
Council Meeting Date: July 24th, 2006

Agenda Item: 9(a)

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Adoption of Ordinance No. 431, a Site Specific Rezone located at 18016 Stone Ave N. File No. 201522
DEPARTMENT:	Planning and Development Services
PRESENTED BY:	Joe Tovar, PADS Director Steven Szafran, Planner II

PROBLEM/ISSUE STATEMENT:

The issue before Council is an application for a Site Specific Rezone of one parcel located at 18016 Stone Ave N (see **Attachment C1**). The applicant has requested that the parcel be rezoned from Residential 8 dwelling units per acre (R-8) to Residential 12 dwelling units per acre (R-12). **Attachment C3** shows the current land use designation of adjacent parcels while **Attachment C2** 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 June 15th, 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 Rezone on June 15th, 2006.

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

- The Council could adopt the zoning requested by the applicant and recommended by the Planning Commission and Staff (a rezone from R-8 to R-12) by adopting Ordinance No. 431 (**Attachment A**).
- The Council could deny the rezone request, leaving the zoning at R-8.


FINANCIAL IMPACTS:

- There are no direct financial impacts to the City.

RECOMMENDATION

The Planning Commission and Staff recommend that Council adopt Ordinance No. 431, (**Attachment A**) thereby approving the rezone of one parcel located generally at 18016 Stone Ave N from Residential 8 units per acre (R-8) to Residential 12 units per acre (R-12).

Approved By:

City Manager 

City Attorney 

INTRODUCTION

The rezone application before Council is a request to change the zoning designation for one parcel generally located at 18016 Stone Ave N from R-8 to R-12.

A public hearing before the Planning Commission was opened and closed on June 15th, 2006. The Planning Commission Findings and Recommendation are included in **Attachment A, Ex. A.**

The Planning Commission unanimously recommended that the rezone of the property from R-8 to R-12 be approved. The draft minutes from the public hearing are included in **Attachment D.**

BACKGROUND

In 1998 the City of Shoreline adopted its first Comprehensive Plan. This document includes a map that identifies future land use patterns by assigning each area a land use designation. The subject parcel, and those adjoining it to the north, east and south, were designated Medium Density Residential in the Comprehensive Plan. The Comprehensive Plan document specified appropriate zoning districts for this designation as any of the following: R-8 and R-12. The current zoning (R-8) and the requested reclassification (R-12) of the parcel are both consistent with the Medium Density Residential land use designation.

PROCESS

The application process for this project began on February 3rd, 2006, when a pre-application meeting was held with the applicant and City staff. The applicant then held the requisite neighborhood meeting on March 3rd, 2006. The formal application was submitted to the City on April 4th, 2006, and it was determined complete on April 7th, 2006.

The requisite public hearing was held before the Planning Commission on June 15th, 2006. The Planning Commission made a recommendation and formulated Findings and Determination on the night of the public hearing. The Planning Commission voted 7-0 to recommend approval of the rezone.

PUBLIC COMMENT

The City received 4 letters comment letters in response to the standard notice procedures for this application (the written comment deadline was April 27th, 2006). The applicant and six adjacent neighbors testified at the Planning Commission public hearing on this proposed action.

The following two sections discuss the two options referred to on the first summary page. In this case it is: 1) The adoption of the Planning Commission and Staff recommendation or 2) Denial of the rezone request.

REZONE TO R-12

The applicant has requested that the subject parcel be rezoned to R-12. Planning Commission in their Findings and Determination (**Attachment A, Ex. A**) found that a rezone to R-12 has been evaluated and found to be consistent with the rezone decision criteria, listed below, provided in Section 20.30.320(B) of the Development Code.

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

DENIAL OF REZONE REQUEST

The Council may review the written record and determine that R-8 zoning is the most appropriate designation for the subject parcel. This determination would be consistent with the Comprehensive Plan designation of "Medium Density Residential" for the parcel, as this designation includes both the existing zoning (R-8) and the requested zoning (R-12). The site could be developed at an R-8 density; however, an R-12 zoning improves housing choices and enables a lower impact form of single-family development than would be achieved with a typical R-8 housing product (see discussion in Planning Commission Staff Report in Attachment A).

RECOMMENDATION

The Planning Commission and Staff recommend that Council adopt Ordinance No. 431, (**Attachment A**) thereby approving the rezone of one parcel located at 18016 Stone Ave N from Residential 8 units per acre (R-8) to Residential 12 units per acre (R-12).

ATTACHMENTS

Attachment A: Ordinance No. 431: R-8 to R-12.

Ex A - Planning Commission Findings and Determination

Ex. B - Legal Description

Ex C – Concomitant Agreement

Attachment C: Planning Commission Staff Report

C1: Site Plan and Tree Inventory

C2: Vicinity Map with Zoning Designations

C3: Vicinity Map with Comprehensive Plan Land Use Designations

C4: Historic Property Inventory Form

C5: Vicinity Map with Sidewalks, Schools and Parks

Attachment D: Draft Planning Commission Minutes- April 6th, 2006

ORDINANCE NO. 431

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON AMENDING THE CITY'S OFFICIAL ZONING MAP TILE NUMBER 451 CHANGING THE ZONING FROM RESIDENTIAL 8 DU-AC (R-8) TO RESIDENTIAL 12 DU-AC (R-12)) WITH CONTRACT REZONE #R-CZ-06-01, SUBJECT TO RESTRICTIVE COVENANTS, FOR THE PARCEL LOCATED AT 18016 STONE AVENUE N (PARCEL NUMBER 7276100285

WHEREAS, the owner of the property, with parcel number 7276100285, has filed an application to reclassify the property from Residential 8 units per acre (R-8) to Residential 12 units per acre (R-12); and

WHEREAS, on June 15th, 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 June 15th, 2006, the Planning Commission recommended approval of the reclassification to R-12 as well as a number of conditions for redevelopment, subject to a covenant restricting the uses and setting conditions of development as specified in the Contract Zone and Concomitant Zoning Agreement #R-CZ-06-01 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 reclassification of property, located at 18016 Stone Avenue N (parcel number 7276100285) to R-12 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. 201522 as set forth by the Planning Commission on June 15th, 2006 and as attached hereto as Exhibit A is hereby adopted.

Section 2. Amendment to Zoning Map. The Official Zoning Map Tile 471 of the City of Shoreline is hereby amended to change the zoning classification of said parcel described and depicted in Exhibit B located at 18016 Stone Avenue N (parcel number 7276100285) from R-8 to R-12 with contract Zone #R-CZ-05-01 subject to the Concomitant Zoning Agreement attached hereto as Exhibit C, which covenant is incorporated herein as part of this ordinance by reference, and all uses of the property rezoned by this ordinance shall. Be in strict conformity with the provisions of the concomitant zoning agreement. Nothing in this ordinance or the concomitant zoning agreement attached hereto shall limit the shoreline City Council from amending, modifying, or terminating the land use designation adopted by this ordinance.

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, publication of the title as a summary of this ordinance and the property execution and recording of the Concomitant Zoning Agreement attached hereto as Exhibit C; provided, that if such Agreement is not executed and recorded within thirty (30) days from the date of final passage of this ordinance, this ordinance shall become void and not go into effect. If owners of the property file a written request, the property shall revert to the original land use designation prior to this rezone or such other default land use designation as may hereafter be adopted by the city council.

PASSED BY THE CITY COUNCIL ON JULY 24, 2006.

Mayor Robert L. Ransom

ATTEST:

APPROVED AS TO FORM:

Scott Passey
City Clerk

Ian Sievers
City Attorney

Date of Publication: July 27, 2006
Effective Date: August 1, 2006

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

Scott Becker Rezone Request File #201522

Summary-

Following the public hearing and deliberation on the request to change the zoning designation for a 15,200 Sq. Ft. parcel located at 18016 Stone Ave N, 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 Rezone the subject parcel from R-8 (Residential 8 units per acre) to R-12 (Residential 12 units per acre).
- 1.2 Site Address: 18016 Stone Ave N
- 1.3 Parcel Number: 727610-0285
- 1.4 Zoning: R-8
- 1.5 The subject property has a current land use designation of Medium Density Residential identified on the City of Shoreline's Comprehensive Plan Land Use Map. The status of Medium Density Residential allows for a change in zoning up to R-12 zoning.

2. Procedural History-

- 2.1 Public hearing held by the Planning Commission: June 15th, 2006
- 2.2 Notice of Public Hearing and SEPA Determination of Nonsignificance: May 4th, 2006
- 2.3 End of 14 day Public Comment Period: April 27th, 2006
- 2.4 Notice of Application with Optional DNS: April 13th, 2006
- 2.5 Complete Application Date: April 7th, 2006
- 2.6 Application Date: April 4th, 2006
- 2.7 Neighborhood meeting Date: March 3rd, 2006
- 2.8 Pre-Application Meeting Date: February 3rd, 2006
- 2.9 Notification of Neighborhood Meeting: December 13th, 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:

Name	Comment
Laura Brent, AICP	Removal of trees may affect trees on adjacent lot, loss of screening, access easement, construction noise, drainage from increased impervious surfaces.
Yefim Leibman and Ella Goltsman	Rather see two homes instead of four, increased traffic, water draining to adjacent properties, trees falling onto adjacent property, new development adjacent to subject parcel will add to drainage concerns.
Martin Kral	Historic structure on the site, R-12 would be spot zoning, out of character for the neighborhood and loss of trees.
Cong-Qiu Chu and Hon Bai	Adverse environmental impacts, devalue homes in the neighborhood, would like to see two homes maximum.

3.3 Oral testimony was received from:

Cong-Qiu Chu, Yefim Leibman, Rebecca Glass, Brian Lee, Martin Kral and Ellie Brandower.

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 May 4th, 2006 and a 14-day comment period followed ending May 18th, 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 May 18th, 2006.

7. Consistency –

5.1 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).

- 5.2 A recommendation to approve 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 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.

The Comprehensive Plan land use map identifies the subject properties as *Medium Density Residential*. The site is currently underutilized—the parcel is developed with

one single family home (developed at a density of 2.8 dwelling units per acre)—this is not consistent with the density goals and policies of the Comprehensive Plan which plans for this site to accommodate 8 to 12 dwelling units per acre to support housing targets within the City. The proposed zone change will allow the parcels to be developed to the level anticipated in the Comprehensive Plan.

R-12 zoning is an appropriate designation for the site. Placing R-12 zoning on the site allows the City to add development conditions that achieve many goals and policies of the Comprehensive Plan including incorporating low impact development techniques, small building footprints to reduce overall building coverage, protection of trees and natural vegetation on-site including retaining 65% of significant trees, environmentally friendly building materials and less impact to the natural features of the parcel than if developed under the current zoning designation.

The proposed development also promotes design that minimizes stormwater runoff rate and volume by limiting the size of building footprints and total site coverage, maximizing the protection of permeable soils and natural vegetation, and encouraging use of permeable pavements and surfaces.

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

Staff concludes the proposed rezone and redevelopment of this site will positively affect the public health, safety and welfare of the surrounding neighborhood and community. The new construction will strive to protect the nature features and vegetation of the site. Unlike other recently added subdivisions in the immediate area, the applicant is proposing to place the new dwelling units around the natural features of the lot without disturbing most of the mature trees and vegetation. The latest in low impact development techniques are proposed for stormwater management, 65% of the significant trees on-site will be retained and required sidewalks will meander around very mature trees along Stone Avenue N. and not result in their removal.

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

The subject parcel is currently zoned R-8. Right now, the site is developed with one single-family house at a density of 2.8 dwelling units an acre which is underdeveloped under the current zoning category.

The Comprehensive Plan states that the Medium Density Residential Land Use designation is intended for areas where single family detached dwelling units might be redeveloped at slightly higher densities; and to areas currently zoned for medium density residential.

The applicant is proposing four low-impact single-family detached dwelling units which are fully supported by the goals and policies of the Comprehensive Plan. R-12 zoning would be an appropriate designation for the subject site, as it would reflect similar net densities as those uses near it.

