Council Meeting Date: December 10, 2007 **Agenda Item:** 8(a)

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Adoption of Ordinance No. 476, a Site Specific Comprehensive Plan Amendment and Concurrent Rezone located at 416 and 422 North 145th Street File No. 201599 and 301436
DEPARTMENT:	Planning and Development Services
PRESENTED BY:	Joseph W. Tovar, FAICP, Director Steven Szafran, AICP, Associate Planner

PROBLEM/ISSUE STATEMENT:
The issue before the City Council is a Site Specific Comprehensive Plan Amendment and Concurrent Rezone for two parcels located at 416 and 422 North 145th Street. The Planning Commission recommends that the parcels be re-designated from Medium Density Residential (MDR) to Mixed Use (MU) and rezoned from R-12 to R-48.

The proposed Comprehensive Plan Amendment and rezone will make the two subject parcels consistent with the Mixed Use designations and the R-48 zoning around them (see **Attachment C1 & C2**). The zone change will allow greater residential density in close proximity to transit routes.

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 May 3, 2007. 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 May 3, 2007.

The recommendation is being forwarded at this time because it is a joint Comprehensive Plan Amendment/Rezone. The State Growth Management Act (GMA) permits a Council to review proposed CPAs only once a year, so staff usually schedules a council review at the end of the year. This year, there is only one CPA to be reviewed.

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

- The Council could adopt the Comprehensive Plan designation and zoning recommended by the Planning Commission and Staff and supported by the applicant (a Comprehensive Plan Amendment from MDR to MU and a concurrent rezone from R-12 to R-48).

- The Council could deny the request, leaving the Comprehensive Plan Designation at MDR and the zoning at R-12 (as it currently exists) or remand the request back to the Planning Commission for additional review and analysis.

FINANCIAL IMPACTS:

- There are no direct financial impacts to the City.

RECOMMENDATION

Planning Commission and staff recommends that the Council adopt Ordinance No.476, (**Attachment A**) thereby approving the Comprehensive Plan Amendment from Medium Density Residential to Mixed Use and concurrently rezoning the parcels from R-12 to R-48.

Approved By: City Manager City Attorney

INTRODUCTION

The item before the Council is a request to change the Comprehensive Plan designation of two parcels (totaling 14,310 square feet) located at 416 and 422 North 145th Street from MDR to MU and concurrently rezone the parcels from R-12 to R-48.

A public hearing before the Planning Commission occurred on May 3, 2007. The Planning Commission Findings and Recommendation are included in **Attachment B**

The Planning Commission recommended that the Comprehensive plan Amendment and Concurrent Rezone 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 two subject parcels have a land use designation of Medium Density Residential. All of the surrounding parcels to the north and west have a land use designation of Mixed Use. Parcels to the east have a land use designation of Public Facilities (City of Seattle water tower) and parcels to the northeast have a land use designation of High Density Residential.

Appropriate zoning designations for the current designation (MDR) include R-8 and R-12. The subject parcels are zoned R-12. One parcel is developed with a single-family home. The other parcel was cleared of all structures/vegetation. Appropriate Zoning designations for the proposed designation (MU) include R-8, R-12, R-18, R-24, R-48, O, NB, CB, RB and I. Under the proposed zone change, both parcels would be zoned R-48 to permit construction of a townhome development.

The proposed zone change will allow more residential density along NE 145th Street and away from existing single-family residential. The recommended R-48 zoning will allow approximately 16 new dwelling units.

The applicant owns the parcel directly to the north (14515 Dayton Ave N) and has submitted a development application for that parcel as well as one of the parcels described in the zone change (see **Attachment C3**). There are no plans to develop all three parcels. If all three parcels were to be developed, the total unit count could be 28.

APPLICATION PROCESS

The application process for this project began on December 6, 2006, when the applicant held a pre-application meeting with city staff. A neighborhood meeting was held on December 18, 2006 with property owners within 500 feet of the proposed rezone. The formal application was submitted to the city on December 29, 2006 and was determined complete on January 5, 2007.

The requisite public hearing was held before the Planning Commission on May 3, 2007. The Planning Commission made a recommendation and formulated Findings and Determination on May 3, 2007. The Planning Commission voted to recommend approval of the Comprehensive plan Amendment to Mixed-Use and a rezone to R-48 with no added conditions.

PUBLIC COMMENT

The City received 1 emailed question regarding the rezone proposal. The question was discussed in the Planning Commission staff report. No comment letters were received in response to the standard notice procedures for this application prior to the public hearing. No one from the public was in attendance at the public hearing.

PLANNING COMMISSION RECOMMENDATION: Reclassify two parcels from MDR to MU and Rezone to R-48

The applicant has requested that the subject parcels be reclassified to Mixed-Use and rezoned to R-48. Planning Commission in its Findings and Determination found that a rezone to R-48 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.*

OPTIONS FOR CITY COUNCIL

The options available to the City Council are:

1) Adoption of the Planning Commission and Staff's recommendation of Mixed Use and rezone to R-48.

2) Remand the rezone back to the Planning Commission for additional review.

3) Denial of the rezone request. The Council may review the written record and determine that the existing designation of MDR and R-12 zoning is the most appropriate designation for the subject parcels.

RECOMMENDATION

The Planning Commission and Staff recommends that Council adopt Ordinance No.476, (**Attachment A**) thereby approving the Comprehensive Plan Amendment from

MDR to MU and a rezone from R-12 to R-48 of two parcel located at 416 and 422 NE 145th Street.

ATTACHMENTS

Attachment A: Ordinance No.476
Attachment B: Planning Commission Findings and Determination- May 3, 2007
- B1: Vicinity Map with Comprehensive Plan Land Use Designations
- B2: Vicinity Map with Zoning Designations
- B3: Proposed Site Plan
- B4: Public Comment Letter

Attachment C: Planning Commission Minutes- May 3, 2007

ORDINANCE NO. 476

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON AMENDING THE CITY'S COMPREHENSIVE PLAN LAND USE DESIGNATION AND THE CITY'S OFFICIAL ZONING MAP TILE NUMBER 480 CHANGING THE COMPREHENSIVE LAND USE DESIGNATION MEDIUM DENSITY RESIDENTIAL TO MIXED USE AND THE ZONING FROM RESIDENTIAL 12 DU-AC (R-12) TO RESIDENTIAL 48 DU-AC (R-48) OF TWO PARCELS LOCATED AT 146 AND 422 NE 145TH STREET.

WHEREAS, the owner of the property, with parcel numbers 1826049099 and 1826049329, has filed an application to change the Comprehensive Plan Land Use designation from Medium Density Residential (MDR) to Mixed Use (MU); and

WHEREAS, the owner of the property, with parcel numbers 1826049099 and 1826049329, has filed an application to reclassify the properties from Residential 12 units per acre (R-12) to Residential 48 units per acre (R-48); and

WHEREAS, on May 3, 2007, a public hearing on the application for a Comprehensive Plan change and reclassification of property was held before the Planning Commission for the City of Shoreline pursuant to notice as required by law; and

WHEREAS, on May 3, 2007, the Planning Commission recommended approval of the Comprehensive Plan change to Mixed Use and reclassification to R-48 and entered findings of fact and conclusions based thereon in support of that recommendation; and

WHEREAS, the City Council does concur with the Findings and Determinations of the Planning Commission specifically that the Comprehensive Plan Land Use designation change to Mixed Use (MU) and reclassification of property, located at 146 and 422 NE 145th Street (parcel numbers 1826049099 and 1826049329) to R-48 is consistent with the goals and policies of the Comprehensive Plan and appropriate for this site;

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

Section 1. Findings. The Findings and Determinations on File No. 201599 and File No. 301436 as set forth by the Planning Commission on May 3, 2007 are hereby adopted.

Section 2. Amendment to the Comprehensive Plan Land Use Designation. The City's Comprehensive Plan is hereby amended to change the land use designation of said parcels, located at 416 and 422 NE 145th Street (parcel numbers 1826049099 and 1826049329) from Medium Density Residential (MDR) to Mixed Use (MU).

Section 3. Amendment to Zoning Map. The Official Zoning Map Tile 480 of the City of Shoreline is hereby amended to change the zoning classification of said parcels, located

at 416 and 422 NE 145th Street (parcel numbers 1826049099 and 1826049329) from R-12 to R-48.

