



AGENDA

SHORELINE CITY COUNCIL WORKSHOP DINNER MEETING

Monday, April 14, 2008
6:00 p.m.

Shoreline Conference Center
Highlander Room

TOPICS/GUESTS: Legislative Wrap-up by State Senator Darlene Fairley
and Representatives Maralyn Chase and Ruth Kagi

SHORELINE CITY COUNCIL BUSINESS MEETING

Monday, April 14, 2008
7:30 p.m.

Shoreline Conference Center
Mt. Rainier Room

- | | <u>Page</u> | <u>Estimated
Time</u> |
|---|-------------|---------------------------|
| 1. CALL TO ORDER | | 7:30 |
| 2. FLAG SALUTE/ROLL CALL | | |
| (a) Proclamation of Earth Day | 1 | |
| 3. REPORT OF THE CITY MANAGER | | |
| (a) Legislative Report by Senator Darlene Fairley | | |
| 4. REPORTS OF BOARDS AND COMMISSIONS | | |
| 5. GENERAL PUBLIC COMMENT | | 8:00 |
| <i>This is an opportunity for the public to address the Council on topics other than those listed on the agenda and which are not of a quasi-judicial nature. Speakers may address Council for up to three minutes, depending on the number of people wishing to speak. If more than 15 people are signed up to speak each speaker will be allocated 2 minutes. When representing the official position of a State registered non-profit organization or agency or a City-recognized organization, a speaker will be given 5 minutes and it will be recorded as the official position of that organization. Each organization shall have only one, five-minute presentation. The total public comment period under Agenda Item 5 will be no more than 30 minutes. Individuals will be required to sign up prior to the start of the Public Comment period and will be called upon to speak generally in the order in which they have signed. If time is available, the Presiding Officer may call for additional unsigned speakers.</i> | | |
| 6. APPROVAL OF THE AGENDA | | 8:30 |
| 7. CONSENT CALENDAR | | |
| (a) Minutes of Study Session of March 3, 2008 | 3 | |

- (b) Approval of expenses and payroll as of March 31, 2008 in the amount of \$1,071,000.86 21
- (c) Ordinance No. 498 Amending the 2008 Budget for Uncompleted 2007 Capital And Operating Projects and Increasing Appropriations in the 2008 Budget 23
- (d) Authorize the City Manager to execute a contract with All Phase Communications, Inc. for the acquisition and installation of a new telephone system 37
- (e) Authorize the City Manager to award the Professional Service Contract with Vanir Construction Management, Inc. for Construction Management and Inspection Services 47

8. ACTION ITEM: PUBLIC HEARING

- (a) Public Hearing to receive Citizens' comments on the PROPOSED Shoreline Sustainability Strategy 51 8:30

9. ACTION ITEMS: OTHER ORDINANCES, RESOLUTIONS, AND MOTIONS

- (a) Ordinance No. 497, rezoning the property located at 17562 12th Avenue NE from R-12 to R-24 63 8:55
(note: this is a quasi-judicial matter for which the Council does not take public comment)
- (b) Ordinance No. 499, rezoning the properties located at 16520, 16522, 16526, 16532 and 16538 Linden Avenue North from R-8 to R-24, File No. 201699 89 9:15
(note: this is a quasi-judicial matter for which the Council does not take public comment)
- (c) Ordinance No. 478, Amendments to the Development Code, Section 20.50.020; Residential Density in CB zones, affecting properties located in the Town Center Study Area and along Ballinger Way 127 10:00

10. ADJOURNMENT 10:25

The Council meeting is wheelchair accessible. Any person requiring a disability accommodation should contact the City Clerk's Office at 546-8919 in advance for more information. For TTY service, call 546-0457. For up-to-date information on future agendas, call 546-2190 or see the web page at www.cityofshoreline.com. Council meetings are shown on Comcast Cable Services Channel 21 Tuesdays at 8 p.m. and Wednesday through Sunday at 6 a.m., 12 noon and 8 p.m. Council meetings can also be viewed on the City's Web site at cityofshoreline.com/cityhall/citycouncil/index.

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Proclamation of "Earth Day"
DEPARTMENT: CMO/CCK
PRESENTED BY: Scott Passey, City Clerk

PROBLEM/ISSUE STATEMENT:

This proclamation recognizes April 22, 2008 as Earth Day in the City of Shoreline. It calls upon City residents to celebrate this special occasion and commit to accomplishing positive change in our relationship with the natural environment.

One of the most successful examples of the City's commitment to enhancing the natural environment is the City's Household Battery Recycling Program. The program is run in each of the City's libraries and has grown from 200 pounds collected in 2002 to 6,000 pounds collected in 2007.

Receiving the proclamation are, on behalf of the Richmond Beach Library, Anina Sill, Managing Librarian and on behalf of the Shoreline Library, Miriam Driss, Community Liaison.

RECOMMENDATION

No action is required.

Approved By: City Manager ____ City Attorney ____



PROCLAMATION

- WHEREAS, a healthy natural environment is the foundation of a vigorous society and a robust economy; and
- WHEREAS, our global environment is being damaged by activities that threaten human health and the earth's ability to sustain a diverse community of life; and
- WHEREAS, the City of Shoreline values sustainability and stewardship of the environment and natural resources and is striving to create an environmentally sustainable community.
- WHEREAS, reducing waste through rethinking purchases, and reusing and recycling products can conserve our limited resources and make our community more sustainable; and
- WHEARAS, the City Council's 2007-2008 work plan, Goal #6 is to "Create an Environmentally Sustainable Community," including "reduction of solid waste and maximizing recycling and reuse of resources
- WHEREAS, there are economic, environmental and social reasons to provide opportunities for community members to become stewards of our resources and to protect our environment; and
- WHEREAS, Earth Day offers citizens an unprecedented opportunity to commit to building a healthy planet and flourishing communities;
- NOW, THEREFORE, I, Cindy Ryu, Mayor of the City of Shoreline, do hereby proclaim April 22, 2008 as

EARTH DAY

in the City of Shoreline and call upon all residents to celebrate this special observance and commit to accomplishing dramatic change in our relationship with the natural environment.

Cindy Ryu
Mayor of Shoreline

CITY OF SHORELINE
SHORELINE CITY COUNCIL
SUMMARY MINUTES OF SPECIAL MEETING

Monday, March 3, 2008
6:30 p.m.
Shoreline Conference Center
Mt. Rainier Room

1. CALL TO ORDER

At 6:35 p.m. the meeting was called to order by Mayor Ryu, who presided.

2. FLAG SALUTE/ROLL CALL

Mayor Ryu led the flag salute. Upon roll call by the City Clerk, all Councilmembers were present.

PRESENT: Mayor Ryu, Deputy Mayor Scott, Councilmember Eggen, Councilmember Hansen, Councilmember McConnell, Councilmember McGlashan, and Councilmember Way.

ABSENT: None.

(a) Proclamation of "Shoreline Schools Band Week"

Mayor Ryu proclaimed the week of March 3, 2008 "Shoreline Schools Band Week" throughout the City of Shoreline and presented the proclamation to Charlie Sanford, Gene Oswald, Davis Hill, Brayden King from the Shoreline School District.

Mr. Sanford thanked the Mayor and the Council for the proclamation. Mr. King thanked the City and the musicians for their work.

3. CITY MANAGER'S REPORT AND FUTURE AGENDAS

Bob Olander, City Manager, highlighted that today is the first day Cleanscapes provided collection services to the City and reported on the following past and future City meetings, projects, and events.

- Richmond Beach Saltwater Park Restoration Work Party, Saturday, March 15 from 10:00 a.m. to 2:00 p.m.
- There is a "Champion Tree Contest" to determine the largest tree in each of the native species in Shoreline. The contest will run until August 31, 2008 and participants can attend a free training session on Saturday, March 15 or March 22 at 12:30 - 2:00 p.m. at Shoreline Community College. For more information or contest rules call Barbara at (206) 542-3242.

- The next Planning Commission meeting will be held on Thursday, March 6 at 7:00 p.m. in the Mt. Rainier Room at the Shoreline Center, 18560 1st Avenue NE.
- The Planning Commission is holding a special study session to discuss the code amendments to replace the moratorium in CB, RB, & I zones on Thursday, March 13 at 7:00 p.m. in the Mt. Rainier Room at the Shoreline Center, 18560 1st Avenue NE.
- The City Council meeting for next week is cancelled due to Council attendance at the National League of Cities Conference in Washington, D.C. The next meeting will be on March 17 at 6:30 p.m. in the Mt. Rainier Room at the Shoreline Center, 18560 1st Avenue NE.

4. COUNCIL REPORTS

Mayor Ryu reported that she attended the North End Mayors meeting and King County Councilmember Bob Ferguson and his wife have had their twins. She highlighted that the jail contract is almost settled. She reported that voting by mail in King County will not begin until 2009. She announced that United Way of King County is offering free tax filing for qualifying low income people at Hopelink, 15809 Westminister Way North on Wednesdays from 5:00 – 9:00 p.m. and Saturdays from 10:00 a.m. – 2:00 p.m. She commented that she attended a WRIA-8 training session with Councilmember Eggen entitled “Changing Environmental Behavior: Creating Effective Programs.”

5. GENERAL PUBLIC COMMENT

a) Les Nelson, Shoreline, urged residents to attend the Planning Commission meetings, especially on March 13 and 20. He felt the issue concerning transition between single family homes is important because there are a large number of developments being considered. He read a list of developments of what he concluded represented 5,000 – 6,000 units which could be built in the City.

Councilmember McGlashan inquired whether Mr. Nelson’s information was correct.

Mr. Olander stated there are some projects that are in the speculative or thought stage. Additionally, he said there are only one or two applications that have been received by the Planning Department.

6. APPROVAL OF THE AGENDA

Councilmember McGlashan moved to approve the agenda, seconded by Deputy Mayor Scott.

Councilmember McConnell requested pulling item 7(b), which was moved to item 8(e).

Councilmember Hansen requested pulling item 7(c), which was moved to item 8(a).

A vote was taken on the motion on the table to approve the revised agenda, which carried 7-0.

7. CONSENT CALENDAR

Councilmember Hansen moved approval of the Consent Calendar. Councilmember McGlashan seconded the motion, which carried unanimously, and the following items were approved:

- (a) **Minutes of Study Session of February 4, 2008**
Minutes of Workshop Dinner Meeting of February 11, 2008
Minutes of Business Meeting of February 11, 2008

8. STUDY ITEMS

- (a) Resolution No. 272 Expressing Concern Regarding Sound Transit's Revised Phase II Preliminary Corridor Service Concepts Proposal

Mr. Olander noted that there were editorial changes highlighted in red.

Mayor Ryu called for public comment.

- 1) Ken Cottingham, Shoreline, questioned why the City of Shoreline was providing funds for light rail and bus rapid transit systems when nothing is being planned. He expressed his disappointment in the transportation system and urged the Council to do something about it.

Councilmember Hansen moved to adopt Resolution No. 272 Expressing Concern Regarding Sound Transit's Revised Phase II Preliminary Corridor Service Concepts Proposal, seconded by Councilmember Way.

Councilmember Hansen explained that he wanted to pull this item because he hadn't seen the letter from Joni Earl. He noted that he has taken a couple minutes to read it and concurred with the revisions made by the City staff.

Mayor Ryu commented that it will be difficult for residents to access the light rail system at Northgate because of capacity, transportation, and parking issues.

Councilmember Way suggested adding the terms "difficulty and frustration" to the resolution, seconded by Mayor Ryu.

A vote was taken on the amended Resolution No. 272 Expressing Concern Regarding Sound Transit's Revised Phase II Preliminary Corridor Service Concepts Proposal which carried 7-0.

RECESS

At 8:04 p.m., Mayor Ryu called for a ten minute recess. At 8:16 p.m. the Council meeting reconvened.

(b) Ordinance No. 492 approving Planned Area 2 Legislative Rezone for the Ridgecrest Commercial Area

Mr. Olander introduced Joe Tovar, Planning Director and Planners Steve Cohn and Steve Szafran. He noted that this ordinance with its revised matrix represents the comments and direction the City staff received from the Council and that the City staff notified 133 people about this item being on the website. He stated that the list was derived from people who attended the three Council, six Planning Commission, and two City staff meetings on the Ridgecrest Vision process.

Mr. Cohn highlighted what items were and weren't discussed on the policy options matrix by the Council and suggested how to proceed. He stated that there are four items that were recommended by the City staff but not reviewed by the Council at their meeting.

Mayor Ryu called for public comment.

1) Tom Poitras, Shoreline, stated that the City staff has been an advocate for the developer and has done nothing to anticipate the issues. He explained that the City staff took the parking plan suggestions from the developer and communicated them to the Council. He expressed his opposition to the development and the ordinance.

2) Pam Meith, Shoreline, appreciated the Council attempt to mitigate the impact of the development on the residents in Ridgecrest. She hoped to see more of a setback on NE 163rd and would like to support the developer but isn't sure about moving the neighborhood police center into the new development. Additionally, she isn't convinced that having the owner pay for resident bus passes is a good idea. She would like to see a maximum number of units in the building.

3) Dennis Lee, Shoreline, stated that he doesn't live in the Ridgecrest neighborhood and admitted that he may not know what is best for the residents in the area. He noted that there were over 150 people at the visioning meetings and the documents from that meeting should be included in this discussion. He urged the Council to protect the other existing businesses in the area and felt there is going to be a major parking issue.

4) Les Nelson, Shoreline, also stated that he doesn't reside in Ridgecrest and felt what happens at this site will dictate how transitioning will be used throughout the City. He said maintaining the R-24 zoning around the perimeter was a good suggestion and that form-based code isn't in the City's Comprehensive Plan (CP). He explained that according to the CP, neighborhood plans shall be adopted as a part of the City's CP before they become valid under the Growth Management Act (GMA). He expressed concerns about consistency with the City subarea plans.

5) Richard Johnson, Shoreline, stated he also doesn't live in the Ridgecrest neighborhood. He stated there has been no discussion concerning the character of Ridgecrest. He felt a six-story building is going to be uncomfortable in that area and it shouldn't be any higher

than four. He suggested looking at what Kirkland is doing in their downtown area, because they have a lower retail level with three floors of housing on top.

6) Patty Hale, Shoreline, resides in Ridgecrest and said form-based code to include a rezoning of the area is vital. She said without it there is no guarantee of anything being done properly in the area. She commented that form-based code allows for green buildings, parking regulation, art, and other amenities in the area. She commented that she emails the group of people who attended the visioning meetings and if they don't have any issues with the development they don't attend the meetings. She highlighted that there are several people who have spoken out against the development who will not be directly affected by the development. She urged the Council to move forward and get this item adopted.

7) Steve Pepin, Shoreline, said he goes to the Crest Theater and has attended all of the meetings over the past year concerning this development. He pointed out that a year ago there were an abundance of different opinions on what should be built on the property. Now, he stated there is a certain amount of disregard for the work that has been done to get the project to this point. He supported the resolution and thinks the area will be fantastic. Additionally, he said most of the difference will take place with the aesthetics at the ground level so whether or not it is six stories or not is irrelevant.

8) Lyanne Scott, Shoreline, stated that she is a Ridgecrest resident who owns a business across the street from the Crest. She felt it is presumptuous to say that if the Ridgecrest residents aren't at the meetings then they aren't affected or interested, as they may be busy and not able to attend the Council meetings. She noted that the project needs to be done right regardless of how much work has been done.

9) Tom Tigen, Shoreline, said he lives adjacent to the property and is interested in it moving forward in a functional and fruitful way. He felt the project will be good for the neighborhood and have the mixed use that the community wants. He communicated that the four owners who share a border with the property are interested in working with the developer and current owner. However, he said that there are people who plan on moving and that is expected. He thanked the City staff, the Council, the potential builder, and the architect for speaking to the neighbors.

Deputy Mayor Scott moved to adopt Ordinance No. 492 approving Planned Area 2 Legislative Rezone for the Ridgecrest Commercial Area, seconded by Councilmember Hansen.

Deputy Mayor Scott said this is a difficult issue because he lives in the neighborhood and was elected to represent the City. He expressed concerns about the project being four, five, or six stories.

Deputy Mayor Scott moved to direct the City staff to conduct an independent analysis and review of the economic viability of Planned Area 2A (Bingo Site) which includes the community benefits that are contained in the latest draft proposal and to compare those at

four, five, and six stories to determine with level is more economically viable, seconded by Councilmember Way.

Mr. Olander reported the City staff would have the independent analysis done by a real estate advisor that the City has worked with in the past.

Mr. Tovar communicated that the timeline would depend on the scope of the analysis. He questioned if the Council wanted all of the amenities for each of the building proposals evaluated also.

Deputy Mayor Scott responded that he felt the “hybrid” proposal should be included in the analysis and pointed out that there is still a lot of uncertainty where the viability determination lies. He communicated that the building needs to have the greatest amount of benefit with the least amount of impact.

Mr. Olander noted that the motion referred to analyzing the draft that is currently proposed so it narrows the analysis to the 2:1 slope at six stories. He added that the intent should be to look at the key public benefit areas, such as the public plaza, underground parking versus surface parking, and the green ideas in the analysis also. He communicated he would more than likely have a clear view of the time schedule tomorrow after discussing this with some consultants.

Councilmember McGlashan agreed that an independent analysis would be great for this project. He stated that this is the first time he has seen meetings regarding any project in the City have over 100 people attend and participate. He agreed with Ms. Hale in that when there are issues that concern residents they come to the meetings and because they have stopped speaking in public against the project, the City has met their expectations for the project. He said he doesn't support the motion of an independent analysis because there needs to be a decision made after more than a year of analysis and discussion.

Councilmember Eggen disagreed and felt there is still some concern about the project. He stated that the Council continues to be told that only six stories is viable, however, there are other communities that are building smaller buildings that are economically viable. Additionally, he is concerned that a real estate agent will only be concerned in how much each unit can be rented for instead of how much the building will cost. However, he said it would be good to know if a five or six story building would be economically viable in Ridgecrest.

Mr. Olander responded that the consultant would have more of an economic background who has experience with these kinds of transactions. He added that this would be more of an economic analysis.

Councilmember Hansen is opposed to the motion and submitted that the process has been going on for a long time. He added that opinions by several consultants may all be the same but they will likely be different. This issue has been in the focus for a year now and he is ready to make a decision, he commented.

Councilmember McConnell agreed with Councilmember Hansen and said this has been reviewed extensively. She commented that the Council needs to make a decision and isn't in favor of the motion on the table.

Mayor Ryu supported the motion and said she is prepared to make a decision.

Mr. Olander highlighted that Deputy Mayor Scott's motion needs to be dealt with before discussing anything else pertaining to this item.

Councilmember Way felt the proposal has many elements that are positive to the community and the Council is looking for an independent confirmation of the draft proposal. She added that it is wise to reassure the public that this proposal is a good one though an independent analysis and review. She confirmed with Mr. Olander that the motion includes reviewing everything in the draft proposal and announced she was in favor of the motion on the table.

Mr. Olander commented that the review should take two to four weeks for a consultant to complete the review.

Councilmember McGlashan asked for an explanation concerning comments about the developer running into problems and possibly losing financing if decisions weren't made soon.

Mr. Olander responded that the Council needs to address what is appropriate and best for the City and not adhere to the expectations of one developer.

Mr. Tovar replied that the Planning Department informs prospective developers that these projects are based on regulations and time affects the number of options that are available for all projects. He said his responsibility to the Council is to let them know if they want an opportunity available for some alternative zoning to be in place, the time is approaching fast.

Mayor Ryu felt that an independent review will be critical to the Council making a good decision.

Councilmember Eggen stated that he does feel some sense of urgency, but the information from the analysis is critical for the Council to decide amongst all of the options that have been presented.

Deputy Mayor Scott highlighted that this rezone not only has implications for Ridgecrest, but it will have implications on all of the projects that are in the cue for the rest of the community. He stated that he respects those Councilmembers that are in dissent, but there is great concern and stress in the community about development. He communicated that the best way to remove doubt is to have an independent analysis done. Additionally, he added that the work that the City staff has been tremendous and in order to add strength to the arguments, either pro or con, this analysis needs to be done.

Councilmember McConnell pointed out that this is the fifth meeting regarding Ridgecrest and the Council has had two months to have these questions answered. She felt these issues should have been addressed back in January.

A vote was taken on the motion on the table to direct the City staff to conduct an independent analysis and review of Planned Area 2A (Bingo Site) which includes the community benefits that are contained in the latest draft proposal and to compare those at four, five, and six stories to determine with level is more economically viable. Motion carried 4-3. Councilmember Hansen, Councilmember McGlashan, and Councilmember McConnell dissenting.

Mr. Olander referred back to the main motion on the table to adopt Ordinance 492 and invited Council questions and comments.

Councilmember McGlashan questioned why the Council is hearing this item when an independent study is going to be done to research and analyze this.

Councilmember McGlashan moved to table the motion to adopt Ordinance No. 492 approving Planned Area 2 Legislative Rezone for the Ridgecrest Commercial Area until the independent study is completed and reviewed by the Council, seconded by Councilmember Hansen.

Councilmember Eggen commented that there may be a problem if there are modifications that pertain to costs they will not be on the table for the consultants to address.

Councilmember McGlashan suggested that the Council not discuss the items that were included in the legislation that was just adopted.

A vote was taken on the motion to table discussion on Ordinance No. 492 approving Planned Area 2 Legislative Rezone for the Ridgecrest Commercial Area until the independent study is completed and reviewed by the Council. Motion failed 3-4. Councilmember Hansen, Councilmember McGlashan, and Councilmember McConnell voting in the affirmative.

Councilmember Way expressed concerns with the “design departure” language in the proposal.

Mr. Tovar responded that the concept is a calling out of several specific design features for a future project. He added that design departure would allow for an applicant to modify or change them. The criteria, he said, would be determining what the intent of the regulation is that the applicant is asking to modify and if it is revised does it still meet its intended purpose.

Mayor Ryu moved to change the word “will” to “may” in Chapter 20.91.040, Section C of the Ridgecrest Commercial Planned Area 2 in the Development Code, seconded by Councilmember Way. Motion carried 4-3. Councilmember Hansen, Councilmember McGlashan, and Councilmember McConnell dissenting.

Mayor Ryu suggested revising the table in Chapter 20.91.030B, Dimensional Standards to change the setback for the building base from a 5 foot adjacency to 7.5 feet and revising the second footnote to add “and 2c” after the text 2a to signify that both Planned Areas 2a and 2c are included.

Councilmember Way confirmed with Mr. Cohn that the Planning Commission considered both sites as part of the Planned Area concept.

Mayor Ryu stated that she preferred having a street corner treatment in the right-of-way at NE 165th Street and 5th Avenue NE which will need to be developed by the City staff. She asked if proceeding with that is ok.

Mr. Tovar responded that there is an issue because the Planning Commission notices didn’t describe that PLA 2c was higher in height than PLA 2b.

Mr. Sievers commented that the proposal decisions on what to notice didn’t have this on them because they didn’t expect this to come up from the process.

Mayor Ryu summarized that this will be driven by the independent analysis because if the analysis says the higher building height is feasible then that segment needs to be revisited and sent back to the Planning Commission.

Mr. Olander concurred with Mayor Ryu.

Mayor Ryu suggested revisions to Chapter 20.91.050, Design Standards, Section B(1)(a)(iii) and to change the word “will” to “shall”.

Mr. Olander stated that this needs to refer back to what do the neighbors want. He said they want neighborhood retail on the first floor and neighborhood services such as a video store, a restaurant, a tea shop, maybe even a small department store. He added that there should be a minimum amount of retail available on the street frontage.

Mr. Tovar explained that the recommendation was based on linear street frontage on 5th Avenue. He continued and discussed the formula which determined the amount of street frontage.

Mr. Olander highlighted that the frontage is built to commercial standards and heights, however, if it is taking a long time to lease the property it could be converted to residential so it isn’t sitting there unused for years.

Councilmember McGlashan stated that it makes sense to wait for the results of the independent study to determine the ratios on how much should be commercial.

Councilmember Way supported Mayor Ryu in trying to encourage the direction to convert the area into a more viable and vibrant neighborhood. The objective, she added, is to have more reasons to be walking and going places.

Mr. Olander noted that the policy question is how much retail and commercial the City wants in Ridgecrest.

Councilmember Eggen inquired if the plan was to have high ceilings and everything needed for commercial space on 5th Avenue and 165th Street.

Mr. Cohn stated that was the case for 5th Avenue and more than likely that standard will be put in place for 165th Street.

Councilmember Eggen stated that he does see that Mayor Ryu wants to not limit commercial by allowing construction that will preclude anything but tiny retail spaces.

Mr. Tovar responded that there is about 5,400 square feet of floor area and it would have to be commercial or community use.

Councilmember Eggen verified that he understood that the Council decided to not require commercial frontage on 163rd Avenue.

Mr. Tovar responded that he was correct, but it was described as a permitted and possible feature on 165th but not mandated the way it is on 5th Avenue. He said neither the Planning Commission, nor the Council has stated that they wanted some of the frontage on 165th Avenue to be retail.

Councilmember Eggen continued and said only about 10,000 square feet will be built to commercial standards. He added that a typical small retail shop would require about 600 square feet to operate.

Mr. Olander commented that the space typically depends on the purpose of the lease and where the tenant improvements are put in. He said the space requirements could be larger or smaller depending on what type of business is there.

Mayor Ryu questioned if there is a requirement dictating that the unit has to be 30 feet deep because the property tax exemption has language referring to having a 20 foot minimum.

Mr. Cohn responded that there was no description on the depth so the depth should be between 20 – 30 feet deep depending on how it is built.

Mayor Ryu felt that the language should be revised to 30 feet deep.

Councilmember McGlashan wondered if there is a building standard concerning the width.

Mr. Tovar responded that there should be a viable place for community use. If it is determined that 30 feet is not correct then the design departure would be an opportunity for the applicant to communicate what it should be depending on the building specifications and the use of the space. He said he is comfortable having a number and the understanding that it is one of those things that might be adjusted or modified.

Mr. Olander communicated that if Council consensus is reached it can be put into the ordinance and included in the design standards if need be.

Mayor Ryu wanted to avoid having an abundance of retail and very dense housing with no restrictions. She felt there is a public benefit of having larger retail spaces.

Mr. Olander replied that the percentage on 5th Avenue would need to be increased and be extended to 165th Street and if direction can be received by the Council concerning that, the City staff can work through the details on what the standards might be for the design.

Councilmember Way suggested utilizing the word “substantial” in the language to add a sense of increased commercial vibrancy.

Mr. Olander warned that he is unsure if the market will support an increase in the amount of commercial spaces on 5th Avenue or adding some on 165th Street.

Deputy Mayor Scott said he thinks that the Council is trying to create language so the retail space is protected and encouraging flexibility but not creating small shops. He asked for City staff assistance so flexible, yet larger businesses are represented in the area.

Mr. Cohn reviewed the matrix and stated that the Council left off on item #9, which concerned modifying the parking standards.

Councilmember Eggen stated that Diane Yates from the King County Solid Waste Division told him that multi-family dwelling recycling is a problem. He said there should be code discussing recycling in this and future developments. He pointed out that proper language can be obtained by Jeff Gaisford at King County Solid Waste.

Mayor Ryu asked if it would be appropriate to put that language on page 58.

Mr. Olander stated that the City staff will research and bring a proposal back to the Council.

Councilmember McGlashan expressed confusion about off-site parking. He noted that the recommendation is for the developer to provide off-site parking within 1,000 feet of the development and wanted to know where it will be.

Mr. Cohn responded that it can only be in a commercial area and the developer could make a long-term deal for parking with another business in the area.

Councilmember McGlashan questioned who would monitor parking and felt it is impossible to ensure tenants will have parking less than 1,000 feet from their residence. He is concerned the tenants will just park on the street and asked why parking isn't on-site. However, he admitted that it is cost-prohibitive to build a multi-level underground parking structure. He is concerned there won't be any parking for customers to go to the Crest or to shop in the area if all the on-street parking is used by tenants.

Councilmember Eggen doesn't agree with the proposed parking recommendations and felt the parking would be monitored by someone who has an interest not to see any parking problems. This, he explained, would lead to the City monitoring parking or it wouldn't be monitored and grow into something serious.

Councilmember Way highlighted that parking enforcement is going on there and received a parking ticket for parking in front of the empty Bingo site.

Mr. Tovar said the proposal does say that the developer needs to provide 2/3 parking on-site and the recommendation can be increased at a later date.

Mr. Olander highlighted that the property owner or manager does have an incentive not to ignore the issue.

Councilmember Hansen submitted that the City doesn't require on-site parking and it has been a problem for years. Commercial developments, he added, can succeed or fail based on the amount of parking available. He didn't think it was fair to require developers to require 100% of their tenants to have on-site parking and not be able to park on the street.

Deputy Mayor Scott felt it isn't fair for a new development to be responsible for or be blamed for this neighborhood parking issue. He felt the City should be stringent on the parking requirement because it is a quality of life issue.

Mr. Olander polled the Council to see if they all felt that 100% of the required parking be on-site residential. He determined that the majority favored this option.

RECESS

At 9:39 p.m., Mayor Ryu called for a six minute recess. At 9:47 p.m. the Council meeting reconvened.

(c) Continued Public Hearing on Ordinance No. 479, amending the Property Tax Exemption Program for the North City Target Area and Expansion into the Ridgecrest Neighborhood

Mayor Ryu opened the public hearing.

Council consensus was to hear new and additional information concerning this item.