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

At this time there appears to be minimal negative impacts to the properties in the immediate vicinity of the subject rezone.

The applicant is proposing low impact development techniques in addition to on-site retention. Examples of the features that could be used are rain gardens, small building footprints, restrictive use of impervious surfaces and other low impact measures.

The applicant is proposing to retain at least 65% of the significant trees on-site, 45% more trees than the code requires. The applicant is proposing to exceed all code requirements in terms of tree retention and protection by proposing to keep as many of the significant trees as possible and place structures in and around the natural features of the parcel. The trees left in place will continue acting as a natural screen between properties to the north, east, west and south.

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

By approving this specific redevelopment proposal, the aesthetics of the structures and site planning will be much more environmental friendly than if the site developed without the proposed rezone. Under the current zoning of R-8, the property owner could develop three single-family homes, cover much more of the site with impervious surfaces, and cut down most of the trees on-site without taking into account the neighbors' concerns. Staff believes by granting this rezone and conditions as presented to the Planning Commission, the City and the surrounding community will get a much better product that tries to fit into the natural aspects of the site rather than destroying it.

III. RECOMMENDATION

Based on the Findings, the Planning Commission recommends approval of application #201508; a rezone from R-12 to R-24.

City of Shoreline Planning Commission

Thelma Nino
Chairperson

Date: 6 July 2006

EXHIBIT B

LEGAL DESCRIPTION OF PROPERTY:

**TRACT 1 OF KING COUNTY SHORT PLAT NO. 1075029, AS RECORDED
UNDER RECORDING NO. 7604290637, RECORDS OF KING COUNTY
AUDITOR**

CONCOMITANT REZONE AGREEMENT AND
COVENANT RUNNING WITH THE LAND

Contract Zone No. RB-CZ-05-01

This Concomitant Rezone Agreement and Covenant (hereinafter "Covenant") dated _____, 2006, by and between the City of Shoreline, Washington, a municipal corporation (hereinafter "City"), and Scott M. Becker (hereinafter "Owners").

RECITALS

A. Owners are the owners of real property located in King County legally described as:

TRACT 1 OF KING COUNTY SHORT PLAT NO. 1075029, AS RECORDED UNDER RECORDING NO. 7604290637, RECORDS OF KING COUNTY AUDITOR, Parcel No. 7276100285 (Hereafter described as "Property").

B. Owner has applied to rezone the Property from its current zoning, to Residential 12 units per acre (R-12), consistent with the Comprehensive Plan adopted by the City pursuant to the Growth Management Act (RCW Ch.36.70A).

C. The City has conditionally approved the rezone application provided the Property is developed under conditions and limitations, which shall be considered as a qualification to the City's zoning designation.

NOW THEREFORE, the City and Owners agree as follows:

1. Title. Owners are the sole and exclusive owners of the Property described above.
2. Covenant. Owners covenant and agree, on behalf of themselves and their successors and assigns, that during the entire period that the Property is zoned R-CZ 6-01, the Property will be developed only in accordance with this Covenant and subject to the conditions provided herein. The Owners specifically agree that this Covenant touches, concerns, enhances, benefits and runs with the Property.

Concomitant Rezone Agreement - Contract Zone No. R-CZ-06-01.

3. Uses. The Owners or their successors may construct a residential development on the Property subject to the following conditions:

Condition #1- The scale and architecture of homes must exhibit characteristics of those presented at the Planning Commission such as small building footprints, lower building heights and homes that don't directly access Stone Ave N and are inwardly oriented.

Condition #2- Low impact development techniques must be used.

Condition #3- Building heights shall not exceed 25 feet.

Condition #4- At least 60% of significant trees shall be retained.

Condition #5- Trees acting as a natural screen on the north, west, east and south shall not be substantially modified from their current state.

Condition #6- Prior to development, an Arborist is retained by the developer to evaluate the northeast portion of the property and remove any hazardous trees present. Also, an Arborist shall visit the site to review tree removal during the course of development.

4. Binding Effect. This Covenant shall remain in full force and effect, and be binding upon the Owners and their successors and assigns until 1) amended, modified or terminated by an ordinance adopted by the Shoreline City Council, or 2) Owners of all interest in the property file a written declaration with the City that they wish the Property to revert to the R-8 land use designations existing immediately prior to passage of Ordinance No. 431 or such other default zoning as may have been adopted by the City Council for the Property subsequent to this agreement. Obligations contained herein shall be enforceable against all such successors and assigns.

5. Filing. A copy of this covenant will be filed for record with the King County Records and Elections Division.

6. Remedies. Violations of this Covenant shall be enforced by the City according to enforcement procedures applicable to zoning code violations.

7. Attorney Fees. In the event that legal action is commenced to enforce or interpret any revision of this Covenant, including any appeal thereof, the substantially prevailing party shall be entitled to its costs including reasonable attorney's fees.

IN WITNESS WHEREOF, the parties have executed this Covenant as of the date first above written.

OWNER(s)

Scott M. Becker

Robert Olander, City Manager

CITY OF SHORELINE

APPROVED AS TO FORM:

Ian Sievers, City Attorney

STATE OF WASHINGTON)

) ss.

COUNTY OF KING)

I certify that I know or have satisfactory evidence
that _____, representing

_____ appeared before me, and
said person acknowledged that he signed this instrument and acknowledged
it to be the free and voluntary act of such party for the uses and
purposes mentioned in this instrument.

DATED: _____

By: _____
Notary Public in and for the State of Washington
residing at _____.
My commission expires _____.

Commission Meeting Date: June 15th, 2006

Agenda Item:

PLANNING COMMISSION AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Type C Action: Rezone Application for one parcel generally located at 18016 Stone Avenue N from R-8 (Residential 8 dwelling units/acre) to R-12 (Residential 12 dwelling units/acre).

DEPARTMENT: Planning and Development Services

PRESENTED BY: Steven Szafran, Planner II

I. PROPOSAL

The applicant, Scott Becker, proposes to modify the existing zoning category for a 15,200 square foot parcel located at 18016 Stone Avenue N. This application before the Planning Commission is a request to change the zoning designation from R-8 (Residential - 8 dwelling units per acre) to R-12 (Residential 12 dwelling units per acre). In addition, the applicant is proposing to construct four low-impact single-family homes at a density of 11.5 units per acre. A site plan showing the site configuration of the proposal is included as **Attachment 1**. A vicinity map showing existing zoning for the project site and adjacent properties is located in **Attachment 2**. The parcel has a Comprehensive Plan Land Use designation of Medium Density Residential, and both the existing and proposed zoning are consistent with this designation (**Attachment 3** illustrates the comprehensive plan land use designations of the surrounding vicinity).

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 a Site Specific Zone Change it shall be processed per RCW 42.36.010 as a Type C quasi-judicial action.

With the current designation of Medium Density Residential and a current zoning of R-8 there is the potential to build 3 single-family residences on the subject site subject to the Shoreline Development Code Standards. There is currently one single-family home on-site that will be demolished before construction would begin for the new proposed homes. The proposed rezone would allow the construction of up to 4 dwelling units and the applicant is proposing 4 low-impact single-family homes, subject to the requirements of the Shoreline Municipal Code (SMC) section 20.30.

This report summarizes the issues associated with this project and discusses whether the proposal meets the criteria for rezone outlined in the Shoreline Municipal Code and the goals of the Comprehensive Plan. 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 then forwarded to City Council, which is the final decision making authority for Type C Actions.

II. FINDINGS

1. SITE

The subject site is generally located on the east side of Stone Avenue N between N 180th Street and N 183rd Street. The parcel is developed with one single-family residence. The parcel measures 15,200 square feet in area (approximately .35 acres). The site is gently sloping down from east to west at an average grade of 2 percent. There are many significant trees on site. A "significant tree" is defined in the Shoreline Municipal Code Title 20 as a healthy, windfirm, and nonhazardous tree eight inches or greater in diameter at breast height if it is a conifer and 12 inches or greater at breast height if deciduous. Per the Shoreline Development Code, 20% of Significant Trees must be maintained. **Attachment 1** includes a tree plan that shows the type and location of all significant trees on-site and which trees will be removed.

The existing home on-site is on the Historic Property Inventory List (**Attachment 4**). The home was built in 1923 and is significant because of its association with suburban development of Shoreline in the 1920's. Staff has contacted Preservation Planner Charlie Sundberg at the King County Historic Preservation Department for further comment on the proposed development of the site. Mr. Sundberg states that this property seems to be of marginal interest; little is known about it and it doesn't appear to be eligible for landmark designation. The house could be moved but its masonry fireplace, its only redeeming feature, would be difficult to reassemble.

2. NEIGHBORHOOD

The project site is located in the Meridian Park Neighborhood. Access to the property is gained from Stone Avenue North, a street that is classified as a Local Street. Stone Avenue N connects to N 185th Street to the north but does not connect through to N 175th Street to the south. There is a 15 foot access easement on the north side of the subject parcel for the property directly to the east to gain access to their home. No change is proposed to the easement. As indicated previously the site is zoned R-8 and has a land use designation of Medium Density Residential. The current zoning of the parcels immediately adjacent to the subject properties on the north, south and east is R-8, and the uses on these sites include low to medium density residential (these parcels also have a Medium Density Residential Comprehensive Plan Designation which allow up to an R-12 zoning). The current zoning of the parcels to the west, across Stone Avenue North, are R-12, and the uses on these sites are a mix of single-family, duplexes and triplexes (these parcels are a mix of Community Business and Mixed Use Comprehensive Plan Designations which allow high density residential, commercial and industrial land uses). The zoning classifications and Comprehensive Plan Land Use designations for the project sites and immediate vicinity are illustrated in **Attachments 2 and 3**.

3. PRIOR APPLICATIONS

There have been a number of land use actions in the recent past that have been changing the density and character of this particular neighborhood, specifically between N 180th to the south, N 185th to the north, Aurora Avenue to the west and Ashworth Avenue N to the east. Examples of development include Meridian Park Cottages (15.7 du/ac), Elena Lane Subdivision (12.8 du/ac), the new Gateway Center and the Interurban Trail.

In December of 1999, the Planning Commission recommended denial of a zone change of the Elena Lane development (Subdivision directly north of the subject parcel) from R-6 to R-12 for a 16-lot subdivision. The recommendation was appealed to the City Council. In February 2000, the City Council recommended approval of a rezone to R-8 for the Elena Lane subdivision. The R-8 zoning allowed 11 homes to be built in the subdivision. *Note: At that time, the Mayor made a comment that smaller, less tall or attached units would appear less dense and would justify an R-12 zoning.*

In August of 2000, the City Council approved an application for rezone (Ordinance 246) at 18042 Stone Avenue N to change the zoning from R-6 to R-8. The staff and the Planning Commission recommended denial of R-12 and approval to the R-8 zoning designation. The issue that was cited for denial was that the density and buildings were out of scale for the neighborhood. The application was approved with an R-8 zoning as well as a two-lot short plat.

4. TIMING AND AUTHORITY

The application process for this project began on February 3rd, 2006, when a pre-application meeting was held with the applicant and city staff. The applicant then held the requisite neighborhood meeting on March 3rd, 2006. The formal application was then submitted to the City on April 4th, 2006. The application was determined complete on April 7th, 2006. A Public Notice of Application 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 site on April 13th, 2006. The Notice of Public Hearing and SEPA Determination 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 site on May 4th, 2006.

