

**CITY OF SHORELINE
PLANNING COMMISSION**

PRELIMINARY FINDINGS, CONCLUSIONS AND RECOMMENDATION

PROJECT INFORMATION SUMMARY

Project Description: Change the zoning of seven parcels from R-12 and R-18 to R-24 for future development.

Project File Number: 201677

Project Address: 14727, 14723, 14721, 14709, 14707, 14551 and 14549 32nd Avenue NE, Shoreline, WA 98155

Property Owner: Catalina Company (authorized agent).

SEPA Threshold: Determination of Non-Significance (DNS)

Staff Recommendation: Recommend approval of the rezone of seven parcels to R-24.

INTRODUCTION

A rezone of one parcel (14727 32nd Avenue NE) from R-12 to R-24 was previously considered by the Planning Commission on June 7, 2007. The Planning Commission denied that rezone because they concluded that the rezone did not meet the decision criteria for a rezone from R-12 to R-24. See Commission Findings dated November 1, 2007 attached as **Attachment 1**. The rezone from R-12/R-18 to R-24 that is under consideration tonight is for seven parcels (14727, 14723, 14721, 14709, 14707, 14551 and 14549 32nd Avenue NE). The concerns raised by the Commissioners in the denial of the 14727 32nd Avenue NE rezone are addressed in detail under the Conclusion section below.

FINDINGS OF FACT

Current Development

1. The parcels at issue are located at 14727, 14723, 14721, 14709, 14707, 14551 and 14549 32nd Avenue NE.
2. The subject parcels range in size from 7,387 to 8,504 square feet and are developed with a 6 single-family homes and one four-plex. Five of the parcels are zoned R-12 and two of the parcels are zoned R-18. The five parcels north of NE 147th Street have a Comprehensive Plan Land Use designation of High Density Residential (“HDR”). The two parcels south of NE 147th Street have a Comprehensive Plan Land use designation of Mixed-Use (“MU”). See **Attachment 2** for surrounding Comprehensive Plan designations and **Attachment 3** for surrounding zoning designations.

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3. If the request is approved, the combined development potential of the 7 sites is 35 dwelling units.
4. There are no existing sidewalks along 32nd Avenue NE adjacent to the subject properties. Right-of-way improvements are required when the applicant applies for building permits and include sidewalk, street lighting and curb and gutters.

Proposal

5. The applicant proposes to rezone the parcels from R-12 and R-18 to R-24.
6. A pre-application meeting was held with the applicant and City staff on July 27, 2007, the applicant held the requisite neighborhood meeting on August 9, 2007, and a Public Notice of Application was posted at the site.
7. Comments received at the neighborhood meeting included:
 - “I’m in support of the rezone”,
 - increased property values,
 - older single-family homes should be preserved,
 - (concerns about) high water table.
8. Advertisements were placed in the Seattle Times and Shoreline Enterprise, and notices were mailed to property owners within 500 feet of the site on August 30, 2007. A revised Notice of Application was issued September 27, 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 October 16, 2007. Public comment letters can be found in **Attachment 4**.
9. The Planning Department issued a SEPA Determination of Non-Significance and notice of public hearing on the proposal on October 16, 2007. The DNS was not appealed.
10. An open record public hearing was held by the Planning Commission for the City of Shoreline on January 17, 2008.
11. The City’s Long Range Planner, Steven Cohn, and Associate Planner, Steve Szafran, have reviewed the proposal and recommend that the parcels be rezoned to R-24.

Comprehensive Plan Land Use Designations.

12. Parcels to the north have a Comprehensive Plan Land Use designation of High Density Residential, Low Density Residential and Private Open Space (cemetery).

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- (See Attachment 2). Parcels to the south, west and directly east have a designation of High Density Residential and Mixed Use. Parcels further to the east, across 31st Avenue NE, are designated Briarcrest Special Study Area Mixed Use and zoned R-24, R-18, R-12 and R-6.
13. The Comprehensive Plan describes High Density Residential as “intended for areas near employment and commercial areas; where high levels of transit service are present or likely; and areas currently zoned high density residential. This designation creates a transition between high intensity uses, including commercial uses, to lower intensity residential uses. All residential housing types are permitted”.
 14. The Comprehensive Plan describes Mixed Use as “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.
 15. The Comprehensive Plan describes Special Study Areas as “areas designated for future subarea planning, watershed planning, special districts, neighborhood planning, or other study. It is anticipated that the underlying zoning for this designation shall remain.” The Briarcrest area will be the subject of a subarea planning study beginning in the 1st quarter 2008.

