
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.

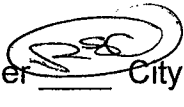
FINANCIAL IMPACTS:

- 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

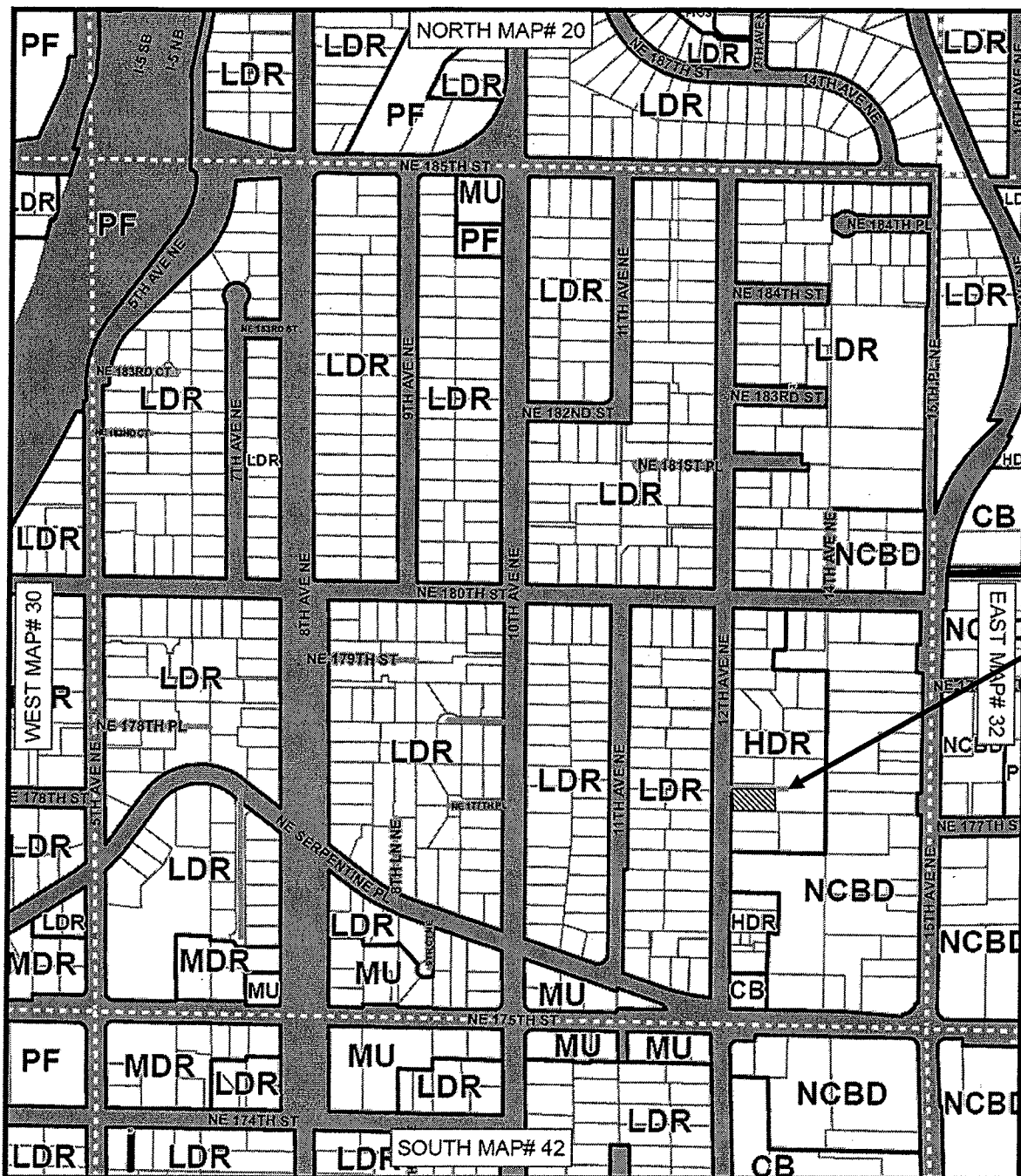
The Planning Commission recommends that the City Council approve a rezone of one parcel at 17562 12th Ave NE to R-24.