1) J.J. McCament, Tacoma, from McCament and Rogers representing John Stephans, the owner of the Arabella One and Two which he plans on building. She supported Ordinance No. 479 and noted that Ordinance No. 310 has passed, but can't be used because it is out of date. She added that they can't even submit an application to begin the process. She added that it seems that Ordinance No. 479 is dead because of the North City Business District and the Ridgecrest rezone appear to be tied together in the ordinance. She urged the Council to remove Ridgecrest from the ordinance and adopt it.

Councilmember Eggen inquired what revisions are necessary to the current ordinance in order to make it agree with the legislation and what makes it cumbersome.

Ms. McCament reviewed the revisions and stated developers don't want to do this type of housing development without the tax exemption. The ordinance forces the developer to spend money up front before they know if they will qualify for the tax exemption, she explained.

2) John Behrens, Shoreline, said he has distributed newspaper articles to the Council and said people can't afford to live in this City. He said there are tax breaks for people making \$60,000 or more a year. He noted that the City of Seattle places tax break thresholds for developers at 70% of the median income. He urged the Council to make a good decision concerning the tax breaks.

At 10:00 p.m., Councilmember McGlashan moved to extend the meeting until 10:30 p.m., seconded by Councilmember Way. Motion carried 6-1. Councilmember Hansen abstaining.

3) LaNita Wacker, Shoreline, communicated that the state recommended that cities utilize a tax exemption to encourage affordable housing. She said it is a marketing tool to encourage economic development in the City and the City should simplify the paperwork and regulations for the developer.

Councilmember Way moved to close the public hearing, but leave open for written public comment. Motion died for a lack of a second.

Mr. Olander stated that the public hearing can be closed and written information can always be accepted with noting it in the motion.

Mr. Sievers clarified that the City staff couldn't withhold a written letter that came into the City after this hearing because this isn't a quasi-judicial hearing. He commented that they would have the document available for consideration as long as it is received before a vote on the matter.

Mayor Ryu urged the public to submit written comments.

Councilmember Eggen moved to close the public hearing, seconded by Councilmember Hansen. Motion carried 6-1. Councilmember Way dissenting.

Councilmember McGlashan moved to adopt Ordinance No. 479 amending the Property Tax Exemption Program for the North City Target Area and Expansion into the Ridgcrest Neighborhood, seconded by Councilmember Hansen.

Councilmember Way inquired about the City requiring a completed building application prior to applying for a tax exemption.

Tom Boydell, Economic Development Coordinator admitted that there was a cumbersome process for the Arabella One project. Since then, he said, the City has obtained advice from other

cities, the Association of Washington Cities (AWC), and the state. Through that, the City now requires a conceptual site plan which would give an idea of what is going to be built and at that time the developer could apply for a conditional certificate to secure financing from a bank and continue the process. He noted that the project would not be vested in terms of the permit process, only for tax exemptions.

Mr. Olander asked if the final application would have to be approved by the Council.

Mr. Boydell responded that it would go through the Planning Director, the City Manager, then to the City Council.

Mr. Olander asked the City Attorney if this is considered to be a discretionary permit.

Mr. Sievers responded that if the criteria is met then the developer is entitled to it. He said the project wouldn't vest until the complete building application is approved.

Mayor Ryu stated that there are 250 units available for this tax exemption. She said Arabella One used 88 of them so there are 162 left and they are proposing 97 more in Arabella Two which will leave 65.

Mr. Boydell felt the 250 cap will be used and said the next step is to bring the ordinance into compliance with state law to have the Council decide if they want to redesign or expand the program.

Councilmember Hansen suggested an amendment which would not allow this ordinance to affect the Ridgecrest commercial areas until the rezone is adopted.

Mr. Sievers suggested removing all language concerning Ridgecrest from the ordinance.

Mr. Boydell agreed with both suggestions.

Councilmember Hansen moved to remove all Ridgecrest references within Ordinance No. 479, seconded by Deputy Mayor Scott.

Councilmember Eggen asked Councilmember Hansen if he intended to remove reference to the additional 250 units from the Ridgecrest area.

Mr. Boydell explained that the additional 250 units for the Ridgecrest area would go away if the references to Ridgecrest were removed in the ordinance.

Mr. Olander inquired with Mr. Sievers if the removal of Ridgecrest references could be done or should the staff come back to the Council with a revised ordinance.

Mr. Sievers responded that the amendment is fairly simple and the ordinance would be revised before the Mayor signed it.

Councilmember Eggen wanted to know what a conceptual site plan was.

Mr. Boydell responded that a conceptual site plan includes a brief written description of the project to include the grounds for the tax exemption, the floor plan, and the number of and sizes of each unit. He explained that it is a general drawing that provides the basic outline of the project closely reviewed by the Planning Director.

A vote was taken on the motion on the table to remove all Ridgecrest references within Ordinance No. 479. Motion carried 6-0. Councilmember Way abstaining.

Mayor Ryu stated she would like to include retail/commercial space along 175th Avenue NE and add the location to Ordinance No. 479.

Mr. Olander communicated that this may lead to complications and having to modify the North City Business Plan.

Mr. Boydell said he believes a portion of 175th is already included in the North City Business Plan. He added that he remembers the North City Business Association and the Planning Commission recommended the language as it is now.

Mayor Ryu pointed out that Arabella One doesn't have any retail or commercial on its main floor.

Mr. Boydell responded that the next development, Main Street 2, which is the proposed site for Arabella Two will have retail and commercial spaces.

Mayor Ryu said public spaces and retail space are discouraged in the current code.

At 10:30 p.m., Councilmember Way moved to extend the meeting until 11:00 p.m., seconded by Councilmember Eggen. Motion carried 5-2. Councilmember Hansen and Councilmember McGlashan dissenting.

Mayor Ryu asked if there was any interest in revising the percentage to state that 70% of the housing be moderately priced in the development.

Councilmember Eggen commented that there was a report that stated a studio apartment costs about \$900 per month as a standard. He asked if the City would be getting anything out of having an affordability standard.

Mr. Boydell responded that there isn't an affordability incentive in North City now. He said it would be good to have an affordability incentive in the City when the market and the population increases to ensure units get rented and remain affordable over time.

Mayor Ryu asked if the property owners can choose not to utilize the tax incentive program.

Mr. Boydell replied that if they choose not to use it they would lose 50% of their tax exemption

during the entire twelve-year tax exemption period.

Councilmember Hansen called for the question, seconded by Councilmember McGlashan.

A vote was taken on the motion on the table to to adopt Ordinance No. 479 amending the Property Tax Exemption Program for the North City Target Area, as amended. Motion carried 5-2. Mayor Ryu and Councilmember Way dissenting.

Councilmember McGlashan moved to table the rest of the agenda and adjourn, seconded by Councilmember McConnell. Motion failed 3-3-1. Mayor Ryu, Deputy Mayor Scott, and Councilmember Way dissenting. Councilmember Eggen abstaining.

(d) Ordinance No. 495 amending the Economic Development Advisory Committee Membership by Adding Five Additional At-Large Members; and amending SMC 2.65.020

Councilmember Way moved to adopt Ordinance No. 495 amending the Economic Development Advisory Committee Membership by Adding Five Additional At-Large Members; and amending SMC 2.65.020, seconded by Mayor Ryu.

Councilmember Way moved to amend Ordinance No. 495 and add Wade Carter to the Committee, seconded by Mayor Ryu.

Councilmember Way felt Mr. Carter should be on the committee because he has been a longstanding business member in Shoreline.

Councilmember Eggen added that Mr. Carter wasn't approved because he is on the financial forecasting committee, but he is more interested in economic development.

Councilmember Hansen said he has no opinion about Mr. Carter being on or off this committee, however, he felt the Council is micromanaging because they should be adopting policy not picking who goes on what committee.

Councilmember McGlashan agreed with Councilmember Hansen and thinks this politicizes the process. He added that choosing these people should be a part of the City staff responsibilities. He urged the Council to look at the Council rules and have these handled by the City staff.

Deputy Mayor Scott called the question, seconded by Councilmember Hansen.

A vote was taken on the motion on the table to amend Ordinance No. 495 and add Wade Carter to the Committee. Motion carried 4-2-1. Councilmember Hansen abstaining.

Councilmember Way moved to revise the total number of members on the Economic Development Advisory Committee to 22 members with 11 at-large members, seconded by Councilmember Eggen. Motion carried 6-1. Councilmember McGlashan dissented.

A vote was taken on the motion on the table to adopt Ordinance No. 495 amending the Economic Development Advisory Committee Membership by Adding Six Additional At-Large Members; and amending SMC 2.65.020. Motion carried 4-3. Councilmember McGlashan, Councilmember McConnell, and Councilmember Hansen dissenting.

(e) Motion to Approve Appointments to the Community Priorities/Long-Range Financial Planning Advisory Committee

Councilmember Way moved to approve appointments to the Community Priorities/Long-Range Financial Planning Advisory Committee, seconded by Mayor Ryu.

Councilmember Eggen moved to amend the appointments by removing Wade Carter, seconded by Councilmember McConnell. Motion carried 6-1. Councilmember Hansen dissenting.

Councilmember McConnell moved to amend the appointments by adding Robert Ransom, seconded by Councilmember Hansen.

Councilmember McGlashan supported the original list provided by the City staff. He doesn't support the amendments to the appointments.

A vote was taken on the motion to amend the appointments by adding Robert Ransom to the Community Priorities/Long-Range Financial Planning Advisory Committee. Motion failed 1-3-3. Mayor Ryu, Councilmember Way, and Councilmember McGlashan dissenting. Deputy Mayor Scott, Councilmember Hansen, and Councilmember Eggen abstaining.

A vote was taken on the motion to approve appointments to the Community Priorities/Long-Range Financial Planning Advisory Committee, as modified. Motion carried 6-1. Councilmember McGlashan dissenting.

Mayor Ryu appointed Councilmember Way, Councilmember Eggen, and Deputy Mayor Scott to the Community Priorities/Long-Term Financial Planning Advisory Committee.

7. ADJOURNMENT

At 10:54 p.m., Mayor Ryu declared the meeting adjourned.

Scott Passey, City Clerk

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CITY COUNCIL AGENDA ITEM

CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Approval of Expenses and Payroll as of March 31, 2008
DEPARTMENT:	Finance
PRESENTED BY:	Debra S. Tarry, Finance Director

EXECUTIVE / COUNCIL SUMMARY

It is necessary for the Council to formally approve expenses at the City Council meetings. The following claims/expenses have been reviewed pursuant to Chapter 42.24 RCW (Revised Code of Washington) "Payment of claims for expenses, material, purchases-advancements."

RECOMMENDATION

Motion: I move to approve Payroll and Claims in the amount of \$1,071,000.86 specified in the following detail:

***Payroll and Benefits:**

Payroll Period	Payment Date	EFT Numbers (EF)	Payroll Checks (PR)	Benefit Checks (AP)	Amount Paid
2/24/08-3/8/08	3/14/2008	23119-23310	7416-7454	35801-35809	\$391,180.00
					\$391,180.00

***Accounts Payable Claims:**

Expense Register Dated	Check Number (Begin)	Check Number (End)	Amount Paid
3/12/2008	35673	35694	\$33,601.84
3/12/2008	35695	35700	\$73,815.90
3/13/2008	35701		\$1,689.22
3/13/2008	35019		(\$618.98)
3/13/2008	35702		\$13,475.14
3/13/2008	35703	35729	\$53,080.67
3/14/2008	35730	35738	\$34,525.75
3/17/2008	35739	35754	\$30,901.25
3/17/2008	31312		(\$4,000.00)
3/17/2008	35755		\$4,000.00
3/18/2008	35756		\$5,264.50
3/18/2008	35757	35778	\$80,540.45
3/20/2008	35779	35800	\$77,709.44
3/24/2008	35810	35824	\$61,433.52
3/26/2008	35825	35856	\$115,076.74
3/26/2008	35857	35874	\$69,102.61

***Accounts Payable Claims:**

Expense Register Dated	Check Number (Begin)	Check Number (End)	Amount Paid
3/27/2008	35875		\$2,908.30
3/31/2008	35876	35878	\$26,684.51
3/31/2008	35879		\$630.00
			<u>\$679,820.86</u>

Approved By: City Manager _____ City Attorney _____

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Adoption of Ordinance No. 498, Amending the 2008 Budget for Uncompleted 2007 Capital and Operating Projects and Increasing Appropriations in the 2008 Budget
DEPARTMENT:	Finance
PRESENTED BY:	Debbie Tarry, Finance Director

PROBLEM/ISSUE STATEMENT:

In July 2007, as part of the 2008 budget development, departments projected their actual year end expenditures for year 2007. The actual year end results differ somewhat from those projections, as some projects that were in progress in year 2007 are actually going to be completed in year 2008. This results in year 2007 expenditures being less than projected and the 2007 ending fund balance being greater than projected. This is true for both capital and operating projects. In order to provide adequate budget resources to complete the projects initiated in 2007, additional budget authorization is needed for 2008. This is accomplished by re-appropriating a portion of the 2007 ending fund balance for expenditures in 2008.

In addition to re-appropriating monies not spent in 2007, Ordinance No. 498 amends the 2008 budget to provide budget authority to do the following operating projects:

- Appropriate \$10,000 in the Human Services program to inventory available youth activities. This cost will be fully covered by a state grant.
- Appropriate \$100,000 in Emergency Management Planning program to continue administering the King County Zone 1 Planner. This is fully funded by a grant.
- Reduce appropriation in Environmental Services by \$9,576 to reflect the level of expected program revenues
- Appropriate \$52,225 in Surface Water Operations for the rental of water pumps.
- Appropriate \$35,000 in the Streets Operations to complete the pavement condition rating. This condition assessment is completed every third year.

Staff is also requesting to make the following revisions to the Capital Improvement Plan (CIP):

- Appropriate an additional \$22,500 for Richmond Beach Saltwater Park Improvement project from donations from private sources to install memorial benches at the park.
- Reduce appropriation by \$25,000 in Cromwell Park Improvements. The Youth Sports Facility Grant program was awarded at \$50,000.

- Appropriate \$30,000 of Fund balance in the Roads Capital Fund to fulfill the WSDOT Pedestrian and Bicycle safety grant match requirement for the Traffic Signal @ 170th and 15th NE project.
- Appropriate \$54,023 for the Aurora Avenue North (145th – 165th) project. This is funded by a Federal STP Grant (\$27,633) and use of fund balance (\$26,390).
- Appropriate \$28,000 of fund balance in the Surface Water Utility Fund to increase the Retaining Wall at N. 175th and Dayton Ave. N. project.

ALTERNATIVES ANALYZED:

Alternative 1: Take no action.

If the Council chose not to approve this budget amendment either the projects that were initiated in 2007 would not be completed or to complete the projects, monies that were budgeted for 2008 programs would need to be redirected for the completion of projects already in progress. In the case of capital projects, there would not be sufficient budget authority to complete ongoing projects. For those projects that are not part of the re-appropriation process, there would not be budget authority to proceed with the projects.

Alternative 2: Approve Ordinance No. 498 (Recommended)

Approval of ordinance No. 498 will provide the budget authority for the completion of projects that were initiated in 2007 without negatively impacting the programs and projects that are to be provided in year 2008. Also the budget amendment will result in accurately reflecting the anticipated expenditures in the City's operating and capital funds.

FINANCIAL IMPACT:

The following tables summarize the budget amendment request for each of the affected City funds and the impact that this has on the City's reserve levels.

Fund	2008 Current Budget (A)	CIP Revision (B)	2008 Budget Amendment (C)	Carryover Amount (D)	Amended 2008 Budget (E) (A+C+D)	Total Change in Budget (F) (E-A)
General Fund	\$ 30,880,251	\$ -	\$ 100,424	\$ 373,096	\$ 31,353,771	\$ 473,520
Street Fund	2,481,912	-	35,000	224,258	2,741,170	259,258
General Capital Fund	27,408,490	(2,500)	-	1,916,166	29,322,156	1,913,666
Roads Capital Fund	20,470,821	112,023	-	2,429,442	23,012,286	2,541,465
Surface Water Utility Fund	10,483,799	-	52,225	1,270,830	11,806,854	1,323,055
Equipment Replacement Fund	166,750	-	-	75,000	241,750	75,000
All Other Funds not requesting carryovers	2,117,669				2,117,669	-
Total	\$ 94,009,692	\$ 109,523	\$ 187,649	\$ 6,288,792	\$ 100,595,656	\$ 6,585,964

Fund	Projected 2008 Beginning Fund Balance (A)	Actual 2008 Beginning Fund Balance (B)	Budget Amendment Request (C)	Revenue Adjustments (D)	Resulting 2008 Available Beginning Fund Balance (E) (B - C+D)	Amount Over/(Under) Projected Beginning Fund Balance (F) (A-E)
General Fund	\$ 3,641,770	\$ 5,363,886	\$ 473,520	\$ 193,501	\$ 5,083,867	\$ 1,442,097
Street Fund	878,591	1,208,580	259,258	-	949,322	70,731
General Capital Fund	15,012,013	17,218,649	1,913,666	304,512	15,609,495	597,482
Roads Capital Fund	5,626,702	7,688,935	2,541,465	510,706	5,658,176	31,474
Surface Water Utility Fund	11,535,023	12,626,259	1,323,055	75,000	11,378,204	(156,819)
Equipment Replacement Fund	1,396,278	1,568,096	75,000	-	1,493,096	96,818
Total	\$38,090,377	\$45,674,405	\$6,585,964	\$1,083,719	\$40,172,160	\$2,081,783

RECOMMENDATION

Staff recommends that Council approve Ordinance No. 498, amending the 2008 budget.

Approved By: City Manager  City Attorney _____

INTRODUCTION

Annually the City reviews the financial results of the prior year and identifies any expenditures that were anticipated to occur in the previous year, but which will actually occur in the current year. We have completed our review of the 2007 activity and have identified over \$6.3 million of 2007 expenditures that will actually occur in 2008. Since the expenditures did not occur in 2007, the City started 2008 with fund balance in excess of projections. These expenditures were not included in the 2008 Budget adopted by the City Council in December 2007, and therefore staff recommends the 2008 budget be amended to provide adequate budget authority for the expenditures in 2008. In most cases the funding source is from fund balance or from grants.

There are also four operating programs, two general capital projects, two roads capital projects and a surface water program that are requesting additional appropriations that were not included in the original 2008 budget. These requests are included as a budget amendment or CIP Revision in Ordinance 498.

BACKGROUND

Re-appropriations

It is often difficult to fully project the status of a project. In some cases, projects are initiated in one year, but do not get completed until the following year. This is not always known when planning the next budget cycle and therefore the unexpended funds from one year become part of the fund balance carried into the next year. It is necessary to take the portion of the fund balance actually needed to complete the projects and re-appropriate those dollars for expenditure.

There are projects that were not completed in 2007 as projected, and a resulting under-expenditure occurred in both operating and capital funds. The proposed ordinance re-appropriates available fund balances from these funds to complete these projects. The following table summarizes the re-appropriation request for each affected fund.

Fund	Dept/Program	Project/Item	Carryover Amount
General Fund	C&IR/Communications	Owner's Manual	\$28,000
	C&IR/Neighborhoods	Ridgecrest Mini-Grant	\$5,000
		Hillwood Mini-Grant	\$2,265
	Human Services	Minor Home Repair	\$70,000
	Emergency Management Planning	Public Safety Support	\$23,077
	Economic Development	CCD - Community Capital Development	\$12,500
	PADS - Current Planning	Environmental Sustainability Strategy	\$5,380
		Town Center Boundaries Sketch	\$8,616
		Short Plat applications	\$4,200
	PADS - Long Range Planning	Shoreline Master Plan	\$49,956
		Fircrest Master Plan	\$20,000
	Parks-Maintenance	Parks Signs construction	\$20,825
		Urban Forestry Assessment	\$2,105
	Finance - Director	Facilitation for Long Range Financial Planning Committee	\$30,000
	Finance - IT Strategic Plan	Website Development	\$50,000
	Finance - IT	Database monitoring	\$5,195
	PW - Environmental Services	Focus Group Survey for SW quality	\$25,000
		NEST	\$10,977
	Total	General Fund	\$373,096

Fund	Dept/Program	Project/Item	Carryover Amount
Street Fund	PW/Street Operations	Traffic Signal Maintenance	\$71,550
		Photo Log of Roadways	\$10,975
	Traffic Services	Tree Trimming	\$12,863
		Seattle City Light Street Lights	\$128,870
			<u>\$224,258</u>
Total	Street Fund		
General Capital Fund	CIP	Parks Repair & Maintenance	\$135,894
		Interurban Park	\$24,000
		Spartan Recreation Center	\$22,000
		City Gateways	\$25,000
		Baseball/Softball Field Imp.	\$14,017
		Twin Ponds Soccer Field Imp.	\$32,413
		Cromwell Park Improvements	\$85,690
		Hamlin Park Improvements	\$40,746
		Rich.Bch.Saltwater Park Imp.	\$288,075
		Richmond Beach Area Park Improvements Pump Station	\$125,012
		Kruckeberg Gardens	\$750,000
		Kruckeberg Gardens	\$161,308
		Off-leash Dog Park	\$9,398
		Shoreline Ctr Tennis Court Lights	\$106,656
		Boeing Creek Park Improvements	\$24,535
		Paramount Open Space	\$5,000
		Saltwater Park Ped Bridge Replacement	\$66,422
			<u>\$1,916,166</u>
Total	General Capital Fund		
Roads Capital Fund	CIP	Curb, Ramp, Gutter & Sidewalk Program	\$217,660
		Interurban Trail Ped. Crossing	\$22,250
		Traffic Small Works Program	\$10,306
		Traffic Small Works Program	\$60,109
		Traffic Signal @ 170th/15th NE	\$60,000
		Interurban Trail Safety Enhancements	\$50,000
		Priority Sidewalks	\$134,120
		Richmond Beach Overcrossing	\$115,695
		Traffic Signal Rehab	\$47,119
		Neighborhood Traffic Safety Program	\$68,271
		NCBD/15th Ave. Improvements	\$642,853
		Traffic Calming Improvements	\$2,759
		Aurora Corridor 145th - 165th	\$102,729
		Annual Road Surfacing Program	\$172,215
		Aurora 165th - 205th	\$441,363
		Ret Wall at N./175th and Dayton Ave. N	\$281,993
			<u>\$2,429,442</u>
Total	Roads Capital Fund		
Surface Water Utility Fund	CIP	SW Ops - Fin Plan update	\$6,122
		SW Ops - Bio health of streams	\$6,251
		SW Ops - Flow monitor	\$850
		SW Ops - NPDES	\$75,000
		SW Roads - Traffic Signal	\$62,515
		Surface Water Small Projects	\$13,369
		Surface Water Small Projects	\$41,347
		Boeing Creek Stormwater Project	\$7,125
		Ronald Bog South	\$364,581
		Pump Station No. 25	\$23,710
		Cromwell Park Wetland	\$80,887
		Stream Rehab/Habitat Enhance	\$29,000
		Green (Shore) Streets	\$7,500
		East Boeing Creek Drainage Improvements	\$67,140

Fund	Dept/Program	Project/Item	Carryover Amount
		Cromwell Park Pond	\$24,251
		N 167 & Witman N Drainage	\$145,576
		18th Ave. Drainage Imp	\$267,285
		Darnell Park Wetpond	\$17,000
		Cromwell Park Wetpond	\$31,321
Total	Surface Water Capital Fund		\$1,270,830
Equipment Replacement Fund		Replacement of Copiers	\$75,000
Total	Equipment Replacement Fund		\$75,000
GRAND TOTAL			\$6,288,792

Budget Amendment

Ordinance No. 498 also includes items that are not considered re-appropriations, but rather are amendments to the 2008 budget.

The items included in Ordinance No. 498 that are budget amendments include the following:

General Fund – Human Services: The appropriation will be increased by \$10,000 to accomplish an inventory of out of school time activities available in Shoreline and to conduct focus groups with out of school time program participants and families. This increased expenditure will be offset by the Schools Out Washington (SOWA) grant.

General Fund – Emergency Management Planning: The appropriation will be increased by \$100,000 to continue administering the King County Zone 1 Planner program. This increased expenditure will be offset by a Homeland Security grant.

General Fund – Environmental Services: The appropriation for Environmental Services will be reduced by \$9,576 to accurately reflect the amount of anticipated program revenue.

Street Fund – Street Operations: The appropriation will be increased by \$35,000 to fund a contract to perform the pavement maintenance and rehabilitation pavement condition rating which is done every three years. The increased cost will be covered by fund balance.

Surface Water Utility Fund – Surface Water Operations: The appropriation will be increased by \$52,225 to cover the cost of renting three pumps during the storm season. Two pumps were used to dry out the area south of Ronald Bog and the third one was positioned at Pan Terra Pond to protect the Happy Valley residents who experienced severe flooding during the December storm. The increased cost will be covered by fund balance.

The items included in Ordinance No. 498 that are CIP Revisions include the following:

General Capital Fund – Cromwell Park Improvements: The appropriation will be reduced by \$25,000. The Cromwell Park Athletic Field is being recommended for

funding in the amount of \$50,000 to the King County Council through the Youth Sports Facility Grant (YSFG) Program instead of \$75,000 as originally projected.

General Capital Fund – Richmond Beach Saltwater Park Improvements: The appropriation will be increased by \$22,500 to install memorial benches at Richmond Beach Saltwater Park. This increase will be fully funded by donations from private sources.

Roads Capital Fund – Aurora Avenue North 145th – 165th: The appropriation will be increased by \$54,023 to cover a claim filed by private property owner, additional King County inspections to verify quality of work, additional staff time for project closeout, and higher projections in water usage for landscaping irrigation. The increased cost will be covered as follows: \$27,633 from Federal Surface Transportation Program grant and \$26,390 from the fund balance.

Roads Capital Fund – Traffic Signal at 170th and 15th Ave. NE: The appropriation will be increased by \$30,000 to fulfill the matching requirement from the WSDOT Pedestrian and Bicycle Safety funding this project. The increased cost will be covered by fund balance.

Roads Capital Fund – Retaining Wall at N. 175th and Dayton Ave. N: The appropriation will be increased by \$28,000 for additional sidewalks added to the project. These were originally included in the Priority sidewalk plans for Dayton Avenue N. This increased cost will be covered by 2007 savings from other projects.

ALTERNATIVES ANALYSIS

Alternative 1: Take no action.

If the Council chose not to approve this budget amendment either the projects that were initiated in 2007 would not be completed or to complete the projects, monies that were budgeted for 2008 programs would need to be redirected for the completion of projects already in progress. For those projects that are not part of the re-appropriation process, there would not be budget authority to proceed with the projects.

Alternative 2: Approve Ordinance No. 498 (Recommended)

Approval of ordinance No. 498 will provide the budget authority for the completion of projects that were initiated in 2007 without negatively impacting the programs and projects that are to be provided in year 2008. Also the budget amendment will result in accurately reflecting the anticipated expenditures in the City's operating and capital funds.

RECOMMENDATION

Staff recommends that Council approve Ordinance No. 498, amending the 2008 budget.

ATTACHMENTS

Attachment A - Ordinance 498, Amending the 2008 Budget
Exhibit 1 - Amendment Detail

ORDINANCE NO. 498**AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, AMENDING ORDINANCE 486 BY INCREASING THE APPROPRIATION IN THE GENERAL FUND, STREET FUND, , GENERAL CAPITAL FUND, ROADS CAPITAL FUND AND SURFACE WATER UTILITY FUND.**

WHEREAS, the 2008 Budget was adopted in Ordinance 486; and

WHEREAS, the 2008–2013 Capital Improvement Plan was adopted in Ordinance 473; and

WHEREAS, the 2008 Budget has assumed completion of specific capital improvement projects in 2007; and

WHEREAS, some of these capital projects were not completed and need to be continued and completed in 2008; and

WHEREAS, due to these 2007 projects not being completed, the 2007 ending fund balance and the 2008 beginning fund balance for the General Capital Fund, Roads Capital Fund, and Surface Water Utility Fund is greater than budgeted; and

WHEREAS, various projects were included in the City's operating funds' 2007 budget and were not completed during 2007; and

WHEREAS, the City wishes to appropriate a portion of these greater than budgeted beginning fund balances in 2008 to complete 2007 work; and

WHEREAS, the City of Shoreline is required by RCW 35A.33.00.075 to include all revenues and expenditures for each fund in the adopted budget:

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

Section 1. Amending Section 2 of Ordinance No. 486. The City hereby amends Section 2 of Ordinance No. 486, the 2008 Adopted Budget, by increasing the appropriation from the General Fund by \$473,520; for the Street Fund by \$259,258; for the General Capital Fund by \$1,913,666; for the Roads Capital Fund by \$2,541,465; for the Surface Water Utility Fund by \$1,323,055; for the Equipment Replacement Fund by \$75,000 and by increasing the Total Funds appropriation to \$100,595,656 as follows:

General Fund	\$30,880,251	\$31,353,771
Street Fund	\$2,481,912	\$2,741,170
Code Abatement Fund	\$100,000	
Asset Seizure Fund	\$23,500	
Public Arts Fund	\$0	

Revenue Stabilization Fund	\$0	
General Capital Fund	\$27,408,490	\$29,322,156
City Facility-Major Maintenance Fund	\$40,000	
Roads Capital Fund	\$20,470,821	\$23,012,286
Surface Water Utility Fund	\$10,483,799	\$11,806,854
Vehicle Operations/Maintenance Fund	\$115,049	
Equipment Replacement Fund	\$166,750	\$241,750
Unemployment Fund	\$10,000	
Unltd Tax GO Bond	\$1,662,475	
Total Funds	<u>\$94,009,692</u>	<u>\$100,595,656</u>

Section 2. Re-appropriation of Unused 2007 Budget Appropriation. The 2008 Budget is amended as set forth in Exhibit 1 and increases the Total Funds appropriation by \$6,288,792.