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

Section 5. Effective Date. This ordinance shall go into effect five days after passage, and publication of the title as a summary of this ordinance.

PASSED BY THE CITY COUNCIL ON December 10, 2007.

Mayor Robert L. Ransom

ATTEST:

Scott Passey
City Clerk

APPROVED AS TO FORM:

Ian Sievers
City Attorney

Date of Publication:
Effective Date:

CITY OF SHORELINE
PLANNING COMMISSION

FINDINGS, CONCLUSIONS AND RECOMMENDATION

PROJECT INFORMATION SUMMARY

Project Description: Change the Comprehensive Plan designation from Medium Density Residential (MDR) to Mixed Use (MU) and concurrently rezone two parcels from Residential 12 dwelling units per acre(R-12) to Residential 48 dwelling units per acre (R-48).
Project File Number: 201599
Project Address: 416 and 422 North 145th Street, Shoreline, WA 98133
Property Owner: Shaun Leiser.
SEPA Threshold: Determination of Non-Significance (DNS)
Staff Recommendation: Recommend approval of a Comprehensive Plan Amendment to Mixed Use and concurrent rezone of the two parcels to R-48.

FINDINGS OF FACT

Current Development

1. The parcels at issue are located at 416 and 422 North 145th Street, the southwest corner of North 145th Street and Dayton Avenue North.

2. 416 North 145th Street (tax ID # 1826049099) is 7,110 square feet and is developed with a single family home. The site is zoned R-12 and has a Comprehensive Plan Land Use designation of Medium Density Residential.

3. 422 North 145th Street (tax ID # 1826049329) is 7,200 square feet, directly to the east of 416 North 145th Street, and is currently undeveloped. The site is zoned Residential 12 dwelling units per acre ("R-12") and has a Comprehensive Plan Land Use designation of Medium Density Residential. See **Attachment 1** for surrounding Comprehensive Plan designations and **Attachment 2** for surrounding zoning designations.

4. The parcel at 422 North 145th Street has been approved, in conjunction with 14515 Dayton Avenue North, for 9 townhomes and one single family home (permit #201265). **Attachment 3** shows the approved site plan.

5. Parcels to the north and west are zoned R-48 and developed with multi-family uses, parcels to the east are zoned R-18 and developed with a water tower and

single and multi-family uses, parcels to the south, across North 145th Street ,are within the City of Seattle.

6. All surrounding parcels to the north and west are designated Mixed Use in the Comprehensive Plan. Parcels to the east are designated Public Facilities and High Density Residential and parcels to the south are within the City of Seattle.

7. There are no existing sidewalks along Dayton Avenue North adjacent to the applicant's property. Street improvements are required under application #201265 and include sidewalk, street lighting and curb and gutters. Street improvements exist along North 145th Street adjacent to the applicant's property.

Proposal

8. The applicant proposes to change the Comprehensive Plan land use designation of both parcels from MDR to MU and concurrent rezone both parcels from R-12 to R-48.

9. A pre-application meeting was held with the applicant and City staff on December 6, 2006, the applicant held the requisite neighborhood meeting on December 18, 2006, and a Public Notice of Application was posted at the site.

10. Comments received at the neighborhood meeting included a "liking of the proposal" and "it looks clean and should fit into the neighborhood". The applicant indicated no negative comments were received.

11. Advertisements were placed in the Seattle Times and Shoreline Enterprise, and notices were mailed to property owners within 500 feet of the site on March 22, 2007. The Notice of Public Hearing and SEPA Determination were posted at the site, advertisements were placed in the Seattle Times and Shoreline Enterprise, and notices were mailed to property owners within 500 feet of the site on April 12, 2007.

12. The Planning Department issued a SEPA Determination of Non-Significance and notice of public hearing on the proposal on April 19, 2007. The DNS was not appealed.

13. An open record public hearing was held by the Planning Commission for the City of Shoreline on May 3, 2007.

14. The City's Long Range Planner, Steven Cohn, and Planner II, Steve Szafran, have reviewed the proposal and recommend that the parcels be re-designated in the Comprehensive Plan to Mixed Use and rezoned to R-48.

Comprehensive Plan Land Use Designations.

15. Parcels to the north and to the west have a Comprehensive Plan Land Use designation of Mixed Use, which allows R-8 through R-48 residential zoning and all commercial and industrial zoning; parcels to the south, across NE 145th Street, are in the City of Seattle; and parcels to the east are designated High Density Residential, which allows R-12 through R-48.

16. The Comprehensive Plan describes Mixed Use as applicable "to a number of stable or developing areas and to the potential annexation area at Point Wells," and 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 uses." R-48 is allowed under Mixed Use land use designation.

Current Zoning

17. Parcels immediately north of the subject parcels are zoned R-48 and developed with apartments; parcels to the south, across NE 145th Street, are within the City of Seattle and developed with single-family homes; parcels to the west are zoned R-48, Office and Neighborhood Business and are developed with apartments, a bank and a church; and parcels to the east are zoned R-18 and developed with a City of Seattle water tower, single-family homes, duplexes and apartments.

18. The purpose of R-12 zones, as set forth in Shoreline Municipal Code 20.40.030, is to "provide for a mix of single-family homes, duplexes, triplexes, townhouses, and community facilities, in a manner that provides for additional density at a modest scale."

Proposed Zoning

19. Under SMC 20.30.060, a rezone is Type C action, decided by the City Council upon recommendation by the Planning Commission. The decision criteria for deciding a rezone, as set forth in SMC 20.30.320, are:
    - The rezone is consistent with the Comprehensive Plan; and
    - The rezone will not adversely affect the public health, safety or general welfare; and
    - The rezone is warranted in order to achieve consistency with the Comprehensive Plan; and
    - The rezone will not be materially detrimental to uses or property in the immediate vicinity of the subject rezone; and
    - The rezone has merit and value for the community.

20. The purpose of an R-48 zoning district, as set forth in the Shoreline Municipal Code 20.40.030, is to "provide for a mix of predominately apartment and townhouse dwelling units and other compatible uses." The R-48 zoning category

permits all residential land uses except detached single-family dwelling units which requires a Conditional Use Permit.

Impacts of the Zone Change

21. The following table outlines the development standards for the current zoning (R-12) and the requested zoning (R-48):

	R-12 (Current)	R-48 (Proposed)
Front Yard Setback	10'	10'
Side Yard Setback	5'	5'
Rear Yard Setback	5'	5'
Building Coverage	55%	70%
Max. Impervious Surface	75%	90%
Height	35'	50'
Density (residential development)	12 du/ac	48 du/ac

CONCLUSIONS

1. The purpose of a Comprehensive Plan Amendment and rezone is to provide a mechanism to make changes to a land use designation and zoning classification, conditions or concomitant agreement applicable to property. Comprehensive Plan Amendment and Rezone criteria must be established by substantial evidence.

2. The notice and meeting requirements set out in SMC 20.30 for a Type C action have all been met in this case.

Amendment of the Comprehensive Plan Criteria

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

3. The amendment is consistent with the Growth Management Act; this amendment will provide more housing opportunities to meet the demands of this growing City. The amendment will encourage development in an urban area where adequate public facilities exist and the amendment will reduce sprawl by not under developing land.

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

4. The amendment addresses changing circumstances and changing community values. The property is in an area where redevelopment is likely given the age of the residential structures. These parcels of land are located on a heavily traveled arterial street (145th) and a designation of Mixed Use will result in development that is more is more compatible with surrounding development than the existing designation of Medium Density Residential.

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

5. The amendment will benefit the community as a whole by creating new development for the neighborhood. The amendment will not adversely affect the surrounding property owners since all surrounding parcels are designated Mixed Use. The amendment will create consistency by having a uniform land use designation of all of the surrounding parcels.

Rezone criteria (Assuming Comprehensive Plan Amendment is approved)

Is the rezone consistent with the Comprehensive Plan?

6. a. Under the first criterion, R-48 is appropriate under Land Use Element Goals I and III of the Comprehensive Plan.

