

**CITY OF SHORELINE
PLANNING COMMISSION**

PRELIMINARY FINDINGS, CONCLUSIONS AND RECOMMENDATION

PROJECT INFORMATION SUMMARY

Project Description: Change the zoning of five parcels from R-8 to R-48 for future development.

Project File Number: 201699

Project Address: 16520, 16522, 16526, 16532, and 16538 Linden Avenue North, Shoreline, WA 98133

Property Owner: Mike Matulovich (authorized agent).

SEPA Threshold: Determination of Non-Significance (DNS)

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

Date of Public Hearing: March 6, 2008

INTRODUCTION

The owners of the five parcels are requesting the zoning be changed on five separate parcels from R-8 to R-48. The rezone will facilitate the development of additional residential units as well as to provide a more suitable transition between commercial businesses to the east and low-density single family homes to the west. The subject parcels in question are located adjacent (share a property line) to businesses that front on Aurora Avenue (Mann's Welding, Central Trailer Exchange, Uhaul) and are zoned Regional Business.

Staff has reviewed the application and recommends a rezone to R-24 which is a less intense zoning designation than the one proposed by the applicant.

FINDINGS OF FACT

Current Development

1. The subject parcels are located at 16520, 16522, 16526, 16532, and 16538 Linden Avenue North.
2. The individual parcels range in size from 7,481 to 13,860 and have a total land area of the rezone is 53,020 square feet. The parcels are developed with a 4 single-family homes and one duplex. All of the parcels are zoned R-8. All of the subject parcels have a Comprehensive Plan Land Use designation of Mixed Use ("MU"). See **Attachment 1** for surrounding Comprehensive Plan designations and **Attachment 2** for surrounding zoning designations.

3. If the request is approved, the combined development potential of the 5 sites is 58 units dwelling units (R-48 zoning).
4. There are no existing sidewalks along Linden Avenue North 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-8 to R-48.
6. A pre-application meeting was held with the applicant and City staff on August 7, 2007, the applicant held the requisite neighborhood meeting on August 27, 2007, and a Public Notice of Application was posted at the site.
7. Comments received at the neighborhood meeting included the following topics (**Attachment 4**):
 - Traffic
 - Property values and taxes
 - Spill-over parking
 - Apartments and neighborhood character
 - Landscaping
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 December 19, 2007 for the Notice of Application. 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 January 30, 2008. Public comment letters can be found in **Attachment 3**.
9. The Planning Department issued a SEPA Determination of Non-Significance and notice of public hearing on the proposal on January 30, 2008. The DNS was not appealed.
10. An open record public hearing was held by the Planning Commission for the City of Shoreline on March 6, 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. All of the surrounding parcels to the north, south and east have a Comprehensive Plan Land Use designation of Mixed Use. (See Attachment 2). Parcels to the west, across Linden Ave N, have a land use designation of Low Density Residential and Public Open Space.
13. 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.
14. The Comprehensive Plan describes Low Density Residential as “areas currently developed with predominately single family detached dwellings”.

Current Zoning

15. The subject parcels are currently zoned R-8. The subject parcels are developed with 4 single-family homes and one duplex. Most of the units are renter-occupied. Parcels to the north are zoned R-8 and R-18 and developed with three single-family homes and two fourplex's. Parcels to the south are zoned R-12 and R-18 and developed with townhomes. To the east are parcels zoned RB and developed with a variety of commercial uses. Parcels on the west side of Linden Ave N are predominately developed with single family homes zoned R-6 with a public park (Richmond Highlands park) zoned R-6 as well.
16. The purpose of R-8 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.”
17. The purpose of R-24 and R-48 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

18. 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.

