two people who are not
21 here which leaves us with a potential of six. You know,
22 I mean similar to this evening's numbers --

23 UNIDENTIFIED SPEAKER: Would you
24 like to poll the members tomorrow or soon and see if we
25 have more folks who are going to be absent on the 16th,

1 or would you just like us to move it?

2 MR. KUHN: Well, I would -- probably
3 should contact Commissioners Bradshaw, Parker and
4 Vadset, because if any one of -- if two of them say no,
5 they weren't going to be here, plan on being here or
6 whatever, you're not going to have a quorum and you're
7 not going to have enough for a necessary vote to
8 approve.

9 UNIDENTIFIED SPEAKER: Why don't we
10 poll them and then we'll get back to the Chair and make
11 sure that we are all squared away.

12 MR. KUHN: So if we don't have a
13 quorum, what will we do on the 16th?

14 UNIDENTIFIED SPEAKER: We will not
15 have a meeting.

16 MR. KUHN: Okay. Go Christmas
17 shopping.

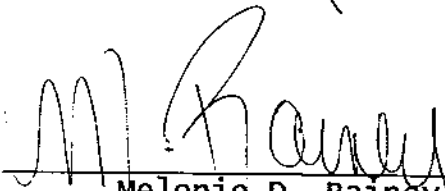
18 UNIDENTIFIED SPEAKER: Okay. Thank
19 you.
20
21
22
23
24
25

1 STATE OF WASHINGTON) I, MELONIE D. RAINEY,
2 County of King) ss CCR RA-IN-EM-D319RC a
3 duly authorized Notary
4 Public in and for the
5 State of Washington
6 residing at Seattle,
7 do hereby certify:

8 That the foregoing audiotape of the Shoreline
9 Planning Commission was transcribed by myself to the
10 best of my ability.

11 That I am not a relative, employee, attorney
12 or counsel of any party to this action or relative or
13 employee of any such attorney or counsel and that I am
14 not financially interested in the said action or the
15 outcome thereof;

16 IN WITNESS WHEREOF, I have hereunto set my
17 hand and affixed my official seal this 14th day of
18 January, 2000.

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Melonie D. Rainey, CCR,
Notary Public in and for the State
of Washington, residing at Seattle.

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Adoption of Ordinance No. 228 for Elena Lane Rezone from R-6: Residential - 6 units/acre to R-12: Residential - 12 units per acre and concurrent approval of a Preliminary Plat for the creation of 15 dwelling units on 16 total lots
File # 1999 - 0845

DEPARTMENT: Planning and Development Services

PRESENTED BY: Tim Stewart, Director *Handwritten: for TMS*
Allan Johnson, Planner II *AJ*

EXECUTIVE / COUNCIL SUMMARY

The decision before your Council is approval of Ordinance No. 228 (Attachment I) for the Reclassification of Property and Preliminary Plat of approximately 1.4 acres of land on two contiguous existing lots (Lot 9 and 10) at 18034 Stone Avenue North. The Reclassification of Property would result in the rezoning of this site from R-6 (Residential - 6 units/acre) to R-12 (Residential - 12 units/acre). A zoning map can be found in Exhibit B of Attachment I and a site plan is shown in Attachment II. The Preliminary Plat would permit the development of fifteen new dwelling units on sixteen lots. The Reclassification of Property (or Rezone) and Preliminary Plat (or Subdivision) is proposed by Eric Sundquist of Viking Properties.

The application was first discussed with City staff in May 1999. The application was determined, initially, to be complete on July 6, 1999. With subsequent, more detailed staff review, additional data was required. The application was accepted as fully completed on October 27, 1999. The SEPA Mitigated Determination of Non-Significance was issued on September 30, 1999. A public hearing before the Planning Commission was opened and closed on December 2, 1999. There were no exhibits submitted at the hearing.

Based upon input received through the public review process, the Planning Commission, on a vote of 5 - 1 (Commissioners Gabbert, Kuhn, Marx, Maloney, Monroe in favor; Commissioner McAuliffe opposed), recommended that the application be denied primarily based on the following conclusions:

- Despite amenities (e.g., open space/recreation area, landscaping, screening) that improves compatibility with neighborhood land uses, the proposal is not compatible

with existing development due to the higher density, smaller lot sizes and greater impervious surface coverage as compared to most surrounding development.

- The proposal is not consistent with the Comprehensive Plan policies that call for compatibility with existing development and neighborhood character.

The Planning Commission Findings and Recommendations (Attachment I, Exhibit A) contain these conclusions along with additional conclusions and findings of fact. The minutes from the hearing are included for your Council's reference (Attachment III).

The Planning Commission Findings and Recommendations differ from the findings and recommendation presented by Staff at the public hearing on December 2, 1999. At the public hearing, staff supported approval of the application for the Reclassification from R-6 to R-12 and concurrent Preliminary Plat based upon the conclusion that the proposal was consistent with the Comprehensive Plan land use designation and policies. In addition, the Staff supported clarifying changes requested by the applicant relating to water quality measurements, roadway width, sidewalk location, street lighting and design features (see Attachment I, Exhibit C).

The Comprehensive Plan designation for the Elena Lane site is Medium Density Residential. The Comprehensive Plan Land Use Designation for Medium Density Residential and Policy LU-28 state "Appropriate zoning designations for this area would be R-8 or R-12 Residential". These sections of the Comprehensive Plan indicate that, in Medium Density Residential areas, "Single family homes would be permitted, as would duplexes, triplexes, zero lot line houses, townhouses and cottage housing".

