Council Meeting Date: October 23rd, 2006 **Agenda Item: 8(c)**

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Adoption of Ordinance No. 442, a Site Specific Rezone located at 17503 10th Avenue NE. File No. 201552
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 6,600 square foot parcel located at 17503 10th Avenue NE (see **Attachment C1**). The applicant, Brad and Kim Lancaster, are requesting to change the zoning of the site from R-8 (Residential - 8 dwelling units per acre) to O (Office).

The applicant currently has a legal office in the City of Edmonds. The applicant would like to relocate to the City of Shoreline and is proposing to use the existing residence as a professional office. The proposed zone change will allow a low intensity commercial use to locate in a predominately residential area.

A rezone of property in single ownership is a Quasi-Judicial decision of the Council. An open record public hearing was conducted before the Planning Commission on September 21st, 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 September 21st, 2006.

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

- The Council could adopt the zoning requested by the applicant and recommended by the Planning Commission and Staff (a rezone from R-8 to Office) by adopting Ordinance No.442 (**Attachment A**).
- The Council could deny the rezone request, leaving the zoning at R-8 (as it currently exists).

FINANCIAL IMPACTS:

- There are no direct financial impacts to the City.

RECOMMENDATION

Staff recommends that the Council adopt Ordinance No. 442, (**Attachment A**) thereby approving the rezone of one parcel located at 17503 10th Avenue NE from Residential 8 units per acre (R-8) to Office (O).

Approved By: City Manager ____ City Attorney ____

INTRODUCTION

The rezone application before Council is a request to change the zoning designation for one parcel generally located at 17503 10th Avenue NE from R-8 to Office.

A public hearing before the Planning Commission was opened and closed on September 21st, 2006. The Planning Commission Findings and Recommendation are included in **Attachment B**. The staff report to the Planning Commission that analyzed the rezone application is included as **Attachment C**.

The Planning Commission recommended that the rezone of the property from R-8 to Office 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, south, east and west are designated *Mixed Use* in the Comprehensive Plan. The Comprehensive Plan document specified: R-8 through R-48 residential zoning and all commercial and industrial zoning categories as appropriate zoning districts for this designation. The current zoning (R-8) and the requested reclassification (O) of the parcel are both consistent with the *Mixed Use* land use designation.

The site is currently zoned R-8 and is developed with a single-family home. Under the proposal, if the site is rezoned as Office, the existing home would remain as it currently exists but the use would change from residential to professional office. Since the proposed professional office will be located within the existing home, it will integrate well into the neighborhood. If in the future the property were to be redeveloped with a different structure, the new building would have to meet standards in effect at that time.

The subject site is required to have three on-site parking spaces for the office use and the applicant is proposing four. Modifications to the home are not proposed other than a small sign in the window advertising the proposed law office. There are two significant trees on the site that will not be modified.

PROCESS

The application process for this project began on June 13th, 2006, when the applicant held a pre-application meeting with city staff. A neighborhood meeting was held on June 29th, 2006 with property owners within 500 feet of the proposed rezone. The formal application was submitted to the city on June 13th, 2006 and was determined complete on July 10th, 2006.

The requisite public hearing was held before the Planning Commission on September 21st, 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 3 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:

- Commercial use in a residential area
- Traffic and Noise
- Parking
- The Lancaster's being a good neighbor

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

OPTIONS
Options for Council action are:

- Adoption of the Planning Commission recommendation,
- Adoption of the Planning Commission recommendations with added conditions or
- Denial of the rezone request.

REZONE TO OFFICE (O) – PLANNING COMMISSION RECOMMENDATION
The applicant has requested that the subject parcel be rezoned to Office. Planning Commission in its Findings and Determination found that a rezone to Office 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-8 zoning is the most appropriate designation for the subject parcel. This determination would be

consistent with the Comprehensive Plan designation of *Mixed Use* for the parcel, as this designation includes both the existing zoning (R-8) and the requested zoning (O).

RECOMMENDATION

Staff recommends that Council adopt Ordinance No. 442, (**Attachment A**) thereby approving the rezone of one parcel located at 17503 10th Avenue NE from Residential 8 units per acre (R-8) to Office (O).

ATTACHMENTS

Attachment A: Ordinance No.442: R-8 to Office
Attachment B– Planning Commission Findings and Determination
Attachment C: Planning Commission Staff Report
- C1: Existing Condition Site Plan
- C2: Vicinity Map with Zoning Designations
- C3: Vicinity Map with Comprehensive Plan Land Use Designations
- C4: Public Comment Letters

Attachment D: Planning Commission Minutes- September 21st, 2006

ORDINANCE NO 442

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON AMENDING THE CITY'S OFFICIAL ZONING MAP TILE NUMBER 455 CHANGING THE ZONING FROM RESIDENTIAL 8 DU-AC (R-8) TO OFFICE (O) OF ONE PARCEL LOCATED AT 17503 10th AVENUE NE (PARCEL NUMBER 0927100318).

WHEREAS, the owner of the property, with parcel number 0927100318, has filed an application to reclassify the property from Residential 8 units per acre (R-8) to Office (O); and

WHEREAS, on September 21st, 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 September 21st, 2006, the Planning Commission recommended approval of the reclassification to Office 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 17503 10th Avenue NE (parcel number 0927100318), to Office 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. 201552 as set forth by the Planning Commission on September 21st, 2006 and as attached hereto as Exhibit 1 is hereby adopted.

Section 2. Amendment to Zoning Map. The Official Zoning Map Tile 455 of the City of Shoreline is hereby amended to change the zoning classification of said parcel, located at 17503 10th Avenue NE (parcel number 0927100318) from R-8 to Office.

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 October 23rd, 2006 .

Mayor Robert L. Ransom

ATTEST:

Scott Passey
City Clerk

APPROVED AS TO FORM:

Ian Sievers
City Attorney

Date of Publication:
Effective Date:

FINDINGS AND DETERMINATION OF THE CITY OF SHORELINE PLANNING COMMISSION

Lancaster Rezone Request File #201552

Summary-

Following the public hearing and deliberation on the request to change the zoning designation of a 6,600 Sq. Ft. parcel located at 17503 10th Avenue NE, the City of Shoreline Planning Commission has determined that the request is in compliance with City codes and not detrimental to the health, safety, or welfare of the City of Shoreline, and therefore recommends approval of such action.

I. FINDINGS OF FACT

1. Project Description-

1.1 Rezone the subject parcel from R-8 (Residential 8 units per acre) to Office (O) so that the applicant can operate a professional law office on the site.

1.2 Site Address: 17503 10th Avenue NE

1.3 Parcel Number: 0927100318

1.4 Zoning: R-8

1.5 The subject property has a land use designation of *Mixed Use* identified on the City of Shoreline's Comprehensive Plan Land Use Map. A *Mixed Use* designation is consistent with the following zoning: R-8, R-12, R-18, R-24 and R-48, Office, Neighborhood Business, Community Business, Regional Business and Industrial.

2. Procedural History-

2.1 Public hearing held by the Planning Commission: September 21st, 2006

2.2 Notice of Public Hearing and SEPA Determination of Nonsignificance: August 24th, 2006

2.3 End of 14 day Public Comment Period: August 3rd, 2006

2.4 Notice of Application with Optional DNS: July 20th, 2006

2.5 Complete Application Date: July 10th, 2006

2.6 Application Date: April 4th, 2006

2.7 Neighborhood meeting Date: June 29th, 2006

3. Public Comment-

3.1 The following individuals participated in Neighborhood Meetings:

9 people attended the required Neighborhood Meeting. General comments included ample customer parking, traffic, commercial use in a residential area, and future use of the property. Most of the comments were supportive of the applicant's rezone request.

Written Comments have been received from:

3 letters were received in response to the standard notice procedures for this application and included comments on ample customer parking, traffic and commercial uses in a residential area.

3.2 Oral testimony has been received from:

In addition to the applicant, three adjacent property owners testified at the open record public hearing. All of the commenters supported the rezone application.