No comments were received at the neighborhood meeting but staff has received comment letters in regards to the proposed project during the required comment period. The comments are listed in the Table below:

Name	Comment	Staff Response
Laura Brent, AICP	Removal of trees may affect trees on adjacent lot, loss of screening, access easement, construction noise, drainage from increased impervious	Comments will be forwarded to appropriate individuals for response concerning tree removal and drainage. These are issues that are addressed

	surfaces.	during the building permit stage. Hours of construction may be conditioned during the building permit process
Yefim Leibman and Ella Goltsman	Rather see two homes instead of four, increased traffic, water draining to adjacent properties, trees falling onto adjacent property, new development adjacent to subject parcel will add to drainage concerns.	Under current zoning, owner can build three homes by right, there will be more traffic by not a substantial increase, trees will be inspected and drainage will be reviewed by Drainage Engineer.
Martin Kral	Historic structure on the site, R-12 would be spot zoning, out of character for the neighborhood and loss of trees.	The King County Preservation Planner says the structure is of marginal interest and not eligible for landmark designation, the Medium Density Residential Comp Plan designation allows an R-12 zoning, four single-family homes in a single-family neighborhood are not out of character and the applicant is proposing to retain 65% of the trees on-site, 42 % more than the Code requires.
Cong-Qiu Chu and Hon Bai	Adverse environmental impacts, devalue homes in the neighborhood, would like to see two homes maximum.	Environmental impacts will be better mitigated through this proposal and the owner has the right to build three homes under the current zoning.

Rezone applications shall be evaluated by the five criteria outlined in Section 20.30.320 (B) of The Shoreline Municipal Code (SMC). The City Council may approve an application for rezone of property if the five decision criteria are met.

5. CRITERIA

The following discussion shows how the proposal meets/ or does not meet the decision criteria listed in Section 20.30.320(B) of the SMC. The reader will find that each of the criteria is integrated, and similar themes and concepts will run throughout the discussion of each.

Criteria 1: The rezone is consistent with the Comprehensive Plan.

The Comprehensive Plan land use map identifies the subject properties as *Medium Density Residential*. The site is currently underutilized—the parcel is developed with one single family home (developed at a density of 2.8 dwelling units per acre)—this is not consistent with the density goals and policies of the Comprehensive Plan which plans for this site to accommodate 8 to 12 dwelling units per acre to support housing targets within the City. The proposed zone change will allow the parcels to be developed to the level anticipated in the Comprehensive Plan.

If R-12 becomes the adopted zoning for the site there will be the ability for the applicant to place a maximum of 4 homes on the subject parcel.

The following table summarizes the bulk requirements for the current zoning and the potential R-12 zoning. *By placing four homes on one lot in the R-12 zone, R-6 standards are applied concerning the building coverage and impervious surfaces.* Development will be less intense than three homes on three separate lots which the R-8 zoning allows.

Standard	R8 Development	R12 Development
Front Yard Setback	10'	10'
Side Yard Setback	5'	5'
Rear Yard Setback	5'	5'
Building Coverage	45%	35% *
Max Impervious Surface	65%	50% *

** Note: Maximum building coverage and impervious surface shall be the same as R-6 standards when three or more single-family homes are located on one parcel zoned R-12.*

The Shoreline Comprehensive Plan has established a growth target of 1,600-2,400 new housing units during the next 20-year planning period. The Comprehensive Plan identified different areas of the City where growth will likely occur and can 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 (as is the case of the subject parcel) and more dense development was anticipated in the future when the underutilized parcels were redeveloped.

R-12 zoning is an appropriate designation for the site in order to achieve many goals and policies of the Comprehensive Plan, including:

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

Goal LU IV: Encourage attractive, stable, quality residential and commercial neighborhoods that provide a variety of housing, shopping, employment and services.

The neighborhood will benefit by this development by having new homes that are architecturally different from houses in the area while retaining trees and natural vegetation. The site is currently underdeveloped and this project will match densities expected in the Comprehensive Plan making more efficient use of the land. The site is within walking distance to schools, parks, shopping and transit.

LU 8: Ensure that land is designated to accommodate a variety of types and styles of housing units adequate to meet the future needs of Shoreline citizens.

The development proposed are smaller single-family homes for residents that don't need a large home and want something other than apartment living.

*LU 96: Encourage the use of "green" building methods and materials that may reduce impacts on the built and natural environment, such as to:
Reduce stormwater impacts to protect local watersheds and salmon,
Conserve energy and water,
Prevent air and water pollution and conserve natural resources,
Improve indoor air quality, and
Enhance building durability.*

LU 145: Promote development design which minimizes runoff rate and volume by limiting the size of the building footprint and total site coverage, maximizing the protection of permeable soils and native vegetation, and encouraging use of permeable pavements and surfaces.

This proposal meets LU 96 and LU 145 by incorporating low impact development techniques. Building footprints will be smaller than the typical new single-family home, 65% of significant trees will be retained, extensive use of porous surfaces,

environmental friendly building materials and less impact on the environment than developing under the current zoning designation.

Goal H 1: 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.

Under the Medium Density Residential Land Use designation, the R-12 zoning category will allow four homes to be built instead of three allowed under the current R-8 zoning designation. The proposed homes have small building footprints and square footage to promote alternative housing types for existing and future residents.

H 6: Encourage infill development on vacant or underutilized sites to be compatible with existing housing types.

The site is currently underutilized at a density of 2.8 du/ac. The site will be redeveloped with four low-impact single-family homes at a density of 11.5 du/ac. The single-family homes will be compatible with existing homes in the area by reduced building mass and scale, low building height and natural screening.

CD 3: Encourage development that is visually stimulating and thoughtful, and that convey quality architecture, workmanship and durability in building materials.

Mr. Becker's proposed designs are similar to the Reserve Cottages which won an American Institute of Architect's Home of the Month award.

CD 23: Where clearing and grading is unnecessary, preserve significant trees and mature vegetation.

Mr. Becker has made an effort to site the building footprints and frontage improvements around significant trees and other vegetation.

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

Staff concludes the proposed rezone and redevelopment of this site will positively affect the public health, safety and welfare of the surrounding neighborhood and community. The new construction will promote innovative architecture and building techniques, strives to protect the nature features and vegetation of the site and will be a positive addition to the neighborhood. Unlike other recently added subdivisions in the immediate area, the applicant proposing to place the new dwelling units around the natural features of the lot without disturbing most of the mature trees and vegetation. The latest in low impact development techniques are proposed for stormwater management, 65% of the

significant trees on-site will be retained and required sidewalks will meander around very mature trees along Stone Avenue N. and not result in their removal.

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

The subject parcel is currently zoned R-8. Right now, the site is developed with one single-family house at a density of 2.8 dwelling units an acre which is underdeveloped under the current zoning category. The application to change the zoning of the parcel to R-12 was made in order to develop the sites in similar fashion to those that have been previously developed in the immediate vicinity of the project. The sites' Comprehensive Plan land use designation is *Medium Density Residential*. Consistent zoning designations for this land use include: R-8 and R-12.

The current zoning in the vicinity of the project includes R-6, R-8, R-12, R-24, Office and Regional Business zoning. The uses in the area include single-family houses, duplexes, triplexes, multi-family apartment buildings, a bank, a mini-storage development and retail uses. The subject property will take access from Stone Avenue N, a local street. The Comprehensive Plan states that the Medium Density Residential Land Use designation is intended for areas where single family detached dwelling units might be redeveloped at slightly higher densities; and to areas currently zoned for medium density residential. Single family dwelling units, duplexes, triplexes, zero lot line homes, and townhouses will be permitted. Apartments will be allowed under certain conditions.

The applicant is proposing four low-impact single-family detached dwelling units which are fully supported by the goals and policies of the Comprehensive Plan. R-12 zoning would be an appropriate designation for the subject site, as it would reflect a similar, if slightly less, level of intensity as those uses near it.

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

At this time there appears to be minimal negative impacts to the properties in the immediate vicinity of the subject rezone. The proposed rezone would be less dense than developments that have been recently built such as Meridian Park Cottages (15.7 du/ac) and the Elena Lane Subdivision (12.8 du/ac net density) to the north. Concerns have been raised regarding this project's impact on infrastructure such as water, sewer, stormwater, and traffic/circulation as well as the loss of existing mature vegetation. The following brief summary demonstrates how the project addresses each of these.

Water & Sewer

Conditional statements from the Ronald Wastewater Management District and Seattle Water Department indicate that adequate capacity exists for development at R-12 zoning levels.

Stormwater

The applicant is proposing low impact development techniques in addition to on-site retention. Examples of the features that could be used are rain gardens, small building footprints, restrictive use of impervious surfaces and other low impact measures.

Traffic/Circulation

The applicant is proposing to build four single-family homes on the subject parcel. The P.M. peak hour vehicular trips will be 4.04 (1.01 X 4). Since the P.M. peak hour trips are not greater than 20, a traffic study was not required (SMC 20.60.140(A)). At the time of the development proposal submittal (building permit application), traffic and pedestrian requirements/mitigation specific to the details of the project will be required.

During site development sidewalks will be required along the western boundary of the project area. Sidewalks are developed in pieces in this general area (See **Attachment 5**). As parcels redevelop new sidewalks will be required. It appears that there is adequate vehicular and pedestrian access to the site.

Tree Removal

The SMC requires retention of at least 20% of the significant trees (SMC 20.50.350(B) (1)) on-site and the site design for the development proposal must also meet the requirements of 20.50.350(D) (1-9) which stipulates that trees be protected within vegetated islands and stands rather than as individual, isolated trees. There are a number of significant trees located on the subject site, illustrated on the map in **Attachment 1**.

The applicant is proposing to retain at least 65% of the significant trees on-site, 42% more trees than the code requires. The applicant is exceeding all code requirements in terms of tree retention and protection by proposing to keep as many of the significant trees as possible and place structures in and around the natural features of the parcel. The trees left in place will continue acting as a natural screen between properties to the north, east, west and south.

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

The redevelopment of the site will contribute to an increase in housing units and help the City to achieve its housing targets. By approving this specific redevelopment proposal, the aesthetics of the structures and site planning will be much more environmental friendly than if the site developed without the proposed rezone. Under the current zoning of R-8, the property owner could develop three single-family homes, cover much more of the site with impervious surfaces, and cut down most of the trees on-site without taking into account the neighbors' objections. Staff believes by granting this rezone and conditions as presented to the Planning Commission, the City and the surrounding community will get a much better product that tries to fit into the natural aspects of the site rather than destroying it. In all likelihood the new development will increase the amount of impervious surface area on the site as compared to the current

condition; however this water will be treated and released at rate no greater than what historically flowed from the site in a pre-developed condition.

Further, a policy of the plan is to “preserve environmental quality by taking into account the land’s suitability for development and directing intense development away from natural hazards and important natural resources” (Comprehensive Plan policy LU1). The site does not have any identified critical areas, it is generally flat, and it has good access to public facilities. It is reasonable to encourage, within the provisions of the Development Code, redevelopment and intensification of uses on of parcels such as these.

Therefore it has been shown that these improvements will add benefit to the community.

III. CONCLUSIONS

1. **Consistency-** The proposed reclassification for the subject properties is consistent with the Washington State Growth Management Act, the City of Shoreline Comprehensive Plan, and the City of Shoreline Development Code.
2. **Compatibility-** The proposed zoning is consistent with existing and future land use patterns identified in the Comprehensive Plan.
3. **Housing / Employment Targets-** The current residential density of 2.8 dwelling units per acre indicates the site is underutilized per the density guidelines listed in the Comprehensive Plan for the *Medium Density Residential* land use designation. The project assists the City of Shoreline in meeting housing targets as established by King County to meet requirements of the Growth Management Act.
4. **Environmental Review-** It has been determined that per WAC 197.11.600 (2) the SEPA obligations for analyzing impacts of the proposed rezone are fulfilled by previous environmental documents on file with the City. The FEIS prepared for the City of Shoreline’s Comprehensive Plan, dated November 9, 1998, and is incorporated by reference to satisfy the procedural requirements of SEPA.
5. **Infrastructure Availability-** There appears to be adequate infrastructure improvements available in the project vicinity. This includes adequate storm, water, and sewer capacity for the future development. The development of this site will also require that the infrastructure accommodate existing and anticipated stormwater improvements be installed as part of the development proposal.

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 rezone with conditions the site at 18016 Stone Ave N (parcel number 7276100285) from Residential 8 units per acre (R-8) to Residential 12 units per acre (R-12) based on the findings presented in this staff report with added conditions.
2. Recommend approval to rezone the site at 18016 Stone Avenue N from R-8 to R-12 based on findings presented in this staff report and additional findings by the planning Commission with modified conditions.
3. Recommend denial of the rezone application. The Residential 8 units per acre (R-8) zoning remains based on specific findings made by the Planning Commission.