Staff has concluded that the current R-6 (Residential 6-unit/acre) zoning is not consistent with the Comprehensive Plan land use designation for this site. As a result, Staff does not concur with the Planning Commission Recommendation. Staff supports approval of the proposed Reclassification to R-12 (Residential - 12 units/acre) and concurrent Subdivision to create 15 dwelling units on 16 total lots. The Staff also supports clarifying changes requested by the applicant and addressed at the Planning Commission public hearing. In addition, staff supports two housekeeping changes to Conditions #12 and #20 of the Preliminary Plat (Attachment I, Exhibit C) regarding tree replacement, the homeowner's association and the association's responsibilities.

If your Council does not concur with the R-12 recommendation, we highly recommend that you rezone this site to R-8 (Residential - 8 units/acre). The R-8 zone is indicated by the Comprehensive Plan as an appropriate zone for sites with a Medium Density Residential land use designation. If your Council does not concur with either the R-8 or R-12 zoning, then the zoning will not agree with your Comprehensive Plan. During the public hearing on December 2, Chairman Kuhn noted that the final resolution of the land use designation for the east side of Stone Ave. by your Council was for Medium Density Residential. The more appropriate time to revisit your land use position of the Comprehensive Plan is in the overall Comprehensive Plan amendment process.

If your Council concludes that R-8 zoning is appropriate for this site, you may approve a rezone to R-8 and remand the subdivision for modification to meet the standards of the R-8 zone and reconsideration by the Planning Commission (see Attachment IV). Average lots size for the subdivision would need to be redesigned from the proposed average of approximately 3,000 square feet to approximately 5,400 square feet per lot and the number of residential lots would need to be reduced from 15 to no more than 11 residential lots. If your Council approves this option, staff recommends that the applicant be provided 90 days to redesign the Preliminary Plat to the provisions of the R-8 zone.

Your Council is the final decision making authority for Reclassification of Property and Preliminary Plat. If your Council decides to approve the Preliminary Plat, your Council may wish to add or remove conditions for the Plat in order to ensure that the proposal is in the public interest. However, due to the fact that the public hearing for this application has already occurred before the Planning Commission, your Council's review must be based upon the written record. You may not take new testimony.

OPTIONS

1. Approve Ordinance No. 228 rezoning property at 18034 N. Stone Avenue from R-6 to R-12 and approve concurrent Preliminary Plat for 15 homes on 16 lots.
2. Approve Alternate Ordinance No. 228 rezoning property at 18034 N. Stone Avenue from R-6 to R-8 and remand the Preliminary Plat to the Planning Commission for reconsideration.

RECOMMENDATION

Staff recommends that your Council adopt Ordinance No. 228 for the Reclassification of Property of two contiguous existing lots (Lot 9 and 10) at 18034 N. Stone Avenue from R-6 (Residential – 6 units/acre) to R-12 (Residential – 12 units/acre) and concurrent approval of the Elena Lane Preliminary Plat for fifteen new dwelling units on sixteen lots.

ATTACHMENTS

- | | |
|---------------|--|
| Attachment I | Ordinance No. 228, including:
Exhibit A: Planning Commission Findings and
Recommendations
Exhibit B: Zoning Map and Legal Description
Exhibit C: Preliminary Plat Conditions |
| Attachment II | Site Plan Maps for Elena Lane Rezone and Preliminary Plat |

Attachment III Planning Commission Minutes, December 2, 1999
Attachment IV Alternative Ordinance No. 228: including
Exhibit B (Revised): Zoning Map
Attachment V Attachment B-J to December 2, 1999 Staff Report
Available in Council Office and City Clerk's Office

Approved By: City Manager LB City Attorney CF

ORDINANCE 228

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON AMENDING THE CITY'S ZONING MAP TO CHANGE THE ZONING OF A 1.4 ACRE PARCEL LOCATED AT 18034 STONE AVENUE FROM R-6 TO R-12 AND APPROVING A PRELIMINARY PLAT SUBJECT TO CONDITIONS

WHEREAS, the subject property, described as Elena Lane, located at 18034 Stone Avenue, is designated on the Comprehensive Plan as Medium Density; and

WHEREAS, the owners of certain property located at 18034 Stone Avenue North have filed an application to reclassify the property, which is comprised of approximately 60,462 square feet, from R-6, Residential – 6 units per acre, to R-12, Residential – 12 units per acre; and to obtain approval for a 16 lot preliminary plat for residential development.

WHEREAS, on December 2, 1999, a public hearing on the reclassification application was held before the Planning Commission for the City of Shoreline pursuant to notice as required by law; and

WHEREAS, on December 2, 1999, the Planning Commission recommended denial of the reclassification application and entered findings of fact and a conclusion based thereon in support of that recommendation; and

WHEREAS, on December 30, 1999, Mr. Sundquist of Viking Properties, the applicant, filed an appeal of the Planning Commission Recommendation; and

WHEREAS, upon consideration of the appeal and review of the application the City Council has determined that the public use and interest will be served by approving the reclassification of said property from R-6 to R-12; and

WHEREAS, on December 2, 1999, the Planning Commission recommended denial of the preliminary plat application; and

WHEREAS, on December 30, 1999, Mr. Sundquist of Viking Properties, the applicant, filed an appeal of the Planning Commission Recommendation; and

WHEREAS, upon consideration of the appeal and review of the application the City Council has determined that the public use and interest will be served by approving the preliminary plat subject to the following conditions:

- I. Subsequent development of the subject property shall comply with all the conditions of the SEPA Mitigated Determination of Non-Significance issued on September 30, 1999; and
- II. The subdivision of the subject property shall be accomplished and shall comply with the conditions described in the Planning Commission Findings and Recommendation, Attachment A, on File #99-0845 except as amended by Exhibit C.