   - Land Use Element Goal I of the Comprehensive Plan is to "[e]nsure that the land use pattern of the City encourages needed, diverse, and creative development, protects existing uses, safeguards the environment, reduces sprawl, promotes efficient use of land, encourages alternative modes of transportation and helps maintain Shoreline's sense of community."
   - Land Use Element Goal III of the Comprehensive Plan is to "Encourage a variety of quality housing opportunities and appropriate infrastructure suitable for the needs of Shoreline's present and future residents."

   The R-48 rezone proposal is consistent with Land Use Element Goal I and III because more intense residential zoning should be encouraged along arterial streets.

   The R-48 zoning would result in greater development intensity and will be more compatible with the already approved townhome development to the north. The current R-12 zoning category and existing single-family home are less compatible with other developments and land uses in the area.

b. Rezoning the parcels to R-48 is consistent with the Comprehensive Plan as it would allow more intense residential uses, and is supported by land use and community design goals of the Comprehensive Plan. R-48 zoning would allow for infill development that is compatible with existing housing types and provide densities that are closer to what exists in the neighborhood.

Will the rezone adversely affect the public health, safety or general welfare?

7. The GMA planning process of developing Comprehensive Plan designations which allows this level of development and the City's development standards in its zoning regulations for the R-48 zone protect against uses that would be contrary to the public health, safety or general welfare.

Is the rezone warranted in order to achieve consistency with the Comprehensive Plan?

8. Both R-12 (current zoning) and R-48 (proposed zoning) zoning maintains consistency with the Comprehensive Plan. However, R-48 zoning provides better compatibility with Comprehensive Plan goals and policies than the existing zoning. N 145th Street is a Collector Arterial street that carries large amounts of traffic. More intense development should occur along arterials such as this.

Will the rezone be materially detrimental to uses or property in the immediate vicinity of the subject rezone?

9. The proposed rezone will have minimal negative impacts to the properties in the immediate vicinity.

Concerns have been raised by an interested party concerning parking for the proposed townhomes. (see attached email, **Attachment** ____). The following summary addresses this concern.

a. Parking

Administrative Order #301150 was approved in June 2003 reducing the number of required parking spaces to one per unit. This particular AO was originally approved for 12 units.
Since the townhomes have not been built, staff cannot comment on any perceived parking problems. The applicant is in the process of making improvements to Dayton Avenue North which includes a 30 foot right-of-way dedication, sidewalks, curb, gutter and streetlights. With these improvements, there might be street parking available.

Will the rezone have merit and value for the community?

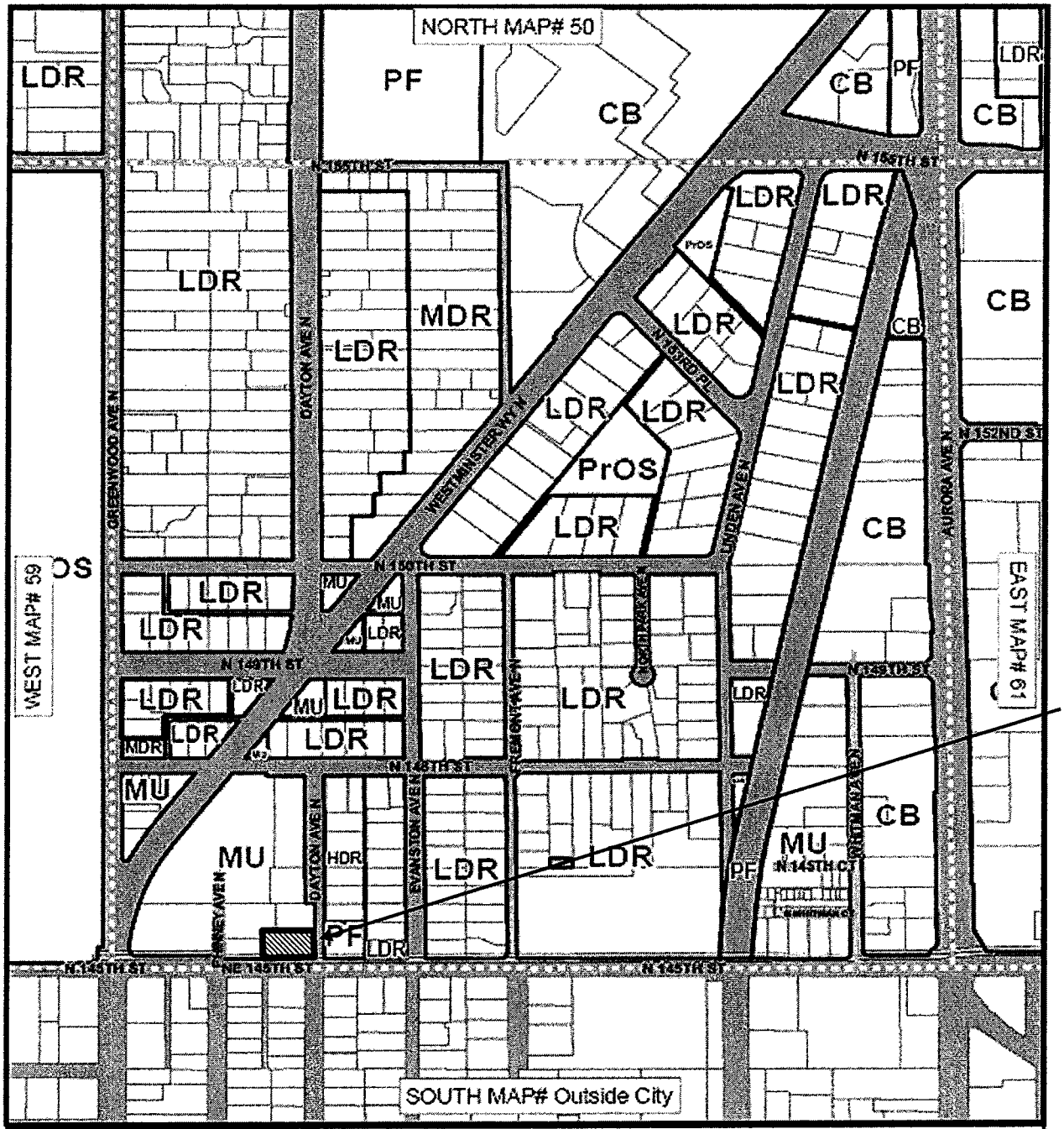
10. The proposed rezone will allow additional housing units into the City of Shoreline. Higher density development will be oriented toward arterial streets and away from single-family neighborhoods.

RECOMMENDATION

The Planning Commission recommends that the City Council approve a Comprehensive Plan Amendment to Mixed Use and a concurrent rezone of the two parcels to R-24.

Date: 1 NOVEMBER 2007

By: _____
Planning Commission Chair



CITY OF SHORELINE COMPREHENSIVE PLAN
LAND USE MAP

Plot Date: 2/6/2007

Land Use Designation Legend

BaSSA	Ballinager Special Study Area	PF	Public Facility
BrSSA	Briarcrest Special Study Area	PSSA	Paramount Special Study Area
CB	Community Business	PrOS	Private Open Space
HDR	High Density Residential	PubOS	Public Open Space
LDR	Low Density Residential	RB	Regional Business
MDR	Medium Density Residential	SFI	Single Family Institution
MU	Mixed Use	SSA	Special Study Area
NCBD	North City Business District		