V. PRELIMINARY STAFF RECOMMENDATION

Staff recommends that the Planning Commission move to recommend to the City Council that R-12 zoning be adopted for the property generally located at 18016 Stone Avenue N (parcel number 7276100285) with the following conditions. Enter into findings based on the information presented in this staff report that this proposal meets the decision criteria for the reclassification of property as outlined in the Shoreline Municipal Code Section 20.30.320.

Condition #1- The scale and architecture of homes must exhibit characteristics of those presented at the Planning Commission such as small building footprints, lower building heights and less intrusive homes to neighboring properties.

Condition #2- Low impact development techniques must be used.

Condition #3- Building heights shall not exceed 25 feet.

Condition #4- At least 60% of significant trees shall be retained.

Condition #5- Trees acting as a natural screen on the north, west, east and south shall not be substantially modified from their current state. See **Attachment 1** for details.

Condition #6- Prior to development, an Arborist is retained by the developer to evaluate the northeast portion of the property and remove any hazardous trees present. Also, an Arborist shall visit the site to review tree removal during the course of development.

ATTACHMENTS

Attachment 1: Site Plan and Tree Inventory

Attachment 2: Vicinity Map with Zoning Designations

Attachment 3: Vicinity Map with Comprehensive Plan Designations

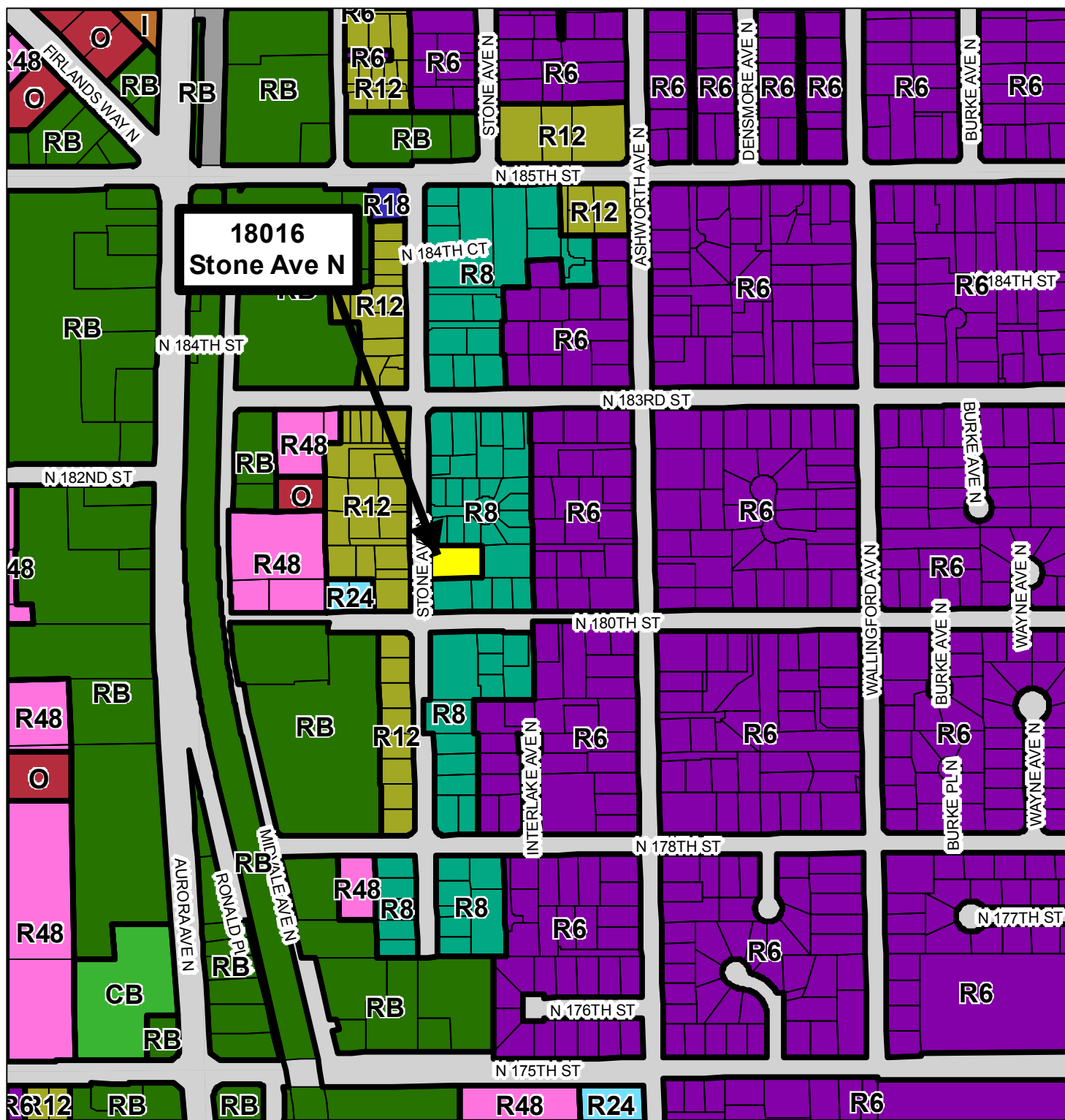
Attachment 4: Historic Property Inventory Form

Attachment 5: Vicinity Map with Sidewalks, Schools and Parks

#	DESCRIPTION	ACTION	#	DESCRIPTION	ACTION
1	12' 12" DBH	REMOVE	11	8" DOG	REMOVE
2	12' 12" DBH	REMOVE	12	8" DOG	REMOVE
3	12' 12" DBH	REMOVE	13	8" DOG	REMOVE
4	12' 12" DBH	REMOVE	14	8" DOG	REMOVE
5	12' 12" DBH	REMOVE	15	8" DOG	REMOVE
6	12' 12" DBH	REMOVE	16	8" DOG	REMOVE
7	12' 12" DBH	REMOVE	17	8" DOG	REMOVE
8	12' 12" DBH	REMOVE	18	8" DOG	REMOVE
9	12' 12" DBH	REMOVE	19	8" DOG	REMOVE
10	12' 12" DBH	REMOVE	20	8" DOG	REMOVE
21	12' 12" DBH	REMOVE	22	8" DOG	REMOVE
23	12' 12" DBH	REMOVE	24	8" DOG	REMOVE
25	12' 12" DBH	REMOVE	26	8" DOG	REMOVE
27	12' 12" DBH	REMOVE	28	8" DOG	REMOVE
29	12' 12" DBH	REMOVE	30	8" DOG	REMOVE
31	12' 12" DBH	REMOVE	32	8" DOG	REMOVE
33	12' 12" DBH	REMOVE	34	8" DOG	REMOVE
35	12' 12" DBH	REMOVE	36	8" DOG	REMOVE
37	12' 12" DBH	REMOVE	38	8" DOG	REMOVE
39	12' 12" DBH	REMOVE	40	8" DOG	REMOVE
41	12' 12" DBH	REMOVE	42	8" DOG	REMOVE
43	12' 12" DBH	REMOVE	44	8" DOG	REMOVE
45	12' 12" DBH	REMOVE	46	8" DOG	REMOVE
47	12' 12" DBH	REMOVE	48	8" DOG	REMOVE
49	12' 12" DBH	REMOVE	50	8" DOG	REMOVE
51	12' 12" DBH	REMOVE	52	8" DOG	REMOVE
53	12' 12" DBH	REMOVE	54	8" DOG	REMOVE
55	12' 12" DBH	REMOVE	56	8" DOG	REMOVE
57	12' 12" DBH	REMOVE	58	8" DOG	REMOVE
59	12' 12" DBH	REMOVE	60	8" DOG	REMOVE
61	12' 12" DBH	REMOVE	62	8" DOG	REMOVE
63	12' 12" DBH	REMOVE	64	8" DOG	REMOVE
65	12' 12" DBH	REMOVE	66	8" DOG	REMOVE
67	12' 12" DBH	REMOVE	68	8" DOG	REMOVE
69	12' 12" DBH	REMOVE	70	8" DOG	REMOVE
71	12' 12" DBH	REMOVE	72	8" DOG	REMOVE
73	12' 12" DBH	REMOVE	74	8" DOG	REMOVE
75	12' 12" DBH	REMOVE	76	8" DOG	REMOVE
77	12' 12" DBH	REMOVE	78	8" DOG	REMOVE
79	12' 12" DBH	REMOVE	80	8" DOG	REMOVE
81	12' 12" DBH	REMOVE	82	8" DOG	REMOVE
83	12' 12" DBH	REMOVE	84	8" DOG	REMOVE
85	12' 12" DBH	REMOVE	86	8" DOG	REMOVE
87	12' 12" DBH	REMOVE	88	8" DOG	REMOVE
89	12' 12" DBH	REMOVE	90	8" DOG	REMOVE
91	12' 12" DBH	REMOVE	92	8" DOG	REMOVE
93	12' 12" DBH	REMOVE	94	8" DOG	REMOVE
95	12' 12" DBH	REMOVE	96	8" DOG	REMOVE
97	12' 12" DBH	REMOVE	98	8" DOG	REMOVE
99	12' 12" DBH	REMOVE	100	8" DOG	REMOVE

NOTE: TOTAL PERCENTAGE OF TREES REMOVED = 1.15 / 2.0 = 58%

NOTE: TOTAL PERCENTAGE OF TREES REMAINED = 0.85 / 2.0 = 42%



SHORELINE

Geographic Information System
City of Shoreline Zoning

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

Shows amendments through
June 21, 2005.

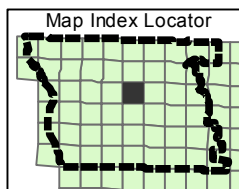
Created on April 18, 2006

Legend

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

- Parcel Line
- Zone District Boundary
- City Boundary
- Unclassified Right of Way

0 125 250 500 Feet



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

Created on April 18, 2006

7.ii - ATTACHMENT 4

HISTORIC PROPERTY INVENTORY FORM

Field Site No. 1176 OAHF No.

Site Name Historic Common Lichtfield House

Field Recorder A. Berlow / C. Copass

Owner's Name Judith A. Chandler

Address 18016 Stone Ave N

City/State/Zip Code Shoreline, WA 98133

Status Survey/Inventory

PHOTOGRAPHY

Photography Neg. No. 05:33-34
(Roll No. & Frame No.)