WHEREAS, the City has complied with the requirements of the State Environmental Policy Act (SEPA) and the City's SEPA procedures;

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

Section 1. Findings. The Planning Commission's findings in its Findings and Recommendation on File #99-0845 as set forth by the Planning Commission on December 2, 1999, and as attached hereto as Exhibit A, with the following amendments to the Conclusions of the Planning Commission:

- A. III. Conclusions #7: ~~Despite a~~Amenities (e.g., open space/recreation area, landscaping, screening) ~~that improves~~ improve compatibility with neighborhood ~~adjacent~~ land uses, the proposal is not compatible with existing development due to the higher ~~that have lower~~ density, ~~smaller~~ larger lot sizes and ~~greater~~ lower impervious surface coverage as compared to most surrounding development.
- B. III. Conclusions #8: The proposal is ~~not~~ consistent with the Comprehensive Plan land use designation and policies for Medium Density Residential areas and with policies that call for compatibility with existing development and neighborhood character.

Section 2. Amendment to Zoning Map. The official zoning map of the City of Shoreline, adopted by Ordinance No. 125, is hereby amended to change the zoning classification for the parcel, more fully described below and depicted in Exhibit B attached hereto, from R-6 to R-12.

Lots 9 and 10, Block 4, Richmond Acres, according to the plat thereof, Recorded in Volume 24 of Plats, Page 25, In King County, Washington

Section 3: Preliminary Plat Approval. The preliminary plat for Elena Lane is approved subject to conditions as shown in Exhibit C.

Section 4: Severability. If any provision of this ordinance or the application of a provision to any person or circumstance, is declared invalid, then the remainder of this Agreement, or the application of such provision to other persons or circumstances, shall not be affected.

Section 5: Effective Date and Publication. This ordinance shall go into effect five days after passage, and publication of the title as a summary of this ordinance.

PASSED BY THE CITY COUNCIL ON FEBRUARY 14, 2000

Mayor Scott Jepsen

ATTEST:

Sharon Mattioli
City Clerk

Ian Sievers
City Attorney

Date of Publication: _____, 2000

Effective Date: _____, 2000

Commission Meeting Date: December 2, 1999

PLANNING COMMISSION FINDINGS AND RECOMMENDATION
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: ELENA LANE REZONE AND PRELIMINARY PLAT
File #099-0845

After reviewing and discussing the Elena Lane Rezone and Preliminary Subdivision at a public hearing on December 2, 1999 to rezone and subdivide approximately 1.4 acres, and considering the testimony and written comments presented, the Shoreline Planning Commission makes the following Findings, Conclusions and Recommendations to the Shoreline City Council:

I. PROPOSAL:

Proposal: The proposed Reclassification of Property (or Rezone) and Preliminary Plat (File No. 099-0845) would permit the development of fifteen new dwelling units on approximately 1.4 acres of land on two contiguous existing lots (Lot 9 and 10) at 18034 Stone Avenue. The site is now zoned Residential – 6 units per acre (R-6). The proposed zoning would be Residential – 12 units per acre (R-12). The Subdivision would create 16 new lots of which 15 would be used for residential development and one would be dedicated to open space and recreation. A set of Proposed Plat Conditions for this Subdivision proposal has been prepared by Staff.

The applicant is Eric Sundquist of Viking Properties. The application was first discussed with the City in May 1999. The application was determined, initially, to be complete on July 6, 1999. With subsequent, more detailed staff review, additional data was required. The application was accepted as fully completed on October 27, 1999.

The SEPA Mitigated Determination of Non-Significance was issued on September 30, 1999. The proposal is further described in the Application and in the Elena Lane Preliminary Plat and plans. Details of the proposal include:

- A. A preliminary plat to create 16 lots, 15 of which would be used for single family development and one which would be a common open space/recreation area.
- B. construction of a 24 foot wide roadway to urban road standards with curb and gutters.
- C. on-site stormwater detention pipe in the roadway and linking through a drainage easement to a vault system on the northeast corner of the site; off-site biofiltration.
- D. construction of sidewalk system (including curbs, gutters and streetlighting) throughout the development.
- E. construction of sidewalk on Stone Avenue adjacent to the site.
- F. construction of striped asphalt pedestrian walkway linking the sidewalk to North 180th Street on the south and North 183rd Street to the north; this asphalt walkway will be

- designed for the future extension of sidewalks as other properties develop; no additional sidewalk will be built by this developer.
- G. retention of a buffer of mature cedar trees at the southwest corner of the site, as well as other trees, as feasible, on the northern and eastern site boundaries and the interior of the site.
 - H. a boundary landscape plan that includes: red maple, vine maple, fir trees and mixed shrubs.
 - I. 6-foot high decorative wood fencing at the boundaries of the site.
 - J. construction of a fenced tot lot located on the common open space lot.

