

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Adoption of Ordinance No.440, a Site Specific Rezone located at 932 N 199th Street.
File No. 201523
DEPARTMENT: Planning and Development Services
PRESENTED BY: Joe Tovar, PADS Director
Steven Szafran, Planner II

PROBLEM/ISSUE STATEMENT:

The issue before the City Council is a Site Specific Rezone for a portion of an 18,039 square foot parcel located at 932 N. 199th Street (see **Attachment C1**). The applicant, Eric Sundquist, is requesting to change an approximately 7,300 square foot portion of the site from R-12 (Residential - 12 dwelling units per acre) to R-24 (Residential 24 dwelling units per acre).

The applicant is proposing to construct 8 townhomes and one single-family home (6 of the townhomes and the single-family home were previously noticed and have building permits issued). The zone change is only on the portion of the site where the townhomes will be located (See **Attachment C3**). The proposed zone change will allow two more townhomes to be built. The portion of the lot where the single-family home will be built will remain at an R-12 zoning.

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 August 3rd, 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 August 3rd, 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-12 to R-24) by adopting Ordinance No. (**Attachment A**).
- The Council could deny the rezone request, leaving the zoning at R-12 and R-24 (as it currently exists).

FINANCIAL IMPACTS:

- There are no direct financial impacts to the City.

RECOMMENDATION

Staff recommends that the Council adopt Ordinance No.440, (**Attachment A**) thereby approving the rezone of a portion of one parcel located generally at 932 N 199th Street from Residential 12 units per acre (R-12) to Residential 24 units per acre (R-24).

Approved By:

City Manager 

City Attorney 

INTRODUCTION

The rezone application before Council is a request to change the zoning designation for a portion of one parcel generally located at 932 N 199th Street from R-12 to R-24.

A public hearing before the Planning Commission was opened and closed on August 3rd, 2006. The Planning Commission Findings and Recommendation are included in **Attachment B**

The Planning Commission recommended that the rezone of the property from R-12 to R-24 be approved. The draft minutes of 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 and south were designated High Density Residential in the Comprehensive Plan. The Comprehensive Plan document specified: R-12 through R-48 as appropriate zoning districts for this designation. The current zoning (R-12) and the requested reclassification (R-24) of the parcel are both consistent with the High Density Residential land use designation.

The site is currently zoned R-12 and R-24. Approximately 7,300 square feet of the parcel is zoned R-24 and 10,700 square feet of the parcel is zoned R-12. Under the proposed zone change, approximately 14,600 square feet would be zoned R-24 and 3,400 square feet would be zoned R-12. The density of the proposed development is similar to the density of the existing condominiums to the north and a lower density than that of the multifamily development to the east.

The subject site had one single-family home that was demolished at the end of 2005. The applicant submitted an application for building permits to construct a new single-family home and six attached townhomes on the site. This zone change will allow two additional townhomes to be built on the site.

PROCESS

The application process for this project began on March 11th, 2005, when the applicant held a pre-application meeting with city staff. A neighborhood meeting was held on March 30th, 2005 with property owners within 500 feet of the proposed rezone. The formal application was submitted to the city on April 4th, 2006 and was determined complete on April 17th, 2006.

The requisite public hearing was held before the Planning Commission on August 3rd, 2006. The Planning Commission made a recommendation and formulated Findings and Determination on the night of the public hearing. The Planning Commission voted to recommend approval of the rezone with no added conditions.

PUBLIC COMMENT

The City received 6 comment letters in response to the standard notice procedures for this application prior to the public hearing. The property owner and several adjacent neighbors testified at the Planning Commission public hearing on this proposed action.

The comments (Attachments C4 and D) focused on the following issues:

- Access
- Traffic
- Parking
- Loss of privacy and clearing of trees

The Planning Commission addressed the comments in its Findings and Determination (Attachment B).

OPTIONS

The following options are: 1) The adoption of the Planning Commission recommendation, 2) Adoption of the Planning Commission recommendations or 2) Denial of the rezone request.

REZONE TO R-24 – PLANNING COMMISSION RECOMMENDATION

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

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

DENIAL OF REZONE REQUEST

The Council may review the written record and determine that the existing R-12 and R-24 zoning is the most appropriate designation for the subject parcel. This determination would be consistent with the Comprehensive Plan designation of "High Density Residential" for the parcel, as this designation includes both the existing zoning (R-12) and the requested zoning (R-24). The property owner has obtained permits to build one

single-family home and six attached townhomes that conform to the current density standard.

RECOMMENDATION

Staff recommends that Council adopt Ordinance No.440, (**Attachment A**) thereby approving the rezone of a portion of one parcel located at 932 N 199th Street from Residential 12 units per acre (R-12) to Residential 24 units per acre (R-24).

ATTACHMENTS

Attachment A: Ordinance No.440: R-12 to R-24.

Exhibit 1– Planning Commission Findings and Determination

Exhibit 2 – Legal Description and Map

Attachment B: Planning Commission Staff Report

C1: Site Plan

C2: Vicinity Map with Zoning Designations

C3: Vicinity Map with Comprehensive Plan Land Use Designations

C4: Map Depiction of Proposed Zone Change

C5: Public Comment Letters

Attachment C: Draft Planning Commission Minutes- August 3rd, 2006

ORDINANCE NO. 440

**AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON
AMENDING THE CITY'S OFFICIAL ZONING MAP TILE NUMBER 434
CHANGING THE ZONING FROM RESIDENTIAL 12 DU-AC (R-12) TO
RESIDENTIAL 24 DU-AC (R-24) OF A PORTION OF ONE PARCEL
LOCATED AT 932 N 199th STREET (PARCEL NUMBER 2227900032).**

WHEREAS, the owner of the property, with parcel number 2227900032, has filed an application to reclassify a portion of the property from Residential 12 units per acre (R-12) to Residential 24 units per acre (R-24); and

WHEREAS, on August 3rd, 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 August 3rd, 2006, the Planning Commission recommended approval of the reclassification to R-24 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 932 N 199th Street (parcel number 2227900032) to R-24 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. 201523 as set forth by the Planning Commission on August 3rd, 2006 and as attached hereto as Exhibit 1 is hereby adopted.

Section 2. Amendment to Zoning Map. The Official Zoning Map Tile 434 of the City of Shoreline is hereby amended to change the zoning classification of a portion of parcel number 2227900032, located at 932 N 199th Street and further described and depicted in Exhibit 2 attached hereto, from R-12 to R-24.

Section 3. 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 4. Effective Date. This ordinance shall go into effect five days after passage, and publication of the title as a summary of this ordinance.

PASSED BY THE CITY COUNCIL ON SEPTEMBER 11, 2006.

Mayor Robert L. Ransom

ATTEST:

APPROVED AS TO FORM:

Scott Passey
City Clerk

Ian Sievers
City Attorney

Date of Publication:
Effective Date:

FINDINGS AND DETERMINATION OF THE CITY OF SHORELINE PLANNING COMMISSION

Sundquist Rezone Request File #201523

Summary-

Following the public hearing and deliberation on the request to change the zoning designation for a portion of a 18,039 Sq. Ft. parcel located at 932 N 199th Street, 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 a portion of the subject parcel from R-12 (Residential 12 units per acre) to R-24 (Residential 24 units per acre) in order to allow two additional townhomes on the site.
- 1.2 Site Address: 932 N 199th Street
- 1.3 Parcel Number: 2227900032
- 1.4 Zoning: R-12 and R-24
- 1.5 The subject property has a land use designation of High Density Residential identified on the City of Shoreline's Comprehensive Plan Land Use Map. A High Density Residential designation is consistent with the following zoning: R-12, R-18, R-24 and R-48.

2. Procedural History-

- 2.1 Public hearing held by the Planning Commission: August 3rd, 2006
- 2.2 Corrected Notice of Public Hearing and SEPA Determination of Nonsignificance: August 3rd, 2006
- 2.3 End of 14 day Public Comment Period: July 13th, 2006
- 2.4 Corrected Notice of Application with Optional DNS: June 29th, 2006
- 2.5 Complete Application Date: April 17th, 2006
- 2.6 Application Date: April 4th, 2006
- 2.7 Neighborhood meeting Date: March 30th, 2005

3. Public Comment-

3.1 The following individuals participated in Neighborhood Meetings:

2 people attended the required Neighborhood Meeting. General comments included timing of the project and how the units would look.

Written Comments have been received from:

Approximately 8 letters were received in response to the standard notice procedures for this application.

3.2 Oral testimony has been received from:

In addition to the applicant, several adjacent property owners testified at the open record public hearing. The comments included: Access, traffic, parking, loss of privacy and clearing of trees.

4 SEPA Determination-

4.1 The optional DNS process for local project review, as specified in WAC 197-11-355, was used. 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). A notice of determination of nonsignificance was issued on August 3rd, 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 property as *High Density Residential*. The goals and policies of the Comprehensive Plan for this site call for the accommodation of up to 48 dwelling units per acre. The proposed zone change will allow the parcel to be developed to a higher level that was anticipated in the Comprehensive Plan.

The site is currently under development. The site will be redeveloped with 9 dwelling units at a density of 21.7 du/ac. The townhomes will be compatible with the existing condominiums to the north and to the east. The single-family home that is being built on the site will be compatible to the existing single-family homes to the west and south.

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 not adversely affect the public health, safety and welfare of the surrounding neighborhood and community.

- The applicant has submitted letters from the sewer and water district stating that the necessary infrastructure currently exists to accommodate new development.
- The proposed new development will be required to install landscape buffers on the north and east sides of the property to buffer adjacent home owners from the future new dwelling units.
- Sufficient parking is proposed for garages and in the driveways of the new townhome units.
- New development will be required to install sidewalks which will add to the public safety of the surrounding community.
- The clearing of trees was allowed under the Shoreline Development Code. The applicant had the right to take down the six significant trees on the property.
- Staff has concluded the traffic impacts will not be a substantial burden on the surrounding community. The proposed rezone would add two additional townhomes

to a site that has already been approved for six townhomes and one single-family home.

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

The subject parcel is currently zoned R-12 and R-24. Right now, the site has approval to build one single-family home with 6 attached townhome under the current zoning category. The application to change the zoning on a portion of the parcel to R-24 was made in order to develop the site at a density similar to that developed adjacent to the site on the north. The site's Comprehensive Plan land use designation is *High Density Residential*. Consistent zoning designations for this land use include: R-12 through R-48.

The applicant's proposal for 8 townhomes and one single-family home is supported by the goals and policies of the Comprehensive Plan. R-24 zoning is an appropriate designation for the subject site, as it reflects a transition from Rregional Business zoning along Aurora Ave to the R-12 and R-6 density residential development to the west.

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

At this time the proposed rezone appears to have minimal negative impacts to the properties in the immediate vicinity. Development of the property under the proposed rezone would result in equal or lesser densities than those currently existing north and east of the subject parcel. The Richmond Firs Condominiums directly north are developed at 21 du/ac and the cCondominium development directly east is developed at 44.5 du/ac. The proposed zoning and development provides a reasonable transition to the R-12 density to the west.

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

The redevelopment of the site will contribute to an increase in housing units and provide alternative housing options within the City. The proposed townhomes are an affordable option compared to new detached single-family construction. Additionally, this site is an appropriate place to accommodate higher density development considering the intensity of the adjacent Commercial and High Density uses to the east, because it is free of environmentally sensitive features, and because of close proximity to alternative transit options and infrastructure.

III. RECOMMENDATION

Based on the Findings, the Planning Commission recommends approval of application #201523; a rezone from R-12 to R-24.

City of Shoreline Planning Commission


Chairperson

Date: 29 AUG 2006

SECTION 6, T.26N., R.4E., W.M.

R-6

R-12

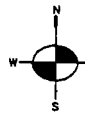
R-24

R-48

SITE

SCALE: 1"=20'

0' 5' 10' 20'

6 FT. CHAIN
LINK FENCE6 FT. CHAIN
LINK FENCE

6 FT. WOOD FENCE

6 FT. WOOD FENCE

R-24

R-6

R-12

N. 199th STREET

R-12

R-24

SHOENOWITZ COUNTY

244TH STREET S.W.