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 non-significance was issued on August 24th, 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:

Rezones are 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 parcel as *Mixed Use*. The Office zoning category is consistent with the *Mixed Use* land use designation. The parcel is developed with one single family home (developed at a density of 6.6 dwelling units per acre)—which is also consistent with the density goals and policies of the Comprehensive Plan which plans for this site to accommodate 8 to 48 dwelling units or businesses to support employment targets within the City.

   The applicant does not currently plan to modify the existing structure, ensuring the proposed office use integrates into the neighborhood. If the parcel redevelops with a new office building in the future, the new structure will have to meet development guidelines in effect at that time.

2. **The rezone will not adversely affect the public health, safety or general welfare.**
   Staff concludes the proposed rezone will not adversely affect the public health, safety or general welfare of the surrounding neighborhood and community. The existing home will continue to integrate into the neighborhood while providing an office location for the applicants. The small office use will not burden the community with overbearing signage, lighting or traffic. The rezone will however change the designation of this parcel from R-8 to Office meaning, in the future, more intense development can occur.

   This area, designated for Mixed Use, will begin to change over time. This is the first parcel in the area to do so. During the transition of the area, adjacent properties may be impacted by new development. Any new development on-site will be

required to provide landscape buffers. The Shoreline Development Code has measures to mitigate impacts to adjacent properties. These measures include landscaping, on-site parking and building design requirements.

3. **The rezone is warranted in order to achieve consistency with the Comprehensive Plan.**
The site's Comprehensive Plan land use designation is *Mixed Use*. Consistent zoning designations for this land use include R-8 through R-48 and all commercial zoning categories. The subject parcel is currently zoned R-8. Both the existing and proposed zoning designations are consistent with the Comprehensive Plan.

Right now, the site is developed with one single-family house at a density of 6.6 dwelling units an acre, which is underdeveloped under the current zoning category. The application to change the zoning of the parcel to Office was made in order to locate the applicant's professional office within the City of Shoreline.

The current zoning in the immediate vicinity of the project includes R-6 and R-8. The uses in the area include mostly single-family houses, and a church with a Metro Park and Ride. Approximately 850 feet to the east is the North City Business District.

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. The property owner does not plan to modify the existing structure or site. In the future, under the Office zoning, the property could change if the parcel is redeveloped with a new office building.

Concerns have been raised by adjacent neighbors concerning appropriateness of the commercial zoning (Office), increased traffic and noise, and parking. The following brief summary demonstrates how the project addresses each of these.

Changing Land Use

Staff received several comments that this area has historically been a single-family residential area. Historically, this has been true, but the Comprehensive Plan has identified this area as being appropriate for mixed use development which permits a variety of uses—single-family and multifamily uses, offices, and retail businesses.

The City adopted the Comprehensive Plan and designated certain areas as areas where a mix of uses should occur. The subject parcel is in one of those areas. Office is an appropriate zoning category under the Mixed Use land use designation. The Office zoning category is the least intense zoning category in the commercial designation and can provide a good transition between commercial and residential land uses.

If office zoning is adopted, it will be the first parcel in the area to change to a commercial use. Land uses along NE 175th have been changing to more businesses oriented uses in the recent years but generally in areas closer to North City.

Traffic/Parking

The applicant is proposing to use the existing home as an office. The P.M. peak hour vehicular trips will be .92 (.46 X 2) for the office. Since the P.M. peak hour trips are not greater than 20, a traffic study was not required (SMC 20.60.140(A)).

The office is required to supply 3 on-site parking spaces while the applicants are planning for four. Staff experience is that an office like this is unlikely to have more than two visitors at a time, and there is little likelihood of spillover parking. If, in the future, the building is expanded or rebuilt, the traffic generation will be recalculated and mitigated if necessary.

5. **The rezone has merit and value for the community.**
The proposed rezone to Office is the least intensive commercial zoning allowed under the Mixed Use Land Use designation. The Office zoning will provide a natural transition between NE 175th Street and the low-density single-family homes to the west, north and east. The proposed Office zoning will allow a business that the neighborhood may need in the community.

In summary, the Planning Commission concludes that the proposed change will benefit the community.

III. RECOMMENDATION

Based on the Findings, the Planning Commission recommends approval of application #201552; a rezone from R-8 to Office.

City of Shoreline Planning Commission

(To be signed) Date: 10/6/06

Chairperson

Commission Meeting Date: September 21st, 2006 Agenda Item:

PLANNING COMMISSION AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Type C Action: Rezone Application #201552 for one parcel generally located at 17503 10th Avenue NE from R-8 (Residential 8 dwelling units/acre) to Office (O).
DEPARTMENT:	Planning and Development Services
PRESENTED BY:	Steven Szafran, Planner II

I. PROPOSAL

The applicant, Brad and Kim Lancaster, propose to modify the existing zoning category for a 6,600 square foot parcel located at 17503 10th Ave. NE. This application before the Planning Commission is a request to change the zoning designation from R-8 (Residential - 8 dwelling units per acre) to Office (O). The applicant is not proposing any modifications to the existing home or site though the use will change from residential to office. A site plan showing the site configuration of the proposal (existing site conditions) 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 Mixed Use, and both the existing and proposed zoning are consistent with this designation (**Attachment 3** illustrates the comprehensive plan land use designations of the surrounding vicinity).

Under the Appearance of Fairness Doctrine, local land use decisions that are not of area wide significance shall be processed as quasi-judicial actions. Because this is a Site Specific Zone Change it shall be processed per RCW 42.36.010 as a Type C quasi-judicial action.

There is currently one single-family home on-site that will be used for the proposed office use (Law Office). The proposed rezone would allow the owners to transfer their law practice from the City of Edmonds to this site.

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 located on the northwest corner of NE 175th Street and 10th Ave. NE. The parcel is developed with one single-family residence. The parcel measures 6,600 square feet in area (approximately .15 acres). The site is generally flat. There are two significant trees on site that will remain.

Access to the site is from a residential driveway off of 10th Avenue NE. The driveway is approximately 20 feet wide at the curb tapering down to 11 feet further into the site (see **Attachment 1**).

Parking requirements for the site are based on office square footage. The Shoreline Development Code specifies 1 parking space for every 300 square feet accessible to the public. The proposed office building will require 3 parking spaces (800 square feet/300= 2.6= 3). The applicant is providing 4 spaces.

A traffic study is not required if P.M. Peak Hour Trips do not exceed 20. A single-tenant office use generates 3.3 Average Daily Trips per employee and .46 P.M. Peak Hour Trips per employee. The proposed office will have two employees generating .92 P.M. Peak Hour Trips.

2. NEIGHBORHOOD

The project site is located in the North City Neighborhood. Access to the property is gained from 10th Avenue NE, a street that is classified as a Neighborhood Collector. 10th Ave. NE is designated as a Neighborhood Collector from NE 155th Street and as a Collector Arterial from NE 185th till it dead-ends into NE 195th Street. As indicated previously the site is zoned R-8 and has a land use designation of Mixed Use.

The current zoning of the parcels immediately adjacent to the subject parcel on the north, south, east and west is R-8; the uses on these sites include mostly single-family residential and a church parking lot that serves as a Metro Park and Ride Lot during the week. (These parcels also have a Mixed Use Comprehensive Plan Designation which allows all residential zoning categories between R-8 and R-48; and all commercial zoning categories.)

The North City Business District begins approximately 850 feet to the east. 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 June 13th, 2006, when a pre-application meeting was held with the applicant and City staff. The applicant held the requisite neighborhood meeting on June 29th, 2006. The application was determined complete on July 10th, 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 July 20th, 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 August 10th, 2006.

Comments were received at the neighborhood meeting and during the public comment period. The comments are included in **Attachment 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 decsion criteria listed in Section 20.30.320(B) of the SMC. The reader will find that the criteria are integrated and 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 parcel as *Mixed Use*. The parcel is developed with one single family home (developed at a density of 6.6 dwelling units per acre)—this is not consistent with the density goals and policies of the Comprehensive Plan which plans for this site to accommodate 8 to 48 dwelling units or businesses to support employment targets within the City.