II. FINDINGS:

1. THE SITE

- 1.1 The site now consists of a single parcel. This parcel would be subdivided into 16 lots under the proposal. The lots would average 3,043 square feet (ranging from 2,975 square feet to 4,045 square feet). The current residential density is approximately 0.7 units per acre.
- 1.2 The existing single family dwelling and two outbuildings would be removed to build the new homes. A gravel road now provides access to the home and outbuildings. The development proposal would abandon this road and construct a new paved roadway in the center of the site.
- 1.3 The site has a gradual slope from the west to the east side of the site, with a maximum slope of five percent. Most of the site is an open grass field. There is a buffer of mature cedar trees on the southwest corner of the site. This buffer would be retained.

2. THE NEIGHBORHOOD

- 2.1 The site is located in the Meridian Park Neighborhood. The site is on the east side of Stone Avenue. Across Stone Avenue to the west is a mixture of single-family homes and duplexes on small lots. Single-family homes on larger lots exist to the north, east and south of the site. One block west of the site (Midvale Avenue), there are various commercial and light industrial uses (e.g., QFC Shopping Center, public storage, offices, etc.).
- 2.2 The proposed single-family homes on smaller lots would be similar to the existing single-family homes and duplexes on the west side of Stone Avenue. Elena Lane's proposed homes on smaller lots would be different from the single-family homes on larger lots that are north, south and east of the site. However, this development would be separated from those nearby homes by the plan for open spaces, setbacks, and screening (landscaping and fencing).

3. COMPREHENSIVE PLAN

- 3.1 The Shoreline Comprehensive Plan provides a policy directive to "Ensure land is designated to accommodate a variety of types and styles of residences adequate to meet the growth of 1,600 to 2,400 new housing units and the future needs of Shoreline citizens" (LU23).

- 3.2 The Comprehensive Plan calls for development that is in character with the existing neighborhood. Policy H1 asks the City to: "Encourage a variety of residential design alternatives that increase housing opportunities in a manner that is compatible with the character of existing residential and commercial development throughout the city." Policy H6 calls for the City to: "Encourage compatible infill development on vacant or underutilized sites." Finally, Goal H III states that the City should: "Maintain and enhance single family and multi-family residential neighborhoods, so that they provide attractive living environments, with housing that is compatible in quality, design and scale within neighborhoods and that provides effective transitions between different uses and scales."
- 3.3 The adopted Plan includes a Land Use Map that designates this site (as well as the remainder of the east side of Stone Avenue between North 178th Street and North 185th Street) as Medium Density Residential Use. Medium density residential would permit single family homes, duplexes, triplexes, zero lot line houses, townhouses, cottage housing, and apartments under certain conditions. "The permitted density for this designation will not exceed 12 dwelling units per acre and the base height will not exceed 35 feet, unless a neighborhood plan, subarea plan or special district overlay plan/zone has been approved. Appropriate zoning designations for this area would be R-8 or R-12 Residential" (LU28).

4. EXISTING ZONING

- 4.1 The site is zoned at R-6, Residential – 6 units per acre. This is a Low Density Residential zone and the R-6 zone permits single-family homes. Duplex and triplex units are allowed in R-6 as conditional uses. This existing zoning is not consistent with the adopted Comprehensive Plan's Land Use Map, which shows the east side of Stone Avenue as Medium Density Residential Use.

5. ISSUES:

The development proposal has raised the following issues that have been analyzed in the Staff Report:

- 5.1 Density: The proposed density of 15 dwelling units on approximately 1.4 acres is within the range permitted by the Comprehensive Plan Map and policies for Medium Density Residential Use.
- 5.2 Preliminary Plat: The applicant has provided plans for a proposed preliminary plat of 16 lots (15 building lots; plus one lot for common open space/recreation) to comply with the provisions of the City's Subdivision Ordinance (SMC Chapter 17), including requirements for lot size, lot design, lot dimensions and for public facilities and improvements, such as roadways, sidewalks, sewers.
- 5.3 Vehicle Traffic: The applicant has provided a traffic study that reports that this project would have no significant impacts to existing vehicular traffic operations of the street system in the vicinity of the site. Staff concurs with this conclusion. The City's staff is aware that citizens are reporting increased cumulative traffic on North 183rd Street. The City is developing a traffic calming program and traffic calming systems will be considered for the North 183rd Street corridor.

- 5.4 Pedestrian Traffic: Pedestrians may be expected to walk north from Elena Lane to the nearby shopping area and to public transit on Aurora and North 185th.

Additionally, the Shoreline School District reports that school children will be walking south from the site to Meridian Park Elementary School and Shorewood High School. The school bus stop for students at Einstein Middle School is located at North 180th Street and Stone Avenue. The School District provided a letter stating that the pedestrian connections are "fairly typical" of connections in the area. The School District does not recommend specific pedestrian improvements.

To improve pedestrian safety, the applicant is proposing a sidewalk, curb and gutter on Stone Avenue in front of Elena Lane. The applicant has also proposed asphalt walkways, with striping, to link the sidewalk in front of Elena Lane to North 183rd Street and to North 180th Street. Staff concur with this proposal and also recommends that the project be engineered to consider drainage impacts from full sidewalk along Stone Avenue between North 180 and North 183rd. This analysis would ensure that current sidewalk drainage requirements and construction requirements would be compatible with future sidewalk additions on this block of Stone Avenue.