KING COUNTY



VICINITY MAP

SCALE 1" = ±1320'

930 N. 199TH STREET
SHORELINE, WA 98133**LEGAL DESCRIPTION**

THE SOUTH HALF OF LOT 3 AND THE NORTH
85 FEET OF THE EAST HALF OF THE SOUTH
HALF OF LOT 4, ECHO LAKE PARK DIV. NO. 2,
ACCORDING TO THE PLAT THEREOF RECORDED
IN VOLUME 28, OF PLATS, PAGE 48,
RECORDS OF KING COUNTY, WASHINGTON.

SUBJECT TO EASEMENTS, RESTRICTIONS AND
RESERVATIONS OF RECORD.

DATUM

NATIONAL GEODETIC VERTICAL
DATUM OF 1929 (NGVD 29)

BENCHMARK

WASHINGTON GEODETIC SURVEY BENCHMARK
NO. 2 A 10-S 1
TYPE OF MONUMENT: MONOLITH
LOCATION: SET IN SOUTHWEST END OF
RETAINING WALL 7' SOUTHWEST OF
SOUTHEAST CORNER OF JOE'S TAVERN
ON THE EAST SIDE OF AURORA AVENUE
AND THE NORTH SIDE OF ECHO LAKE PLACE
ELEVATION: 434.21

T.B.M.

SPIKE IN SOUTH SIDE OF UTILITY POLE
±105 FT. EAST OF THE SOUTHEAST
PROPERTY CORNER
ELEVATION: 460.14

SITE ADDRESS

930 N. 199TH STREET
SHORELINE, WA 98133

TAX ACCOUNT NUMBERS

2227900032 & PORTION OF 2227900042

EXISTING ZONING

R-12 & R-24

PROPOSED ZONING

R-24

SITE AREA

18,039 S.F. OR 0.41 ACRES

OWNER/DEVELOPER

QUALITY BUILT HOMES NW, LLC
P.O. BOX 1034
LYNNWOOD, WASHINGTON 98046
TELEPHONE: 425-870-2711
FAX: 425-774-6315
CONTACT PERSON: ERIC SUNDQUIST

ENGINEER/SURVEYOR/PLANNER

LOVELL-SAUERLAND & ASSOCIATES, INC.
19400 - 33RD AVE. W., SUITE 200
LYNNWOOD, WASHINGTON 98036
TELEPHONE: 425-775-1591
FAX: 425-672-7998
CONTACT PERSON: S. MICHAEL SMITH

R-24 REZONE
FOR

ERIC SUNDQUIST

IN SE1/4, NW1/4, SECTION 6, T.26N., R.4E., W.M.
CITY OF SHORELINE
KING COUNTY, WASHINGTON

SHEET 1 OF 1

REMOVED SUBMISSION ELEVATION

Commission Meeting Date: August 3rd, 2006Agenda Item:

PLANNING COMMISSION AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Type C Action: Rezone Application for a portion of one parcel generally located at 932 N. 199th St. from R-12 (Residential 12 dwelling units/acre) to R-24 (Residential 24 dwelling units/acre).

DEPARTMENT: Planning and Development Services

PRESENTED BY: Steven Szafran, Planner II

I. PROPOSAL

The applicant, Eric Sundquist, proposes to modify the existing zoning category for a portion of an 18,039 square foot parcel located at 932 N. 199th Street. This application before the Planning Commission is a request to change an approximately 7,300 square foot portion of the site from R-12 (Residential - 12 dwelling units per acre) to R-24 (Residential 24 dwelling units per acre).

The applicant is proposing to construct 8 townhomes and one single-family home (6 of the townhomes and the single-family home were previously noticed and have building permits issued). The zone change is only on the portion of the site where the townhomes will be located (See **Attachment 4**). The proposed zone change will allow two more townhomes to be built. The portion of the lot where the single-family home will be built will remain at an R-12 zoning.

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 High 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).

With the current zoning of R-24 and R-12 there is the potential to build 7 dwelling units on the subject site subject to the Shoreline Development Code Standards. The proposed rezone would allow the construction of 2 additional townhomes, subject to the requirements of the Shoreline Municipal Code (SMC) section 20.30.

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.

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 north side of N. 199th St. between Aurora Ave N. and Linden Avenue. There was a single-family residence on-site that was recently demolished. The parcel measures 18,039 square feet in area (approximately .4 acres). Currently the parcel has a split zoning of R-12 and R-24. Approximately 7,300 square feet of the parcel is zoned R-24 and 10,700 square feet of the parcel is zoned R-12. The site is gently sloping up from east to west. The site has been cleared of most vegetation.

2. NEIGHBORHOOD

The project site is located in the Hillwood Neighborhood. Access to the property is gained from N. 199th Street, a street that is classified as a Local Street. As indicated previously the site is zoned R-12 and R-24 and has a land use designation of High Density Residential. The current zoning of the parcel to the north is also R-24 and R-12 and is developed with a condominium complex developed at approximately 21 dwelling units per acre. To the west are two single-family homes zoned R-6, to the east is an apartment complex zoned R-24 and R-48 developed at approximately 44.5 dwelling units per acre and to the south, across N. 199th St. is a single-family home zoned R-24 and a duplex zoned R-12. Parcels to the north and south have a land use designation of High Density Residential. Parcels to the east have a land use designation of Community Business and parcels to the west are designated for Low Density Residential development. The zoning classifications and Comprehensive Plan Land Use designations for the project sites and immediate vicinity are illustrated in **Attachments 2 and 3.**

3. TIMING AND AUTHORITY

The application process for this project began on March 11th, 2005, when a pre-application meeting was held with the applicant and city staff. The applicant then held the requisite neighborhood meeting on March 30th, 2005. The formal application was then submitted to the City on April 4th, 2006. The application was determined complete on April 17th, 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 27th, 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 18th, 2006. Due to a flaw in the notice, a corrected Notice of Application was sent out on June 29th, 2006 and a corrected Notice of Public Hearing was sent out on July 20th, 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 (**Attachment 4**). The comments are addressed in the zoning criteria section under Criterion 4.

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. Because the criteria are integrated, similar themes and concepts run throughout the discussion.

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

The Comprehensive Plan land use map identifies the subject property as *High Density Residential*. The site is currently underutilized—the parcel is developed with one single family home—this is not consistent with the density goals and policies of the Comprehensive Plan which plans for this site to accommodate up to 48 dwelling units per acre. The proposed zone change will allow the parcels to be developed to a higher level that was anticipated in the Comprehensive Plan.

If R-24 becomes the adopted zoning for the site there will be the ability for the applicant to place a maximum of 9 homes on the subject parcel.

The following table summarizes the bulk requirements for the current zoning and the potential R-24 zoning.

Standard	R12 Development	R24 Development
Front Yard Setback	10'	10'
Side Yard Setback	5'	5'
Rear Yard Setback	5'	5'
Building Height	35'	35' (40' w/pitched roof)
Building Coverage	55%	70%
Max Impervious Surface	75%	85%

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-24 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 more affordable than the typical new single-family detached home. 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 attached homes for residents that don't need a large home and want something other than typical suburban development.

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

Under the High Density Residential Land Use designation, the R-24 zoning category will allow up to 9 homes to be built instead of 7 allowed under the current R-24 and R-12 mixed 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. The site will be redeveloped with 9 dwelling units at a density of 21.7 du/ac. The townhomes will be compatible with the existing condominiums to the north and the apartments to the east. The single-family home that is being relocated on the site will be compatible to the existing single-family homes to the west and south.

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 not adversely affect the public health, safety and welfare of the surrounding neighborhood and community.

- The applicant has submitted letters from the sewer and water district stating that the necessary infrastructure currently exists to accommodate new development.
- The proposed new development will be required to install landscape buffers on the north and east sides of the property to buffer adjacent home owners from the future new dwelling units.
- Sufficient parking is proposed for garages and in the driveways of the new townhome units.
- New development will be required to install sidewalks which will add to the public safety of the surrounding community.
- Staff has concluded the traffic impacts will not be a substantial burden on the surrounding community. The proposed rezone would add two additional townhomes to a site that has already been approved for six townhomes and one single-family home.

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

The subject parcel is currently zoned R-12 and R-24. Right now, the site is developed with one single-family house which is underdeveloped under the current zoning category. The application to change the zoning on a portion of the parcel to R-24 was made in order to develop the site at a density similar to that developed adjacent to the site on the north. The site's Comprehensive Plan land use designation is *High Density Residential*. Consistent zoning designations for this land use include: R-12 through R-48.

The current zoning in the vicinity of the project includes R-6, R-12, R-24, R-48, and Regional Business zoning. The uses in the area include single-family houses, duplexes, triplexes, multi-family apartment buildings, a new tire store, restaurants,

Aurora Village Shopping Center and the Aurora Village Park and Ride. The subject property will take access from N. 199th Street, a local street. The Comprehensive Plan states that the High Density Residential Land Use designation is intended for areas near employment and commercial areas; where high levels of transit service is present or likely; and areas currently zoned high density residential. This designation creates a transition between high intensity uses, including commercial uses, to lower intensity uses.

The applicant's proposal for 8 townhomes and one single-family home is supported by the goals and policies of the Comprehensive Plan. R-24 zoning is an appropriate designation for the subject site, as it reflects a transition from regional business zoning along Aurora Ave to the R-12 and R-6 density residential development to the west.

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

At this time the proposed rezone appears to have minimal negative impacts to the properties in the immediate vicinity. Development of the property under the proposed rezone would result in equal or lesser densities than those currently existing north and east of the subject parcel. The Richmond Firs Condominiums directly north are developed at 21 du/ac and the Condominium development directly east is developed at 44.5 du/ac. It provides a reasonable transition to the R-12 density to the west.

Concerns have been raised by adjacent neighbors concerning appropriateness of the zoning, less privacy, increased traffic and noise, no parking, and work without permits. The following brief summary demonstrates how the project addresses each of these.

Zoning as Transition

The City adopted the Comprehensive Plan and designated certain areas as areas where higher densities should occur. The subject parcel is in one of those areas higher density areas. R-24 is an appropriate zoning category under the High Density Residential land use designation. The R-24 zoning category also matches the R-24 zoning category on the parcel to the north creating a logical transition between the two properties.

Less Privacy

The applicant will be required to comply with the landscaping and screening standards mentioned in the Development Code. This generally includes a five foot landscape buffer consisting of trees, shrubs and ground cover. The building setback is five feet from the property line in either the R-12 or R-24 zoning category.

Traffic/Circulation

The applicant is proposing to build 8 townhomes and one single-family home on the subject parcel. The P.M. peak hour vehicular trips will be 1.01 (1.01 X 1) for the single-family home and 4.32 (.54 x 8) for the townhomes. The total P.M. peak hour trips for the

total development are 5.33. Since the P.M. peak hour trips are not greater than 20, a traffic study was not required (SMC 20.60.140(A)).

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

Parking

Each dwelling unit on-site is required to have at least two parking spaces. The single family home has a two-car garage and space in the driveway to park additional cars. The townhome units have a one-car garage and one space in the driveway for parking. The development is meeting parking requirements per the City's Development Code.

Work without Permits

The adjacent property owners to the north have commented on site work being done without permits; specifically removal of trees and grading of the site. The City requires the property owner obtain a permit for clearing more than six significant trees and grading more than 50 cubic yards of material. The City relies on complaints from the community if significant work is being done without permits. No complaints were ever filed with the City. By the time the owner submitted building permits to the City, the site was cleared and evidence of any trees could not be confirmed.

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. The proposed townhomes are an affordable option compared to new detached single-family construction. Additionally, this site is an appropriate place to accommodate higher density development considering the intensity of the adjacent Commercial and High Density uses to the east, because it is free of environmentally sensitive features, and because of close proximity to alternative transit options and infrastructure.

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 is underutilized per the density guidelines listed in the Comprehensive Plan for the *High 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 a portion of the site at 932 N 199th Street (parcel number 2227900032) from Residential 12 units per acre (R-12) to Residential 24 units per acre (R-24) based on the findings presented in this staff report.
2. Recommend approval to rezone, with conditions, a portion of the site at 932 N 199th Street from R-12 to R-24 based on findings presented in this staff report and additional findings by the Planning Commission.
3. Recommend denial of the rezone application. The Residential 12 units per acre (R-12) 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-24 zoning be adopted for a portion of the property generally located at 932 N 199th Street (parcel number 2227900032). 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.

