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**Council Meeting Date:** May 8, 2006

**Agenda Item:** 8(a)

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

<b>AGENDA TITLE:</b>	Adoption of Ordinance No. 423, a Site Specific Comprehensive Plan Amendment and Concurrent Rezone application generally located at 20060 15 <sup>th</sup> Ave NE File No. 201492 and 301371
<b>DEPARTMENT:</b>	Planning and Development Services
<b>PRESENTED BY:</b>	Joseph W. Tovar, FAICP, Director Steven Szafran, Planner II

**PROBLEM/ISSUE STATEMENT:**

The issue before Council is an application for a Site Specific Comprehensive Plan Amendment and Concurrent Rezone of one parcel located generally at 20060 15<sup>th</sup> Avenue NE (see Attachment C1). The applicant has requested that the parcel be changed from Ballinger Special Study Area (BSSA) to High Density Residential (HDR) and be rezoned from Residential 12 dwelling units per acre (R-12) to Residential 48 dwelling units per acre (R-48). Attachment C2 shows the current land use designation of adjacent parcels while Attachment C3 shows the current zoning of the immediate area.

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 April 6<sup>th</sup>, 2006. Council's review must be based upon the written record and no new testimony may be accepted. The Planning Commission completed its recommendation to Council on the proposed Comprehensive Plan Amendment and Rezone on April 6<sup>th</sup>, 2006.

**HISTORY OF THE BALLINGER SPECIAL STUDY AREA:**

The Ballinger Special Study Area was created when the City updated the Zoning Map in 2001 to be consistent with the Comprehensive Plan Future Land Use Map. For example, if the Future Land Use map designated the property as High Density Residential and the Zoning Map designated the property to R-6, which is low density residential, the property needed to be rezoned to at least an R-12, which is a zone that is compatible with High Density Residential land uses.

The primary reason the Ballinger Special Study Area was selected for a further study designation is that if the Zoning Map were updated to be consistent with the Future Land Use map in effect in 2001, the area would have received a dramatic increase in potential density. This increase in density may have been appropriate, but it was determined that a more detailed and coordinated analysis of such issues as traffic, drainage and utilities should occur before allowing development or redevelopment at the

level assumed in the Future Land Use map. Therefore the Council decided to designate this as a Special Study Area.

Throughout the years, the City has anticipated a study would be done in the Ballinger Special Study Area but until appropriate funds and resources can be directed toward the project, the area has gone without a land use plan. As evidenced by this application, an application approved by Council last year and inquiries staff have received over the years from developers and property owners in this area, there is an interest in having the City complete a subarea study for the Ballinger Special Study Area.

When the Special Study Area designation was adopted, it was thought that the underlying zoning in the area would be likely to remain until a further study was completed. Lately, the area has seen a pattern of changing land uses, especially toward multi-family housing at medium to high densities in accordance with existing zoning. Approval of this Comprehensive Plan Amendment and Concurrent Rezone is not out of character for the area and in fact is following the land use pattern already established in the area.

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

- The Council could change the land use designation from Ballinger Special Study Area to High Density Residential (HDR) and concurrently change the zoning designation from R-12 to R-48 as requested by the applicant and recommended by the Planning Commission and Staff by adopting Ordinance No. 423.
- The Council could deny the Site Specific Comprehensive Plan Amendment and concurrent rezone request, leaving the zoning at R-12.
- The Council could remand this request for Comprehensive Plan Amendment and Rezone back to the Planning Commission to open a new public hearing to receive additional testimony.

**FINANCIAL IMPACTS:**

- There are no direct financial impacts to the City.

**RECOMMENDATION**

The Planning Commission and Staff recommend that Council adopt Ordinance No. 423, (Attachment A) thereby adopting the Findings and Determinations of the Planning Commission (Attachment B) and approving the Site Specific Comprehensive Plan Amendment and Concurrent Rezone of 20060 15<sup>th</sup> Avenue NE from Ballinger Special Study area to High Density Residential (HDR) and Rezone from Residential 12 units per acre (R-12) to Residential 48 units per acre (R-48). The Rezone is subject to the following condition:

Condition#1- Prior to issuance of building permits, the applicant shall demonstrate compliance with the provisions for Adequacy of Public Facilities, specifically water and sewer service, as defined in chapter 20.60 of the Shoreline Municipal Code.

**NOTE:**

Special consideration for drainage requirements were evaluated and deemed not necessary for this proposal. Staff believes by adhering to the requirements of the 1998 King County Surface Water Design Manual, the City's goals and policies will be achieved. This proposal differs from a recent Contract Rezone for the redevelopment of South Echo Lake in that staff evaluated drainage conditions on that application and found the site had conditions that warranted special requirements such as proximity to the lake, wetlands and its buffer and other environmental factors.

**ATTACHMENTS**

Attachment A: Ordinance No. 423: BSSA to HDR and R-12 to R-48.

Attachment B: Planning Commission Findings and Determination

Attachment C: Planning Commission Staff Report

C1: Site Plan

C2: Vicinity Map with Zoning Designations

C3: Vicinity Map with Comprehensive Plan Land Use Designations

C4: Traffic Assessment from LSA Engineering

C5: Corrected SEPA Threshold Determination (with notice of public hearing)

Attachment D: Draft Planning Commission Minutes- April 6<sup>th</sup>, 2006

Approved By:

City Manager



City Attorney



ORDINANCE NO. 423

**AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON AMENDING THE CITY'S COMPREHENSIVE PLAN LAND USE DESIGNATION AND THE CITY'S OFFICIAL ZONING MAP TILE NUMBER 426 CHANGING THE COMPREHENSIVE LAND USE DESIGNATION FROM BALLINGER SPECIAL STUDY AREA TO HIGH DENSITY RESIDENTIAL AND THE ZONING FROM RESIDENTIAL 12 DU-AC (R-12) TO RESIDENTIAL 48 DU-AC (R-48) OF ONE PARCEL LOCATED AT 20060 15<sup>TH</sup> AVE NE (PARCEL NUMBER 7417700031).**

WHEREAS, the owner of the property, with parcel number 7417700031, has filed an application to change the Comprehensive Plan Land Use designation from Ballinger Special Study Area (BSSA) to High Density Residential (HDR); and

WHEREAS, the owner of the property, with parcel number 7417700031, has filed an application to reclassify the property from Residential 12 units per acre (R-12) to Residential 48 units per acre (R-48); and

WHEREAS, on April 6<sup>th</sup>, 2006, a public hearing on the application for reclassification of property was held before the Planning Commission for the City of Shoreline pursuant to notice as required by law; and

WHEREAS, on April 6<sup>th</sup>, 2006, the Planning Commission recommended approval of the Comprehensive Plan change to High Density Residential and reclassification to R-48 and entered findings of fact and conclusions based thereon in support of that recommendation; and

WHEREAS, the City Council does concur with the Findings and Determinations of the Planning Commission specifically that the Comprehensive Plan Land Use designation change to High Density Residential (HDR) and reclassification of property, located at 20060 15<sup>th</sup> Ave NE (parcel number 7417700031) to R-48 is consistent with the goals and policies of the Comprehensive Plan and appropriate for this site;

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

**Section 1.** Findings. The Findings and Determinations on File No. 201492 and File No. 301371 as set forth by the Planning Commission on April 6<sup>th</sup>, 2006 and as attached hereto as Exhibit 1 is hereby adopted.

**Section 2.** Amendment to the Comprehensive Plan Land Use Designation. The City's Comprehensive Plan is hereby amended to change the land use designation of said parcel, located at 20060 15<sup>th</sup> Ave. NE (parcel number 7417700031) and further described and depicted in Exhibit 2 attached hereto, from Ballinger Special Study Area (BSSA) to High Density Residential (HDR).

**Section 3.** Amendment to Zoning Map. The Official Zoning Map Tile 426 of the City of Shoreline is hereby amended to change the zoning classification of said parcel, located at 20060 15<sup>th</sup> Ave NE (parcel number 7417700031) and further described and depicted in Exhibit 3 attached hereto, from R-12 to R-48.

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

**Section 5.** Effective Date. 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 May 8<sup>th</sup>, 2006.**

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Mayor Robert L. Ransom

**ATTEST:**

**APPROVED AS TO FORM:**

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Scott Passey  
City Clerk

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Ian Sievers  
City Attorney

Date of Publication:  
Effective Date:

## FINDINGS AND DETERMINATION OF THE CITY OF SHORELINE PLANNING COMMISSION

Eric Sundquist Site Specific Comprehensive Plan Amendment File #301371

Eric Sundquist Rezone Request File #201492

### **Summary-**

Following the public hearing and deliberation on the request to change the Comprehensive Plan land use designation for a 15,374 Sq. Ft. parcel located at 20060 15<sup>th</sup> Ave NE, the City of Shoreline Planning Commission has determined that the request is in compliance with City codes and not detrimental to the health, safety, or welfare of the City of Shoreline, and therefore recommends approval of such action.

### **I. FINDINGS OF FACT**

#### **1. Project Description-**

- 1.1 The action is: 1) Change the Comprehensive Plan land use designation for the subject parcel from Ballinger Special Study Area (BSSA) to High Density Residential (HDR), and 2) Rezone the subject parcel from R-12 (Residential 12 units per acre) to R-48 (Residential 48 units per acre).
- 1.2 Site Address: 20060 15<sup>th</sup> Avenue NE
- 1.3 Parcel Number: 7417700031
- 1.4 Zoning: R-12
- 1.5
  - a.) The subject property has a current land use designation of Ballinger Special Study Area identified on the City of Shoreline's Comprehensive Plan Land Use Map. The status of Ballinger Special Study Area does not allow for a change in zoning.
  - b.) The proposal would change the land use designation to "HDR". Consistent zoning for the HDR land use designation ranges from R-12 to R-48. There is a concurrent rezone with this proposal to change the zoning from R-12 to R-48. Following the proposed change in land use designation, R-48 zoning would be consistent with the new comprehensive plan designation.

#### **2. Procedural History-**

- 2.1 Public hearing held by the Planning Commission: April 6<sup>th</sup>, 2006
- 2.2 Corrected Notice of Public Hearing and SEPA Determination of Nonsignificance: March 30, 2006

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- 2.3 Notice of Public Hearing and SEPA Determination of Nonsignificance: February 24<sup>th</sup>, 2006
  - 2.4 End of 14 day Public Comment Period: March 10<sup>th</sup>, 2006
  - 2.5 Notice of Application with Optional DNS: February 2<sup>nd</sup>, 2006
  - 2.6 Complete Application Date: January 9<sup>th</sup>, 2006
  - 2.7 Application Date: December 30<sup>th</sup>, 2005
  - 2.8 Neighborhood meeting Date: December 23<sup>rd</sup>, 2005
  - 2.9 Pre-Application Meeting Date: December 16<sup>th</sup>, 2005
  - 2.10 Notification of Neighborhood Meeting: December 13<sup>th</sup>, 2005

### 3 Public Comment-

- 3.1 The following individuals participated in Neighborhood Meetings:  
**No individuals attended the neighborhood meeting.**
- 3.2 Written Comments have been received from:  
**The City received one letter from Shoreline Water District stating that improvements will need to be made to existing water lines in order for the site to have appropriate water service.**
- 3.3 Oral testimony has been received from:  
**No oral testimony was given.**

### 4 SEPA Determination-

- 4.1 The optional DNS process for local project review, as specified in WAC 197-11-355, was used. A Notice of Application that stated the lead agency's intent to issue a DNS for this project was issued on February 2<sup>nd</sup>, 2006 and a 14-day comment period followed ending February 16<sup>th</sup>, 2006. City staff determined that the proposal will not have a probable significant adverse impact on the environment and that an environmental impact statement is not required under RCW 43.21C.030 (2) (c). This decision was made after visits to the project site and review of the environmental checklist, and other information on file with the City. A notice of determination of nonsignificance was issued on February 24<sup>th</sup>, 2006. That notice was corrected to properly reflect the appeal period and was re-issued on March 30<sup>th</sup>, 2006.

### 7. Consistency –

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**5.1 Site Specific Comprehensive Plan Amendment:**

The application has been evaluated and found to be consistent with the three criteria listed in Shoreline Municipal Code Section 20.30.340 (B). See proposal staff report for a list of Comprehensive Plan Goals and Policies.

**5.2 Site Rezone:**

The application has been evaluated and found to be consistent with the five criteria listed in Shoreline Municipal Code Section 20.30.320 (B).

**5.3 A recommendation to approve either the Comprehensive Plan Amendment or the Rezone does not constitute approval for any development proposal. Applicable permits shall be obtained prior to construction. Permit applications shall show compliance with the 1998 King County Storm Water Design Manual and Title 20 of the Shoreline Municipal Code (SMC). Applicable sections of the SMC include but are not limited to the following: Dimensional and Density Standards 20.50.010, Tree Conservation 20.50.290, Surface and Stormwater Management 20.60.060, and Streets and Access 20.60.140 and any conditions of the Rezone.**

## **II. CONCLUSIONS**

### **SITE SPECIFIC COMPREHENSIVE PLAN AMMENDMENT:**

Comprehensive Plan Amendments are subject to criteria contained in the Development Code. The proposal must meet the decision criteria listed in Section 20.30.340 of the SMC. The criteria are listed below, with a brief discussion of how the request meets the criteria.