- 5.5 Open Space/Recreation: One lot, 4,045 square feet in size, would be dedicated to open space and recreation. This lot would feature a fenced tot lot, grass cover and boundary trees (Hogan's cedar, red maple and mixed shrubs).

- 5.6 Stormwater: The applicant has completed stormwater drainage analyses, including soils studies. The applicant has proposed a stormwater management system including subterranean detention pipe (to detain 50% of the 2 year through 50 year storm). The detention pipe would underlie North 182nd Place and lead, via an easement, to a stormwater conveyance system on the northeast corner of the site. Staff recommends that biofiltration be provided in off-site downstream ditch sections with specific locations to be determined in final engineering plans. The system would be designed to limit post-development storm water runoff to be equal to (or less than) predevelopment runoff levels. The system would be designed to safeguard development and open spaces on the site. The system would also be intended to protect water quality in Thornton Creek and to protect Ronald Bog. Staff concurs with the proposed stormwater management system.

- 5.7 Landscaping: The applicant proposes to retain an existing buffer of mature cedar trees on the southwest corner of the site, approximately 6 fir trees and several other trees scattered throughout the property. Additional trees within the site would be preserved as feasible.

The plan would also provide trees, shrubs and groundcover within the site and at its boundaries. Tree plantings include 19 red maples, 7 vine maple, 4 crabapple, and 5 Hogan's cedar. A hedgerow is planned for the east side of the open space/recreation area, parallel to the tot lot. A landscaping buffer is also planned for the north side of the open space area. There would be 66 shrubs, including rhododendron, roses, arborvitae, juniper and rockrose, throughout the site.

- 5.8 Screening: The buffer of cedar trees on the southwest corner of the property would remain. A landscape hedgerow would be located on the east boundary of the open space area parallel to the tot lot. The applicant plans security fencing for the tot lot. Each home would be screened with wood fencing. There would

also be a 6 foot high wood fence around the periphery of the site. Staff concurs with the proposed screening plan.

- 5.9 Utilities and Services: The proposed project has been reviewed by the Fire Department, the Water District and the Sewer District. Each of these agencies has concurred with the basic proposed development. Conditions for service have been established by each agency.

III. CONCLUSIONS

1. The proposed preliminary plat is in conformance with the Shoreline Municipal Code Title 19 - Subdivision Standards.
2. The proposal would provide adequate water and sewer systems to serve the new homes and would not reduce the level of service provided to abutting properties.
3. The proposal would provide adequate stormwater systems to service the new homes and would not increase runoff to abutting properties; the system would address water quality and water quantity impacts to Ronald Bog and Thornton Creek.
4. The proposal would retain a valuable vegetative buffer resource on the southern boundary at the west side of the site and other vegetation as feasible.
5. The proposal would provide a Homeowner's Association to maintain appearance and function of the development.
6. The proposed development would assist the City of Shoreline in meeting its housing production targets to meet our obligation under the Growth Management Act.
7. Despite amenities (e.g., open space/recreation area, landscaping, screening) that improves compatibility with neighborhood land uses; the proposal is not compatible with existing development due to the higher density, smaller lot sizes and greater impervious surface coverage as compared to most surrounding development.
8. The proposal is not consistent with the Comprehensive Plan policies that call for compatibility with existing development and neighborhood character.

IV. RECOMMENDATION

The Planning Commission recommends that the Elena Lane Reclassification of Property and Preliminary Plat be denied.

ATTACHMENT:

- A. Proposed Plat Conditions



Dan Kuhn, Planning Commission Chair

12/22/99

Date

ATTACHMENT A

ELENA LANE: CONDITIONS FOR PRELIMINARY PLAT FOR 16 LOTS FOR FUTURE SINGLE-FAMILY DEVELOPMENT

1. Developer shall provide and install a Surface/Storm Water Management Plan, pursuant to the Memorandum issued by the City of Shoreline on September 14, 1999. The Final Surface/Storm Water Management Plan and Agreement shall incorporate the measures listed below:
 - (a) Surface and stormwater management must be provided as stipulated in the Technical Information Report prepared by Lovell-Sauerland and Associates, dated 4/29/99, in the letter to the City from Eric Sundquist dated 9/27/99 and the plans dated November 3, 1999, and
 - (b) Biofiltration shall be provided in off-site downstream ditch sections with specific locations to be determined in final engineering plans.
 - (c) A complete set of construction drawings is to be submitted, approved, and a site development permit issued before construction can begin.
 - (d) All drainage facilities are to be dedicated through a Declaration of Covenant Associated with Development of Detention Facility to the City of Shoreline with recording of the final plat.
 - (e) The developer is required to provide a Drainage Easement Agreement, establishing the legal description of the easement corridor, and providing that said easements are to be maintained, repaired, and/or rebuilt by the owners of the parcels and their heirs, assigns or successors.

The City must approve the Surface/Storm Water Management Plan, including engineering details of the proposed facilities, prior to the issuance of the site development permit.