Feature Legend

- Map Tile Lines
- City Boundary
- Unclassified ROW
- Parcel Line

SW1/4-S18-T26N-R4 E

MAP # 60

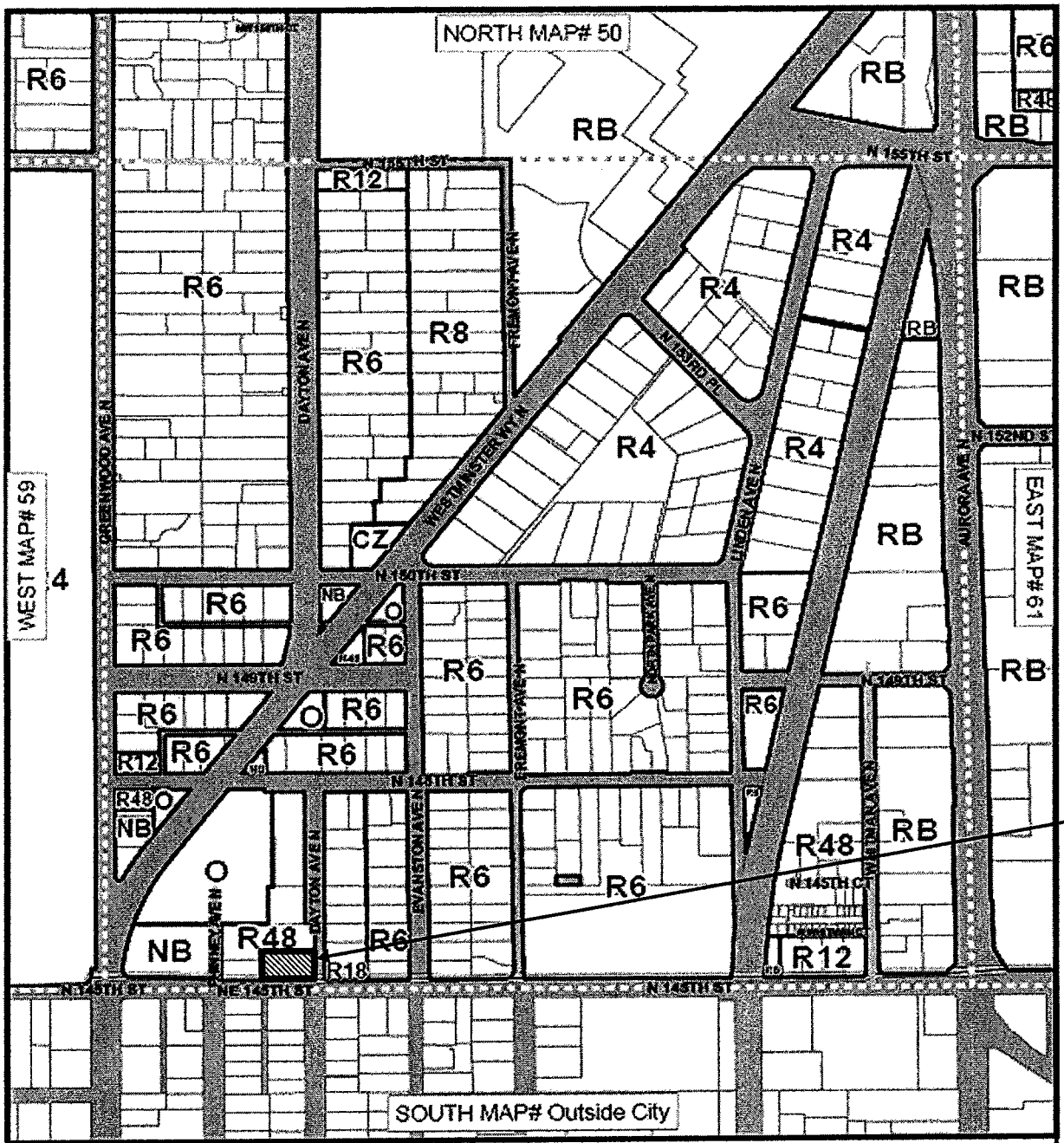
1:3,600

0 75 150 300 450 600 Feet

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

Representation of official Comprehensive Plan land use map adopted by City Ordinance No. 292. Shows amendments through June 21, 2006.

CITY OF SHORELINE



CITY OF SHORELINE ZONING MAP

Plot Date: 1/2/2007

Zoning Legend

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

Feature Legend

- Map Tile Lines
- City Boundary
- Unclassified ROW
- Parcel Line

SW1/4-S18-T26N-R4 E

1	2	3	4	5	6	7	8	9	10
13	14	15	16	17	18	19	20	21	22
25	26	27	28	29	30	31	32	33	
36	37	38	39	40	41	42	43	44	
47	48	49	50	51	52	53	54	55	
57	58	59	60	61	62	63	64	65	

MAP # 60

1:3,600

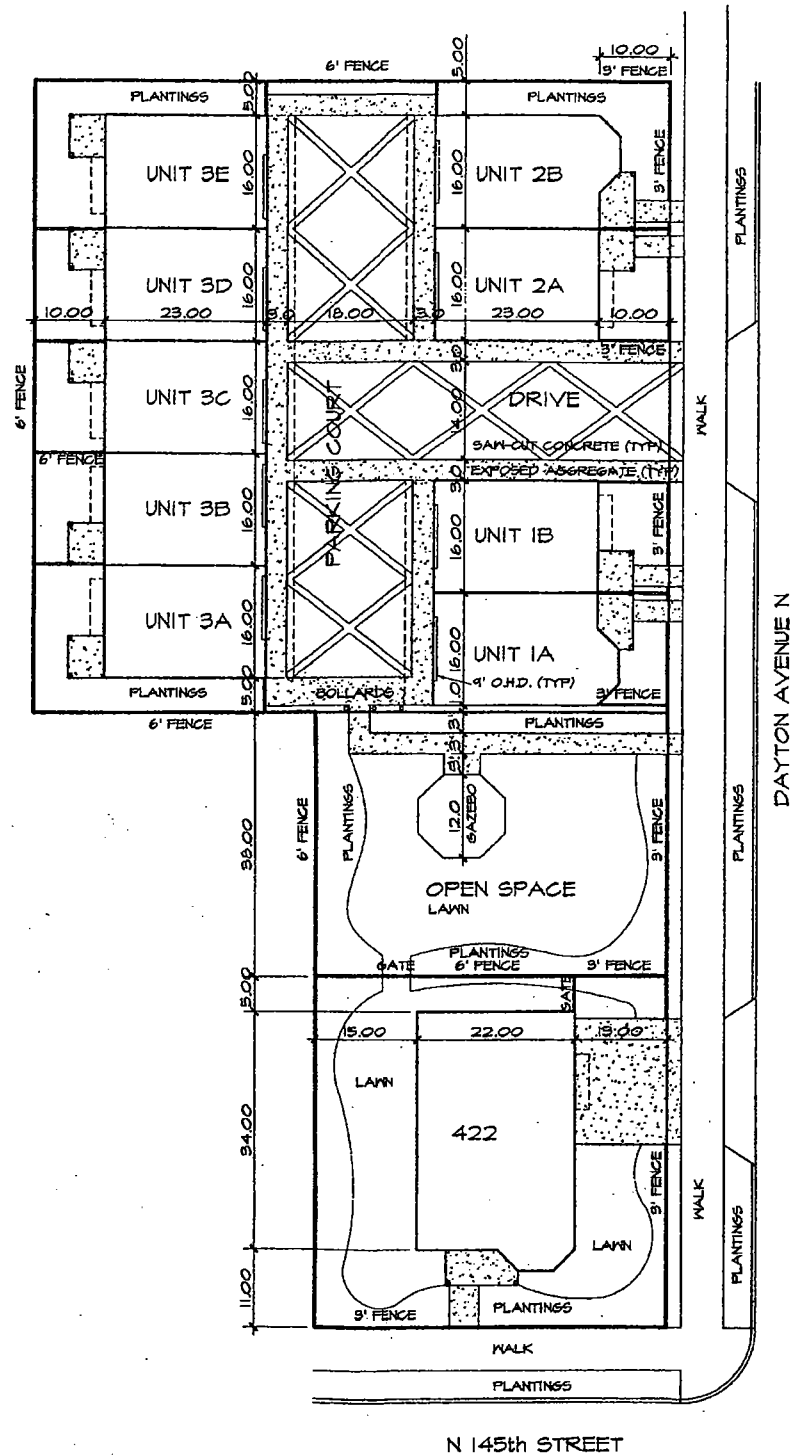
0 75 150 300 450 600 Feet

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

Representation of official zoning map adopted by City Ordinance No. 292. Shows amendments through December, 2006.

