

PLANNING COMMISSION AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Type C Action: Rezone Application for one parcel generally located at 14539 32nd Avenue NE from R-12 (Residential 12 dwelling units/acre) to R-24 (Residential 24 dwelling units/acre).

DEPARTMENT: Planning and Development Services

PRESENTED BY: Steven Szafran, Planner II

I. PROPOSAL

The applicant, Jay Finney, proposes to modify the existing zoning category for an 8,460 square foot parcel located at 14539 32nd Avenue NE. This application before the Planning Commission is a request to change the zoning designation from R-12 (Residential - 12 dwelling units per acre) to R-24 (Residential 24 dwelling units per acre). In addition, the applicant is proposing to construct two duplex buildings for a total of four units at a density of 21 units per acre. A site plan showing the site configuration of the proposal is included as **Attachment 1**. A vicinity map showing existing zoning for the project site and adjacent properties is located in **Attachment 2**. The parcel has a Comprehensive Plan Land Use designation of Mixed Use, and both the existing and proposed zoning are consistent with this designation (**Attachment 3** illustrates the Comprehensive Plan Land Use designations).

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

With the current designation of Mixed-Use and a zoning of R-12 there is the potential to build 2 single-family residences on the subject site subject to the Shoreline Development Code Standards. There is currently a condemned single-family home on-site that will be demolished in the near future. The proposed rezone would allow the construction of up to 5 dwelling units but the applicant is proposing 4 units, also subject to the requirements of the Shoreline Municipal Code (SMC) section 20.30.

This report summarizes the issues associated with this project and discusses whether the proposal meets the criteria for rezone outlined in the Shoreline Municipal Code and the goals of the Comprehensive Plan. Type C Actions are reviewed by the Planning Commission, where an Open Record Public Hearing is held and a recommendation for approval or denial is developed. This recommendation is then forwarded to City Council, which is the final decision making authority for Type C Actions.

II. FINDINGS

1. SITE

The subject site is generally located on the west side of 32nd Avenue NE, approximately 400 feet north of NE 145th Street. The parcel is developed with one condemned single-family residence that will be demolished in the near future. The parcel measures 8,460 square feet in area (approximately .19 acres). The site is gently sloping at an average grade of 4 percent toward the west. The highest elevation is approximately 242 feet at the northeast corner and the lowest elevation is 236 feet at the west property line.

There are a few trees on site. The main significant tree is located at the western edge of the site. A “significant tree” is defined in the Shoreline Municipal Code Title 20 as a healthy, windfirm, and nonhazardous tree eight inches or greater in diameter at breast height if it is a conifer and 12 inches or greater at breast height if deciduous.

2. NEIGHBORHOOD

The project site is located in the Briarcrest Neighborhood. Access to the property is gained from 32nd Avenue NE, a street that is classified as a local street. As indicated previously the site is zoned R-12 and has a land use designation of Mixed Use. The current zoning of the parcels immediately adjacent to the subject properties on the north and south are R-12, and are developed with single-family homes (these parcels also have a Mixed Use Comprehensive Plan Land Use Designation). The current zoning of the three parcels immediately adjacent to the subject properties on the west are R-18 and are developed with two triplexes and one duplex (these parcels have a Mixed Use Comprehensive Plan Land Use Designation). The current zoning of the parcels to the east, across 32nd Avenue NE are a mix of R-24 and Neighborhood Business. These parcels are developed with apartments, restaurants and fast food establishments and mostly gain access from Bothell Way NE. The zoning classifications and comprehensive plan land use designations for the project sites and immediate vicinity are illustrated in **Attachments 2 and 3**. The site is also within walking distance of Hamlin Park, Briarcrest Elementary School and Shorecrest High School as identified in **Attachment 4**.

3. TIMING AND AUTHORITY

The application process for this project began on August 25th, 2005, when a pre-application meeting was held with the applicant and city staff. The applicant then held the requisite neighborhood meeting on February 15th, 2006. The formal application was then submitted to the City on February 15th, 2006. The application was determined complete on March 6th, 2006. A public notice of application and public hearing was posted at the site, advertisements were placed in the Seattle Times and Shoreline Enterprise, and notices were mailed to property owners within 500 feet of the sites on March 9th, 2006.