If Office becomes the adopted zoning for the site, the applicant intends to use the existing home as a professional office.

The following table summarizes the bulk requirements for the current zoning and the potential Office zoning. (Note: The following standards apply to new construction. The applicant intends on using the existing home as it exists).

Standard	R8 Development	Office
Front Yard Setback	10'	10'
Side Yard Setback	5'	10'
Rear Yard Setback	5'	10'
Building Coverage	45%	N/A
Max Impervious Surface	65%	85%
Height	35'	35' (50' if mixed use building)

The Comprehensive Plan identifies different areas of the City where growth should be encouraged and can be accommodated. In some areas, the City allowed densities and

intensity of uses to be increased. In the case of the subject parcel, more dense and/or intense development is anticipated in the future when the underutilized parcels are redeveloped.

Office zoning may be 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 having a low intensity office use that can serve the community and that can integrate within the existing neighborhood.
>
> *LU 17: The Mixed Use designation is intended to encourage the development of pedestrian oriented places, with architectural interest, that integrate a wide variety of retail, office and services uses with residential uses.*
>
> This area of Shoreline, even though it is planned for Mixed Use, has not had any rezoning requests. The area is "planned" to integrate a wide variety of uses but currently the zoning and land uses in the immediate area are primary low-density single-family homes.
>
> *CD 23: Where clearing and grading is unnecessary, preserve significant trees and mature vegetation.*
>
> There are two significant trees on-site that will not be disturbed.
>
> *ED 14: Encourage and support home-based businesses in the City, provided that signage, parking, storage, and noise impacts are compatible with neighborhoods.*
>
> Though, not a home based business; the proposed office use will operate out of an existing home that is compatible with the neighborhood. Parking is off-street, no outside storage is proposed, and signage will be limited to a window sign by the applicant.

ED 15: Support and retain small businesses for their jobs and services that they provide to the community.

ED 24: Ensure sufficient land use designations and zoning provisions to support businesses.

ED 15 and ED 24 are intended help small businesses owners, such as the applicants, to be able to operate in Shoreline while providing services to the local community.

CD 8: To minimize visual impact of commercial, office, industrial, and institutional development on residential areas by requiring appropriate building and site design, landscaping and shielded lighting to be used.

CD 48: Develop attractive, functional, and cohesive commercial areas that are harmonious with adjacent neighborhoods, by considering the impacts of the land use, building scale, views and through-traffic.

The applicant does not currently plan to modify the existing structure, ensuring the proposed office use integrates into the neighborhood. If the parcel redevelops with a new office building in the future, the intensity of the site or building design may not fit well with existing adjacent land uses.

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

Staff concludes the proposed rezone will not adversely affect the public health, safety or general welfare of the surrounding neighborhood and community. The existing home will continue to integrate into the neighborhood while providing an office location for the applicants. The small office use will not burden the community with overbearing signage, lighting or traffic. The rezone will however change the designation of this parcel from R-8 to Office meaning, in the future, more intense development can occur.

This area, designated for Mixed Use, will begin to change over time. This is the first parcel in the area to do so. During the transition of the area, adjacent properties may be impacted by new development. Until adjacent parcels start to redevelop with more intense uses, the Shoreline Development Code has measures to mitigate impacts to adjacent properties. These measures include landscaping, on-site parking and building design requirements.

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

The site's Comprehensive Plan land use designation is *Mixed Use*. Consistent zoning designations for this land use include R-8 through R-48 and all commercial zoning categories. The subject parcel is currently zoned R-8. Right now, the site is developed with one single-family house at a density of 6.6 dwelling units an acre, which is underdeveloped under the current zoning category. The application to change the

zoning of the parcel to Office was made in order to locate the applicant's professional office within the City of Shoreline.

The current zoning in the immediate vicinity of the project includes R-6 and R-8. The uses in the area include mostly single-family houses, a church and a Metro Park and Ride. Approximately 850 feet to the east is the North City Business District.

The subject property will take access from 10th Ave. NE, a Neighborhood Collector street. The Comprehensive Plan states that the Mixed Use Land Use designation applies to a number of stable or developing areas. The designation is intended to encourage the development of pedestrian oriented places, with architectural interest, that integrate a wide variety of retail, office and service uses with residential areas. This is the first parcel in the area to change and more change is anticipated in the future.

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. The property owner does not plan to modify the existing structure or site. In the future, under the Office zoning, the property could change if the parcel is redeveloped with a new office building.

Concerns have been raised by adjacent neighbors concerning appropriateness of the commercial zoning (Office), increased traffic and noise, and parking. The following brief summary demonstrates how the project addresses each of these.

Changing Land Use

Staff received several comments that this area has historically been a single-family residential area. Historically, this has been true, but the Comprehensive Plan has identified this area as being appropriate for mixed use development which permits a variety of uses—single-family and multifamily uses, offices, and retail businesses.

The City adopted the Comprehensive Plan and designated certain areas as areas where a mix of uses should occur. The subject parcel is in one of those areas. Office is an appropriate zoning category under the Mixed Use land use designation. The Office zoning category is least intense zoning category in the commercial designation and also provides a good transition between commercial and residential land uses.

If office zoning is adopted; it will be the first parcel in the area to change to a commercial use. Land uses along NE 175th have been changing to more businesses oriented uses in the recent years but generally in areas closer to North City.

Traffic/Parking

The applicant is proposing to use the existing home as an office. The P.M. peak hour vehicular trips will be .92 (.46 X 2) for the office. Since the P.M. peak hour trips are not greater than 20, a traffic study was not required (SMC 20.60.140(A)).

The office is required to supply 3 on-site parking spaces while the applicants are planning for four. Staff experience is that an office like this is unlikely to have more than two visitors at a time, and there is little likelihood of spillover parking.

Criteria 5: The rezone has merit and value for the community.
The proposed rezone to Office is the least intensive commercial zoning allowed under the Mixed Use Land Use designation. The Office zoning will provide a natural transition between NE 175th Street and the low-density single-family homes to the west, north and east. The proposed Office zoning will allow a business that the neighborhood may need in the community.

In summary, staff concludes that the proposed change will benefit the community.

III. CONCLUSIONS

1. **Consistency-** The proposed reclassification for the subject properties is consistent with the Washington State Growth Management Act, the City of Shoreline Comprehensive Plan, and the City of Shoreline Development Code.
2. **Compatibility-** The proposed zoning is consistent with existing and future land use patterns identified in the Comprehensive Plan.
3. **Housing / Employment Targets-** The current residential density of 6.6 dwelling units per acre indicates the site is underutilized per the density guidelines listed in the Comprehensive Plan for the *Mixed Use* land use designation. By changing the zoning to Office, the project assists the City of Shoreline in meeting employment 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.

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 the site at 17503 10th Ave. NE (parcel number 0927100318) from Residential 8 units per acre (R-8) to Office (O) based on the findings presented in this staff report.
2. Recommend approval to rezone the site at 17503 10th Ave. NE from R-8 to Office with added conditions, based on findings presented in this staff report and additional findings by the Planning Commission with added conditions.
3. Recommend denial of the rezone application. The existing Residential 8 units per acre (R-8) zoning remains based on specific findings made by the Planning Commission.