Section 3. Amending the 2008 Budget. The 2008 Budget is amended as set forth in Exhibit 1 and increases the Total Funds appropriation by \$187,649.

Section 4. Amending the 2008-2013 Capital Improvement Plan. The 2008-2013 Capital Improvement Plan is amended as set forth in Exhibit 1 and increases the Richmond Beach Salt Water Park Improvement project by \$22,500 to a total of \$2,962,500; decreases the Cromwell Park Improvements project from \$1,075,000 to \$1,050,000; increases the Traffic Signal @ 170th/15th NE project by adding \$30,000 to a total of \$455,000; increases the Aurora Avenue North 145th – 165th project by adding \$54,023 to a total of \$28,071,190; and increases the Retaining Wall at N 175th and Dayton Ave. N project by \$28,000 to a total of \$1,442,029. This increases the Total Funds appropriation by \$109,523.

Section 5. Effective Date. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. The ordinance shall take effect and be in full force five days after passage and publication.

PASSED BY THE CITY COUNCIL ON April 14, 2008

Mayor Cindy Ryu

ATTEST:

APPROVED AS TO FORM:

Scott Passey
City Clerk

Ian Sievers
City Attorney

Publication Date:
Effective Date:

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Exhibit 1

Fund	Dept/Program	Objkey	Object	JL Number	Project/Item	2008 Current Budget	CIP Revision	2008 Budget Amendment	Carryover Amount	Amended 2008 Budget	Revenue Amount	Revenue account	Revenue Source	Justification
General Fund 001	CAIR/Communications	1300006	5410000		Owner's Manual				\$28,000					Will be printed and mailed in 2008. Waited to update following the election of new Councilmembers.
	CAIR/Neighborhoods	1300008	5495000 5495000 NG250900 NG253600		Ridgecrest Mini-Grant Hillwood mini-Grant Sub-Total		\$0	\$0	\$5,000 \$2,265 \$7,265					Mini-Grant project implementation will happen 1st and 2nd quarter 2008 Project implementation scheduled for 2008.
	Human Services	2400011	54850000		CDBG Minor Home Repair				\$70,000		\$70,000	3331000	CDBG	2007 allocation of funds that will be used in 2008.
			5111000 5300000 5410000		Out of School activities inventory Out of School activities inventory Out of School activities inventory			\$6,500 \$1,500 \$2,000			\$10,000	3671100	Schools Out Washington	Grant received after budget was adopted. It will allow us to accomplish inventory of out of school time activities in shoreline and to conduct focus groups with activity participants and families
	Emergency Management	2005062	5410000		KC Zone 1 Planner			\$100,000	\$23,077		\$123,077	3339706	KC Zone 1 Planner	Contract expires 03/31/2008 - New 08 funding after budget adopted
	Economic Dev.	2506046	5410000		Community Capital Development				\$12,500					We are 50% of the way through the 2nd year budget which is part of a 3 year contract.
	PAOS - Current Planning	2506175	5410000		Sustainability Strategy Goal #6				\$5,380					Complete Environmental sustainability strategy as essential task of Council Goal #6 - Work started in 2007
			5410000		Town Center Goal #7				\$9,616					Complete SketchUp work for town center expanded boundaries in support of Council Goal #7 - Work started in 2007
			5410000		Short Plat Applications				\$4,200					Complete review of short plat applications as assigned - Work started in 2007
					Sub-Total		\$0	\$0	\$18,196		\$0			
	PAOS - Long Range Planning	2506137	5410000		Shoreline Master Plan				\$49,956					Complete Shoreline Master Plan funded by a \$60,000 grant (2-year) from the Dept. of Ecology
			5410000		Firecrest Master Plan				\$20,000					Firecrest master planning process - Council Goal #8 - Needs to be coordinated with the State's timeline
					Sub-Total		\$0	\$0	\$69,956		\$0			
	Parks-Maintenance	2409038	5630000 5410000		Parks Signs Construction Urban Forestry Assessment				\$20,625 \$2,105					Design came in late. Construction will be finalized in 2008.
					Sub-Total		\$0	\$0	\$22,830		\$0			Work and printing will be finalized in 2008.
	Finance - Director	1601144	5410000		Long Range Financial Planning Committee				\$30,000					Facilitation services for the Community Long Range Financial planning Committee. Contract executed in 2008 due to council delays.
	Finance - IT Strategic Plan	1602013	5410000		City website development				\$50,000					Website Development. Works continues in 2008.
	Finance - IT	11602145	5410000		Database monitoring				\$5,195					Services to be completed in 2008.
	PWE/Environmental Services	2706092	5410000		Focus Group Surveys				\$25,000					Focus Group surveys for Surface Water quality to continue through November 30, 2008
			5410000		Neighborhood Environmental Stewardship Team (NEST) Program				\$10,977					
			5530000		WM - NEST			-\$188			-\$9,576	3671900	Contrib. from Solid Waste	No payment due in 2008 as estimated.

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Exhibit 1

Fund	Dept/Program	Orgkey	Object	JL Number	Project/Item	2008 Current Budget	CIP Revision	2008 Budget Amendment	Carryover Amount	Amended 2008 Budget	Revenue Amount	Revenue account	Revenue Source	Justification
		2822083	5610000	GN253300	Paramount Open Space				\$5,000					Work continues in 2008
		2820174	5410000	GN107100	Salvwater Park Ped Bridge Replacement				\$66,422					Work continues in 2008
Total	General Capital Fund					\$27,408,490	(\$2,500)	\$0	\$1,916,166	\$29,322,166	\$304,512			
Roads Capital Fund 330														
CIP		2914096	5630000	ST100600	Curb, Ramp, Gutter & Sidewalk Program				\$217,660		\$190,608	3331000	CDBG	Contract awarded in December - Work to be done in 2008. Also, a bid is out for sunken sidewalk on 175th @ Pony's bus stop.
CIP		2914160	5410000	ST106436	Interurban Trail Ped. Crossing				\$22,250					Will be completed in 2008
CIP		2914179	5480000	ST108500	Traffic Small Works Program				\$10,306					In-pavement crosswalk flashers delivery has been delayed due to the vendor's lack of parts. Will be done in 2008
			5410000	ST108500	Traffic Small Works Program		\$0	\$0	\$60,109		\$0			King County open work orders for flashers installation, traffic signal repairs and synchronization.
									\$70,415					
CIP		2916267	5650000	ST112602	Traffic Signal @ 170th/15th NE		\$30,000		\$60,000		\$60,000	3340367	WSDOT	Traffic Signal will be completed in 2008. \$30,000 amended to fund the WSDOT matching requirement.
CIP		2914242	5410000	ST262500	Interurban Trail Safety Enhancements				\$50,000					Trail lighting work to be done in 2008
CIP		2914221	5410000	ST110700	Priority Sidewalks				\$134,120					Freemont Ave N. will be done in 2008.
CIP		2915098	5410000	ST102700	Richmond Beach Overcrossing				\$115,685		\$95,560	3332058	HRRP/STP Grant	Work continues in 2008
CIP		2915228	5630000	ST111400	Traffic Signal Rehab				\$47,119					To cover open KC Orders
CIP		2916100	5630000	ST100300	Neighborhood Traffic Safety Program				\$66,271					To cover open KC Orders
CIP		2916101	5630000	ST103408	NCBD/15th Ave. Improvements				\$642,853		\$30,176	3340592	Hazard elimination System	15th & 150th project continues in 2008
CIP		2916230	5630000	ST111600	Traffic Calming Improvements				\$2,759					Installation speed hump final invoice pending
CIP		2918120	5410000	ST101900	Aurora Corridor 145th - 165th		\$54,023		\$102,729		75,000	3378000	KC Metro	Work will be finalized in 2008. Additional money needed due to a private property owner claim received and additional KC inspections to verify quality of work. Other additional costs projections are water usage and landscaping.
					Aurora Corridor 145th - 165th Sub-Total		\$54,023	\$0	\$102,729		55,362	3332058	Federal STP-C	
CIP		2918151	5510000	ST107400	Annual Road Surfacing Program				\$172,215					Overlay delayed due to drainage project on N 165th. Will be done in 2008.
CIP		2918161	5410000	ST106300	Aurora 165th - 205th				\$441,363					Work continues in 2008
CIP		2918162	5630000	ST106200	Ret Wall at N 175th and Dayton Ave. N		\$28,000		\$281,993					Work continues in 2008. CIP is being amended to cover all additional costs.
Total	Roads Capital Fund					\$20,470,821	\$112,023	\$0	\$2,429,442	\$23,012,286	\$510,706			
Surface Water Utility Fund														
		2709000	5410000		SW Ops - Fee Study				\$6,122					

Fund	Dept/Program	Origkey	Object	JL Number	ProjectItem	2008 Current Budget	CIP Revision	2008 Budget Amendment	Carryover Amount	Amended 2008 Budget	Revenue Amount	Revenue account	Justification
401					SW Ops - Stream Assessment				\$6,251				
			5490000		SW Ops - Flow monitor installation				\$850				
					SW Ops - NPDES				\$75,000		\$75,000	3340313	NPDES Phase II grant.
			5400000		SW Ops - Pump Rental			\$52,225					Rental of Pumps needed for Ronald Bog and Pan Terra Pond
					Sub-Total		\$0	\$52,225			\$75,000		
		2709169	5410000		SW Roads - Relocate detention pond								Relocate and rebuild rock wall for the detention pond in the SE corner of NE 170th/15Ave NE to be done in 2008.
									\$45,515				
	CIP	3017105	5410000	SW100700	Surface Water Small Projects				\$13,369				CHS Engineering designs delayed due to storm and will be completed in 2008.
	CIP	3017105	5630000	SW100700	Surface Water Small Projects Sub-Total		\$0		\$41,347				Utility System contract (\$34,515) signed 12/17/07 - work to be done in 2008. Evergreen Electrical (\$6,831) will be completed 2nd quarter of 2008.
	CIP	3017214	5410000	SW100900	Boeing Creek Stormwater Project		\$0		\$54,716		\$0		
	CIP	3017217	5410000	SW110200	Ronald Bog South				\$7,125				Design in progress. Work to be completed in 2008
	CIP		5410000	SW111000	Pump Station No. 25				\$23,710				Work to be completed in 2008
	CIP	3017224	5410000	SW111000									Delayed due to the property acquisition process taking longer than expected.
	CIP	3017226	5410000	SW111200	Cromwell Park Wetland				\$50,887				Work continues in 2008
	CIP	3018112	5410000	SW101000	Stream Rehab/Habitat Enhance				\$29,000				Design services for a stream channel reconfiguration for the Meridian Creek Restoration Project will be done by 09/08.
	CIP	3018250	5410000	SW253200	Green (Shore) Streets				\$7,500				Contract to develop and provide conceptual and model designs for the GreenWorks project by June 2008.
	CIP	3023243	5410000	SW252600	East Boeing Creek Drainage Improvements				\$87,140				Work continues in 2008
	CIP	3023244	5410000	SW253130	Cromwell Park Pond				\$24,251				Work continues in 2008
	CIP	3023245	5410000	SW252700	N 187 & Wiman N Drainage				\$145,576				Work continues in 2008
	CIP	3023256	5410000	SW112300	18th Ave. Drainage Imp				\$287,285				Work to be completed in 2008
	CIP	3024247	5410000	SW252900	Dannell Park Wetpond				\$17,000				Design and Construction to be completed in 2008
	CIP	3024248	5410000	SW253030	Cromwell Park Wetpond				\$31,321				Work continues in 2008
Total Surface Water Utility Fund						\$10,483,799	\$0	\$52,225	\$1,270,830	\$11,806,854	\$75,000		
Equipment Replacement Fund													
Finance - City Wide	1608155		5640000		Replacement of Copiers				\$75,000				Due to basement flooding, new copiers were not purchased before 12/31/07
Total Equipment Replacement Fund						\$166,750	\$0	\$0	\$75,000	\$241,750	\$0		
						\$91,892,023	\$109,523	\$187,649	\$6,288,792	\$98,477,987	\$1,083,719		
						\$2,117,669				\$2,117,669			
					TOTAL BUDGET	\$94,009,692	\$109,523	\$187,649	\$6,288,792	\$100,595,656			
					* Funds not being amended for a total of \$2,284,419 are not included in the detail								
					GRAND TOTAL AMENDED FUNDS *								

CITY COUNCIL AGENDA ITEM

CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Authorizing the City Manager to execute a contract with All Phase Communications Incorporated for the acquisition and installation of a new telephone system
DEPARTMENT:	Finance Department
PRESENTED BY:	Debbie Tarry, Finance Director Tho Dao, IT Manager

PROBLEM/ISSUE STATEMENT:

Currently the City "rents" a Centrex telephone system through Verizon. In 2007 the City paid \$156,069 for the rental of the system; the 2008 budget for the system is \$151,500. Staff has evaluated alternative systems and found that a much more cost effective system can be purchased with the return on investment (ROI) analysis showing that the new system will pay for itself in just over two years. Not only is the current Centrex system expensive to operate, it is antiquated. The City needs to replace it with a modern system that will provide additional functionality while reducing on-going operating costs.

FINANCIAL IMPACT:

The purchase price for the initial installation is \$233,288 including the first year's annual maintenance cost of \$14,403. Annual on-going costs are estimated at \$40,832, as compared to last year's actual amount of \$156,069. The difference of \$110,668 over a two plus year period will off-set the initial investment in the system. A general fund budget amendment will be required to provide the budget authority for the acquisition.

RECOMMENDATION

Staff recommends that the City Council authorize the City Manager to execute a contract with All Phase Communications Incorporated in the amount of \$233,288 for the purchase of a license, hardware, support services and maintenance agreements associated with a new telephone system.

Approved By: City Manager  City Attorney ____

INTRODUCTION

When the City incorporated in 1995, the City contracted with Verizon for a phone system. This system (Centrex) was the most cost effective option at that time since it offered the City's approximately twenty phone lines and the ability to work as a centralized system. Today the number of phone lines has grown to 276 and the added overhead cost per line warrants the analysis of acquiring a new telephone system. City staff has been aware of this for the last two years, and with the expectation of a new City Hall it was time to research alternative solutions.

Based on the need to increase functionality and the desire to lower operating costs, the City included a project to review the technical/financial feasibility of acquiring a new phone system in its 2004-2006 Information Technology (IT) Strategic Plan. As a result of that study, the City issued a Request for Proposal (RFP) in 2007 for a consultant to help analyze and develop an RFP for a replacement telephone system. The consultant selected was DV Fuller and Associates. As a result of the work done by the consultant, and analysis of staff, a telephone system replacement RFP was issued in January 2008.

BACKGROUND

The existing Centrex phone system is analogous to renting a telephone system. As such, the City pays on-going monthly payments for the various phone components. Some of the features that the City currently "rents" include:

- Voice mail system which costs the City approximately \$60,000 annually
- Individual phone lines for each number at approximately \$100,000 annually.

Instead of paying these on-going costs the recommendation of staff is to purchase a system, which requires a large one-time investment (\$233,288), but significantly lower on-going maintenance costs (\$40,832 annually). The reduced annual maintenance costs is largely the result of eliminating the need for individual phone lines for each employee number and instead the use of three broadband circuits that allow for multiple extensions to meet the City's needs. Also the new phone system will include a server to provide voicemail and will allow for better integration of phone extensions for all City operations.

In 2005 staff conducted an initial feasibility/return on investment (ROI) study and determined that an alternative system could provide significant on-going operational savings. At the same time, there was uncertainty of the timing and location of a new City Hall and whether the City would be required to have a temporary relocation of offices during City Hall construction. As a result, the City Manager requested that we analyze phone options in conjunction with City Hall planning. The purchase of a new system in 2008 will allow staff to become familiar with the functionality of the system prior to moving into a new facility. The telephone system will be completely portable into the new facility as it operates over the same data lines that are used for our computer network and therefore there will not be an additional cost to acquire and implement the system prior to occupying the new City Hall.

As part of the City's research we found that other local cities and municipalities (e.g. Kirkland, Lynnwood, and Bellingham to name a few) have replaced their existing phone systems within the past couple of years for many of the same reasons that we now recommend that we purchase a new system: reduced costs, unification of the system with all City satellite operations and improved effectiveness.

DISCUSSION

Telephone System Features

A telephone system, like a personal computer and a network system, is a productivity tool. The current phone system capacity allows only one call per staff. If the phone is busy, the system will automatically transfer the next call to voice mail. With a modern telephone system, there will be increased capacity to handle citizen calls. If a line is busy, the incoming call will show up on the handset display as a phone number and caller ID (if available). Staff can then decide to handle the current call or the next call by asking the caller to be placed on "hold" status. If there are additional staff members assigned to the same number, they have the option of picking up the overflow calls once they are ready to do so. Other customer service enhancements are: the ability to have a complete record of the call, when the call entered the system, knowing how long the customer has been waiting before someone answered, how many transfers have taken place or how many people have spoken to the customer prior to being transferred, etc. This type of information will give staff more background about the caller and help to avoid potential conflicts.

In order to maximize the effectiveness of a system, staff worked with DV Fuller and Associates and a cross-department team to identify key features that would be required of a new system. Some of the essential functions that were identified include:

- Flexible dialing plan: support 4 digit dialing between stations across all locations
- Multiple party conference dialing
- Support paging to all locations, including overhead paging on some areas
- Call transfer throughout the system
- Barge-in (busy override)
- Emergency access to attendant
- Automatic callback
- Caller ID
- Call accounting, etc.

One of the primary requirements of a new system includes internet protocol (IP) telephony, commonly known as Voice Over Internet Protocol or VOIP. Unlike the old telephone system that supports just telephone and fax machines, an IP phone system will support telephones, fax machines, computers and printers. This convergence of voice and data allows City personnel to receive and send faxes from their computers, listen to voicemails through their e-mail program running on their computers (work, home or on the road) and have their e-mails read to them via any telephone anywhere in the world. Staff is in the midst of developing protocols and policy guidance regarding the maintenance of both e-mail and voice mail data to meet Public Disclosure laws as well as archiving mandates from the State Archivist.

An IP phone system does have a few limitations and drawbacks. One of the biggest drawbacks is that the system is powered electrically, so unless there is an alternative power source, the phone system will stop functioning during an electrical power outage. However, the system can be equipped with a few traditional phone lines that would continue to allow outgoing calls even when there is a loss of power. Another consideration with an IP phone system is the ability to send the location description when a 911 call is placed. Since a given IP phone can be moved anywhere in the system and still maintain its number and call settings, the system has the ability to send a location description to the public safety answering point (PSAP) so emergency responders can dispatch to the correct location. Finally, because it is an IP system, the call traffic traverses the City's data network and if the network is down, the phone system's features and functions will be limited until the network is restored.

Staff has taken steps to address these issues, by including the retention of some traditional phone lines, have power back-up supplies, including the fact that the new City Hall will be equipped with generator capability to maintain power in certain sections of the new City Hall, and having dedicated lines that will work with 911 access. The City has very few instances in which the City's network has not been available, as we have back-up servers and developed redundant systems to minimize impacts. An example of when the City did lose network functionality was during the basement flood event in December 2007. In this case the network functionality was restored within 2.5 hours.

Vendor Selection Process

The City followed the acquisition process required in RCW Chapter 39.04.270, electronic data processing and telecommunication systems. The provisions in this chapter allow the City to purchase a telephone system through a competitive negotiation process. This allows consideration to be given to price and other criteria such as the requested feature sets and system functionality. In order to comply with the RCW requirements the City issued a RFP in January, 2008 with proposals to be submitted by January 31, 2008. Ten companies submitted responses recommending four distinct technology solutions. Telephone systems (the technology solution) can be offered by multiple vendors who will implement and provide maintenance for the system, thus it was important to consider not only the system itself, but also the qualifications of the vendors that will be implementing the systems. The four telephone systems that vendors offered were CISCO, NEC, Avaya and ShoreTel.

The Information Technology staff invited vendors representing all four telephone systems to present their product demonstrations as well as provide detailed technical specifications regarding the systems.

In addition to using cost as criteria, the team selected six other areas for consideration to determine the best telephone system solution: 1) PBX IP platform, 2) Phone station feature sets, 3) Messaging requirements, 4) System management and controls, 5) Contact Center and reporting and 6) Compatibility with the City's existing technology platforms. In regards to meeting the functional requirements, the following major areas were evaluated; results are provided below followed by an analysis of costs and benefits.

Detailed analysis breakdown

1. **PBX-IP Platform:** Under this category, we look at how the system is built, its technical capability, capacity and reliability, its voice data routing, and technical compatibility with the City's existing technology infrastructure. While all systems proposed worked very well with the City's existing technology infrastructure, ShoreTel and Avaya emerged as the leaders due to their technical configurations and scalability.
2. **Phone Station Features:** We looked at the phone handset and its design for day-to-day use, phone display, attendant console, call center station usability, and pricing. Cisco has the best designed technological handset but ShoreTel has the best phone software with extremely rich features, and a physical handset that is very functional and intuitive to use. NEC has the best call center application that would be highly suited in a high volume, geographically dispersed environment.
3. **Messaging:** This is one area where the four technologies differ greatly. While many of the City's required functions were met, each system handles unified messages differently. The pricing of this capability varies as well with some systems including it as a standard feature while others required a paid license. ShoreTel has the best out-of-the-box set of features with an additional license for having e-mails read to the users when they are call in for voicemail. Avaya also has very robust capability with a-la-cart pricing. Cisco and NEC support many of the same features the other two have.
4. **System Management and Control:** With the on-going support shifting from vendor based to internal staff based, it is important that the proposed system administration and management is comprehensive yet reliable, well documented and easy to use.
5. **Contact Center:** Contact Center is a specific application that is designed to support a high call volume environment with many dedicated agents. Cities with large utilities such as Seattle City Light and Seattle Public Utilities require their phone systems to efficiently handle this environment and provide as much reporting as possible to ensure that "bottlenecks" are identified and mitigated to reduce customer frustrations and anxieties. The City of Shoreline has very limited call center related needs at this time (e.g. Customer Response Team and Parks, Recreational and Cultural Services to name two) but not at the same scale or magnitude as other large cities. From the products we evaluated, NEC is clearly the leader in this area. They have a highly robust and extremely rich feature set that supports a large call center with agents spread out in dispersed geographical area. ShoreTel has many of the features and capability to support a call center in their phone system but without requiring an additional license.
6. **Vendor strength:** This is one area that favors large multi-nationals vendors (Cisco, NEC) or traditional phone vendors (Avaya). Because ShoreTel is a pure IP phone company, it doesn't size up well with either Avaya (a traditional phone vendor that originated from the Bell system) or with the hardware/networking conglomerate vendors Cisco and NEC. However, they are growing very fast and gathering a large installed base among the non-Bell phone systems. Some of their major implementation sites include: City of Bellingham (which went live in Q4 2007), City of Mercer Island (2007), Cascade Valley Hospital and Clinics (2007), and Welfare and Pension Administrators (2007).

The four technologies were ranked in relation to one another, with 1 being the highest and 4 the lowest. Shoretel resulted as the initial top choice.

Functional Area Relative Ranking	Avaya	Cisco	NEC	ShoreTel
1. PBX IP Platform	2	3	4	1
2. Stations (hand set, attendance console, softphone)	3T	1	3T	2
3. Messaging Requirements	2T	2T	2T	1
4. Systems Management and Controls	1T	3	4	1T
5. Contact Center	3T	3T	1	2
6. Vendor Strength	2T	1	2T	4
7. Cost Analysis	4	3	2	1
Final Ranking	2	3	4	1

After the product demonstrations and follow up interviews, the list was narrowed to two preferred telephone system solutions: ShoreTel and Avaya. A larger, cross-department team then reviewed both of these systems resulting in the ShoreTel system being the preferred telephone system.

Since there were three vendors recommending ShoreTel technology, another round of evaluations was held that included a review of pricing, vendor profiles and the thoroughness of their responses. The finalists were All Phase Communications Inc., Networks Computing Architects, Inc., and Tri-Tech Communications, Inc. All pricing included the following hardware:

- ShoreTel Switches
- Voice Mail servers
- ShoreTel T1 switches
- ShoreTel telephone handsets
- Conference room phones

The bids from the ShoreTel finalists are as follows:

Comparison Category	All Phase Communications, Inc.	Network Computing Architects, Inc.	Tri-Tech Communications, Inc.
Base System Cost plus Year 1 Maintenance*	\$173,308	\$169,687	\$189,201
Network Assessment	\$3,750	\$3,000	\$1,560
Maintenance (Year 2-5)	\$57,612	\$ 73,248	\$71,044
Total Cost of Ownership (TCO) 5 years	\$234,670	\$ 245,935	\$ 261,805

* Exclude options, add-on equipment for comparison purpose

In addition to base package, staff has selected to add a few optional applications and services such as: a fax server software application that allow staff the ability to send/receive faxes from their computers (\$7,464); an active monitoring service by the vendor to alert and dispatch technician around the clock in the event of equipment failures (\$15,778); an E911 Notification add on that give real time notification to internal

staff when a 911 call is placed inside the system, this ability helps staff mobilize internal resources and coordinate response to assist 911 safety personnel (\$5,000). Other costs are wirings, equipment racks, and miscellaneous items. The contract price includes the appropriate state sales tax.

Base System Cost Plus Year 1 Maintenance	\$173,308
Fax Server Plus Year 1 Maint	\$7,464
E911 Notification	\$5,000
Call Center	\$11,000
Miscellaneous Equipment/Supplies	\$17,450
Subtotal	\$214,222
Sales Tax	\$19,066
Contract Total	\$233,288

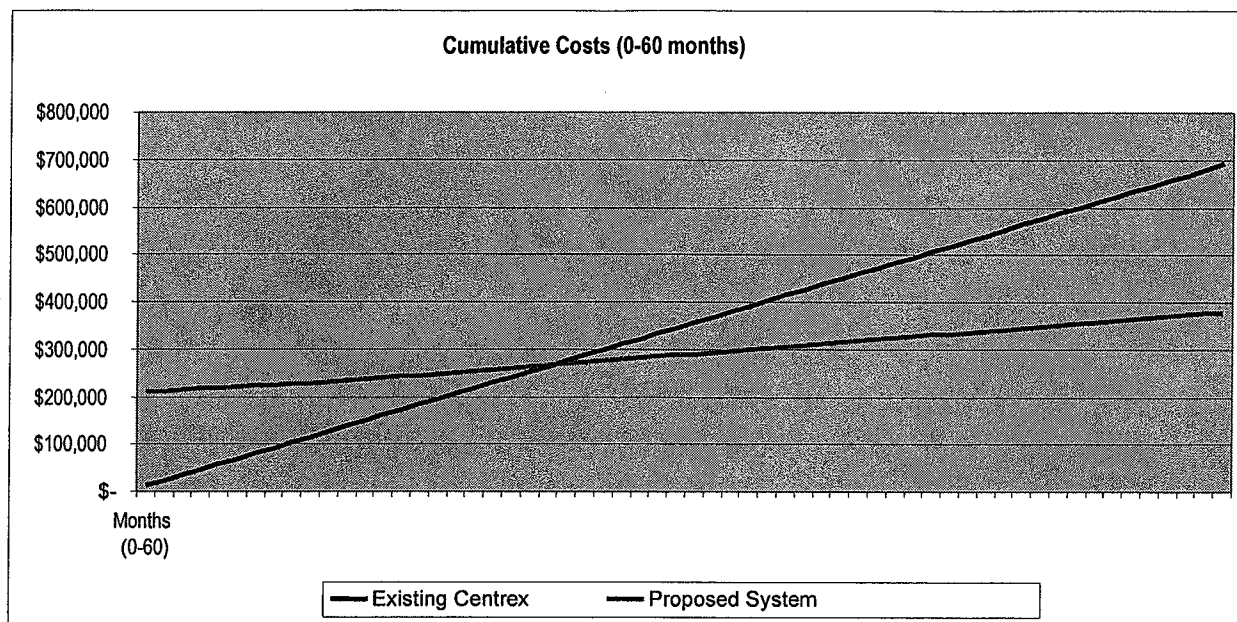
After further review, the selection team selected All Phase as the vendor to implement the ShoreTel system. ShoreTel represents a very robust technical and functional IP telephony solution, and All Phase's proposal scored the highest of vendors recommending ShoreTel. Last year, All Phase was awarded a contract to implement a ShoreTel telephone system for the City of Bellingham, a much larger installation of approximately 800 phones and total system cost of over \$800,000. ShoreTel also has an office located within Shoreline.

Based on the results from the RFP, staff prepared a simple cost benefit analysis using the initial investment costs and the City's current costs for telephone services.

Costs/Benefits Analysis

Return on Investment (ROI) Analysis	Year 1	Year 2	Year 3	Year 4	Year 5	5 Year Summary
Current Phone System Annual Cost	\$156,069.00	\$156,069.00	\$156,069.00	\$156,069.00	\$156,069.00	\$780,345.00
New Phone System Estimated Expenditures	\$233,288.00	\$40,832.00	\$40,832.00	\$40,832.00	\$40,832.00	\$361,486.00
Net Savings	\$(77,219.00)	\$115,237.00	\$115,237.00	\$115,237.00	\$115,237.00	\$418,859.00

Graph Showing Five Year Cost Comparisons (New System vs. Current)



Budget Appropriation

The acquisition of the telephone system, although anticipated, was not formally budgeted during the 2008 budget process. This was primarily because staff needed to obtain further information to determine actual system costs. Based on the return on investment analysis, it is evident that the system will pay for itself in lowered on-going costs in a little over two years. Even though this is the case, to meet legal budget authority, the City must include the full budgeted cost for acquisition in 2008. It is likely that we will operate both the Centrex and ShoreTel systems for a few months to allow for a staggered implementation for departments and satellite locations (Police, Hamlin, Spartan Gym, etc.) and allow time for users to become proficient on the new system. As a result we do not believe that there will be significant savings from the Centrex system until 2009.