Comments were received at the neighborhood meeting and staff received a letter of petition in support of the proposed project during the required comment period (**See Attachment 5**). The comments are listed in the Table below:

Name	Comment	Staff Response
Scott Solberg	I am in support of this application	None
Vasillios Tsafos	Signed petition with no additional comment	None
Angelos Savranakis	Signed the petition with no additional comment	None
Kevin Dwinelle	Thank You	None
Gregory Sankey	This would greatly improve the area and take away the abandoned structure and the danger to the children and community.	The existing structure on-site will be demolished before the approval of this zone change.
Christine Chmielewski	Signed the petition with no additional comment	None
Monica Anderson	This development will improve the neighborhood and I can't wait.	Staff agrees with the comment.
Jackie Ollestad	Opposes the development. Would rather see single-family homes than townhomes	Townhomes are allowed even if the zone change is not approved.

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.

4. CRITERIA

The following discussion shows how the proposal meets the decision criteria listed in Section 20.30.320(B) of the SMC. The reader will find that each of the criteria is integrated, and similar themes and concepts will run throughout the discussion of each.

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

The Comprehensive Plan land use map identifies the subject properties as *Mixed Use*. The site is currently underutilized—the parcel is developed with one single family home (developed at a density of 5 dwelling units per acre)—this is not consistent with the density goals of the Comprehensive Plan which plans for these sites to accommodate 8 to 24 dwelling units per acre to support housing targets within the City. The proposed zone change will allow the parcels to be developed to the level anticipated in the Comprehensive Plan.

The maximum density allowed in the R-24 zone is 24 dwelling units per acre. Based on this density, the maximum number of dwelling units that could be constructed on this .19 acre site is 5. At this time, the applicant is proposing 4 units. The number of units may be limited due to property line configuration, setback requirements, location of unique features such as significant trees, and the need to accommodate other code

requirements such as open space, parking, and storm drainage improvements. The following table summarizes the bulk requirements for the current and proposed zoning categories.

Standard	R12 Development	R24 Development
Front Yard Setback	10'	10'
Side yard Setback	5'	5'
Min Side and Rear Setback (From R-4 and R-6)	NA	NA
Base Height	35'	35' (40' with pitched roof)
Max Impervious Surface	75%	85%

The Shoreline Comprehensive Plan has established a growth target of 1,600-2,400 new housing units during the next 20 year planning period. The Comprehensive Plan identifies areas of the City where growth will likely occur and can be accommodated. The Comprehensive Plan Land Use map was adopted, and in some areas of the City allowed densities and intensity of uses to be increased. In many instances this change occurred in areas that had developed at a much lower intensity (as is the case of the subject parcel) and more dense development is anticipated in the future when the underutilized parcels are redeveloped.

R-24 zoning is an appropriate designation for the site in order to achieve many goals and policies of the Comprehensive Plan, including:

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

The proposed development will develop at densities supported by the Comprehensive Plan using the parcel more efficiently than previously developed.

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

The proposed townhomes are within walking distance to transit, employment, and shopping areas.

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

The proposed townhomes will be an attractive addition to the existing single-family and multi-family units in the area.

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

The parcel will provide four dwelling units where one single-family home currently exists.

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

The proposed townhomes will be identical to the townhomes built four parcels to the south and with multi-unit buildings to the west. The proposed townhomes will have a 5 foot landscaping strip with a six-foot fence around the perimeter of the site, buffering the townhomes from the existing housing to the north and south.

Goal CD III: Enhance the identity and appearance of residential and commercial neighborhoods.

Redevelopment of this area of Shoreline is encouraged by goals and policies in the Comprehensive Plan. The existing single-family home on the parcel has been condemned for quite some time and comments from adjacent property owners suggest the proposed townhomes will be a welcomed addition to the neighborhood.

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

The property has been vacant for the past 12 years and although the house has been boarded up since 1995, the dwelling and the rear yard has become a dumping ground for itinerant neighbors and passer-bys. The site is currently home to rats, appliances and a great volume of refuse.

Staff believes the proposed rezone and redevelopment of this site will positively affect the public health, safety and welfare by removing a condemned structure that is unsafe and an eyesore and replacing it with new construction that promotes neighborhood

renewal. The proposed townhomes fit in with the type of development that has been developed in the immediate area and will be an upgrade to the neighborhood.