ATTACHMENTS

Attachment 1: Site Plan

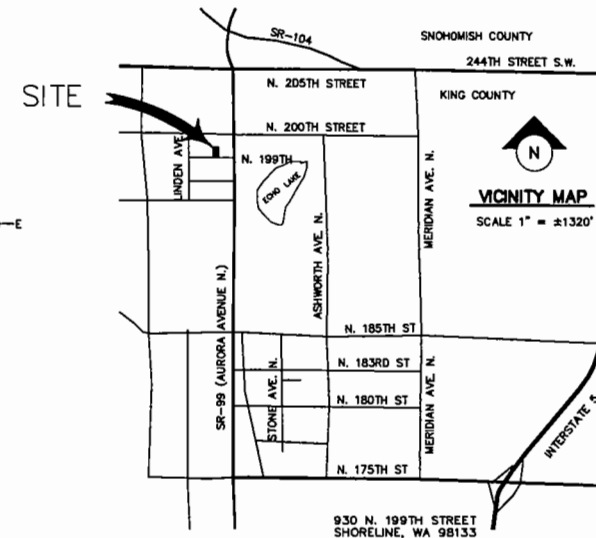
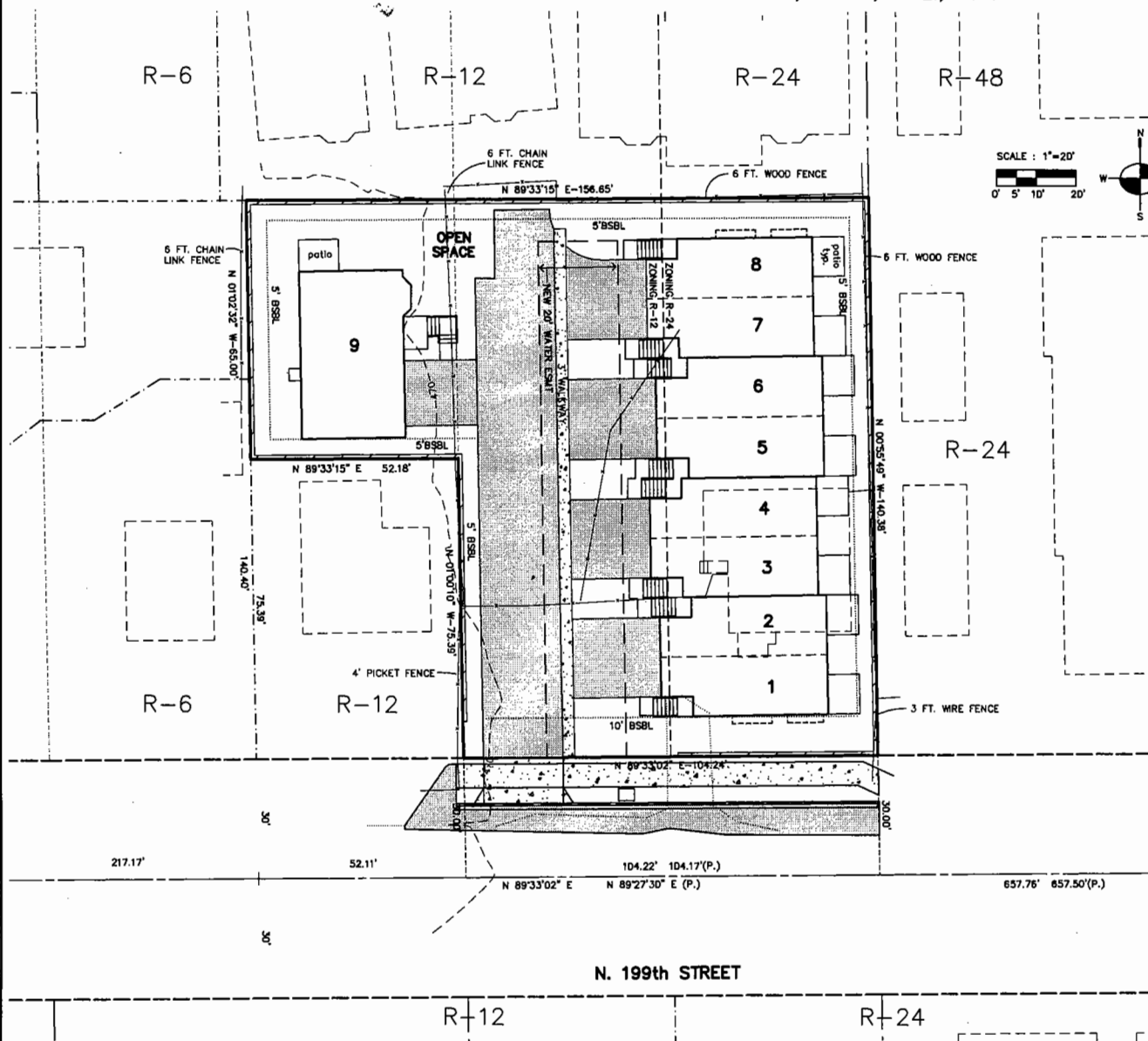
Attachment 2: Vicinity Map with Zoning Designations

Attachment 3: Vicinity Map with Comprehensive Plan Designations

Attachment 4: Map depiction of the Proposed Zone Change

Attachment 5: Public Comment Letters

SECTION 6, T.26N., R.4E., W.M.



LEGAL DESCRIPTION

THE SOUTH HALF OF LOT 3 AND THE NORTH 85 FEET OF THE EAST HALF OF THE SOUTH HALF OF LOT 4, ECHO LAKE PARK DIV. NO. 2, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 28, OF PLATS, PAGE 48, RECORDS OF KING COUNTY, WASHINGTON.

SUBJECT TO EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD.

DATUM

NATIONAL GEODETIC VERTICAL
DATUM OF 1929 (NGVD 29)

BENCHMARK

WASHINGTON GEODETIC SURVEY BENCHMARK
NO. 2 A 10-S 1
TYPE OF MONUMENT: MONEL RIVET
LOCATION: SET IN SOUTHWEST END OF
RETAINING WALL, 7' SOUTHWEST OF
SOUTHEAST CORNER OF JOE'S TAVERN
ON THE EAST SIDE OF AURORA AVENUE
AND THE NORTH SIDE OF ECHO LAKE PLACE
ELEVATION: 434.21

T.B.M.

SPIKE IN SOUTH SIDE OF UTILITY POLE
±105 FT. EAST OF THE SOUTHEAST
PROPERTY CORNER
ELEVATION: 460.14

SITE ADDRESS

930 N. 199TH STREET
SHORELINE, WA 98133

TAX ACCOUNT NUMBERS

2227800032 & PORTION OF 2227900042

EXISTING ZONING

R-12 & R-24

PROPOSED ZONING

R-24

SITE AREA

18,039 S.F. OR 0.41 ACRES

OWNER/DEVELOPER

QUALITY BUILT HOMES NW, LLC
P.O. BOX 1034
LYNNWOOD, WASHINGTON 98048
TELEPHONE: 425-670-2711
FAX: 425-774-6315
CONTACT PERSON: ERIC SUNDQUIST

ENGINEER/SURVEYOR/PLANNER

LOVELL-SAUERLAND & ASSOCIATES, INC.
19400 - 33RD AVE. W., SUITE 200
LYNNWOOD, WASHINGTON 98035
TELEPHONE: 425-775-1591
FAX: 425-672-7998
CONTACT PERSON: S. MICHAEL SMITH

BUILDING COVERAGE CALCULATIONS

8 UNIT TOWNHOUSE + 1 SINGLE FAMILY RESIDENCE =
5,828 SF (32.31% OF SITE)
ALLOWED = 12,627 SF (70% OF SITE)

OPEN SPACE CALCULATION

REQUIRED OPEN SPACE:
TOWNHOUSE (170 SF PER UNIT) = 170SF x 8 = 1,360 SF
TOT-LOT = 400 SF
TOTAL REQUIRED = 1,760 SF

PROVIDED OPEN SPACE:
TOWNHOUSE-PRIVATE YARD: 6 @ 150SF + 2 @ 180SF = 1,260 SF
TOWNHOUSE-DECKS: 8 @ 63SF (6'X10.5') = 504 SF
TOT-LOT = 400 SF
TOTAL REQUIRED = 2,164 SF

PARKING SPACE CALCULATION

PROVIDED PARKING SPACES:
TOWNHOUSE IN GARAGE: STANDARD SPACES = 8
TOWNHOUSE IN DRIVEWAY: STANDARD SPACES = 8
TOTAL TOWNHOUSE SPACES PROVIDED = 16
TOTAL SINGLE FAMILY RESIDENTIAL = 2

GARBAGE COLLECTION DATA

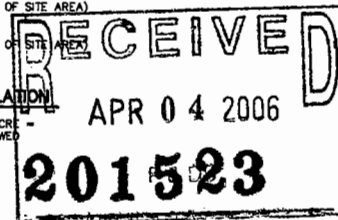
GARBAGE AND RECYCLABLE MATERIALS SHALL BE
STORED IN EACH UNIT'S GARAGE AND COLLECTED
IN FRONT OF EACH UNIT

IMPERVIOUS SURFACE CALCULATION

BUILDINGS, DRIVEWAYS, ROADS =
12,300 SF (68% OF SITE AREA)
ALLOWED = 15,200 SF (85% OF SITE AREA)

DENSITY CALCULATION

0.41 ACRES X 24 DU/ACR =
9.84 UNITS ALLOWED
9 UNITS PROPOSED



R-24 REZONE
FOR


ERIC SUNDQUIST

IN SE1/4, NW1/4, SECTION 6, T.26N., R.4E., W.M.
CITY OF SHORELINE
KING COUNTY, WASHINGTON

SHEET 1 OF 1

REMOVED SUBDIVISION ELEMENT

4/3/06 SMS



Lovell-Sauerland & Associates, Inc.
 Engineers/Surveyors/Planners/Development Consultants

e-mail: info@lsaeengineering.com • web: lsaeengineering.com

19400 33rd Avenue W., Suite 200 • Lynnwood, WA 98036 • (425)775-1591 • (425)672-7998 fax

DRAWN	CHECKED	DATE	P.B.	SCALE	FILE NO.
JOC, KM	MS	2.10.2006	-	1" = 20'	4738-05





SECTION 6 T.26N.

CHANGING
FROM
R-12 TO R-24

STAYING
R-12

CURRENTLY
R-24

R-12

R-24

6 FT. CHAIN
LINK FENCE

6' WOOD FENCE

N 89°33'15" E-156.65'

N 01°02'32" W-65.00'

N 89°33'15" E 52.18'

140.40'
75.39'

N-01°00'10" W-75.39'

4' PICKET FENCE

R-12

5' BSBL

5' BSBL

9

patio

OPEN
SPACE

5' BSBL

NEW 20' WATER ESMT

3' WALKWAY

ZONING: R-12

ZONING: R-24

8

7

6

5

4

3

2

1

patio
typ.

5' BSBL

10' BSBL

N 89°33'02" E-104.24'

N 00°55'49" W-140.38'

Laurie Hennessey
917 N 200th ST #200
Shoreline, WA 98133
Laureldiane@hotmail.com

July 11, 2006

Steven Szafran
Planning and Development Services
City of Shoreline
17544 Midvale Ave N
Shoreline, WA 98133

Re: Site Specific Rezone
932 N 199th St aka 930 N 199th St
Shoreline, WA 98133

Dear Mr. Szafran,

This letter is to object to the proposed rezoning of the above mentioned property from R-12 to R-24. I am a home owner adjacent to the proposed rezoning of the lot 2227900032 purchased by Quality Built Homes NWLLC. It is my belief, along with the majority of home owners within Richmond Firs Condominiums, adjacent to the north of this proposal, that the Cities original plan of zoning is appropriate for the neighborhood. As I understand the existing plan allows higher density closest to highway 99 and gradually decreases density to single family dwellings directly to the West of the proposed rezoning. This rezoning will leave no gradual transition from high density to low density and if approved, when completed will have 9 homes on the lot.