**1. The amendment is consistent with the Growth Management Act and not inconsistent with the Countywide Planning Policies, and the other provisions of the Comprehensive Plan and City policies.**

This amendment is consistent with the Growth Management Act (GMA) in that it will allow for an increase in housing choice, a higher density of housing in an urban area, and an increase in the type of housing needed by seniors and smaller families. Three of the statutory goals identified in the state GMA legislation will be met by this project:



1. Guide urban growth to areas where urban services can be adequately provided.
2. Reduce urban sprawl.
3. Encourage efficient multi-modal transportation systems.

The proposal was analyzed and found to be consistent with the King County Countywide Planning Policies. The following is a discussion of how this proposal promotes countywide planning policies:

***Analysis of June 2004 King County Countywide Planning Policies:***

***FW-11*** The land use pattern for King County shall protect the natural environment by reducing the consumption of land and concentrating development. An Urban Growth Area, Rural Areas, and resource lands shall be designated and the necessary implementing regulations adopted. This includes countywide establishment of a boundary for the Urban Growth Area. Local jurisdictions shall make land use decisions based on the Countywide Planning Policies.

Approval of this proposal promotes the efficient use of land by allowing for a higher density of dwelling units and concentrating development within an urban growth area.

***FW-12*** The Urban Growth Area shall provide enough land to accommodate future urban development. Policies to phase the provision of urban services and to ensure efficient use of the growth capacity within the Urban Growth Area shall be instituted.

This proposal helps the City of Shoreline meet City growth targets as identified in the Shoreline Comprehensive Plan. By allowing the proposed change in density, a parcel that has a high level of urban services can redevelop and not place an additional burden on infrastructure.

***FW-12(a)*** All jurisdictions within King County share the responsibility to accommodate the 20-year population projection and job forecast. The population projection shall be assigned to the four sub areas of King County (Sea-Shore, East, South and the Rural Cities) proportionate with the share of projected employment growth. Anticipated growth shall be allocated pursuant to the following objectives:

- a. To ensure efficient use of land within the UGA by directing growth to Urban Centers and Activity Centers;

Approval of this proposal would allow for an efficient use of land that is currently underdeveloped in an area with a high level of urban services. Although not

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officially designated as an activity center, the Ballinger commercial area acts as one.

*b. To limit development in the Rural Areas;*  
N/A

*c. To protect designated resource lands;*  
N/A

*d. To ensure efficient use of infrastructure;*  
Approval of this proposal would allow for the development of this parcel at a higher density in an area with available infrastructure.

*e. To improve the jobs/housing balance on a sub area basis;*  
Approval of this proposal would improve the jobs/housing balance in the Seattle-Shoreline sub area by locating additional units within the City of Shoreline.

*f. To promote a land use pattern that can be served by public transportation and other alternatives to the single occupancy vehicle; and*  
This proposal would allow for the development of a parcel that is located adjacent to a well served transit corridor.

*g. To provide sufficient opportunities for growth within the jurisdictions.*  
Approval of this action would provide opportunity for growth by allowing for the placement of 17 dwelling units (the applicant is proposing 9 units) where only 4 would have been allowed under current zoning.

***LU-28*** *Within the Urban Growth Area, growth should be directed as follows: a) first, to Centers and urbanized areas with existing infrastructure capacity; b) second, to areas which are already urbanized such that infrastructure improvements can be easily extended; and c) last, to areas requiring major infrastructure improvements.*

By allowing for the development of this parcel at a higher density, this proposal would allow for a higher density development in an urbanized area with existing infrastructure capacity.

***Analysis of City of Shoreline Comprehensive Plan Land Use Element LU5:***

The most directly applicable policy in the Comprehensive Plan is Land Use Element Policy LU5, which addresses the Comprehensive Plan Amendment process:

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*Ensure that the Shoreline City Council can amend the Comprehensive Plan once a year, as established in the Growth Management Act, through an amendment process that includes:*

- a detailed statement of what is proposed to be changed and why;*
- a statement of anticipated impacts from the change and issues presented;*
- a demonstration of why existing Comprehensive Plan guidance should not continue in effect or why existing criteria no longer apply;*
- a statement of how the amendment complies with GMA goals, Countywide planning policies, City vision, and the State Environmental Policy Act (SEPA);*
- a statement of how functional plans and capital improvement programs support the change;*
- public review of the recommended change, necessary implementation, and alternatives to the change; and*
- Planning Commission review and recommendation based on findings of fact.*

This report, plus application materials submitted by the applicant, contains a detailed statement of the development proposal. The anticipated impacts and issues have also been presented in the findings section of this report.

Existing Comprehensive Plan Guidance for this parcel is not well defined and the Ballinger Special Study Area does not address changing land uses. The Ballinger Special Study Area is referred in the Comprehensive Plan as anticipating that the underlying zoning shall remain the same. However, there is precedent for change in this area. Last year, a Comprehensive Plan Amendment changed the designation of a nearby parcel from BSSA to HDR with a concurrent zone change from R-6 to R-24 approximately 1,500 feet to the south. Higher density development is occurring in this area, and this proposal reflects this change.

The 2005 Shoreline Comprehensive Plan has established a growth target of 2,651 new housing units, and has also anticipated that Shoreline would accommodate 2,618 new jobs by 2022. The 2005 Comprehensive Plan anticipated employment within City limits to reach 19,815 jobs by 2015 with the addition of 1,600 to 2,400 housing units.

The 2005 Comprehensive Plan identified different areas of the City where growth would likely occur and could be accommodated. A Comprehensive Plan Land Use map was adopted, and in some areas of the City allowed densities and intensity of uses to be increased. In many instances this change occurred in areas that had

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previously developed at a much lower intensity. The characteristics of this site lend itself to redevelopment at a higher intensity.

SEPA requirements have been met. Adequate utilities, infrastructure and transit exist in the area with some noted upgrades. Notice of this application was sent to all utilities serving the area and one letter was received from Shoreline Water District. Water and sewer availability certificates were submitted as part of the application requirements. These certificates indicate, with certain modifications, adequate capacity for the proposal. Those modifications will be addressed at the building permit stage of the process.

***Analysis of Framework Goals:***

***FG1: Accommodate anticipated levels of growth and enhance the quality of life within the City of Shoreline.***

Approval of the proposed amendment and concurrent zone change would allow for the construction of a total of 17 dwelling units, adding to the City's housing stock, provides a variety of housing types, and assists the City in meeting its established growth targets.

***FG2: Promote quality building and development that is compatible with the surrounding environment.***

The project on this site will be required to meet the standards of the Shoreline Development Code and other adopted Codes. Designs will be compatible with the existing multifamily buildings in the vicinity and will meet the Shoreline Development Code requirements.

***FG3: Support diverse and affordable housing opportunities which provide for Shoreline's population growth.***

Approval of this amendment would allow for the construction of 17 additional dwelling units on this site. The 9 units the applicant is proposing would be targeting smaller families and singles and priced below the average cost of a new single-family home.

***Analysis of 2005 Adopted Comprehensive Plan Goals and Policies:***

***Land Use Goals:***

***Goal LU I: To assure that the land use pattern of the City encourages needed, diverse, and creative development, protects existing uses, safeguards the***

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*environment, reduces sprawl, promotes efficient use of land, encourages alternative modes of transportation and helps to maintain Shoreline's sense of community.*

Designation of this parcel as High Density Residential (HDR) would allow for the construction of multiple units as an efficient use of land, potentially offering low maintenance construction and targeting smaller families and singles. Due to the site's proximity to well-served public transportation corridors, this amendment would allow for opportunities to use alternative means of transportation and help serve as a transition zone between commercial and lower density uses.

**Goal LU III:** *Encourage a variety of quality housing opportunities and appropriate infrastructure suitable for the needs of Shoreline's present and future residents.*

Approval of this proposal would allow for the creation of nine housing units, as proposed by the applicant, adding to the housing stock in the City of Shoreline. As there is suitable infrastructure in place, this development would not cause an undue burden on the facilities in the area.

#### **Land Use Policies:**

**LU8:** *Ensure land is designated to accommodate a variety of types and styles of housing units adequate to meet the future needs of Shoreline citizens.*

Through approval of this proposal and the re-designation of this parcel as High Density Residential (HDR), the nine dwelling units the applicant is proposing could be placed on this parcel. This would allow for an increase in the housing stock that is more appealing to smaller families and seniors.

**LU14:** *The High Density Residential designation is 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.*

This proposal is in an area where high density apartments and other multi-family developments exist. The subject parcel is near commercial shopping centers, transit routes and other high intensity uses.

#### **Housing Goals:**

**Goal H I:** *Provide sufficient development capacity to accommodate the 20-year growth forecast in an appropriate mix of housing types by promoting the creative and innovative use of land designated for residential and commercial use.*

Increasing the development potential of this parcel would help increase the housing stock within the City and provide for a better use of an underdeveloped

parcel. The nine potential attached townhomes will be priced less than an average new single-family home, giving more choice for those who want to live in a new unit.

**Goal H III:** *Maintain and enhance single-family and multi-family residential neighborhoods, so that they provide attractive living environments, with housing that is compatible in quality, design and scale within neighborhoods and that provides effective transitions between different uses and scales.*

Approval of this request to change the land use designation of this parcel from Ballinger Special Study Area (BSSA) to High Density Residential (HDR) would enhance the ability of this parcel to serve as a transition zone between areas of commercial uses to the north and east, and allow for construction compatible with the adjacent multiple family buildings to the south and west.

#### **Housing Policies:**

**H1:** *Encourage a variety of residential design alternatives that increase housing opportunities in a manner that is compatible with the character of existing residential and commercial development throughout the City.*

Changing the land use designation of this parcel from Ballinger Special Study Area (BSSA) to High Density Residential (HDR) will allow for the construction of nine single-family attached homes and add housing stock that is compatible with the adjacent neighboring parcels to the north, south and west while providing a buffer from the commercial uses to the east.

**H6:** *Encourage compatible infill development on vacant or underutilized sites.*

Changing the land use designation of this parcel to a higher density would allow for the construction of structures similar to those found on adjacent parcels to the south and would help provide for a transition zone for those parcels found to the north and northeast.

**2. The amendment addresses changing circumstances, changing community values, incorporates a sub area plan consistent with the Comprehensive Plan vision or corrects information contained in the Comprehensive Plan.**

The precedent for this type of development has already been set approximately 1,500 feet to the south. Application #201277, which changed the Comprehensive Plan Land Use Designation from Ballinger Special Study Area (BSSA) to High Density Residential (HDR) and also changed the zoning from R6 to R24, was passed by the City Council on June 13<sup>th</sup>, 2005. Although the Comprehensive Plan states that the Special Study Area is designated for future subarea planning,

watershed planning, special districts or neighborhood planning and it is intended for the underlying zoning to remain; the proposed zone change and Comprehensive Plan Amendment are in accord with changing land use patterns in this neighborhood.

Because of the need for a more diverse housing stock, this proposed amendment directly addresses the changing housing market and will help fill the need for higher density housing designed for smaller families and seniors. This amendment would allow for up to 17 dwelling units if built out to its full development potential. The applicant is proposing nine units. As the nearby commercial properties continue to develop and expand, this amendment would allow this parcel to redevelop and serve as a transition zone between the Regional Business parcels to the north and east and existing residential uses to the south.

**3. The amendment will benefit the community as a whole; will not adversely affect community facilities, the public health, safety or general welfare.**

Because of the proximity to the large Regional Business uses to the north and east of this parcel, and the single and multi-family uses to the south and west, the proposed amendment would serve as a transition area between the zones. Additionally, the proposed amendment would allow for the construction of up to 17 dwelling units, 13 more than currently allowed. The addition of these dwelling units to the area would not place an unreasonable burden on the community facilities, the public health, safety or general welfare. To ensure that any future developments at this site would not impact the surrounding facilities, project permits would be required subject to compliance with the requirements of the Shoreline Municipal Code.

**SITE REZONE:**

Rezoning is subject to criteria contained in the Development Code. The proposal must meet the decision criteria listed in Section 20.30.320(B) of the SMC. The criteria are listed below, with a brief discussion of how the request meets the criteria.

**1. The rezone is consistent with the Comprehensive Plan.**

Upon re-designation of this parcel to High Density Residential (HDR), the rezoning of this parcel from R-12 to R-48 will be consistent with the Comprehensive Plan. The following is a description of allowed uses within this Land Use Designation:

“High Density Residential designation is 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

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creates a transition between high intensity uses, including commercial uses, to lower intensity residential uses. All residential housing types are permitted. The permitted base density for this designation will not exceed 48 dwelling units per acre unless a neighborhood plan, sub area plan or special district overlay plan has been approved. Appropriate zoning for this designation is R-12, R-18, R-24 or R-48 Residential."

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

The future development of these sites shall show compliance with Title 20 of the Shoreline Municipal Code. Applicable sections of this code include, but are not limited to: Dimensional and Density Standards (20.50.010-20.50.050), Tree Conservation (20.50.290-20.50.370), Parking Access and Circulation (20.50.380-20.50.440), Wastewater, Water Supply and Fire Protection (20.60.030-20.60.050), Surface and Stormwater Management (20.60.060-20.60.130).