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

The subject parcels are currently zoned R-12. The application to change the zoning of this parcel to R-24 was made in order to develop the sites in similar fashion to those that have been previously developed in the immediate vicinity of the project. The sites' Comprehensive Plan land use designation is *Mixed Use*. Consistent zoning designations for this land use include: R-8, R-12, R-18, R-24, R-48 Office, Neighborhood Business, Community Business, Regional Business, and Industrial.

The uses in the area include single-family and multi-family residential development, restaurants and small and large scale retail developments. The subject property will take access from 32nd Avenue NE via NE 145th Street and Bothell Way NE, both Principal Arterial Streets with transit routes. Higher intensity development is encouraged along arterials where vehicular trips can be accommodated. R-24 zoning is an appropriate designation for the subject site, as it reflects a similar level of current and planned intensity as those uses near it.

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

There appears to be no negative impacts to the properties in the immediate vicinity of the subject rezone. The proposed rezone would allow uses on the site that are similar to those uses found on the parcels to the west and south. There could be questions regarding the project's impact on infrastructure such as water, sewer, stormwater, and traffic/circulation. Also there are concerns expressed about the loss of existing mature vegetation. The following brief summary demonstrates how the project addresses each of these.

Water & Sewer

Conditional statements from the Shoreline Wastewater Management District and Seattle Water Department indicate that adequate capacity exists for development at the R-24 zoning level.

Stormwater

All stormwater must be treated and detained per the requirements of the 1998 King County Surface Water Design Manual and the Surface and Stormwater Management sections of the SMC (20.60.060 through 20.60.130). There is no indication that special requirement for stormwater measures should be taken.

Traffic/Circulation

The applicant is proposing to build four townhomes on the subject parcel. The P.M. peak hour vehicular trips will be 2.16. Since the P.M. peak hour trips are not greater than 20, a traffic study was not required (SMC 20.60.140(A)). At the time of the

development proposal submittal (building permit application), traffic and pedestrian requirements/mitigation specific to the details of the project will be required.

During site development sidewalks will be required along the eastern boundary of the project area. Sidewalks are developed in pieces in this general area as new projects get built. It appears that there is adequate vehicular and pedestrian access to the rezone site.

Tree Removal

Most of the comments from surrounding neighbors were pertaining to the Conifers located on-site. The neighbors are in support of redevelopment of the site as long as the trees are saved. The applicant can remove up to six significant trees without a permit and be excluded from all other portions of tree retention and protection requirements in the Code. From the site plan submitted to staff, it does not appear any of the existing trees will remain. However, street front landscaping will be required when the applicant submits building plans to the City.

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

The applicant states that this rezone provides an opportunity for the City to take a condemned dwelling that is unsafe for the neighborhood and replace it with a project that fits the goals and policies of the City in terms of denser neighborhoods adjacent to commute corridors. Additionally, four new owners and investors will become Shoreline residents, hopefully continuing some positive momentum on a pivotal gateway to the City.

The redevelopment of the site will contribute to an increase in housing stock, which will help the City to achieve its housing targets. The redevelopment will improve both the safety and aesthetics of the site. In all likelihood the new development will increase the amount of impervious surface area on the site; however this water will be treated and released a rate no greater than what historically flowed from the site in a pre-developed condition.

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

Therefore staff concludes that these improvements will add benefit to the community.

III. CONCLUSIONS

- 1. Consistency-** The proposed reclassification for the subject property 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 Targets-** The site can be developed at higher densities than the current R-12 zoning designation per the density guidelines listed in the Comprehensive Plan for the Mixed Use land use designation. The project assists the City of Shoreline in meeting housing targets as established by King County to meet requirements of the Growth Management Act.
- 4. Environmental Review-** It has been determined that per WAC 197.11.600 (2) the SEPA obligations for analyzing impacts of the proposed rezone are fulfilled by a Determination of Nonsignificance issued on March 30th, 2006.
- 5. Infrastructure Availability-** There appears to be adequate infrastructure improvements available in the project vicinity. This includes adequate storm, water, and sewer capacity for the future development. The development of this site will also require that the infrastructure accommodate existing and anticipated stormwater improvements be installed as part of the development proposal.