SHORELINE

Attch. B-3



site plan

SCALE: 1"=10'-0"

GRAPHIC SCALE

0 5 10 20 50

ASSESSORS PARCEL #:

LEGAL DESCRIPTION:

	DRAWING IN
A1	SITE PLAN
A2	FOUNDATION PLAN AND FIR
A3	SECOND FLOOR PLAN AND
A4	ELEVATIONS
A5	ELEVATIONS
A6	DETAILS AND SECTIONS
L1	LANDSCAPING PLAN
S	STRUCTURAL PLANS AND DE
C	CIVIL PLANS AND DETAILS

REVISION

Attch. B-4

-----Original Message-----
From: Mike Hinrichsen [mailto:michaelh@lakere.com]
Sent: Monday, April 02, 2007 11:25 AM
To: Steve Szafran
Subject: RE: Rezone #201599

Thank you Steve,
As you can see if you take just one extra vehicle per unit, where are they going to go? Would the city consider mitigation through improvement of the street right of way to accommodate parallel parking spaces? This makes the most sense for the developer as well because they can market the units easier knowing they can overflow the parking out on to the street. Any chance for curbs and sidewalks too? This is a growing issue in that area.

Mike

These Minutes Approved
May 17th, 2007

CITY OF SHORELINE

SHORELINE PLANNING COMMISSION
SUMMARY MINUTES OF REGULAR MEETING

May 3, 2007 | Shoreline Conference Center
7:00 P.M. | Mt. Rainier Room

COMMISSIONERS PRESENT
Chair Piro
Vice Chair Kuboi
Commissioner Hall
Commissioner Harris
Commissioner Phisuthikul
Commissioner Pyle
Commissioner Wagner
Commissioner McClelland

STAFF PRESENT
Joe Tovar, Director, Planning & Development Services
Steve Cohn, Senior Planner, Planning & Development Services
Steve Szafran, Planner II, Planning & Development Services
Tom Boydell, Economic Development Manager
Jessica Simulcik Smith, Planning Commission Clerk

COMMISSIONERS ABSENT
Commissioner Broili

CALL TO ORDER

Vice Chair Kuboi called the regular meeting of the Shoreline Planning Commission to order at 7:06 p.m.

ROLL CALL

Upon roll call by the Commission Clerk, the following Commissioners were present: Chair Piro, Vice Chair Kuboi, Commissioners Harris, Phisuthikul, Hall, Pyle and Wagner. Commissioner Broili was excused and Commissioner McClelland arrived at 9:05 p.m.

APPROVAL OF AGENDA

The Director's Report (Item 4) was moved to after New Business (Item 10). The remainder of the agenda was accepted as presented.

APPROVAL OF MINUTES

The minutes of April 19, 2007 were approved as presented.

GENERAL PUBLIC COMMENT

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

PUBLIC HEARING ON SITE-SPECIFIC COMPREHENSIVE PLAN AMENDMENT AND REZONE FOR PROPERTY LOCATED AT 416 AND 422 NORTH 145TH STREET (FILE NUMBERS 301436 AND 201599)

Chair Piro 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 exparte communications they may have received concerning the subject of the hearing outside of the hearing. None of the Commissioners identified exparte communications that would prohibit their participation in the public hearing. No one in the audience expressed a concern, either.

Staff Overview and Presentation of Preliminary Staff Recommendation

Mr. Szafran advised that this application is a site-specific Comprehensive Plan amendment and concurrent rezone for properties located at 416 and 422 North 145th Street. The proposal is to change the Comprehensive Plan land use designation from medium-density residential to mixed-use. Concurrently, the request is to change the zoning from R-12 to R-48. He provided a land use and zoning map to show that the subject parcels are surrounded by mixed-use and an R-48 zoning designation. He explained that the existing site has been cleared. He showed pictures to illustrate the current conditions on the site. He advised that the property immediately to the north is a condominium development in an R-48 zone. To the west is a single-family house that fronts along 145th, but an application has been submitted to change the zoning of this parcel to R-48. To the east there is a Seattle Water Tower and a single-family home in an R-48 zone.

Mr. Szafran advised that the proposed request meets the Comprehensive Plan and zoning criteria as follows:

- It would increase the number of housing units in the City.
- It would locate higher density housing towards arterials and away from single-family residential neighborhoods.
- It would locate higher density housing adjacent to public transportation.
- It would be consistent with the mixed-use designation that surrounds the two subject parcels.
- It would be consistent with the R-48 zoning that surrounds it.
- It would be consistent with existing densities in the immediate neighborhood.

Mr. Szafran said the staff's preliminary recommendation on the proposal is to approve the Comprehensive Plan land use change to mixed-use and the rezone to R-48.

Questions by the Commission to Staff

Chair Piro asked if the property located to the west of the subject properties that is occupied by a single family home is currently zoned R-48. Mr. Szafran answered affirmatively and noted that the land use designation is mixed use.

Commissioner Wagner asked what is located to the south of the subject property, which is within the City of Seattle. Mr. Szafran said the property to the south is developed with single-family homes.

Vice Chair Kuboi inquired about ownership of the western portion of the subject property. He noted that the Staff Report indicates that both parcels are owned by the applicant, Shaun Leiser. Secondly, Vice Chair Kuboi asked staff to describe the proposal that was discussed during the neighborhood meeting.

Shaun Leiser, applicant, said the project that was presented at the neighborhood meeting was specific only to the project at the corner at 422 North 145th Street. At the time of the neighborhood meeting, he had not contacted the owner of the western parcel. After the neighborhood meeting, this property owner agreed to apply jointly with him for a rezone and Comprehensive Plan amendment. Mr. Leiser advised that at the neighborhood meeting the proposal was to construct two units on the eastern property, which would be sold as townhomes. The proposed land use and zoning change for the eastern property was supported by the neighbors who attended the meeting. Mr. Leiser noted that he also owns the parcel to the north of the subject property, and the project for this site is currently at the permit stage. Again, Mr. Leiser emphasized that the neighborhood meeting did not include any discussion about possible changes for the western property, which remains in separate ownership.

Commissioner Pyle referred to the frontage improvements that would be required at the time of development. He pointed out that North 145th Street is actually King County right-of-way, which is already built out in this location, including a sidewalk. He inquired if access for the site would come from Dayton. Mr. Leiser answered affirmatively.

Commissioner Wagner requested clarification of Attachment 4, which is an email from Mike Hinrichsen to Mr. Szafran regarding the parking. Mr. Szafran answered that an administrative order was issued in 2003, which granted approval of one parking space per unit. He noted that the original request for a 12-unit development was previously approved, but the applicant is now proposing only 11. Only one parking space per unit would be required. Commissioner Wagner asked if both parcels would gain access from Dayton. Mr. Cohn answered that they don't know where the access for the western property would come from but suggested it would likely come from North 145th Street.

Public Testimony or Comment

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

Presentation of Final Staff Recommendation

Mr. Szafran said staff recommends the Commission approve the proposal to change the Comprehensive Plan land use designation for the subject parcels to mixed-use and the zoning to R-48.

Final Questions by the Commission and Commission Deliberation

Vice Chair Kuboi requested an opportunity to review a paper copy of the revised site plan (similar to Attachment 3). Mr. Szafran emphasized that the site plan on the paper copy has not been approved, but the site plan included as Attachment 3 has been approved.

COMMISSIONER HARRIS MOVED THAT THE COMMISSION RECOMMEND TO THE CITY COUNCIL APPROVAL OF A COMPREHENSIVE PLAN AMENDMENT TO MIXED USE AND CONCURRENT REZONE OF THE TWO PARCELS TO R-48 AT 416 AND 422 NORTH 145TH STREET. VICE CHAIR KUBOI SECONDED THE MOTION.

Commissioner Hall noted that there was no opposition voiced by the community related to the proposed changes. In addition, the current R-12 zoning is odd, given that the properties are surrounded by mostly R-48 zoning. He commended the staff on their new approach for putting the findings and conclusions in a more formal, ordinance like format. The analysis was good and captures all of the important criteria that must be considered.

Chair Piro said that, typically, he has concerns about making such dramatic changes in zoning. However, he would support the proposal since all of the immediately adjacent properties are already zoned R-48.

Commissioner Harris recalled that when the development proposal for the property to the north was reviewed in 2000, the City reduced the parking requirement to one space per unit given the property's proximity to bus transit services.

Vice Chair Kuboi asked if the property owner of the western parcel is officially a party to the rezone. Mr. Szafran said the City has a letter from her in the file, along with her signature.

Closure of the Public Hearing

The public hearing was closed.

Vote by Commission to Recommend Approval, Denial or Modification

THE MOTION CARRIED 7-0.