I had the opportunity to review the plans at the city office and found that in addition to the row of town homes there is also a single home planned (ten feet from the property line) for that lot. It is my understanding from your department that this home will be included in the condominium complex. This additional home has not been mentioned in the proposal but does exist on the submitted plans. It appears a bit deceitful in their proposal to omit this very important fact. They are not requesting eight town homes, they are requesting nine homes.

The only one to benefit from the increase in density will be Quality Built Homes not the neighbors who will be left with less privacy and increased noise and traffic, and nowhere to park cars. Greed appears to be the motivation of the developer who I'm sure will not be occupying any of the proposed homes. I understand that a single car garage is planned for each unit. However, the latest study dated April 2005 by Dr. Anne Vernez Moudon , Professor, for Department of Urban Design and Planning , University of Washington and Washington State Transportation Center, lists that each home owner averages in Washington State

2.02 cars.(partial copy of this report attached). Since there is no parking on the street where will these cars be parked? As the zoning exists this increases the number of cars on N. 199th St by 14.14 vehicles. An additional two units will increase an already high density area by another 4.04 cars for a total of 18.18 vehicles.

The parcel # 210900000 directly to the east of the proposed rezoning is in the process of converting the existing 30 apartment units to condominiums. This will also increase traffic and cars on both N 200th St and N 199th St. As it exist already, in the mornings we have problems leaving our driveway because the traffic blocks our driveways. Since N 200th St is the closest road to allow both right and left hand turns onto Highway 99 and access to I-5, the existing plans will greatly increase the amount of daily traffic on our street, let alone allowing two additional units.

Last July(2005) I returned home from work and the property in questioned had been cleared of more than six (6) significant trees and graded in preparation of this project.(This took approximately 2 working days from start to finish) Along with more than 50 cubic yards of Earthwork done including moving and removing the material. According to your department an A-13 type permit had not been issued for this site. In fact the first permit for work on this site was issued on 6/29/2006; almost a year after that work was completed. The whole lot had been cleared of any vegetation. I recently took photographs of the property including where they moved earth onto my property and the 5 ft weeds that now occupy what once were privately owned woods.

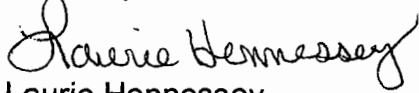
Along with denying the increase in zoning I would also ask that the City require the Developer to replant a buffer zone to replace the one they illegally removed and install fencing around their property immediately. I would also ask that you pursue fines etc. to the fullest extent of the law. I am currently looking into who else may be notified of this illegal act and what additional laws have been violated.

Although two additional units to their proposal may seem small, over crowding an already crowded area robs all neighbors of a little bit more of their privacy. I was born, raised, raised my son and continue to live (48 years) in Shoreline. I have volunteered in many areas of this city including serving on the committee to form the city government when the city began. This is my third home in Shoreline. I love this City. I understand the fine balance of allowing growth and maintaining the privacy of its citizens. I along with our condominium association vehemently oppose the rezoning of this property for the profit of the developer and the loss to the neighborhood.

Lastly, I would like to thank your department for all the help they gave me in this complicated process of zoning, rezoning, building laws and regulations. They all

took the time to answer all my questions and helped to educate me along the way.

Sincerely,

A handwritten signature in black ink, appearing to read "Laurie Hennessey". The signature is fluid and cursive, with the first name "Laurie" being more prominent than the last name "Hennessey".

Laurie Hennessey

Vice President, Richmond Firs Condominium Association

Cc: Mayor Bob Ransom
Deputy Mayor Maggie Fimia
Shoreline City Council
Keith McGlashan, Rich Gustofson
Cindy Ryu, Janet Way & Ron Hansen

Final Research Report
Agreement T2695, Task 65
Trends in Commuting

TRAVEL INDICATORS AND TRENDS IN WASHINGTON STATE

by
Dr. Anne Vernez Moudon
Professor

Gwen Rousseau
Graduate Research Assistant

D.W. Sohn
Graduate Research Assistant

Department of Urban Design and Planning
University of Washington, Box 355740
Seattle, Washington 98195

Washington State Transportation Center (TRAC)
University of Washington, Box 354802
1107 NE 45th Street, Suite 535
Seattle, Washington 98105-4631

Washington State Department of Transportation Technical Monitor
Elizabeth Robbins
Transportation Planning Manager
Strategic Planning and Programming Division

Prepared for
Washington State Transportation Commission
Department of Transportation
and in cooperation with
U.S. Department of Transportation
Federal Highway Administration

April 2005

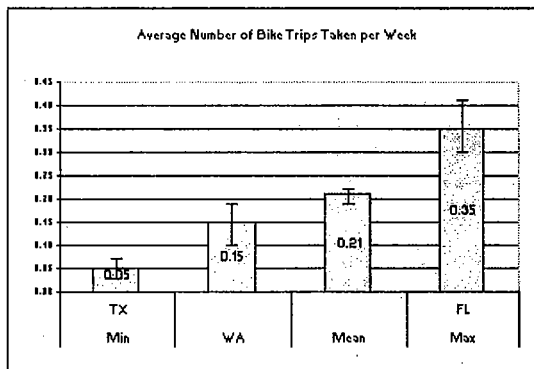
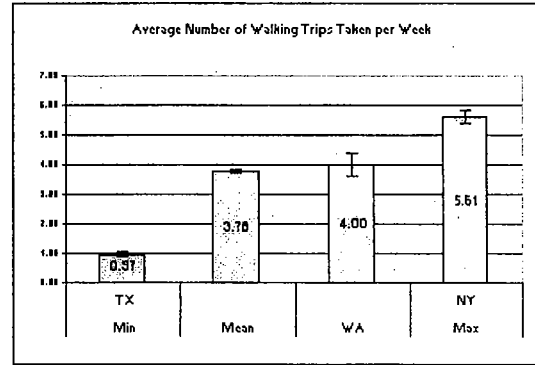
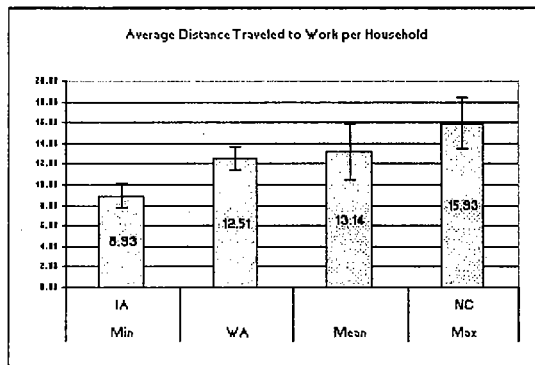
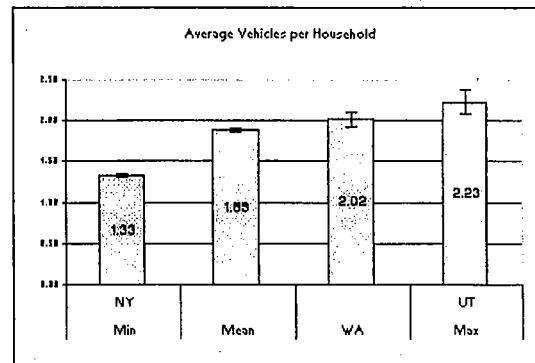
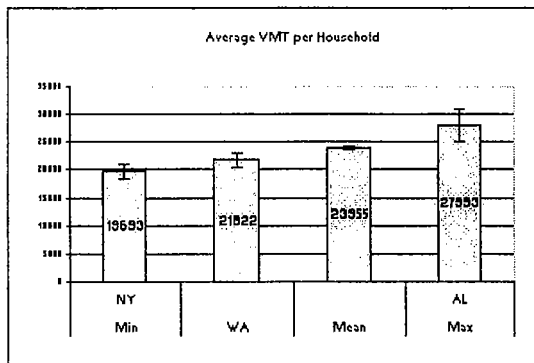


Figure 1: Travel behavior comparisons between Washington State and the nation.

Richmond Firs Home Owners Association

To:
City of Shoreline
Office of Planning and Development.

Re: Project at 932 N 199th St.

Dear Planning Department:

This letter is to officially notify you in writing that I am a home owner in the Richmond Firs Condominiums located at 917 N 200th St. It has just been brought to my attention by one of our Home Owner Association (HOA) members, that there is a request pending in your office for development of the property located at 932 N 199th St. I live within 500 feet of the proposed project and was not notified by the developer or their assigns. It is my understanding that this a requirement.

It most certainly is not in the best interest of our HOA or other adjacent neighbors to have this project proceed as requested and it could be cause for financial harm to me.

Therefore, I respectfully request that the City immediately deny this application for cause. Baring that, I request the City cease and desist any further processing of this request and to not grant any permit with or without variance for any development at this site, at this time. Furthermore, I am requesting that the if the developer desires to start anew, that all applicable rules, laws and regulations both by their letter and intent, will be strictly adhered to by your office and the developers.

Thank you very much for your prompt attention to this manner, in addition to your time and consideration.

Sincerely,

Mark S. Lem #301

Richmond Firs Home Owner
917 N 200th St.
Shoreline, WA 98133

Richmond Firs Home Owners Association

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City of Shoreline
Office of Planning and Development.

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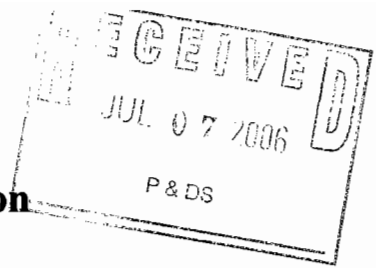
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Sincerely,

Handwritten signature of Tammy Smith in cursive script, followed by the date 7-5-06.

Tammy Smith
President, Richmond Firs HOA
917 N 200th St. #101
Shoreline, WA 98133

Richmond Firs Home Owners Association



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Sincerely,

Carole Reinke #404

Richmond Firs Home Owner
917 N 200th St.
Shoreline, WA 98133

Richmond Firs Home Owners Association

To:
City of Shoreline
Office of Planning and Development.

Re: Project at 932 N 199th St.

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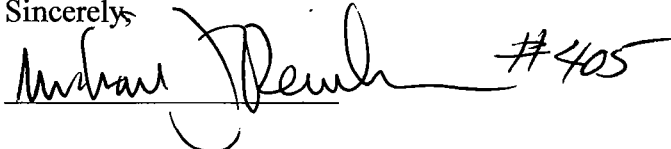
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Richmond Firs Home Owner
917 N 200th St.
Shoreline, WA 98133

SECTION 6 T.26N.