Current Zoning

16. A majority of the parcels in the immediate area are zoned R-12 with parcels zoned R-18 and R-24 scattered throughout the area (see Attachment 2). The parcels at issue are zoned both R-12 and R-18. R-48 and Neighborhood Business zoning is located along and adjacent to Bothell Way and NE 145th Street. The area is developed with older single-family homes, duplexes, triplexes, apartment buildings, condos and newer townhome developments. There are older commercial developments along Bothell Way.
17. 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.”
18. The purpose of R-18 and R-24 zones, as set forth in Shoreline Municipal Code 20.40.030, is to “provide for a mix of predominately apartment and townhouse dwelling units and other compatible uses.”

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:

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- 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-24 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-24 zoning category allows all residential land uses, including detached single-family dwelling units (if a Conditional Use Permit is secured).

Impacts of the Zone Change

21. The following table outlines the development standards for the current zoning (R-12), (optional zoning) R-18 and the requested zoning (R-24):

	R-12 (Current)	R-18 (Possible)	R-24 (Proposed)
Front Yard Setback	10'	10'	10'
Side Yard Setback	5'	5'	5'
Rear Yard Setback	5'	5'	5'
Building Coverage	55%	60%	70%
Max. Impervious Surface	75%	80%	85%
Height	35'	35' (40' with pitched roof)	35' (40' with pitched roof)
Density (residential development)	12 du/ac	18 du/ac	24 du/ac

CONCLUSIONS

1. The purpose of a rezone is to provide a mechanism to make changes to a zoning classification, conditions or concomitant agreement applicable to property. 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.

Rezone criteria

REZONE CRITERIA 1: Is the rezone consistent with the Comprehensive Plan?

3. The rezone complies with the following Comprehensive Plan Goals and Policies:

Land Use

- Land Use Element Goal 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.
- Land Use Element Goal III - Encourage a variety of quality housing opportunities and appropriate infrastructure suitable for the needs of Shoreline's present and future residents.
- Land Use Element Goal XVII – Manage the storm and surface water system through a combination of engineering solutions and the preservation of natural systems.
- LU14 – The High Density Residential designation creates a transition between high intensity uses (commercial) to lower intensity residential uses.
- LU99 and LU102 – Enforcement of construction and erosion control standards and allowing land alteration only if plans adequately prevent environmental impacts.
- LU152 – Seek opportunities for on-site water quality systems to support economic development and the efficient use of land.

Housing Goals

- Goals HI, HII, and HIII – Provide sufficient development capacity, pursue opportunities to develop housing for all economic segments of the community, and maintain and enhance multi-family residential neighborhoods with new development that is compatible with the neighborhood and provides effective transitions between different uses.
- H1 and H5 – Increase housing opportunities that is compatible with the character of existing residential and require new residential development to meet the minimum density as allowed in each zone.
- H24, H27 and H28 – Promote first time home ownership, anticipate future restoration needs of older neighborhoods and assure that design guidelines create effective transitions.

Transportation Goals

- TI, TIII, TIV, TVI, and TVII – All of the transportation goals speak to safe and friendly streets, access to transit, livability and safety of residential neighborhoods, and encouragement of use of alternative modes of transportation.
- T17, T26, T27, and T29- These transportation policies speak to minimizing traffic on local streets and installing sidewalks for new construction projects to improve pedestrian safety.
- T45 – Reduce speeds and cut-through traffic on local streets while maintaining connectivity to the transportation system.

The R-24 rezone proposal is consistent with all of the above Comprehensive Plan Land Use Element Goals and Policies because more intense residential zoning should be encouraged in areas designated for both Mixed Use and High Density Residential land uses, as these parcels are designated.

The R-24 zoning would allow greater development intensity and be compatible with the already approved townhome development to the south and west. Although the current R-12 and R-18 zoning category is consistent with the HDR and Mixed Use designation, the existing detached single-family homes on this site and in the surrounding neighborhood are not consistent with the vision of development in the HDR designation, because although all housing types are permitted under HDR and MU, more intense residential zoning is encouraged in this area.