In order to ensure consistency with the requirements of the Shoreline Water District, the following condition has been added: *Prior to issuance of building permits the applicant shall demonstrate compliance with the provisions for Adequacy of Public Facilities as defined in chapter 20.60 of the Shoreline Municipal Code.*

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

Upon approval of the proposed Comprehensive Plan amendment to change the Land Use designation from Ballinger Special Study Area (BSSA), to High Density Residential (HDR), the concurrent proposal to rezone the parcel from R-12 to R-48 would be consistent with the new Land Use Designation of the parcel. See Site Rezone Criteria #1 above.

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

The rezone and future development of the subject site will not be detrimental to uses in the immediate vicinity. Adequate infrastructure (water, sewer, storm, etc.) exists in the area to support the proposed development with certain modifications. This has been verified through Certificate of Availability provided by the utility purveyors, and review of City storm water infrastructure records.

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

The rezone will help the City achieve the housing targets established by the Comprehensive Plan and required by the GMA. Further, this site is an appropriate place to accommodate development considering the intensity of the adjacent



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Commercial and High Density uses, because it is free of environmentally sensitive features, and because of close proximity to infrastructure, transit and services.

### III. RECOMMENDATION

Based on the Findings, the Planning Commission recommends approval of application #301371; a Site Specific Comprehensive Plan Amendment to change the land use designation for parcel number 7417700031 located at 20060 15<sup>th</sup> Ave NE from Ballinger Special Study Area to High Density Residential (HDR).

Based on the Findings, the Planning Commission recommends approval of application #201492; a rezone from R-12 to R-48, with the addition of the following condition:

*Condition #1: Prior to issuance of building permits the applicant shall demonstrate compliance with the provisions for Adequacy of Public Facilities as defined in chapter 20.60 of the Shoreline Municipal Code*

**City of Shoreline Planning Commission**

\_\_\_\_\_  
Chairperson

Date: \_\_\_\_\_

**PLANNING COMMISSION AGENDA ITEM**  
**CITY OF SHORELINE, WASHINGTON**

**AGENDA TITLE:** Type C Action: Quasi Judicial Public Hearing for a Site-Specific Comprehensive Plan Amendment and Rezone Application – File # 201492 and #301371 Located at 20060 15<sup>th</sup> Ave. NE.

**DEPARTMENT:** Planning and Development Services

**PRESENTED BY:** Steven Szafran, Planner II

**I. PROPOSAL**

The applicant, Eric Sundquist, and his agent, S. Michael Smith, propose to modify the existing Comprehensive Plan and zoning designations for a 15,374 Sq. Ft. parcel located at 20060 15<sup>th</sup> Ave. NE. The application before the Planning Commission is a request to change the Comprehensive Plan Land Use designation from Ballinger Special Study Area (BSSA) to High Density Residential (HDR), and to change the zoning designation from R-12 to R-48. In addition, the applicant is proposing to construct 7 single-family attached townhomes on this site where one duplex (two dwelling units) is currently under construction. The proposal has 9 total dwelling units in three separate buildings for an overall density of 25.5 dwelling units per acre. A site plan showing the site configuration of the proposal is included as **Attachment 1**.

Under the appearance of fairness doctrine, local land use decisions that are not of area wide significance shall be processed as quasi-judicial actions. Because this is an application for a site specific Comprehensive Plan amendment and rezone it shall be processed per RCW 42.36.010 as a Type C quasi-judicial action. A vicinity map showing existing zoning for the project site and adjacent properties is located in **Attachment 2**, and a vicinity map showing current Comprehensive Plan designations is attached as **Attachment 3**.

This report summarizes the issues associated with this project and illustrates how the proposal meets the criteria for site-specific Comprehensive Plan amendment and rezone as outlined in the Shoreline Municipal Code (SMC) section 20.30. Type C Actions are reviewed by the Planning Commission, where an Open Record Public Hearing is held and a recommendation for approval or denial is developed. This recommendation is forwarded to City Council, which is the final decision making authority for Type C Actions.

There is an Administrative Engineering Variance (#108867) associated with this request for a reduction of width for the access drive to the proposed townhomes and to the proposed mixed-use development to the north. The request is for a 24 foot wide drive aisle where a 30 foot drive aisle is normally required. This request was approved on March 7<sup>th</sup>, 2006. With the current designation of Ballinger Special Study Area and a zoning of R-12 there is the potential to build four single-family residences on the site

subject to the Shoreline Development Code Standards. There is currently one duplex (two dwelling units) under construction on the site and one existing single-family home. The proposed amendment and rezone would allow the construction of up to 17 dwelling units but the applicant is only proposing 9 units, also subject to the requirements of the Shoreline Development Code.

## **II. FINDINGS**

### **1. SITE**

The subject site is located at 20060 15<sup>th</sup> Ave. NE and is on the east side of 15<sup>th</sup> Ave. NE, approximately 450 feet south of Ballinger Way N. The site is currently being developed (building permit # 107844) with a duplex oriented towards 15<sup>th</sup> Ave. NE. The site is relatively flat with a small slope on the easternmost area of the site. There are few trees and vegetation. Access to the property is from a 24 foot driveway off of 15<sup>th</sup> Ave. NE that is proposed to serve this development along with the proposed mixed use development to the immediate north.

### **2. NEIGHBORHOOD**

The project site is located in the Ballinger Neighborhood. Access to the property is from 15<sup>th</sup> Ave. NE and the street is classified as a Principal Arterial. The site is surrounded by a variety of zoning and land-uses (see Attachments 1 and 2). To the north are two parcels owned by the applicant, zoned R-48 and proposed for a mixed use development consisting of a 21-unit apartment building and office space for an overall density of 47.5 dwelling units per acre. To the east are commercial uses zoned Community Business (CB) fronting along Ballinger Way N. A duplex zoned R-12 is to the south with higher density apartments to the south of that zoned R-24. Across 15<sup>th</sup> Ave. NE to the west are a mini-warehouse development and townhomes zoned R-24 and single-family residences zoned R-12. Most of the surrounding land uses gain access from 15<sup>th</sup> Ave. NE and the street is wide with full frontage improvements (curb, gutter, and sidewalk). On-street parking is available.

### **3. PUBLIC PROCESS AND COMMENTS**

The application process for this project began on December 16<sup>th</sup>, 2005 when the pre-application meeting was held with the applicant and city staff. The applicant held the required neighborhood meeting on December 23<sup>rd</sup>, 2005. The formal application was submitted to the City on December 30<sup>th</sup>, 2005. The application was determined complete on January 9<sup>th</sup>, 2006. A public notice of application and public hearing was 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 sites on February 2<sup>nd</sup>, 2006. Notice was also given to the Ballinger Neighborhood Association. The notice asked for public comments on the proposal and advertised a preliminary SEPA Threshold Determination. No letters of public comment regarding this proposal were received. There were also no comments received during the required neighborhood meeting.

On March 2<sup>nd</sup>, 2006 upon expiration of the public comment period, a Notice of Public Hearing and SEPA threshold of determination was mailed to the property owners within

500 feet of the project site, as well as the parties of record. The site was also posted and the notice was published in the Seattle Times and Shoreline Enterprise.

#### 4. ENVIRONMENTAL REVIEW

City staff has reviewed the environmental checklist submitted with the application in conjunction with resources on file with the City. The following is a summary of the findings:

Wildlife: There is no known priority or endangered species found at this site, and this parcel provides little functional value to support wildlife habitat in its current state (It is a mostly flat, cleared site with little vegetation).

Traffic, Infrastructure and Utilities: The *Institute of Transportation Engineers Trip Generation Manual* was used to determine the potential number of p.m. peak hour trips generated. If developed as proposed (9 dwelling units), the site's total estimated p.m. peak hour vehicle would not exceed 9. SMC 20.60.140 (A) identifies that any proposal that would generate 20 or more p.m. peak hour trips requires submittal of a traffic study. No traffic study has been required but the applicant has submitted a traffic assessment comparing the traffic impacts of the current single-family residence on-site and the proposed town home project. The traffic assessment found no significant differences in traffic volume between what exists on site as compared to the proposed increase in density. **Attachment 4** contains the traffic assessment of the existing and proposed development. The attachment is based on 10 units the applicant was originally proposing. The current proposal is for 9 units.

Some utilities will need to be upgraded. The Shoreline Water District currently has a 6 inch water line in the street in front of the property. On May 17<sup>th</sup>, 2005 the District's Engineers ran a fire flow analysis showing 1,410 gpm fire flows. This is less than required by the District and will require water system improvements before water can be delivered to the property. Additionally, sewer lines will need to be upgraded and extended as indicated on the sewer availability certificate.

This site is located within close proximity to a well served public transportation corridor 15<sup>th</sup> Ave. NE and Ballinger Way N. and both of these streets are identified on City transportation maps as a Principal Arterials. There are many bus routes serves along 15<sup>th</sup> Ave. NE and along Ballinger Way N. Frontage improvements currently exist on 15<sup>th</sup> Ave. NE and may need to be upgraded. These upgrades would include sidewalk, curb and gutter and will be discussed at the time of building permit issuance.

Future development of this site will also require that the infrastructure accommodates anticipated storm water increases caused by an increase in impervious surfaces. Storm water improvements would be required as part of the building permit process.

Housing: There is a duplex under construction on the site. There is also an existing single-family home on the site that will be demolished in the near future. The proposed Comprehensive Plan amendment and rezone is to change the land use designation from Ballinger Special Study Area to High Density Residential (HDR) and rezone from R-12 (12 dwelling units per acre) to R-48 (48 dwelling units per acre). The approval of

this action would potentially allow for up to 17 dwelling units (9 total units are proposed) subject to the density and design standards of the Shoreline Development code.

**Aesthetics and Land Use:** The R-48 zoning district has a building height limit of 50 feet, while the R-12 zone has a 35-foot height limit. The height of the proposed townhomes and duplex under construction are 32 feet, well under the allowed maximum height of 50 feet. The townhomes will incorporate required design elements as identified in the Development Code and include such elements as horizontal offsets in ridge lines, gables, porches and balconies. The following table reflects the differences in development standards for R-12 and R-48 residential development as outlined in SMC 20.50.020.

<b>Standard</b>	<b>R-12</b>	<b>R-48</b>
Front Yard Setback	10'	10'
Side yard Setback	5'	5'
Rear yard Setback	5'	5'
*Side and Rear Setback (From R-4 and R-6; to serve as a buffer)	N/A	N/A
Base Height	35'	50'
Maximum Building Coverage	55%	70%
Maximum Impervious Surface	75%	90%

**Tree Removal:** There are seven significant trees (8 inches or greater conifers) located along the eastern and southern boundaries of the subject site. The applicant is allowed to remove up to six significant trees without a permit. If the applicant is intending to remove all seven significant trees, the applicant will need to comply with Section 20.50.320 of the Shoreline Development Code regarding tree protection and replacement.

**SEPA Threshold Determination.** Based on the above analysis, information provided in the checklist and from the public and other agencies, the City has issued a Determination of Non-significance (DNS) for this site specific Comprehensive Plan amendment and rezone, based on the findings that the proposed land use action generally does not exceed impacts that would be permitted under the proposed land use designation and zoning. See **Attachment 5** for the SEPA Threshold Determination.

## **5. CRITERIA**

Comprehensive Plan Amendments and Rezones are subject to criteria contained in the Development Code. The proposal must meet the decision criteria listed in Section

20.30.320(B) and 20.30.340 of the SMC. The criteria are listed below, with a discussion of how the request meets the criteria.

#### **SITE SPECIFIC COMPREHENSIVE PLAN AMENDMENT:**

- 1. The amendment is consistent with the Growth Management Act and not inconsistent with the Countywide Planning Policies, and the other provisions of the Comprehensive Plan and City policies.**

This amendment is consistent with the Growth Management Act (GMA) in that it will allow for an increase in housing choice, a higher density of housing in an urban area, and an increase in the type of housing needed by seniors and smaller families. Three of the statutory goals identified in the state GMA legislation will be met by this project:

1. Guide urban growth to areas where urban services can be adequately provided.
2. Reduce urban sprawl.
3. Encourage efficient multi-modal transportation systems.

The proposal was analyzed and found to be consistent with the King County Countywide Planning Policies. The following is a discussion of how this proposal promotes Countywide planning policies:

#### ***Analysis of June 2004 King County Countywide Planning Policies:***

***FW-11*** The land use pattern for King County shall protect the natural environment by reducing the consumption of land and concentrating development. An Urban Growth Area, Rural Areas, and resource lands shall be designated and the necessary implementing regulations adopted. This includes countywide establishment of a boundary for the Urban Growth Area. Local jurisdictions shall make land use decisions based on the Countywide Planning Policies.

Approval of this proposal promotes the efficient use of land by allowing for a higher density of dwelling units and concentrating development within an urban growth area.

***FW-12*** The Urban Growth Area shall provide enough land to accommodate future urban development. Policies to phase the provision of urban services and to ensure efficient use of the growth capacity within the Urban Growth Area shall be instituted.

This proposal helps the City of Shoreline meet City growth targets as identified in the Shoreline Comprehensive Plan. By allowing the proposed change in density, a parcel that has a high level of urban services can redevelop and not place an additional burden on infrastructure.

**FW-12(a)** *All jurisdictions within King County share the responsibility to accommodate the 20-year population projection and job forecast. The population projection shall be assigned to the four sub areas of King County (Sea-Shore, East, South and the Rural Cities) proportionate with the share of projected employment growth. Anticipated growth shall be allocated pursuant to the following objectives:*

*a. To ensure efficient use of land within the UGA by directing growth to Urban Centers and Activity Centers;*

Approval of this proposal would allow for an efficient use of land that is currently underdeveloped in an area with a high level of urban services. Although not officially designated as an activity center, the Ballinger commercial area acts as one.