CHANGING
FROM

CURRENTLY
R-24

STAYING
R-12

R-12 TO R-24

6 FT. CHAIN
LINK FENCE

6' WOOD FENCE

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N 01°02'32" W-65.00'

N 89°33'15" E 52.18'

140.40'
75.39'

N 01°00'10" W-75.39'

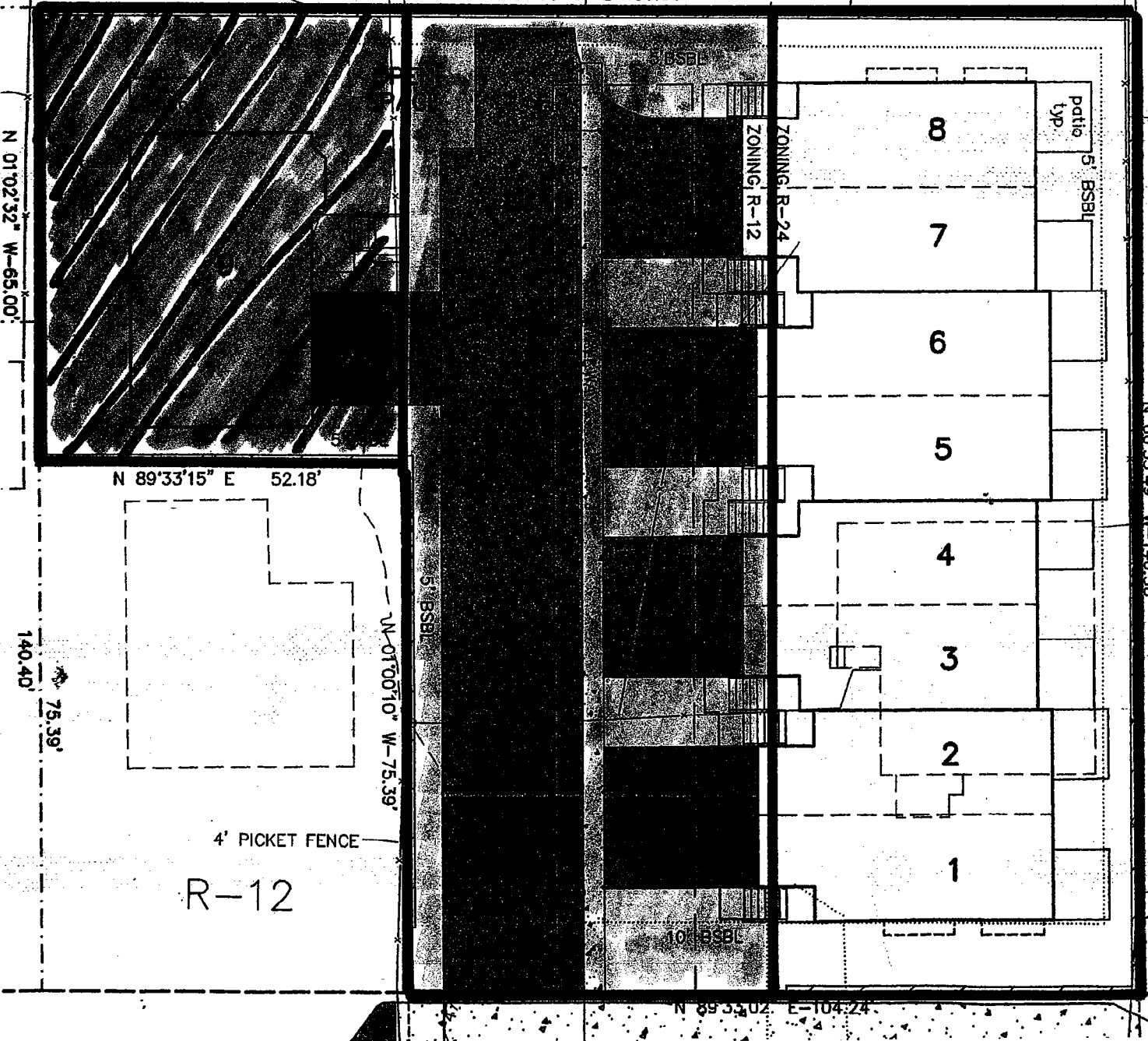
4' PICKET FENCE

R-12

10' BSBL

N 89°33'02" E-104.24'

N 00°33'49" W-140.38'



Laurie Hennessey
917 N 200th ST #200
Shoreline, WA 98133
Laureldiane@hotmail.com

July 11, 2006

Steven Szafran
Planning and Development Services
City of Shoreline
17544 Midvale Ave N
Shoreline, WA 98133

Re: Site Specific Rezone
932 N 199th St aka 930 N 199th St
Shoreline, WA 98133

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2.02 cars.(partial copy of this report attached). Since there is no parking on the street where will these cars be parked? As the zoning exists this increases the number of cars on N. 199th St by 14.14 vehicles. An additional two units will increase an already high density area by another 4.04 cars for a total of 18.18 vehicles.

The parcel # 210900000 directly to the east of the proposed rezoning is in the process of converting the existing 30 apartment units to condominiums. This will also increase traffic and cars on both N 200th St and N 199th St. As it exist already, in the mornings we have problems leaving our driveway because the traffic blocks our driveways. Since N 200th St is the closest road to allow both right and left hand turns onto Highway 99 and access to I-5, the existing plans will greatly increase the amount of daily traffic on our street, let alone allowing two additional units.

Last July(2005) I returned home from work and the property in questioned had been cleared of more than six (6) significant trees and grated in preparation of this project.(This took approximately 2 working days from start to finish) Along with more than 50 cubic yards of Earthwork done including moving and removing the material. According to your department an A-13 type permit had not been issued for this site. In fact the first permit for work on this site was issued on 6/29/2006; almost a year after that work was completed. The whole lot had been cleared of any vegetation. I recently took photographs of the property including where they moved earth onto my property and the 5 ft weeds that now occupy what once were privately owned woods.

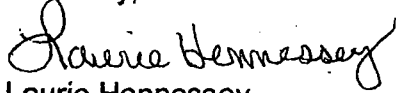
Along with denying the increase in zoning I would also ask that the City require the Developer to replant a buffer zone to replace the one they illegally removed and install fencing around their property immediately. I would also ask that you pursue fines etc. to the fullest extent of the law. I am currently looking into who else may be notified of this illegal act and what additional laws have been violated.

Although two additional units to their proposal may seen small, over crowding an already crowded area robs all neighbors of a little bit more of their privacy. I was born, raised, raised my son and continue to live (48 years) in Shoreline. I have volunteered in many areas of this city including serving on the committee to form the city government when the city began. This is my third home in Shoreline. I love this City. I understand the fine balance of allowing growth and maintaining the privacy of its citizens. I along with our condominium association vehemently oppose the rezoning of this property for the profit of the developer and the loss to the neighborhood.

Lastly, I would like to thank your department for all the help they gave me in this complicated process of zoning, rezoning, building laws and regulations. They all

took the time to answer all my questions and helped to educate me along the way.

Sincerely,



Laurie Hennessey

Vice President, Richmond Firs Condominium Association

Cc: Mayor Bob Ransom
Deputy Mayor Maggie Fimia
Shoreline City Council
Keith McGlashan, Rich Gustofson
Cindy Ryu, Janet Way & Ron Hansen

Final Research Report
Agreement T2695, Task 65
Trends in Commuting

TRAVEL INDICATORS AND TRENDS IN WASHINGTON STATE

by
Dr. Anne Vernez Moudon
Professor

Gwen Rousseau
Graduate Research Assistant

D.W. Sohn
Graduate Research Assistant

Department of Urban Design and Planning
University of Washington, Box 355740
Seattle, Washington 98195

Washington State Transportation Center (TRAC)
University of Washington, Box 354802
1107 NE 45th Street, Suite 535
Seattle, Washington 98105-4631

Washington State Department of Transportation Technical Monitor
Elizabeth Robbins
Transportation Planning Manager
Strategic Planning and Programming Division

Prepared for
Washington State Transportation Commission
Department of Transportation
and in cooperation with
U.S. Department of Transportation
Federal Highway Administration

April 2005

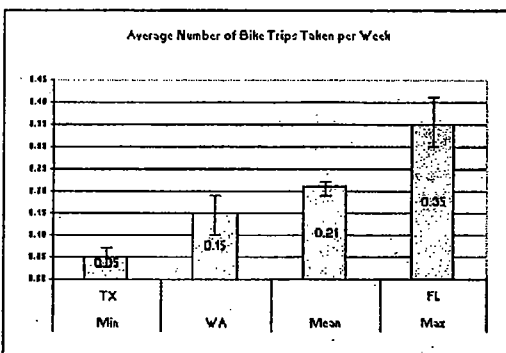
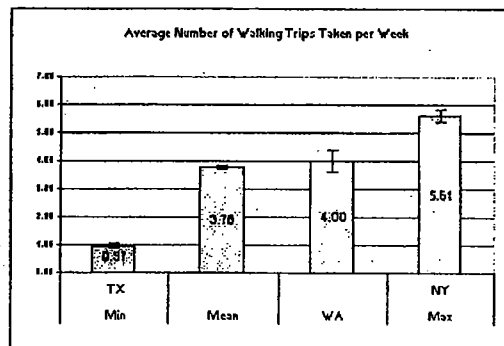
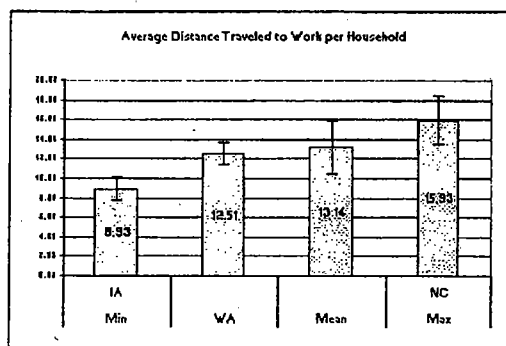
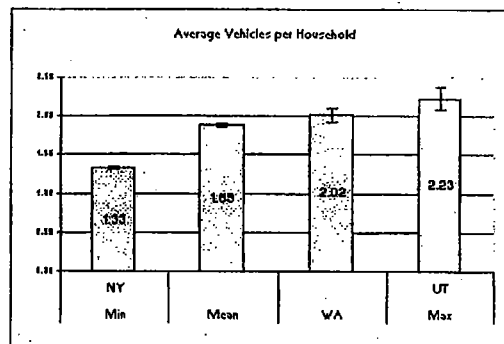
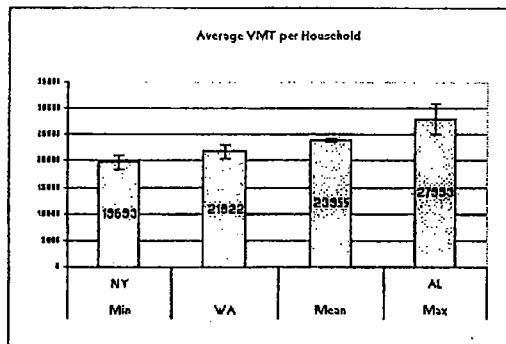


Figure 1: Travel behavior comparisons between Washington State and the nation.

Richmond Firs Home Owners Association

To:
City of Shoreline
Office of Planning and Development.

Re: Project at 932 N 199th St.

Dear Planning Department:

This letter is to officially notify you in writing that I am a home owner in the Richmond Firs Condominiums located at 917 N 200th St. It has just been brought to my attention by one of our Home Owner Association (HOA) members, that there is a request pending in your office for development of the property located at 932 N 199th St. I live within 500 feet of the proposed project and was not notified by the developer or their assigns. It is my understanding that this a requirement.

It most certainly is not in the best interest of our HOA or other adjacent neighbors to have this project proceed as requested and it could be cause for financial harm to me.

Therefore, I respectfully request that the City immediately deny this application for cause. Baring that, I request the City cease and desist any further processing of this request and to not grant any permit with or without variance for any development at this site, at this time. Furthermore, I am requesting that the if the developer desires to start anew, that all applicable rules, laws and regulations both by their letter and intent, will be strictly adhered to by your office and the developers.

Thank you very much for your prompt attention to this manner, in addition to your time and consideration.

Sincerely,

Mark S. Lam #301

Richmond Firs Home Owner
917 N 200th St.
Shoreline, WA 98133

Richmond Firs Home Owners Association

To:
City of Shoreline
Office of Planning and Development.

Re: Project at 932 N 199th St.

Dear Planning Department:

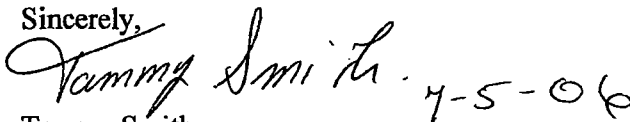
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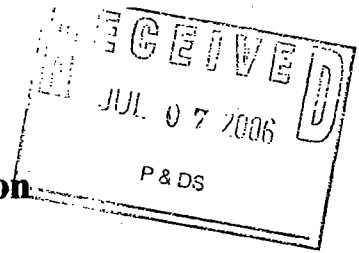
Thank you very much for your prompt attention to this manner, in addition to your time and consideration.

Sincerely,

A handwritten signature in cursive script that reads "Tammy Smith". To the right of the signature, the date "4-5-06" is handwritten.

Tammy Smith
President, Richmond Firs HOA
917 N 200th St. #101
Shoreline, WA 98133

Richmond Firs Home Owners Association



To:
City of Shoreline
Office of Planning and Development.

Re: Project at 932 N 199th St.

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Thank you very much for your prompt attention to this manner, in addition to your time and consideration.

Sincerely,

Carol Reinde #404

Richmond Firs Home Owner
917 N 200th St.
Shoreline, WA 98133

Richmond Firs Home Owners Association

To:
City of Shoreline
Office of Planning and Development.

Re: Project at 932 N 199th St.