Rezoning the parcels to R-24 is consistent with the Comprehensive Plan as it would allow more intense residential uses, and is supported by land use, housing, clean air, transportation and community design goals of the Comprehensive Plan. R-24 zoning would allow for infill development that is compatible with recently built and planned housing types and provide densities that are envisioned for the HDR and MU land use designations.

Other Considerations

The Planning Commission previously recommended denial of the rezone of one of the parcels (14727 32nd Avenue NE) from R-12 to R-24. The concerns raised by the Commissioners associated with criteria number 1 are set forth below. The applicant has gathered information to address the Commissioners' concerns. Staff reviewed the information and offers our analysis based on the new information that has been submitted:

Concern #1: Consistency with Goal #1, specifically whether there is a high water table on the site. In the discussion of the previous rezone request, a

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Commissioner suggested that Goal #1 requires the City to preserve environmental quality by taking into account the land's suitability for development. He noted that the public believes that a high water table exists in the area, and that when the water table is very high, a developer's options are very limited because they can't get infiltration on site.

The applicant has submitted a preliminary geotechnical evaluation for three of the subject parcels, 14709, 14721, and 14723 32nd Avenue NE. Three test pits were dug at a depth of 6 feet. No ground water was observed in any of the three pits. Additionally, geotechnical reports were submitted with a new 5 unit townhome development at 14539 32nd Ave NE. Those reports are consistent with the applicant's reports showing no groundwater problems. Because of this additional information, the staff concludes that there is not a high water table in the rezone area.

Concern #2: Consistency with Land Use Policy 149, specifically whether there is there a reason to restrict development on the site in order to maintain the current amount of pervious surface. One of the Commissioners cited Comprehensive Plan Land Use Policy 139 and suggested that this policy calls for restricting the water runoff rate and restoring water quality to predevelopment levels for all new development and redevelopment. He concluded that because of the high water table in this area, allowing 80% of the site to be developed as impervious surface would make it very difficult to meet the requirement of this policy.

Again, geotechnical reports show no high water table in the immediate area. Managing runoff will be considered once building permits are submitted. Given the current development regulations, staff believes that a rezone allowing for an increase in the maximum impervious surface is appropriate.

Concern #3: Consistency with Community Design Goal #1, specifically whether this rezone encourages community development and redevelopment that is consistent with the City's vision. The Commissioners suggested that they would be more likely to support upzoning the subject property if it were done in the context of a subarea plan that was carefully considered to balance the neighborhood goals.

Staff does not believe that a subarea plan is necessary to develop a vision for this portion of Briarcrest because it already has a Comprehensive Plan Designation of Mixed Use and High Density Residential. In that sense, it is different from the area west of 31st Avenue NE, which does not have a Comprehensive Plan Designation.

Both the Mixed Use and High Density Residential designations allow a wide range of zoning choices. They offer a way to transition between more intense

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uses and single family zones. In the case of the subject parcels, the transition could occur in two directions:

1. From 145th north to the cemetery.
2. From Bothell Way west to 30th Avenue NE.

Since the Comprehensive Plan does not directly set forth transition options and what was envisioned for the area, we look at the policy options that were available to choose from at the time of Comprehensive Plan designation. For the lower half of this area, i.e., south of 147th, the comprehensive plan could have called for commercial uses, but didn't. Or it could have designated the area as HDR. But that wasn't chosen either. Choosing Mixed Use suggest that the plan envisions commercial uses along 145th, and transitioning north to multifamily uses.

When we look at the upper half (north of 147th), the plan could have called for MDR (R8 and R12) as a transitional use. But it didn't. It calls for HDR. This suggests that the plan contemplates zoning of R-18 and above. One can imagine some combination of R-48, R-24, and R-18 as you transition from east to west.

Therefore, staff concludes that the Comprehensive Plan does offer concrete ideas re transition areas and overall future development of the area.

REZONE CRITERIA 2: Will the rezone adversely affect the public health, safety or general welfare?