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: 2/6/2007

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 # 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-----

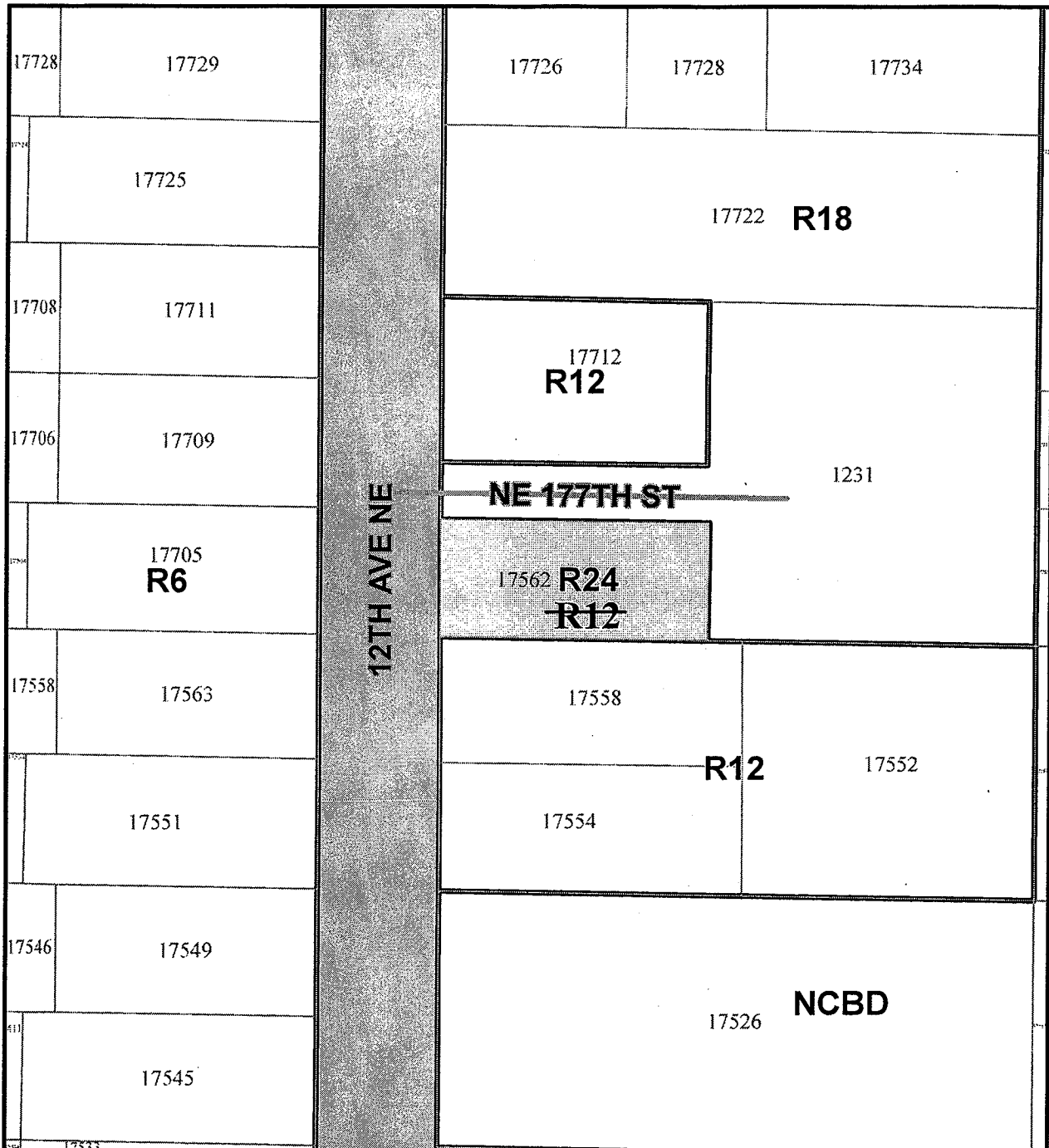
From: N64halfpipe@aol.com [mailto:N64halfpipe@aol.com]
Sent: Tuesday, November 20, 2007 6:17 AM
To: David Levitan
Subject: Appl # GHJ LLC 201680

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

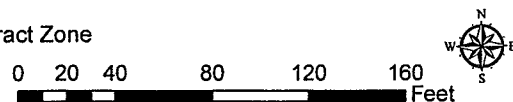
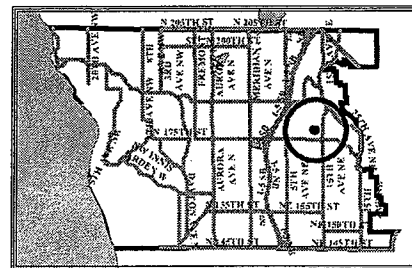
R12 to R24

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



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.