View of

Date 6/94

Local Designation

Classification [] District [] Site [] Building [] Structure [] Object building

District Status [] NR [] SR [] LR [] INV

Contributing [] Non-Contributing []

District/Thematic Nomination Name

DESCRIPTION SECTION

Materials & Features / Structural Types

Building Type residential

Plan irregular

Structural System wood frame

No. of Stories 1

Roof Type gable
Gable [] Hip []
Flat [] Monitor [] Pyramidal []
Shed [] Gambrel [] Other (specify) []

Cladding (Exterior Wall Surface) wood shingle

[] Log
[] Horizontal Wood Siding
[] Rustic Drop
[] Clapboard
[] Wood Shingle
[] Board and Batten
[] Vertical Board
[] Asbestos/Asphalt
[] Brick
[] Stone
[] Stucco
[] Terra Cotta
[] Concrete/Concrete Block
[] Vinyl/Aluminum Siding
[] Metal (specify) []
[] Other (specify) []

Foundation
[] Log
[] Post & Pier [] Block
[] Stone
[] Brick
[] Not Visible [] Other (specify) []

Integrity (include detailed description in Description of Physical Appearance)
Changes to plan
Changes to windows
Changes to original cladding
Changes to interior
Other (specify) []

Slight Moderate Extensive
[] [] []
[] [] []
[] [] []

State of Washington, Department of Community Development
Office of Archaeology and Historic Preservation
111 21st Avenue SW, P.O. Box 4843
Olympia, WA 98504-8343 (360) 753-4011

[Field Surv# 33]

LOCATION SECTION

Address 18016 Stone Ave N

City/Town/County/Zip Code Shoreline

Twp. / Range / Section 26-04-07

Tax No./Parcel No. 7276100285

Quadrangle or map name

UTM References Zone

Easting

Plat / Block / Lot Richmond Acres

Supplemental Map(s)



High Styles/Forms (check one or more of the following)

<input type="checkbox"/> Greek Revival	<input type="checkbox"/> Vernacular Craftsman
<input type="checkbox"/> Gothic Revival	<input type="checkbox"/> Spanish Colonial Revival/ Mediterranean
<input type="checkbox"/> Italianate	<input type="checkbox"/> Tudor Revival
<input type="checkbox"/> Second Empire	<input type="checkbox"/> Craftsman/Arts & Crafts
<input type="checkbox"/> Romanesque Revival	<input type="checkbox"/> Bungalow
<input type="checkbox"/> Stick Style	<input type="checkbox"/> Prairie Style
<input type="checkbox"/> Queen Anne	<input type="checkbox"/> Art Deco/Art Moderne
<input type="checkbox"/> Shingle Style	<input type="checkbox"/> Rustic Style
<input type="checkbox"/> Colonial Revival	<input type="checkbox"/> International Style
<input type="checkbox"/> Beaux Arts / Classical	<input type="checkbox"/> Northwest Style
<input type="checkbox"/> Chicago / Commercial Style	<input type="checkbox"/> Commercial Vernacular
<input type="checkbox"/> American Four-square	<input type="checkbox"/> Residential Vernacular (see below)
<input type="checkbox"/> Mission Revival	<input type="checkbox"/> Other (specify) _____

Vernacular House Types
[] Gable Front
[] Gable front and wing
[] Side Gable

[] Cross Gable
[] Pyramid/Hipped
[] Other (specify) _____

NARRATIVE SECTION

Study Unit Themes (check one or more of the following)

- ☐ Agriculture
- ☒ Architecture/Landscape Architecture
- ☐ Arts
- ☐ Commerce
- ☐ Communications
- ☐ Community Planning/Development

Architecture

- ☐ Conservation
- ☐ Education
- ☐ Entertainment/Recreation
- ☐ Ethnic Heritage (specify) _____
- ☐ Health/Medicine
- ☐ Manufacturing/Industry
- ☐ Military

File No. 1176

- ☐ Politics/Government/Law
- ☐ Religion
- ☐ Science & Engineering
- ☐ Social Movements/Organizations
- ☐ Transportation
- ☐ Other (specify) _____
- ☒ Study Unit Sub-Theme(s) (specify) _____

Residential

Statement of Significance

Date of Construction 1923

Architect / Engineer / Builder _____

☒ In the opinion of the surveyor, this property appears to meet the criteria of the National Register of Historic Places.

☐ In the opinion of the surveyor, this property is located in a potential historic district (National and/or local).

This house, located in the Richmond Acres plat, is significant for its association with the suburban development of the Shoreline district in the 1920s, as growing private automobile ownership and road improvement projects opened the area for suburban development. This house, on a wooded lot, typifies the semi-rural life sought by people who moved to the area in the 1920s. Built soon after the platting of Richmond Acres in 1920, the house was located several blocks E of the North Trunk Road, a paved brick route to the county line, and several blocks from the Interurban rail line. Both these routes ran near what is now Highway 99. The original owner has not been identified. According to the tax records, Nellie M. Lichtfield purchased the property in 1937.

Description of Physical Appearance

This low-lying one-story cottage draws on Craftsman design elements, including the gable roof and cross gable porch (now enclosed), shingle siding, and brackets supporting the gable ends. The main volume of the original house measures approximately 27' x 30'. The original front door remains in the side entry. The door features 4x2 panes above four vertical panels. The house is clad in wood shingle. The roof was originally wood shingle as well; it is now clad in composition shingles. The house was remodeled in the 1930s; a 14' x 17' addition, with a lower roof than the main section, was likely added at that time. A large cobblestone chimney located in the addition is a prominent feature. The gable roofed front porch may have been enclosed in the 1930s as well. These changes, made during the depression, are considered part of the historic development of the house. In the 1930s, the house had a single garage and a large shed, perhaps used for an associated small-scale agricultural activity. When the house was built, the lot had been logged over, but smaller trees remained. The trees have grown back; the wooded lot to evokes the home's original semi-rural suburban setting.

Major Bibliographic References

King County Property Tax Records

15018 STONE AVE
 PEBBLE BEACH, CALIF.
 ATTN: B1-4

[illegible]

SUBURBAN - KING COUNTY ABSESSOR - SEATTLE, WASHINGTON

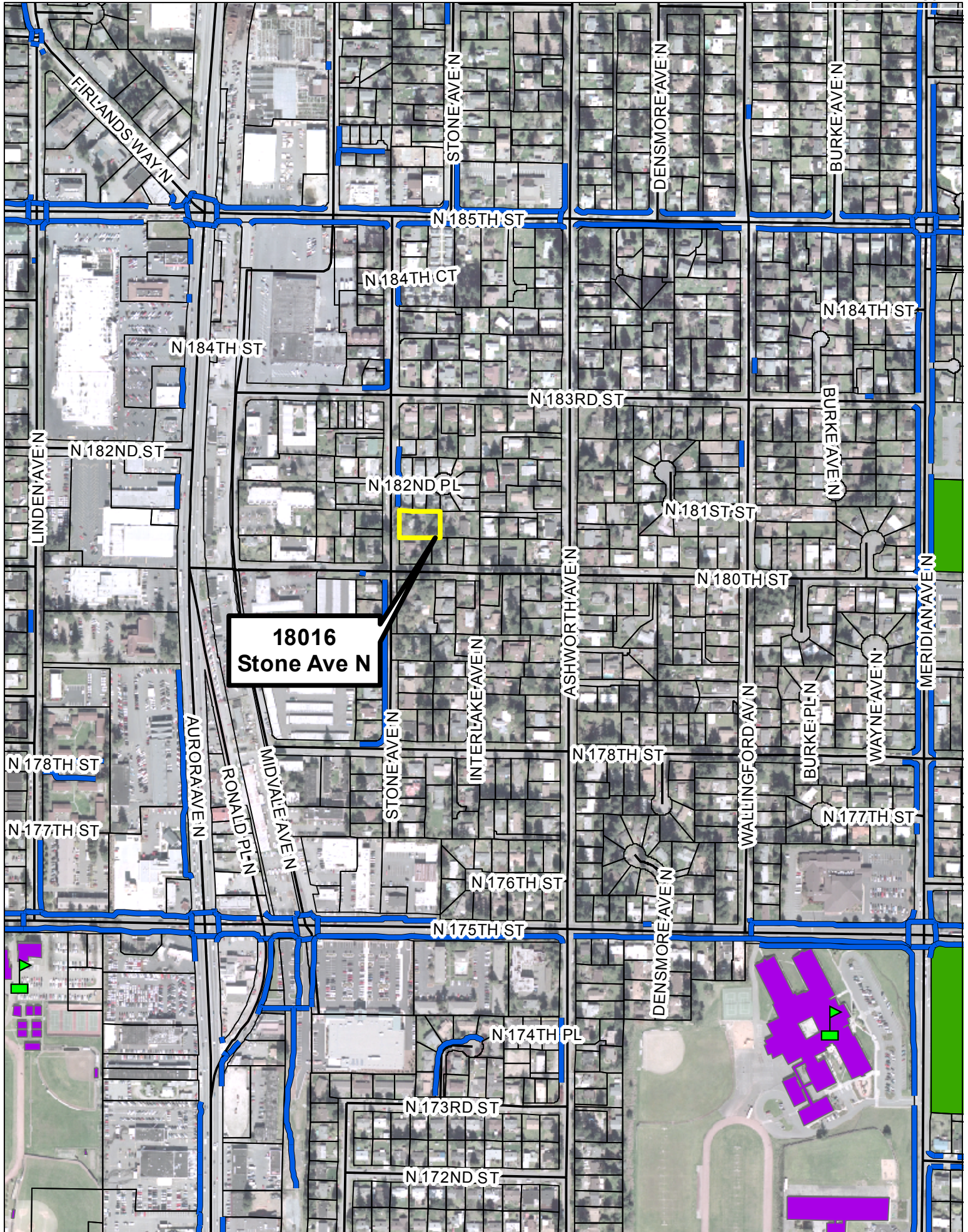


0285

910 LIBERATION

109

STATION No.	TYPE	RANGE	F
7	26	4	11



Legend

- Parcel Line
- School
- Park
- Street
- Sidewalk

0 225 450 900 Feet



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DRAFTThese Minutes Subject to
July 6th Approval**CITY OF SHORELINE****SHORELINE PLANNING COMMISSION
SUMMARY MINUTES OF REGULAR MEETING**June 15, 2006
7:00 P.M.Shoreline Conference Center
Mt. Rainier Room**COMMISSIONERS PRESENT**Chair Piro
Commissioner Broili (arrived at 7:05 p.m.)
Commissioner Hall
Commissioner Harris
Commissioner McClelland
Commissioner Phisuthikul
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**COMMISSIONERS ABSENT**Vice Chair Kuboi
Commissioner Pyle**CALL TO ORDER**

Chair Piro called the regular meeting of the Shoreline Planning Commission to order at 7:03 p.m.

ROLL CALL

Upon roll call by the Commission Clerk, the following Commissioners were present: Chair Piro, Commissioners Hall, Harris, McClelland, Phisuthikul and Wagner. Commissioner Broili arrived at 7:05 p.m. and Commissioner Pyle and Vice Chair Kuboi were excused.

APPROVAL OF AGENDA

Agenda Item 7.i was placed after Item 7.ii. In addition, the Director's Report was moved to later on the agenda.

APPROVAL OF MINUTES

The minutes of June 1, 2006 were approved as submitted.

GENERAL PUBLIC COMMENT

There was no one in the audience who expressed a desire to address the Commission during this portion of the meeting.

PUBLIC HEARING ON BECKER SITE-SPECIFIC REZONE #201522

Chair Piro reviewed the rules and procedures for the quasi-judicial public hearing. He reviewed the Appearance of Fairness Rules and inquired if any Commissioners received comments regarding the subject of the hearing from anyone outside of the hearing. None of the Commissioners disclosed any ex parte communications. No one in the audience expressed a concern about the participation of any Commissioner, either.

Staff Overview and Presentation of Preliminary Staff Recommendation

Mr. Szafran explained that the applicant is proposing to modify the existing zoning category for a 15,200 square foot parcel located at 18016 Stone Avenue North. Currently, the site is developed as a single-family home, which is on the City's Historic Inventory List. The subject parcel is relatively flat and has many significant trees. Four large trees that are located within the right-of-way adjacent to the subject property would be saved by meandering the required sidewalk around them.

Mr. Szafran displayed the proposed site plan and advised that the applicant is proposing to build four, low-impact single family homes. Sixty-five percent of the trees on site would be saved, as would the trees that act as a natural buffer on the north side of the property. Two covered parking structures would be built on the site, as well. He explained that with a parcel size of 15,200 square feet, the gross average density on the site would be 11.5 units per acre. He noted that the City has received four letters of opposition to the proposed development and site-specific rezone. He provided elevation drawings of the proposed structures, as well as some pictures illustrating the architect's work in other areas of Shoreline.

Mr. Szafran advised that the Comprehensive Plan designation for the adjacent parcels to the north, east and south is medium density residential, which allows residential zoning between R-8 and R-12. The parcels to the west across Stone Avenue North have been designated as either mixed use or community business, which allows all residential zoning between R-8 and R-48 and all commercial and industrial zoning categories. He further advised that the zoning in the immediate area is a mixture of R-6, R-8, R-12, R-24, R-48, Office and Regional Business. He provided pictures to illustrate current development in the immediate area. Nearby properties have been developed with a mixture of low-density single-family homes, medium-density single-family homes, duplexes, triplexes, multi-family buildings, and commercial uses.

Mr. Szafran said the subject property is located close to a major arterial, and Aurora Avenue North accesses a number of transit routes. The site is within walking distance to Cromwell Park and Shorewood High School, as well as numerous employment and shopping centers.