19. 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-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

20. The following table outlines the development standards for the current zoning (R-8), the staff recommended zoning (R-24), and the most intense zoning allowed under the Comprehensive Plan (R-48):

	R-8 (Current)	R-24	R-48
Front Yard Setback	10'	10'	10'
Side Yard Setback	5'	5'	5'
Rear Yard Setback	5'	5'	5'
Building Coverage	55%	70%	70%
Max. Impervious Surface	75%	85%	90%
Height	35'	35'(40' with pitched roof)	35'(40' with pitched roof)
Density (residential development)	8 du/ac	24 du/ac	48 du/ac
Maximum # of units	10	29	58

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.

Staff reviewed the rezone criteria and recommends that a higher density zoning designation is warranted. In its review, staff concluded that an R-24 zoning designation is more appropriate for the subject properties than an R-48 zone. Staff’s analysis is reflected below:

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.
- LU14 – The Mixed Use designation creates a transition between high intensity uses (commercial) to lower intensity residential uses.

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 – These 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-48 (proposed) rezone proposal is consistent with all of the above Comprehensive Plan Land Use Element Goals and Policies because more intense residential zoning is consistent with the Mixed Use designation and would act as a transition between commercial and lower density residential uses.

However, an R-24 zone (staff recommendation) would allow greater development intensity than the current zoning and be more compatible with the already constructed condo/townhome developments to the south and northwest. The current R-8 zoning category is consistent with the Mixed Use designation; however, the existing detached single-family homes on these sites are not as appropriate a transition to the intense commercial businesses fronting on Aurora Avenue as a multifamily development would be.

R-24 provides a better transition between commercial uses to the east and low-density single-family residential to the west across Linden Ave than does R-8. This section of Linden Avenue, between N 165th and N 170th, is classified as a local street and should reflect densities that are appropriate for these types of street sections.

The difference in unit count between R-48 and R-24 is substantial. 58 units are allowed in the R-48 zone and 29 units are allowed in the R-24 zoning category. Since the development standards for R24 and R-48 are similar, the major impact will be the additional traffic generated by the units (see response to criteria 4).

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, transportation and community design/transition goals of the Comprehensive Plan.

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. A rezone to R-24 (staff recommendation), will result in an effective transition from commercial uses on Aurora Ave to high density residential uses to low density residential.
5. 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.

In addition, the City has plans for drainage upgrades in front of the applicants' property. By improving the way surface water moves in and around these sites, existing drainage problems in the area will be solved.

REZONE CRITERIA 3: Is the rezone warranted in order to achieve consistency with the Comprehensive Plan?

6. R-8 (current), R-24 (recommended), and R-48 (proposed) zoning maintains consistency with the Mixed Use designation in the Comprehensive Plan. However, as staff reviews the Plan's policies for additional direction, we conclude that the Comprehensive Plan envisions a transition from high intensity commercial zoning along Aurora Ave to lower densities as you transition to the west. The proposal for R-24 meets this long term vision for the area as higher residential densities are expected within this transitioning area and are appropriate between commercial uses and low-density homes.

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

After reviewing the information submitted by the applicant, staff concludes that the proposed rezone will not have a negative impact to the existing single-family properties in terms of traffic or drainage.

7. The applicant submitted a traffic report (**Attachment 5**) evaluating an additional 58 units. Approximately 25 new p.m. peak hour trips would be added with an additional 293 daily trips added. These numbers are based on an R-48 zoning. Staff is recommending an R-24 zoning so potential car trips will be less than the traffic report mentioned.
8. The City is planning on making drainage improvements to Linden Ave N. between N 165th and N 167th. These improvements will correct drainage problems that have occurred in the past.
9. Under the current codes, townhomes as well as single-family homes may be 35 feet in height (40 feet with pitched roofs in the R-24 zone). This rezone could potentially add 53 additional units (5 units exist now, current zoning will allow 10 units; an R-24 would add 24 units and the requested R-48 rezone would permit up to 58 units).
10. An increase in additional units envisioned by an R-24 zoning designation is not detrimental to the property in the vicinity because appropriate infrastructure is or will be in place, the zoning will provide a reasonable transition between commercial and existing low density residential uses, and new development will provide amenities such as curb, gutter, and sidewalk improvements.