The final 2007 expenditures and revenues are being calculated, but there will be savings as a result of revenues being slightly higher than projected and expenditures being lower than projected. The majority of these savings are already being allocated to the City Hall project, but there are sufficient savings to also cover the cost of the telephone system acquisition. If Council authorizes the City Manager to sign a contract with All Phase Communications Inc., staff will include the telephone system in a future 2008 budget amendment ordinance.

Next Steps

Once the telephone system contract is awarded, staff will be working with All Phase to develop an implementation plan. This will also include a review of City phone numbers and development of policy and practice recommendations related to the phone system and message retention. Staff anticipates that the phone system implementation will be complete by the end of the third quarter of 2008.

RECOMMENDATION

Staff recommends that the City Council authorize the City Manager to execute a contract with All Phase Communications Incorporated in the amount of \$233,288 for the purchase of license, hardware, support services and maintenance agreements associated with a new telephone system.

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CITY COUNCIL AGENDA ITEM

CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Authorize the City Manager to Award the Professional Service Contract with Vanir Construction Management, Inc. for Construction Management & Inspection Services
DEPARTMENT:	Public Works
PRESENTED BY:	Mark Relph, Director of Public Works Tricia Juhnke, Capital Projects Administrator

PROBLEM/ISSUE STATEMENT:

The 2008-2013 Capital Improvement Plan includes approximately ten projects for construction in 2008. In order to manage the construction of these projects, a Request for Qualifications (RFQ) was issued in November 2007 for a consultant to provide Construction Management and Inspection Services for the 2008 Construction Program. Six Statements of Qualifications (SOQs) were received, from which Vanir Construction Management, Inc. was selected as the most qualified and capable in providing construction management and inspection for the 2008 Capital Projects.

Individual contracts will be awarded on a project-by-project basis, to facilitate better cost tracking and management.

ALTERNATIVES ANALYZED:

Construction management and inspection services are a critical component in delivering the capital program and ensuring projects are built to the City's requirements and within budget. Alternatives evaluated included:

1. Selection of one firm to provide services for all projects.
2. Selection on a project-by-project basis
3. Utilization of existing City resources.

Review of the three alternatives resulted in selecting alternative 1 and thereby utilizing one firm to provide the services on all of the projects. This alternative is the most cost-effective and efficient for the City resources and in delivering services to the community. Alternative 2 has been the typical approach in previous years, but typically there have been only one or two projects under construction. Alternative 3 was not a viable option because there are not adequate City resources to provide the level of service needed.

FINANCIAL IMPACT:

All costs for Construction Management Services will be covered by the specific projects, and costs are incorporated into the project budgets. The following table provides a summary of the Construction Management costs per project.

	Project	Contract Amount
1.	Boeing Creek Park and Storm Water Improvements	\$179,900
2	Pan Terra Pond and Pump Station	\$170,600
3	Priority Sidewalks- Fremont Ave N	\$ 24,400
4	East Boeing Creek – Darnell Park	\$113,200
5	Ronald Bog South Drainage Improvements	\$93,100
6	Saltwater Park Improvements	\$188,250
	Total	\$769,450

The construction budget for these projects is approximately \$8 million dollars. The proposed construction management fees are just below 10% of the construction costs, which is within a typical range for these services and size of projects.

There is adequate funding within all the project budgets to cover the costs of these services.

RECOMMENDATION

Staff recommends that the Council authorize the City Manager to execute contracts with Vanir Construction Management, Inc. for:

1. Boeing Creek Park and Stormwater Improvements, in the amount of \$ 179,900
2. PanTerra Pond and Pump Stations, in the amount of \$170,600
3. Priority Sidewalks – Fremont Ave N, in the amount of \$24,400
4. East Boeing Creek – Darnell Park, in the amount of \$113,200
5. Ronald Bog South Drainage Improvements, in the amount of \$93,100
6. Saltwater Park Improvements, in the amount of \$188,250

Approved By: City Manager  City Attorney ____

INTRODUCTION

Construction Management and Inspection Services are essential in providing construction oversight and administration on City Capital Projects. The nature and scope of these services include:

- Provide quality control to ensure the project is completed per plans and specifications
- Communicate project progress and issues with City staff.
- Act on behalf of the City in communicating with Contractors, utilities and other stakeholders
- Maintain project progress and cost reporting documentation, including supporting and tracking authorized changes
- Collect and maintain all documentation on the project
- Provide and coordinate testing and inspection of materials in accordance with the contract documents
- Provide daily inspection and oversight of all construction activities.

BACKGROUND

Construction Management and Inspection Services have typically been provided by consultants, primarily because there are not adequate resources to perform this work by City staff. Typically, Request for Qualifications (RFQs) and the selection process have been performed on a project-by-project basis. In 2007, WH Pacific was selected to provide construction management on three projects (Dayton Retaining Wall, Priority Sidewalks, Traffic Signal at 15th Ave NE and 150th St). Utilizing one firm on multiple projects provided an efficiency that resulted in lower project costs for Construction Management and provided consistency between projects in administering construction contract.

Building on the results of 2007, an RFQ was issued in November 2007 for construction management and inspection for the following projects:

- East Boeing Creek Drainage Improvements
- Ronald Bog South Drainage Improvements
- Boeing Creek Park and Stormwater Improvements
- Pan Terra Pond and Pump Station
- 18th Ave NW Drainage Improvements
- 167th and Whitman Drainage Improvements
- Twin Ponds
- Saltwater Park Improvements
- Priority Sidewalks
- Traffic Signal at 170th and 15th Ave NE

The RFQ provided the City the option to award contracts to one or two firms based on which firms best served the needs of the City. Six SOQs were received and four firms were interviewed. Based on the contents of the SOQ and the interviews, Vanir Construction Management, Inc. was selected as a single firm that could meet the construction management needs of the diverse set of projects.

Vanir Construction Management, Inc. is a proven firm that specializes in construction management for public clients. They have a long history in providing these types of services for other municipalities and public agencies and they have adequate resources to meet the needs of the 2008 program. The Vanir project team includes six individuals that will be committed to City of Shoreline projects.

Based on the high volume of work in 2008, a single firm enables Staff to develop consistent systems and tools with one firm that will benefit projects in 2008 and in the future. One firm enables the City to reduce the oversight and management that would be required if multiple firms were utilized. Additionally, there are cost savings by utilizing inspectors and construction management resources on multiple projects under construction at the same time.

Costs for construction management have been negotiated with the Consultant as an overall program and based on the specific needs on a project. Construction management costs typically range from 8-12% of construction costs with variability based on size, complexity of the project and contractor performance. Fees contained herein are within these typical ranges. Individual contracts will be executed for each project to enable each project to best track and manage project costs and any necessary changes.

The City has already entered a contract agreement with Vanir for constructability reviews on several of these projects and for Construction Management and Inspection of 18th Ave NW Drainage Improvements. These contracts were within the City Manager's authorization and enabled Vanir to provide services while scopes and estimates on these other projects were negotiated.

RECOMMENDATION

Staff recommends that the Council authorize the City Manager to execute contracts with Vanir Construction Management, Inc. for:

1. Boeing Creek Park and Stormwater Improvements, in the amount of \$ 179,900
2. PanTerra Pond and Pump Stations, in the amount of \$170,600
3. Priority Sidewalks – Fremont Ave N, in the amount of \$24,400
4. East Boeing Creek – Darnell Park, in the amount of \$113,200
5. Ronald Bog South Drainage Improvements, in the amount of \$93,100
6. Saltwater Park Improvements, in the amount of \$188,250

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Public Hearing on the PROPOSED Shoreline Sustainability Strategy
DEPARTMENT:	Planning and Development Services
PRESENTED BY:	Joseph W. Tovar, FAICP, Director Juniper Nammi, Associate Planner

PROBLEM/ISSUE STATEMENT:

At the January 22nd, 2008 Council meeting, City staff together with the consultant team, AHBL and O'Brien and Company, updated Council with the progress on development of the Shoreline Environmental Sustainability Strategy. The public process and research to date was presented together with an overview of the planned elements and potential recommendations to be included in the Strategy. At the conclusion of that January meeting, the interdepartmental staff teams and consultants returned to work to weave the research, draft elements and Council and public comments together into a cohesive Sustainability Strategy.

March 20th, the "PROPOSED Shoreline Sustainability Strategy" was published online and provided to the Council, Planning Commission, Parks Board as well as the general public for review. The proposed Strategy will be presented and discussed at a joint Planning Commission and Parks Board meeting on March 27th and the Council of Neighborhoods will also hear about the strategy on April 2nd.


Tonight staff will present an overview of the Strategy organization and highlights. Then the Council will hold a public hearing to provide an opportunity for the public to comment on the proposed Strategy. Council is then scheduled to discuss the Strategy, public comment, and any requested changes or additional information on May 5th. Adoption of the strategy is currently scheduled to be considered on June 9th, 2008. Discussion of implementation options is anticipated be part of the Council's Goal setting retreat at the end of April.

FINANCIAL IMPACT:

Implementation of this Strategy, if adopted, will have budget implications yet to be determined. Potential financial impacts would be decided on through the regular project planning and budgeting processes.

RECOMMENDATION

No action is required at this time. Public and Council comments, questions, and discussion of the proposed Strategy are requested at this time.

Approved By: City Manager  City Attorney _____

INTRODUCTION

Since July 2007, two interdepartmental City staff teams have worked together with AHBL and O'Brien and Company consultants to work on in developing an overarching Environmental Sustainability Strategy. The Strategy is a key part in Goal 6 of the 2007-2008 Council Work Plan - "Create an Environmentally Sustainable Community."

DISCUSSION

The City staff and consultants have integrated the research, draft elements and Council and public comments together into a cohesive Sustainability Strategy. March 20th, the "PROPOSED Shoreline Sustainability Strategy" was published online and provided to the Council, Planning Commission, Parks Board as well as the general public for review. The complete document is available on CD at City Hall or online at <http://www.cityofshoreline.com/cityhall/departments/planning/sustainable/index.cfm>.

The Strategy Mission Statement states,

The City of Shoreline will exemplify and encourage sustainable practices in our operations and in our community by:

- *Being stewards of our community's natural resources and environmental assets;*
- *Promoting development of a green infrastructure for the Shoreline community;*
- *Measurably reducing waste, energy and resource consumption, carbon emissions and the use of toxics in City operations; and*
- *Providing tools and leadership to empower our community to work towards sustainable goals in their businesses and households.*

50 recommendations were developed, of which 27 relate to current projects or programs. Since Goal 6 was adopted and development of this Strategy has progressed, the City has initiated a number of projects and activities which advance many of its guiding principles and recommendations. To facilitate use and understanding of the document, the Strategy recommendations are organized into five Focus Areas:

- City Operations, Practices and Outreach
- Energy Conservation and Carbon Reduction
- Sustainable Development and Green Infrastructure
- Waste Reduction and Resource Conservation
- Ecosystem Management and Stewardship

An executive summary of the Strategy is included with this staff report (ATTACHMENT A). The complete document was provided to Council and is available on CD at City Hall or online at <http://www.cityofshoreline.com/cityhall/departments/planning/sustainable/index.cfm>.

RECOMMENDATION

No action is required at this time. Public and Council comments, questions, and discussion of the proposed Strategy are requested at this time.

ATTACHMENTS:

- A. PROPOSED Shoreline Sustainability Strategy – Draft Executive Summary
- B. Table of public comments on March 20, 2008 PROPOSED Shoreline Sustainability Strategy received as of April 2, 2008.



ATTACHMENT A:

PROPOSED Shoreline Sustainability Strategy
Draft Executive Summary

draft executive summary

A standard definition of sustainability is meeting the needs of the present without compromising the ability of future generations to meet their own needs. Towards this end, a major goal of creating and implementing the Shoreline Sustainability Strategy is so future generations of local residents will have the resources and means to live at least as well as, and preferably better than, people today.

This is evident in the Mission Statement of the document, which states, "The City of Shoreline will exemplify and encourage sustainable practices in our operations and in our community by:

- Being stewards of our community's natural resources and environmental assets;
- Promoting development of a green infrastructure for the Shoreline community;
- Measurably reducing waste, energy and resource consumption, carbon emissions and the use of toxics in City operations; and
- Providing tools and leadership to empower our community to work towards sustainable goals in their businesses and households."

These aspirations will affect many overarching City policies and development regulations, the operations of every City department, the design of every Capital Improvement Program, and eventually begin to change the appearance and health of the built and natural environments. It is no small task.

Because this scope is so broad, and the universe of "sustainability" so vast, the City opted to propose a strategy that provides overarching direction for future efforts through the delineation of guiding principles, focus areas, new tools, available resources, and an evaluation of existing programs and staff capacity to implement more ambitious projects. This is different than drafting a plan which would lay out a specific workload or timeline for particular programs and endeavors. It provides the flexibility for the Council and staff to work to evaluate innovative ideas and prioritize their implementation based on cost analysis and funding availability, leveraging of partnerships, and staff capacity as opportunities arise and political will dictates.

As a first step in this process, 10 Guiding Principles were developed and organized into two areas of emphasis. Strategic Guidance principles address overall effort and process, and Action Area principles address key substantive aspects of initiatives.

STRATEGIC GUIDANCE:

1. Sustainability will be a key factor in policy development
2. Lead by example and learn from others
3. Environmental quality, economic vitality, human health and social benefit are inter-related
4. Community education, participation and responsibility are key elements
5. Commitment to continuous improvement

ACTION AREAS:

6. Manage expected growth in a sustainable way
7. Address impacts of past practices
8. Proactively manage and protect ecosystems
9. Improve and expand waste reduction and resource conservation programs
10. Energy solutions are key to reducing our carbon footprint

In order to further organize the subject matter into categories which could provide additional structure and continuity to the document, the consultant team of AHBL and O'Brien and Co. also categorized recommendations into different Focus Areas. These represent the areas in which the City can leverage its impact, influence and investment most efficiently and effectively:

- City operations, practices and outreach
- Energy conservation and carbon reduction
- Sustainable development and green infrastructure
- Waste reduction and resource conservation
- Ecosystem management and stewardship

These topics were rolled out for public discussion at a series of two open houses dubbed "Community Conversations." The first occurred on October 11, 2007, and featured a rotating series of short, focused and facilitated discussions. The second

DRAFT EXECUTIVE SUMMARY

workshop took place on November 14, 2007, and centered on establishing priorities for implementation.

With public input in hand, the consultant and City staff teams set to drafting the actual document. The "Strategic Directions" section contains a more thorough discussion of the Focus Areas. Each category's section includes a description of key issues and what the City is doing currently to address them; a brief description of recommendations, including what existing programs should be continued, expanded or modified; and summary diagrams that show key objectives, recommendations, targets and indicators and how they relate to each other.

It also begins with a list of ten key program strategies, which are also an example of the types of actions the City will commit itself to pursuing upon adoption of the Strategy, even though the specifics will be determined by existing, modified, or proposed processes. These Key Program Strategies are as follows:

1. Develop and integrate the sustainability program into all City functions
2. Develop a residential green building program
3. Build and support a sustainability leadership structure
4. Measure emissions in permitting and planning and take steps to mitigate
5. Prioritize non-motorized transportation investment and planning
6. Adopt a more aggressive green fleet policy
7. Adopt a clear and aggressive green building policy
8. Adopt a comprehensive environmental purchasing policy
9. Strengthen internal recycling efforts and community outreach
10. Structure and prioritize natural resources enhancement

This chapter also includes three graphic displays of "Green Infrastructure" opportunity - types, sites and a map - that represents geographic locations that attendees of the first Community Conversation marked as prospects for innovative projects.

The focus of the document then turns to implementation and introduces the Capacity Assessment

Matrix, a tool developed to analyze each of the fifty recommendations in terms of available financial and human resources, located in Appendix C. This methodology specifically considers initial cost premium, lifecycle cost savings, benefits, required staffing, operating budget impacts, capital budget impacts, internal responsibility, external responsibility, available external resources and whether the action is required to meet an existing agreement.

The Strategy then details the fourteen Priority Recommendations that the consultants viewed as "easy wins" and ways to leverage current City efforts or achieve results using existing resources in new ways. Of these priorities, the first six are new recommendations, many of which are important initial steps that must be taken if the City is to establish baselines by which to benchmark its progress towards increased sustainability. The last eight are continuations or expansions of existing programs or initiatives. Each Priority Recommendation includes a discussion of why it is a priority as well as implementation considerations.

The body of the document concludes with Implementation Resources, including funding, regulations and policy planning, as well as opportunities for business partnerships. The appendices then delve into more depth by presenting analyses of many aspects that will be necessary to achieve goals. While the body of the document is written for general public consumption, the appendices will be most helpful to elected and appointed officials and staff as they begin the work of integrating sustainability into their established processes and programs.

Overall, the Strategy is organized so that chapters could stand alone and be understood without reading the document as a whole. As a result, there is some redundancy as the big picture relationships and comprehensive nature of environmental sustainability are interwoven. It is also intended to be read by a wide spectrum of people with varying knowledge of sustainability and municipal issues, from the Council members who will ultimately make many decisions to residents who are interested in becoming part of the larger solution to many of the threats that loom on the horizon, like climate change, deteriorating water quality and habitat loss. One goal of the Strategy is that it may be a call to action and provide inspired direction to all.

DRAFT EXECUTIVE SUMMARY

The appendices are summarized below:

- A:** Of the 50 Sustainability Recommendations listed in this appendix, 27 of them are current programs. The consultant team's notes are included for additional clarification.
- B:** The Existing Program Summary Matrix contained here details these ongoing efforts and provides direction as to whether the City should ensure their continuation, modify the overall approach or expand current efforts.
- C:** The Capacity Assessment Matrix is another tool to evaluate existing capacity to implement recommendations through examination of a number of benefit, finance and human resource factors.
- D:** The Low Impact Development and Green Building Code Assessment is a thorough look at existing codes dealing with these topics, a description of their intent and a gap analysis.
- E:** The Sustainable Decision-Making Tool delineates a four-step process by which staff may identify or distill a potential action or decision, make an initial qualitative evaluation and comparison, perform a brief SWOT (strength, weakness, opportunity, threat) analysis and a preliminary cost and resource evaluation. This will allow for comparison of alternatives, as well as indicate which recommendations should be pursued for further analysis, tabled until more information or resources become available or rejected as infeasible.
- F:** This list of twenty-eight indicators, which may be used to establish a baseline for City operations and existing conditions, is organized by Focus Area. These would enable the City to track progress towards sustainability over time to gauge how successful its initiatives have been at achieving their intended goals. Indicators would measure data for both internal City operations and the greater Shoreline community.
- G:** Implementation Tools is a more complete guide to resources available for municipalities, to assist them in their quest to become more sustainable, energy efficient and environmentally proactive.



ATTACHMENT B:

Public comments received as of April 2, 2008
on PROPOSED Shoreline Sustainability Strategy

Summary Table of Public Comments

Received as of April 2, 2008 on PROPOSED Shoreline Sustainability Strategy

Ref #	Date	Source	Pages	Description	Staff Notes	*Ease?
1	3/23/2008	Janet Way email	various	Comments on photos.	Changing out current photos with replacement photos if we already have photos is easy. Acquiring additional photos would require additional time and adding additional photos frames to the document would require more formatting time.	S
2	3/31/2008	Rocky Piro email	5-9?	Recommends integration more of "systems" approach into strategy introduction and overview.	Not yet clear extent of rewriting that would be required.	M-C
			52-58?	Consider introducing "landscape-scale ecological processes" into the discussion of ecosystem functions and solutions	Not yet clear extent of rewriting that would be required.	M-C
			various	Adaptive management should also be discussed and referenced as appropriate in the overall Strategy.	Not yet clear extent of rewriting that would be required.	M-C
			5	request that definition of "sustainability" be enhanced and build on what is presented in the draft to also discuss "regeneration and restoration of the environment where it has been damaged by past practices."	Original comment made by Michael B at joint Parks Board/Planning Commission meeting. Requested specific suggestions from Michael. Simple change if specifics submitted.	S
3	3/27/2008	Joint mtg of PB/PC	Various	Comments made during course of meeting as recorded in meeting minutes.	Minutes from Parks Dept. have not yet been typed up. Comments listed here are based on Juniper Nammi's personal notes of meeting	
		Rocky Piro	Various	See comments in item 2 above		
		William Clements	5-9?	Possible to add more in strategy on how it fits into regional context, in particular Cascade Agenda.	Would require additional writing and some research.	M
		Sid Kuboi	Appendices A and C	In context of waste reduction and reuse. Does the strategy get into recommendations on what should be "saved" or reused?	Think this is meant with regards to buildings. No specific recommendations related to this. Would require additional writing and research to add a recommendation. Possible to add recommendation that History Inventory and requirements and permitting standards/information related to demolition revisited.	M-C

Summary Table of Public Comments - continued

Ref #	Date	Source	Pages	Description	Staff Notes	*Ease?
		William Clements	Various	Word "sidewalk" over used and narrow term. Recommend replacing with "pedestrian walkway" in general context to include more than just conventional concrete sidewalk.	Many in room agreed with this and it would be a fairly simple search and replace depending on context.	S
		Michael Broili	5	See sustainability definition comment under Rocky's email comments Ref #2 previous page		
		Janet Way	Various	Word "fish" not in the document, wants fish and salmon included	No specific context or relevant section to add it to given yet. Would be helpful to get more specific comments on this.	?

*Simple (S), Moderate (M), Complex (C)

Note: This table is not a comprehensive list of comments made. Many positive and general comments included with emails and in public meetings but were not included here if no specific changes or critique of the proposed Strategy could be identified in the comment.

Public Comments received as of April 2, 2008 on PROPOSED Shoreline Sustainability Strategy

#1

From: Janet Way [janetway@yahoo.com]
Sent: Sunday, March 23, 2008 3:22 PM
To: Robert Olander
Cc: Juniper Nammi; Debbie Tarry; Dick Deal; Mark Relph; Jerry Shuster;
Joe Tovar; Carolyn Wurdeman; Cindy Ryu
Subject: Goal #6 Strategy Edits - First take

Hello Bob,

Congratulations to Juniper and all of the team on a wonderful report and by and large a visionary strategy.

Here are some edits on the photos in the Sustainability Strategy per our discussion on Friday. (attached)

Have just started delving into the text. Thus far it is a very impressive effort, but I believe that the photos are not quite right yet. I believe to do the report justice, we need much better photos with a variety from more places IN Shoreline, since most people will naturally look at the photos first (as I do). I realize they are meant to illustrate points, and so I think they need to be better utilized for that purpose.

Hope some of my suggestions can be seriously considered.

<<http://cosweb.ci.shoreline.wa.us/uploads/attachments/pds/esc/PROPOSEDShorelineSustainabilityStrategy.pdf>>

Congratulations to the entire team for a great project and process. Look forward to seeing it completed and put into effect. Also, look forward to further inclusion of the public and interest groups in the final processes.

As you can imagine, I will have more suggestions and edits as we delve into the details of the text more deeply.

Would appreciate hearing back from someone about my points.
Thanks for your time and again for a magnificent effort on our Goal #6.

Sincerely,

Janet

Text from Word Doc Attachment
3/23/08

Goal #6 – Sustainability Strategy Edits – Councilmember Way

Please seriously consider these individual concerns with regard to the current photo imagery in the report. I will have more detailed comments later about the text.

Photos –

- number of images taken outside of Shoreline – found 15 images taken outside Shoreline and 25 “in” Shoreline

- can we find images to substitute from within Shoreline and/or those which are examples of what we wish to see in Shoreline, make a clear distinction?
- Can we find examples from a wider area throughout Shoreline -- more on east side?
- Need more examples of the natural landscape IN Shoreline
 - examples of wildlife -- (only one shown, seal pup in Point Wells)
 - Urban Forestry, Parks, Trees, Workparties
- Councilmembers photos -- One of Keith at Bike to Work Day (pg 14)
 - should be all council included or none
- Skate park at Paramount -- Why is it here on this page? Pesticide, fertilizer use.. Where are the skateboarders?
- No kids in any photos as far as I can see!
- Freight train on page about Green Building? 68
- Map -- Mislabelled Creek --
 - Littles Creek mislabeled as Thornton Creek (mis-spelled "Thorton Creek")
 - Hamlin Creek missing
 - Other creeks not labeled
- BRT lane on Aurora shown, but no bus!
- Suggestions:
 - more images of Bike Riders,
 - more pedestrians on sidewalks (walkable neighborhoods),
 - KIDS AND FAMILIES,
 - work parties at Ivy-outs, (including kids),
 - gardens in Shoreline replacing lawns,
 - Renewable Energy Fair?,
 - photo of CleanScapes truck with worker,
 - Better shot of transfer station building,
 - Solar House at SCC, streetscape with café IN Shoreline?,
 - Bus with people Boarding at BRT lanes?,
 - Better photo of Kruckeberg Garden (maybe photo of Art) ,
 - Photo of recycling event?,
 - photo showing flooding to explain why natural drainage is necessary?,
 - photo of fish?,
 - more natural areas including trees such as-- Hamlin, Southwoods, Paramount, Bruggers • Bog, Echo Lake, Ronald Bog, Twin Ponds, Meridian Park Wetland, Darnell, Hillwood,
 - Northcrest Parks
 - Public Art,
 - Raingardens at Evergreen School

#2

From: Rocky Piro [mailto:RPiro@psrc.org]

Sent: Monday, March 31, 2008 3:59 PM

To: Joe Tovar; Jessica Simulcik Smith

Cc: Steve Cohn

Subject: Comments from Planning Commissioners on the Sustainability Strategy

Joe --

As a follow-up to last Thursday's joint Parks Board / Planning Commission meeting at which we discussed the draft Sustainability Strategy for the City, I offered the following comments.

- (1) The draft strategy is quite impressive -- even more so when the quick turnaround time for producing it is taken into account

- (2) The listing of strategies / recommendations is thorough and represents a full spectrum of issues and actions.
- (3) This is an excellent piece and could well serve as a model for other cities in our region and elsewhere in the U.S.
- (4) Some observations relating more to the context for the strategy:
 - a. Consider integrating more of a "systems" approach into the strategy's introduction and overview – i.e., raise the issue of relationships
 - i. Note: The notion of "systems" seems implicit in the draft, and should be expressed more explicitly
 - ii. Note: By providing a "systems" context, the strategy will tie together more as a comprehensive whole, rather than as incremental or piecemeal parts
 - iii. Note: A "systems" approach can also provide more of a framework for the proactive issues relating to education and outreach that were discussed last Thursday.
 - b. Consider introducing "landscape-scale ecological processes" into the discussion of ecosystem functions and solutions. (Refer back to the presentation to the Planning Commission by Department of Ecology representative - Erik Stockdale.)
 - c. Adaptive management should also be discussed and referenced as appropriate in the overall Strategy.

In addition, I want to concur with Mike Broili's request that the definition of "sustainability" be enhanced and build on what is presented in the draft to also discuss "regeneration and restoration of the environment where it has been damaged by past practices."

Rocky

#3

Comments in Minutes of Joint Parks Board/Planning Commission meeting on March 27th, 2008
...requested typed minutes from Robin Lesh when they are available.

Council Meeting Date: April 14, 2008

Agenda Item: 9(a)

**CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON**

AGENDA TITLE: Adoption of Ordinance No. 497, rezoning the property located at 17562 12th Ave NE from R-12 to R-24
File No. 201680
DEPARTMENT: Planning and Development Services
PRESENTED BY: Joseph W. Tovar, FAICP, Director
David Levitan, Associate Planner

PROBLEM/ISSUE STATEMENT:

The issue before the City Council is a Site Specific Rezone of one 8,100 sf parcel located at 17562 12th Ave NE. The Planning Commission recommends that the parcel be rezoned from R-12 (Residential 12 dwelling units per acre) to R-24 (Residential 24 dwelling units per acre).

A rezone of property in single ownership is a Quasi-Judicial decision of the Council. An open record public hearing was conducted before the Planning Commission on February 21, 2008 and the Planning Commission entered its Findings, Conclusion and Recommendation in support of the rezone after receiving public testimony. Council's review must be based upon the Planning Commission's written record and no new testimony may be accepted.

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

- The Council could adopt the zoning recommended by the Planning Commission and Staff and supported by the applicant (a rezone from R-12 to R-24).
- The Council could deny the request, leaving the zoning at R-12 (as it currently exists)
- The Council could remand the request back to the Planning Commission for additional review and analysis on specified criteria.

FINANCIAL IMPACTS:

- There are no direct financial impacts to the City.

RECOMMENDATION

The Planning Commission and Staff recommend that Council adopt Ordinance No. 497, (**Attachment A**) thereby approving the rezoning from R-12 to R-24 of one parcel located at 17562 12th Ave NE

Approved By:

City Manager 

City Attorney 

INTRODUCTION

The quasi-judicial action item before the Council is a request to change the zoning of one parcel at 17562 12th Ave NE from R-12 to R-24.