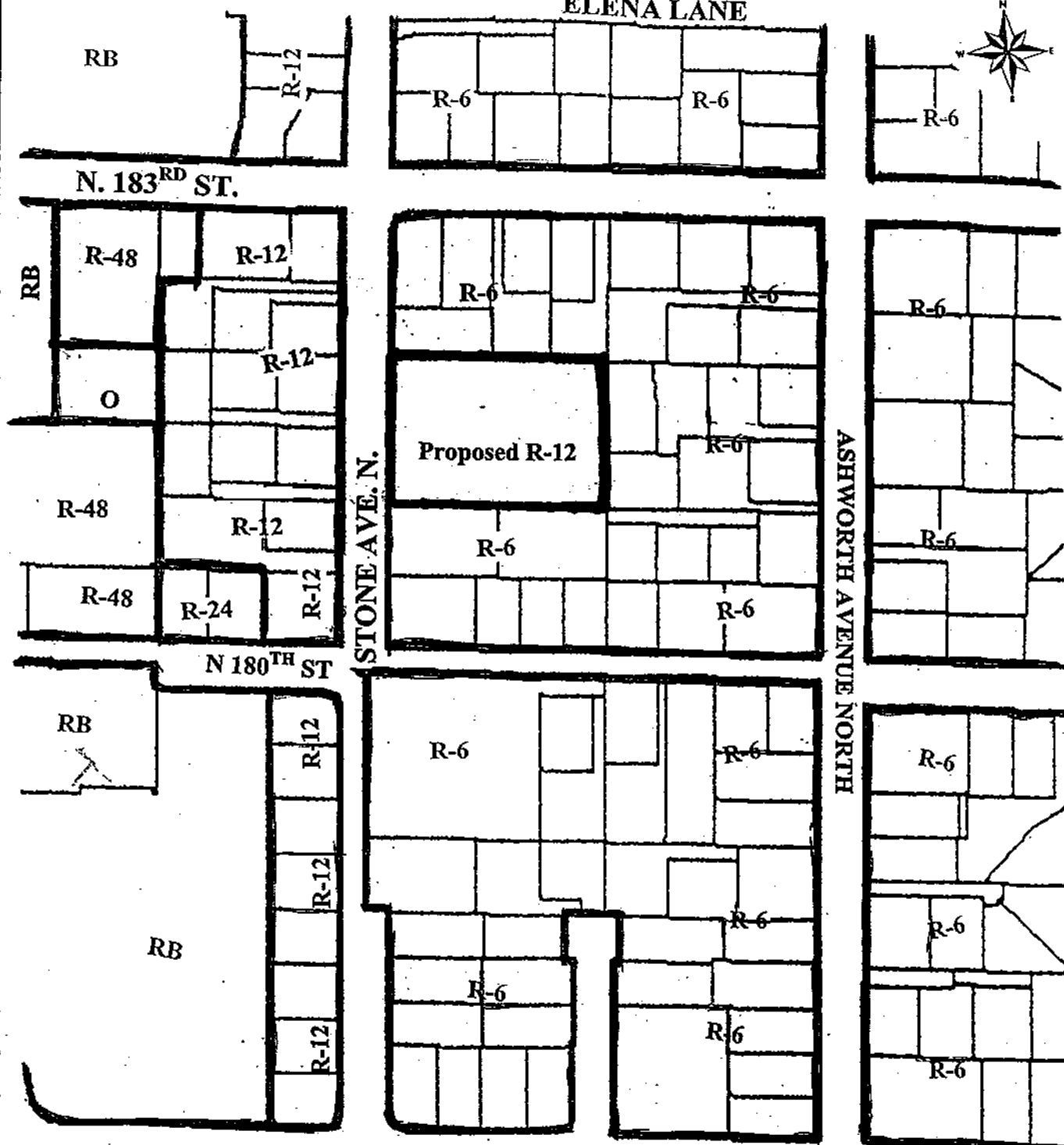
2. Developer shall provide a 32 foot wide paved roadway (North 182nd Place), with curb and gutter as proposed on the site plans submitted by Lovell-Sauerland and Associates to the City of Shoreline on November 3, 1999, and pursuant to the requirements of SMC Title 12.10.
3. Developer shall provide a pedestrian sidewalk, curb and gutters on both sides of North 182nd Place as proposed on the site plans submitted by Lovell-Sauerland and Associates to the City of Shoreline on November 3, 1999, and pursuant to the requirements of SMC Title 18.18.
4. Developer shall provide a pedestrian sidewalk, curb and gutters on Stone Avenue North adjacent to the site, as proposed on the site plans submitted by Lovell-Sauerland and Associates to the City of Shoreline on November 3, 1999, and pursuant to the requirements of SMC Title 18.18.
5. Developer shall provide an asphalt pedestrian walkway, with a painted stripe separating the walkway from vehicular traffic to extend along Stone Avenue from the south boundary of the site to North 180th Street and from the north boundary of the site to North 183rd Street. This walkway shall be designed and constructed to ensure that future sidewalk connections can be constructed to be compatible with the sidewalk frontage for Elena Lane and to accommodate storm drainage improvements needed to achieve compliance with the SMC/King County Surface Water Drainage Standards.