Dear Planning Department:

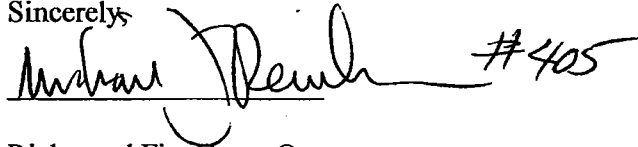
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Thank you very much for your prompt attention to this manner, in addition to your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Penh", followed by the handwritten number "#405". The signature is written over a horizontal line.

Richmond Firs Home Owner
917 N 200th St.
Shoreline, WA 98133

DRAFT

These Minutes Subject to
September 21st Approval

CITY OF SHORELINE

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

August 3, 2006
7:00 P.M.

Shoreline Conference Center
Mt. Rainier Room

COMMISSIONERS PRESENT

Chair Piro
Vice Chair Kuboi
Commissioner Broili
Commissioner Hall
Commissioner Harris
Commissioner McClelland (arrived at 7:04p.m.)
Commissioner Phisuthikul
Commissioner Pyle
Commissioner Wagner

STAFF PRESENT

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

CALL TO ORDER

Chair Piro called the regular meeting of the Shoreline Planning Commission to order at 7:02 p.m.

ROLL CALL

Upon roll call by the Commission Clerk, the following Commissioners were present: Chair Piro, Vice Chair Kuboi, Commissioners Broili, Hall, Harris, Phisuthikul, Pyle and Wagner. Commissioner McClelland arrived at the meeting at 7:04 p.m.

APPROVAL OF AGENDA

The agenda was approved as presented.

DIRECTOR'S REPORT

Mr. Tovar reported that the City Council recently took action on two recommendations the Commission forwarded to them. The Becker rezone was approved by the City Council with no changes. The City Council also adopted the permanent regulations governing the cutting of hazardous trees. The only

significant change was that the reference to recreational trails was taken out of the document. He said he has put out an administrative order explaining how the new ordinance is to be administered.

Chair Piro said there was quite a bit of discussion by the City Council regarding the hazardous tree ordinance, and much of the discussion focused on fees. He recalled that the proposed ordinance included a requirement that the applicant pay for the second peer evaluation, if required. He suggested the Commission keep in mind that the City Council is sensitive to costs. Mr. Tovar said the City Council agreed with the Commission's recommendation to adopt an approved list of arborists, so the City's degree of confidence would be higher than it has been in the past. The City Council agreed to review past history regarding the concept of a critical area stewardship plan at some point in the future.

Mr. Tovar reported that he attended a King County Directors Meeting along with several directors and staff from King and Snohomish Counties. A representative from the Association of Washington Cities was present to talk about the proposed property rights Initiative 933. He noted that public employees are prohibited from advocating for or against the initiative on City time or with City equipment. The same is true for the City Council unless or until they hold a public hearing and adopt a resolution either for or against the initiative. The Council is scheduled to hold a public hearing on I-933 on September 11.

Mr. Tovar reminded the Commission that the American Planning Association would hold their annual conference in Yakima, Washington, in early October. Also, a housing conference will be held in Bellevue in September. He asked the Commissioners to notify staff of their desire to attend one of the two events.

APPROVAL OF MINUTES

Commissioner Pyle referred to the last sentence in the second paragraph from the bottom on Page 13 of the July 6th minutes. He pointed out that Mr. Burt agreed not only to provide a fence across the rear property line; he also agreed to provide a 10-foot landscape barrier. He asked staff to check on this requirement and correct the minutes as necessary. It was noted that Vice Chair Kuboi was excused from the last half of the meeting. The July 6, 2006 minutes were approved as corrected. In addition, the Commission asked staff to submit a summary from the July 20th Retreat for approval at the next regular meeting.

GENERAL PUBLIC COMMENT

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

PUBLIC HEARING ON REZONE FILE #201523 FOR PROPERTY LOCATED AT 930 NORTH 199TH STREET

Chair Piro reviewed the rules and procedures for the public hearing. He also 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. Commissioner Pyle disclosed that while he was employed with the City, a few years ago he spoke with the applicant's agent regarding the subject property. He fielded some basic questions regarding the zoning of the property and the Comprehensive Plan

designation. However, he did not feel the nature of this conversation would bias his ability to make a decision on the current proposal. None of the other Commissioners disclosed ex-parte communications. No one in the audience expressed concern over Commissioner Pyle's conversations.

Staff Overview and Presentation of Preliminary Staff Recommendation

Mr. Szafran advised that the applicant, Eric Sundquist, is proposing to modify the existing zoning category for a portion of an 18,039 square foot parcel located at 932 North 199th Street. The application before the Commission is a request to change an approximately 7,300 square foot portion of the site from R-12 to R-24. He provided pictures to illustrate the exact location of the subject property and what is currently developed on surrounding properties. He advised that the applicant is proposing to construct 8 town homes and 1 single-family home. He explained that six of the town homes and the single-family home have already been noticed and building permits have been issued. Approval of the rezone would allow two more town homes to be built on the site.

Mr. Szafran pointed out that the Comprehensive Plan identifies the entire property as high-density residential, and the zoning designation is split between R-24 and R-12. Both the existing and proposed zoning would be consistent with the designation. He advised that a duplex has been built directly to the south of the subject property, and the area is changing towards higher density. An apartment building to the east is currently being renovated and converted into condominiums.

Mr. Szafran explained that the proposed rezone would be consistent with the Comprehensive Plan because:

- The Comprehensive Plan designation for the subject property is high-density residential, which allows up to an R-48 zoning designation.
- The proposed development would be a natural transition from higher densities to the east and lower densities to the west.
- The project would be consistent with densities expected in the Comprehensive Plan.
- The proposed project would be compatible with the condominiums to the north and the apartment/condos to the east. In addition, the new single-family home would buffer the new town homes from the existing low-density residential to the west.
- Landscaping would be required along the east and north property lines, protecting the privacy of adjacent neighbors.
- The site would be within walking distance to schools, parks, shopping, employment and transit routes.

Mr. Szafran concluded that, for the reasons outlined in the rezone, staff recommends approval of the rezone with no proposed conditions.

Commissioner Pyle asked when the current building permit was issued. Mr. Szafran said it was issued approximately a year ago. He also asked if a parking reduction was granted with the current permit. Mr. Szafran answered no.

Applicant Testimony

Steven Michael Smith, 19400 – 33rd Avenue West, Suite 200, Lynnwood, 98036, Lovell Sauerland and Associates Incorporated, indicated that he was present to represent the applicant. He concurred with the information provided in the staff report. He said he had originally expected to find the most significant compatibility issues on the north and east sides of the property. However, when he visited the site recently, he found there was a row of deciduous trees on the east property line that are almost completely site obscuring in their existing condition. The landscaping proposal would make this property line even more opaque, even though the adjacent property is already developed at a higher density than what the applicant is proposing.

Mr. Smith reminded the Board that the proposal before them is not whether or not town homes would be allowed on the subject property. The question is whether or not Units 7 and 8 could be added to the existing building permit for Units 1 through 6. He suggested that the impacts of these two additional units would be fairly minor. He noted that there are two very large trees immediately north of proposed Unit 8 on the other side of the six-foot fence shown on the site plan. One of these trees covers the entire south facing projection of the building, and even carries over a little. Another large tree is located along the eastern side of the proposed building. Therefore, half of the entire building face or possibly more would be obscured by existing trees. He suggested that the staff and applicant attempt to concentrate the required landscaping treatments into the areas that are not already obscured by the existing large trees.

Mr. Smith pointed out that even if the two additional units were allowed, the project would be back twice as far as the building setback requirement and about the same distance from the property line as the nearest building to the north. It would continue to allow what has already been permitted on the other side of the property line.

Questions by the Commission to Staff

Chair Piro asked if the applicant ever considered a rezone to R-18 instead of R-24. He asked how many units would be allowed on the subject property with an R-24 zone. Mr. Szafran answered that an R-18 zoning designation would allow seven units instead of eight. An R-12 zoning designation would only allow six units.

Commissioner Hall pointed out that the proposal would move the split zoning but not eliminate it. He asked staff to comment on any potential issues that could arise later on as a result of split zoning the property rather than rezoning the entire parcel. Mr. Szafran replied that leaving the R-12 zoning as proposed creates a good buffer between the R-6 and R-24 zoning designation. The applicant is proposing to construct a single-family home on the R-12 zoned portion of the property, and this would not be allowed on the site if it were all zoned R-24.

Vice Chair Kuboi pointed out that the neighborhood meeting was held quite some time ago. He asked if the project that was discussed at the neighborhood meeting was substantially the same as what is now

being proposed. Mr. Szafran answered that the plans that were presented at the neighborhood meeting identified plans for potential future expansion by adding two more town homes.

Vice Chair Kuboi said the staff report indicates that the City has no way of knowing whether a citizen's comment about more than six significant trees being cut was accurate or not. He asked if staff still has no opinion about this matter, even given the aerial photographs that are available. Mr. Szafran said he approved the demolition permit for the single-family home that was on the lot, which included the removal of six significant trees.

Vice Chair Kuboi asked if the proposed layout, design and height of the original six town homes would be acceptable if the rezone were not approved. Mr. Szafran answered that no changes would be required for the developer to construct the six town homes and one single-family home that have already been permitted.

Commissioner McClelland asked who would have ownership of the site where the single-family home is to be constructed. Mr. Smith answered that, although it would be detached, the single-family residential property would be part of the condominium association along with the rest of the units.

Commissioner Pyle pointed out that if the portion of the subject property that is proposed for R-24 zoning was subdivided and rezoned to R-18, the applicant would still be able to build the same number of units. This would allow for a step down zone from R-24 to R-18 to R-12. Mr. Szafran pointed out that building coverage and impervious surface requirements would be different for an R-18 zone.

Public Testimony or Comment

Thomas Mikolic, 910 North 199th Street, said he lives to the west of the subject property. He pointed out that demolition of the site occurred in March of 2005, and now they are talking about changing or selling off part of the land parcels. He asked that the Commission address the timeline that would be allowed for this process. He asked if Mr. Szafran took pictures of the site that is currently under construction to become a Discount Tire Store. This property is located close to the properties that are currently being converted from apartments to condominiums, and the commercial development might have an impact on the traffic in the area. At the request of Commissioner Broili, Mr. Mikolic identified the location of his home on the map. Mr. Mikolic said the applicant assured him that a wood fence would be used to separate the subject property from adjacent properties, yet the drawings identify chain link fences. He would like the fences to be wood.

Laurie Hennessey, 917 North 200th Street, said she owns a condominium that is located to the north of the subject property. She said that before the lot was cleared, she couldn't even see the existing home from her condominium. She pointed out that, to her knowledge, the single-family home was demolished without a permit. She also expressed her concern that additional traffic impacts would also be an issue, since she can't even get out of her driveway during peak hours. She noted that 200th Street is the main road that runs to Aurora Avenue and Interstate 5, and this is likely the road the subject property would use for access. She expressed her concern that the proposed buildings would be located too close (5

feet) to the property line, significantly impacting privacy. Ms. Hennessey said the adjacent property owners were not property notified of the changes proposed for the property, particularly the demolition.

Although Ms. Hennessey didn't receive the original notice for the proposal, Commissioner Wagner asked if she received any subsequent notices. Ms. Hennessey said most of the condominium owners in her development did not receive notice for any of the actions that took place. Their names were not included on the mailing list, even though their properties are some of the closest ones to the new construction. After complaint letters were filed, individuals started receiving notices. Commissioner McClelland pointed out that, frequently with condominium associations, one person receives the notification because that's the only person on the County's records. However, it is possible to get a list of all condominium owners so they can be notified independently of the association. The City should be aware of this problem and take steps to correct it in the future.

Commissioner Hall inquired if an applicant could obtain a permit to clear more than six significant trees. Mr. Szafran answered that this would be allowed with a clearing and grading permit, which would be separate from the demolition permit. In addition to a fee, a clearing and grading permit would require that certain conditions and guidelines be met.