A public hearing before the Planning Commission occurred on February 21, 2008. The Planning Commission unanimously voted in approval of the rezone to R-24. The Planning Commission Findings, Conclusion and Recommendation are attached as **Exhibit A1**.

BACKGROUND

In 1998 the City of Shoreline adopted its first Comprehensive Plan. This document includes a map that identifies future land use patterns by assigning each area a land use designation. The subject parcel has a land use designation of High Density Residential. All of the surrounding parcels to the north, south, and east have a land use designation of High Density Residential or North City Business District. Parcels further to the west (across 12th Ave NE) have a land use designation of Low Density Residential.

The subject parcel is currently zoned R-12. Appropriate zoning designations for the parcels' current land use designations of High Density Residential and Mixed Use include R-18 through R-48.

The parcels to the west of 12th Ave NE have current zoning designations of R-6. Parcels to the north are zoned R-18, and parcels to the south are zoned R-12. Parcels further to the east and south are zoned NCBD.

The parcel is currently developed with single-family home. The current zoning designation would allow for the development of two units on the property, while the proposed rezone would allow for the development of four units.

APPLICATION PROCESS

The application process for this project began on February 20, 2007, when the applicant held a pre-application meeting with city staff. A neighborhood meeting was held on August 22, 2007 with property owners within 500 feet of the proposed rezone. The formal application was submitted to the city on October 4, 2007 and was determined complete on October 29, 2007.

The requisite public hearing was held before the Planning Commission on February 21, 2008. After deliberation, the Planning Commission voted 6-0 to recommend approval of the rezone to R-24. Commissioners Harris, Hall, and Phisuthikul were absent.

PUBLIC COMMENT

The City received one comment letter (in opposition) during the required comment period regarding the rezone. At the public hearing before the Planning Commission, one person commented on the rezoning proposal; their comments did not support or oppose the proposal, but brought up issues of ensuring adequate garage access should townhomes be built on the site. Public comment letters are included as **Exhibit A4**.

PLANNING COMMISSION RECOMMENDATION: Rezone one parcel from R-12 to R-24

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

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

The above zoning decision criteria was evaluated at length in the Planning Commission Findings and Determinations included as **Exhibit A1**.

OPTIONS FOR CITY COUNCIL

The options available to the City Council are:

- 1) Adoption of the Planning Commission and Staff's recommendation to R-24.
- 2) Remand the rezone back to the Planning Commission for additional review on specified criteria.
- 3) Denial of the rezone request. The Council may review the written record and determine that the existing designation of R-12 is the most appropriate designation for the subject parcel.

RECOMMENDATION

The Planning Commission and Staff recommend that Council adopt Ordinance No. 497, (**Attachment A**) thereby approving the rezone from R-12 to R-24 of one parcel located at 17562 12th Ave NE

ATTACHMENTS

Attachment A: Ordinance No. 497

Exhibit A: Planning Commission Findings and Determination- February 21, 2008

A1: Findings and Determination for Application #201680

A2: Vicinity Map with Comprehensive Plan Land Use Designations

A3: Vicinity Map with Zoning Designations

A4: Public Comment Letters

Exhibit B: Amended Zoning Map

Attachment B: Planning Commission Minutes- February 21, 2008

ORDINANCE NO. 497

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON AMENDING THE CITY'S ZONING MAP TO CHANGE THE ZONING FROM R-12 (RESIDENTIAL, 12 UNITS PER ACRE) TO R-24 (RESIDENTIAL, 24 UNITS PER ACRE) FOR THE PROPERTY LOCATED AT 17562 12TH AVE NE (PARCEL NO. 6163900660)

WHEREAS, the subject property, located at 17562 12th Ave NE is zoned R-12, Residential, 12 units per acre; and

WHEREAS, the owner of the property has applied to rezone the property to R-24, Residential, 24 units per acre; and

WHEREAS, the rezone of the properties is consistent with the Comprehensive Plan land use designations of High Density Residential; and

WHEREAS, the Planning Commission considered the applications for zone change at a public hearing on February 21, 2008, and has recommended approval of the rezone; and

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

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

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

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

Section 2. Amendment to Zoning Map. The Official Zoning Map of the City of Shoreline is hereby amended to change the zoning classification of the property described as NORTHEND COUNTRY ESTATES ADD W 135 FT OF S 60 FT (Parcel No. 6163900660) depicted in Exhibit B attached hereto, from R-12, Residential, 12 units per acre, to R-24, Residential, 24 units per acre.

Section 3. Effective Date and Publication. This ordinance shall go into effect five days after passage and publication of the title as a summary of this ordinance.

PASSED BY THE CITY COUNCIL ON APRIL 14, 2008.

Cindy Ryu, Mayor

ATTEST:

APPROVED AS TO FORM:

Scott Passey
City Clerk

Ian Sievers
City Attorney

Date of Publication:
Effective Date:

**CITY OF SHORELINE
PLANNING COMMISSION**

FINDINGS, CONCLUSIONS AND RECOMMENDATION

PROJECT INFORMATION SUMMARY

Project Description: Change the zoning of one parcel from R-12 to R-24.
Project File Number: 201680
Project Address: 17562 12th Ave NE, Shoreline, WA 98155
Property Owner: GHJ, LLC
SEPA Threshold: Determination of Non-Significance (DNS)
Staff Recommendation: Recommend approval of the rezone of one parcel to R-24.

FINDINGS OF FACT

Current Development

1. The parcel at issue is located at 17562 12th Ave NE.
2. The parcel (tax ID # 6163900660) is 8,100 square feet and is developed with a one-story single-family home. The site is zoned Residential 12 dwelling units per acre ("R-12") and has a Comprehensive Plan Land Use designation of High Density Residential. See **Attachment 1** for surrounding Comprehensive Plan designations and **Attachment 2** for surrounding zoning designations.
3. If the request is approved, the parcel will be able to be developed with a maximum of 4 dwelling units. A maximum of 2 units could be developed under the existing R-12 zoning.
4. There are currently sidewalks along the east side of 12th Avenue NE adjacent to the applicant's property (there are none on the west side of the street). However, street improvements (or in-lieu fees) to accommodate the increased density and development will be required when the applicant applies for building permits and would include sidewalk, street lighting and curb and gutters.

Proposal

5. The applicant proposes to rezone the parcel from R-12 to R-24.
6. A pre-application meeting was held with the applicant and City staff on February 20, 2007, the applicant held the requisite neighborhood meeting on August 22,

2007, and a Public Notice of Application was posted at the site from November 15, 2007 to November 29, 2007.

7. Comments received at the neighborhood meeting included "additional townhomes and mailboxes might result in less parking on 12th Ave NE". The applicant indicated these were the only negative comments received.
8. Advertisements were placed in the Seattle Times and Shoreline Enterprise, and notices were mailed to property owners within 500 feet of the site on November 15, 2007. The Notice of Public Hearing and SEPA Determination were posted at the site, advertisements were placed in the Seattle Times and Shoreline Enterprise, and notices were mailed to property owners within 500 feet of the site on December 13, 2007. A reminder notice was mailed to property owners and posted at the site on February 7, 2008. Public Comment letters can be seen in **Attachment 3**.
9. The Planning Department issued a SEPA Determination of Non-Significance and notice of public hearing on the proposal on December 13, 2007. The DNS was not appealed.
10. An open record public hearing was held by the Planning Commission for the City of Shoreline on February 21, 2008.
11. The City's Long Range Planner, Steven Cohn, and Associate Planner, David Levitan, have reviewed the proposal and recommend that the parcel be rezoned to R-24.

Comprehensive Plan Land Use Designations

12. Parcels directly to the north, south and east have a Comprehensive Plan Land Use designation of High Density Residential, which allows for R-12 through R-48 zoning; parcels to the west, across 12th Avenue NE, are designated Low Density Residential, which allows R-4 and R-6 (see **Attachment 1**). Parcels further to the east and to the south are designated North City Business District.
13. The Comprehensive Plan describes High Density Residential as "intended for areas near employment and commercial areas; where high levels of transit service are present or likely; and areas currently zoned high density residential. This designation creates a transition between high intensity uses, including commercial uses, to lower intensity residential uses. All residential housing types are permitted".

Current Zoning

14. Parcels south of the subject parcel are zoned R-12 and developed with single-family homes and duplexes; the parcel to the north and east is zoned R-18 and developed with duplex and triplex uses; and parcels across 12th Avenue NE to the west are zoned R-6 and developed with one and two-story single-family homes (see Attachment 2). Parcels further to the east are zoned NCBD.
15. The purpose of R-12 zones, as set forth in Shoreline Municipal Code 20.40.030, is to "provide for a mix of single-family homes, duplexes, triplexes, townhouses, and community facilities, in a manner that provides for additional density at a modest scale."

Proposed Zoning

16. Under SMC 20.30.060, a rezone is Type C action, decided by the City Council upon recommendation by the Planning Commission. The decision criteria for deciding a rezone, as set forth in SMC 20.30.320, are:
 - The rezone is consistent with the Comprehensive Plan; and
 - The rezone will not adversely affect the public health, safety or general welfare; and
 - The rezone is warranted in order to achieve consistency with the Comprehensive Plan; and
 - The rezone will not be materially detrimental to uses or property in the immediate vicinity of the subject rezone; and
 - The rezone has merit and value for the community.
17. The purpose of an R-24 zoning district, as set forth in the Shoreline Municipal Code 20.40.030, is to "provide for a mix of predominately apartment and townhouse dwelling units and other compatible uses." The R-24 zoning category permits all residential land uses except detached single-family dwelling units which requires a Conditional Use Permit.

Impacts of the Zone Change

18. The following table outlines the development standards for the current zoning (R-12), adjacent zoning to the north (R-18), and the requested zoning (R-24):

	R-12 (Current)	R-18	R-24 (Proposed)
Units Permitted	2	3	4
Front Yard Setback	10'	10'	10'
Side Yard Setback	5'	5'	5'
Rear Yard Setback	5'	5'	5'
Building Coverage	55%	60%	70%
Max. Impervious Surface	75%	85%	85%
Height	35'	35'(40' with pitched roof)	35'(40' with pitched roof)
Density (residential development)	12 du/ac	18 du/ac	24 du/ac

CONCLUSIONS

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

Rezone criteria

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

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

Land Use Goals

- Land Use Element Goal I - ensure that the land use pattern of the City encourages needed, diverse, and creative development, protects existing uses, safeguards the environment, reduces sprawl, promotes efficient use of land, encourages alternative modes of transportation and helps maintain Shoreline's sense of community.
- Land Use Element Goal III - Encourage a variety of quality housing opportunities and appropriate infrastructure suitable for the needs of Shoreline's present and future residents.

Land Use Policies

- LU9 - Ensure that land is designated to accommodate a variety and styles of housing units adequate to meet the future needs of Shoreline citizens.
- LU14 – The High Density Residential designation creates a transition between high intensity uses (commercial) to lower intensity residential uses.

Housing Goals

- Goals HI, HII, and HIII – Provide sufficient development capacity, pursue opportunities to develop housing for all economic segments of the community, and maintain and enhance multi-family residential neighborhoods with new development that is compatible with the neighborhood and provides effective transitions between different uses.

Housing Policies

- H1 and H5 – Increase housing opportunities that are compatible with the character of existing residential development and require new residential development to meet the minimum density as allowed in each zone.
- H24, H27 and H28 – Promote first time home ownership, anticipate future restoration needs of older neighborhoods and assure that design guidelines create effective transitions.

Transportation Goals

- TVI – Protect the livability and safety of residential neighborhoods from the adverse impacts of the automobile.

Transportation Policies

- T26 – Provide adequate, predictable, and dedicated funding to construct pedestrian projects.
- T29 – Provide sidewalks on arterial streets and neighborhood collectors.

The applicant's proposal is consistent with the parcel's Comprehensive Plan designation of High Density Residential (HDR) and with numerous policies and goals of the Comprehensive Plan. Rezoning the site to R-24 would permit greater

development intensity, which would offer more housing opportunities in the area and be compatible with the recently built townhome development to the south and several other projects in the area. A more intensive development, such as a townhome development, would create a transition and buffer between the commercial uses to the east along 15th Ave NE (NCBD) and the single family residential uses to the west, consistent with Policy LU14.

Although the existing R-12 zoning category for the site is consistent with the HDR designation per Policy LU14, staff concluded in its discussion and recommendation for the recent rezone on 32nd Ave NE (Project File #201677) that R-12 zoning is more consistent with the Medium Density Residential Comprehensive Plan designation, which is detailed in Policy LU12 and applies to areas zoned R-8 and R-12 where single family detached dwelling units may be redeveloped at slightly higher densities. Additionally, the existing detached single family homes on this site and in the surrounding neighborhood (east side of 12th Ave NE) are not consistent with the vision of development in the HDR designation, as more intense residential zoning and development is encouraged in this area. Development on the site would result in additional frontage improvements in the area, and would be located within close proximity to retail uses in the North City Business District and transit lines.

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

4. The rezone and associated future development will not adversely affect the neighborhood's public health, safety or general welfare. Current codes offer greater protection of downstream effects of development (drainage, in-street improvements, safer building codes, environmental quality, etc.) than those in place when the existing neighborhood was developed. The policies and goals listed in the Comprehensive Plan for High Density Residential and the City's development standards in its zoning regulations (Municipal Code) for the R-24 zone protect against uses that would be contrary to the public health, safety or general welfare. New development would require improvements to access and circulation through curb and gutters, sidewalks, and street frontage landscaping, and would be similar to the improvements required for the same applicant's recent project at 17510-17526 12th Ave NE. While density will increase in the neighborhood, the east side of 12th Ave NE will serve as a buffer and transition between the NCBD uses to the east and the R-6 uses to the west.

There was some concern voiced during the neighborhood meeting process and public review period about the impacts that increased residential density would have on what is perceived as an existing parking problem in the neighborhood, including overflow parking from higher density residential projects near NE 180th St and 15th Ave NE. Two citizens have submitted comments about the lack of street parking in the neighborhood, and City staff has logged four complaints over the last 8 months about parking in the vicinity of the townhome development to

the south (17510-17526 12th Ave NE). Should the rezone proposal be approved and four townhomes be developed, all four townhomes would be required by development standards to provide two car garages. This would provide more off-street parking than many of the single family homes in the neighborhood provide (many have either no garage or a one-car carport), and should result in no worsening of the existing parking conditions.

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

5. Both R-12 (current) and R-24 (proposed) zoning maintains consistency with the Comprehensive Plan designation for the site. As noted above, R-24 is appropriate in the High Density Residential land use category and more closely meets the goals and policies of the district than does the current R-12 zoning. R-24 zoning would provide a better transition from more intense uses to the east along 15th Ave NE (North City Business District) and the existing R-6 zoning directly to the west, and meet the long term higher density residential vision for the area.

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

6. The proposed rezone will not have an impact to the existing single-family properties to the west in terms of bulk/size, traffic, parking, and drainage. A traffic study was not required for the rezone; however, the addition of three residential units would not result in a reduced level-of-service along 12th Ave NE, given the minimal number of additional trips that would be generated.

Under the current codes, townhomes as well as single-family homes may be 35 feet in height (40 feet with pitched roof). This rezone could potentially add 2 additional units to what is permitted by the existing R-12 zoning. This increase in additional units is not detrimental to the property in the vicinity because appropriate infrastructure is in place, multi-family zoning is currently in place for the parcel, and new development triggers public amenities such as curb, gutter, sidewalks and updated drainage facilities.

As discussed under Criteria 2, there has been some concern about street parking in the immediate vicinity of the subject rezone. However, development on the parcel would be required to meet development standards (two-car garages) that are more stringent than those that existed in the past, and should not exacerbate existing conditions.

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

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

7. As detailed in the above criteria, rezoning the parcel to R-24 would allow for development consistent with the vision, goals, and policies of the High Density Residential Comprehensive Plan designation, provide a buffer and transition between higher intensity commercial uses to the east and single family uses to the west, and provide greater housing opportunities and choice in the City of Shoreline. Development would be subject to development standards and building codes that would ensure quality development on the site, and which would address any potential environmental or land use concerns.

RECOMMENDATION

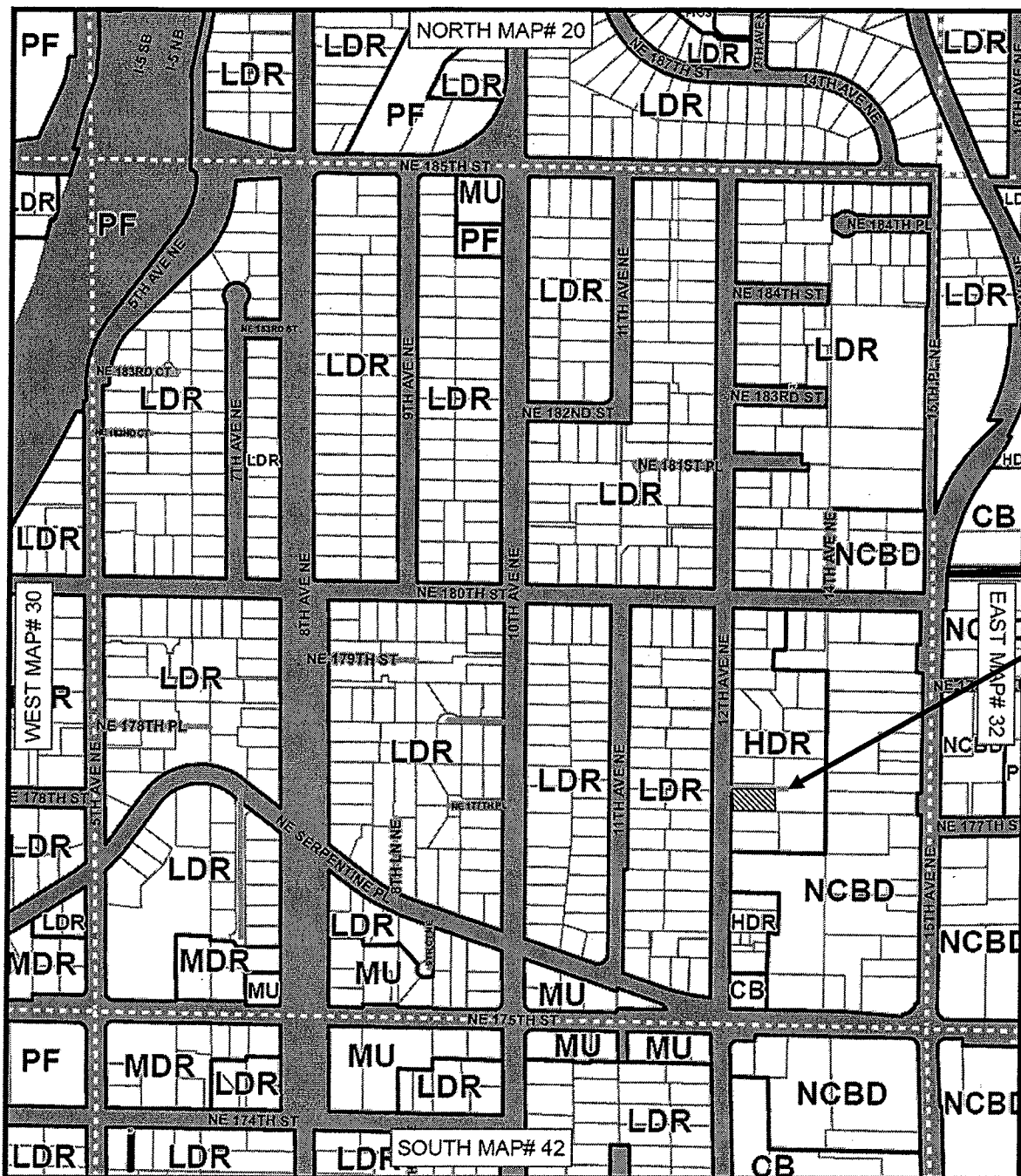
The Planning Commission recommends that the City Council approve a rezone of one parcel at 17562 12th Ave NE to R-24.

Date: 25 MARCH 2008

By: Nicky Huo
Planning Commission Chair

ATTACHMENTS

Attachment 1- Comprehensive Plan Map
Attachment 2- Zoning Map
Attachment 3- Public Comment Letters



SITE

CITY OF SHORELINE COMPREHENSIVE PLAN

LAND USE MAP

Land Use Designation Legend

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

Feature Legend

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

NE1/4-S8-T26N-R4 E



Plot Date: 2/8/2007

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

MAP # 31

1:3,600

0 75 150 300 450 600 Feet

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

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



David Levitan

From: N64halfpipe@aol.com
Sent: Wednesday, November 28, 2007 3:36 PM
To: David Levitan
Subject: Re: Appl # GHJ LLC 201680

Thank You for the explanation of the zoning.

As a resident of 12th Ave. NE I have strong concerns about any additional multi units going up on our street. The parking on this street has become almost unbearable because of all the multi units/apartments going up. 12th Ave has now become a parking area for the cars from the new apartment on 15th & 180th due to the inadequate parking there. We don't get our mail/perscriptions due to the parking problems that are constantly occurring. Some days you can't even turn on to 12th Ave. from 175th, due to the cars that are parked right up to the stop sign/corner. There has been at least two occurrences where we cannot get out of our driveway w/ our trailer because of the parked cars that belong to the now "condos" on 12th. Apartment/Condo residents also use 12th as a Sell /Advertise Your Car as they are constantly parked w/ for sale signage along the street & never moved. Our street floods (we're talking water over the curb)! because of the street drains being plugged up (or lack of drainage). The street sweeper (that comes through twice a year) can't get to these drains because of the parked cars... so the drains remain plugged. There is just not adequate parking for all these units being built.

12th Ave has also become a "detour" zone for the many cars that want to by pass 15th. They speed through our neighborhood street very regularly!

Yes, the police are called as often as we can all keep up, but as many times as the police have come out, the problems still persist.

On behalf of the residents on 12th Ave. NE (between 180th & 175th), we ask you to please take into consideration these problems that I have mentioned above. We know the people who want to make \$\$ on these multi units do not live here & therefore do not have to endure these constant problems that they themselves have helped to create.

Thank You

Sincerely,

Kimberly Fischer & Neighbors

Check out AOL Money & Finance's list of the hottest products and top money wasters of 2007.

David Levitan

From: David Levitan
Sent: Tuesday, November 20, 2007 8:08 AM
To: 'N64halfpipe@aol.com'
Subject: RE: Appl # GHJ LLC 201680

Hi Kimberly-

Rezoning the property to R-24 would allow the development of up to 24 units per acre (versus the 12 units allowed per acre under the current zoning). Given the size of the lot (8100 sf), this would allow the applicant to build four residential units on the property. The applicant has proposed 4 townhomes similar to the ones he built just south of the park/YMCA (17510-17524 12th Ave NE).

In order to recommend the project for approval to the Planning Commission and City Council, City staff will need to make findings that the rezone would be consistent with the Comprehensive Plan and consistent with the goals of the City.

We will be sending out a Notice of Public Hearing once we determine when the item will go before the Planning Commission (likely not until early February). If you received the Notice of Application, you will also receive the Notice of Public Hearing. I will make sure to include in that notice the scope (4 units) of the proposed development should the rezone be approved.

Please feel free to contact me should you have any other questions.

David Levitan
Associate Planner, City of Shoreline
206-546-1249

-----Original Message-----

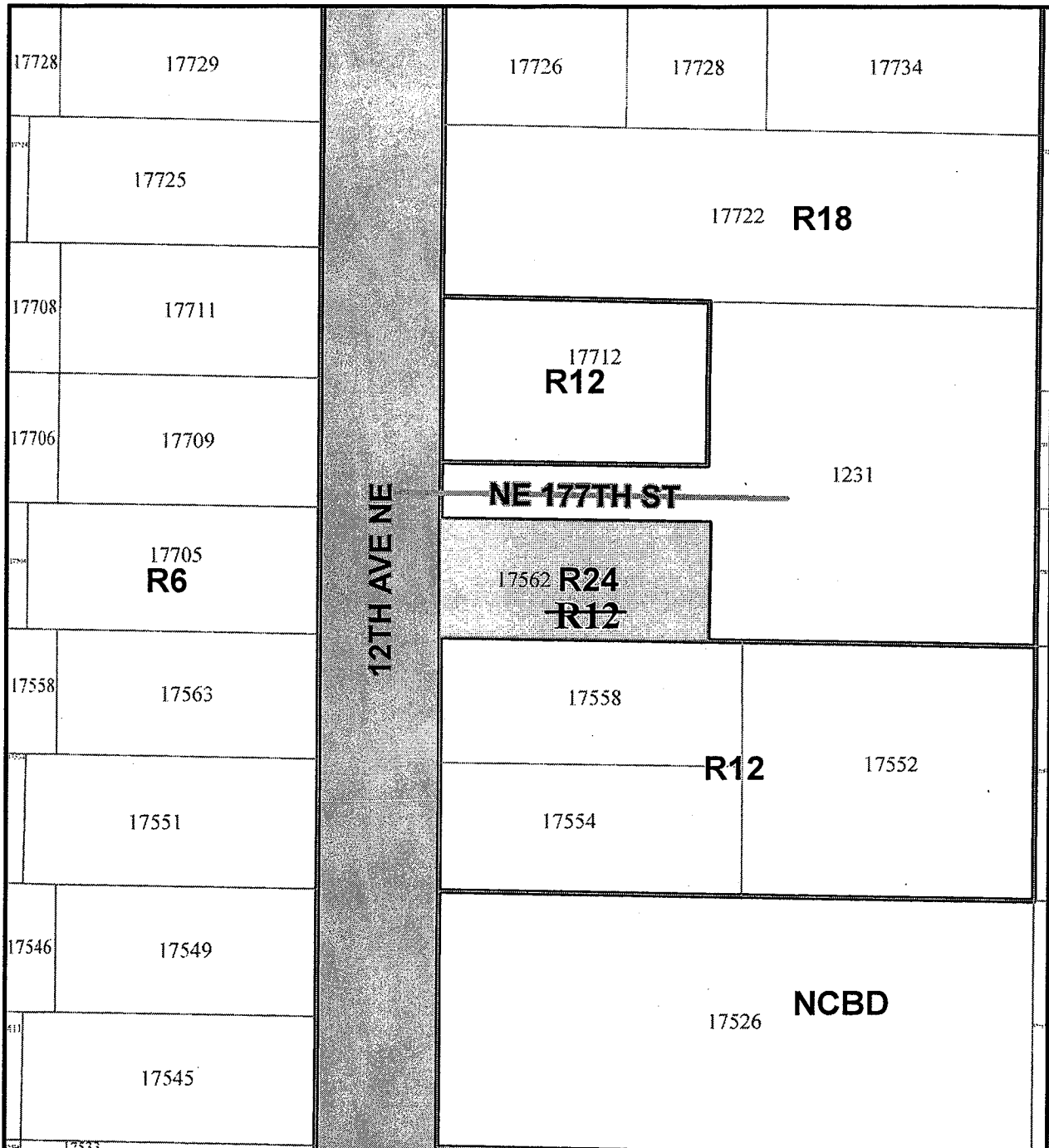
From: N64halfpipe@aol.com [mailto:N64halfpipe@aol.com]
Sent: Tuesday, November 20, 2007 6:17 AM
To: David Levitan
Subject: Appl # GHJ LLC 201680

Hello David:
The rezoning of the 17562 12th Ave. NE house from an R-12 to an R-24..... What does this mean?
What is R 24?

Kimberly Fischer

See what's new at AOL.com and Make AOL Your Homepage.

Exhibit B

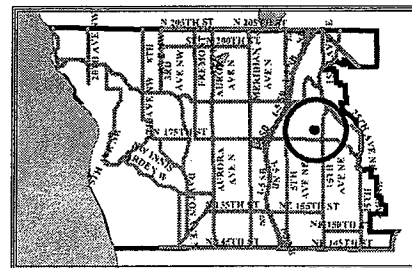


17562 12th Ave NE Rezone

R12 to R24

Zoning Legend

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



Feature Legend

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

0 20 40 80 120 160 Feet

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

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



CITY OF SHORELINE

SHORELINE PLANNING COMMISSION SUMMARY MINUTES OF REGULAR MEETING

February 21, 2008
7:00 P.M.

Shoreline Conference Center
Mt. Rainier Room

COMMISSIONERS PRESENT

Chair Piro
Vice Chair Kuboi
Commissioner Broili
Commissioner Hall (left at 9:27 p.m.)
Commissioner Harris (left at 9:02 p.m.)
Commissioner McClelland (arrived at 7:30 p.m.)
Commissioner Pyle
Commissioner Wagner

STAFF PRESENT

Joe Tovar, Director, Planning & Development Services
Steve Cohn, Senior Planner, Planning & Development Services
Steve Szafran, Associate Planner, Planning & Development Services
David Levitan, Assoc. Planner, Planning & Development Services
Jessica Simulcik Smith, Planning Commission Clerk
Flannary Collins, Assistant City Attorney

COMMISSIONERS ABSENT

Commissioner Phisuthikul

PUBLIC HEARING ON HART REZONE REQUEST FOR PROPERTY AT 17562 – 12TH AVENUE NORTHEAST (FILE NUMBER 201680)

Commissioner Harris recused himself from participation in the quasi-judicial public hearing and left the room.

Chair Piro reviewed the rules and procedures for the quasi-judicial public hearing and opened the hearing. He reminded the Commissioners of the Appearance of Fairness Rules and invited them to disclose any discussions they might have had regarding the subject of the hearing outside of the hearing. None of the Commissioners disclosed ex parte communications, and no one in the audience voiced a concern, either.