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

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

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

- By rezoning 5 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 –drainage issues will be corrected by City improvement project and traffic impacts can be handled by the existing infrastructure.
- This rezone will encourage redevelopment of the area in accordance with the existing Comprehensive Plan designation of MU.
- Appropriate transition requirements, specifically density, are being employed to address proximity to intense commercial uses and transitions from multi-family uses to low-density single-family uses to the west.

RECOMMENDATION

The Planning Commission recommends that the City Council approve a rezone of 5 parcels at 16520, 16522, 16526, 16532, and 16538 Linden Avenue North, Shoreline, WA 98133 from R-8 to R-24.

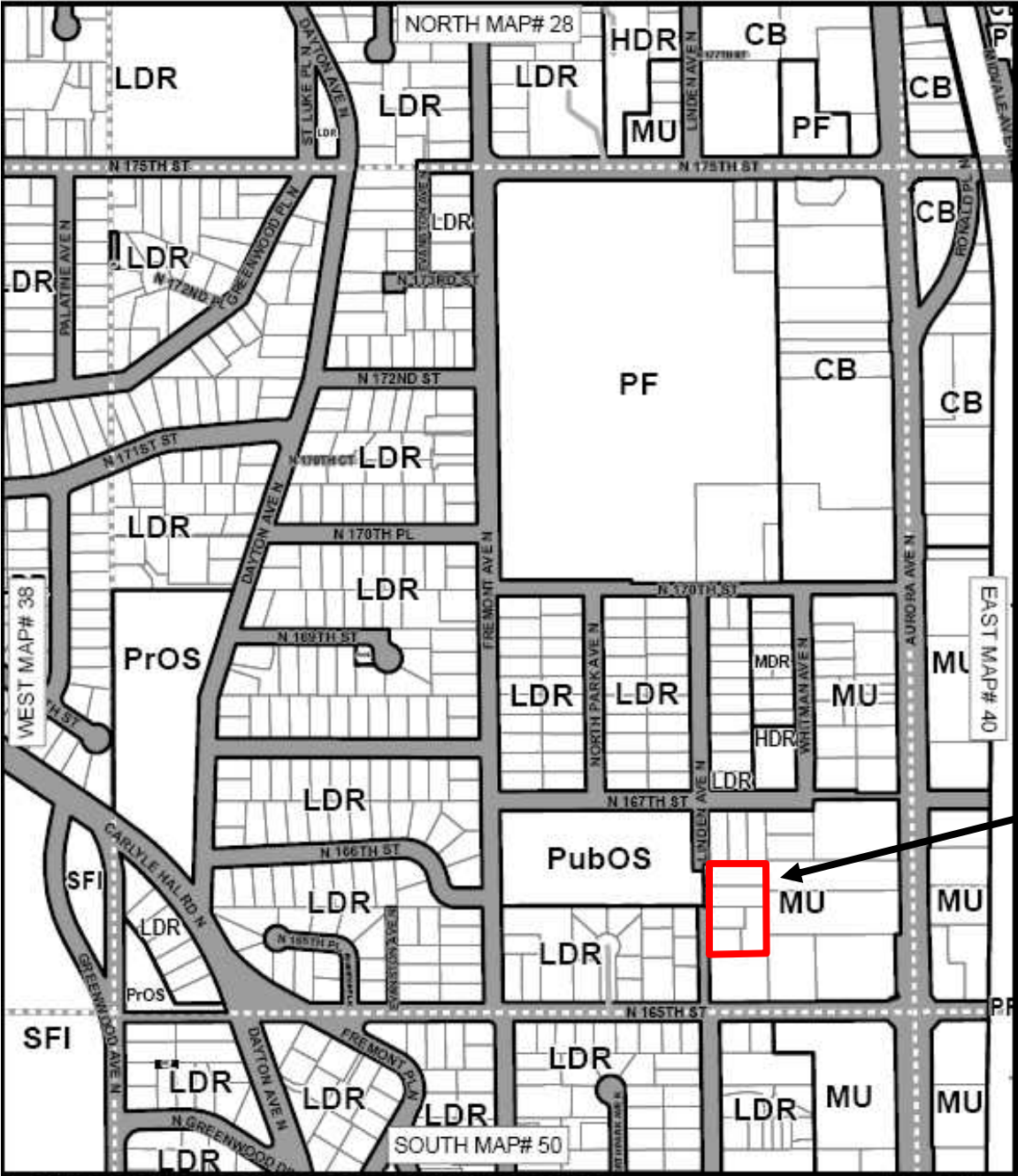
Date: _____

By: _____
Planning Commission Chair

ATTACHMENTS

- Attachment 1 - Comprehensive Plan Map
- Attachment 2 - Zoning Map
- Attachment 3 - Public Comment Letter
- Attachment 4 – Neighborhood Meeting Notes
- Attachment 5 – Traffic Study

Item 7.1 - Attachment 1 Comprehensive Plan Map



Site

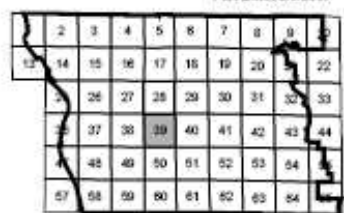
CITY OF SHORELINE COMPREHENSIVE PLAN LAND USE MAP

Land Use Designation Legend

- | | | | |
|-------|-------------------------------|-------|------------------------------|
| BaSSA | Ballinger 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 | | - Unclassified ROW |
| | - City Boundary | | - Parcel Line |



MAP # 39 1:3,600

0 75 150 300 450 600 Feet

SW1/4-S7-T26N-R4 E

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.



**Item 7.1 - Attachment 4
Neighborhood Meeting Notes**

JOE FARRIS	16739 Linden Ave N. ✓
DAVE JACKSON	16723 WHITMAN AVE N. ✓
B. J. Covey	16731 Whitman Ave N ✓
Paullette Coulter	16720 LINDEN AVE N ✓