4. Staff believes the rezone and associated future development will positively affect the neighborhoods general welfare. Codes have been revised and offer greater protection of downstream effects of development (drainage, in-street improvements, safer building codes, environmental quality, etc...) Both 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-24 zone protect against uses that would be contrary to the public health, safety or general welfare. New development requires improvements to access and circulation through curb and gutters, sidewalks and street frontage landscaping. Allowing this rezone and new development in general improves public health, safety and general welfare.

New development will look different than the existing one-story single-family homes that were built decades ago. However, these homes will be in place indefinitely. All of the adjacent zoning currently allows for more density, it will only be a matter of time before the sites are redeveloped.

REZONE CRITERIA 3: Is the rezone warranted in order to achieve consistency with the Comprehensive Plan? The Commission previously concluded that the rezone was not

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warranted in order to achieve consistency with the Comprehensive Plan because both the existing R12 and the proposed R-24 zoning would be consistent with the Comprehensive Plan... There is no preference in the Comprehensive Plan for preserving one zoning designation over another.

5. Both R-12 and R-18 (current) and R-24 (proposed) zoning maintains consistency with the Comprehensive Plan. However, the Comprehensive Plan designation calls for High Density Residential on five of the seven parcels at issue. As noted above, R-24 is appropriate in the High Density Residential land use category and more closely meets the intent of the district than does the current R-12 zoning. R-24 zoning also provides a better transition from more intense uses to the east along Bothell Way and between existing R-12 zoning directly to the west.

This area is envisioned to transition from high intensity commercial zoning along Bothell Way to lower densities as you approach 30th Ave NE to the west. The proposal for R-24 meets this long term vision for the area as higher densities are expected within this area.

REZONE CRITERIA 4: Will the rezone be materially detrimental to uses or property in the immediate vicinity of the subject rezone?

In discussion of an earlier rezone proposal for one parcel in June 2007, a Commission expressed a concern with criteria #4.

Concern #1: *The Commissioner indicated the City doesn't have a clear idea of the existing drainage conditions and what facilities are available. The existing zoning allows up to 75% impervious surface, and the proposed R-24 zone would allow 85%. The Commissioner believed that it would be inappropriate to allow more impervious surface without addressing the drainage issues in a more comprehensive fashion.*

6. After reviewing the information submitted by the applicant, staff concludes that the proposed rezone will not have an impact to the existing single-family properties in terms of traffic or drainage. As noted under the discussion for criteria # 1, the applicant submitted a soils/drainage report that explains there is not a "high water table" in the immediate area and civil plans from recent develops also highlight this fact (14515 and 14539 32nd Ave NE).

The traffic report submitted explains traffic around the proposed rezone is relatively light. Adding traffic associated with 25 additional units is minor and will not cause additional delays in the area.

Under the current codes, townhomes as well as single-family homes may be 35 feet in height (40 feet with pitched roof). This rezone could potentially add 25 additional units (10 units exist now, current zoning will allow 16 units;

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rezone would permit up to 35 units). This increase in additional units is not detrimental to the property in the vicinity because appropriate infrastructure is in place, multi-family zoning is currently in place for all of the seven parcels, traffic study indicates little impact to existing traffic patterns, and new development triggers public amenities such as curb, gutter, sidewalks and updated drainage facilities.

A DNS has been issued, and no environmental issues remain.

REZONE CRITERIA #5: Will the rezone have merit and value for the community?

In discussion of an earlier rezone proposal in this area, the following concerns were raised:

- *The City should adopt a “vision” for the area and stop “piecemeal zoning” of the area;*
- *a comprehensive drainage plan for the Briarcrest Neighborhood should be addressed before more density can be built;*
- *a traffic analysis should be performed around the area of the rezone to address cut-through traffic;*
- *Small houses and seemingly affordable housing will be demolished for new development.*

Staff has reviewed the applicant’s materials and believes that the issues raised in the past have been adequately addressed.

- By rezoning 7 lots the Commission will be implementing the vision that has been adopted and avoid the site by site rezoning that has occurred in the past;
- Drainage and traffic issues have been analyzed –there are no drainage issues and traffic impacts can be handled by the existing infrastructure.
- This rezone will encourage redevelopment of the area, but, given the adopted Comprehensive Plan designation of MU and HDR and current multi-family zoning, redevelopment of this area is to be expected.