6. Developer is to provide and install non-glare streetlighting in accordance with a lighting plan approved by Planning and Development Services.
7. The developer is required to meet the conditions established by the Shoreline Sewer Availability Certificate issued on April 27, 1999.
8. The developer is required to meet the conditions established by the Shoreline Water Availability Certificate issued on May 7, 1999.
9. The developer is required to meet the conditions established by the Shoreline Fire Department Availability Certificate issued on 8/17/99 (and amended to complete on 9/1/99).
10. A maximum of 15 single-family homes is permitted as proposed on plans submitted by Lovell-Sauerland and Associates to the City of Shoreline on November 3, 1999.
11. The following features on plans submitted by Lovell-Sauerland and Associates to the City of Shoreline on November 3, 1999 shall substantially control:
 - Structural design, façade materials, gabled rooflines
 - Orientation and siting of structures
 - Building height, bulk and scale
 - Setbacks for front, back and side yards
 - Lot coverage for buildings
 - Privacy and defensible space
 - Pervious and impervious surface coverage
 - Building footprints
12. Tree retention as provided on site plans submitted by Burrus Design Group to the City of Shoreline on September 8, 1999 shall be required for site development. In the event that trees stipulated for retention are removed (whether inadvertently or through an approved building permit), each tree which is removed shall be replaced by two trees of the same species as the tree that has been removed. Each replacement tree must be a minimum of two inches in caliper.
13. Development shall provide and maintain fencing around tree preservation area for the duration of site preparation and construction activities, in order to preserve the natural environment existing within the site.
14. Development shall provide new landscape plantings, including trees, shrubs, groundcover, and perennial/annual flowering plants, as provided on Landscaping Plans submitted to the City of Shoreline by Burrus Design Group on September 8, 1999, and pursuant to the requirements of SMC Title 18.16.
15. Development applications shall include:
 - (a) a vegetation maintenance plan which describes products to be used (e.g., application of nutrients, pesticides and herbicides) and maintenance schedule to minimize the introduction of products into runoff flows.
 - (b) a vegetation irrigation plan, pursuant to SMC Title 18.16.300 - 18.16.370.
 - (c) a performance bond or other security equivalent to 150% of the value of the plantings, to be maintained in full force and effect for a minimum period of one year. The performance bond or security maybe amended to continue for an additional three years following the installation of substantial replacement vegetation.
16. The City must approve the Vegetation Mitigation Plan, including, planting, maintenance, and monitoring details, prior to the issuance of the site development

permit. Vegetation management shall be designed, implemented and effectively/regularly maintained by the applicant pursuant to the approved Vegetation Mitigation Plan.

17. Development shall provide and maintain the common open space area (4,045 square feet) including fenced tot lot, grassy field, and plantings, as proposed on the site plans submitted by Lovell-Sauerland and Associates to the City of Shoreline on November 3, 1999.
18. Development shall provide a solid screen of wood fencing around the periphery of the property (except at the southern boundary where the buffer of cedar trees is retained), as proposed on the site plans submitted by Lovell-Sauerland and Associates to the City of Shoreline on November 3, 1999.
19. Owners shall be required to establish and maintain in force and effect, a Covenant for a Homeowners' Association. The Association is to be held with undivided interest by all lots in this subdivision. The Association (owners of the parcels having legal access therefrom and their heirs, assigns or successors) is to be responsible for maintaining, repairing and/or rebuilding of: (1) Open Space/Recreation Tract (Lot 16 - 4045 square feet) and other common areas; (2) plantings in common areas and on site boundaries; (3) boundary screening; and (4) infrastructure and utilities not dedicated to the City. The Homeowners Association shall also be responsible for prevention of temporary or permanent encroachment of structures or equipment (e.g., boats, recreational vehicles) into the right-of-way and into other public areas.

VICINITY ZONING MAP

SHOWING REZONE FOR
ELENA LANE

ZONING KEY

R-6:	Residential - 6 units/acre	R-48:	Residential - 48 units/acre
R-12:	Residential - 12 units/acre	O:	Office
R-24:	Residential - 24 units/acre	RB:	Regional Business

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

Map not to scale



City of Shoreline
Department of Planning
and Development Services

LEGAL DESCRIPTION

Lots 9 and 10, Block 4, Richmond Acres, according to the plat thereof, Recorded in
Volume 24 of Plats, Page 25, In King County, Washington

EXHIBIT C

ELENA LANE: CONDITIONS FOR PRELIMINARY PLAT FOR 16 LOTS FOR FUTURE SINGLE-FAMILY DEVELOPMENT

1. Developer shall provide and install a Surface/Storm Water Management Plan, pursuant to the Memorandum issued by the City of Shoreline on September 14, 1999. The Final Surface/Storm Water Management Plan and Agreement shall incorporate the measures listed below:
 - (a) Surface and stormwater management must be provided as stipulated in the Technical Information Report prepared by Lovell-Sauerland and Associates, dated 4/29/99, in the letter to the City from Eric Sundquist dated 9/27/99 and the plans dated November 3, 1999, and
 - (b) Biofiltration Water quality measurements equivalent to biofiltration shall be provided in off-site downstream ditch sections with specific locations to be determined in final engineering plans.
 - (c) A complete set of construction drawings is to be submitted, approved, and a site development permit issued before construction can begin.
 - (d) All drainage facilities are to be dedicated through a Declaration of Covenant Associated with Development of Detention Facility to the City of Shoreline with recording of the final plat.
 - (e) The developer is required to provide a Drainage Easement Agreement, establishing the legal description of the easement corridor, and providing that said easements are to be maintained, repaired, and/or rebuilt by the owners of the parcels and their heirs, assigns or successors.