Tammy Smith, 917 North 200th Street, said she lives in the Richmond Firs Condominiums, located north of the rezone site. She asked when the demolition permit was issued. She expressed her concern that the property was cleared without notifying the adjacent property owners. She pointed out that the apartments down below were recently converted to condominiums. While they used to be occupied by single-individuals, many are now occupied by married couples with two cars. This creates more traffic on 200th Street. These individuals also use her condominium complex as a turnaround place. Ms. Smith pointed out that while there used to be trees to separate the subject property from her condominium, they have been removed. Their privacy has been destroyed and she is opposed to allowing the developer to construct eight condominiums and one residential unit on the subject property.

Commissioner Hall asked how many units are located in the Richmond Firs Condominium Complex. Ms. Smith answered that there are 11 town homes.

Commissioner Pyle asked what happens to the trees that separate her property from the subject property during the winter months. Ms. Smith answered that the trees located to the south of her complex are evergreen trees, and the trees along the back of her property line give privacy for the condominiums.

Commissioner Hall inquired if notice to surrounding property owners is required for a demolition permit. Mr. Szafran answered no.

Presentation of Final Staff Recommendation

Mr. Szafran said staff's final recommendation is that the Commission recommend approval of the rezone to R-24 as presented.

Final Questions by the Commission and Commission Deliberation

Vice Chair Kuboi requested clarification regarding the distance of the two proposed new units from the property lines. Mr. Szafran said it appears that the buildings would be set back 10 feet from the rear property line with some pop outs of approximately two feet. Mr. Cohn reminded the Commission that no building permit has been submitted to date and no exact design has been approved by the City.

Commissioner Phisuthikul asked about the landscape requirements for the north and east property lines. Mr. Szafran advised that a 5-foot landscape buffer would be required in these locations, and one 1½ - inch caliper trees would be required to be placed every 25 feet. Shrubs from 5 gallon containers would be spaced from one to four feet apart. Ground cover would also be required.

Chair Piro asked the applicant to comment on the type of fence that would be used; chain link versus wood. Mr. Smith clarified that the chain link fences shown on the plan are existing fences. These would be replaced with wood fences.

Chair Piro asked for clarification about when the demolition permit was issued. Mr. Szafran responded that a demolition permit was issued on June 1, 2005 to remove the existing single-family home. It was finalized by the inspector on November 20, 2005.

Commissioner McClelland pointed out that, in addition to obtaining a demolition permit, the applicant cut down all of the trees without a permit to remove significant trees. Mr. Szafran emphasized that in the demolition permit application, the applicant noted that six significant trees would be removed. Therefore, the demolition permit authorized six trees to be cut. Commissioner McClelland clarified that the applicant did not have approval to cut down any more than six significant trees, yet property owners in the area have indicated that more than six significant trees were removed. Commissioner McClelland inquired if the City received any contact from citizens regarding the demolition. Mr. Szafran said the City's tracking system does not note any complaints regarding this issue.

Commissioner Harris asked staff to review the requirements for a demolition permit such as the mapping of significant trees, etc. Mr. Szafran said there is no protocol to actually note significant trees on a plan as part of a demolition permit application. Commissioner Broili asked how the City would know how many significant trees exist on a subject property. Mr. Szafran said staff typically inspects a site prior to demolition. Commissioner Broili pointed out that an old photograph illustrates the vegetation that existed prior to clearing, and he sees at least six trees that look significant. This raises a question in his mind about how many significant trees actually existed on the site prior to demolition. He suggested that, for future applications, the City should figure out a method for documenting significant trees. Mr. Tovar agreed and suggested that this issue could be addressed through an administrative order to require mapping of this information as part of a demolition permit application.

Commissioner Pyle pointed out that any property owner in Shorelines is allowed to remove up to six significant trees in a 36-month period without a permit. Therefore, the applicant would not have needed a permit to remove six trees. Commissioner Hall further noted that a 2002 aerial photograph from the King County website shows two or three trees that are not present in the pre-demolition permit

photograph. This suggests that over a 4-year period, more than six trees have been removed. But there is no indication to him that more than six significant trees were removed as part of the demolition work.

Vice Chair Kuboi asked what the functional purpose of the landscape buffer on the north end of the property would be. Mr. Szafran said the function of the buffer would be to provide a screen between the two properties. Vice Chair Kuboi asked if there are particular plant selections that would accomplish this goal better. Mr. Szafran said the City does not have an approved plant list, but the code calls out a mixture of evergreen and non-evergreen types of species at specific heights and spacing. Vice Chair Kuboi asked if the applicant would be required to submit a list of materials that would be used for their landscape buffers. Mr. Szafran said this information would be submitted to the City as part of the building permit application.

COMMISSIONER HARRIS MOVED TO RECOMMEND APPROVAL OF STAFF'S RECOMMENDATION TO REZONE A PORTION OF THE PROPERTY FROM R-12 TO R-24. COMMISSIONER BROILI SECONDED THE MOTION.

Commissioner Harris said that, upon reviewing the maps, the rezone proposal appears to conform to the surrounding zoning and provides a natural transition between the higher-density and single-family residential zones. An R-24 zoning designation would be the same as what already exists to the north. A building permit has already been approved for six units on the site, and adding two more units would not generate significantly more traffic on the existing streets. He pointed out that a Burger King Restaurant existed where the new Discount Tire Store is currently being located, and he suspects traffic from both businesses would be similar.

Commissioner Broili agreed with Commissioner Harris that the proposal would provide a good transition between the R-24 and R-12 zoning designations. However, he encouraged the applicant to plant larger, more mature trees along the northern fence line to give more immediate visual buffer to the adjacent property owners. Commissioner McClelland also encouraged the applicant to compensate for the loss of trees and privacy as a thoughtful gesture towards the adjacent property owners.

Vice Chair Kuboi said he would support the proposal as presented since it would allow two additional families to live in the City of Shoreline. The proposal of two additional units would also presumably make the other homes that are developed on the site a little more affordable. He pointed out that the applicant also built the Meridian Cottages. There was quite a back lash regarding color selection, and a lot of good will was lost. He encouraged the developer to consider the concerns of the adjacent property owners and create an adequate buffer on the north side of the property line.

Closure of the Public Hearing

COMMISSIONER BROILI MOVED TO CLOSE THE PUBLIC HEARING. VICE CHAIR KUBOI SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

Vote by Commission to Recommend Approval, Denial or Modification

THE MOTION CARRIED 8-1, WITH COMMISSIONER PYLE VOTING IN OPPOSITION.

PUBLIC HEARING ON CODE AMENDMENT PACKAGE #1

Chair Piro reviewed the rules and procedures, as well as the proposed agenda for the public hearing. It was noted that there was no one in the audience to participate in the public hearing.

Mr. Szafran referred the Commission to the first set of 2006 Development Code Amendments. The Commission and staff reviewed each of the proposed amendments as follows:

- **Amendment 1** – This amendment pertains to Site Development Permits. Staff added the word “redevelop” to clarify that a Site Development Permit may be needed when an applicant redevelops a site. A Site Development Permit allows clearing, grading, and installation of utilities exclusive of any other permits applied.

COMMISSIONER HALL MOVED TO RECOMMEND APPROVAL OF DEVELOPMENT CODE AMENDMENT 1 BASED ON FINDINGS CONSISTENT WITH THE STAFF REPORT. COMMISSIONER HARRIS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

- **Amendment 2** – This amendment pertains to pre-application meetings. Language would be added to inform an applicant that additional permits may be needed and the time and procedure for obtaining those permits.

COMMISSIONER HALL MOVED TO RECOMMEND APPROVAL OF DEVELOPMENT CODE AMENDMENT 2 BASED ON FINDINGS CONSISTENT WITH THE STAFF REPORT. COMMISSIONER PHISUTHIKUL SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

- **Amendment 3** – This amendment proposes a new code section explaining the purpose, general requirements and review criteria of a Site Development Permit.

COMMISSIONER HALL MOVED TO RECOMMEND APPROVAL OF DEVELOPMENT CODE AMENDMENT 3 BASED ON FINDINGS CONSISTENT WITH THE STAFF REPORT. COMMISSIONER HARRIS SECONDED THE MOTION.

- **Amendment 4** – This amendment would delete condominiums from the binding site plan requirement. Binding site plans are a division of land for commercial and industrial lands. A condominium is not a division of land but a form of ownership. Therefore, it should not be considered as such.

Commissioner Hall pointed out that the City might not even know if a property would be developed as condominiums at the time a proposal is submitted. Mr. Cohn agreed that a developer could construct an apartment complex and then convert the units to condominiums a few years later. Commissioner Hall pointed out that the Commission could have required a binding site plan for the previous application as a way of ensuring a 10-foot setback on the north side. Mr. Tovar agreed that the Commission could have imposed conditions for the rezone permit they just reviewed. Commissioner Hall summarized that the Commission could address important issues by placing conditions on a rezone without requiring a binding site plan. Mr. Tovar agreed.

Commissioner Phisuthikul noted that the way the amendment is written implies that the binding site plan requirement would only be applied to commercial or industrial lands. He asked if this would prevent the City from also requiring binding site plans for mixed-use or residential developments. He expressed his concern that the proposed language implies that no residential development would be allowed within the binding site plans. Mr. Tovar pointed out that the City's site development requirements would allow the City to impose binding conditions on mixed-use developments. He suggested that perhaps part of the Commission's work on the Comprehensive Housing Strategies could include a discussion on how the City could ensure their ability to impose conditions on a site-by-site basis regardless of what the development permit might be.

COMMISSIONER HALL MOVED THAT THE COMMISSION RECOMMEND APPROVAL OF DEVELOPMENT CODE AMENDMENT 4 BASED ON FINDINGS CONSISTENT WITH THE STAFF REPORT. COMMISSIONER McCLELLAND SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

- **Amendment 5** – This amendment would modify the Density and Dimension Table 1 to allow modified building coverage and impervious surface calculations for zero lot line developments. The setback variations would only apply to internal lot lines, and the overall site plan must comply with setbacks, building coverage and impervious surface limitation.

COMMISSIONER PYLE MOVED TO RECOMMEND APPROVAL OF DEVELOPMENT CODE AMENDMENT 5 BASED ON FINDINGS CONSISTENT WITH THE STAFF REPORT. COMMISSIONER HARRIS SECONDED THE MOTION.

Commissioner Hall pointed out that this amendment would grant additional flexibility to allow developers to arrange the open space and impervious surface in a more reasonable way on the site to create a better community. Chair Piro agreed that this additional flexibility would be appropriate.

Commissioner Pyle expressed his concern that there is already a provision in the code that allows for setback variations for external lot lines with regards to clusters of significant trees and vegetation. The proposed amendment could inhibit the movement of a building or cluster of buildings in a zero lot line development out of the way of a cluster of significant trees because a developer would not be allowed to vary the external lot lines at all. Mr. Tovar suggested that if the intent is to have the old language continue to operate, the Commission could direct staff to craft language to reconcile this concern.

The Commission discussed whether or not it would be appropriate to defer their decision on Amendment 5 until a future meeting. Commissioner Harris said he would be in favor of moving forward with the motion to approve. Commissioner Hall agreed. He pointed out that the footnote in the current code would make it appear that any of the standards for the internal or external lot lines in zero lot line developments could be varied. He clarified that the purpose of the proposed amendment is to allow a zero lot line development to modify their internal lot lines, without creating the ability for them to modify their rear, front or side yard setbacks. He said he would support the proposed amendment as proposed.

THE MOTION CARRIED 5 TO 3, WITH COMMISSIONERS PYLE, PIRO AND PHISUTHIKUL VOTING IN OPPOSITION AND COMMISSIONERS HARRIS, HALL, McCLELLAND, WAGNER AND KUBOI VOTING IN FAVOR. COMMISSIONER BROILI ABSTAINED FROM VOTING ON THE ISSUE.

- **Amendment 6** – This amendment would delete the requirement that residential driveways comply with setback standards.

COMMISSIONER PHISUTHIKUL MOVED TO RECOMMEND APPROVAL OF DEVELOPMENT CODE AMENDMENT 6 BASED ON FINDINGS CONSISTENT WITH THE STAFF REPORT. COMMISSIONER PYLE SECONDED THE MOTION.