Mr. Szafran explained that when reviewing rezone applications, the Commission is required to consider five criteria. He briefly reviewed each of the criteria as follows:

1. **The rezone is consistent with the Comprehensive Plan:** The Comprehensive Plan designation is medium density, which allows up to an R-12 zone, and the proposed development would promote an efficient use of land. The current single-family residence on the site does not meet the goals and policies of the Comprehensive Plan. The proposal would provide varying styles of housing units for the future needs of Shoreline residents, would encourage infill development on an underutilized site, and would be compatible with existing housing types. The proposed development meets the land use, housing, environmental, and community design goals and policies.
2. **The rezone will not adversely affect the public health, safety of general welfare:** Adequate infrastructure exists in the area, and the proposal would utilize low-impact development techniques. The developer aims to keep as much natural vegetation as possible while placing the buildings around significant natural features on the site. Natural screening would remain in place to protect the privacy of adjacent neighbors.
3. **The rezone is warranted in order to achieve consistency with the Comprehensive Plan:** The medium density land use designation allows up to an R-12 zone. The proposed single-family homes would be less dense, have smaller building footprints, have less impervious surfaces and would not be as tall as other single-family homes that have been developed in the immediate area. The site is located in an area where higher density is encouraged and within walking distance to schools, parks, shopping, employment and transit routes. The current single-family home does not meet the goals and policies of the Comprehensive Plan since the site is developed at 2.8 dwelling units per acre.
4. **The rezone will not be detrimental to uses or property in the immediate vicinity of the subject rezone:** On the built portion of the property, density would be less than other projects recently completed in the neighborhood. Adequate sewer and water exists at the site. Stormwater would be contained on site using low-impact development techniques. It is estimated that only 2.2 peak hour trips would be generated, and landscaping would be provided along all property boundaries. Frontage improvements would meander around significant trees located in the right-of-way, and 65% of the significant trees on the site would be retained, where the City's code would only require 20% retention.
5. **The rezone has merit and value for the community:** The proposed project would be more environmentally friendly than if the site were redeveloped under the existing zoning category. The new homes would be placed within the natural features of the site rather than grading and cutting them down. While the new development would increase impervious surface more than what exists now, the impact would be less than what could occur with development under the current zoning designation of R-8.

For the reasons outlined in the rezone criteria, Mr. Szafran advised that staff recommends preliminary approval of the rezone based on the following conditions:

- The scale and architecture of homes must resemble elevations on file.
- Low impact development techniques must be used.
- Building heights shall not exceed 25 feet.
- At least 60% of the significant trees shall be retained

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- Trees acting as a natural screen on the north, south, east and west shall not be substantially changed from their current state.

Applicant Testimony

Scott Becker, Applicant, 19202 – 20th Avenue Northwest, advised that his company built the Reserve Cottages. He explained that their approach for the proposed project was based on a desire to provide an alternative to the standard type of housing development, which is not typically required to preserve any trees. In addition, they are trying to apply an array of low-impact development techniques to avoid adding the full burden of stormwater management that is normally required for development. He noted that at the Reserve Cottages, they hired geotechnical and civil engineers to figure out how to infiltrate and transpire the stormwater rather than sending it all to the overtaxed stormwater system.

Mr. Becker pointed out that the proposal is to develop the site to 25% lot coverage on a lot that allows much more. The footprint of the development is less than what could be built with a three-building development, which is currently allowed on the site. Upzoning would assist in providing a better overall development. He noted that the units have been uniquely designed and angled in such a way to avoid the removal of trees where possible. He summarized that they are trying to do something better to improve the neighborhood and preserve existing trees and wildlife habitat.

Questions by the Commission to Staff and Applicant

Commissioner Harris asked about the proposed building footprints. Mr. Becker answered that they are intending to construct three bedroom houses. The bottom level would be in the neighborhood of 750 square feet. The total square footage of space in each unit would be about 1,200.

Mr. Becker noted that the site plan has been revised since the Commission packets were mailed out. The slide displayed as part of the PowerPoint presentation shows the current site plan. He explained that the initial site plan was not based on a complete survey. Since that time, a survey has been performed to better identify all of the trees on the site. He noted that on the north side of the site there are smaller caliber trees that don't technically qualify as significant, but a number of them would be preserved as well. There are also some significant trees to the northeast that were not shown on the original site plan.

Commissioner Phisuthikul referred to the easement through the northern boundary of the property to serve the property to the east. He asked if this easement would serve other properties, as well. Mr. Becker answered that the easement currently serves only one house. He said he intends to locate the buildings as close as possible, while angling them to create open areas of common green space or patios. Commissioner Phisuthikul asked who would own the open areas. He also asked if a homeowners association would be formed. Mr. Becker replied that the homeowners would own the land their houses sit on, as well as a perimeter dimension of roughly 3 to 5 feet wide. The common open space would be planted with native species that are resilient and require less maintenance.

Commissioner McClelland requested clarification about the orientation of the proposed buildings. Mr. Becker answered that rather than orienting the houses towards Stone Avenue North, the green space along the street would be maintained. The easement would allow them to create a central area where parking and individual walkways to the units would be provided. The development would focus inward rather than out at the adjacent properties.

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Public Testimony and Comment

Cong-Qiu Chu, 1301 North 182nd Place, said he lives across the street from the subject property. He said he enjoys the area and is not convinced the developer would be able to implement the plan without destroying the existing environment. He questioned the developer's ability to preserve 60% of the trees. He expressed his belief that four houses and two parking garages on the subject property would be too crowded, and he is concerned about the traffic impact created by the additional housing units. He pointed out that privacy is also a concern for the adjacent property owners. He said he strongly opposes the proposed development. He encouraged the Commissioners to visit the site to get a better idea of the neighbor's concerns. Commissioner Hall asked some details about Mr. Chu's home. Mr. Chu answered that on his cul-de-sac there are 10 or 11 houses. His home is 1,900 square feet in size.

Commissioner Broili noted that the developer's intent is to retain many more significant trees than the 20% required by the code. If the developer were to construct three single-family homes utilizing the maximum footprint allowed by the existing zone, the impact to the adjacent property owners would be much greater. Mr. Chu said he is still concerned about the impact that would be created by six structures on the subject property.

Yedim Liebman, 1309 North 182nd Place, said he would like the property to be developed as two single-family homes rather than the four that have been proposed. He pointed out the location of his home and driveway and expressed his concern about some of the existing trees on the subject property and the hazard they pose. He asked that the dangerous trees be removed before his home is damaged. He pointed out that a fifth house has been proposed for property to the east of the subject property. He concluded his remarks by reiterating his opposition to the proposal.

Commissioner McClelland inquired about the location of a fifth house that would be constructed to the east of the subject property. Mr. Szafran pointed out that the City has not received a building proposal for the east parcel. The property would be accessed via the 15-foot easement that would run through the subject parcel.

Rebecca Glass, 18033 Stone Avenue North, said she lives southwest of the subject property. She expressed her concern about the recent construction that occurred right next to her property. The first thing they did was cut away all the vegetation on the property, including most of the trees. The developer did everything possible to get around the City requirements. If Mr. Becker's development is built as proposed, it would be a good development for the neighborhood.

Brian Lee, 18018 Stone Avenue North, said he owns property to the east of the subject property. He said he has lived in his home for almost 25 years and has been in the real estate business for the past 30 years. He referred to previous developments that had a negative impact on the neighborhood. Numerous significant trees were removed to accommodate the new development. He said he supports the proposal as the best alternative for the neighborhood. He suggested that unless the City were to purchase the property for a park, the proposed development would be the best option. The Commission asked questions to clarify the location of Mr. Lee's property, how it is accessed, and what his future plans are.

Martin Kral, 1317 North 183rd, said his property is located just to the north of the subject property. Contrary to the information provided in the staff report, he pointed out that the east side of Stone Avenue North is developed as single-family residential throughout, with the exception of the Meridian Park Cottages. He suggested that the current proposal appears to be another effort to develop cottage housing in the neighborhood. He concluded that if spot zoning were allowed to continue in Shoreline, the neighborhoods would be in danger. He pointed out that the landscape buffer along the north boundary of the subject property is actually part of the Elena Lane Development. This landscape buffer was one of the conditions set forth by the City to mollify the concerns raised by the neighbors. He expressed his belief that the neighborhood would be detrimentally impacted by allowing a cottage housing type development on the subject property. They already have two cottage housing developments in their area.

Commissioner McClelland requested clarification about the landscape buffer mentioned by Mr. Kral. Mr. Kral clarified that this buffer adjoins the easement to the north of the property line. The line of trees is actually owned by the adjoining property owner to the north. It is a landscape barrier that was negotiated and agreed to by a previous developer. Therefore, it should have no impact whatsoever on the proposal. Mr. Szafran pointed out the location of the buffer of trees

Ellie Brandower, 1314 North 180th Street, said she lives behind the proposed development. She referred to the site plan and asked what a feature on the plan was. She noted that this was not identified on the site plan she received previous to the meeting. She expressed her concern that the proposed development would interfere with her privacy. She said she is also concerned that the bushes separating her property from the subject property would have to be removed.

Commissioner Hall clarified that the two parallel lines drawn from the corners of the central units indicate a 9-foot distance between the two buildings. These lines do not represent a road or any other type of construction. They are architectural lines on the map to show distance. Ms. Brandower asked how far from the property line the houses would be built. She concluded her remarks by stating that she is opposed to the proposed cottage development. The idea of a park or something of that nature would be better.

Presentation of Final Staff Recommendation

Mr. Szafran said staff's final recommendation is that the Planning Commission move to recommend to the City Council that R-12 zoning be adopted for the property located at 18016 Stone Avenue North, with the following conditions:

1. The scale and architecture of homes must exhibit characteristics of those presented at the Planning Commission such as small building footprints, lower building heights, and less intrusive homes to neighboring properties.
2. Low impact development techniques must be used.
3. Building heights shall not exceed 25 feet.
4. At least 60% of the significant trees shall be retained.
5. Trees acting as a natural screen on the north, west, east and south shall not be substantially modified from their current state.

Mr. Tovar clarified that the proposal is not a "cottage housing" development, and the City no longer has cottage housing regulations. The current proposal is to rezone the subject property to R-12, which is a single-family zone. He suggested that one question the Commission might want to discuss is whether or not a unit that is smaller than a certain number of square feet could be considered a single-family house.

Final Questions by the Commission and Commission Deliberation

Commissioner Harris noted that on Page 41 of the Staff Report, staff stated that the Elena Lane Development was built at 12.8 units per acre. But then Page 46 states that it is 12.8 net dwelling units per acre. He noted that the current zoning designation for this property is R-8. He asked if the staff's calculations excluded the road. Mr. Szafran said that the road and open space/drainage facility were excluded. Commissioner Harris clarified that the Elena Lane Development was built to the R-8 standards, so the language in the Staff Report was misleading.

Commissioner Phisuthikul asked if the property could accommodate five dwelling units if the zoning were changed to R-12. Mr. Szafran said that only a maximum of four units would be allowed.

Commissioner McClelland asked Mr. Becker to clearly identify the trees the applicant has control of, particularly the trees on the north side of the property. Commissioner Hall pointed out that if the Commission were to approve the rezone application, with the condition that at least 60% of the significant trees be retained, staff would have to verify how many significant trees are on the site. Commissioner Broili said it would behoove the Commission to be sure that everyone is clear on what is planned for the subject property.

Mr. Becker explained that the survey excluded non-significant trees that were less than 8 inches in diameter. The non-significant trees and the hedge along the border were excluded from the calculations because the City does not require them to be kept. However, he plans to retain them anyway. He pointed out that border trees along the driveway are actually owned by both properties, and they would be retained. The significant trees along this border were not included in the calculations, either. The 65% of trees that he is proposing to keep would be significant caliber trees in excess of all of the vegetation along the border.