Tack Noble	746 N 165th St ✓
Jerry Meluhut	16751 Linden Ave. N. ✓
Candy Homel	16723 Whitman Ave N. ✓
Almond	16715 Linden Ave N. ✓
Anna Guerrero	16710 Linden Ave N ✓

Item 7.1 - Attachment 4
Neighborhood Meeting Notes

Traffic - will there be too much,
For area? - We will
be having a traffic impact
Study done

Property values - will property values
go down? Improvements
to area should improve
value

Parking - where will all these people
park? the city has guidelines
for parking with new construction

Landscaping - low building requirements.
we don't have a building
plan right now, but we
aren't looking to be a
negative eye sore on the
neighborhood

Apartments? - Low income housing?
Crime? Drugs? Property values?

No one wants Apartments
with crime and Drugs or
Property values to go down.
We have no building plan
now but that would be something
no one would want including
us.

**Item 7.1 - Attachment 4
Neighborhood Meeting Notes**

Taxes Going up? - Property taxes
Would be payed by
the new residence of
the proposed property,
which would generate
new revenue and possibly
level load property taxes

other Zoning in area - People were shown a map
of other Zoning in area.

Neighborhood

- how will this change
our family orientated
neighborhood? We all either
grew up ~~of~~ have been long
time residence of this area.
We know what a great family
place it is and would not
want to change that.

**Item 7.1 - Attachment 3
Public Comment Letter**

Steve Szafran

From: annaguerrero@comcast.net
Sent: Wednesday, January 09, 2008 2:45 PM
To: Steve Szafran
Cc: annaguerrero@comcast.net; guerrero.m@comcast.net
Subject: Linden Avenue Zone Change

Dear Mr Szafran,

I would like to send my official comment in for the proposed zone change from R-8 to R-48 application # 201699. My name is Anna Guerrero and I am located at 16710 Linden Ave North and I was at the proposal meeting we had in September.