*b. To limit development in the Rural Areas;*

N/A

*c. To protect designated resource lands;*

N/A

*d. To ensure efficient use of infrastructure;*

Approval of this proposal would allow for the development of this parcel at a higher density in an area with available infrastructure.

*e. To improve the jobs/housing balance on a sub area basis;*

Approval of this proposal would improve the jobs/housing balance in the Seattle-Shoreline sub area by locating additional units within the City of Shoreline.

*f. To promote a land use pattern that can be served by public transportation and other alternatives to the single occupancy vehicle; and*

This proposal would allow for the development of a parcel that is located adjacent to a well served transit corridor.

*g. To provide sufficient opportunities for growth within the jurisdictions.*

Approval of this action would provide opportunity for growth by allowing for the placement of 9 dwelling units where only 4 would have. been allowed.

**LU-28** *Within the Urban Growth Area, growth should be directed as follows: a) first, to Centers and urbanized areas with existing infrastructure capacity; b) second, to areas which are already urbanized such that infrastructure improvements can be easily extended; and c) last, to areas requiring major infrastructure improvements.*

By allowing for the development of this parcel at a higher density, this proposal would allow for a higher density development in an urbanized area with existing infrastructure capacity.

**Analysis of City of Shoreline Comprehensive Plan Land Use Element LU5:**

The most directly applicable policy in the Comprehensive Plan is Land Use Element Policy LU5, which addresses the Comprehensive Plan Amendment process:

*Ensure that the Shoreline City Council can amend the Comprehensive Plan once a year, as established in the Growth Management Act, through an amendment process that includes:*

- a detailed statement of what is proposed to be changed and why;*
- a statement of anticipated impacts from the change and issues presented;*
- a demonstration of why existing Comprehensive Plan guidance should not continue in effect or why existing criteria no longer apply;*
- a statement of how the amendment complies with GMA goals, Countywide planning policies, City vision, and the State Environmental Policy Act (SEPA);*
- a statement of how functional plans and capital improvement programs support the change;*
- public review of the recommended change, necessary implementation, and alternatives to the change; and*
- Planning Commission review and recommendation based on findings of fact.*

This report, plus application materials submitted by the applicant, contains a detailed statement of the development proposal. The anticipated impacts and issues have also been presented in the findings section of this report.

Existing Comprehensive Plan Guidance for this parcel is not well defined and the Ballinger Special Study Area does not address changing land uses. The Ballinger Special Study Area is referred in the Comprehensive Plan as anticipating that the underlying zoning shall remain the same. However, there is precedent for change in this area. Last year, a Comprehensive Plan Amendment changed the designation of a nearby parcel from BSSA to HDR with a concurrent zone change from R-6 to R-24 approximately 1,500 feet to the south. Higher density development is occurring in this area, and this proposal reflects this change.

The 2005 Shoreline Comprehensive Plan has established a growth target of 2,651 new housing units, and has also anticipated that Shoreline would accommodate 2,618 new jobs by 2022. The 2005 Comprehensive Plan anticipated employment within City limits to reach 19,815 jobs by 2015 with the addition of 1,600 to 2,400 housing units.

The 2005 Comprehensive Plan identified different areas of the City where growth would likely occur and could be accommodated. A Comprehensive Plan Land Use map was adopted, and in some areas of the City allowed densities and intensity of uses to be increased. In many instances this change occurred in areas that had previously developed at a much lower intensity. The characteristics of this site lend itself to redevelopment at a higher intensity.



As discussed on page 4 of this report, SEPA requirements have been met. Adequate utilities, infrastructure and transit exist in the area with some noted upgrades. Notice of this application was sent to all utilities serving the area and no comments were received. Additionally, water and sewer availability certificates were submitted as part of the application requirements. These certificates indicate, with certain modifications, adequate capacity for the proposal. Those modifications will be addressed at the building permit stage of the process.

### ***Analysis of Framework Goals:***

***FG1: Accommodate anticipated levels of growth and enhance the quality of life within the City of Shoreline.***

Approval of the proposed amendment and concurrent zone change would allow for the construction of a total of 9 dwelling units, 5 more than currently permitted, adding to the City's housing stock, provides a variety of housing types, and assists the City in meeting its established growth targets.

***FG2: Promote quality building and development that is compatible with the surrounding environment.***

The project on this site will be required to meet the standards of the Shoreline Development Code and other adopted Codes. Designs will be compatible with the existing multifamily buildings in the vicinity and will meet the Shoreline Development Code requirements.

***FG3: Support diverse and affordable housing opportunities which provide for Shoreline's population growth.***

Approval of this amendment would allow for the construction of 5 additional dwelling units more than currently permitted on this site. The 9 total units would be targeting smaller families and singles and priced below the average cost of a new single-family home.

### ***Analysis of 2005 Adopted Comprehensive Plan Goals and Policies:***

#### **Land Use Goals:**

***Goal LU I: To assure that the land use pattern of the City encourages needed, diverse, and creative development, protects existing uses, safeguards the environment, reduces sprawl, promotes efficient use of land, encourages alternative modes of transportation and helps to maintain Shoreline's sense of community.***

Designation of this parcel as High Density Residential (HDR) would allow for the construction of multiple units as an efficient use of land, potentially offering low maintenance construction and targeting smaller families and singles. Due to the site's proximity to well-served public transportation corridors, this amendment would allow for opportunities to use alternative means of transportation and help serve as a transition zone between commercial and lower density uses.

**Goal LU III:** *Encourage a variety of quality housing opportunities and appropriate infrastructure suitable for the needs of Shoreline's present and future residents.*

Approval of this proposal would allow for the creation of up to nine housing units, as proposed by the applicant, adding to the housing stock in the City of Shoreline. As there is suitable infrastructure in place, this development would not cause an undue burden on the facilities in the area.

#### **Land Use Policies:**

**LU8:** *Ensure land is designated to accommodate a variety of types and styles of housing units adequate to meet the future needs of Shoreline citizens.*

Through approval of this proposal and the re-designation of this parcel as High Density Residential (HDR), the nine dwelling units the applicant is proposing could be placed on this parcel. This would allow for an increase in the housing stock that is more appealing to smaller families and seniors.

**LU14:** *The High Density Residential designation is 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.*

This proposal is in an area where high density apartments and other multi-family developments exist. The subject parcel is near commercial shopping centers, transit routes and other high intensity uses.

#### **Housing Goals:**

**Goal H I:** *Provide sufficient development capacity to accommodate the 20-year growth forecast in an appropriate mix of housing types by promoting the creative and innovative use of land designated for residential and commercial use.*

Increasing the development potential of this parcel would help increase the housing stock within the City and provide for a better use of an underdeveloped parcel. The nine potential attached townhomes will be priced less than an average new single-family home, giving more choice for those who want to live in a new unit.

**Goal H III:** *Maintain and enhance single-family and multi-family residential neighborhoods, so that they provide attractive living environments, with housing that is compatible in quality, design and scale within neighborhoods and that provides effective transitions between different uses and scales.*

Approval of this request to change the land use designation of this parcel from Ballinger Special Study Area (BSSA) to High Density Residential (HDR) would enhance the ability of this parcel to serve as a transition zone between areas of commercial uses to the north and east, and allow for construction compatible with the adjacent multiple family buildings to the south and west.

#### **Housing Policies:**

*H1: Encourage a variety of residential design alternatives that increase housing opportunities in a manner that is compatible with the character of existing residential and commercial development throughout the City.*

Changing the land use designation of this parcel from Ballinger Special Study Area (BSSA) to High Density Residential (HDR) will allow for the construction of nine single-family attached homes and add an increase in housing stock that is compatible with the adjacent neighboring parcels to the north, south and west while providing a buffer from the commercial uses to the east.

*H6: Encourage compatible infill development on vacant or underutilized sites.*

Changing the land use designation of this parcel to a higher density would allow for the construction of structures similar to those found on adjacent parcels to the south and would help provide for a transition zone for those parcels found to the north and northeast.

**2. The amendment addresses changing circumstances, changing community values, incorporates a sub area plan consistent with the Comprehensive Plan vision or corrects information contained in the Comprehensive Plan.**

The precedent for this type of development has already been set approximately 1,500 feet to the south. Application #201277, which changed the Comprehensive Plan Land Use Designation from Ballinger Special Study Area (BSSA) to High Density Residential (HDR) and also changed the zoning from R6 to R24, was passed by the City Council on June 13<sup>th</sup>, 2005. Although the Comprehensive Plan states that the Special Study Area is designated for future sub area planning, watershed planning, special districts or neighborhood planning and it is intended for the underlying zoning to remain; the zone change and Comprehensive Plan Amendment before the Planning Commission address a changing land use pattern in this neighborhood. Because of the need for a more diverse housing stock, this proposed amendment directly addresses the changing housing market and will help fill the need for higher density housing designed for smaller families and seniors. This amendment would allow for up to nine smaller families to live where only four would have under the current zoning. Additionally, as the commercial properties continue to develop and expand, this amendment would allow this parcel to develop and serve as a transition zone between the Regional Business parcels to the north and east and existing residential uses to the south.

**3. The amendment will benefit the community as a whole; will not adversely affect community facilities, the public health, safety or general welfare.**

Because of the proximity to the large Regional Business uses to the north and east of this parcel, and the single and multi-family uses to the south and west, the proposed amendment would serve as a transition area between the zones. Additionally, the proposed amendment would allow for the construction of up to nine dwelling units, five more than currently allowed. The addition of these five dwelling units to the area would not place an unreasonable burden on the community facilities, the public health, safety or general welfare. To ensure that any

future developments at this site would not impact the surrounding facilities, project permits would be required subject to compliance with the requirements of the Shoreline Municipal Code.

## **SITE REZONE CRITERIA:**

### **1. The rezone is consistent with the Comprehensive Plan.**

Upon re-designation of this parcel to High Density Residential (HDR), the rezoning of this parcel from R-12 to R-48 will be consistent with the Comprehensive Plan. The following is a description of allowed uses within this Land Use Designation:

“High Density Residential designation is 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. The permitted base density for this designation will not exceed 48 dwelling units per acre unless a neighborhood plan, sub area plan or special district overlay plan has been approved. Appropriate zoning for this designation is R-12, R-18, R-24 or R-48 Residential.”

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

The future development of these sites shall show compliance with Title 20 of the Shoreline Municipal Code. Applicable sections of this code include, but are not limited to: Dimensional and Density Standards (20.50.010-20.50.050), Tree Conservation (20.50.290-20.50.370), Parking Access and Circulation (20.50.380-20.50.440), Wastewater, Water Supply and Fire Protection (20.60.030-20.60.050), Surface and Stormwater Management (20.60.060-20.60.130). In order to ensure consistency with the requirements of the Shoreline Water District, staff suggests a condition to the rezone that will be explained as part of the preliminary staff recommendation.

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

Upon approval of the proposed Comprehensive Plan amendment to change the Land Use designation from Ballinger Special Study Area (BSSA), to High Density Residential (HDR), the concurrent proposal to rezone the parcel from R-12 to R-48 would be consistent with the new Land Use Designation of the parcel. See Site Rezone Criteria #1 above.

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

The rezone and future development of the subject site will not be detrimental to uses in the immediate vicinity. Adequate infrastructure (water, sewer, storm, etc.)

exists in the area to support the proposed development. This has been verified through Certificate of Availability provided by the utility purveyor, and review of City storm water infrastructure records.

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

The rezone will help the City achieve the housing targets established by the Comprehensive Plan and required by the GMA. Further, this site is an appropriate place to accommodate development considering the intensity of the adjacent Commercial and High Density uses, because it is free of environmentally sensitive features, and because of close proximity to infrastructure.

**III. CONCLUSIONS**

- 1. Consistency-** The proposed site specific Comprehensive Plan amendment and concurrent rezone is consistent with the Washington State Growth Management Act, King County Countywide Planning Policies, the City of Shoreline 2005 adopted Comprehensive Plan, and the City of Shoreline Development Code.
- 2. Compatibility-** The proposed zoning is consistent with the proposed changes in land use designation as identified in this site specific Comprehensive Plan amendment.
- 3. Housing / Employment Targets-** The project increases the ability for the City of Shoreline to achieve housing targets as established by King County to meet requirements of the Growth Management Act.
- 4. Environmental Review-** The project has satisfied the requirements of the State Environmental Policy Act (SEPA).

**IV. PLANNING COMMISSION ROLE AND OPTIONS**

As this is a Type C action, the Planning Commission is required to conduct a Public Hearing on the proposal. The Commission should consider the application and any public testimony and develop a recommendation for rezone approval or denial. The City Council will then consider this recommendation prior to their final adoption of the application.

Planning Commission has the following options for the application:

1. Recommend approval to re-designate the land use and rezone parcel number 7417700031 based on the findings presented in this staff report.
2. Recommend denial of the re-designation and rezone application based on specific findings made by the Planning Commission.
3. Recommend changes to the proposal based on findings.