V. PRELIMINARY STAFF RECOMMENDATION

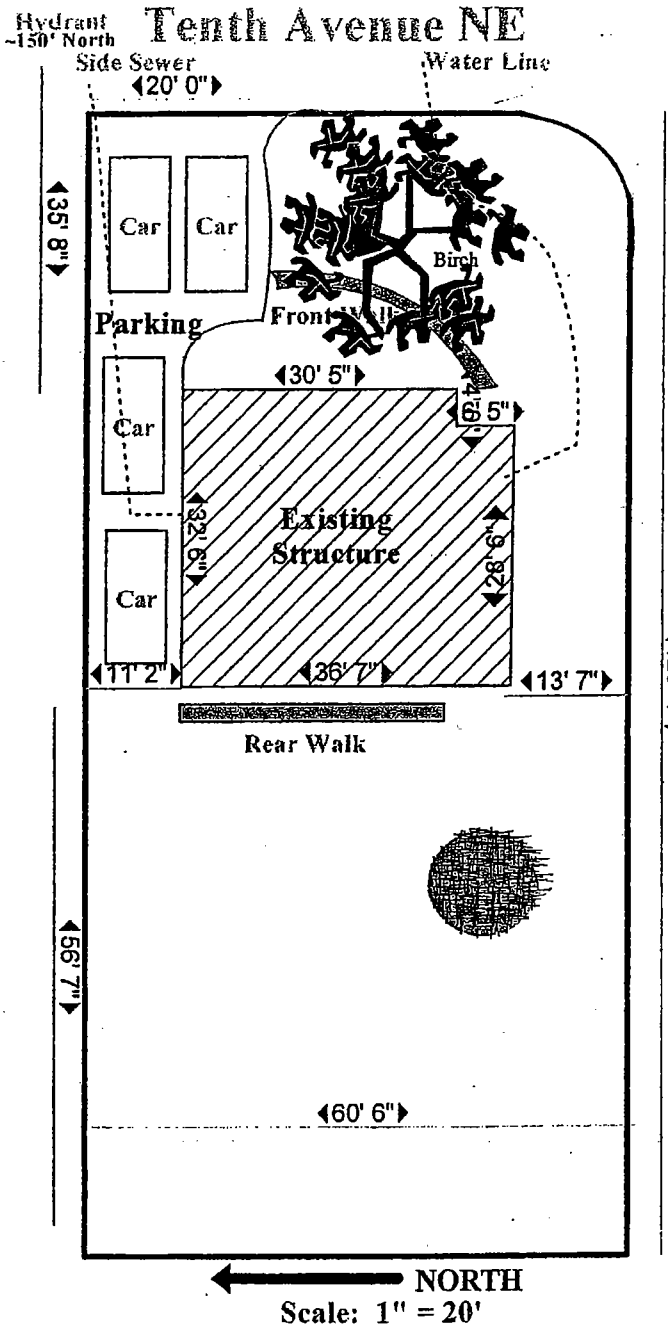
Staff recommends that the Planning Commission move to recommend to the City Council that Office zoning be adopted for the property located at 17503 10th Ave. NE (parcel number 0927100318). Enter into findings based on the information presented in this staff report that this proposal meets the decision criteria for the reclassification of property as outlined in the Shoreline Municipal Code Section 20.30.320.

ATTACHMENTS

Attachment 1: Existing Condition Site Plan
Attachment 2: Vicinity Map with Zoning Designations
Attachment 3: Vicinity Map with Comprehensive Plan Designations
Attachment 4: Public Comment Letters

SITE PLAN

REZONE APPLICATION RE 17503 TENTH AVENUE NE, SHORELINE



IMPERVIOUS SURFACES	
Client Use Area	259 sq ft
	23%
Existing Building	1120 sq ft
Sidewalks: 29x3, 31x4	211 sq ft
Subtotal Impervious:	**1321 sq ft**
PERVIOUS SURFACES	
Crushed Rock Parking:	644 sq ft
(x 50%)	
Total Surfaces	1965 sq ft
Lot Area	7562 sq ft
Percentage Impervious Coverage	25.98%
Building Height: One story	18 ft

Prepared by:
Brad and Kim Lancaster
18331 Tenth Avenue NE
Shoreline, WA 98155
206-542-2739

Site Address	17503 Tenth Ave. NE
Tax Parcel Number	092710-0318-05
Legal Description	The South 90 feet of Lot 1, Block 4, Bonnie Glen, according to the plat thereof recorded in Volume 30 of Plats, page 20, records of King county, Washington; EXCEPT the South 30 feet thereof conveyed to King County for road by instrument recorded under Recording No 2701439; and EXCEPT that portion conveyed to King County for road by instrument recorded under No. 9301291393, which is a re-record of Recording No. 9208200596. SUBJECT TO: All covenants, conditions or restrictions, all easements or other servitudes, and all reservations, if any, but omitting restrictions, if any, based upon race, color, creed or national origin, disclosed by the Plat of Bonnie Glen. Right to make necessary slopes for cuts, fills or drainage upon the land herein described as granted to the State of Washington by deed recorded under Recording No. 9301291393, which is a re-recorded of Recording No. 9208200596.

000037

ATTACHMENT C2

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806 17620
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17534 914 17531
17526 815 821 R6
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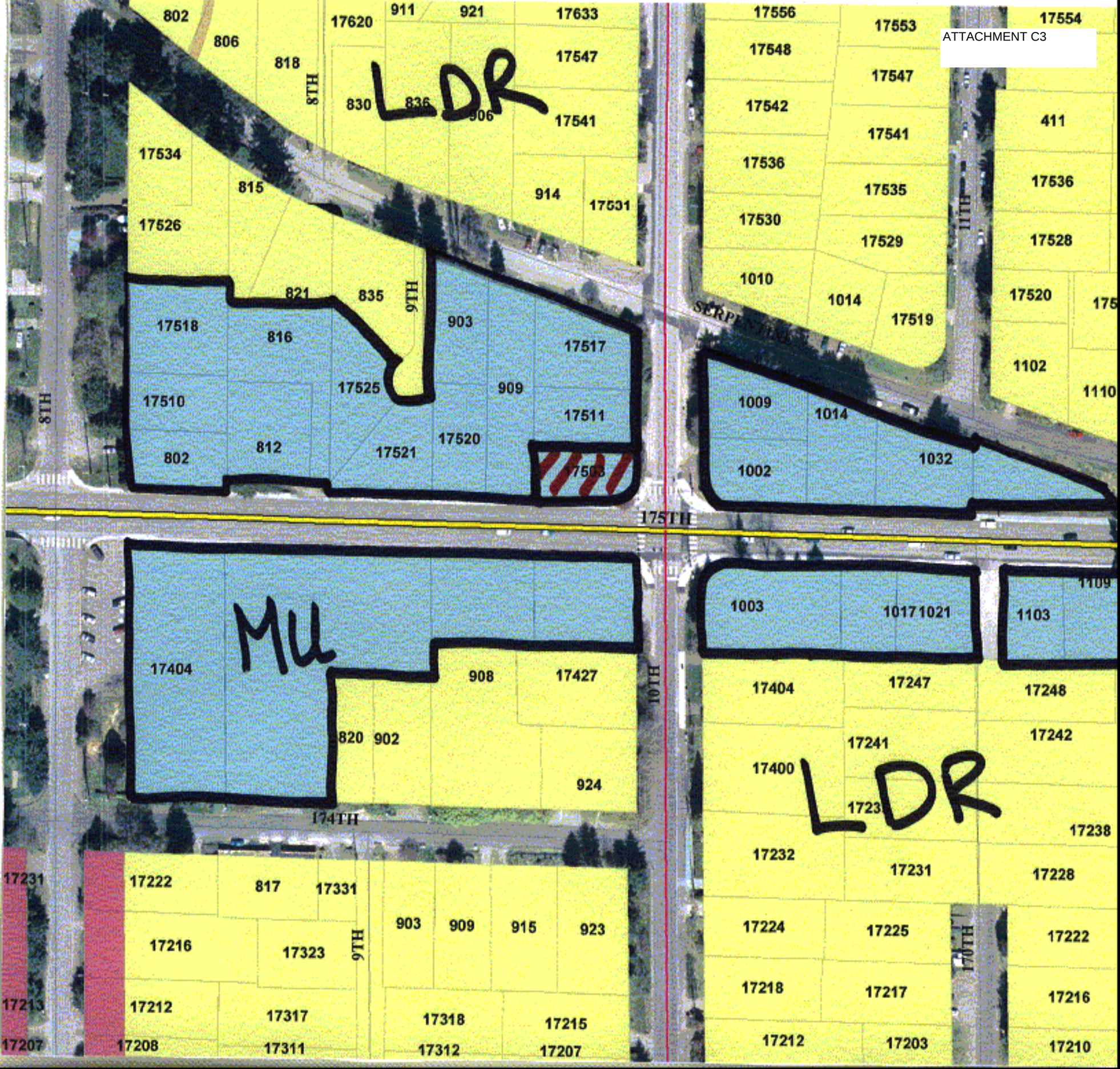
ATTACHMENT C3
LDR
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170TH
174TH
175TH
SERPENTINE

August 2, 2006

Planning & Development Services;

I am opposed to the rezone application at 17503 10th ave. N.E., Shoreline, Wa. 98155.