I am EXTREMELY concerned for this amount of increase in zoning that would allow such a large number of units and traffic here in our neighborhood but specifically on our street. I understand that none of the applicants do live or have ever lived on this street and they cannot imagine the impact that our street has from the park and all of the activities there (baseball, little league, and soccer from the community, baseball school and the high school). We also have on our block a five block road that leads straight to the high school parking lot and is zooming with high schoolers before school, during lunch and after school. I am constantly calling the school to complain about the speed and amount of people that are just walking up and down the street everyday not even moving to the side for me to drive through. I cannot imagine adding 48 residences to the mess the street already is.

I am also concerned for the impact this will have on my property value as the people that do not live here and are not suffering the consequences line their pockets with money that just melted from my house value. I do not believe that I live in a neighborhood that has the highest housing prices in Shoreline but I do believe that it is mainly a single family residence neighborhood and attracts people that are looking for that sort of an environment. How am I to be compensated when my house value falls because of their gain? Lower taxes? I doubt it. And how am I to know that they will not be bought out by a large developer and the whole thing will be amass down the street with no appeal. I have no guarantee and that is frustrating as a home owner that has worked so hard to make something out of my house with upgrades that I may never get my money back on.

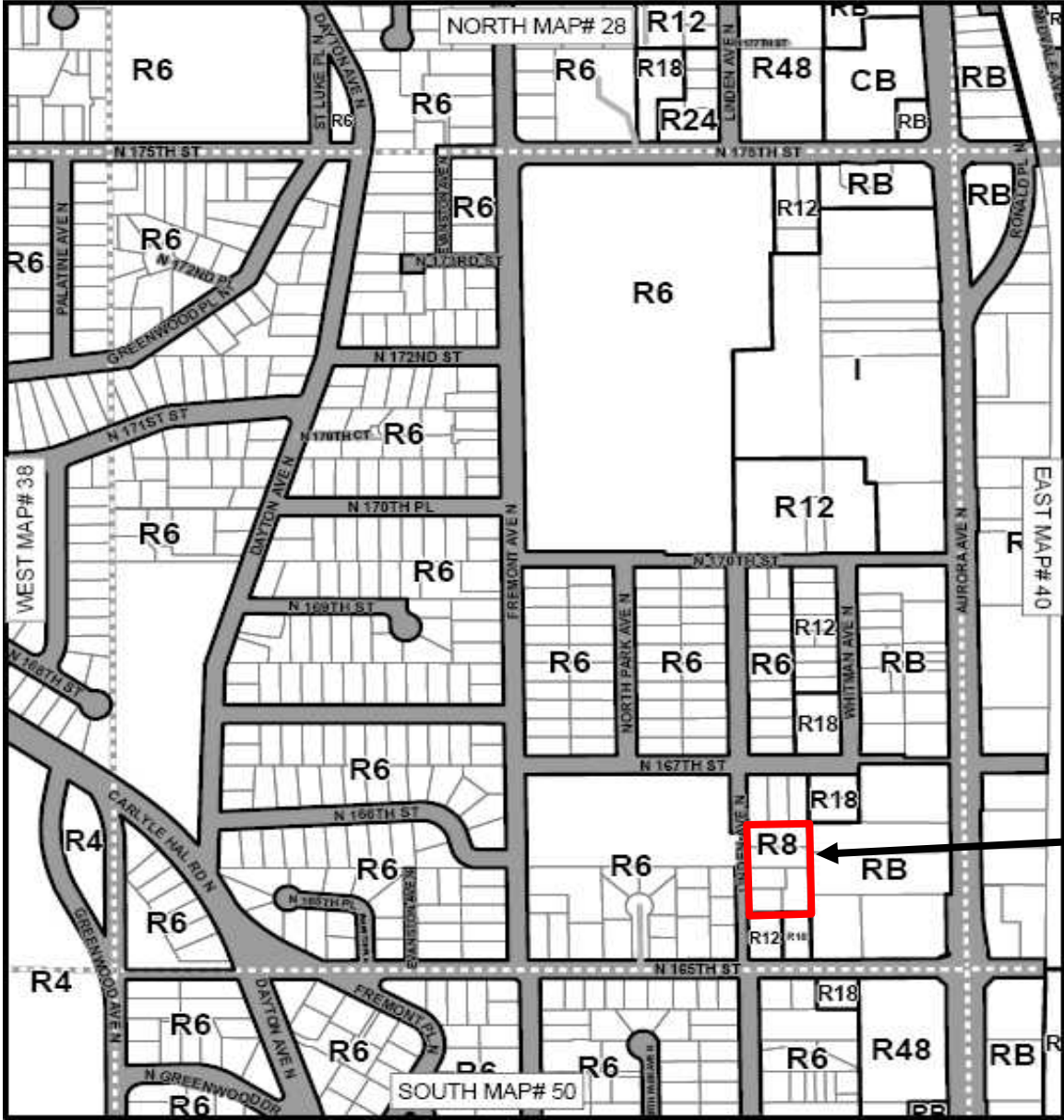
My third and final thought is that I have two small children that I would like to raise in a safe neighborhood. This past year our block worked night and day to have a home owner that had moved in and was selling drugs and prostitutes removed by the city. We called 911 daily, multiple times a day, so much that the operators knew the house # as soon as we said Linden. We have worked so hard to have this be a family friendly neighborhood despite the above mentioned traffic and to see that washed away by persons that do not live here and cannot understand what we just fought through is heartbreaking. Our street is now safe for our children and neighbors come out and talk to each other as single family residence neighborhoods do. To add 48 residences, traffic, maybe they are all rentals and have no investment into their property, maybe they are even drug dealers again, is just disappointing and unfair to us, the residents that have been here for years.