**V. PRELIMINARY STAFF RECOMMENDATION**

Based on the Findings and Site Specific Comprehensive Plan Amendment and Concurrent Zone Change Criteria, the City Staff recommend approval of application #201492 and #301371; a Site Specific Comprehensive Plan Amendment to change the

land use designation from Ballinger Special Study Area (BSSA) to High Density Residential (HDR) and rezone from R-12 to R-48 for parcel number 7417700031 (20060 15<sup>th</sup> Avenue NE, Shoreline, WA 98177).

Condition#1- Prior to issuance of building permits, the applicant shall demonstrate compliance with the provisions for Adequacy of Public Facilities as defined in chapter 20.60 of the Shoreline Municipal Code.

## **VI. ATTACHMENTS**

Attachment 1: Site Plan

Attachment 2: Vicinity Map with Zoning Designations

Attachment 3: Vicinity Map with Comprehensive Plan Designations

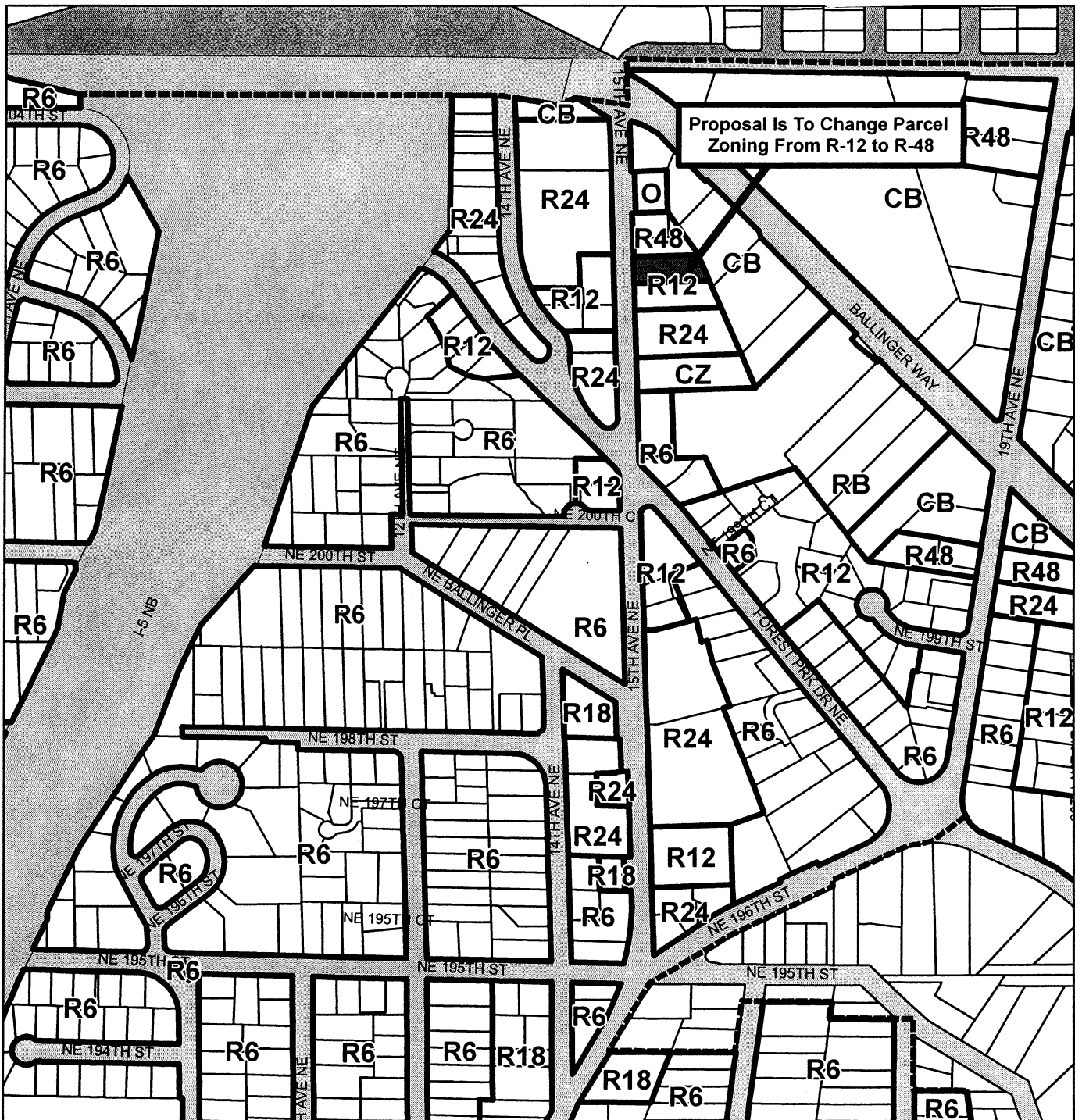
Attachment 4: Traffic Assessment from LSA Engineering

Attachment 5: Corrected SEPA Threshold Determination (with notice of public hearing)

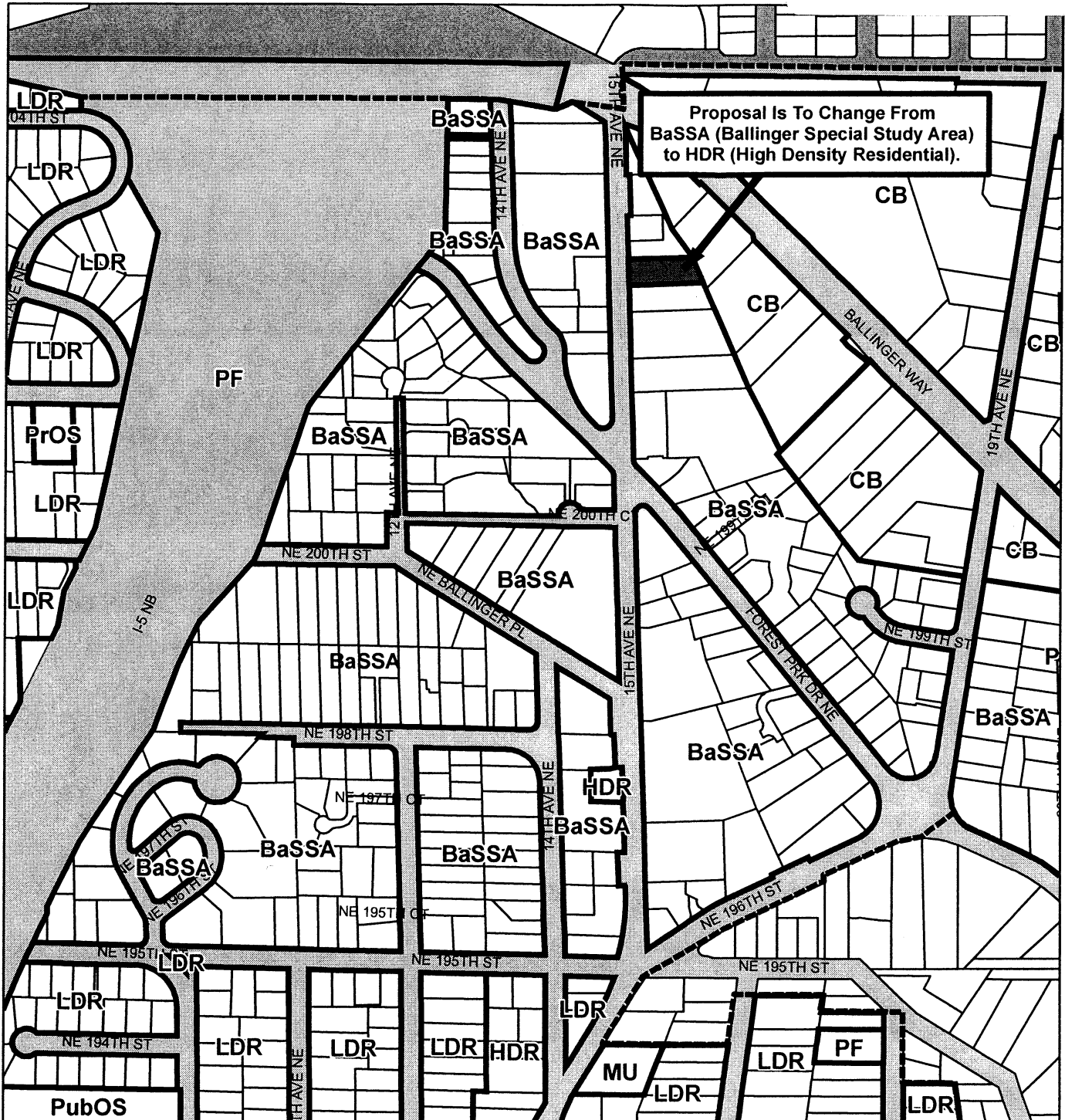
~~ITEM 8.i - ATTACHMENT I~~



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# SHORELINE

## Geographic Information System

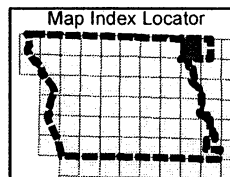
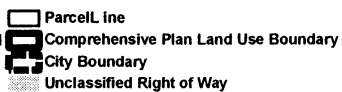
# City of Shoreline Comprehensive Plan

**Representation of Official  
Comprehensive Land Use  
Map Adopted By  
City Ordinance No.2 92.**

Shows amendments through  
July 26, 2001.

### Legend

LDR - Low Density Residential  
MDR - Medium Density Residential  
HDR - High Density Residential  
Mixed Use  
Community Business  
Regional Business  
Public Facilities  
Single Family Institution  
Special Study Area  
Ballinger Special Study Area  
Briarcrest Special Study Area  
North City Business District  
Paramount Special Study Area  
Private Open Space  
Public Open Space



0 125 250 500 Feet



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

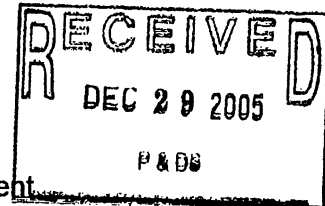
Created on March 1, 2006

**ITEM 8.i . ATTACHMENT C 4**

December 29, 2005

LSA No. 4577

City of Shoreline  
Department of Development Services  
Attn: Steven Szafran  
17544 Midvale Avenue North  
Shoreline, WA 98133



Re: Viking Properties: 15<sup>th</sup> Ave NE 10- Unit Townhome Development  
Traffic Generation and Distribution

Dear Mr. Szafran:

The following letter has been prepared to address the request for traffic impact assessment for a proposed 10 unit townhome development by Viking Properties. This assessment supplements the application for a comprehensive plan amendment and concurrent rezone application for the 10 unit townhome development.

### **Proposed Site Development**

The project is located on 15<sup>th</sup> Avenue NE approximately 1,000 feet east of Interstate Five and 500 feet south of NE 205<sup>th</sup> Street (SR-104). At this location 15<sup>th</sup> Ave NE serves as a arterial street providing north-south access between residential areas and the business and retail areas on SR-104. 15<sup>th</sup> Avenue NE is a two-lane street posted 35 mph in both directions along the projects frontage.

The proposed comprehensive plan amendment and concurrent rezone application seeks to reclassify the 15,000 sf parcel from its existing R-12 designation to R-48. Access to the site will be provided by a shared drive way with the property just north of the site. The neighboring property to the north currently zoned R-48 proposes to replace the current office building with a 3,000 sf office and 21 unit apartment complex in the near future. This report does not evaluate the proposed development of the northern parcel.

### **Trip Generation**

The establishment of residential townhouse units will result in new traffic. The amount of new traffic, trip generation, can be determined using the trip generation rates provided in the *Institute of Transportation Engineers (ITE) Trip Generation Manual, 7th Edition*. One existing single family home currently generates traffic on-site. Thus, net traffic generation will result from an increase of 10 townhome units with credit for the existing single family house (10 townhouse units - 1 existing SFR). The number of trips have been estimated using the average vehicle trip rates for *Land Use Code 210, Single Family Detached Housing*. Due to the relatively small size of the project a conservative approach using the *Single Family*

Detached Housing ITE code 210 was used instead of the Residential Condominium/Townhouse ITE code 230. The following table estimates the average weekday and PM peak hour trips for the project:

Table 1 Traffic Generation - Average Rates 15 <sup>th</sup> Ave NE 10- Unit Townhome Development	
Total Average Weekday Trips (ADT)	
1 Existing single family residences at 9.57 ADT .....	9.6
10 Townhouse Units at 9.57 ADT .....	95.7
	Net = 86.1
PM Peak Hour Trips	
1 Existing single family residences at 1.01 vph .....	1.0
10 Townhouse Units at 1.01 vph .....	10.1
	Net = 9.1
Inbound Trips ( 63% ) .....	5.7
Outbound Trips ( 37% ) .....	3.4
1. Trip rates are average trip rates from ITE Trip Generation Manual, 7th Edition. Code 210	

### Trip Distribution

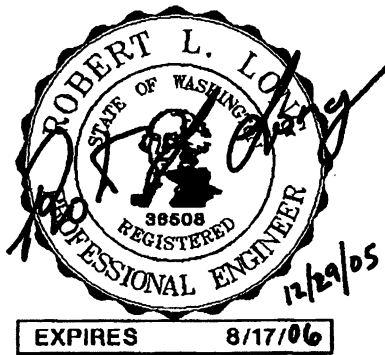
The purpose of the trip distribution is to evaluate the impact of new traffic generated by the proposed development on the surrounding road system. Trip distribution from the proposed development is based on the distribution of peak hour trips. The traffic distribution uses a gravity model and considers the location of employment and retail centers. The distribution of the project's PM peak hour trips is shown in Figure 2.