I do not want to see a business come into a residential area. It increases the traffic & noise for the neighborhood.

We have an adult family home in our neighborhood at 19605 10th Ave N.E. It brought with it extra traffic from staff & visitors. 911 is called on a regular basis & we see aid cars & ambulances on our quiet dead end street quite often. This is a small business & it has changed our neighborhood for the worst.

Sincerely,
Talea Lucky

1003 N E 196th
Shoreline, Wa 98155
August 1, 2006

Planning & Development Services
City of Shoreline
17544 Midvale Ave North
Shoreline, Wa 98133

Gentlemen:

As per your request, I am writing to let you know that I heartily disagree with the Rezone Application. This is a residential area and not meant for business.

We have lived here for almost 50 years and would hate to see the residential area changed. The feeling in this neighborhood is absolutely negative concerning this proposed change.

Sincerely
Mrs James A Saldin

Kim File
1010 NE 197
Shoreline Wa 98155

Planning and Development Services
City of Shoreline
17544 Midvale Ave N.
Shoreline Wa 98133

Dear Sir,

I grew up in this area, went to grade school, jr. high, high school - all in the Shoreline School district. I am raising my family here. I lived here just about all my life. It is a residential area.

I am deeply disappointed in a proposed zoning change of this residential area. I support the businesses in North City and drive by this location at least twice a day.

It seems to me, the North City business district is close enough to 175th and 10th NE to move a business to.

Please do not let this zoning change go through.

Let's keep our residential neighborhood.

Respectfully,
Kim File

LANCASTER LAW OFFICE

BRAD LANCASTER, ATTORNEY
KIM LANCASTER, PARALEGAL

9653 FIRDALE AVENUE
EDMONDS, WASHINGTON 98020

TELEPHONE: 206-542-2739
FACSIMILE: 206-533-0223
TOLL FREE: 1-888-837-6519
E-MAIL: BRAD.LANCASTER@VERIZON.NET
LANCASTERLAWOFFICE.COM

June 30, 2006

Steve Szafran
City of Shoreline
Planning and Development Services
17544 Midvale Avenue North
Shoreline, Washington 98133-4921

BY U. S. MAILS

RE: Brad and Kim Lancaster's Re-Zone Application for 17503 Tenth Avenue NE
Summary of Neighborhood Meeting
SMC 20.30.080, 20.30.090

Dear Mr. Szafran:

Enclosed are the following documents:

A. Copy of Notice of Neighborhood Meeting;
B. Written Responses from Notice Parties;
C. Lancaster Letter to Marie Lowther, Dated June 22, 2006.

On Thursday, June 29, 2006, at 6:00 p.m., at Shoreline Center, Arden Room (E-300), we conducted the neighborhood meeting required for our re-zone application, pursuant to SMC 20.30.080, 20.30.090. Nine neighbors attended, plus Kim and me. We had coffee, water, and cookies, and conversation. The meeting commenced at 6:05 p.m. and the last participant left the Arden Room around 7:15 p.m.

PERSONS ATTENDING

The following persons attended the neighborhood meeting:

1. Brad and Kim Lancaster, Re-Zone Applicants
   18331 Tenth Avenue NE
   Shoreline, WA 98155

2. Charlotte Haines, Co-Chair of North City Neighborhood Assn.
   836 NE 194th
   Shoreline, Washington 98155

NEIGHBORHOOD MEETING SUMMARY.

3. Sally Granger, Co-Chair of North City Neighborhood Assn.
16804 Sixteenth Avenue NE
Shoreline, Washington 98155

4. Patty Hale, Chair of Ridgecrest Neighborhood Assn.
16528 Eighth Avenue NE
Shoreline, Washington 98155

5. John and Robin Leaden
17242 Eleventh Avenue NE
Shoreline, Washington 98155

6. Michael L. Smith
17547 Tenth Avenue NE
Shoreline, Washington 98155

7. Haile and Lete Behre, Adjacent neighbor immediately north of subject parcel.
17511 Tenth Avenue NE
Shoreline, Washington 98155

8. Scott Solberg, Neighbor from SE corner of NE 175th and Tenth NE
1003 NE 175th Street
Shoreline, Washington 98155

SUMMARY OF OPINIONS EXPRESSED

A. George and Joanne Banschback (816 NE 175th Street, Shoreline) responded by mail, expressing their view that Lancaster Law Office would be a good neighbor, and having a lawyer nearby may be handy.

B. John and Colleen Carmody (909 NE Serpentine Place, Shoreline) adjacent neighbors immediately west of subject parcel) responded by mail, stating their appreciation for the cleanup of 17503 Tenth Avenue NE, and their support for rezoning to permit Lancaster Law Office to operate there.

C. Susan Garner (17526 – Eighth Avenue NE, Shoreline) responded by mail and expressed concern that there be "ample parking for your customers."

We respond that our plan incorporates parking for four vehicles, which is one more parking space than the three required by the business use of the premises.

D. Glenn and Linda Hinrichsen (17241 Eleventh Avenue NE, Shoreline) responded by mail, stating that they oppose any businesses in the neighborhood. In their view, the area is residential and should stay that way. They are concerned about traffic increasing in the area.

We respond that traffic use will decrease under our proposed use from the number of vehicles using the streets that one would reasonably expect at 17503 Tenth Avenue NE utilized as a residence.

//
//

E. Marie Lowther (924 NE 174th Street, Shoreline) responded by mail on a number of relevant concerns.

We addressed each of her concerns by written response, which is attached to this letter as Exhibit C.

F. Kim Anh Pham (17525 Ninth Court NE, Shoreline) responded by mail, stating strongly support for our rezone application, and Kim Anh Pham's view that Lancaster Law Office will not cause any negative impacts on the neighborhood.

G. Tom Ruhlman (17232 Tenth Avenue NE, Shoreline) responded by mail, stating that he has "no problem" with Lancaster Law Office practicing from 17503 Tenth Avenue NE. Mr. Ruhlman noted that NE 175th Street is in transition from residential to business. He welcomes us to the neighborhood.

THE NEIGHBORHOOD MEETING DISCUSSION

Brad Lancaster made a brief opening statement. He explained why Lancaster Law Office seeks to move to Shoreline from its present location in Edmonds, and described the nature of his business, its client traffic pattern, and the hours of law office operations. Mr. Lancaster described his usual client traffic to Lancaster Law Office: one to two persons per week. He passed out a copy of the local section of the Comprehensive Plan, as well as selected pages from the Lancaster's rezone application.

H. Patty Hale, chair of the Ridgecrest Neighborhood Association, expressed her full support for Lancaster's rezone application. She said that adding a law office will be good for the neighborhood. She indicated that she read the concerns of Marie Lowther, who responded by mail, and our responsive letter to Marie Lowther. She thought we addressed each of Ms. Lowther's concerns well. We told Ms. Hale that it is not our intention to live in 17503 Tenth Avenue NE, but only to practice law from that location. Ms. Hale likened our rezone application to the circumstance of the insurance office located at 15th Avenue NE and NE 155th Street. That use has been no problem for the Ridgecrest neighborhood, and that no cars backup when the insurance businesses clients exit onto NE 155th Street.

I. Sally Granger, co-chair of the North City Neighborhood Association, inquired if we intend to add new construction onto the building. We replied that it is not our present intention to add on, since we have more square footage in the existing building than we require for our operations. Ms. Granger also inquired if there would be exterior signage in our design plan. We indicated that we have an interior window sign we use, and do not intend to deploy a sign exterior to the building. Our clientele does not derive from walk-in traffic, but almost entirely from referrals and internet advertising.