RECOMMENDATION

The Planning Commission recommends that the City Council approve a rezone of seven parcels at 14727, 14723, 14721, 14709, 14707, 14551 and 14549 32nd Avenue NE from R-12 and R-18 to R-24.

Date: _____

By: _____
Planning Commission Chair

ATTACHMENTS

Attachment 1- November 1, 2007 Findings and Conclusions for application #201639

Attachment 2 - Comprehensive Plan Map

Attachment 3- Zoning Map

Attachment 4- Public Comment letter and email.

**CITY OF SHORELINE
PLANNING COMMISSION**

FINDINGS, CONCLUSIONS AND RECOMMENDATION

PROJECT INFORMATION SUMMARY

Project Description: Change the zoning of one parcel from Residential 12 dwelling units per acre (R-12) to Residential 24 dwelling units per acre (R-24).

Project File Number: 201639

Project Address: 14727 32nd Avenue NE, Shoreline, WA 98155

Property Owner: Cascade Real Estate Investments.

SEPA Threshold: Determination of Non-Significance (DNS)

Staff Recommendation: Recommend approval of the rezone of one parcel to R-24.

FINDINGS OF FACT

Current Development

1. The parcel at issue is located at 14727 32nd Avenue NE.
2. The parcel (tax ID # 1568100415) is 8,460 square feet and is developed with a single-family home. The site is zoned Residential 12 dwelling units per acre ("R-12") and has a Comprehensive Plan Land Use designation of High Density Residential ("HDR"). See **Attachment 1** for surrounding Comprehensive Plan designations and **Attachment 2** for surrounding zoning designations.
3. If the current application is approved, the parcel will be able to develop with a maximum of 5 dwelling units.
4. There are no existing sidewalks along 32nd Avenue NE adjacent to the applicant's property. Street improvements will be required when the applicant applies for building permits and include sidewalk, street lighting and curb and gutters.

Proposal

5. The applicant proposes to rezone the parcel from R-12 to R-24.
6. A pre-application meeting was held with the applicant and City staff on April 10, 2007, the applicant held the requisite neighborhood meeting on April 16, 2007, and a Public Notice of Application was posted at the site.

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7. Comments received at the neighborhood meeting included “increased traffic and increased density” and “it might adversely affect surrounding property values”. The applicant indicated these were the only negative comments received.
8. 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 26, 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 May 10, 2007.
9. The Planning Department issued a SEPA Determination of Non-Significance and notice of public hearing on the proposal on May 10, 2007. The DNS was not appealed.
10. An open record public hearing was held by the Planning Commission for the City of Shoreline on June 7, 2007.
11. The City’s Long Range Planner, Steven Cohn, and Planner II, Steve Szafran, have reviewed the proposal and recommend that the parcels be rezoned to R-24.

Comprehensive Plan Land Use Designations.

12. Parcels to the north, south and west have a Comprehensive Plan Land Use designation of High Density Residential, which allows R-12 through R-48; parcels to the east, across 32nd Avenue NE, are designated Mixed Use, which allows R-8 through R-48 and all commercial and industrial zoning categories.
13. The Comprehensive Plan describes High Density Residential as “intended for areas near employment and commercial areas; where high levels of transit service are present or likely; and areas currently zoned high density residential. This designation creates a transition between high intensity uses, including commercial uses, to lower intensity residential uses. All residential housing types are permitted”.

Current Zoning

14. Parcels immediately north and west of the subject parcel are zoned R-12 and developed with single-family homes; the parcel to the south is zoned R-18 and developed with single-family home; and parcels to the east are zoned R-18 and developed with single-family homes and duplexes.
15. 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,

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and community facilities, in a manner that provides for additional density at a modest scale.”

Proposed Zoning

- 16. 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.

- 17. The purpose of an R-24 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-24 zoning category allows all residential land uses, including detached single-family dwelling units, if a Conditional Use Permit is secured.

Impacts of the Zone Change

18. The following table outlines the development standards for the current zoning (R-12) and the requested zoning (R-24):

	R-12 (Current)	R-24 (Proposed)
Front Yard Setback	10'	10'
Side Yard Setback	5'	5'
Rear Yard Setback	5'	5'
Building Coverage	55%	70%
Max. Impervious Surface	75%	85%
Height	35'	35'(40' with pitched roof)
Density (residential development)	12 du/ac	24 du/ac

CONCLUSIONS

1. The purpose of a rezone is to provide a mechanism to make changes to a zoning classification, conditions or concomitant agreement applicable to property. 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.