### Project Access

Along the frontage of the site 15<sup>th</sup> Ave NE is relatively straight and sloped at a constant grade and thus the access location has adequate entering sight distance in both directions. As discussed above, the project proposes to use a shared drive for joint access for the project and the parcel north of the site. The proposed 10 townhomes, the future 21 apartment units, and the 3,000 sf office building is expected to generate between 25 and 35 PM peak hour trips in total. This equates to less than one trip per hour during the peak hour. Thus, the proposed single shared access is expected to adequately serve both the project site and the northern adjacent parcel's future development.

I trust this information is sufficient for your current needs. Please let me know if you have any questions.

Sincerely,



Robert L. Long, P.E.

Attachments:

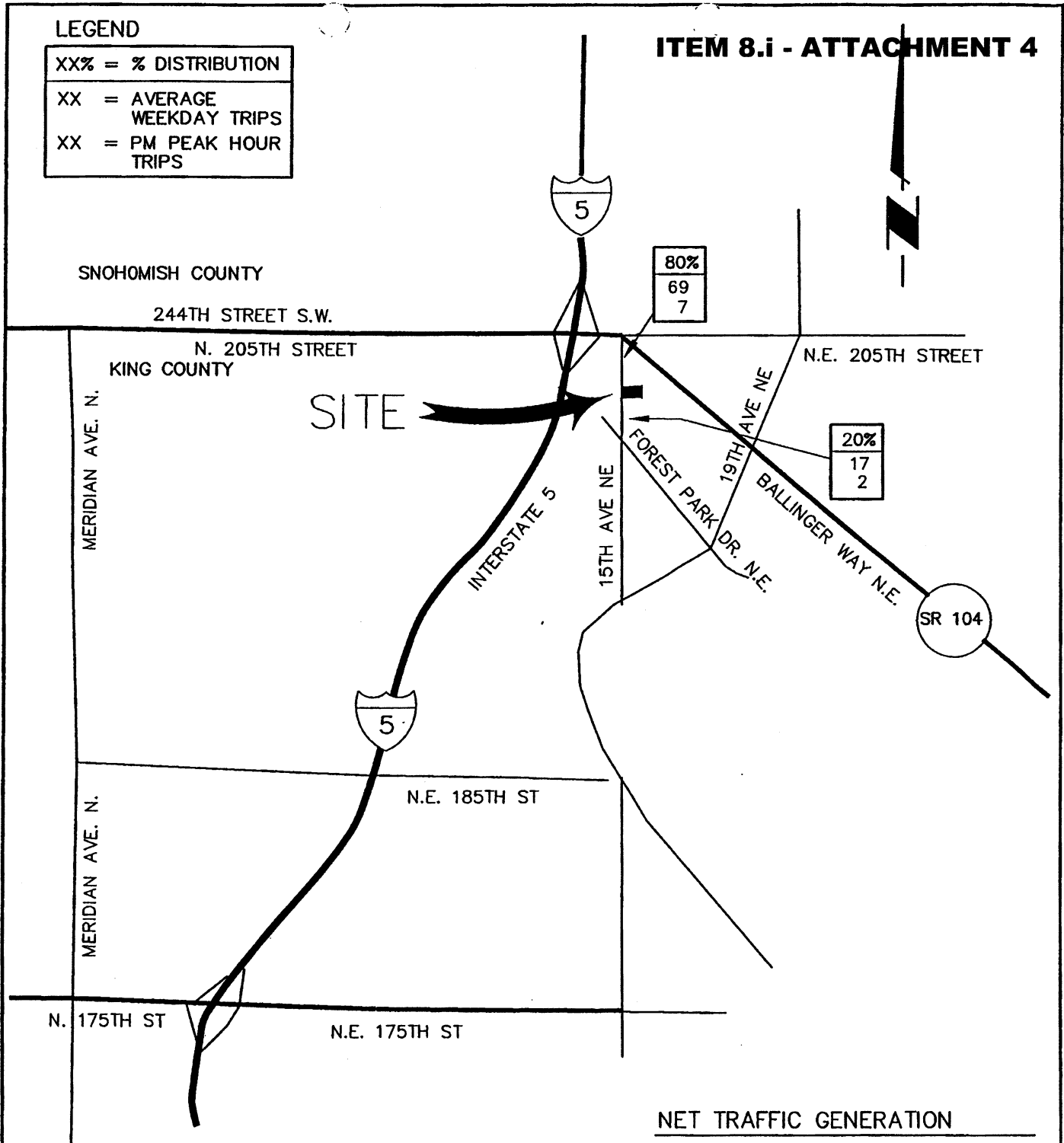
Figure No. 1- 10 Unit Townhome Site Plan  
Figure No. 2- Trip Distribution



# ITEM 8.i - ATTACHMENT 4

## LEGEND

XX%	= % DISTRIBUTION
XX	= AVERAGE WEEKDAY TRIPS
XX	= PM PEAK HOUR TRIPS



## NET TRAFFIC GENERATION

NET WEEKDAY ADT..... 86.1  
NET PM PEAK HOUR.....9.1

VIKING PROPERTIES, INC. (10 UNITS)  
NET TRAFFIC DISTRIBUTION MAP  
FIGURE NO. 2

LSA No. 4577



## Planning and Development Services

17544 Midvale Avenue N., Shoreline, WA 98133-4921  
(206) 546-1811 ♦ Fax (206) 546-8761

# **CORRECTED NOTICE OF PUBLIC HEARING AND SEPA THRESHOLD DETERMINATION OF NONSIGNIFICANCE (DNS)**

## **REZONE APPLICATION**

### **PROJECT INFORMATION**

**PROPOSED ACTION:** Comprehensive Plan Amendment With Concurrent Rezone

**PROPOSED PROJECT DESCRIPTION:** 1. Change the Comprehensive Plan Land Use Designation from Ballinger Special Study Area (BSSA) to High Density Residential (HDR) and concurrently rezone from R-12 to R-48.  
2. Permit 9 total dwelling units (7 proposed attached single-family homes where one duplex is currently under construction) on a 15,374 square foot lot for an overall density of 25.5 units per acre.

**PROJECT NUMBERS:** 201492

**PROPERTY OWNER/  
APPLICANT/AGENT:** Eric Sundquist (Owner)/ S. Michael Smith (Owner's Authorized Agent)

**LOCATION:** 20060 15<sup>th</sup> Avenue NE, Shoreline, WA

**CURRENT ZONING:** R-12 (Residential 12 dwelling units/acre)

**CURRENT COMPREHENSIVE PLAN  
LAND USE DESIGNATION:** Ballinger Special Study Area

**DATE OF APPLICATION:** December 30<sup>th</sup>, 2005

**DETERMINATION OF  
COMPLETENESS:** January 9<sup>th</sup>, 2006

**EFFECTIVE DATE OF NOTICE:** March 16<sup>th</sup>, 2006

**END OF APPEAL PERIOD:** March 30<sup>th</sup>, 2006 5:00 P.M.

**OPEN RECORD HEARING DATE:** April 6<sup>th</sup>, 2006 7:00 P.M.  
Shoreline Center, Board Room, 18560 1<sup>ST</sup> AVE NE, Shoreline WA

### **PROJECT REVIEW**

The Planning and Development Services Department has conducted an initial evaluation of the project proposal in accordance with procedures outlined in the Shoreline Municipal code. Issuance of this notice does not constitute approval of this project proposal for construction; the project will require issuance of a building permit, right-of-way use permit, and ancillary permits. Additional conditions based on further staff review may be required for incorporation into the project proposal.

Information related to this application is available at the Planning and Development Services Department for review. Preliminary determination of the development regulations that will be used for project mitigation and consistency include, but are not limited to: the *Shoreline Municipal Code*, *City of Shoreline Comprehensive Plan*, *International Building Code*, *International Fire Code*, and *King County Surface Water Design Manual*.

### **SEPA THRESHOLD DETERMINATION OF NONSIGNIFICANCE (DNS)**

This Determination of Nonsignificance (DNS) is issued in accordance with WAC 197-11-340. The City of Shoreline has determined that the proposal will not have a probable significant adverse impact(s) on the environment and that an Environmental Impact Statement (EIS) is not required under RCW 43.21C.030 (2) (c). This decision was made after review of the submitted SEPA Environmental Checklist, therezone application, technical information reports and other information on file at the City of Shoreline. This information is available for public review upon request at no charge.

### **PUBLIC COMMENT AND APPEAL INFORMATION**

There is no additional comment period for this DNS. The optional DNS process as specified in WAC 197-11-355 is being used. The Notice of Application issued on February 2<sup>nd</sup>, 2006 stated the intent of the City of Shoreline to issue a DNS for this proposal using the optional process. Appeals of this DNS must comply with the Shoreline Municipal Code (SMC) general provisions for land use hearings and appeals and be received by the City of Shoreline on or before March 30<sup>th</sup>, 2006 at 5:00 p.m. The accompanying appeal fee is \$380.00. For questions, please contact Steven Szafran, Project Manager at 206-546-0786, or write to: *City of Shoreline Planning and Development Services, 17544 Midvale Avenue North, Shoreline, WA 98133*

**DRAFT**

These Minutes Subject to  
May 4<sup>th</sup> Approval

## **CITY OF SHORELINE**

### **SHORELINE PLANNING COMMISSION SUMMARY MINUTES OF REGULAR MEETING**

April 6, 2006  
7:00 P.M.

Shoreline Conference Center  
Board Room

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#### **COMMISSIONERS PRESENT**

Chair Harris  
Vice Chair Piro  
Commissioner Broili  
Commissioner McClelland  
Commissioner Phisuthikul  
Commissioner Kuboi  
Commissioner Hall  
Commissioner Pyle  
Commissioner Wagner

#### **STAFF PRESENT**

Joe Tovar, Director, Planning & Development Services  
Steve Cohn, Senior Planner, Planning & Development Services  
Steve Szafran, Planner II, Planning & Development Services  
Jessica Simulcik Smith, Planning Commission Clerk

#### **OTHERS PRESENT**

Mayor Ransom

#### **CALL TO ORDER**

Chair Harris called the regular meeting of the Shoreline Planning Commission to order at 7:05 p.m.

#### **ROLL CALL**

Upon roll call by the Commission Clerk, the following Commissioners were present: Chair Harris, Vice Chair Piro, Commissioners Broili, McClelland, Phisuthikul, Kuboi, Hall, Pyle and Wagner.

#### **APPROVAL OF AGENDA**

The Commission added a discussion regarding the upcoming Planning Commission Retreat as Item 11b. The remainder of the agenda was approved as presented.

#### **SEATING OF NEW COMMISSIONERS**

Mayor Ransom swore in the new Commission Members (Commissioners Wagner and Pyle) and the two returning Commissioners (Commissioners Kuboi and Piro). Photographs were taken to provide to the local newspaper and each of the Commissioners briefly introduced themselves.



## **DIRECTOR'S REPORT**

Mr. Tovar reported that a volunteer breakfast has been scheduled for April 28<sup>th</sup>, in honor of all of City volunteers. Each of the Commissioners would receive a formal invitation. In addition, the City Council has scheduled a reception on May 8<sup>th</sup> to honor outgoing Planning Commissioners Sands and MacCully for their years of service. Each would be presented with a plaque and refreshments would be served.

Mr. Tovar reported that he was invited to attend the Highland Terrace Neighborhood Association Meeting on April 18<sup>th</sup>, along with various staff members. Chair Harris and Commissioner Hall would attend the meeting, too. The Association requested that he introduce the Commissioners and invite them to provide comments. At the meeting he would briefly review the role of the Planning Commission, City Council and City staff, with an emphasis on how they all work together. He has also been invited to talk about the general subject of housing. With the decline of the school age population in Shoreline schools, the Association has some concerns about land use and housing supply. In addition, he would provide a brief update on the City's plan to work on a Comprehensive Housing Strategy and invite the Association to provide their suggestions and concerns on the issue.

Mr. Tovar advised that Vice Chair Piro and Commissioner Kuboi would attend the Echo Lake Neighborhood Association meeting on April 18<sup>th</sup>. Mr. Cohen would represent the City staff at the meeting and provide remarks similar to those Mr. Tovar would provide at the Highland Terrace Neighborhood Association Meeting. Mr. Cohen is the project manager for a proposed development at the south end of Echo Lake. When it was adopted by the City Council, there was language allowing the City staff to approve minor amendments to the site plan. The developer now has some different ideas for the site plan, and these changes would be reviewed by the Echo Lake Neighborhood Association on April 18<sup>th</sup>.

Mr. Tovar reported that staff is working with the Ridgecrest Neighborhood Association, developers and property owners regarding the sub area plan for the commercial district in the area. They have discussed options for using students from the University of Washington to conduct design charettes. More details regarding this effort would be provided to the Commission in the near future.

Commissioner Hall requested that staff provide the Commission with a schedule of the regularly scheduled neighborhood association meetings so that Commission representatives could assign themselves to be in attendance. Mr. Tovar agreed to provide a schedule as requested. Commissioner Broili expressed his belief that neighborhood associations provide a rich opportunity for citizen involvement, and it is important for the City to involve them in the Comprehensive Housing Strategy process. Commissioner Pyle reported that he plans to attend the Briarcrest Neighborhood Association Meeting.