J. Charlotte Haines, co-chair of the North City Neighborhood Association, stated that siting Lancaster Law Office at this particular location is a fabulous idea. When Shoreline was first incorporated, the planning meetings intended that NE 175th Street would build up in mixed use. That is happening. The dentist office, YMCA, and other commercial enterprises are on NE 175th Street near our intersection. Other locations nearby on NE 175th Street are ripe for redevelopment as offices or mixed use buildings.

Ms. Haines, as a water district commissioner, described the upcoming new water trunk line that will travel down NE 175th Street past 17503 Tenth Avenue NE to Eighth Avenue

NE, and then turn south to the business district at NE 155th Street. This work is in design phase now, and the project should be put out for bids at the end of 2006. This upgrade is intended to accommodate the future denser uses that will be made in the mixed use zones of Shoreline in the North City and Ridgecrest areas. It will also alleviate low pressure in the Ridgecrest area. Ms. Haines restated that she is "very much in favor of our rezone of 17503 Tenth Avenue NE."

Patty Hale inquired about the status of the empty space behind the building at 17503 Tenth Avenue NE. We replied that it is a large back yard where, if the City requires it, we could site a permeable parking lot. Ms. Haines supported that idea, if required by the City.

Ms. Haines went on to say that she has known the owners of the subject parcel for many years through many owners. With teen drivers residing at the parcel, there have been some traffic problems at the site. Our use should alleviate such problems.

K. Michael Smith, who is a neighbor of 17503 Tenth Avenue NE, two houses to the north, inquired what will happen when we sell the parcel. We responded that the parcel could be used by another business like ours, or, if the new owner so chose, the building could be razed and replaced. In the latter instance, new permits would be required. Mr. Smith expressed concern that Tenth Avenue NE is now almost an arterial and will only get worse.

We responded that traffic pressure on Tenth Avenue NE has worsened during the course of the North City redevelopment project, but should diminish somewhat now that the project draws to a close.

Patty Hale said that traffic planning is contemplating a roundabout at NE 170th Street on Tenth Avenue to break up that long stretch, and slow down the traffic. She also said that the four-way stop at NE 180th Street and Tenth Avenue NE has also slowed down traffic. She is investigating whether a polarized light filter that limits distant views of the color of the traffic signal at Tenth Avenue NE and NE 175th Street might not help slow traffic in the area by reducing the number of people gunning to get through the green light there.

Mr. Smith said that he supports our office use of the parcel because he would rather see us use it as a small office than have the location redeveloped as a condominium structure.

L. John and Robin Leaden, who live at 17242 Eleventh Avenue NE, indicated their support for our rezone of the parcel. They would rather have us stabilize the use of the parcel in a low-impact business than see the parcel redeveloped into a triplex or small apartment building. Leadens said our use decreases the density of the neighborhood, and should relieve some traffic congestion.

M. Haile and Lete Behre, who are the adjacent neighbors immediately to the north of the subject parcel at 17511 Tenth Avenue NE, have their driveway adjoining that of the subject parcel. Behres stated their strong support for our rezone application. They are happy we have cleaned up the subject parcel, and are hoping we will remain their neighbors. [Mr. Behre made a special effort to attend the meeting, despite the fact that it fell in the middle of his time for sleep, due to his late shift work.] Patty Hale inquired if we would be willing to install a fence between Lancaster Law Office and the Behre's parcel. We responded that we would be willing to do so if the Behres want that, but that in our view such a fence would make it more difficult for both us and the Behres to get in

and out of cars in our respective driveways. Behres did not indicate that they want such a fence.

N. Sally Granger inquired about the parking currently available at the site. We responded that there are four parking places, one of which we would utilize daily. We told her that the maximum number of parking stalls required for the site would be three, under the Office zoning requirements.

O. Charlotte Haines injected that she likes that our office is low key. Our presence at the subject parcel may induce other professionals to locate in the area, and therefore may provide an easy transition for this developing locale.

P. Patty Hale inquired about what further process is involved in the rezone application. We described the process: a public hearing at which public comment will be taken, and then the city council will consider the matter and make the final decision.

Q. Scott Solberg, who owns two adjacent parcels across the street on NE 175th Street, arrived just after the other participants had left the meeting. He strongly supports our rezone application. He intends to rezone his parcels when he is able to acquire a parcel adjacent to those parcels he presently owns. He has prospective tenants for the redevelopment he envisions: a real estate company, accounting firm, and construction company willing to relocate to the NE 175th Street and Tenth Avenue NE area. He is concerned with his parcels about possible storm water problems, but is willing to work with the city on those issues.

SUMMARY OF CONCERNS NOT ADDRESSED

Susan Garner (17526 Eighth Avenue NE, Shoreline, WA 98155) wants to insure that no "further expansion of zoning along NE 175th to the west" occurs, in order "to protect the current single family homes." We are unable to address what other persons may choose to do in the future.

Glenn and Linda Hinrichsen oppose any businesses in the neighborhood. We are unable to address their concern because our application seeks to place a business in the neighborhood.

SUMMARY OF PROPOSED MODIFICATIONS TO APPLICATION

None.

We enjoyed this process, and it gave us a chance to meet some of our neighbors. If you have any questions about this neighborhood meeting, please call me at my office.

Respectfully,

Brad Lancaster

EXHIBIT
tabbies
D

RESPONSE FORM

RE: Brad and Kim Lancaster's Re-Zone Application for 17503 Tenth Avenue NE
SMC 20.30.080, 20.30.090 Neighborhood Meeting
Shoreline Center, Arden Room (E-300)
Thursday, June 29, 2006, at 6:00 p.m.

FROM:
George & Joanne
Banschbach **(Name)**
816-NE 175th **(Address)**
Shoreline WA 98155
206 362-8949 **(Telephone)**

To: Brad and Kim Lancaster:

I am unable to attend your neighborhood meeting, but wanted you to have the benefit of my response to your proposal. I have the following thoughts:

Thank you for informing the neighbors of your plans to have a home and office on the corner of our block. Sounds like you would be good neighbors and keeping the house goes well with the area. Also you would be handy if we should need legal services. You seem well organized and competent.

Sincerely,

Joanne Banschbach (signature)
6/15/06 (Date)

EXHIBIT D

RESPONSE FORM

RE: Brad and Kim Lancaster's Re-Zone Application for 17503 Tenth Avenue NE
SMC 20.30.080, 20.30.090 Neighborhood Meeting
Shoreline Center, Arden Room (E-300)
Thursday, June 29, 2006, at 6:00 p.m.

FROM:

John + Colleen Carmody (Name)
909 NE Serpentine Pl (Address)
Shoreline WA 98155
206 361 5084 (Telephone)

To: Brad and Kim Lancaster:

I am unable to attend your neighborhood meeting, but wanted you to have the benefit of my response to your proposal. I have the following thoughts:

after many years of changing ownership and occupancy of 17503 10th Ave NE - the property line shared by a portion of our property - we are amazed and delighted to have such a huge improvement in the house and yard - the only thing better than the house becoming a law office - viewed by us as a plus for the neighborhood - would be you, Brad, and Kim living there.
We can imagine no negative impact resulting from your request, if all additions to the neighborhood follow your lead!

Sincerely,

John P. Carmody (signature)
6-28-06 (Date)

EXHIBIT D

RESPONSE FORM

RE: Brad and Kim Lancaster's Re-Zone Application for 17503 Tenth Avenue NE
SMC 20.30.080, 20.30.090 Neighborhood Meeting
Shoreline Center, Arden Room (E-300)
Thursday, June 29, 2006, at 6:00 p.m.