Rezone criteria

Is the rezone consistent with the Comprehensive Plan?

3. The Commission's conclusion is that the facts are inclusive as to whether the rezone is consistent with the Plan:

The following facts show consistency with the Plan:

- Land Use Element Goal I of the Comprehensive Plan is to "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."
- 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-24 rezone proposal is consistent with Land Use Element Goal I and III because more intense residential zoning should be encouraged in areas designated for High Density Residential land uses.

The R-24 zoning would allow greater development intensity and be compatible with some of the already approved townhome development to the south and west. Although the current R-12 zoning category is consistent with the HDR designation, the existing detached single-family homes on this site and in the surrounding neighborhood do not comply with the goals and policies of the HDR designation since more intense residential zoning is encouraged in HDR areas.

The following facts show inconsistency with the Plan:

- **Comprehensive Plan Land Use Policy 1:** Commissioner Hall believes that this goal requires the City 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. He noted concerns raised by the public about the high water table that exists in the area. He noted that when the water

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table is very high, a developer's options are very limited because they can't get infiltration on site.

- **Comprehensive Plan Land Use Policy 139:** Commissioner Hall reviewed that this policy calls for restricting the water runoff rate and restoring water quality to predevelopment levels for all new development and redevelopment. Because of the high water table in this area, allowing 80% of the site to be developed as impervious surface would make it very difficult to meet the requirement of this policy.
- **Community Design Goal 1:** The Commission noted that this goal encourages the promotion of community development and redevelopment that is carefully considered, aesthetically pleasing, functional, and consistent with the City's vision. The Commissioners suggested that they would be more likely to support upzoning the subject property if it were done in the context of a subarea plan that was carefully considered to balance the neighborhood goals.
- **Community Design Goals 2 and 4:** These goals talk about ensuring that development proposals contribute to the community and compliment adjacent development. In the past, the Commission has looked unfavorably at rezone proposals that propose significantly greater density than that permitted by the zoning of any of the adjacent parcels. Though there is a scattering of R-18 and R-24 zones in the vicinity, rezoning the subject property to R-24 would make it a higher density than any of the immediately adjacent parcels, including those across the street. The Commission was not convinced this would complement the adjacent development.

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

4. 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-24 zone protect against uses that would be contrary to the public health, safety or general welfare. New development requires improvements to access and circulation through curb and gutters, sidewalks and street frontage landscaping. Allowing this rezone and new development in general improves public health, safety and general welfare.

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

5. Both R-12 (current zoning) and R-24 (proposed zoning) zoning maintains consistency with the Comprehensive Plan.

The area in question (145th to the south, Bothell Way to the east, 30th Ave NE to the west and NE 149th to the north) has seen significant development interest in the last few years. **Attachment 3** shows parcels that have been involved in pre-application meetings with staff, are new developments or have recently been rezoned to a higher density.

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This area, as described above, is an area envisioned to transition from commercial zoning along Bothell Way to lower densities as you approach 30th Ave NE to the west.

The Commission concludes that a rezone is not warranted in order to achieve consistency with the Comprehensive Plan because both the existing R12 and the proposed R-24 zoning would be consistent with the Comprehensive Plan... There is no preference in the Comprehensive Plan for preserving one zoning designation over another.

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

6. The Planning Commission believes the rezone will be materially detrimental to uses or property in the immediate vicinity for the following reason:

Commissioner Broili expressed his concern that the City doesn't have a clear idea of the existing drainage conditions and what facilities are available. The existing zoning allows up to 75% impervious surface, and the proposed R-24 zone would allow 85%. He expressed his belief that it would be inappropriate to allow more impervious surface without addressing the drainage issues in a more comprehensive fashion.

Will the rezone have merit and value for the community?

7. The Planning Commission believes the rezone will not have merit and value for the community based on the following reasons:

The City should adopt a "vision" for the area and stop "piecemeal zoning" of the area; a comprehensive drainage plan for the Briarcrest Neighborhood should be addressed before more density can be built; a traffic analysis should be performed around the area of the rezone to address cut-through traffic; Small houses and seemingly affordable housing will be demolished for new development.