Staff Overview and Presentation of Preliminary Staff Recommendation

Mr. Levitan presented the staff report. He explained that the proposal before the Commission is a request to change the zoning of a single parcel located at 17562 – 12th Avenue Northeast from R-12 to R-24. He advised that the current zoning designation of the neighborhood along 12th Avenue Northeast

between 175th and 185th Streets is R-6 to the west, R-12 immediately to the south, and R-18 immediately to the north and east. Further to the east is the North City Business District. He said the current Comprehensive Plan designation for the subject property is high-density residential. The property to the west is identified as low-density residential, and further to the east and south is the North City Business District. Further to the south is a bit of high-density residential.

Mr. Levitan provided a photograph of the existing project site, which is currently developed as a single-story, single-family residence. The lot size is 8,100 square feet. Sidewalks have been developed on the east side of 12th Avenue Northeast, but not on the west side. He provided photographs to illustrate the current uses to the west in the area currently zoned R-6. They consist entirely of one and two-story single-family residences. He advised that ten townhomes are located immediately to the north of the site built on a private road (Northeast 177th Street). Further to the north is a mixture of single-family residences and a 20-unit apartment complex. Uses to the south include a mixture of single-family residences and a duplex and triplex. Further to the south are Tracy Owen Park and the old YMCA site.

Mr. Levitan noted the applicant is GHJ, LLC, and Mr. Jim Hart is present to represent the applicant. He provided photographs to illustrate the types of development the applicant typically builds. He advised the applicant has indicated that development of the subject property would be similar. Mr. Levitan also provided examples of other new development that has occurred in the area: a town home development and a single-family residence.

Mr. Levitan displayed a table outlining the development standards for the R-12, R-18 and R-24 zones, which could be consistent with the high-density residential Comprehensive Plan designation. He noted that an R-12 zone would allow two units on the subject property, the R-18 would allow three and the R-24 would allow four. He emphasized that the setbacks and height limits are the same for all three zones. However, the building coverage and impervious surface standards are slightly different.

Mr. Levitan said staff believes the rezone request would meet the rezone criteria in the following ways:

- It would increase the number of housing units, as well as the housing choices.
- It would locate the higher density housing in what staff believes is an appropriate area, adjacent to the North City Business District and major arterials (Northeast 175th Street and 15th Avenue Northeast).
- It would be consistent with the goals of the high-density residential land use designation goals and policies found in the Comprehensive Plan.
- The size and bulk of any proposed development would be consistent with what the current R-12 zoning allows.

Mr. Levitan explained that the site's current Comprehensive Plan designation of high-density residential would be consistent with the proposed R-24 zoning. The proposed change would create a transition between the single-family uses to the west and the higher-intensity uses in the North City Business District to the east. He said staff believes the most appropriate zoning for high-density residential is R-18 through R-48.

Commissioner Hall clarified that the Comprehensive Plan and Zoning Code indicate that R-12 is an implementing zone for the high-density residential land use designation. He questioned if staff is suggesting that R-12 is not an appropriate implementing zone. Mr. Cohn explained that if the property were designated in the Comprehensive Plan as medium-density residential, R-12 would have been an appropriate zone. However, because the Comprehensive Plan identifies a high-density residential land use designation for the subject property, staff believes the intent was for a density greater than R-12. Commissioner Hall asked if there is legislative background available to back up the staff's interpretation. He noted that none of the Planning Department Staff were present when the original Comprehensive Plan was adopted.

Mr. Cohn agreed that staff made an interpretation based on the zoning choices available. Commissioner Hall said he is not at all sure the staff's interpretation meets the intent of the original land use designation. It was his understanding that any of the zones would implement the Comprehensive Plan equally well, and the City would have to rely on other criteria to choose one over the other. Mr. Cohn expressed staff's position that having a Comprehensive Plan with overlapping possibilities is confusing, and they intend to clear this matter up by the end of the year.

Mr. Levitan advised that members of the community raised a number of concerns during the notice of application and notice of public hearing periods, as well as during the neighborhood meeting process. He reviewed each of the concerns as follows:

- **Parking:** Two residents mentioned existing street parking difficulties on 12th Avenue Northeast. It was noted that, oftentimes, the spaces are all utilized by people from the apartment complex at 180th and 15th due to lack of parking there. He explained that the City would require that all four townhomes have a two-car garage, which very few of the single-family residences in the neighborhood have.
- **Traffic:** One resident mentioned that people use 12th Avenue Northeast to bypass 15th Avenue Northwest between Northeast 180th Street and Northeast 175th Street. He explained that the proposal would only result in a net of two more units than what is currently permitted by the existing R-12 zoning. Therefore, no traffic study was required. Staff does not believe the proposal would add a significant amount of traffic or reduce the level of service in the area.
- **Drainage:** One resident complained that the street floods somewhat frequently, and that the parking situation complicates the matter by blocking the street sweepers from coming through. He noted that the new development on the site would be required to meet more stringent development standards than in the past. Proposed drainage improvements would be reviewed by the City's Development Review Engineer.

Mr. Levitan said staff's preliminary recommendation is to approve the rezone request for the subject property from R-12 to R-24.

Applicant Testimony

Jim Hart, Shoreline, said he was present to represent the applicant, GHJ, LLC. He advised that he has lived in Shoreline for 20 years, and all three of his children attended Shoreline schools. Two of them

currently live on 12th Avenue Northeast. He briefly described two other projects he has done on 12th Avenue Northeast in the past several years. He explained that in both cases he purchased single-family homes and then short platted the property to construct four units on each parcel. Each of the units provides three bedrooms, with two-car garages. The people who have purchased the units are typically younger people who are purchasing their first home. Many times, there are two drivers, and they all use the garages. Mr. Hart said he does not anticipate any increased street parking as a result of the proposal. He recognized there is congestion during the day at the south end of 12th Avenue Northeast, primarily because there is inadequate parking at the post office. However, in the evening hours, there is not a parking problem.

Mr. Hart advised that when the property came on the market, he spoke with City staff who informed him the City wanted more high-density development on that side of the street. He said he knows there is demand for the type of housing he is proposing for the subject property. Regarding the issue of water runoff and flooding, Mr. Hart noted that both of the projects he has done on the same street have required large, on-site retention systems that are designed to retain and infiltrate the water on site.

Questions by the Commission to Staff and Applicant

Chair Piro asked what type of development Mr. Hart could construct if the Commission were to recommend approval of a rezone to a lesser density such as R-18. Mr. Hart said he would be inclined to sell the property if it were rezoned to R-18. He explained that because of the expensive infrastructure requirements and the lengthy development process, allowing one more unit on the site would make the project much more viable. He said the subject property is adjacent to the North City Business District, where the City has spent considerable dollars to improve the infrastructure. It would be very easy for people to walk from the subject property to the businesses in North City. He emphasized that the Comprehensive Plan states this area is where the City wants more intense residential development. He noted that the Comprehensive Plan's high-density residential land use designation would also be consistent with R-48 zoning, which would allow a nine-unit complex. While he believes nine units would be too much, four or six units would be appropriate to make the project viable. Further reducing the number of units would make each of the remaining units more expensive. He said he would like to keep the costs down so the units are more affordable.

Chair Piro noted there are other parcels along 12th Avenue Northeast that are zoned R-24. He questioned if these properties have been rezoned recently, or if the R-24 zoning designations were in place before the City incorporated. Mr. Levitan said he doesn't know the exact date of when the properties were zoned R-24. However, when the proposal for the original townhomes came in, a rezone was not required. These properties may have historically been zoned R-24 because they are closer to Northeast 175th Street. Mr. Hart said his understanding is that redevelopment of the YMCA property, which is two parcels down from the subject property, would be fairly large in scale.

Vice Chair Kuboi asked if the applicant's proposed development would be identical to developments he has done elsewhere on 12th Avenue Northeast. Mr. Hart answered that the subject property is a little deeper than the other two properties. Therefore, he plans to use a different configuration in order to

provide a larger backyard area. He said he is also thinking of making the units smaller in size in an effort to keep them more affordable.

Commissioner McClelland recalled that the Commission has talked a lot about the transition between higher-density uses and single-family neighborhoods. Theoretically, having this higher-density residential zone as a transition between the lower-density residential and North City appears to be a good zoning concept. However, there is no transition between the higher density on the east side of the street and the lower density on the west side of the street. She said she can understand the neighborhood's negative reaction to adding four units and eight cars where one unit and two cars currently exist. She said the staff report does not address the impact to the people living across the street. She questioned if the code would require any kind of transitioning affects to soften the impacts associated with the redevelopment of the YMCA site.

Commissioner McClelland suggested the City could make physical changes to signal to people that this is a residential neighborhood. She asked if the City would be obliged to resolve issues and concerns that are raised as the east side of 12th Avenue Northeast converts to higher residential uses and the west side remains low-density. She suggested that property owners on the west side of the street are entitled to certain protections for their single-family neighborhood.

Commissioner Hall left the meeting at 9:27 p.m.

Mr. Cohn said the City has not discussed the concept of placing signs to identify the residential neighborhood, but perhaps this may be appropriate based on current activity in North City and the potential redevelopment of the YMCA site. The proposed zoning could be considered transitional because it is between the single-family neighborhood on the west side of 12th Avenue Northeast and the commercial zones in the North City area. The street could still be considered residential in nature, and that suggests the City may want to consider special treatments to address the impacts. Perhaps it would be appropriate to create a parking management plan to address the concerns.

Mr. Hart pointed out that townhomes built in Seattle typically have single-car garages, with narrow driveways that are difficult to access. Typical townhomes in Shoreline provide two-car garages, with wider driveways to meet the City's 20-foot requirement. He said he does not believe his projects have contributed to the on-street parking problems.

Public Testimony or Comment

Dennis Lee, Shoreline, said he likes the concept of providing a transition zone. He noted that the R-12 zones tend to have units that face the street so that cars can access the garage and park off the street. However, developments in the R-24 zones tend to have driveways between the homes with garages facing away from the street. He suggested this could result in situations where the parking required by code is never used because the spaces are too difficult to access. He recommended the City address this issue by creating design standards for transitional zones, including the assurance that adequate access is provided for the required parking.

Presentation of Final Staff Recommendation

Staff did not change their preliminary recommendation.

Final Questions by the Commission and Commission Deliberation

None of the Commissioners had additional questions of the applicant.

Closure of the Public Hearing

COMMISSIONER PYLE MOVED TO CLOSE THE HART REZONE PUBLIC HEARING. VICE CHAIR KUBOI SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

Vote by Commission to Recommend Approval or Denial or Modification

COMMISSIONER WAGNER MOVED TO RECOMMEND APPROVAL OF THE APPLICATION TO REZONE ONE PARCEL AT 17562 – 12TH AVENUE NORTHEAST FROM R-12 TO R-24 AS PER STAFF'S FINDINGS. COMMISSIONER PYLE SECONDED THE MOTION.

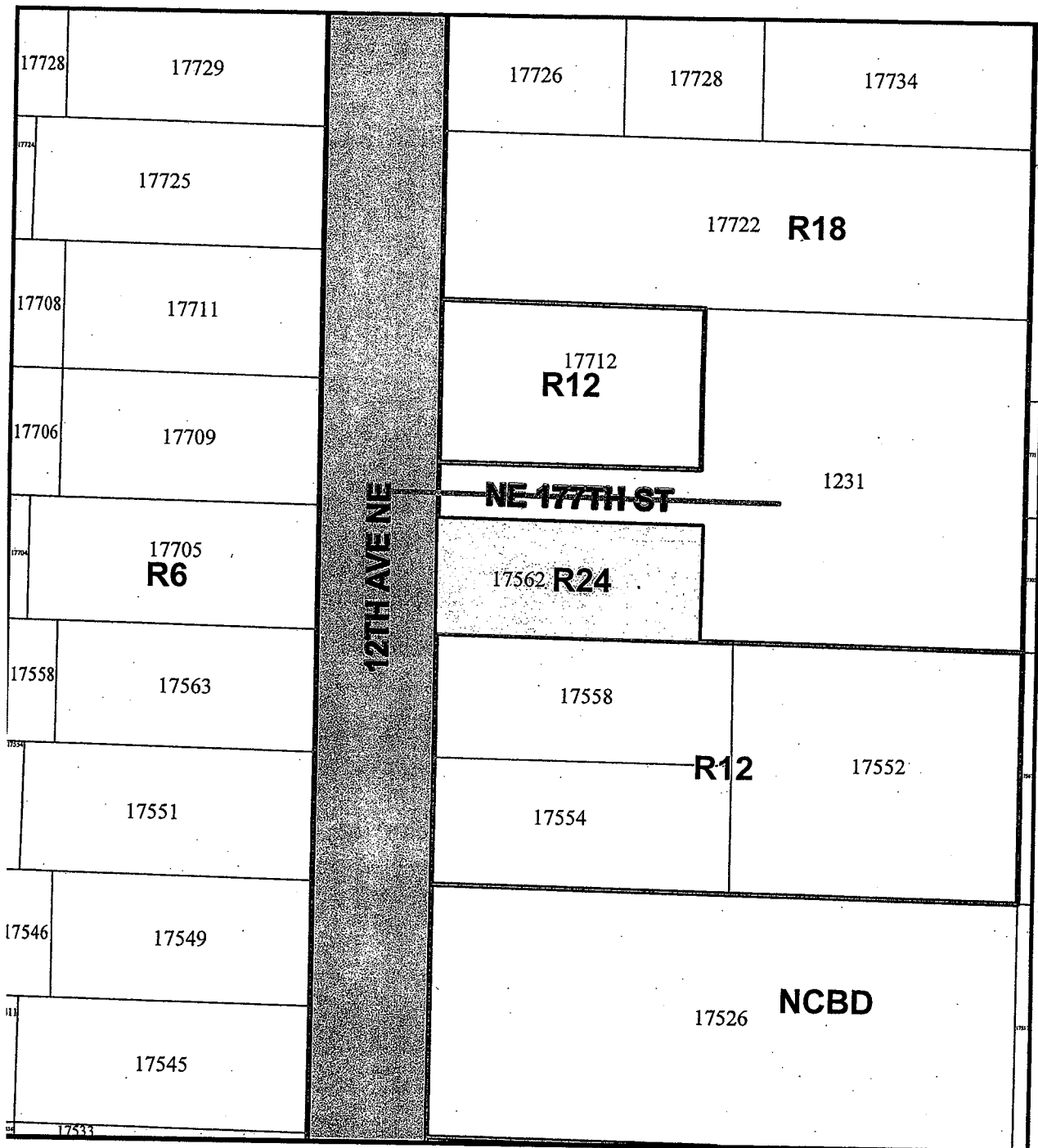
Commissioner Wagner said that having previously lived in a town home, she can appreciate the desire for housing choices. However, the staff and Commission have adequately addressed concerns related to parking and traffic impacts. They have also addressed the fact that the development would appropriately accommodate the necessary parking. She expressed her belief that it is important to provide a variety of housing options in the City, and the subject property is located within walking distance of the North City Business District. Although the zoning would be more intense than neighboring properties, the proposed town home development would still be more in line with the intangible neighborhood character than an apartment complex. Townhomes have more of a homey feeling that provides a better transition between the single-family and commercial properties.

Commissioner Pyle agreed the proposed rezone would be in line with the City's vision for transition, especially given the property's proximity to the pedestrian accessible amenities located in North City. He said he believes this is a great place to accommodate town home development within Shoreline.

THE MOTION CARRIED UNANIMOUSLY. *(Note: Commissioners Harris and Hall had left the meeting and were not present to vote on this item.)*

Vice Chair Kuboi complimented Mr. Levitan for preparing a good staff report that was efficient and to the point.

Exhibit B

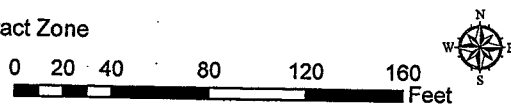
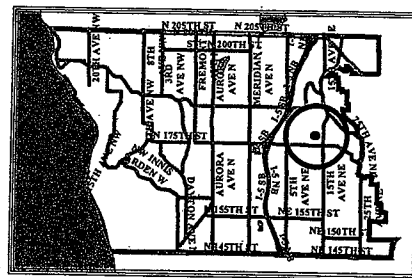


17562 12th Ave NE Rezone R12 to R24

Zoning Legend

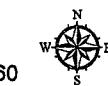
R4	Residential, 4 units/acre	NB	Neighborhood Business
R6	Residential, 6 units/acre	NCBD	North City Business District
R8	Residential, 8 units/acre	CB	Community Business
R12	Residential, 12 units/acre	O	Office
R18	Residential, 18 units/acre	RB	Regional Business
R24	Residential, 24 units/acre	RB-CZ	Regional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

0 20







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

88
Representation of official zoning map adopted by City
Ordinance No. 292. Shows amendments through
December, 2006.



Feature Legend

- Feature Legend**
- | | | | |
|---|------------------|---|--------------------|
|  | - Map Tile Lines |  | - Unclassified ROW |
|  | - City Boundary |  | - Parcel Line |

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

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

DEPARTMENT: Planning and Development Services

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

PROBLEM/ISSUE STATEMENT:

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

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

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

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

FINANCIAL IMPACTS:

- There are no direct financial impacts to the City.

RECOMMENDATION

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

Approved By: City Manager  City Attorney Fpc

INTRODUCTION

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

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

BACKGROUND

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

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

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

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

APPLICATION PROCESS

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

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

PUBLIC COMMENT

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

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

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

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

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

OPTIONS FOR CITY COUNCIL

The options available to the City Council are:

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

RECOMMENDATION

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

ATTACHMENTS

Attachment A: Ordinance No. 499

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

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

ORDINANCE NO. 499

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 3. Effective Date and Publication. This ordinance shall go into effect five days
after passage and publication of the title as a summary of this ordinance.

PASSED BY THE CITY COUNCIL ON APRIL 14, 2008.

Cindy Ryu, Mayor

ATTEST:

APPROVED AS TO FORM:

Scott Passey
City Clerk

Ian Sievers
City Attorney

Date of Publication:
Effective Date:

**CITY OF SHORELINE
PLANNING COMMISSION**

FINDINGS, CONCLUSIONS AND RECOMMENDATION

PROJECT INFORMATION SUMMARY

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

Project File Number: 201699

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

Property Owner: Mike Matulovich (authorized agent).

SEPA Threshold: Determination of Non-Significance (DNS)

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

Date of Public Hearing: March 6, 2008

INTRODUCTION

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

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

FINDINGS OF FACT

Current Development

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

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

Proposal

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

Comprehensive Plan Land Use Designations.

12. All of the surrounding parcels to the north, south and east have a Comprehensive Plan Land Use designation of Mixed Use. (See Attachment 2). Parcels to the west, across Linden Ave N, have a land use designation of Low Density Residential and Public Open Space.
13. The Comprehensive Plan describes Mixed Use as “intended to encourage the development of pedestrian oriented places, with architectural interest, that integrate a wide variety of retail, office and service uses with residential uses.
14. The Comprehensive Plan describes Low Density Residential as “areas currently developed with predominately single family detached dwellings”.

Current Zoning

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

Proposed Zoning

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

- The rezone has merit and value for the community.

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

Impacts of the Zone Change

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

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

CONCLUSIONS

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

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

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

Rezone criteria

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

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

Land Use

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

Housing Goals

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

Transportation Goals

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

RECOMMENDATION

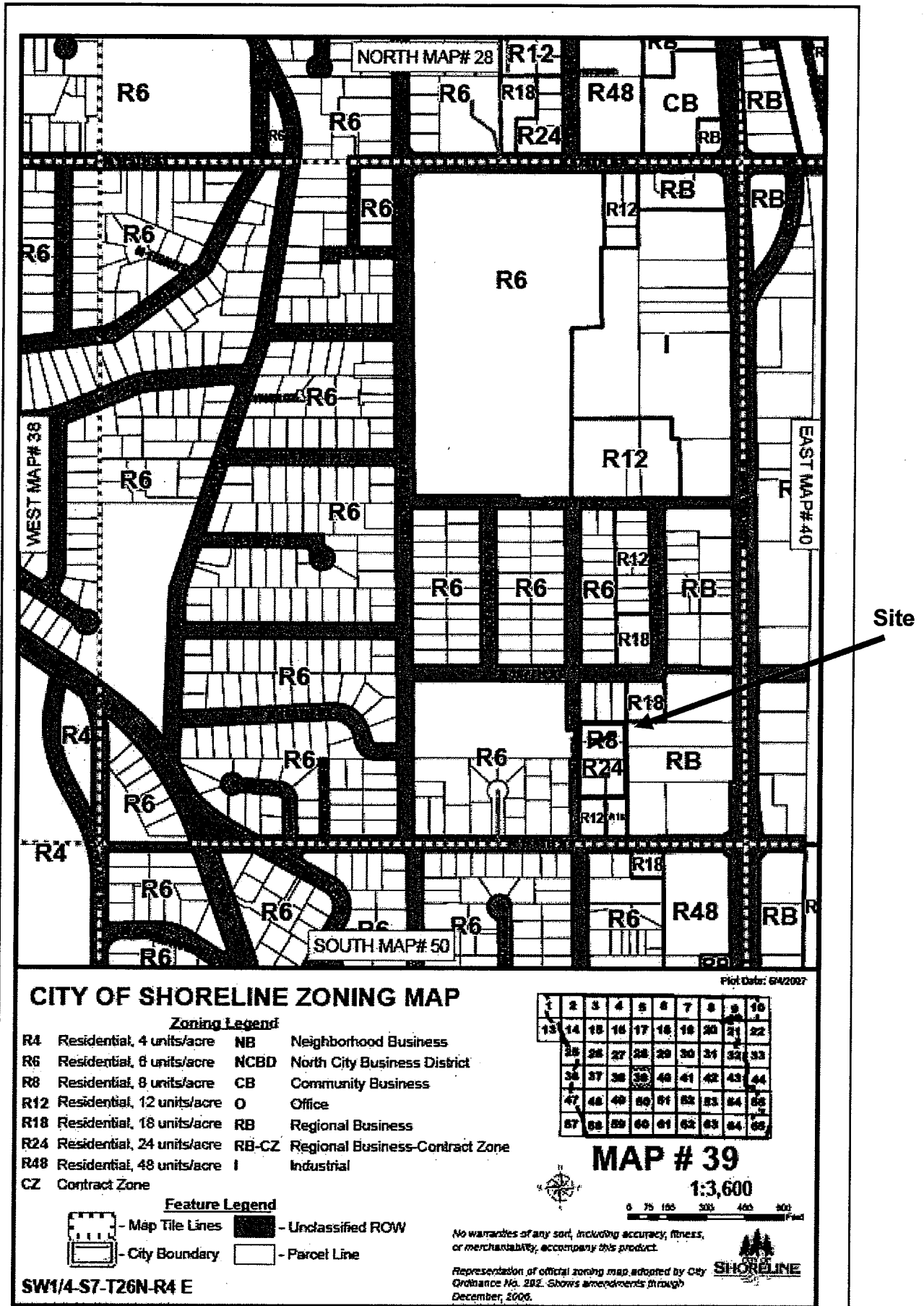
The Planning Commission recommends that the City Council approve a rezone of 5 parcels at 16520, 16522, 16526, 16532, and 16538 Linden Avenue North, Shoreline, WA 98133 from R-8 to R-24.

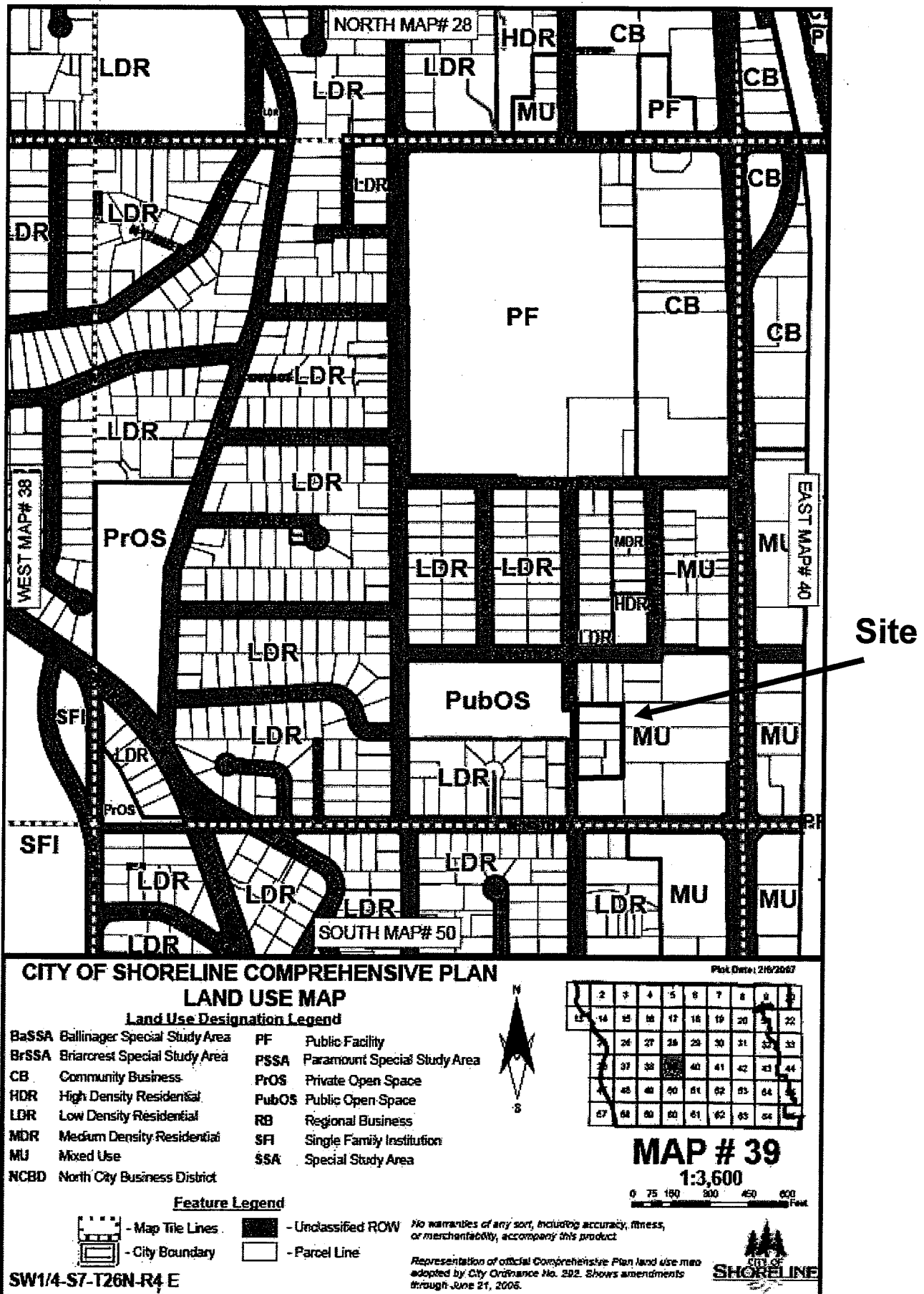
Date: 25 MARCH 2008

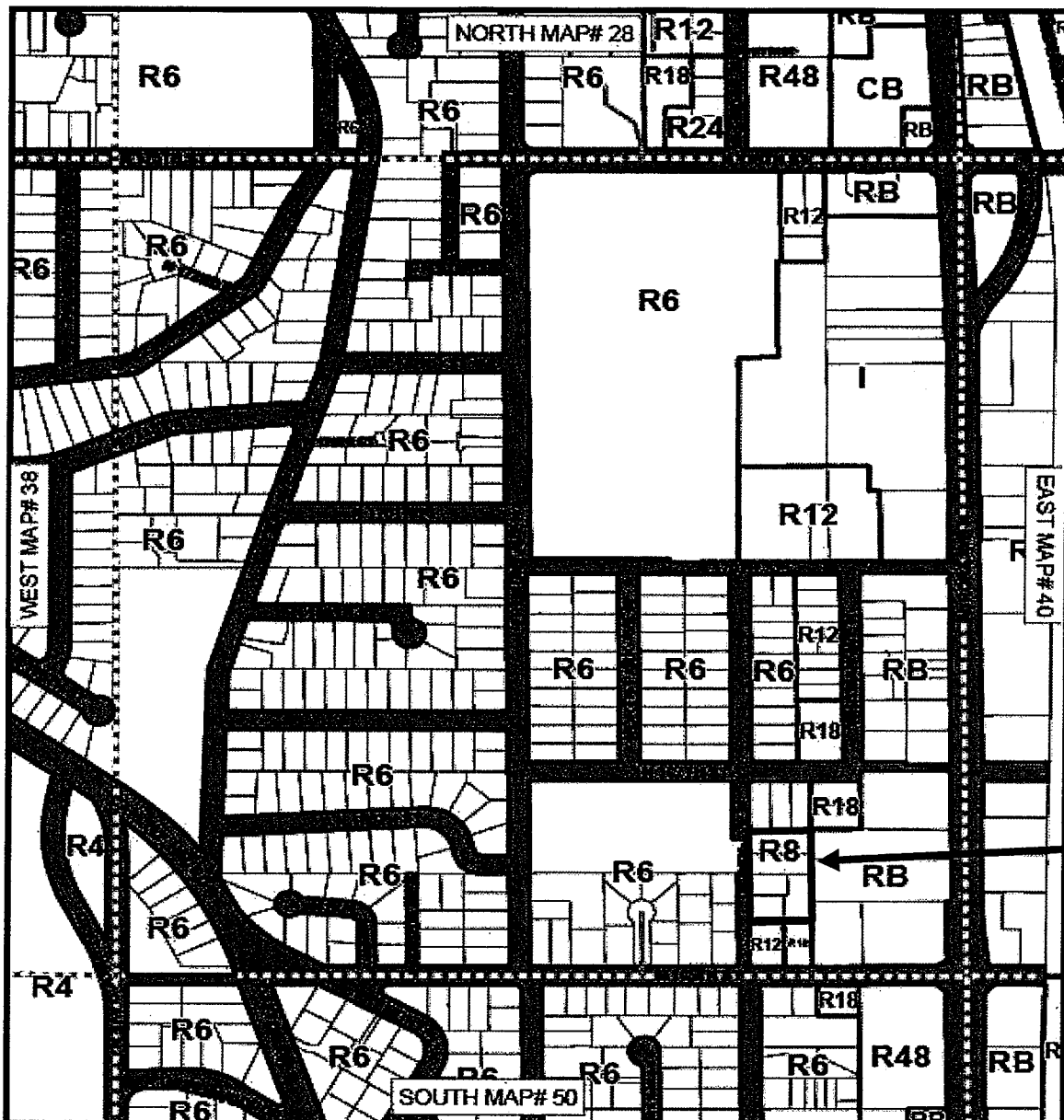
By: Nicky Rao
Planning Commission Chair

ATTACHMENTS

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







CITY OF SHORELINE ZONING MAP

Plot Date: 6/4/2007

Zoning Legend

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

Feature Legend

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

SW1/4-S7-T26N-R4 E

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

MAP # 39

1:3,600

0 75 150 300 450 600 Feet

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

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



Steve Szafran

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

Dear Mr Szafran,

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

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

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

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

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

Sincerely,

Anna Guerrero
 16710 Linden Ave N
 Shoreline, WA 98133

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

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

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

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

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

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

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

Taxes Going up?