Commissioner Phisuthikul asked if any civil engineering work has been done on the plans. Mr. Becker said a civil engineer is currently reviewing a geotechnical report that includes a soils component and perk test. Their intention is to infiltrate on the site so that stormwater could be contained on site and not enter the City's stormwater system. He noted that their engineering firm has a great deal of expertise in doing low-impact development.

COMMISSIONER HALL MOVED THAT THE COMMISSION RECOMMEND APPROVAL OF THE STAFF'S RECOMMENDATION FOR THE SCOTT BECKER SITE-SPECIFIC APPLICATION (LOCATED AT 18016 STONE AVENUE NORTH, APPLICATION #201522) WITH ON ADDITIONAL CONDITION THAT REQUIRES THAT PRIOR TO DEVELOPMENT AN ARBORIST BE RETAINED BY THE DEVELOPER TO EVALUATE THE NORTHEAST PORTION OF THE PROPERTY AND REMOVE ANY HAZARDOUS TREES PRESENT. COMMISSIONER WAGNER SECONDED THE MOTION.

Commissioner Hall suggested that the Commission focus on the difference between what likely could occur in the future if the rezone is or is not approved. The prospect of having an additional City park is wonderful, but he would not support the City requiring a private property owner to give up property for a park. He pointed out that the likelihood of redevelopment on the subject property is high. He agreed that the size of the proposed lots would be smaller than many of the surrounding properties. However, he reminded the Commission that the purpose of the City's Comprehensive Plan is to balance the goals of the community, including the goal to provide a variety of housing types and adequate housing to meet the growth targets for population over the next 25 years. For that purpose, it is common for land use designations to allow for a more intense use of property than the current use. Through redevelopment, the City will see higher intensity uses in order to house the population.

Commissioner Hall said he sees value to the community in redeveloping the property in a way that preserves the trees in a natural environment. He referred to Land Use Policy 108 which states that the removal of healthy trees should be minimized, particularly when they are in environmentally critical areas. He advised that the City has an opportunity to balance the goals of the Comprehensive Plan. They can get increased housing density while preserving trees. Therefore, he plans to support the motion.

Commissioner Harris said that he really likes the architectural style proposed by the applicant. However, he reminded the Commission that his previous project, the Reserve Cottages, was not well-received by the neighborhood. Therefore, it would be inaccurate to say that architecture is the selling point for the proposal. He also expressed his concern that the design is inclusive and does not reach out to the community. He noted that planning publications talk significantly about the need to design developments that integrate into the community. He also expressed his concern that the rest of the street is zoned as R-8, so a rezone to R-12 could be considered a spot zoning.

Commissioner Broili said he is also disturbed about the proposal that would allow R-12 zoning in an area that is otherwise zoned R-8. He expressed his concern that this could set a precedent for future rezones in the area. He said he can also appreciate the neighbors concerns about increased traffic. Four homes would likely result in two additional cars per unit. Eight additional automobiles in a cul-de-sac could definitely have an impact. On the other hand, he applauded the reduced impact design that is being proposed. The proposed development would be far more conducive to the environment than the recent Elena Lane development.

Commissioner McClelland agreed with the concerns raised about traffic impacts. Even though the four houses and two garages may not cover any more ground than two big houses, the proposed design and easement is awkward. Having an easement right along the property line would be intrusive on existing developments.

Commissioner McClelland said the community's impression of single-family development is one house on one lot. When more than one dwelling unit is allowed on a lot, the community may no longer view it as single-family. While the City has provisions to allow more than one unit on a lot, the proposed project might be perceived by the public as a variation of cottage housing.

Commissioner Hall agreed that the issue of "spot zoning" is a legitimate concern. He reminded the Commission that the Cottage Housing Ordinance was viewed by some as a way to get around the zoning code to build a greater density than what is allowed by the City Code, but that is not what the applicant is

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doing. Mr. Becker is going through a legal process that existed long before the City ever had a Cottage Housing Ordinance. Any property owner has the option to request that the zoning on their property be changed. This gives the community and neighborhood a fair opportunity to speak for and against the proposal. He suggested that any discussion related to cottage housing is inappropriate for this application. The proposal is a site-specific, property-owner initiated rezone.

In regards to traffic, Commissioner Hall noted that the development immediately to the north has 11 units on a private street. The proposed development would only have four units, plus the possibility of two more in the future, on a private street. With respect to the easement, he pointed out that the screening vegetation is located on the property line, and documents have been included in the record indicating that the property owner would preserve this vegetation. While preserving the neighborhood character is important, he has not seen a proposal come before the Commission that does a better job of balancing the need to increase the population to meet the City's growth target with the need to preserve trees. He urged the Commission to support the proposal.

Commissioner Harris pointed out that one of the reasons Elena Lane is so intrusive is because of the size of the required road and cul-de-sac to meet the City standards. If the road width could have been reduced, larger front yards and more trees could have been part of the plan.

Chair Piro said he is uncomfortable identifying the proposal as a "spot zone." He thinks of spot zoning as a more dramatic change such as rezoning a property within a single-family zone to commercial. Going from R-8 to R-12 zoning is a natural, gradual and compatible change. Under the current zoning designation, the property would accommodate three homes, and the rezone would allow four. He expressed his belief that the proposal represents a creative way to construct single-family housing units.

Commissioner Wagner noted that prior to her joining the Commission there seemed to be a number of conditions placed on a project at Echo Lake that were changed drastically after the proposal left the Planning Commission. She suggested that they not just review the project based on what is being proposed. She agreed that the proposal is attractive and supports the concept of low-impact housing, but the Commission should keep in mind that changes could occur to the site plan after they pass their recommendation on the rezone application to the City Council.

Commissioner Wagner said that while the height restrictions found in proposed Condition 3 start to address the issue of lot coverage, further defining the maximum footprint allowed would help address this concern.

Commissioner Broili recalled that the Cottage Housing Ordinance included a suggested ratio between the 1st and 2nd floor. Commissioner Hall recalled that in the Commission's final deliberations they talked about requiring that at least 700 of the 1,000 square feet had to be located on the ground floor. Commissioner Broili pointed out that the Reserve Cottages were not well received in large part because they did not adhere to that ratio. They were considered to be out of proportion with the rest of the neighborhood. He suggested that perhaps some type of floor ratio could be incorporated as a condition of the rezone. Commissioner Phisuthikul suggested that a simpler alternative would be to create a condition to limit the lot coverage ratio of the structures and impervious surfaces.

Commissioner McClelland pointed out that the proposed site plan would not be binding if the rezone application were approved. However, Commissioner Phisuthikul emphasized that the conditions placed

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on the rezone application would be binding on whatever site plan is approved. That is why it might be appropriate to create a condition to identify the maximum lot coverage allowed. Mr. Szafran pointed out that any time a condition is added to a rezone application, it is considered a contract. Although it would not be called a contract rezone, the applicant would be obligated to meet all of the conditions.

Commissioner Hall reminded the Commission that their role is to recommend policy decisions, and the City Council's role is to make policy decisions. The staff is responsible to implement the policy decisions. He cautioned that the Commission should not make bad policy recommendations out of concern that someone in the governmental process has not performed their role. The Commission should maintain their role to make good policy recommendations and trust that staff would continue to do their very best to implement the policies. He said he is comfortable that proposed Condition 1 would address concerns related to lot coverage and compatibility.

Commissioner Broili referred to proposed Condition 2 and explained that low impact development, by definition, speaks to such things as hydrology at the site. The applicant does not know whether or not the site can be infiltrated in order to apply specific low-impact development techniques. He noted that low-impact development is not defined in the City code, so the Commission does not know exactly what the term means. The applicant might have to make changes in the design.

Commissioner Hall pointed out that even if the only low-impact development technique used by the applicant was to preserve the trees, this would result in a reduction of stormwater runoff. He pointed out that under the existing zoning, a developer could construct three houses on the subject property with no public hearing requirement and no requirement to implement low-impact development. Commissioner Broili agreed but stated his belief that since the code is not clear about the meaning of low-impact development, proposed Condition 2 would be meaningless.

Chair Piro summarized that the Commission seems to be in agreement about the appropriateness of proposed Conditions 3, 4, and 5, as well as a new Condition 6 that would require an evaluation by a certified arborist of the trees on the northeast corner of the site. However, the Commissioners still have concerns about proposed Conditions 1 and 2.

Commissioner McClelland said that if the Commission could be assured that the proposed site plan represents what would take place on the site, it would be much easier to support proposed Conditions 1 and 2. However, certain conditions relating to Conditions 1 and 2 could change after the rezone application has been approved.

Chair Piro said the Commission does not have an opportunity to provide feedback regarding the site plan once they have forwarded their recommendation to the City Council. He invited the Commissioners to provide feedback on changes that could be made to proposed Conditions 1 and 2 to satisfy some of their concerns.

Commissioner Broili said he plans to support the proposed rezone application. However, it is important to voice all of their concerns as part of the record. The Commission has an opportunity to bring forward issues of concern in order to move the City towards the point of where they do have definitions for low-impact development, etc.

Mr. Szafran pointed out that the code restricts single-family development to a 35% building lot coverage, and the proposed site plan identifies 25%. The code allows 50% total impervious surface and the applicant is proposing 45%.

Closure of the Public Hearing

COMMISSIONER HALL MOVED THAT THE PUBLIC HEARING ON THE SCOTT BECKER SITE-SPECIFIC REZONE REQUEST BE CLOSED. COMMISSIONER BROILI SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

Vote by Commission to Recommend Approval, Denial or Modification

Commissioner Hall concurred with staff's findings and conclusions that the proposal is consistent with the Comprehensive Plan. In addition to the goals and policies staff called out, the proposal also addresses the following Comprehensive Plan goals and policies:

- Community Design Goal 1, which promotes community development and redevelopment that is carefully considered, aesthetically pleasing, and functionally consistent with the City's vision for preservation of trees and environmental sensitive areas.
- Land Use Policy 108, which calls for the need to preserve healthy trees.
- Land use Policy 87, which speaks to providing standards for site development to minimize environmental impacts.

Commissioner Broili expressed his concern that if construction and the removal of trees and vegetation is not done carefully, the root systems of other trees could be impacted and the remaining trees could die anyway. He suggested that new Condition 6 be expanded to require an arborist be on site during excavation and land development to ensure protection of the remaining trees.

COMMISSIONER BROILI OFFERED A FRIENDLY AMENDMENT TO EXPAND THE NEW CONDITION 6 TO HAVE THE ARBORIST VISIT THE SITE TO REVIEW TREE REMOVAL DURING THE COURSE OF DEVELOPMENT.

Commissioner Hall said he would be comfortable having an arborist on site during the course of site development, but leave it to the staff to determine when that should be done. Commissioner Harris pointed out that the City's code is very specific that a tree retention plan would have to be prepared by an engineer, so there would be no need to expand Condition 6. Commissioner Broili shared an example of a development near his home where the City code was not being adhered to.

Commissioner Harris said that the proposed friendly amendment is non-specific and does not indicate when the arborist would visit the site. Commissioner Broili said the point has been made that the Commission should lay out basic policy and then expect staff to follow through. The friendly amendment merely indicates that the Commission would like a little attention to this unusual site plan, especially where the trees would be close to the building. A bit more attention by an arborist during the development process is not too much to ask as a condition of the rezone.

COMMISSIONERS HALL AND WAGNER ACCEPTED THE FRIENDLY AMENDMENT.

THE MAIN MOTION TO RECOMMEND APPROVAL OF THE STAFF'S RECOMMENDATION FOR THE SCOTT BECKER SITE-SPECIFIC REZONE APPLICATION, WITH ONE ADDITIONAL CONDITION AS AMENDED, WAS APPROVED UNANIMOUSLY.

The Commission took a recess. They reconvened the meeting at 9:20 p.m.

PUBLIC HEARING ON JAY FINNEY SITE-SPECIFIC REZONE #201508

Chair Piro reviewed the rules and procedures for the quasi-judicial public hearing. He reviewed the Appearance of Fairness Rules and inquired if any Commissioner received comments regarding the subject of the hearing from anyone outside of the hearing. None of the Commissioners disclosed any ex parte communications. No one in the audience expressed a concern about the participation of any Commissioner, either.