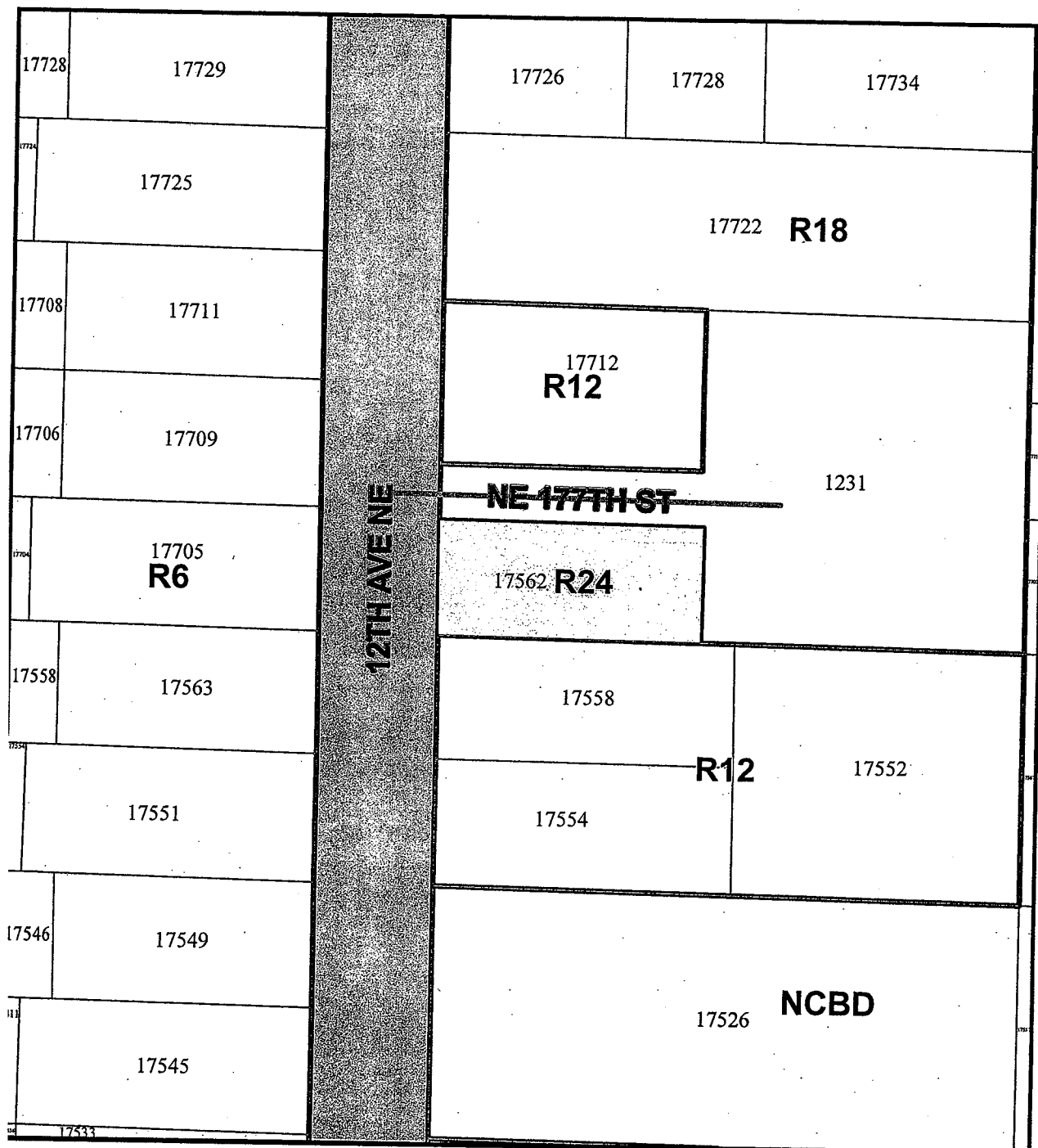
Commissioner Wagner said that having previously lived in a town home, she can appreciate the desire for housing choices. However, the staff and Commission have adequately addressed concerns related to parking and traffic impacts. They have also addressed the fact that the development would appropriately 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.

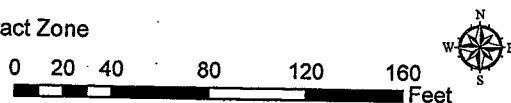
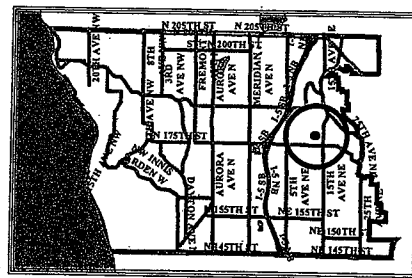
Exhibit B



17562 12th Ave NE Rezone R12 to R24

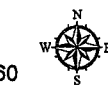
Zoning Legend

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 |