IV. PLANNING COMMISSION ROLE AND OPTIONS

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

Planning Commission has the following options for the application:

1. Recommend approval or approval with conditions to rezone parcel number 1568100330 from Residential 12 units per acre (R-12) to Residential 24 units per acre (R-24) based on the findings presented in this staff report.
2. Recommend denial of the rezone application and the Residential 12 units per acre (R-12) zoning remains based on specific findings made by the Planning Commission.

V. PRELIMINARY STAFF RECOMMENDATION

Staff recommends that the Planning Commission move to recommend to the City Council that R-24 zoning be adopted for the property generally located at 14539 32nd Avenue NE (parcel number 1568100330). And enter into findings based on the information presented in this staff report that this proposal meets the decision criteria for

the reclassification of property as outlined in the Shoreline Municipal Code Section 20.30.320.

ATTACHMENTS

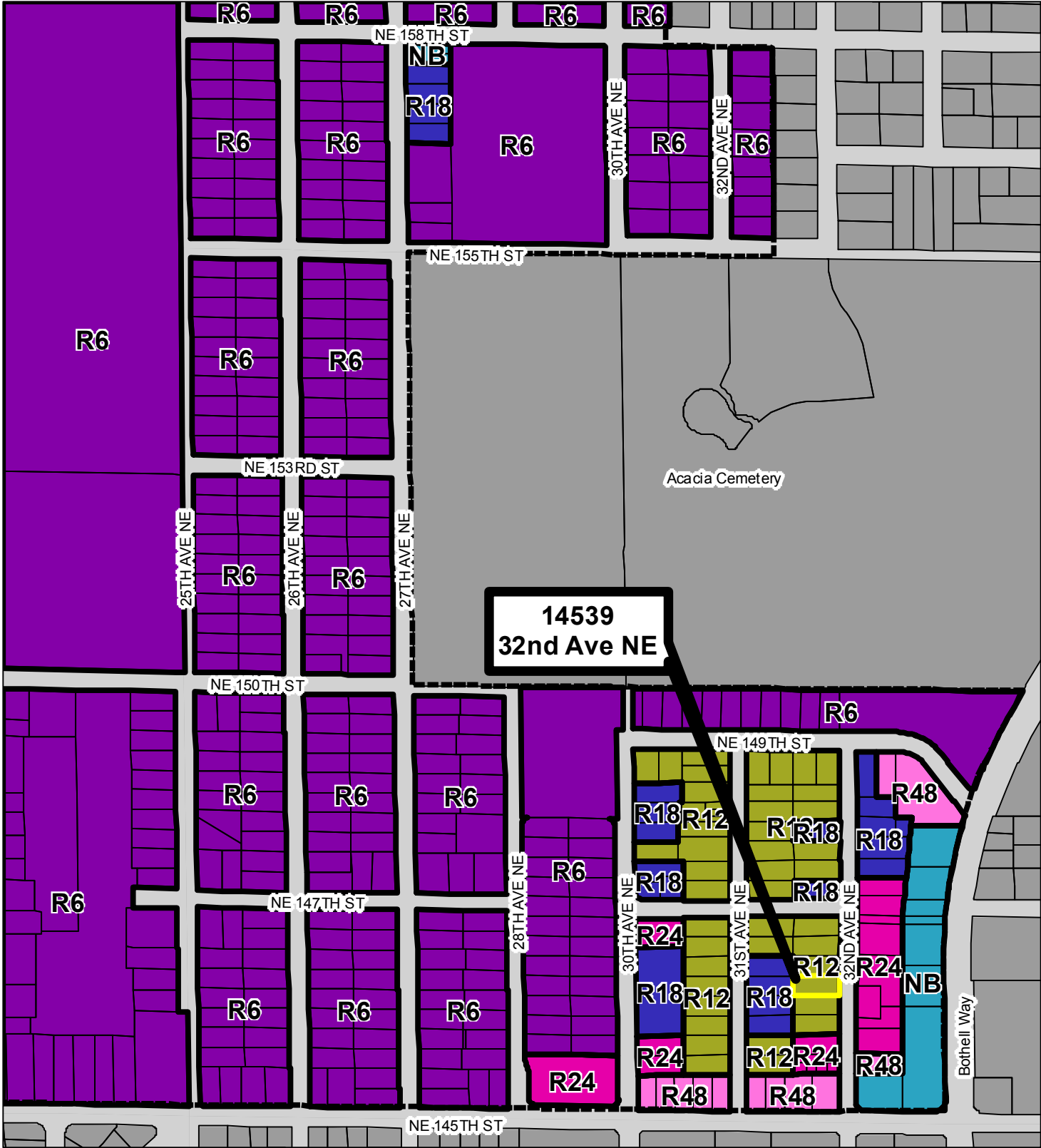
Attachment 1: Site Plan

Attachment 2: Vicinity Map with Zoning Designations

Attachment 3: Vicinity Map with Comprehensive Plan Designations

Attachment 4: Vicinity Map with Sidewalks, Schools and Parks

Attachment 5: Petition in support of the proposed development



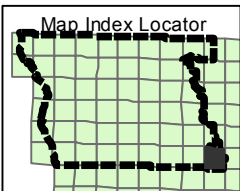
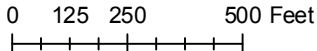
SHORELINE
Geographic Information System
City of Shoreline Zoning

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

Shows amendments through June 21, 2005.

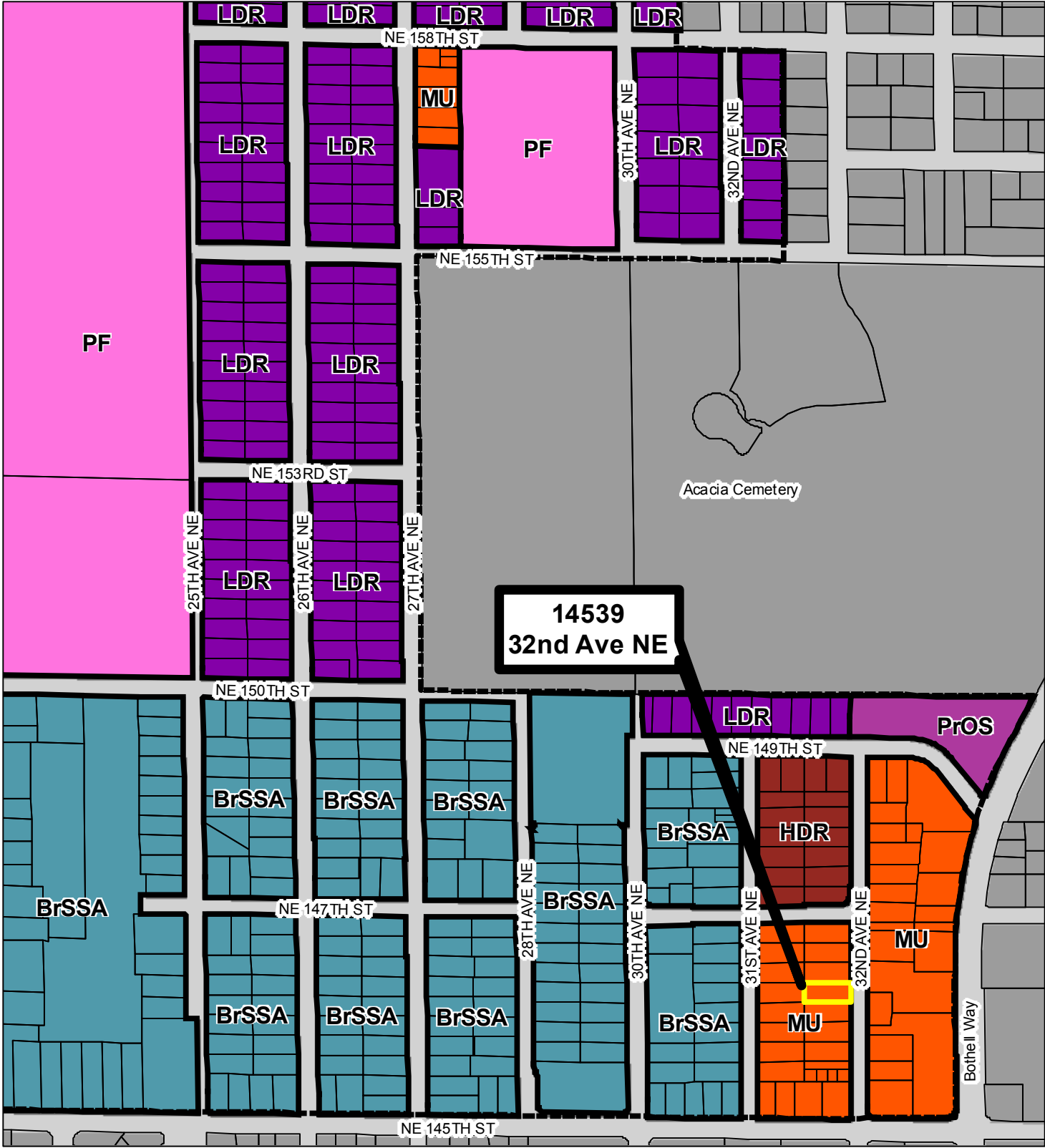
- Legend**
- CB - Community Business
 - CZ - Contract Zone
 - I - Industrial
 - NB - Neighborhood Business
 - NCBD - North City Business District
 - O - Office
 - R12 - Residential 12 units/Acre
 - R18 - Residential 18 units/Acre
 - R24 - Residential 24 units/Acre
 - R4 - Residential 4 units/Acre
 -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