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

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

neighbor hood

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



Transportation Engineering NorthWest, LLC

Memorandum

DATE: November 28, 2007

TO: Robert Koo, Owner

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

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

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

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

Existing Traffic Volumes

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

Rezone Trip Generation Potential

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

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

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

www.tenw.com

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

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

Attachment A

Shoreline Rezone TIA - 32nd Avenue NE

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

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

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

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

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

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

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

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

Source: City of Shoreline 2006 AWDT Traffic County Program.

Attachment B
Trip Generation Potential of Rezone Request

Attachment B

Trip Generation Potential Linden Avenue N Rezone Request

Existing Uses

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

Proposed Uses (1.21 acres @ 48 du/acre)

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

Net Change in Trip Generation	25	293
--------------------------------------	-----------	------------

5 properties totaling:
1.21 acres

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

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

Staff Overview and Presentation of Preliminary Staff Recommendation

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Applicant Testimony

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

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

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

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

Questions by the Commission to Staff and Applicant

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

Public Testimony or Comment

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

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

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

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

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

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

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

Commission Discussion

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

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

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

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

Final Questions by the Commission and Commission Deliberation

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Closure of the Public Hearing

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

Vote by Commission to Recommend Approval or Denial or Modification

THE MAIN MOTION WAS UNANIMOUSLY APPROVED AS AMENDED.

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CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

<p>AGENDA TITLE: Ordinance No. 478, Amendments to the Development Code, Section 20.50.020; Residential Density in CB zones, affecting properties located in the Town Center Study Area and along Ballinger Way</p> <p>DEPARTMENT: Planning and Development Services</p> <p>PRESENTED BY: Joseph W. Tovar, FAICP, Director</p>
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SUMMARY:

This amendment, in earlier forms, was studied by the Commission in two Commission meetings (March 15, April 19, 2007) and a joint meeting with the City Council on October 8, 2007. The City Council did not make a decision on the amendment on October 8 and referred it back to the Commission for additional deliberation.

The Council asked the Commission to consider the following when discussing this proposal:

- Identify short and long term problems
- Identify quickly implemental ideas and longer term strategies

The Planning Commission held two more meetings (January 17 and February 21) after the joint meeting with Council to focus the discussion more narrowly on issues defined by the Council.

BACKGROUND

The original amendment to regulate housing density in Community Business (CB) districts received a great deal of scrutiny last year. The impetus behind the code revision was the realization that high density residential development will not occur in CB areas because the current density limitation of 48 du/acre is too low a threshold to encourage residential redevelopment there.

Staff believes that this situation still exists, and if the development code isn't modified, it is unlikely that CB-zoned areas near Aurora and Ballinger Way are unlikely to redevelop with residential uses, even though these are sites that are a) logical areas to redevelop and b) sites where housing should be encouraged because they are close to retail stores and good transit service.

Staff's original proposal would regulate density through height and bulk, setback, and parking requirements rather than by an arbitrary density number. The proposed

amendment affected all Community Business properties within 1200 feet of the Aurora or Ballinger Way.

When this proposal was discussed, the Commission and Council heard many comments about the proposal's impact, largely centered on the adjacency of CB properties to single-family neighborhoods. The questions included:

- What will the density look like?
- What is the transition buffer between the higher density development and lower density single family homes that might be adjacent to or across the street from the new development?
- Will adequate parking be provided?

With the benefit of hindsight, these are the same questions that were raised in the recent Ridgecrest discussion.

In the Ridgecrest discussion, in addition to the three questions posed above, staff concluded that there were two concerns associated with the question "what does the density look like?"

- Is the building height appropriate for this area in Shoreline?
- Is there a reasonable transition buffer between the proposed building and nearby single family homes?

SHORT TERM SOLUTIONS

To respond to the Council's request for a short-term solution, the Planning Commission proposes to scale back its original proposal to affect a much more limited area. The proposal would:

1. Modify the development standards in CB zones to allow unit count to be governed by a structure's height, bulk, parking and setback requirements, but only if a site meets specific criteria.
2. The criteria are:
 - a. Properties are located in the Town Center subarea study area or along Ballinger Way.
 - b. The properties are located more than 90 feet from single-family zoned (R-4, R-6, or R-8) properties.
 - c. The properties are within 1200 feet (a 10-15 minute walk) of Aurora or directly adjacent to Ballinger Way, which have major transit routes.
 - d. Properties shall have ground floor commercial.

These conditions would effectively eliminate the potential issue of transition between taller buildings and single family areas because lower-intensity development as a buffer would act as a buffer between the two uses. In addition, parcels zoned for commercial uses will have to include commercial uses if a property owner decides to develop a residential project.

LONG TERM ISSUES

Staff believes that the modified proposal addresses short-term needs. However, there are two long-term issues to address:

- The issue of transition between commercial properties and their adjacent single-family neighbors. This will be addressed in March when staff presents its ideas to the Commission and public. The Commission will develop a recommendation on this issue to be forwarded to the Council. The Council will consider the Commission's recommendation concurrently with its decision on whether or not to extend the current partial development moratorium on Aurora.
- Staff's proposal does not address height and bulk requirements, i.e., what the development looks like. That question is more properly a focus of upcoming subarea studies.

Staff believes that, by adding the four criteria above (significantly reducing the number of properties affected by the proposal and creating an additional buffer for single family neighborhoods), the modified proposal addresses some economic marketplace issues that are inhibiting residential development and will encourage development in two areas in Shoreline that can handle additional growth without impacting single family neighborhoods.

RECOMMENDATION

The Planning Commission recommends that Council adopt Ordinance No. 478, amending the development code, Section 20.50.020; Residential Density in CB Zones; affecting properties in the Town Center Study Area and adjacent to Ballinger Way.

Approved By:

City Manager

 City Attorney 

ATTACHMENTS

Attachment A: Ordinance No. 499

Exhibit A to Attachment A: Proposed 20.50.020(2) Code Language

Attachment B: Map of Existing and Potential CB Parcels

Attachment C: Zoning Map

Attachment D: Planning Commission Minutes From January 17

Attachment E: Planning Commission Minutes From February 21

ORDINANCE NO. 478

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON AMENDING THE MUNICIPAL CODE TITLE 20.50.020(2) DENSITIES AND DIMENSIONS FOR RESIDENTIAL DEVELOPMENT IN NONRESIDENTIAL ZONES.

WHEREAS, the City adopted Shoreline Municipal Code Title 20, the Development Code, on June 12, 2000; and

WHEREAS, the Shoreline Municipal Code Chapter 20.30.100 states "Any person may request that the City Council, Planning Commission, or Director initiate amendments to the text of the Development Code"; and

WHEREAS, City staff drafted several amendments to the Development Code; and

WHEREAS, the Planning Commission held a Public Hearing, and developed a recommendation on the proposed amendments; and

WHEREAS, a public participation process was conducted to develop and review amendments to the Development Code including:

- A public comment period on the proposed amendments was advertised from February 16, 2007 to March 1, 2007;
- The Planning Commission held a Public Hearing and formulated its recommendation to Council on the proposed amendments on March 15 and April 17, 2007;
- The City Council discussed these amendments on June 11, 2007 and August 20, 2007;
- The Planning Commission and City Council held a joint public hearing on October 8, 2007; and
- Additional consideration by the Planning Commission at public hearings on January 17, 2008 and February 21, 2008; and

WHEREAS, a SEPA Determination of Nonsignificance was issued on March 8, 2007, in reference to the proposed amendments to the Development Code; and

WHEREAS, the proposed amendments were submitted to the State Department of Community Development for comment pursuant WAC 365-195-820; and

WHEREAS, the Council finds that the amendments adopted by this ordinance are consistent with and implement the Shoreline Comprehensive Plan and comply with the adoption requirements of the Growth Management Act, Chapter 36.70A. RCW; and

WHEREAS, the Council finds that the amendments adopted by this ordinance meet the criteria in Title 20 for adoption of amendments to the Development Code;

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

Section 1. Amendment. Shoreline Municipal Code Chapter 20.50.020(2) is amended as set forth in Exhibit A, which is attached hereto and incorporated herein.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. Effective Date and Publication. A summary of this ordinance consisting of the title shall be published in the official newspaper and the ordinance shall take effect five days after publication.

PASSED BY THE CITY COUNCIL ON APRIL 14, 2008.

Mayor Cindy Ryu

ATTEST:

APPROVED AS TO FORM:

Scott Passey
City Clerk

Ian Sievers
City Attorney

January 17, 2008 proposal before the Planning Commission

Table 20.50.020(2) – Densities and Dimensions for Residential Development in Nonresidential Zones

STANDARDS	Neighborhood Business (NB) and Office (O) Zones	Community Business (CB) Zone	Regional Business (RB) and Industrial (I) Zones
Maximum Density: Dwelling Units/Acre	24 du/ac	48 du/ac <u>(1)</u>	No maximum
Minimum Front Yard Setback	10 ft	10 ft	10 ft
Minimum Side Yard Setback from Nonresidential Zones	5 ft	5 ft	5 ft
Minimum Rear Yard Setback from Nonresidential Zones	15 ft	15 ft	15 ft
Minimum Side and Rear Yard (Interior) Setback from R-4 and R-6	20 ft	20 ft	20 ft
Minimum Side and Rear Yard Setback from R-8 through R-48	10 ft	10 ft	15 ft
Base Height (4)-(2)	35 ft	60 ft	65 ft (2) (3)
Maximum Impervious Surface	85%	85%	95%

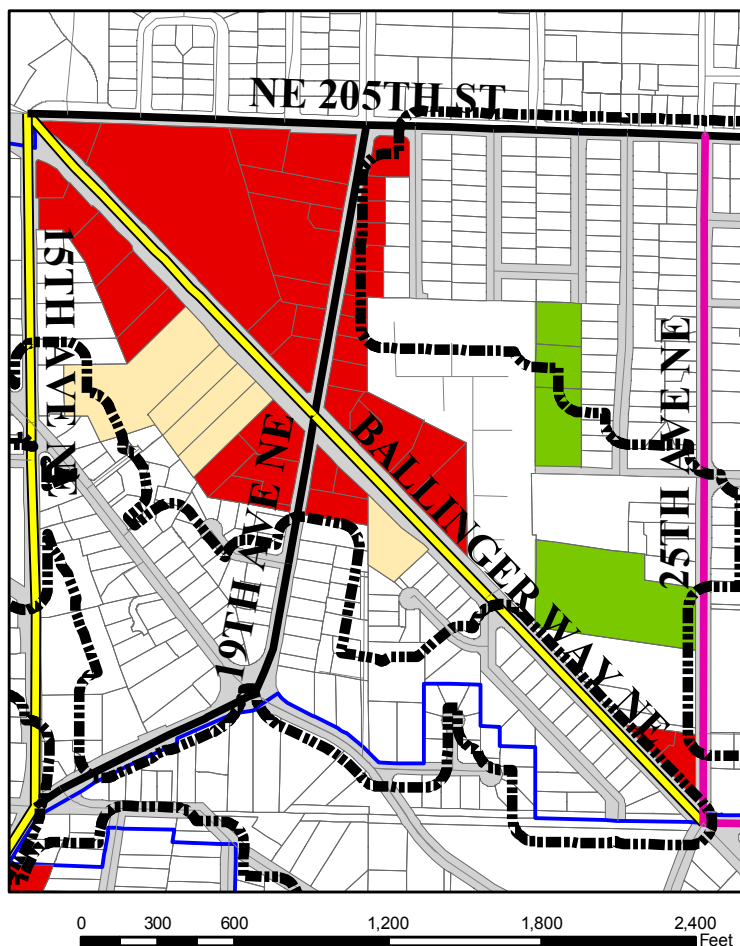
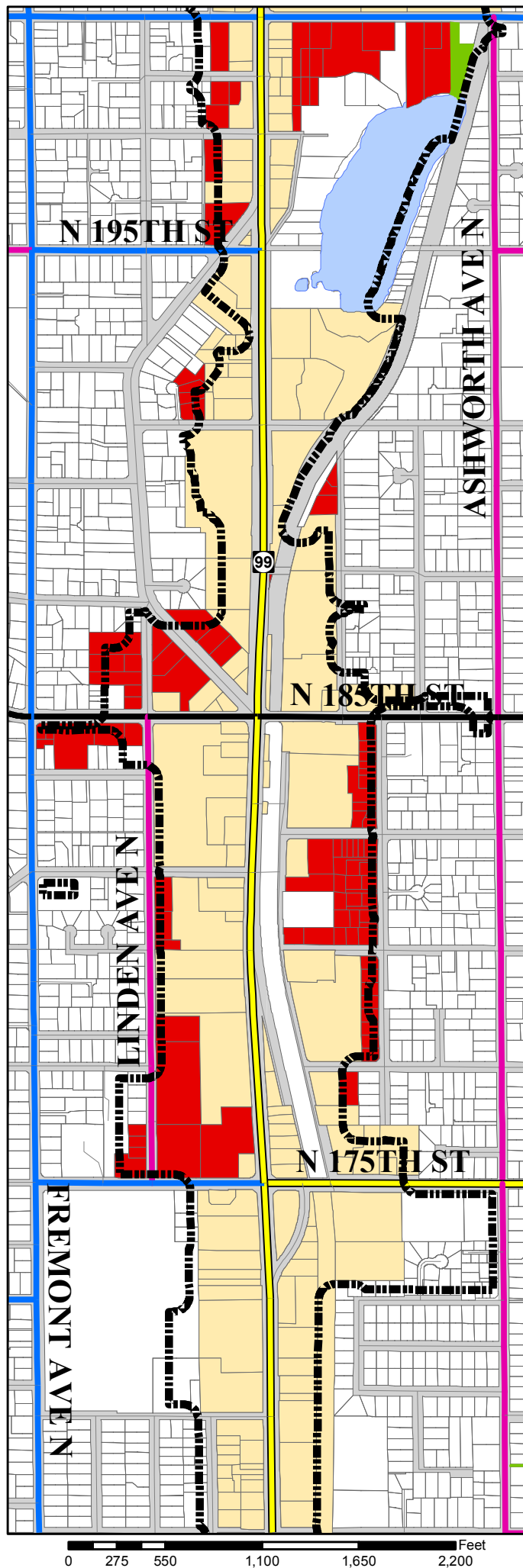
Exceptions to Table 20.50.020(2):

(1) No density maximum will apply in CB zones if the following criteria are met:

- Properties are located in the Town Center subarea study area or adjacent to Ballinger Way.
- Properties are located more than 90 feet from single-family zoned properties (R-4, R-6, and R-8).
- Properties are within 1,200 feet of Auroara Ave N or directly adjacent to Ballinger Way.
- Properties shall include ground floor commercial uses.

(4) (2) See Exception 20.50.230(3) for an explanation of height bonus for mixed-use development in NB and O zones.

~~(2)~~(3) For all portions of a building in the I zone abutting R-4 and R-6 zones, the maximum height allowed at the yard setback line shall be 35 feet, 50-foot height allowed with additional upper floor setback (transition line setback) of 10 feet. To 65 feet with additional upper floor setback (transition line setback) of 10 feet after 50-foot height limit. Unenclosed balconies on the building are above the 35-foot transition line setback shall be permitted to encroach into the 10-foot setback.



SHORELINE

Geographic Information System

Potential Community Business

Representation of Official Zoning Map Adopted By City Ordinance No. 292.

Shows amendments through April 3, 2007.

Map Features

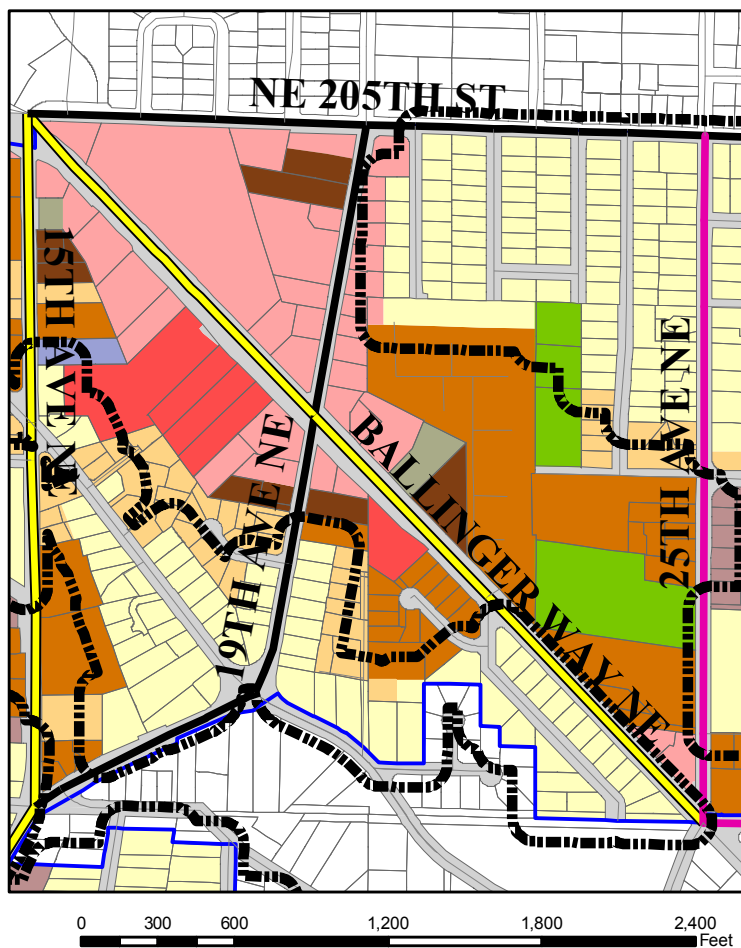
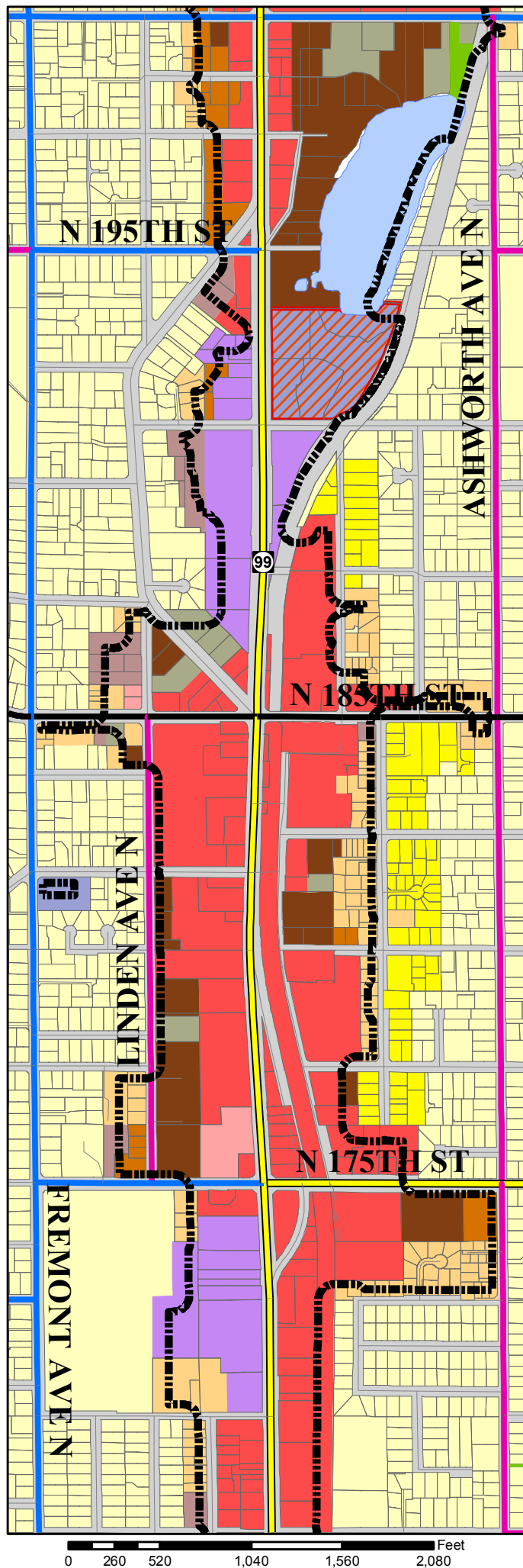
- Parcels Zoned CB or the Potential for CB Zoning
- Parcels Zoned RB or I and Not Affected by Ord. 478
- Within 90' of LDR
- Park
- Tax Parcel Boundary
- Unclassified Right of Way



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

Updated: 1/17/2008

Filename: j:\gis\maps\pads\ZoningPotentialCB_Aurora.mxd



SHORELINE

Geographic Information System

Current Zoning

Representation of Official
Zoning Map Adopted By
City Ordinance No. 292.

Shows amendments through
April 3, 2007.



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

Updated: 1/17/2008

Filename: j:\gis\maps\pads\Zoning_Aurora_Ball.mxd

Map Features

Legend

- | | |
|------------------------------------|---------------------------|
| R-4; Residential, 4 units/acre | Park |
| R-6; Residential, 6 units/acre | Open Water |
| R-8; Residential, 8 units/acre | Outside Shoreline |
| R-12; Residential, 12 units/acre | Interstate |
| R-18; Residential, 18 units/acre | Principal Arterial |
| R-24; Residential, 24 units/acre | Minor Arterial |
| R-48; Residential, 48 units/acre | Collector Arterial |
| O; Office | Neighborhood Collector |
| NB; Neighborhood Business | Local Street |
| CB; Community Business | Tax Parcel Boundary |
| NCBD; North City Business District | Interurban Right of Way |
| RB; Regional Business | Unclassified Right of Way |
| I; Industrial | |
| CZ; Contract Zone | |
| Regional Business-Contract Zone | |
| Within 90' of LDR | |



Memorandum

DATE: February 12, 2008

TO: Planning Commission

FROM: Joseph W. Tovar, FAICP, Director
Steve Cohn, Senior Planner
Steve Szafran, Associate Planner

RE: Revised CB housing density continued public hearing/discussion

Tonight's hearing is a continuation of the January 17 public hearing and discussion on the revisions to the development code dealing with housing density in some of Shoreline's Community Business (CB) zoning districts. The Commission will take comment from people who attended the January 17 meeting but did not have a chance to testify due to time constraints. After public comment is completed, the Commission will begin its deliberations on the revised proposal and develop a recommendation to forward to the City Council.

Staff Proposal

The proposal to be considered by the Commission would:

1. Modify the development standards in CB zones to allow unit count to be governed by a structure's height, bulk, parking and setback requirements, but only if a site meets specific criteria.
2. Only apply if:
 - a. Properties are located in the Town Center Subarea study area or along Ballinger Way.
 - b. The properties are located more than 90 feet from single-family zoned (R-4, R-6, or R-8) properties.
 - c. The properties are within 1200 feet (a 10-15 minute walk) of Aurora or are directly adjacent to Ballinger Way, both of which contain major transit routes.

Staff analysis of the proposal was included in the January 17 public hearing staff report, which is attached.

If you have questions or comments, please call Steve Cohn at 206-546-1418 (scohn@ci.shoreline.wa.us) or Steve Szafran, 546-0786 (szafran@ci.shoreline.wa.us).

Attachment: January 17 public hearing staff report

PUBLIC HEARING ON REVISED PROPOSAL FOR HOUSING DENSITY IN COMMUNITY BUSINESS (CB) ZONES

Chair Piro reviewed the rules and procedures for the Type L Legislative Public Hearing, then opened the hearing.

Staff Overview and Presentation of Preliminary Staff Recommendation

Mr. Cohn recalled that a proposal to allow additional housing density in CB zones was previously studied by the Commission in March and April of 2007. After a joint City Council/Planning Commission discussion on October 8, 2007, the City Council decided to send the item back to the Commission for additional review.

Mr. Cohn explained that the impetus behind the code revision was the realization that high-density residential development would not occur in CB zones because the current density limitation of 48 units per acre is too low a threshold to encourage residential development there. Staff believes the situation still exists. If the Development Code isn't modified, it is unlikely that CB zoned areas near Aurora Avenue and Ballinger Way would redevelop with residential uses even though they are logical areas for this type of use because they are close to retail stores and good transit service.

Mr. Cohn said the revised proposal would regulate density through height, bulk, setback and parking requirements rather than by an arbitrary density number. The proposed amendment would affect all CB zoned properties that are located:

- Within the Town Center Area or along Ballinger Way.
- At least 90 feet from single-family zoned properties.
- Within a 10 to 15-minute walk from Aurora Avenue North or Ballinger Way.

Mr. Cohn provided a map to illustrate the areas that would be affected by the proposal. Because the proposed changes would only apply to two specific areas, Mr. Cohn said staff believes they meet the intent of focusing increased residential densities in those areas with infrastructure to serve it. In addition, single-family zoned properties would be protected.

Questions by the Commission to Staff

Commissioner Pyle questioned how the areas would be measured. Mr. Cohn said his understanding is the areas would be measured the same way as the moratorium was measured: from the edge of the legal tax parcel boundary. Commissioner Pyle asked if the City's right-of-way is actually zoned. Mr. Cohn answered that, in most cases, the City's right-of-way is not zoned, but some pieces of the trail are zoned. Commissioner Pyle referred to Bellevue's transition areas, which are measured from the edge of the zone rather than the edge of the property boundary. Mr. Cohn said in most cases, the zone only goes to the property boundary, and not to the middle of the right-of-way. Commissioner Pyle asked if a property would have to be located entirely within the green

boundary in order to be eligible for the modified zoning. Mr. Cohn answered affirmatively.

Commissioner McClelland requested a map to identify the properties on Ballinger Way that would be eligible for the modified zoning. Mr. Cohn clarified that all properties that are adjacent to Ballinger Way would be eligible, and maps of Ballinger Way were included in the packet.

Public Testimony or Comment

Michelle Moyes, Shoreline, said she owns residential property in the area known as the Westminster Triangle, which would be very much impacted by the proposed new density. She asked the Commission to consider changing the eligibility criteria to be more than 90 feet away from the residential homes. Perhaps a better number would be 120 feet. She encouraged them to walk through the areas in question.

Mr. Cohn responded that the proposal would not apply to properties in or near the Westminster Triangle; it would only apply to the area on Aurora Avenue North that is located north of 170th Street. It would not apply to properties south of 170th Street.

LaNita Wacker, Shoreline, indicated her support for the proposal with some modifications. She emphasized that the proposal does not constitute a rezone. It is related to CB zoning that currently exists in the Comprehensive Plan. Utilization of the cubic space of the building would be up to the developer. She suggested that to avoid losing valuable commercial space to residential uses, it would be appropriate to require the first floor to be built to the commercial standards of the CB zone. This would create the potential for a mixture of retail and residential uses. Ms. Wacker disagreed with Ms. Moyes and suggested that 90 feet is too excessive. She pointed out that commercial properties are very expensive, and a 90-foot setback requirement would deny property owners the full use of their property and could constitute a taking situation. She expressed her belief that a 20-foot setback would be adequate. There are many good reasons to allow more residential development in the CB zone. Allowing density to be located near transportation service is good. Allowing the density to be controlled by development standards would also be appropriate.

Chair Piro asked if staff considered the option of requiring commercial development on the first floor in the CB zone. Mr. Cohn answered that staff did not consider this type of requirement.

Commissioner McClelland pointed out that the CB zone allows for development right up to the property line, with no setback. The 90-foot requirement means that the modified zoning would not be allowed within 90 feet of a single-family residential zone. Mr. Cohn agreed, noting that if a property is closer than 90 feet of a single-family residential zone, the modified zoning could not be applied.

Ms. Wacker expressed her concern that the bulk of a building in a CB zone would be the same whether it is next to a single-family home or Aurora Avenue North. The proposed code amendment would not change the outward appearance of development in the CB zone so it would have absolutely no visual impact to any of the surrounding residential property owners. However, the amendment would positively impact the City by creating the opportunity for more affordable housing.