Because the public hearing was scheduled to start at 7:30, Mr. Tovar suggested the Commission postpone the remainder of his report, as well as their review and approval of the minutes until after the hearing has been completed. The Commission agreed.

## **APPROVAL OF MINUTES**

Approval of the minutes was postponed until later on the agenda.

## **GENERAL PUBLIC COMMENT**

No one in the audience expressed a desire to address the Commission during this portion of the meeting.

## **PUBLIC HEARING ON SITE SPECIFIC REZONE/COMPREHENSIVE PLAN AMENDMENT FOR PROPERTY LOCATED AT 20060 – 15<sup>TH</sup> AVENUE NORTHEAST (FILE NUMBERS 201492 AND 301371)**

Chair Harris reviewed the rules, procedures and agenda for the public hearing. He invited Commissioners to disclose any ex parte communications they received regarding the subject of the hearing outside of the hearing. None of the Commissioners identified written or oral communications. No one in the audience expressed a concern.

## **Staff Overview and Presentation of Preliminary Staff Recommendation**

Mr. Szafran provided a brief overview of the project, which is a proposal to modify the existing Comprehensive Plan and zoning designations for a 15,374 square foot parcel located at 20060 – 15<sup>th</sup> Avenue Northeast from Ballinger Special Study Area (BSSA) to High-Density Residential (HDR) and to change the zoning designation from R-12 to R-48. He explained that the Ballinger Special Study Area has been designated for future sub area or neighborhood planning and does not currently have a land use designation. The applicant is proposing to construct 7 additional single-family attached townhomes on the site where one duplex is currently under construction. The proposal would include 9 total dwelling units in three separate buildings, for an overall density of 25.5 dwelling units per acre. He explained that the current designation of BSSA and zoning of R-12 would allow up to four single-family residences on the site. He summarized that while the proposed amendment and rezone would allow the construction of up to 17 dwelling units on the site, the applicant is only proposing 9 at this time.

Mr. Szafran reviewed that the subject property is located on the east side of 15<sup>th</sup> Avenue, approximately 450 feet south of Ballinger Way North. The site is currently being developed with a duplex situated close to 15<sup>th</sup> Avenue Northeast and is relatively flat, with a small slope on the easternmost area of the site. There are few trees and vegetation, and access to the property would come from a 24-foot driveway off of 15<sup>th</sup> Avenue Northeast.

Mr. Szafran advised that the site is surrounded by a variety of zoning and land uses. To the north are parcels owned by the applicant, which are zoned R-48 and proposed for a mixed-use development consisting of a 21-unit apartment and office building for an overall density of 47.5 units per acre. To the east are commercial uses that are zoned Community Business and front along Ballinger Way North. A duplex zoned R-12 is to the south and further to the south are higher density apartments zoned R-24.

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Across 15<sup>th</sup> Avenue Northeast to the west is a mini warehouse development and townhomes zoned R-24 and single-family residences zoned R-12.

Mr. Szafran reported that no letters of public comment regarding the proposal were received. In addition, no comments were received during the required neighborhood meeting.

Mr. Szafran advised that staff reviewed the environmental checklist submitted with the application and issued a Determination of Non-Significance. If developed as proposed, the site's total estimated peak hour vehicle trips would not exceed nine, which is below the threshold for requiring a traffic study. Utilities to the site would have to be upgraded, and the Shoreline Water District has identified a 6-inch waterline that must be upgraded in the street in front of the property. In addition, sewer lines must be upgraded to serve the proposed development. The site is located within close proximity to a well-served public transportation corridor along 15<sup>th</sup> Avenue Northeast, as well as Ballinger Way. There is a duplex under construction on the site, as well as an existing single-family home that would be demolished in the near future. The height of the proposed townhomes would be 32 feet, which would be well under the allowed maximum height in the R-48 zone of 50 feet. The townhomes would incorporate required design elements as identified in the Development Code. He provided slides to illustrate the current uses on the surrounding properties.

Next, Mr. Szafran explained that the proposal must meet the criteria listed in Sections 20.30.320(B) and 20.30.340 of the SMC. He briefly reviewed how the site specific Comprehensive Plan Amendment would meet the criteria as follows:

- **The amendment is consistent with the Growth Management Act and not inconsistent with the Countywide Planning Policies and other provisions of the Comprehensive Plan and City policies.** The amendment is consistent with the Growth Management Act in that it would allow for an increase in housing choice, a higher density of housing in the urban area, and an increase in the type of housing needed by possibly senior citizens and smaller families. The following three statutory goals identified in the State Growth Management Act legislation would be met by the project: guide urban growth in areas where urban services can be adequately provided, reduce urban sprawl, and encourage efficient multi-modal transportation systems. The proposal was analyzed and found to be consistent with the King County Countywide Planning Policies. The proposed amendment would also be consistent with the City of Shoreline's Comprehensive Plan, in that it meets a number of framework, land use and housing goals and policies of the plan as discussed in detail in the staff report.
- **The amendment addresses changing circumstances, changing community values and incorporates the sub-area planning consistent with the Comprehensive Plan vision or correct information contained in the Comprehensive Plan.** The precedent for this type of action has already been set. On June 13, 2005, the City Council approved a request to change the Comprehensive Plan for property located approximately 1,500 feet to the south of the subject property from BSSA to HDR. In addition, the zoning was changed from R-6 to R-24. Although the Comprehensive Plan states that the special study area is designated for future sub area, watershed, special districts or neighborhood planning and it is intended for the underlying zoning to remain, the proposed Comprehensive Plan amendment and rezone request addresses a change in land use pattern

in the neighborhood. Because of the need for a more diverse housing stock, the proposed amendment directly addresses the changing housing market and would fill the need for higher-density housing designed for smaller families. In addition, as the commercial properties continue to develop and expand, the proposed amendment would allow the parcel to develop and serve as a transition zone between the commercial uses along Ballinger Way and the lower density residential uses to the south.

- **The amendment will benefit the community as a whole and will not adversely affect community facilities, public health, safety or general welfare.** Because of the properties proximity to the large regional business uses to the north and east and the single and multi-family uses to the south and west, the proposed amendment would serve as a transition area between the zones. In addition, the proposed amendment would allow for the construction of 9 dwelling units, which is 5 more than currently allowed. These additional dwelling units would not place an unreasonable burden on the community facilities or the health, safety or general welfare of the public.

Next, Mr. Szafran reviewed the five site-specific rezone criteria that the rezone application must meet as follows:

- **The rezone is consistent with the Comprehensive Plan.** Upon re-designation of the parcel to HDR, the rezoning of the parcel to R-48 would be consistent with the Comprehensive Plan.
- **The rezone will not adversely affect the public health, safety or general welfare.** Development on the site would be required to comply with all of the development standards found in the Shoreline Municipal Code.
- **The rezone is warranted in order to achieve consistency with the Comprehensive Plan.** Upon approval of the proposed Comprehensive Plan Amendment, the concurrent proposal to rezone the parcel to R-48 would be consistent with the new land use designation.
- **The rezone will not be materially detrimental to uses or property in the immediate vicinity of the subject rezone.** The rezone and future development of the site would not be detrimental to uses in the immediate vicinity. To ensure that adequate infrastructure exists in the area, staff has proposed a condition that would be discussed as part of the preliminary staff recommendations.
- **The rezone has merit and value for the community.** The rezone would help the City achieve the housing targets established by the Comprehensive Plan and required by the Growth Management Act. In addition, the site is an appropriate place to accommodate development considering the intensity of the adjacent commercial and high-density uses because it is free of environmentally sensitive features and because of its close proximity to infrastructure.

Mr. Szafran reviewed the following staff conclusions:

- **Consistency.** The proposed site specific Comprehensive Plan amendment and concurrent rezone is consistent with the Washington State Growth Management Act, the King County Countywide Planning Policies, and the City of Shoreline's 2005 adopted Comprehensive Plan.

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- **Compatibility.** The proposed zoning is consistent with the proposed changes in land use designation as identified in the site specific Comprehensive Plan Amendment.
- **Housing/Employment Targets.** The project increases the ability for the City of Shoreline to achieve housing targets as established by King County to meet requirement of the Growth Management Act.
- **Environmental Review.** The project has satisfied the requirements of the State Environmental Policy Act (SEPA).

Mr. Szafran reviewed that since the proposal is a Type C Action, the Planning Commission is required to hold a public hearing. The Commission should consider the application and public testimony and develop a recommendation to the City Council for either approval or denial. The City Council would consider the Commission's recommendation prior to their final decision. He reviewed the Commission's options as follows: recommend approval to re-designate the land use and rezone based on the findings presented in the staff report, recommend denial of the re-designation and rezone application based on specific findings made by the Planning Commission, or recommend changes to the proposal based on findings.

Mr. Szafran said staff's preliminary recommendation is that the Commission recommend approval of Application Numbers 201492 and 301371, with the addition of the following condition: Prior to issuance of building permits, the applicant shall demonstrate compliance with the provisions for adequacy of public facilities as defined in Chapter 20.60 of the Shoreline Development Code.

#### **Applicant Testimony**

Stephen Michael Smith, the applicant's representative, advised that the applicant agrees with the findings and conclusions of the staff report. The additional condition that the applicant must comply with the utility requirements is something they would have to do anyway and would not add anything substantial to the application, so he finds the proposed condition acceptable. He pointed out that the subject property is an excellent location for added density due to its close proximity to a commercial center, transit opportunities and the freeway. In addition, there should be minimal impact to the surrounding properties. The site plan is compact and the development would not look like a large apartment complex. He noted that most of the surrounding properties have a higher density than single-family residential, and all are identified in the Comprehensive Plan for commercial or multi-family uses. He urged the Commission to recommend approval of the proposal.

#### **Questions by the Commission to Staff and Applicant**

Commissioner Kuboi asked if the Shoreline Water District would be responsible for deciding whether the sewer and water improvements proposed by the applicant would be acceptable or not. Mr. Szafran answered that when the applicant submits a building permit application, they would have to provide verification that the Shoreline Water District and Ronald Wastewater District have approved their plans for water and sewer improvements.

Commissioner Broili asked what percentage of the site would be covered as per the proposal. Mr. Szafran said the applicant is proposing a lot coverage of 67%, and the R-48 zone would allow a maximum lot coverage of 90%. Commissioner Broili inquired if a stormwater management strategy would also be part of staff's proposed condition one. Mr. Szafran answered that staff would address storm water management issues as part of their site development permit review.

Commissioner McClelland pointed out that the duplex currently being constructed on the subject property is actually identified on the map as a townhouse, but it does not front onto 15<sup>th</sup> Avenue Northeast. Mr. Smith explained that the two-unit townhouse development faces towards the new road and is a permitted use in the existing zone. The applicant anticipates that a rezone would follow and the rest of the site plan would fall into place. The applicant is also planning a mixed-use building on the property to the north that is currently zoned R-48. The two sites have been designed to share the 24-foot driveway to consolidate the access points.

Commissioner Hall pointed out that the letter from the Shoreline Water District indicates that the water system would have to be upgraded significantly to the north and south of the project site. Mr. Cohn said his understanding is that negotiations are taking place between the subject property owner, as well as other property owners on 15<sup>th</sup> Avenue Northeast to determine the final outcome for the sewer improvements. Rather than prejudging the final outcome, staff has proposed a condition that the Shoreline Water District must approve the applicant's proposal. Commissioner Hall inquired if the applicant understands that the staff's proposed condition would require them to upgrade the main to a larger pipeline from Forest Park Drive to Ballinger/205<sup>th</sup> Street. Mr. Smith said that the applicant is aware of the Shoreline Water District's requirement and finds it acceptable. The applicant has been negotiating with the water district regarding options over funding this work.

Commissioner Broili requested more details regarding the planned stormwater facility. Mr. Smith answered that rather than an exposed pond with a fence around it, the proposed system would be some type of underground system such as a pipe or detention vault that would not be visible from the surrounding properties. Commissioner Broili said his concerns would be less on aesthetics and more on the additional load placed on an already overloaded system. He questioned where the stormwater from the underground vault would go. Mr. Smith answered that the intent is to feed into the existing stormwater system. Their design would have to meet the requirements of the King County Stormwater Manual, and release volumes would be less after construction than prior to construction.

Commissioner Hall observed that staff's analysis under Criteria 2 for the rezone request (that the rezone would not adversely affect the public health, safety or general welfare) appears to rely solely on compliance with the Development Code. If that is the case, since all development in the City is required to satisfy the Development Code, then this condition is redundant. Therefore, it should either be eliminated or interpreted differently. He suggested that when evaluating whether a rezone is or is not adverse to the public health, safety or welfare, more than the Development Code should come into play. For example, issues such as density and nearby parks, schools and uses should also be considered. While he doesn't have issue with this particular application, the Commission should clarify Criteria 2 for future applications.

Commissioner Broili suggested that stormwater strategy should be a part of the additional condition proposed by staff. Chair Harris expressed his belief that the Commission should not be particularly concerned about the adequacy of public facilities in this case. The proposed condition is redundant since the Shoreline Water District has already issued a water availability certificate as part of the application indicating that an upgrade is necessary, and they have the authority to make sure the improvements are made. In addition, he pointed out that the stormwater design would have to meet the requirements of the King County Stormwater Manual.