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



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

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SHORELINE

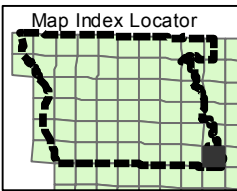
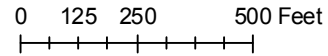
Geographic Information System
City of Shoreline
Comprehensive Plan

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

Shows amendments through
 June 21, 2005.

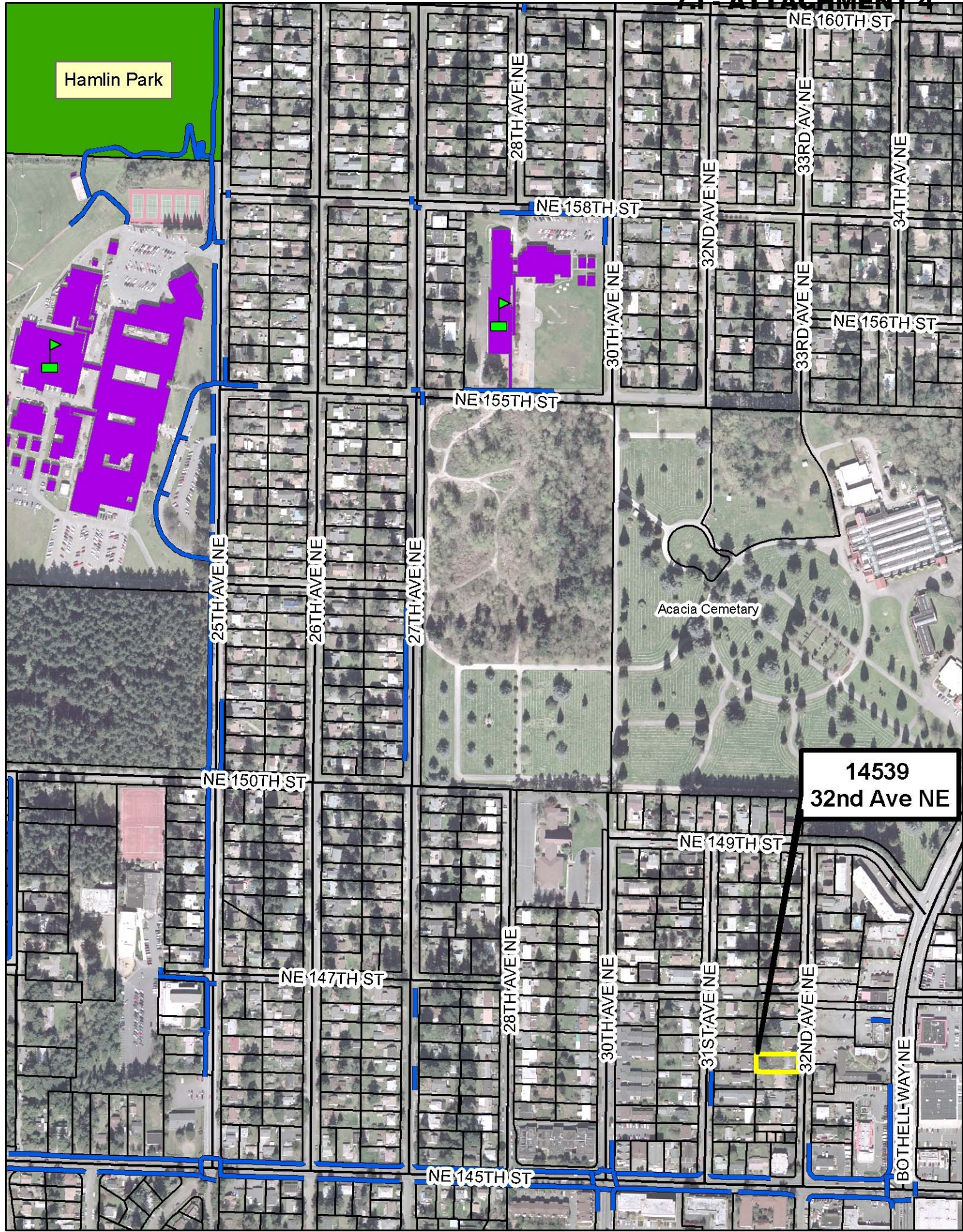
- Legend**
- Low Density Residential
 - Medium Density Residential
 - High Density Residential
 - Mixed Use
 - Community Business
 - Regional Business
 - Public Facilities
 - Single Family Institution
 - Special Study Area
 - Ballinger Special Study Area
 - Briarcrest Special Study Area
 - North City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