Commissioner Pyle agreed that the visual impacts of the change would be negligible, but the community has indicated they are not comfortable with the number of parking spaces required and the opportunity for increased density. The community has expressed a desire for more control over these concerns. Ms. Wacker expressed her belief that the controls are already in the Development Code and would be triggered by the traffic impacts. She said one misconception is that the proposal would result in a significant change, but that is not the case.

John Behrens, Shoreline, suggested the map be made clearer by identifying which properties would be eligible for the proposed new zoning. He agreed that the City could easily prepare a map that would identify all of the parcels that are entirely within the green polygon identified on the map. Again, Mr. Behrens suggested the City clearly identify those properties that would be impacted by the change. He expressed his belief that the City would change as a result of the proposed amendment to the CB zone. He said he is not comfortable the City has done enough study to identify all of the impacts associated with the change. He noted that the properties lie within two very sensitive drainage areas, and there are already problems with flooding and stormwater runoff. Mr. Szafran clarified that the proposal is a change to the City's Development Code, not a rezone application.

Jim Abbott, Shoreline, said he supports the proposed amendment to the Development Code. He particularly agreed with the remarks provided by Ms. Wacker. He provided a site plan and concept that was prepared by his architect, Marlin Gabbert, for a project located within the area that would be affected by the code amendment. Regarding the parking concern, Mr. Abbot pointed out that if there is more housing and less commercial space, developments would require less parking and not more. He expressed his belief that the proposed code amendment would benefit the few properties that are close to Aurora Avenue North and Ballinger Way, and it would also provide an opportunity for more housing in an area that is close to businesses and transit service.

Les Nelson, Shoreline, expressed his belief that changing the definition of a zone is the same as changing the zoning. It requires a Comprehensive Plan amendment that would be more properly addressed from a comprehensive standpoint. He questioned why they should change the CB zone to be the same as the Regional Business (RB) zone just to meet the needs of a few developers. He voiced concern that this could set a precedent for the same action to occur elsewhere in the City. If they want to apply the RB zoning standards to properties along Aurora Avenue North and Ballinger Way, they should just change the zoning to RB rather than modify the CB zoning standards. He suggested the

Commission wait to make their recommendation until after issues surrounding the current moratorium have been resolved.

Mr. Cohn explained that the Growth Management Act makes it clear that cities have the right to change the Development Code without changing the Comprehensive Plan. The intent of the CB zone is to allow residential, commercial, and office development. The Comprehensive Plan envisions that this area be a place for commercial and residential uses, which is consistent with CB zoning.

Mr. Nelson pointed out that the Comprehensive Plan does not address any residential density above R-48, so allowing unlimited density in the CB zone would be inconsistent with the Comprehensive Plan. The only way to make this change is through a Comprehensive Plan amendment to bring the code into conformance with the Comprehensive Plan.

Commissioner Pyle suggested that Mr. Nelson may be confusing the Comprehensive Plan's reference to R-12, R-18 and R-48 zones, which are specific zones in the City's Development Code, as a limit on density, but that is not the case. The Comprehensive Plan actually calls out a specific set of zoning controls, one of which is CB. The proposed action would amend the CB zoning controls to eliminate the cap on density.

Mr. Cohn suggested the Commission continue the public hearing to allow those who have not had an opportunity to address the Commission to do so at a later date. However, they should make it clear that those who have already had an opportunity to speak would not have another opportunity to speak.

COMMISSIONER BROILI MOVED THAT THE LEGISLATIVE PUBLIC HEARING FOR HOUSING DENSITY IN THE COMMUNITY BUSINESS (CB) ZONE BE CONTINUED TO THURSDAY, FEBRUARY 21, 2008. COMMISSIONER MCCLELLAND SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

**CONTINUED PUBLIC HEARING ON HOUSING DENSITY IN CB ZONES –
HEARING/DISCUSSION/RECOMMENDATION**

Chair Piro reviewed the rules and procedures for the continued legislative public hearing. Commissioner Wagner advised that while she was not present at the last meeting, she read the minutes from the previous hearing and was ready to participate.

Staff Overview

Ms. Simulcik Smith announced that the Commission received three additional comment letters regarding the subject of the hearing, and each Commissioner had a copy of the letters in front of them.

Mr. Szafran reviewed that this item was previously studied by the Commission on March 15th and April 19, 2007. The issue was considered by the City Council on October 8, 2007 and remanded back to the Planning Commission for additional consideration. The Planning Commission began the public hearing for this item on January 17, 2008.

Mr. Szafran said staff believes the amendment is necessary since Commercial Business (CB) areas are not being redeveloped at this time, and many of them are appropriate for higher density housing. The current density limit of 48 units per acre has discouraged residential development. Staff believes it is appropriate to direct these types of residential developments into places where adequate infrastructure and walkability exist.

Mr. Szafran reviewed that the revised proposal would modify the standards to permit the unit count to be governed by a structure's height, bulk, parking and setback requirements, but only if the following conditions could be met.

- The properties must be located within the Town Center Study Area or along Ballinger Way.
- The properties must be located more than 90 feet from single-family zoned properties.
- The properties must be located within 1200 feet (a 10 to 15-minute walk) of Aurora Avenue or are directly adjacent to Ballinger Way.

Mr. Szafran displayed a map to illustrate the properties along Aurora that would meet the above criteria.

Continued Public Testimony or Comment

Dennis Lee, Shoreline, suggested the Commission table the proposal for now, since it has the appearance of being a rezone, which requires a quasi-judicial hearing. He also expressed concern about down zoning properties, which is not bad unless there would not be sufficient commercial zoning to support the allowed residential density. Again, he reminded the Commission that the Comprehensive Plan talks about high-density residential being R-48 and that is what the majority of the citizens want to maintain. If

unlimited density is allowed, it must be carefully planned for so that surrounding community and neighborhood businesses are preserved.

Michelle Cable, Shoreline, said she supports the proposed amendment that would increase the number of housing units allowed in the CB zones. She suggested that many people have included the Aurora Triangle Project as part of the subject amendment in error, and this has created anxiety throughout the community. She emphasized that the proposed code amendment would only apply to commercial zones. Ms. Cable said she owns property on Ballinger Way that would be impacted by the proposed amendment. She said she believes the amendment would provide an opportunity to develop affordable senior housing in the corridor, and the City Council has noted there is a shortage in the number of senior housing in Shoreline. The proposed amendment, as modified, would also implement the City's Comprehensive Plan, the City Council's 2007-2008 Goals, and the Comprehensive Housing Strategy's Committee Recommendations. She noted that Shoreline is mostly built out, which means the expected growth would have to occur as infill or as redevelopment. Shoreline must take steps to allow increased density in areas of the City that can reasonably accept it.

Matthew Fairfax, Shoreline, said he owns the James Alan Salon, which currently employs 23 people. He said he is also part owner of one of the properties impacted by the proposal. He said he purchased the property on 185th with the intention of expanding his business so he could employ more people, but also to provide more housing opportunities in the area. He expressed concern that if the proposed amendment is not approved, their ability to construct a financially sustainable building would be very limited. Expanding the number of residential units allowed on the property would improve their ability to finance redevelopment. He noted the proposal would only impact a few properties. Although the Comprehensive Plan identifies other potential CB zones, it is important to remember that any changes would have to be reviewed by the Commission and approved by the City Council. This offers the City sufficient safeguards to manage growth in the future. Again, he said he supports the proposed amendment and believes it would be very good for the community.

Marlin Gabbert, Shoreline, said he is the architect for the project on Linden Avenue and 185th Street. He expressed his belief that the proposed project would be consistent with the concepts outlined in the Comprehensive Housing Strategy that was prepared by the Citizen Advisory Committee. The project is located in the CB zone, and they would provide commercial uses in the lower level, with residential units above. This mixed-use type project would be ideal because of its close proximity to needed services. In addition, the project would provide adequate housing opportunities to support the commercial uses in the area. He noted that office buildings would not provide the same commercial support that high-density housing would. Mr. Gabbert recalled that the Comprehensive Housing Strategy also indicated a desire for green building features. He provided a handout outlining how the building would be designed and noted that the buildings step up to provide a good transition from the R-12 zone. The design would include green roofs, etc.

John Behrens, Shoreline, noted that the proposal would involve very few properties. He questioned why this proposal is not being considered as a rezone request. He said he would not be opposed to the type of development proposed by those present. However, a rezone proposal would offer the neighboring property owners an opportunity to work with the developers to address their concerns. He expressed his belief that 95% of the City's residents have no concept about the difference between Regional Business (RB) and Commercial Business (CB). He suggested that if the City were to tell the neighboring property owners what the buildings would look like, they would be able to engage the community in the process of designing their own neighborhoods and they would likely support the developers.

Commissioner McClelland asked staff to share the notification requirements for the legislative hearing process. Mr. Tovar advised that a legislative hearing notification includes a notice in the newspaper and a posting on the City's website. In this case, staff also placed information in the "It's Happening in Shoreline" flyer and "Currents" and it was also mentioned on the cable channel and during the City Manager's Report. They also provide notice to those individuals on an email list who have expressed an interest in these sorts of issues. He emphasized that the City is not required to mail notices for legislative hearings. Mailed notices are only required for quasi-judicial hearings.

Presentation of Final Staff Recommendation

Mr. Szafran said staff recommends the Commission forward a recommendation of approval to the City Council, including the three additional criteria identified by staff. He suggested a fourth criterion could be added to allow only commercial development on the ground floor, if the Commission desires.

Final Questions by the Commission

Commissioner Pyle pointed out that the green boundary line on the map crosses numerous properties. He questioned if a property must be located completely within the green line in order to be eligible for the change in zoning control. Mr. Szafran answered affirmatively. Mr. Cohn referred to the colored map that was provided to the Commission at their last meeting. He noted that the cross hatched areas are already zoned regional business and would not be impacted by the change. Only properties within the striped areas would be affected by the proposal.

Commissioner Pyle asked if there are any properties outside of the striped areas that are CB that would not be eligible for the amended zoning. Mr. Szafran answered there are properties outside of the area that have land use designations of community business or mixed use that could potentially be rezoned to CB. These properties would not be eligible for the unlimited density provision. Commissioner Pyle summarized that the proposal would actually create a sub zone of the CB zone, and properties within the green boundaries would be eligible for the change. Mr. Szafran agreed, as long as the properties meet all of the requirements discussed earlier. Mr. Szafran reminded the

Commission that the boundaries of the area impacted by the proposed change were reduced since the first time the proposal came before the Commission.

Vice Chair Kuboi recalled that a previous staff report indicated one of the underlying reasons for the proposal was that, collectively, the City was losing out on development opportunities because of the arbitrary constraint on the allowed number of residential units per acre. He questioned if the City has examples to illustrate what they have lost out on that would lend support to making a change at this time. Mr. Tovar reminded the Commission that the proposal was first introduced to them nearly one year ago. The Commission recommended approval, but the City Council remanded the proposal back to the Commission for further review. He said that while staff does not perceive an urgency to make a decision on the proposal, it is important to keep in mind that developers are interested in moving forward. He cautioned, however, that no project has been proposed for the subject properties at this time. He noted that within the next year, the Commission would review the entire area again, from a broader context as part of the Town Center Subarea Plan.

Commissioner Hall recalled that when the proposal was presented previously, the Commission recommended approval. His vote was the only dissenting one. Based on testimony, he felt creating a new zone would be a clearer, easier way to make the change. Second, he felt there was inadequate public involvement in the process. He noted that the public did become more engaged in the issue after the proposal was forwarded to the City Council for consideration. Over the past year, they have heard from a number of people, so he is no longer concerned about inadequate public input. He said he also previously expressed concern that the proposal only deals with a small number of parcels. He agreed with Mr. Behrens that a quasi-judicial rezone would be a better way to address uses on these properties. At the same time, the Commission has heard testimony that the proposal could provide support to small businesses in the area, affordable housing opportunities, and buffer protection for residential neighborhoods.

Commissioner Broili said he understands that one of the goals of the proposal is to increase flexibility for developers to do more creative design within the framework of the design guidelines. However, he questioned how the projects would be evaluated and reviewed to be sure they meet the intent of the amendment. Mr. Cohn explained that staff is not suggesting a change in review criteria, so no design review would be required. He suggested the Commission could adopt an additional criterion, such as requiring only commercial uses on the ground floor. This would ensure the projects would be mixed-use. However, issues such as traffic impacts, etc. would be evaluated using the City's standard process. Mr. Szafran added that the development regulations would still apply to all proposals submitted for the subject parcels.

Commissioner Broili expressed concern that increased density could result in increased impacts to neighboring properties. He said he is not confident the City has all of the tools necessary to review and evaluate these projects to make sure the impacts associated with increased density could be mitigated. Mr. Tovar explained that the SEPA review process would still apply to the subject properties. He emphasized that the City's current tools

are not as good as those they hope to have in place as other legislative amendments come forward in the near future.

Commissioner McClelland recalled that when the proposal was initially presented to the Commission, they discussed that the current code allows no flexibility. She said she supported the proposal in order to update the code to respond to newer concepts with regard to zoning and uses. The Commission was told that if they let the market determine the composition within with the building, most of the citizens of Shoreline would not be impacted in any way. She said she still supports the concept, and she is baffled as to why some citizens are still resistant and alarmed by the change given the City's ability to control the impacts associated with this type of development.

Commissioner Wagner questioned what the City has done to date in this particular area to address the cumulative traffic impacts associated with redevelopment. Although the proposed change would not result in a significant increase in the amount of traffic associated with redevelopment of each property, it is important to consider the cumulative impacts on the traffic flow. She said the citizens have also expressed concern in the past about inadequate on-site parking and the impact this has to on-street parking. Staff earlier described the Planning Director's administrative ability to reduce the number of required on-site parking spaces. She suggested the Commission consider whether it would be appropriate to include a criterion that prohibits a reduction in the number of required parking spaces. However, she said she is not totally in support of this additional criterion because there are other transportation options such as car sharing, transit, etc.

Commissioner Hall agreed that it is important to consider traffic and parking impacts. He recalled that parking was a major issue during the cottage housing debates. However, he noted that his neighborhood has homes with two and three-car garages, yet three or four cars are parked in the driveway or on the street. When discussing cottage housing, it was noted that smaller homes cater to a different demographic: single people, young couples with no children, and senior citizens. They have heard from experts that the demographics in the region and in the City are shifting. He said he is not concerned that having higher density with smaller apartments leads to greater parking and transportation problems. In fact, he suggested the smaller apartments might be occupied by more singles or starter families with one car. He said he feels comfortable that the proposal is likely to be okay from traffic and parking perspective. He suggested that, in the long run, the more they locate people close to transit, the better off the overall traffic would be.

Chair Piro concurred with Commissioner Hall's analysis of the parking issue. He added that this is the City's richest opportunity to really grow the transit oriented type of development. The best transit service in the entire City is located between 170th and 195th Streets, which is an area that would function even better in the future in terms of transit. He agreed that because of the type of demographic population served by the new units and the proximity to transit services, there would not be the same type of traffic and parking issues associated with intense development in other locations.

Vice Chair Kuboi recalled the Commission previously discussed that two identical buildings on the outside could be divided into different unit counts on the inside. He said Mr. Nelson suggested that, based on development economics, the R-48 scenario would result in a smaller overall structure because it wouldn't be profitable to build to a more maximum-sized structure. He invited staff to share their opinion about the validity of this perspective. Mr. Tovar said no one knows for sure what the market will do in the future. Many factors could impact a developer's decision regarding the size and number of units. He emphasized that staff believes it is more important to pay close attention to the building envelope and its associated design standards; then they can step back and let the market fill in the envelope. Envelope size could be addressed via building heights, setbacks, step backs, floor area ratios, etc.; but these are separate issues from unit count.

Commissioner Pyle recalled it was mentioned earlier that there are certain financial constraints with regards to building out commercial space along Aurora Avenue. It has also been suggested that controlling the number of units by the actual building envelope or dimensional standards would provide some incentive for redevelopment to occur by making it more financially feasible. He pointed out that the Gateway Center along Aurora Avenue would have been a prime location for a mixed-use development, but they were able to construct a financially feasible building without providing any residential units. In addition, while initial concern was raised about the Monty Nikon Building near Costco (a five to six-story residential building), no one appears to be impacted by its size. He suggested these examples show that both residential and commercial developments are feasible, so he doesn't see support for the argument that there are current financial constraints in the market that result in the City missing out on opportunities along Aurora Avenue.

Mr. Tovar said staff does not believe there is a desperate, pressing need in the community to make the CB zone as viable as the RB using the unit count issue. However, they believe there is no good reason to restrict what happens in the CB zone if they don't do the same for the RB zone. If the proposed change were approved by the City Council, the CB zone would function as a less intense RB zone, with certain limitations on height, building coverage, etc.

Commissioner Pyle said the Commission has heard a lot recently about the need to protect single-family neighborhoods. He questioned if it would be possible to incorporate criteria into the Comprehensive Plan such as prohibiting access to multi-family developments through single-family neighborhoods, since this would push in the direction of orienting development towards the core of intensity as opposed to allowing free-flow access through the single-family neighborhoods. Mr. Tovar said that is exactly the type of criteria they should consider when reviewing subarea plans along Aurora Avenue.

Commissioner Pyle questioned why staff is recommending the proposed amendment only apply to properties that are more than 90 feet from single-family zones. Mr. Tovar answered that there was some discussion during the moratorium hearings before the City Council that 90 feet was a standard distance beyond which there was some protection

provided for the single-family residential zones. Commissioner Pyle noted the green boundary line falls right behind one of the properties eligible for the proposed amendment. He asked if this had anything to do with the number that was chosen for separation between the single-family and commercial zones. Again, Mr. Tovar advised that the number came from the moratorium as the number identified by the City Council. Commissioner Pyle asked if the Comprehensive Plan designation would allow other property owners to request a rezone to RB. Mr. Tovar clarified that any property owner could apply for a rezone to RB, but that doesn't mean the City would grant approval. Mr. Szafran recalled that rezoning the James Alan Salon property to RB was an application that was previously considered and denied.

Commissioner Hall said his preference would have been to address zoning for this area on a much larger scale. However, the community expressed concern about the proposal that would have accomplished that goal. The current proposal would allow the City to try the form-based zoning concept in an area that is adequately separated from single-family zones. He urged the Commission to consider the proposal from a policy perspective, and then let staff determine what the correct number should be.

Commissioner Pyle said that approval of the proposed amendment would essentially accomplish the same thing as the Ridgcrest Commercial Planned Area 2, which creates certain controls that apply to specific properties. He expressed concern that they are working piecemeal throughout the City to create a transition, while protecting the single-family neighborhoods. He suggested they should really look at the larger picture and retool zoning in the entire City.

Commissioner Broili recalled that the moratorium provided a buffer between single-family residential and commercial zones along the entire corridor, and a certain distance was determined adequate for the buffer. He suggested that is how the boundary line for the proposed amendment was established. Commissioner Pyle expressed his belief that more space would be necessary in order to achieve an adequate transition. He suggested 200 to 300 feet would be needed to obtain solar access and make sure the intensity of development is stepped down as it reaches the residential neighborhoods. The greater distance would also allow an opportunity to close streets off and add roundabouts, etc. to limit access to the single-family neighborhoods from the more intense cores and lessen the perceived impact. Commissioner Broili agreed.

Mr. Szafran noted that currently there are only four properties zoned CB within the green area, but there are a number of other properties within the striped area that could potentially be rezoned to CB to take advantage of the unlimited density provision.

Chair Piro expressed his belief that adequate transitioning could be accomplished to protect the existing single-family neighborhoods, and they should not be required to take on any burden of the transition. He referred to the City of Seattle, where figures indicate that the single-family neighborhoods that existed in the 1980's and 1990's continue to be viable single-family neighborhoods even though the City has taken on more intense

mixed-use developments to accommodate their growth. He suggested the City of Shoreline could do the same.

Closure of the Public Hearing and Commission Deliberation

COMMISSIONER HARRIS MOVED TO CLOSE THE PUBLIC HEARING. COMMISSIONER BROILI SECONDED THE MOTION.

Chair Piro noted that the City Attorney has advised the Commission would still be allowed to ask questions of clarification from staff and legal counsel even after the hearing has been closed. Ms. Collins concurred, as long as no new information is brought forward.

THE MOTION CARRIED UNANIMOUSLY.

Given the relatively few properties that would be affected by the proposed amendment, Vice Chair Kuboi questioned why the public still has the perception that the flood gates would be open for large buildings to be constructed all over the City. Mr. Tovar recalled that when the proposal was first initiated, it included a much larger area. While he doesn't know exactly why members of the public are so concerned about the impacts of the proposed amendment, it is important for the Commission to remember that if there are problems in the future, they would have an opportunity to address them when they review the area again as part of the Town Center Subarea Plan. The subarea plan process would allow the Commission to consider the cumulative impacts and the various tools that could be used to mitigate those impacts. However, he said staff does not anticipate any significant problems.

Chair Piro observed that a lot has transpired since the Commission first reviewed the proposed amendment. There have been many opportunities for public discourse on the matter, and some valid issues and points have been raised. He particularly noted the concerns raised about the importance of protecting the integrity of the single-family neighborhoods, as well as the commercial opportunities that currently exist on Aurora Avenue. However, after continued discussion on the matter, he said he would continue to support the Commission's initial recommendation. There are enough oversight tools in place to allow the City to implement the form-based zoning concept in this area.

Vote by Commission to Recommend Approval or Denial or Modification

COMMISSIONER HARRIS MOVED TO APPROVE STAFF'S RECOMMENDATION TO MODIFY THE DEVELOPMENT STANDARDS IN CB ZONES TO ALLOW UNIT COUNT TO BE GOVERNED BY A STRUCTURE'S HEIGHT, BULK, PARKING AND SETBACK REQUIREMENTS, BUT ONLY IF A SITE MEETS SPECIFIC REQUIREMENTS:

- A. PROPERTIES ARE LOCATED IN THE TOWN CENTER SUBAREA STUDY AREA OR ALONG BALLINGER WAY.**
- B. PROPERTIES ARE LOCATED MORE THAN 90 FEET FROM SINGLE-FAMILY ZONED (R-4, R-6, AND R-8) PROPERTIES.**
- C. PROPERTIES ARE WITHIN 1,200 FEET (A 10-15 MINUTE WALK) OF AURORA AVENUE OR ARE DIRECTLY ADJACENT TO BALLINGER WAY, BOTH OF WHICH CONTAIN MAJOR TRANSIT ROUTES.**

COMMISSIONER BROILI SECONDED THE MOTION.

Commissioner Harris recalled one of the Commission's initial discussions that a structure's bulk, size and setback would be the same. The proposal would only modify the way the building is divided within. Therefore, he does not believe the impacts would be increased, and the parking standards, the floor ratio requirement, etc. would sufficiently govern the density of each development.

Commissioner Broili reiterated that he would like to see increased density along Aurora Avenue, since this would protect the need to redevelop the residential areas to a greater density. Increasing the density along Aurora Avenue would also support the viability of mass transit and increase the bus lines and other transit opportunities along Aurora Avenue. He said he does not believe the amendment would result in more massive buildings. When the Commission considers the area again later in the year as part of the Town Center Subarea Plan, they could consider additional tools to control design issues associated with greater density. He said he feels comfortable recommending approval of the proposed amendment.

Commissioner Harris pointed out that the James Alan Salon has been located in Shoreline for more than 20 years, and they have indicated their desire to greatly increase the size of their business. Increasing jobs and the tax base is one of the City's sustainability goals.

Commissioner Hall clarified that when reviewing the Ridgecrest Commercial Planned Area 2, the Commission discussed whether the City could require retail or commercial space on the ground floor. Mr. Tovar said it would not be possible to construct a building in the CB zone with density regulated the same as in the RB zone unless there is a retail component. If a development cannot produce retail space, it would have to operate at the traditional CB zoning density limitation. Mr. Tovar said a property owner would not be allowed to construct a building with density greater than R-48 unless there is retail space on the ground floor.

Commissioner Wagner said her interpretation of the proposed amendment is that developments in the CB zone must be retail capable, but not that retail space would be required. She noted that there is no way to guarantee the uses during the permitting process. Commissioner Harris said he envisions adding an additional criterion that would require ground floor commercial, but not necessarily retail uses.

Vice Chair Kuboi noted Commissioner Broili's previous comments related to design review and noted the proposed motion does not make any reference to design review. Commissioner Broili noted that design review may be added during the next year as part of their review of the Town Center Subarea Plan.

Commissioner McClelland said she would not support the proposed amendment if it would allow a residential-only development in the CB zone. She said she would be in favor of adding an additional criterion to require commercial space on the ground floor.

COMMISSIONER HARRIS MOVED TO AMEND THE MAIN MOTION TO ADD ONE ADDITIONAL CRITERION, "D. PROPERTIES SHALL HAVE GROUND FLOOR COMMERCIAL." COMMISSIONER MCCLELLAND SECONDED THE MOTION TO AMEND THE MAIN MOTION.

Commissioner Wagner questioned how staff would enforce this requirement at the permitting stage. Mr. Tovar said the City would only issue tenant improvement permits for uses that are allowed on the ground floor. The space would have to be used as commercial space or remain vacant. A property owner would not be allowed to convert the space to residential at a later date.

COMMISSIONER HARRIS' MOTION TO AMEND THE MAIN MOTION TO INCLUDE CRITERION D WAS UNANIMOUSLY APPROVED.

COMMISSIONER PYLE MOVED TO AMEND THE MAIN MOTION TO ADD ANOTHER CRITERION, "E. PROPERTIES THAT REDEVELOP IN THE CB ZONE ARE NOT ELIGIBLE TO TAKE ADVANTAGE OF SMC 20.50.400(B) THAT ALLOWS THE DIRECTOR TO APPROVE A 50% PARKING REDUCTION. VICE CHAIR KUBOI SECONDED THE MOTION.

Since the zoning controls are intended to limit the amount of development on the site, Commissioner Pyle expressed concern about the Planning Director's ability to reduce the requirements. This could result in a developer's ability to construct more residential units, but provide less parking than what is typically required. He noted public concerns about parking and traffic.

Vice Chair Kuboi noted the number of concerns raised by the citizens about spill over parking. The proposed criterion would acknowledge the need to pay attention to impacts to surrounding neighborhoods when considering the implementation of new concepts.

Chair Piro pointed out that this is an area where the City is trying to advance transit oriented development. Therefore, it is important to recognize that the travel behaviors of the residents in the redeveloped buildings may not be the traditional type of automobile users they are accustomed to. He said he would be willing to consider an alternative resolution that would allow a developer to negotiate a parking reduction. Commissioner Pyle said his motion to amend was related to Section B, but Section A also allows for a reduction of up to 20%. He said he doesn't feel comfortable allowing a 50% reduction,

but allowing some flexibility would be appropriate. Chair Piro said he supports the concept of allowing some flexibility for the City to reduce the parking requirement on a case-by-case basis.

Commissioner Harris emphasized that the parking requirement should not be reduced for the commercial portions of a development. However, he would not be opposed to allowing the Planning Director to approve a reduction in the parking requirement for senior housing. Mr. Szafran pointed out that a recent code interpretation already allows for a significant reduction in the amount of parking required for senior housing.

Commissioner McClelland agreed with Commissioner Pyle that there should be some limitation to the amount of parking reduction allowed. However, she said she would support a criterion that allows the Planning Director some flexibility to grant a limited parking reduction. She pointed out there is very little street parking available near the subject properties.

Commissioner Pyle recalled that the Commission and staff have repeatedly emphasized the proposed amendment would not result in a difference in the bulk and scale of the buildings, and the number of units would be controlled by the actual zoning regulations. He suggested the code already allows enough flexibility that he is not confident it would adequately limit the number of units that could be constructed, particularly if the code allows up to a 50% reduction in the parking requirement. If the Commission wants parking requirement to limit the number of units, they cannot allow other parts of the code to grant a significant reduction.

Commissioner Hall said he would not support this proposed amendment to the main motion. He explained that regardless of the zone, parking would always be an issue. The Planning Director's discretion to approve parking reductions should be handled equally. He said he does not believe the proposed amendment would grant a density bonus. The proposal merely modifies the zoning district to change the allowed density within the constraints that exist elsewhere in the building code, including the parking constraints. The City is serious about promoting transit opportunities, and reducing the amount of parking would create an incentive for people to get out of their cars. He noted the Commission has not heard a large concern from the public about parking as it relates to this proposal. He would like to leave the parking issue to the Planning Director's discretion.

COMMISSIONER PYLE'S MOTION TO AMEND THE MAIN MOTION BY ADDING AN ADDITIONAL CRITERION RELATED TO PARKING FAILED 2-6, WITH COMMISSIONER PYLE AND VICE CHAIR KUBOI VOTING IN FAVOR AND CHAIR PIRO AND COMMISSIONERS BROILI, HALL, HARRIS, MCCLELLAND AND WAGNER VOTING IN OPPOSITION.

THE MAIN MOTION TO APPROVE THE STAFF'S RECOMMENDATION TO MODIFY THE DEVELOPMENT STANDARDS IN THE CB ZONE WAS UNANIMOUSLY APPROVED AS AMENDED.

Commissioner Hall said he would still have preferred to define a new zoning district and rezone all of the properties. He recommended that, as the Commission reviews subarea plans in the future, they avoid creating zoning exceptions throughout the City. He would much rather accomplish the City Council's goals in the most straightforward way possible so the community knows exactly what's happening. Mr. Tovar agreed with Commissioner Hall. He explained that part of the rationale for subarea planning and implementing zoning is to provide the public with a clear understanding of what each zoning designation means.

Exhibit B