Commissioner Pyle expressed his belief that since there is a need for significant infrastructure upgrades on 15<sup>th</sup> Avenue Northeast, perhaps now would be a good time for the City to review the properties identified in the Comprehensive Plan as Ballinger Special Study Area from a larger perspective rather than piecemeal.

Commissioner McClelland suggested that when the Commission reviews future proposals for medium density housing developments, it would be helpful for staff to provide information in the Staff Report to illustrate where schools, bus stops, shopping, sidewalks, etc would be located in relation to the subject property.

Commissioner Kuboi asked if the applicant would be opposed to an additional condition that would bind the rezone and Comprehensive Plan amendment to the proposed site plan and layout dimensions. Mr. Smith said the applicant would not be opposed to this type of contract rezone condition. Their only concern would be that enough flexibility be allowed for the applicant to shift buildings around slightly as final designs are prepared. Mr. Cohn cautioned the Commission against tying their recommendation to a site plan that has not yet been reviewed by the staff. The Commission should focus on the density rather than the site plan.

Commissioner Kuboi expressed that his primary concerns are about density and height. An R-48 zone would allow a much larger envelope for the developer to work with, and he would not want the project to be reconfigured substantially different than what is currently being proposed. Commissioner Hall cautioned that it is not appropriate for the Commission to focus on the site plan as part of their review of the rezone application. Site plan issues would be dealt with as part of the building permit review process. As the Commission reviews the rezone application, they must consider whether or not it is appropriate for the subject property to be zone R-48, recognizing that this would allow the current property owner or any future property owner to build up to the maximum density allowed in an R-48 zone. He expressed his belief that because of the proximity of commercial and higher density residential properties and the City's desire to meet housing goals, an R-48 zoning designation would be consistent with the City's mission and values for the community.

Commissioner Broili said he would support the rezone request to R-48. However, he would like some assurance that the stormwater would be managed on site as much as possible, with little or no overflow into the nearby stream or existing stormwater system.

Commissioner Broili agreed with Commissioner Pyle that the City should move forward with their work on the Ballinger Special Study Area. The City must identify specific Comprehensive Plan land use

designations for these properties so property owners in the area can anticipate how they might be developed in the future.

Commissioner Phisuthikul requested information from staff regarding the logic for granting an administrative variance to allow the applicant to reduce the driveway width from 30 feet to 24 feet. Mr. Szafran answered that the City's Traffic Engineer and Development Review Engineer both reviewed the variance request and determined that it should be approved. They considered the proposed development on the subject property, as well as the applicant's plan to develop the property to the north as a mixed-use building.

Commissioner Kuboi pointed out that the legal notice that was provided for the hearing specifically referenced a 9-unit project on the subject property. While the core issue is density and zoning, the hearing was noticed with a specific project in mind. He questioned if the lack of public comment might have been based on a 9-unit development rather than the maximum number of units that would be allowed on the site if zoned R-48. He suggested that the Commission consider a condition that would limit the number of units to 9 or 10. Mr. Cohn said the City Attorney advised that because a project proposal was submitted as part of the application, the hearing should be noticed as such. However, the SEPA analysis addressed issues such as traffic, water and sewer based on the maximum number of units that could be developed if the property were rezoned to R-48.

If the Commission decides they want to add a condition that would restrict the number of units allowed on the site, Mr. Smith requested that they take a recess to allow him an opportunity to contact the applicant to make sure he would be willing to make this type of commitment. He commented that he has received no indication from the applicant that he is interested in changing the site plan significantly.

After further discussion, the Commission conducted a straw vote on Commissioner Kuboi's proposal to condition the rezone approval to 9 or 10 units. Commissioners Kuboi, Phisuthikul, Wagner and Pyle indicated that they would support the condition. Chair Harris, Vice Chair Piro and Commissioners McClelland, Broili, and Hall indicated that they would be opposed.

Mr. Cohn explained that the application was filed with a SEPA Checklist that addressed the rezone and Comprehensive Plan Amendment from the perspective of the property's highest and best use, or the most number of units (17) that could be placed on the property if zoned R-48.

#### **Public Testimony or Comment**

There was no one in the audience who expressed a desire to participate in the public hearing.

#### **Presentation of Final Staff Recommendation**

Based on the findings and site specific Comprehensive Plan amendment and concurrent rezone change criteria, Mr. Szafran advised that staff recommends approval of Application Numbers 201492 and 301371, a site specific Comprehensive Plan Amendment to change the land use designation from Ballinger Special Study Area to High Density Residential and rezone from R-12 to R-48 for parcel Number 7417700031, with the condition that prior to issuance of building permits the applicant shall

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demonstrate compliance with the provisions for adequacy of public facilities as defined in Chapter 20.60 of the Shoreline Development Code.

### **Final Questions by the Commission and Commission Deliberation**

Commissioner Broili proposed that Condition 1 be changed to add “all but 100-year storm events be managed on site.” He advised that this concept is laid out in the Western Washington Stormwater Manual. Mr. Tovar pointed out that while Shoreline has not adopted this manual yet, they are in the process of doing so.

Commissioner Hall said that while he supports Commissioner Broili’s desire to protect environmentally sensitive areas, he would prefer to change the Development Code to include a standard that could be applied equally to all properties in the City. He expressed his concern that Commissioner Broili’s additional language would hold the applicant to a higher standard than others, which is not fair.

Commissioner Broili pointed out that the staff has already proposed a condition related to water and sewer facilities. Because stormwater is just as important, he suggested that they either add language regarding stormwater management or eliminate the condition entirely. While this may appear to discriminate against one property owner, he said it is time for them to move in a more positive direction that is better for the City.

Mr. Tovar said that regardless of how the Commission deals with the proposal before them, it would be appropriate for them to encourage the City Council to commit the necessary resources to allow staff to move forward with the process of adopting the 2005 Western Washington Stormwater Manual as soon as possible.

Chair Harris said he would be against imposing a higher standard that has not yet been adopted by the City. Commissioner Pyle pointed out that any subsequent permits for the subject property would not be vested until they are deemed complete, so there is still time to adopt the 2005 Western Washington Stormwater Manual prior to the applicant’s submittal of a building permit.

Mr. Smith agreed that the concept of low-impact development is a very good idea, and the applicant tries to do low-impact development whenever possible. However, the soil conditions on the subject property are not permeable. An infiltration system would require that the entire site be excavated and filled with drain rock, and it would still overflow some times. Since detention vaults are expensive, they would prefer to use infiltration for stormwater management, but it would not be a viable engineering alternative in this case. Commissioner Broili pointed out that, in addition to infiltration, there are many options for stormwater management that could be considered for the site.

### **Closure of the Public Hearing**

**VICE CHAIR PIRO MOVED THAT THE PUBLIC HEARING BE CLOSED. COMMISSIONER WAGNER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.**

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### **Vote by Commission to Recommend Approval, Denial or Modification**

**COMMISSIONER HALL MOVED THAT THE COMMISSION RECOMMEND APPROVAL TO THE CITY COUNCIL OF THE PROPOSED COMPREHENSIVE PLAN AMENDMENT AND REZONE APPLICATION (FILE NUMBERS 301371 AND 201492) AS RECOMMENDED BY STAFF, INCLUDING CONDITION 1. VICE CHAIR PIRO SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.**

### **APPROVAL OF MINUTES**

The minutes of March 16, 2006 were approved as submitted.

### **CONTINUED DIRECTOR'S REPORT**

Mr. Tovar referred to the Planning Commission Agenda Planner that was provided. He noted that at the April 20<sup>th</sup> meeting, a presentation would be made regarding the Department of Ecology's 2005 Wetland Classification Manual. In addition, the Commission would discuss the Planning Commission Retreat and joint training with the Parks Board and City Council on communication styles.

Mr. Tovar advised that he would not be present at the April 20<sup>th</sup> Meeting, since he would be attending a Planning Conference where the issue of "form-based zoning" would be discussed. He explained that most traditional zoning deals with zoning districts, with a large amount of detail about what uses are permitted. Traditional zoning limits the number of units allowed in a zone. However, with "form-based zoning" the number of uses and the mix of uses on a site are less important than issues such as bulk, configuration of buildings, orientation of building frontages, access to the site, etc. These qualitative aspects matter just as much or more than density. Mr. Tovar said he would provide a report of his attendance at the conference on May 4<sup>th</sup>.

Mr. Tovar advised that also on May 4<sup>th</sup> the Commission would hold a study session on the proposed permanent regulations for hazardous trees and a critical areas stewardship plan in preparation for a public hearing on May 18<sup>th</sup>. Staff would provide a report regarding the City Council's retreat on May 18<sup>th</sup>, as well. On June 1<sup>st</sup>, the Planning Commission would host a joint meeting with the Parks Board. At the meeting the Parks Director would provide a report on the Urban Forest Management Concept, and a representative from the Cascade Land Conservancy would provide a presentation about their 100-Year Conservation Agenda for the region. On June 15<sup>th</sup>, the Commission would hold public hearings on three specific rezone applications. A number of code amendment issues would be presented to the Commission in July and August.

Mr. Tovar recalled that when the City Council repealed the Cottage Housing Regulations, they recognized the need to look at housing more comprehensively, as pointed out by the Commission. At the last City Council Meeting staff provided a report regarding affordable housing and a presentation regarding a comprehensive housing strategy that would be broader than cottage housing, affordable housing, etc. The City Council provided more direction to staff and agreed to discuss the concept more at their retreat later in April.

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Mr. Cohn recalled that staff advised the City Council that a series of questions must be answered during their discussion of a Comprehensive Housing Strategy, such as whom the housing should serve in the future. In addition, they must decide what kind of housing might be acceptable in certain parts of the City such as duplexes, carriage houses, zero lot line houses, etc. They must also decide how active the City wants to be in this arena. Should they let the market guide future development, or do they want to be more active?

Mr. Cohn advised that staff presented a preliminary work program and schedule for the Comprehensive Housing Strategy Process. Their intent is to have a preliminary strategy worked out for the City Council to review in January and present to the public in February. Hopefully, a final set of resolutions could be presented to the City Council in March. The City Council appeared to be supportive of the proposed work program and schedule. They specifically encouraged the staff to work more on the public involvement piece of the project to bring in the public early in the process. Mr. Tovar said staff would likely recommend that an ad hoc advisory committee on housing be formed, and some Commissioners might be invited to participate. Staff would keep the Commission apprised of how the process is moving forward. In addition, the Commissioners should feel free to provide comments and suggestions to the City Council.

The Commission requested that staff provide information as soon as possible regarding proposed changes to the approved site plan for the Echo Lake properties. Commissioner Hall noted that the Commission worked extraordinarily hard to balance the community interests and values and the applicant's desires as much as possible. In his opinion, if the developer cannot live by the conditions identified as part of the contract rezone approval, the rezone should be void and the process should start over. Mr. Tovar said the latest site plan is much better, but staff must review it to determine whether or not it still meets the conditions of the approved contract rezone.

## **REPORTS OF COMMITTEES AND COMMISSIONERS**

Commissioner Broili referred to an article in *THE SEATTLE TIMES* on March 26<sup>th</sup> which heralds Seattle as a national leader in "green construction." He recommended the Commissioners review this article, which points out that there is a growing and strong market for well-built, environmentally sensitive, low-impact construction.

## **UNFINISHED BUSINESS**

There was no unfinished business scheduled on the agenda.

## **NEW BUSINESS**

### **Election of Chair and Vice Chair**

Ms. Simulcik Smith reviewed the rules and procedures for electing a new Commission Chair and Vice Chair. She advised that she would conduct the election for the chair and then the newly elected Chair would take over the meeting and conduct the election for Vice Chair.

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**COMMISSIONER MCCLELLAND NOMINATED COMMISSIONER PIRO AS CHAIR OF THE COMMISSION.**

No other nominations were offered, so nominations for Chair were closed.

**THE COMMISSION UNANIMOUSLY APPROVED COMMISSIONER PIRO AS CHAIR OF THE COMMISSION. (Commissioner Piro did not vote).**

**COMMISSIONER BROILI NOMINATED COMMISSIONER KUBOI AS VICE CHAIR OF THE COMMISSION.**

No other nominations were offered, so nominations for Vice Chair were closed.

**THE COMMISSION UNANIMOUSLY APPROVED COMMISSIONER KUBOI AS VICE CHAIR OF THE COMMISSION.**

**Discussion on 2006 Planning Commission Retreat**

Mr. Cohn reported that at the request of Vice Chair Kuboi, he asked the Assistant City Manager, Ms. Modrzejewski, to be a facilitator at the Commission Retreat. She suggested that the retreat be scheduled for an evening sometime in July. Mr. Cohn asked the Commissioners to check their schedules and inform the staff of their vacation plans.

**ANNOUNCEMENTS**

Ms. Simulcik Smith announced that the remaining 2006 Commission Meetings would be located in the Rainier Room rather than the Board Room.

Mr. Tovar advised that Bob Olander was recently appointed as the new City Manager.

**AGENDA FOR NEXT MEETING**

The Commissioners had no additional comments to make regarding the agenda for the next meeting.

**ADJOURNMENT**

**COMMISSIONER HALL MOVED TO ADJOURN THE MEETING AT 9:40 P.M. COMMISSIONER BROILI SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.**

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David Harris  
Chair, Planning Commission

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Jessica Simulcik Smith  
Clerk, Planning Commission

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