REPORTS OF COMMITTEES AND COMMISSIONERS

Commissioner Hall advised that he is the Long-Range Planning Manager for Snohomish County. He noted that, historically, Snohomish County and the City of Shoreline have not always been in complete agreement about the future disposition of the Point Wells site. Therefore, he would excuse himself from any conversations about that subject to avoid a conflict of interest. Mr. Tovar indicated that Point Wells would be the last item in his Director's Report.

Chair Piro noted that Commissioners Broili and McClelland serve with him on the Aurora Business Corridor Team. While they had intended to wrap up their work at the next meeting in May, they recently agreed to extend their service for at least three more meetings. He noted that members of the team have been positive about their experience so far, and they feel the process has been fair and transparent to date. While the group would not develop a recommendation for a particular alternative, members would assess the materials presented to them so far and provide guidance for how it should move forward and be reported to the City Council. The next meeting is scheduled for May 9th.

Vice Chair Kuboi reported on his participation on the Comprehensive Housing Strategy Citizens Advisory Committee. He noted that Commissioners Phisuthikul and Wagner also participate on this committee to represent the Commission. He advised that they recently completed the affordable housing portion of their work, and next week would start on the housing choice component. The last phase would focus on neighborhood character. Vice Chair Kuboi reported that the representatives from the committee recently provided an update to the City Council regarding their progress, and their efforts appeared to be well received.

UNFINISHED BUSINESS

There was no unfinished business scheduled on the agenda.

NEW BUSINESS

Ridgecrest/Economic Development Update

Mr. Boydell said the Ridgecrest Neighborhood Commercial Center, located east of Interstate 5 at the corner of Northeast 165th Street and 5th Avenue Northeast, is the first project of the Sustainable Neighborhoods Initiative of the Shoreline Office of Economic Development, which was adopted by the City Council in 2006. He emphasized that there is enormous positive potential in this area for such things as mixed-use development, public spaces, pedestrian improvements, etc. The City entered into a contract with the University of Washington College of Architecture to conduct a charette with the local neighborhood to allow for a thorough discussion with property owners, business owners, and residents. He explained that the project has been a true collaborative effort, and numerous people attended the three public meetings. They also received positive statements from members of the neighborhood, the business owners, the property owners, and the developers. He advised that the purpose of this presentation is to summarize the process to date, present the work of the University of Washington Students, and seek the Commission's advice and comments.

Mr. Boydell advised that, as the City moves forward with this project, the key decision points will include:

- Designating the Ridgecrest Neighborhood Commercial Center as a target area for property tax exemption.
- Changing the zoning.
- Deciding whether or not to do capital projects for not only street and sidewalk improvements, but perhaps the creation of a public park or other public features.

Mr. Boydell reviewed that a green building forum was conducted on January 18th, which was attended by about 50 people. In addition, two public meetings were conducted for the Ridgecrest Neighborhood, and each one was attended by about 100 citizens, plus City staff, City Council Members, and University of Washington Students. He noted that Commissioner Broili participated in the public meetings and the mid-term student review at the University of Washington, and Commissioner Phisuthikul attended the public meetings, as well.

Mr. Boydell reported that a draft Capital Improvement Plan Proposal was submitted on April 6th, and internal staff discussions have occurred. He said he has also initiated property development discussions with not only existing property owners, but with potential buyers. The owner of the bingo site decided to reject many offers and wait for this project to proceed. He is currently working with four development teams, who are excited about hearing from the community. Staff has also received responses from the owner and CEO of Landmark Cinemas. The majority of the business owners were present at the community meetings. Although they had some initial concerns, they now support the project.

Next, Mr. Boydell advised that staff is preparing a proposal to add Ridgecrest as an additional target area within the City's Property Tax Exemption program. Staff will also start researching potential investment tax credits and environmental grants. Staff has met with property owners, business owners, and various developers. Small business counseling and loan services have been made available to local business owners. He reviewed the contacts that have already been made with potential new businesses, including organic food co-ops, and individuals who are interested in starting a bookstore, bakery, deli, or other type of business

Mr. Boydell said staff would also be reviewing and identifying possible changes to the zoning and design guidelines to accommodate the future plans. They plan to consider opportunities for improvements to the streetscape, utilities, and traffic signals, as well as opportunities to provide public amenities such as art, bike racks, etc. Staff would work with the parks and recreation department and the school district to research options such as enhancing the entrances and connections to parks, providing walking paths, creating a p-patch type park, establishing an after school theater or film class at the theater, creating a water feature in a pocket park, educating the public about environmental sustainability, etc.

Mr. Boydell announced that the University of Washington Students worked in four teams to come up with a number of ideas. He emphasized that the purpose of the presentation is to brief the Commission,

and the Commission would not be asked to make any decisions or recommendations at this time. He further emphasized that staff would not be considering any zoning changes outside of the existing neighborhood commercial area. However, they are considering the option of implementing a form-based code on the commercially zoned land that already exists. He invited LuAnne Smith to provide an overview of the student's work.

LuAnne Smith, indicated that she is an instructor at the University of Washington College of Architecture and Urban Planning, Department of Landscape Architecture. She reviewed that the project was a partnership between the City of Shoreline, the University Of Washington Department Of Landscape Architecture, and the Northwest Center for Livable Cities. She explained that within a 10-week period, the students co-hosted two neighborhood meetings with the citizens of the Ridgecrest Neighborhood and developed four design alternatives. She provided a preview of the booklet the students are producing for the City and noted that a PDF version would be provided for the City to post on their website.

Mr. Boydell explained that the Ridgecrest Commercial Center was chosen by the Economic Development Task Force and Council of Neighborhoods as the first project in the Economic Development Program's Sustainable Neighborhoods Initiative. The reasons are that the area is popular and well-known, used to be a more active commercial center, and is small enough in size to make it a good area to test out new ideas and approaches. The major property in the center is up for sale (2.6 acres on the SW corner) and several properties on the NE corner (totaling 4 acres) may become available for new development in the near future, presenting an opportunity as well. Ms. Smith added that the infrastructure is in good shape and the elevation and views make for an exciting location to build new housing (e.g. Ridgecrest is 35 feet higher than Queen Anne hill in Seattle).

Ms. Smith advised that the students conducted extensive research to gather pertinent information. Their research included a review of the 2000 census data and the Puget Sound Regional Council's forecast and projected growth for 2006. They researched bus routes, park and ride locations, crosswalk locations, available parking space in the region, the history of Shoreline, parks in the region, natural features and topography of the site, current zoning designations and requirements, and existing land use designations. The students also studied various existing neighborhoods in the region that had small mixed-use developments surrounded by single-family homes. She reviewed various elements of each of the neighborhoods that were studied.

Ms. Smith advised that all of the student's research work was presented at a well-attended and enthusiastic neighborhood meeting, where four interactive stations were prepared for the community to participate in. At the mapping station, residents were asked to use pencils and stars to show where they worked, lived and walked. Another station provided an introduction to sustainable elements, and the public was asked to respond to concepts such as permeable paving, water catchment systems, bioswales, rain gardens, green roofs, green walls, and alternative energy. She noted that the Ridgecrest Neighborhood seems ready to embrace this type of development. At a third station, students talked to the neighborhood residents about the benefits of environmentally sustainable concepts. The last station was related to neighborhood services, and its purpose was to brainstorm ideas of what the neighbors want to see in the area.

Ms. Smith explained that the students used their research information, as well as the comments provided by the public at the first neighborhood meeting to develop with physical design scenarios. She noted that there was a wide spread of comments from the neighborhood. Some wanted absolutely nothing to change, and others were willing to accept some changes. Some people wanted more neighborliness and modest housing, while others liked the idea of mixed-use and a more vibrant feel to the corner. Some even recommended that all of 5th Avenue be made commercial.

Ms. Smith reported that City staff set up a professional advisory panel of architectures, City of Shoreline staff, and developers to talk to the students about sustainability. After extensive work, the students developed an innovative description of sustainability that blends economic, social, and environmental considerations and then makes it meaningful at the neighborhood level. They called their new model "Creative Sustainability" with the key elements being a sense of belonging, sense of place, neighborhood identity, walk-ability, practical solutions, and balance. The land use designs reflect creative ways to implement that definition of sustainability.