FROM:

Susan Garner
17526 - 8th Ave NE (Name)
Shoreline, WA 98155 (Address)
_____
_____ (Telephone)

To: Brad and Kim Lancaster:

I am unable to attend your neighborhood meeting, but wanted you to have the benefit of my response to your proposal. I have the following thoughts:

My concern is that you provide ample parking for your ~~tea~~ customers. I would further limit any expansion of zoning along NE 175th to the west to protect the current single family homes

Sincerely,

Susan Garner (signature)
6/22/06 (Date)

EXHIBIT
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RESPONSE FORM

RE: Brad and Kim Lancaster's Re-Zone Application for 17503 Tenth Avenue NE
SMC 20.30.080, 20.30.090 Neighborhood Meeting
Shoreline Center, Arden Room (E-300)
Thursday, June 29, 2006, at 6:00 p.m.

FROM:

GLENN & LINDA HINRICHSEN (Name)
17241-11TH AVE NE (Address)

206-383-8198 (Telephone)

To: Brad and Kim Lancaster:

I am unable to attend your neighborhood meeting, but wanted you to have the benefit of my response to your proposal. I have the following thoughts:

WE DO NOT AGREE WITH YOUR RE-ZONE. WE ARE LETTING THE DOOR OPEN FOR OUR NICE RESIDENCIAL BLOCKS. WE DON'T WANT BUSINESS CREATING MORE TRAFFIC. THE NEIGHBORHOODS NEED TO REMAIN FAMILY NOT BUSINESS.

Sincerely,

(signature)
6/24/06 (Date)

EXHIBIT
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RESPONSE FORM

RE: Brad and Kim Lancaster's Re-Zone Application for 17503 Tenth Avenue NE
SMC 20.30.080, 20.30.090 Neighborhood Meeting
Shoreline Center, Arden Room (E-300)
Thursday, June 29, 2006, at 6:00 p.m.

RECEIVED
JUN 21 2006
LANCASTER LAW OFFICE

FROM:

Marie Lowther (Name)
924 NE 174th St (Address)
Shoreline WA 98155
367-2977 (Telephone)

To: Brad and Kim Lancaster:

I am unable to attend your neighborhood meeting, but wanted you to have the benefit of my response to your proposal. I have the following thoughts:

I oppose your request to rezone 17503 Tenth Avenue NE. While I can appreciate that you perceive that you have positive intentions for the property I will list the following reasons that I see this site as different from many of the business you reference in your *exhibit c.*

1. ~~The businesses East of this property referenced North City Dental, YMCA, North City Lumber & Auto Repair/Propane Vehicle Storage all have driveway entrances on 175th St, not the side street of 12th that is the other boundary street for some of the businesses.~~
2. There is currently no light for turning left off of 175th St. to Tenth Ave. NE. The negative impact on the traffic on Tenth Ave. NE, due in part to the construction on 15th Ave. NE, has been significant. Many light cycles have three or more cars backed up blocking the driveway at 17503 Tenth Ave. NE to this property. If a car successfully turns off of 175th St. on to Tenth Ave. NE they may cause further congestion and traffic hazard to cars traveling northbound on Tenth Ave. NE because they are waiting to turn into the driveway that is blocked by cars.
3. ~~These other businesses have daytime hours and do not offer evening appointments that may be required of a service business such as the legal services offered. It is in your best interest to present the impact as minimal, but the actual use could be very different.~~
4. The nature of their business does not suggest clients that could be accused of illegal activity. The nature of your business, you do not state your specialty in your documents, suggests clients who require legal council of some kind.

(OVER)

Sincerely,

Marie Lowther (signature)
6-19-06 (Date)

Cc: City of Shoreline Planning & Development, Patty Hale

I will also note you correctly state the premises has an air of neglect and could use clean up, the long term impact of a zoning change has repercussions that you do not state and cannot predict.

1. Once the zoning is changed, the site can be used for office space for any sort of business.
2. You express intent to use this location for long term, but there is no guarantee to the community once this change is made that your business, or even one with similar community impact would use the property in the same way.
3. Granting this zone use change is a sign that this area is being abandoned as single family residential and there is no precedence to deny further request of zoning changes.

I appreciate the opportunity to have my concerns addressed. The City of Shoreline has made several changes to this area, and my block, in the last few years that I feel have indicated a concession to decline, or a lack of respect for the residence of this neighborhood. **I implore you to find a suitable location for your business that is already zoned for the type of use you intend.**

EXHIBIT
tabbies D

RESPONSE FORM

RE: Brad and Kim Lancaster's Re-Zone Application for 17503 Tenth Avenue NE
SMC 20.30.080, 20.30.090 Neighborhood Meeting
Shoreline Center, Arden Room (E-300)
Thursday, June 29, 2006, at 6:00 p.m.

FROM:

KIM ANH PHAM (Name)
17525 9th Court NE (Address)
Shoreline, WA 98133-3642
(206) 306-0719 (Telephone)

To: Brad and Kim Lancaster:

I am unable to attend your neighborhood meeting, but wanted you to have the benefit of my response to your proposal. I have the following thoughts:

The location of your law office at 17503 Tenth Avenue NE may not cause any negative impact on our neighborhood at all. Thus I strongly support your application to rezone 17503 Tenth Avenue NE from its present R-8 zoning designation to Office zoning designation.

Sincerely,

Kim Anh (signature)
6-20-2006 (Date)

EXHIBIT
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RESPONSE FORM

RE: Brad and Kim Lancaster's Re-Zone Application for 17503 Tenth Avenue NE
SMC 20.30.080, 20.30.090 Neighborhood Meeting
Shoreline Center, Arden Room (E-300)
Thursday, June 29, 2006, at 6:00 p.m.

FROM:

Tom Ruhlman (Name)
7232 10th Ave NE (Address)
Shoreline, WA 98115
206-367-5074 (Telephone)

To: Brad and Kim Lancaster:

I am unable to attend your neighborhood meeting, but wanted you to have the benefit of my response to your proposal. I have the following thoughts:

I have no problem with your office coming to the corner of 175th + 10th — Seems like 175th is rather "Business oriented" Anyway — Library, Church, Dentist, Lumber yard, Car repair, Restaurants, home for elderly — Welcome to the Neighborhood —

Sincerely,
(signature)
6-21-06 (Date)

DRAFT

These Minutes Subject to October 19 Approval

CITY OF SHORELINE

SHORELINE PLANNING COMMISSION SUMMARY MINUTES OF REGULAR MEETING

September 21, 2006
7:00 P.M.

Shoreline Conference Center
Mt. Rainier Room

COMMISSIONERS PRESENT
Vice Chair Kuboi
Commissioner Broili
Commissioner Hall
Commissioner Harris
Commissioner Pyle (arrived at 8:00 p.m.)
Commissioner Phisuthikul
Commissioner Wagner

STAFF PRESENT
Steve Cohn, Senior Planner, Planning & Development Services
Steve Szafran, Planner II, Planning & Development Services
Jessica Simulcik Smith, Planning Commission Clerk

COMMISSIONERS ABSENT
Chair Piro
Commissioner McClelland

CALL TO ORDER

Vice Chair Kuboi called the regular meeting of the Shoreline Planning Commission to order at 7:04 p.m.

ROLL CALL

Upon roll call by the Commission Clerk, the following Commissioners were present: Vice Chair Kuboi, Commissioners Broili, Harris, Phisuthikul, Hall, and Wagner. Commissioner Pyle arrived at 8:00 p.m. Chair Piro and Commissioner McClelland were excused.

APPROVAL OF AGENDA

The Director's Report was placed at the end of the agenda.

APPROVAL OF MINUTES

The minutes of July 20, 2006 and August 3, 2006 were approved as corrected.

GENERAL PUBLIC COMMENT

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

PUBLIC HEARING ON LANCASTER SITE SPECIFIC REZONE REQUEST: 17503 – 10TH AVENUE NORTHEAST (FILE NUMBER #201552)

Vice Chair Kuboi reviewed the rules and procedures for the public hearing. He reminded the Commission of the Rules of the Appearance of Fairness Laws and invited them to disclose any communications they may have received concerning the subject of the hearing outside of the hearing. None of the Commissioners disclosed a conflict of interest or an ex-parte communication. No one in the audience expressed a concern, either.