Commissioner Hall pointed out that the tradeoff is between suburban form and urban form. In a suburban form each house would have its own curb cut and driveway, which can result in less efficient use of on-street parking space and make it more difficult to accomplish higher densities with short plats, etc. He expressed his belief that the proposed amendment is consistent with the fact that the City is going to continue to see an increase in population and density. The proposed amendment would allow two houses to be built side by side, with adjacent driveways and only one curb cut, and this could create a more pedestrian friendly form.

Commissioner Pyle noted that if proposed Amendment 6 is approved, the City must also update the Engineering Development Guide to reflect the code change. Mr. Szafran agreed.

THE MOTION WAS UNANIMOUSLY APPROVED.

- **Amendment 7** – This amendment would revise and clarify the language for the Engineering and Utility Standards section. No new content would be added to the section, but the amendment reorders and clarifies the section making it easier to follow and understanding.

COMMISSIONER WAGNER MOVED TO RECOMMEND APPROVAL OF DEVELOPMENT CODE AMENDMENT 7 BASED ON FINDINGS CONSISTENT WITH THE STAFF REPORT. COMMISSIONER PYLE SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

- **Amendment 8** – This amendment would allow private streets to be located within easements. By allowing private streets within easements, lot square footage would not be taken out of the total lot size, making it easier to meet minimum lot sizes.

Commissioner Pyle asked if properties would still be required to comply with impervious surface standards. Mr. Szafran answered affirmatively. The amount of easement that would be considered a private street would also be considered impervious surface for that lot. While the easement would still exist, the private street would not be dedicated as a separate tract. Mr. Tovar clarified that the easement underneath the road would belong to the property owner.

COMMISSIONER McCLELLAND MOVED TO RECOMMEND APPROVAL OF DEVELOPMENT CODE AMENDMENT 8 BASED ON FINDINGS CONSISTENT WITH THE STAFF REPORT. VICE CHAIR KUBOI SECONDED THE MOTION.

There was still no one present in the audience to participate in the public hearing. Therefore, Chair Piro closed the public hearing.

THE MOTION CARRIED UNANIMOUSLY.

REPORTS OF COMMITTEES AND COMMISSIONERS

Chair Piro reported that earlier in the day he attended a meeting with King County Planning Directors to discuss the Puget Sound Regional Council's proposed update of the Vision 2020 Plan. The formal public comment period ended on July 31st. They received about 80 comment letters; 23 were from municipalities and all four counties responded, as well. The Puget Sound Regional Council staff is scheduled to provide a presentation to the Shoreline City Council on August 21st, and interested Planning Commissioners are invited to attend.

Commissioner Hall announced that the City Council recently selected the site for the new City Hall.

UNFINISHED BUSINESS

Retreat Follow-Up

Mr. Cohn referred the Commission to the draft 2007-2008 Work Plan that was prepared by staff to outline the work items identified by the Commission at their retreat. He recalled that the Commission specifically indicated their desire to work on the following three items: sub area plans for special study areas, Town Center Plan, and a Comprehensive Housing Strategy.

Mr. Cohn advised that staff would present a final work plan for the Comprehensive Housing Strategies Program to the City Council early in September. They hope to obtain approval from the City Council to move forward with the formation of a citizen's advisory committee in October. It is staff's expectation that the citizen's advisory committee would include Planning Commission representation. Staff

anticipates that it could take up to a year to complete the plan, and then implementation would have to be considered during the first quarter of 2008.

Mr. Cohn said that the Town Center Plan would impact the properties between 170th and 180th Streets on both sides of Aurora Avenue. Staff anticipates this planning process would start very soon and continue on for about a year. Implementation would likely take place during the first quarter of 2008.

Mr. Tovar explained that staff's rationale for sequencing of the work items was related to costs for staff time and potential consultant contracts. Staff intends to complete the Comprehensive Housing Strategies project with in-house staff and just a small amount of consultant services for survey work. The Town Center Plan would also be done largely in-house, but with the some outside help. He reported that the Planning and Development Services staff have met internally with staff from the Public Works Department, Parks Department, etc. to discuss the major capital projects that are taking place within the town center area (City Hall Campus, Interurban Trail, and Aurora Avenue Capital Improvement Project).

Chair Piro said he understands that work is in progress to design the second and third phases of the Aurora Avenue Project, and these plans might be finished before the Town Center Plan. He suggested that some treatment of Midvale Avenue be included into the Aurora Avenue Plans, even if that means doing the work ahead of the Town Center Plan. Mr. Cohn agreed that it is important to consider the future configuration of Midvale Avenue and noted that the Town Center Plan would include Midvale Avenue, perhaps as far back as Stone Avenue on one side and Linden Avenue on the other. Chair Piro suggested that there might be grant funding for the Aurora Avenue Project that could be used to address Midvale Avenue, too.

Commissioner Broili expressed his concern that development is happening all the time, so it is important for the City to get their plans in place as soon as possible. If not, future development could end up setting the pace for what the City will be able to do in the future.

Commissioner Pyle noted that the Commission expressed an equal desire to work on sub-area planning for special study areas and the Town Center Plan, yet the sub-area plans have been postponed until much later on the Commission's work program to accommodate the Commission's work on the Comprehensive Housing Strategies. He expressed his belief that completing the Comprehensive Housing Strategies before the special study areas is inappropriate. If the City does not know the density and capacity of certain zones and areas in the City, it would be impossible to properly develop a unilateral, citywide housing strategy.

Commissioner Phisuthikul agreed with Commissioner Broili's concerns about postponing plans for the special study areas and the town center. He recalled that the City developed a Central Shoreline Sub-Area Plan after much work by the community, staff, Commission, etc. However, because this plan was only partially adopted into the Comprehensive Plan, it could not be used as a guideline for future development. As a result, new development has occurred that is exactly opposite of what was called out in the plan.

Chair Piro noted that the Comprehensive Housing Strategy work was already in progress before the Commission's retreat. Mr. Tovar said the staff is interested in getting to work on the sub area plans for special study areas as soon as possible. However, it is important to note that the City Council directed the Commission to consider a Comprehensive Housing Strategy at the time the cottage housing regulations were eliminated. The City Council has also expressed a desire for the Commission to consider a Town Center Plan. He also clarified that because the code was never updated to implement the Central Shoreline Sub Area Plan, there was nothing in place to require or prohibit development that was inconsistent with the plan. He noted that, at this time, the Central Shoreline Sub Area Plan is only included in the Comprehensive Plan as a report. It is not a binding policy and does not provide binding direction to any code or permit. He said his hope is that the Town Center Plan would have a lot of community buy in and reflect the current market so the City Council could adopt it as code. Mr. Cohn pointed out that the market has changed significantly since the Central Shoreline Sub Area Plan was adopted, so changes are necessary.

Commissioner Hall said his recollection is that the City Council adopted the policy portion of the Central Shoreline Sub Area Plan, but not the development regulations. He asked staff to review the Commission's previous deliberations on this issue. Mr. Tovar agreed to research the Commission's previous discussions, as well as the record of what the City Council actually adopted, and report back to the Commission on the status of the Central Shoreline Sub Area Plan.

Vice Chair Kuboi pointed out that the work program includes very little discretionary time for the Commission to consider other issues they feel are important. He asked staff to provide more detail on the work program to identify where the smaller items might fit in. Commissioner Broili pointed out that a number of items on the parking lot list would be discussed as part of larger issues that are already scheduled on the agenda.

Commissioner McClelland was excused from the meeting at 9:20 p.m.

Commissioner Pyle expressed his belief that special study areas would continue to get pushed back on the Commission's agenda. Therefore, he suggested that an interim set of controls be adopted or a moratorium be established on rezones and Comprehensive Plan amendments for special study areas. Mr. Tovar suggested the Commission discuss Commissioner Pyle's recommendation with the City Council at the next joint meeting. Commissioner Pyle expressed his concern that he lives in a special study area that is a prime candidate for redevelopment by 2008, and he has concerns about the significant impact future development could have unless the City takes action soon. Commissioner Hall suggested that Commissioner Pyle's concern is more related to the Comprehensive Plan designation and not the other elements that would typically be included in a sub area plan. He suggested that he could bring in maps of the area and colored markers to a future meeting so the Commission could mark up the map and introduce a Comprehensive Plan amendment. He concluded that the Commission has enough resources to complete this task utilizing very little staff time.

Commissioner Broili asked about the City's timeline for adopting the King County Stormwater Management Plan. Mr. Tovar answered that staff was hoping to have this document adopted by the third quarter of 2007, but that was before key engineering staff positions were vacated. Commissioner Broili

pointed out that efforts to create an environmentally sustainable community could be directly tied to the City's adoption of the stormwater management plan. Mr. Tovar suggested that the Commission discuss these types of issues with the Parks Department at the upcoming joint meeting.

At the request of the Commission, Mr. Cohn provided a status report of the Fircrest property. He explained that the City must wait for the State to take action, and preliminary indications are that the State has no plans to do anything with the property unless the Legislature or the Governor directs them to. Commissioner Hall expressed his concern that the State could choose to surplus the land to generate revenue. That means a developer could purchase the property and develop it at its underlying zoning with no master planning. He encouraged the staff to bring this issue up to the City Council with a request that they ask the State Representatives not to consider surplussing the property until they have entered into an agreement with the City of Shoreline to require some level of planning or a Comprehensive Plan Land Use change has been adopted. He pointed out that a master plan for the site would be in the State's best interest, too. Mr. Tovar added that the City has the authority to legislatively change the zoning for this property. However, the new zone would have to allow State run facilities as a permitted use.

Mr. Tovar asked the Commission to share their comments about the concept of meeting twice a year in a joint meeting with the City Council. The Commission agreed that two-meetings a year would be adequate. Chair Piro emphasized that Commissioners also have the opportunity to attend any City Council Meeting to testify on their own behalf.

Mr. Tovar provided a proposed agenda for the Commission's joint meeting with the Parks Board on September 7th. He asked the Commission to provide feedback so the agenda could be finalized in the near future. Mr. Tovar explained that the Council of Neighborhoods typically meets the first Wednesday of each month, and staff has approached them about the possibility of canceling their September 6th meeting so they could sit in the audience at the joint Planning Commission/Parks Board meeting.

Mr. Tovar noted that the agenda for the meeting would include a review of the Cascade Agenda and an update on the 10 City Council Goals. The meeting would provide an opportunity for the Parks Board, the Commission, and the staff to have a dialogue and exchange ideas. While the public would be welcome to attend, he does not anticipate an opportunity for public comments. Chair Piro suggested that the first priority should be to work on building a relationship between the two groups, and perhaps it would be appropriate at a subsequent joint meeting to allow public comments from neighborhood groups, etc. The Commission agreed that they would like the meeting to be set up as a conversation between the two bodies. Commissioner Hall suggested that a question and answer period be built into the time allotment for the Cascade Agenda Presentation. For the remainder of the agenda, he would prefer that the Commission and Board speak primarily with each other. The remainder of the Commission agreed.

Commissioner Phisuthikul inquired if a discussion regarding the Urban Forest Management Plan would be part of the joint meeting agenda. Mr. Tovar explained that one of the City Council's goals is to develop an environmentally sustainable community, and one element of this would be the development of a Forest Management Plan. It would be appropriate for the Parks Board and Parks Department Staff

to explain what they have in mind for this effort. Commissioner Broili offered to work as a liaison between the Parks Board and the Planning Commission regarding this issue.

Vice Chair Kuboi expressed his concern that the proposed agenda does not allow enough time for the Board and Commission to talk together. He said that rather than reports and presentations, he would prefer to have more time for the two groups to interact with each other. Mr. Tovar suggested the meeting start at 6:00 p.m. as a dinner meeting. The Commission agreed that a dinner meeting would be appropriate. They also agreed that the Cascade Agenda presentation should be limited to only 30 minutes. Staff agreed to provide meeting materials prior to September 7th.

NEW BUSINESS

There was no new business scheduled on the agenda.

ANNOUNCEMENTS

Commissioner Phisuthikul announced that as of 3 p.m. today, he became a United States citizen.

AGENDA FOR NEXT MEETING

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

ADJOURNMENT

The meeting was adjourned at 9:55 p.m.

Rocky Piro
Chair, Planning Commission

Jessica Simulcik Smith
Clerk, Planning Commission