RECOMMENDATION

The Planning Commission recommends that the City Council deny a rezone of one parcel at 14727 32nd Ave NE to R-24.

Date: 1 NOVEMBER 2007

By: 

Planning Commission Chair

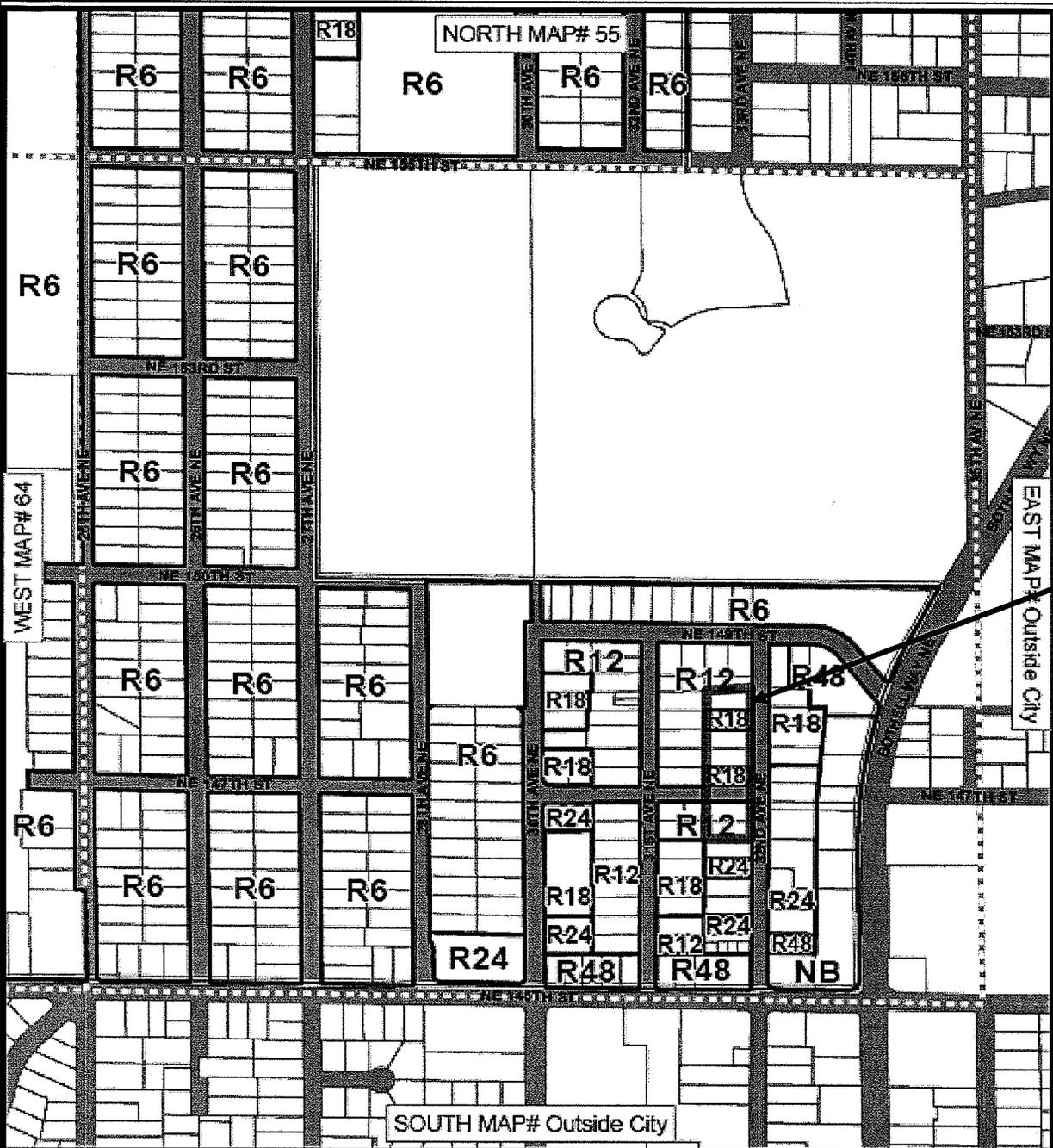
ATTACHMENTS

Attachment 1- Comprehensive Plan Map

Attachment 2- Zoning Map

Attachment 3- Recent Development Map

Attachment 4- Public Comment



SITE

Plot Date: 6/4/2007

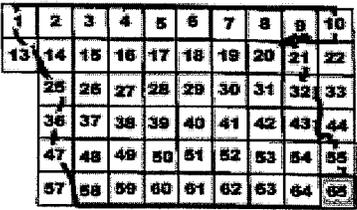
CITY OF SHORELINE ZONING MAP

Zoning Legend

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

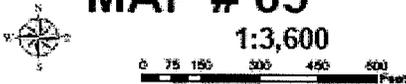
Feature Legend

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



MAP # 65

1:3,600



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.



SE1/4-S16-T26N-R4 E

Item 7.1 - Attachment 4

Dear Mr. Szafran,

I wanted to write you to express my concerns about the proposed rezoning of 32nd Avenue (proposal #201677). We purchased our home in Briarcrest over 4 years ago specifically because we wanted a neighborhood that wasn't congested with townhomes crammed onto a lot that previously occupied a single home. We moved away from Greenwood, in Seattle, to get away from just this type of development. In our experience, townhomes do NOT add to the quality of life in a neighborhood. In Greenwood, we saw crime go up, and congestion increase as more and more single family, detached homes on a single lot were torn down to make way for townhomes and condos.

Those of us who have recently purchased homes (within the last 5 years) in Briarcrest intend to stay here for the long haul. We do NOT want our neighborhood made into a random patchwork of tall, close to zero lot line attached "family homes." Many of us chose to buy homes and live here because of the character of the neighborhood--single family detached homes/1 per lot. There is nothing more frustrating than going out into your backyard, only to have a wall of townhome windows staring down onto you. The loss of privacy that tall townhomes would bring is not something I would welcome in Briarcrest.

I am very concerned that this type of rezoning will greatly diminish the quality of our neighborhood by bringing increased congestion. We love the quiet in Briarcrest. Adding 4 attached homes per lot will only increase the number of cars, traffic and people throughout our neighborhood. There are 3 schools in our area, and many children who walk to/from school. We already have traffic congestion issues