- Comprehensive Plan Land Use Boundary
- Parcel Line
- City Boundary
- Unclassified Right of Way



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Created on April 19, 2006



Hamlin Park

14539
32nd Ave NE

Legend

- Parcel Line
- School
- Park
- Street
- Sidewalk

0 187.5 375 750 Feet



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Supports



Petition to City of Shoreline

Petition summary and background
 As property owners in the neighborhood of the subject site, 14539 32nd Ave NE, we support the rezone as proposed by Real Property Development Company, LLC. RPDC completed a four unit townhome project four doors south of this property in July, 2005 and it fits in well with the character of this street; a similar project would be a significant enhancement to the subject site.

Action petitioned for:
 A rezone of the property located at 14539 32nd Ave NE, from R-12, to R-24. This would allow the development of four units on the site, rather than two which is what the current zoning would allow.

Printed Name	Signature	Address	Comment	Date
Nancy Tommon	<i>[Signature]</i>	14522 32nd Avenue	As long as they leave the corners.	Dec 5 2005
John Mack	<i>[Signature]</i>	14527 32 Avenue		DEC 6 05
Robert Baxter	<i>[Signature]</i>	14574-32 Ave NE		12/6/05
Kate Crawford	<i>[Signature]</i>	14545 32nd Ave NE		12/12/05
ERIK SPICER	<i>[Signature]</i>	14549 32nd Ave NE		12/12/05
Jasper-Jay	<i>[Signature]</i>	14513 32nd Ave NE		12/12/05
Richard Lasage	<i>[Signature]</i>	14548-31 st Ave NE	BEEN WAITING FOR ABOUT 10 YEARS!	12/12/05

Printed Name	Signature	Address	Comment	Date
Richard Lee	<i>Richard Lee</i>	14511 32nd Ave NE		12/15/05
ANDY TENG	<i>Andy Teng</i>	2116 N 125TH ST		12/15/05
Carolyn Volk	<i>Carolyn Volk</i>	14527-32nd Ave NE	Leave The conifers	12-15-05
Alice WATTS	<i>Alice Watts</i>	14521 32ND SEATTLE, WA		12-15-05
Marc Toenyan	<i>Marc Toenyan</i>	14522 32 AVE NE Shoreline, WA	Save the trees	12/15/05
Isaac Meek	<i>Isaac Meek</i>	15525 15th Ave NE		12/16/05
Roxanne Volk	<i>Roxanne Volk</i>	14527 32nd Ave NE		12/16/05
RICHARD W. PLANCH	<i>R.W. Planch</i>	14529 32nd Ave NE	SAVE THE TREES	12/17/05
Linda L. Jordan	<i>Linda L. Jordan</i>	14529 32nd Ave NE		12/17/05
Nancy M Leckemby	<i>Nancy M Leckemby</i>	14529 32nd Ave NE	Before demo fumigation for rats	12/17/05
Richard Black	<i>Richard P. Black</i>	14534 32 AV NE	Save Trees!	12/17/05