Ms. Smith explained that the draft designs were presented to the public at a second neighborhood meeting. Students provided digital presentations of the proposed designs. They also provided physical models of the proposed designs so the neighbors could compare the four design alternatives. She reviewed the alternatives as follows:

- **Re-use Infill Alternative Using the Existing Zoning:** Because some residents indicated they didn't want a lot of change, this alternative took on a very modest scheme. It deals with drainage and pedestrian connections and evolved around bringing sustainable practices into a modest development. There would only be a limited amount of housing with this alternative, which would allow up to 24 units per acre and a height of 50 feet. This scheme introduced the concept of expanding opportunities for mother-in-law apartments around the neighborhood core if the need for more housing arises. She provided maps to describe the various elements of the design alternative.

- **Neighborhood Business Plan:** This alternative proposes mixed-use zoning, with a height limit of 50 feet and a density of 24 units per acre. This alternative does a good job of demonstrating what sustainability would look like. She noted that the team that completed this alternative received an award from the Washington Society of Landscape Architecture. The alternative uses art, open space and education to bring the neighborhood alive. It clearly demonstrates the concept of water catchment, rain gardens, green roofs, plazas, paving patterns, etc. She reviewed maps to illustrate the elements associated with this design alternative.

- **Commercial Business Plan:** This alternative is similar to the zoning already in place in many of Shoreline's commercial areas, but not in Ridgecrest. The buildings would be allowed a 60-foot height, with 48 units per acre. This alternative focused on the relationship between the Ridgecrest Neighborhood, Interstate 5 and greater Shoreline. The alternative also focused on the social aspect, with the idea of bringing in small cafes, developing more parks and open space, paving patterns, tree-lined boulevards, etc. Ms. Smith provided maps to identify the more significant elements of this design alternative.

- **Sub-Area Plan:** This alternative utilized the concept of sub-area neighborhood planning and how to optimize the practical limits of development. The students felt it was important to let the citizens of Ridgecrest understand this concept is a possibility. The alternative focused on looking beyond the Ridgecrest Neighborhood to consider opportunities for balancing regional needs for housing and open space. The plan includes three residential towers (20 stories, 17 stories, and 12 stories tall) with retail at the base, while increasing the open space and ecological function of the neighborhood. In the city-wide context, the housing would be concentrated at the central core, and a link of green spaces would be created between Hamlin Park, Northcrest Park and Ronald Bog. In the regional context, the alternative would preserve farms and forests within King County. The group of students who prepared this alternative worked with the Cascade Land Conservancy regarding the concept of transferring development rights to the Conservancy so that no development could occur in the forested and heavily habitated natural areas. In exchange, a greater density would be allowed elsewhere. Development in this alternative would be high density but the shadow study indicated that the neighborhood impacts were not severe. Ms. Smith used a map to illustrate specific elements of this design.

  Ms. Smith noted that the citizens who attended the neighborhood meeting initially expressed very negative comments about the sub-area plan alternative, and they were adamant it was not something they wanted to implement in the Ridgecrest Neighborhood. However, they agreed to listen to the student's proposal and in the end, said they understood the concept the students were trying to apply. But they still did not believe the concept would be appropriate for their neighborhood.

Ms. Smith said it was amazing to see the significant public participation in the neighborhood meetings. Those in attendance were very civil. She noted that about 20 percent of the participants provided written comments to the students. She summarized that the Ridgecrest community really liked the neighborhood business plan and the commercial business plan, and some even had some good things to say about the sub area plan.

The Commission took a 10-minute break to allow everyone an opportunity to review the models and presentation boards of the four plans that were prepared by the students.

Ms. Smith thanked the City staff and citizens for working with the students on this project. Chair Piro complimented the students on their hard work and for the high-quality information they provided. He commented that the interaction between Ms. Smith, the students, the staff and the community helped to shape some very intriguing and sustainable concepts for the City to work with. Mr. Boydell commended the Ridgecrest Neighborhood Association for creating a positive environment for the students to present their work.

Commissioner Phisuthikul advised that he participated in the neighborhood meetings. He reviewed that many of the citizens at the first neighborhood meeting emphasized the importance of not changing the Crest Theater. Citizens also commented that they didn't want their business neighborhood to become a regional shopping center. They were concerned that the Ridgecrest area be a walkable community that serves the local residents. They expressed interest in a community gathering place, as well.

Commissioner Pyle expressed that the students' work was put together very well. He emphasized that so often it seems that the livable environment of Shoreline is based on the requirements of the development code, and the actual regulations drive design. However, the Ridgecrest Neighborhood presents a good opportunity for design to override the circumscribed nature of the development requirements. He said he would like this effort to eventually result in the City analyzing their development code to figure out how to implement a design review element or form-based design element that doesn't rely so much on the exact development regulations. He expressed concern that implementing the concepts illustrated in the plans presented by the students might require extensive code changes.

Commissioner Hall pointed out that one element in the memorandum talks about considering the Ridgecrest Neighborhood for a property tax exemption program. He asked staff to share how this concept would be implemented and whether or not it would decrease City revenues or shift the tax burden to other property owners. Mr. Boydell said staff has been researching the property tax exemption option for the North City Neighborhood. He noted that the property tax exemption would not be a total exemption. It would be 10-year exemption on the residential units, but not on the land or retail portion, the sales tax, utility taxes, etc. Recent studies by other jurisdictions in the region have shown that this concept results in balanced or slightly increased revenues over the 10-year period of the exemption. In exchange, cities have found the exemption actually stimulates other development.

Mr. Boydell explained that the rents for mixed-use developments in Shoreline are lower than what you would see in a downtown core like Seattle. When comparing the cost of doing development with the likely rents, as well as providing amenities such as a plaza or underground parking, projects only marginally pencil out and often do not meet the ratio that Fannie Mae requires. The property tax exemption makes projects that are typically hard to do more reasonable to finance. Brokers and developers have explained that mixed-use developments present a lot of risk, mostly in trying to fill the retail space. The property tax exemption would allow a developer a five to ten-year period of time to take on that risk and work with the City to provide plazas, sidewalks, and other street improvements. He concluded that a combination of incentives would be necessary to encourage mixed-use developments in the Ridgecrest Neighborhood.

Commissioner Hall asked if the mill rate for other property owners in the City have to be increased to off-set the loss if the City decided not to collect property taxes from mixed use parcels. Mr. Boydell said this property tax exemption would apply to development that would not otherwise take place. Therefore, there would likely be no impact. However, he agreed it would be important to consider the increased impact on the surrounding area or other property owners. He suggested that in the long-term, encouraging retail development could actually take pressure off the residential property owners. Commissioner Hall pointed out that when the total amount of property tax collected stays the same, exempting one property owner from the tax rolls could result in others having to pay more. He stressed that it is important to make sure the taxpayers understand this concept and its potential impact to them. Mr. Boydell asked Commissioner Hall to put his question in writing so staff could discuss the issue internally and provide a precise answer.

Vice Chair Kuboi pointed out the time sensitive nature of the disposition of the bingo property and inquired if the Commission would be asked to take quick action at some point in the near future. Mr.

Boydell provided a report on the status of the properties in the Ridgecrest business area, and advised that it is unlikely that most of the properties would be redeveloped in the near future. However, the sale of the bingo property is likely to close in the next few months. Staff has met with most of the interested parties who have made offers to buy the property. They understand that zoning changes and the property tax exemption would take some time to implement. In addition, it would take time to work through the Capital Improvement Budget process to obtain pre-design and design funding for the neighborhood plan. Mr. Tovar briefly described the likely time frame for implementing potential code and comprehensive plan amendments for the Ridgecrest Neighborhood and said it would likely be at least late 2007 or early 2008 before a proposal would be ready for the City Council to adopt.

Commissioner Hall asked if the market price for the bingo property would be impacted if the seller is holding off until a property tax exemption program or rezone has been implemented. If so, this could allow the seller to capture the benefit of the incentives rather than the developer. Mr. Boydell said staff has emphasized the City does not want to be pushed too fast when considering zoning changes, property tax exemptions, etc. On the other hand, the owner of the bingo property is interested in selling as soon as possible. The developers and the seller have been negotiating, and the seller is already asking a premium price for the land. He said he was surprised at the number of mixed-use developers that have expressed a desire to purchase this site.