Staff Overview and Presentation of Preliminary Staff Recommendation

Mr. Szafran said the subject property is located at 14539 – 32nd Avenue Northeast. There is currently a condemned single-family home on the site. The house has been vacant for approximately 10 years and has been used by vagrants and as a dumping ground. It has few if any significant trees. The applicant is proposing a 4-unit town home development, much like the one located three parcels to the south of the subject property. The development would consist of two buildings, with two town homes in each. The density of the site would be 20.6 units per acre, and the approximate height of the buildings would be 34 feet. He noted that the City received 13 letters in support of the proposal and one letter in opposition.

Mr. Szafran reviewed that the Comprehensive Plan for the adjacent parcels is mixed use, which allows all residential zones between R-8 and R-48 and all commercial and industrial zoning categories. The zoning in the immediate area includes R-12, R-18, R-24, R-48 and Neighborhood Business. The area is developed with a mix of older homes, duplexes, triplexes, multi-family buildings and commercial uses. The subject property is located close to major arterials that access a number of transit routes, and is within walking distance to Hamlin Park, Shorecrest High School, Briarcrest Elementary, numerous churches, employment and shopping centers.

Mr. Szafran said the rezone request meets the goals and policies of the Comprehensive Plan by promoting an efficient use of land, encouraging infill development, reviving development in an older area, matching densities existing in the area, encouraging alternative modes of transportation, and improving the safety and aesthetics of the Briarcrest Neighborhood.

Applicant Testimony

Jay Finney, Applicant, 19825 – 52nd Place, Lynnwood, said he agrees with the staff report as presented and was available to answer Commission questions.

Questions by the Commission to Staff and Applicant

Commissioner Hall noted that many of the comment letters indicated a desire to save the trees. He asked if the two conifers near the back of the property are on the subject property. Mr. Finney answered that

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one is on the adjoining property and the other one is on or close to the property line. Commissioner Hall noted that the site plan does not indicate how many significant trees are on the site.

Public Testimony or Comment

Scott Solberg, 2020 Northeast 177th Street, indicated his support of the rezone proposal.

Presentation of Final Staff Recommendation

Mr. Szafran reminded the Commission that the code would allow the applicant to remove six significant trees from the site without any permits.

Final Questions by the Commission and Commission Deliberation

COMMISSIONER BROILI MOVED THAT THE COMMISSION RECOMMEND APPROVAL OF THE STAFF'S RECOMMENDATION FOR THE FINNEY SITE-SPECIFIC REZONE APPLICATION LOCATED AT 14539 – 32ND AVENUE NORTHEAST. COMMISSIONER HARRIS SECONDED THE MOTION.

Commissioner McClelland asked if the applicant would conduct some pest abatement prior to redevelopment of the site. When there is development on the site, the pests would likely move to some other property. Mr. Finney explained their efforts to clean up the site. He has put out rat bait and traps to take care of the pest problem before the building is torn down.

Commissioner Hall asked if any significant trees have been removed in the past three years. Mr. Szafran said the City has no information about whether or not trees have been removed from the site in the past 36 months. Mr. Tovar explained that when a site is significantly overgrown, it is difficult for the staff to accurately identify the number of trees that have been removed.

Commissioner Hall pointed out that many of the people who have offered support for the proposal have conditioned their support based on whether or not the Conifer trees would be retained. If these trees are removed, then the recorded testimony both for and against the proposal becomes quite mixed.

Commissioner Harris said he is well aware of the property, and nothing has changed for the past several years except to board up the windows and doors. He has not noticed any tree cutting on the property within the last three years.

Mr. Finney said that while working on the project to the south a few years ago, he had the chance to meet all of the neighbors. The neighbors actually brought the subject property to his attention. The owner of the property across the street has offered great support for the project, even though she is in favor of saving trees. Commissioner Hall inquired if it would be a fatal obstacle to the proposed development if the applicant were to attempt to save all of the significant trees on the site. Mr. Finney answered that it would.

Commissioner Phisuthikul inquired if the property would be allowed up to five units if the rezone application were approved. Mr. Szafran answered affirmatively, but said the applicant is only proposing four units.

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Closure of the Public Hearing

COMMISSIONER BROILI MOVED TO CLOSE THE PUBLIC HEARING ON THE JAY FINNEY SITE-SPECIFIC REZONE REQUEST. COMMISSIONER HARRIS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

Vote by Commission to Recommend Approval or Denial or Modification

Commissioner Hall recalled the previous proposal to build four units on a 15,200 square foot lot and preserve 60% of the trees. The Commission spent over an hour discussing their concerns about tree removal. Now they are entertaining a proposal to put four units on an 8,460 square foot lot and remove all of the significant trees on the site, and he is perplexed that the Commission does not seem to be concerned.

Commissioner Harris said he does not believe the two proposals are similar. The surrounding properties are zoned as R-18 and R-24. The proposed zoning would also be very compatible with the strip along Lake City Way that is zoned Neighborhood Business. Commissioner Hall pointed out that the rezone proposal would double the number of units allowed on the site. He suggested that an R-18 zoning designation would be a better option and would enable the developer to provide a 15-foot setback near the back of the lot to save the Conifers. He said he recognizes that even with the current zoning, the applicant could cut down the Conifer tree that is on his property. However, this rezone request offers the City an opportunity to further the Comprehensive Plan policies to preserve healthy trees whenever possible.

Commissioner Harris reminded Commissioner Hall that he consistently cautions the Commission not to single out one applicant and require them to do something above what the code would allow in order to gain approval for a project. Instead, the Commission should follow the development code requirements when making their recommendations. Commissioner Hall agreed. However, he expressed his belief that the Commission has the authority and responsibility to consider consistency with the Comprehensive Plan, and not just the Development Code, when making rezone decisions.

Chair Piro extended the meeting to 10:00 p.m.

Commissioner Broili said he drove by the subject property prior to the meeting. While he agrees with Commissioner Hall's concerns, the site is very different than the previous proposal and whatever is done would be an improvement over the present situation. He noted that the testimony on the previous proposal was that it was fine as it was currently developed and redevelopment of any type would create a negative impact to surrounding property owners. Any redevelopment of the current subject property would have a positive impact. While he recognizes that the Commission cannot condition the application to require the applicant to use low-impact development techniques, etc. he would certainly encourage him to do so. He also encouraged the applicant to consider street edge alternatives for the landscape strip to mitigate some of the runoff from the parking area along the north side.

COMMISSIONER PHISUTHIKUL MOVED THAT THE MOTION BE MODIFIED TO LIMIT THE NUMBER OF DWELLING UNITS ALLOWED AT THE FINNEY SITE TO FOUR. COMMISSIONER BROILI SECONDED THE MOTION.

Commissioner Phisuthikul pointed out that if the rezone is not limited to four units, a developer could construct five units instead.

Commissioner Broili asked if increasing the number of units on the site would change the amount of impervious surface and lot coverage allowed on the site. Commissioner Hall said the application would still have to meet the requirements of the building code, but the separation between the buildings might be different or the buildings could be taller.

The Commission discussed whether it matters if four or five units would be constructed on the site. Commissioner Hall pointed out that if the site plan does not match what the community saw when they offered their support, it is possible that some may not support a different proposal.

Commissioner Broili said he would vote against the proposed condition. Since this site is located on a major transportation corridor, he would not be opposed to the increase in density, as long as the City's code requirements for density and lot coverage could be met. Chair Piro pointed out that both 145th Street and Lake City Way are major bus corridors, and there is already R-48 zoning on the same block and the adjacent block. He said he would not be opposed to five units on the site, either.

THE MOTION TO AMEND THE MAIN MOTION FAILED 2-5, WITH COMMISSIONERS HALL AND PHISUTHIKUL VOTING IN FAVOR AND CHAIR PIRO AND COMMISSIONERS BROILI, HARRIS, MCCLELLAND, AND WAGNER VOTING IN OPPOSITION.

THE MAIN MOTION CARRIED 6-1, WITH COMMISSIONER HALL VOTING IN OPPOSITION.

REPORTS OF COMMITTEES AND COMMISSIONERS

Chair Piro extended the meeting to 10:05 p.m.

None of the Commissioners provided any reports during this portion of the meeting.

UNFINISHED BUSINESS

No unfinished business was scheduled on the agenda.

NEW BUSINESS

Retreat Update

Julie Modrzejewski, Assistant City Manager, thanked the Commission for inviting her and Marci Wright, Human Resources Director, to facilitate the Commission's 2006 retreat. She distributed copies of the 2005 Planning Commission Retreat Agenda. Just as last year, she suggested that phone interviews with each Commissioner be used to establish the 2006 agenda. She asked that Commissioners indicate the best time for her or Ms. Wright to phone them. She noted that they would like to start the phone interviews next week, and then design a draft agenda that could be presented to the Commission the

week of July 3rd. The last minute details and logistics could be worked out by the week of July 10th so the retreat could be conducted on July 20th.

In preparation for the retreat, Ms. Modrzejewski asked the Commissioners to complete an on-line survey. She explained that this tool is easy and quick to use. The Commissioners would be asked to grade staff on how they met the Commission's expectations. They would also be asked to grade their fellow Commissioners. She recalled that the Commission spent a lot of time discussing expectations at their 2005 retreat, so it would be healthy to assess how they are doing. She noted that staff also developed expectations of the Planning Commission, and they would be asked to complete an evaluation, as well.

Ms. Modrzejewski encouraged the Commissioners to attend the joint communications training meeting with the City Council, the Parks Board and other Boards and Commissions. She said it would be helpful to see how well the Commission works as a team and with the staff as part of the team. Commissioners who are unable to attend the joint meeting could arrange for a short one-on-one or small group training session with either her or Ms. Wright before the retreat.

DIRECTOR'S REPORT

Mr. Tovar announced that the appeal that was filed against the City's Critical Areas Ordinance amendment for regulating piped watercourses and setbacks was settled. In exchange for the appellant's agreement to dismiss the petition, the City has agreed to review the issue again. He advised that an amendment would be proposed next fall for the Commission's consideration and a new record would be established. The Critical Areas Ordinance amendments that were previously approved by the City Council would remain intact for the time being.

Mr. Tovar advised that the Commission's recommendation regarding the Hazardous Tree Ordinance has been forwarded to the City Council. A public hearing has been scheduled before the City Council on July 10th. Council deliberation and possible action has been scheduled for July 17th. He explained that the moratorium expires on July 3rd, and a public hearing has been scheduled for June 26th for the sole purpose of continuing the moratorium and interim control until September 3rd.

Mr. Tovar reported that the City Council would review the Critical Areas Stewardship Plan proposal at a study meeting in August. Staff would explain the history of the issue, as well as the Commission's recommendation of denial. The City Council would then provide additional direction on how they want the staff and/or Commission to proceed.

Mr. Tovar announced that Ms. Simulcik Smith recently graduated from the University of Washington with a degree in Communications.

ANNOUNCEMENTS

Commissioner Broili shared a report on the concept of "green roofs." He noted that his co-worker, Drew Gangnes, a Shoreline resident and highly respected engineer, did some of the work that was completed by the City of Seattle through Seattle Public Facilities. They have been conducting tests on four sites to see how green roofs work. Tests indicate that runoff was reduced by 92 percent, even during the

heaviest storm when the soil was already saturated, runoff was reduced to a point of 79%. He encouraged the Commission to consider this concept as a possible option for development in Shoreline.

Commissioner Hall asked Mr. Tovar to provide a report at a future meeting about whether the updated Puget Sound Regional Council's 2020 + 20 Plan would be consistent with the City's Comprehensive Plan and growth targets.

Commissioner McClelland invited the Commissioners to attend the Art Gala on Friday, June 23.

AGENDA FOR NEXT MEETING

Chair Piro announced that the next meeting would be July 6th, and two public hearings and a workshop discussion have been scheduled on the agenda.

ADJOURNMENT

The meeting was adjourned at 10:12 p.m.

Rocky Piro
Chair, Planning Commission

Jessica Simulcik Smith
Clerk, Planning Commission

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