without adding more people and cars to the area. I recognize the concern of some neighbors who feel that crime is already an issue, and therefore, they believe that this type of development could bring more homeowners to the area, and in their minds, less crime. Yet, I do not agree that this proposed rezoning and development would decrease crime. Townhomes and condos can be rented out just as easily as a single family (detached) home--this isn't the solution for mitigating crime!

Instead, why not continue to work on a traffic flow plan with the neighbors and city? Why can't we partner with the police to create a more active police and community presence along 32nd Ave? Again, if our experience in Greenwood is any indication, building townhomes isn't going to make crime or congestion go away! In our experience, it made both worse! I do not want Briarcrest to become the "townhome/condo capital" of Shoreline. This frustrates me, as I doubt this type of rezoning would be proposed in the area of single family, detached homes in Richmond Beach. We moved here specifically because we are close to the Burke Gilman trail, close to schools, close to 522 and I-5 for commuting purposes, close to Third Place and a short drive to Central Market. We love the fact that our neighborhood is dominated by owner occupied detached single family homes, with a range of ages, and tenure in the area from 50+ years to less than 1 year. We love the fact that we have a quiet, friendly, and fairly uncongested neighborhood. The benefits purported by some neighbors and the developers who back this project are, in my opinion, falsehoods, and in reality, would take away from the quiet area we enjoy.

I appreciate you taking the time to review my concerns, and I hope to attend the November 15th Planning Commission meeting. If you have further information about this proposal, I would appreciate receiving (either in print or electronic form) a copy of the proposal and any other supporting documentation about the proposed project.

Thank you again!

Sincerely,

Jennifer Gallison
Home Owner
Briarcrest Neighborhood
Shoreline, WA

Item 7.1 - Attachment 4

Hello Steve,

I need to know what specific addresses are being discussed on this proposal #201677. I live on 32nd Ave NE and want to comment.

Can you please send me the proposal document and list the specific addresses being discussed?

Thanks,
David Antieau
Resident on 32nd Ave NE

E-mail: dantieau@korry.com