Staff Overview and Presentation of Preliminary Staff Recommendation

Mr. Szafran described the location of the subject property. He advised that the parcel is currently designated in the Comprehensive Plan as mixed-use. The current zoning of the subject property is R-8, and is currently developed as a single-family home at the northwest corner of North 175th Street and 10th Avenue Northeast. To the east is a single-family home, which resembles the subject property in its potential for redevelopment. A single-family home is located directly to the north. He pointed out that 10th Avenue Northeast appears to be a heavily traveled street. In addition, a Park-and-Ride is located on the south side of North 175th Street so the site lends itself well to public transportation.

Mr. Szafran reviewed each of the rezone criteria as follows:

- **Consistent with the Comprehensive Plan** – Office zoning is consistent with the mixed-use land use designation.
- **Rezone will not adversely affect public health, safety or welfare** – The current home integrates into the neighborhood. If the office zoning is adopted, future redevelopment of the site would have to meet all of the zoning standards in the Shoreline Development Code.
- **The immediate area is planned for mixed-use development** – The area is planned for change, and this is the first parcel to do so.
- **Has merit and value for the community** – The office zoning would allow a business that the neighborhood may need, and the office zoning would allow a natural transition between North 175th Street and the lower density houses to the north.

Mr. Szafran advised that staff recommends approval of the rezone application as proposed.

Applicant's Testimony

Brad Lancaster, applicant, advised that he has been practicing law in the City of Edmonds for the past nine years at Firdale Village, which is going to be torn down in the near future. They live at 18331 – 10th Northeast, which is about 10 blocks from the subject property. He and his wife are excited about the North City Development that is taking place and are hoping to be part of that in this new location. He advised that the current zoning of the subject property is single-family, and they are asking that it be changed to Office. This would permit them to use the existing structure as their law office. No structural changes would be necessary.

Mr. Lancaster reported that he and his wife have met with the neighbors both prior to and after purchasing the property to discuss their plans. A few neighbors provided some written comments, as well, and these were included as part of the Staff Report. In addition, he has provided copies of a response they wrote to Marie Lowther, who gave thoughtful written criticism of the proposal.

Mr. Lancaster advised that the immediate neighbors to the west and to the north have both voiced their strong support of the rezone application. He reviewed some of the criticisms that have come forward as he and his wife have met with the neighbors. There is a concern about traffic in the area because it has been especially bad on 10th Avenue Northeast during the North City Project as people have diverted from 15th Avenue to 10th Avenue Northeast. They are hopeful this traffic will die down again. He suggested that the proposed office use would likely result in less traffic than a single-family residential use. The site would only be used during business hours.

Mr. Lancaster pointed out that traffic problems already exist for the site. It is very difficult to turn north from the subject property onto 10th Avenue Northeast. Because the subject property is located on a corner, the access point is very close to the intersection. They plan to encourage only right turns out of the parking area. Because their home is located close by, they would only use one parking space. The other three on-site parking spaces would be utilized by clients. During a normal week, only three or four clients visit his office. Most of his work is done via the telephone and internet.

Mr. Lancaster said some neighbors have expressed concern that they don't want the neighborhood to change. While he sympathizes with their concern, this issue has already been decided by adoption of the Comprehensive Plan land use designation of mixed-use. The City recognized a need to make room for small businesses in mixed-use zones. He pointed out that their proposal has some special merits in terms of these concerns. He plans to practice law in this location for another 20 years or more, so the use would be stable. In addition, the office use would provide a good transition from the busy North 175th Street and the single-family residential neighborhoods.

Mr. Lancaster said he believes it is important for Shoreline to welcome new businesses as they develop more of their own identity. They should encourage small business owners to move into Shoreline. This would be beneficial to the City in many ways. He concluded that staff has recommended support of the proposal, as have the direct neighbors. He asked that the Commission recommend approval, as well.

Questions by the Commission to Staff

Commissioner Phisuthikul noted that the site plan shows parking space for four cars, and three of the spaces would be tandem. Normal access would require backing onto 10th Avenue Northeast, which would be difficult given the close proximity to the intersection. He asked if the Traffic Engineer has approved of this access and parking situation for a business use. Mr. Szafran pointed out that because only the use is changing and no structural changes have been proposed, the Traffic Engineer did not review the proposal. Changing the access would require substantial modifications to the site.

Commissioner Hall agreed with Commissioner Phisuthikul's concern. However, the same concern would be equally true for all the existing residential uses on 10th Avenue Northeast. None of the residential properties have been developed with loop driveways or turn arounds on site. Everyone has to back out of their driveways, so the proposal would not exacerbate the problem.

Public Testimony or Comment

Colleen Carmody, Shoreline, said her property shares a back fence with the subject property. While she has lived in her house for 14 years, she has seen the subject property change hands a number of times. She said she is delighted with the changes that Mr. and Mrs. Lancaster have brought to the home. It is already being maintained better, and they don't see that the change would have anything but a positive impact for them. They understand that this part of the neighborhood is changing; and hopefully, future changes will be done in this same manner.

John Carmody, Shoreline, agreed that they have seen nothing but a positive impact in their immediate vicinity as a result of the work done by the Lancasters. For years, there have been renters occupying the subject property, and these people really did not care about the property. They have had issues with past tenants with pets and clean up, etc. The change has been very positive, and the Lancasters are very nice neighbors who have communicated with them from the onset.

Sally Granger, Shoreline, said she lives in the North City area. She said it is her understanding that the Comprehensive Plan has designated North 175th Street to 8th Avenue Northeast as mixed-use and commercial. Therefore, she can see no problem with rezoning the subject property to office. In addition, the house looks 100% better since the Lancasters purchased it.

Presentation of Final Staff Recommendation

Mr. Szafran said staff's final recommendation is that the Commission recommends approval of the proposed office zone.

Final Questions by the Commission and Commission Deliberation

Commissioner Broili asked Mr. Lancaster if he and his wife plan to live in the home. Mr. Lancaster answered that they do not intend to live in the home. They live at 18331 – 10th Northeast. Commissioner Broili asked if the existing home would remain in its current state for use as an office

space. Mr. Lancaster agreed that the structure on the subject property would be used as an office, with no structural changes.

Closure of the Public Hearing

COMMISSIONER HALL MOVED TO CLOSE THE PUBLIC HEARING. COMMISSIONER BROILI SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUISLY.

Vote by Commission to Recommend Approval, Denial or Modification

COMMISSIONER HARRIS MOVED TO RECOMMEND REZONING THE LANCASTER PARCEL AT 17503 – 10TH AVENUE NORTHEAST FROM R-8 TO OFFICE AS RECOMMENDED BY STAFF. COMMISSIONER PHISITHIKUL SECONDED THE MOTION.

Commissioner Harris said he supports the rezone application. He noted there no real objections raised in any of the neighborhood meetings. He has noticed that the property has been cleaned up significantly, too. While this rezone would actually result in a net loss of residential density in the City, the change would be positive for the neighbors.

Commissioner Hall noted that in exchange for losing one residential unit, the City would pick up an additional two jobs so the change would be positive from an economic development standpoint. Bringing small businesses into the City is a valuable thing. The traffic concern raised by Commissioner Phisuthikul is legitimate, and the Commissioners should take issues like this into consideration during rezone deliberations. They must consider whether the transportation network, both motorized and non-motorized, can handle the future growth and development of the City. The applicant has built a strong relationship with his neighbors, which is something the City should encourage.

Commissioner Phisuthikul said his concerns regarding ingress and egress has been answered by Mr. Cohn. The office use would not create any worse situation than the current residential use. However, if the property is ever redeveloped, the City should take the opportunity to address this safety situation.

Commissioner Wagner pointed out that there were some dissenting opinions submitted regarding the proposal. The biggest concern was that people were opposed to change in the area. She concurred that change is going to happen in the area and that the character and nature of the proposed action is consistent with the neighborhood. The concerns raised by the opponents would not be allayed by stopping this one particular rezone.

Commissioner Broili added that the impacts associated with the office use would likely be less than the impacts associated with the current single-family residential use. The proposed business use would have no evening activity from the property.

THE MOTION CARRIED UNANIMOUSLY.

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