The City must approve the Surface/Storm Water Management Plan, including engineering details of the proposed facilities, prior to the issuance of the site development permit.

2. Developer shall provide a 32 ²⁴ foot wide paved roadway within a 31 foot wide right-of-way (North 182nd Place), with curb and gutter as proposed on the site plans submitted by Lovell-Sauerland and Associates to the City of Shoreline on November 3, 1999, and pursuant to the requirements of SMC Title 12.10.
3. Developer shall provide a pedestrian sidewalk on the south side and, curb and gutters on both sides of North 182nd Place as proposed on the site plans submitted by Lovell-Sauerland and Associates to the City of Shoreline on November 3, 1999, and pursuant to the requirements of SMC Title 18.18.
4. Developer shall provide a pedestrian sidewalk, curb and gutters on Stone Avenue North adjacent to the site, as proposed on the site plans submitted by Lovell-Sauerland and Associates to the City of Shoreline on November 3, 1999, and pursuant to the requirements of SMC Title 18.18.
5. Developer shall provide an asphalt pedestrian walkway, with a painted stripe separating the walkway from vehicular traffic to extend along Stone Avenue from the south boundary of the site to North 180th Street and from the north boundary of the site to North 183rd Street. This walkway shall be designed and constructed to ensure that future sidewalk connections can be constructed to be compatible with the sidewalk frontage for Elena Lane and to accommodate storm drainage improvements needed to achieve compliance with the SMC/King County Surface Water Drainage Standards.

6. ~~Developer shall provide and install streetlighting as proposed on the site plans submitted by Lovell-Sauerland and Associates to the City of Shoreline on November 3, 1999. Developer shall provide and install non-glare streetlighting in accordance with a lighting plan approved by the Planning and Development Services Director.~~
7. The developer is required to meet the conditions established by the Shoreline Sewer Availability Certificate issued on April 27, 1999.
8. The developer is required to meet the conditions established by the Shoreline Water Availability Certificate issued on May 7, 1999.
9. The developer is required to meet the conditions established by the Shoreline Fire Department Availability Certificate issued on 8/17/99 (and amended to complete on 9/1/99).
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 - Lot coverage for buildings
 - Privacy and defensible space
 - Pervious and impervious surface coverage
 - Building footprints
12. Tree retention as provided on site plans submitted by Burrus Design Group to the City of Shoreline on September 8, 1999 shall be required for site development. In the event that trees stipulated for retention within the site or as a buffer are removed (whether inadvertently or through an approved building permit, or by the owner of property to the south of the plat), each tree which is removed shall be replaced by two trees of the same species as the tree that has been removed by the property owner and/or the Homeowner's Association depending on responsibility for maintenance. ~~by two trees of the same species as the tree that has been removed.~~ Each replacement tree must be a minimum of two inches in caliper.
13. Development shall provide and maintain fencing around tree preservation area for the duration of site preparation and construction activities, in order to preserve the natural environment existing within the site.
14. Development shall provide new landscape plantings, including trees, shrubs, groundcover, and perennial/annual flowering plants, as provided on Landscaping Plans submitted to the City of Shoreline by Burrus Design Group on September 8, 1999, and pursuant to the requirements of SMC Title 18.16.
15. Development applications shall include:
 - (a) a vegetation maintenance plan which describes products to be used (e.g., application of nutrients, pesticides and herbicides) and maintenance schedule to minimize the introduction of products into runoff flows.
 - (b) a vegetation irrigation plan, pursuant to SMC Title 18.16.300 - 18.16.370.
 - (c) a performance bond or other security equivalent to 150% of the value of the plantings, to be maintained in full force and effect for a minimum period of one year. The performance bond

or security maybe amended to continue for an additional three years following the installation of substantial replacement vegetation.

16. The City must approve the Vegetation Mitigation Maintenance Plan, including, planting, maintenance, and monitoring details, prior to the issuance of the site development permit. Vegetation management shall be designed, implemented and effectively/regularly maintained by the applicant pursuant to the approved Vegetation Mitigation Maintenance Plan.
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18. ~~Development shall provide streetlighting as proposed on the site plans submitted by Lovell-Sauerland and Associates to the City of Shoreline on November 3, 1999.~~
19. Development shall provide a solid screen of wood fencing around the periphery of the property (except at the southern boundary where the buffer of cedar trees is retained), as proposed on the site plans submitted by Lovell-Sauerland and Associates to the City of Shoreline on November 3, 1999.
20. Owners shall be required to establish and maintain in force and effect, a Covenant for a Homeowners' Association ~~The Association is to be held with undivided interest by comprised of owners of all lots in this subdivision. The Association (owners of the parcels having legal access therefrom and their heirs, assigns or successors) shall hold title to the~~ Open Space/Recreation Tract (Lot 16 – 4045 square feet) and other common areas and is to be responsible for maintaining, repairing and/or rebuilding of: (1) Open Space/Recreation Tract (Lot 16 – 4045 square feet) and other common areas; (2) plantings in common areas and on site boundaries; (3) boundary screening; and (4) infrastructure and utilities not dedicated to the City. ~~The Homeowners Association shall also be responsible for prevention of temporary or permanent encroachment of structures or equipment (e.g., boats, recreation vehicles) into the right-of-way and into other public areas.~~