Commissioner McClelland arrived to the meeting at 9:05 p.m.

DIRECTOR'S REPORT

Meeting with Neighborhood Councils

Mr. Tovar reported on the presentation he made to the Council of Neighborhoods to update them on the following:

- Strategic Points for Town Center Projects. An update of the project was provided, and it was announced that the Commission would conduct a workshop discussion related to the project on May 10th. Chair Piro emphasized that the workshop would be an interactive discussion with the public.
- Aurora Project. It was reported that this project is nearly completed, and a dedication ceremony would be scheduled sometime in June.
- Interurban Trail. It was announced that the final segment of the Interurban Trail is under construction, and a celebration has been scheduled for July 14th.
- Civic Center/City Hall. It was reported that three developer finalists would be submitting requests for proposals. Staff would score the proposals and make a recommendation to the City Council. The City Council would likely select one of the three in June or July. A rigorous and brisk public input process would be conducted during the summer. It is anticipated that final design of the building and site would be completed by the end of 2007 so construction could start in early 2008. The anticipated completion date for the project is mid 2009.

- Speaker Series. Ron Sher would be the next presenter at the Speaker Series that is scheduled for May 24th. The event is being publicized in numerous ways to get the word out to as many people as possible.

Draft Resolution

Mr. Tovar recalled that the Cascade Land Conservancy recently made a presentation before the City Council, which specifically focused on the Cascade Agenda Cities Program. They requested the City Council consider making Shoreline a Cascade Agenda City. He referred the Commission to the draft resolution that was prepared at the request of the City Manager. The resolution is patterned after resolutions that have been adopted by Issaquah and Kirkland and is scheduled to go before the City Council for consideration on May 29th. He asked the Commissioners to review the draft resolution and forward their concerns and suggestions to the staff as soon as possible.

Mr. Tovar advised that when he discussed the proposed resolution with members of the Council of Neighborhoods, they expressed alarm that growth was going to happen and that there would be a significant amount of change in Shoreline. He emphasized that these issues are functions of state law and separate from whether or not the City becomes a Cascade Agenda City. He said the resolution summarizes that Shoreline's choice is not really about whether or not growth would occur and how much, but what they will do about it. The resolution discusses the City's plans for accommodating the growth and outlines the City Council's goals.

Mr. Tovar emphasized that the proposed resolution is a statement of intent. It is not a contract and does not commit the City to anything budget wise. It simply states that the program is good and similar to what the City already does. It indicates the City's desire to have partners to help implement the principles found in their goals.

Commissioner McClelland said one of the tenets of the Cascade Land Conservancy is the promotion of rural villages (unincorporated little towns) to accommodate some of the future growth outside of the urban growth boundary. She asked if the resolution language would require the City to support this effort. Mr. Tovar answered that approval of the resolution would not require the City to agree on positions the Conservancy takes on legislation or other programs.

Chair Piro agreed that the rural village concept is a controversial part of the Cascade Agenda right now. Therefore, he recommended that Sections 1, 2 and 3 on the second page of the proposed resolution be modified to not just generally talk about the goals and visions that are articulated in the Cascade Land Conservancy agenda as a whole, but narrow it only to the part that references Cascade Agenda Cities. This would eliminate the possibility of suggesting the City supports the whole agenda that is being advanced. Mr. Tovar suggested, and Chair Piro agreed, that the language could be modified to refer only to the goals and visions articulated for the urban areas. Mr. Tovar suggested the green program could be named in this section, as well.

Mr. Tovar reminded the Commission that they would be conducting a hearing related to the South Aurora Triangle next month and would talk specifically about this being a receiving area for a density

transfer from rural areas of the County. Chair Piro agreed there are some portions of the transfer the City could embrace, but the contentious portion of the proposal is related to rural-to-rural transfers. He cautioned against the City embracing the concept until more work and study is done. The remainder of the Commission agreed.

Commissioner Hall referred to the 4th Whereas Clause and suggested the language be softened by providing contextual information about the City's historic growth rate or other language to help people put the City's current growth rate into perspective. It should be clear that even without regulatory incentives for increased density, the City would grow by at least 200 per year. Mr. Tovar agreed that it is important to convey why growth is inevitable. Chair Piro suggested staff reconsider the 3rd and 4th Whereas Clauses in terms of the established Vision 20/25 numbers. Mr. Tovar suggested this message could be conveyed in the staff report to the Council.

Mr. Tovar invited Commissioners to forward additional comments related to the draft resolution to him no later than May 11th.

Commissioner Hall left the meeting at 9:25 p.m.

Update on Point Wells

Mr. Tovar recalled that the City's Comprehensive Plan identifies Point Wells, an unincorporated area across the County line on the shoreline of the Sound, as being in the City's future annexation area. However, Woodway's Comprehensive Plan also says this property should be annexed into the Town of Woodway. He reported that just a few weeks ago, staff became aware of a request to Snohomish County, which controls land use in Point Wells, to docket a proposal for their Planning Commission to consider amending the Comprehensive Plan and zoning to permit mixed-use development (commercial, retail, condominiums, marina, etc.). Snohomish County has invited the public to comment by May 21st on whether the proposed changes should be docketed for future consideration.

Mr. Tovar advised that staff has not spoken with the property owner or representatives from the Town of Woodway. However, an article was published in *THE EVERETT HERALD,* quoting officials from other jurisdictions about how wonderful the change would be with no down side. There is no mention of the fact that the only access to the property comes from Richmond Beach Road. He concluded that staff would draft a letter to Snohomish County, voicing the City's concerns about traffic, access, land use, service delivery, police and fire response, etc. Staff would continue to track the situation.

Chair Piro agreed that now is a good time to establish a dialogue with Snohomish County, and it would be savvy to use this situation as an opportunity to advance the Growth Management Act notion that these are the very types of areas that should be going through a joint planning process rather than a unilateral planning process. While the property is currently within Snohomish County's jurisdiction, it is important to note that it has been classified as part of the urban area. He commended staff for expressing a desire to work together with Snohomish County and the Town of Woodway to resolve this issue.

Commissioner McClelland said she was under the impression that no matter what jurisdiction had control of the site, it was so compromised by hazardous materials that it would take years to go through the process of cleaning it up. Mr. Tovar agreed that clean up would take a lot of time and money, but it would be possible. He noted that contamination would be a major subject of any environmental review of the comprehensive plan amendment and/or project.

Commissioner Pyle noted that any truckload of dirt that is removed from the site would have to go down Richmond Beach road, which is a narrow two-lane road that overlooks the water. All of the new construction would occur via that road, as well. Mr. Tovar pointed out that the contaminated soil could also be removed by rail or by barge.

Commissioner McClelland recalled that there used to be a road down the slope to access the site from the Town of Woodway. She suggested that perhaps it might be possible to recreate this switchback road. She said years ago there was some discussion about opening a road from 15th Avenue in Edmonds to the site, via the Town of Woodway. This road is only used for emergency access now. Mr. Tovar agreed that access is a significant issue that would have to be worked out. Chair Piro suggested that if the area is to become a part of Woodway, it should be accessed from Woodway, without using Richmond Beach Road.

Mr. Tovar explained that, under the State's annexation laws, the property owner would determine which city the property would be annexed into. The property owner could also choose to remain under the County's jurisdiction. Because it is not currently within either City, the Snohomish County controls the land use on the property. If it were annexed into Woodway, Woodway would make the land use decisions. If it were annexed into Shoreline, Shoreline would be responsible for making these decisions. Chair Piro added that aside from the property owner pursuing one annexation option or another, there is also a formal judicial process and boundary review board that would be called in to assess the viability of the proposal and issue a recommendation.

Noting that the only access to the site is through the City of Shoreline, Commissioner Wagner asked who provides fire and police service to the area. Several Commissioners answered that the City of Shoreline currently provides fire protection to the site.

ANNOUNCEMENTS

No announcements were made during this portion of the meeting.

AGENDA FOR NEXT MEETING

Chair Piro announced that a special meeting has been scheduled for May 10th.

ADJOURNMENT

The meeting was adjourned at 9:38 p.m.

Rocky Piro
Chair, Planning Commission

Jessica Simulcik Smith
Clerk, Planning Commission

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