Thank you for your time in reading my comments and I hope this will help curb your decision in changing this zoning. I will certainly be at the hearing and will hope to hear that the answer after hearing our neighborhood speak is a definite NO to zone R48. I would also be happy to give my verbal opinion at the hearing if it would help to sway the council or they are looking for that sort of report.

Sincerely,

Anna Guerrero
16710 Linden Ave N
Shoreline, WA 98133

Item 7.1 - Attachment 2 Zoning Map



Site

CITY OF SHORELINE ZONING MAP

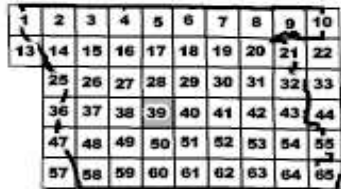
Plot Date: 5/4/2007

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 | - Unclassified ROW |
| - City Boundary | - Parcel Line |



MAP # 39

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.



SW1/4-S7-T26N-R4 E



Transportation Engineering NorthWest, LLC

Memorandum

DATE: November 28, 2007
TO: Robert Koo, Owner
FROM: Michael J. Read, P.E.
Transportation Engineering Northwest, LLC
RE: Linden Avenue N Rezone of Existing Residential Properties – Traffic Analysis

This memorandum outlines a preliminary traffic analysis of the potential rezone of five existing residential properties from R-8 to R-48 along Linden Avenue N north of N 165th Street in Shoreline, WA. The analysis was performed to address typical weekday daily impacts to existing streets serving the site, namely Linden Avenue N, N 170th Street, and N 165th Street in the immediate vicinity.

In general, the residential properties are located in a vicinity west of the Aurora Avenue N corridor that was recently enhanced to provide a continuous boulevard treatment and access management control. In the vicinity are public park uses, Shoreline Community College, the Westminster Retail Center, and various commercial uses fronting Aurora Avenue N.

Existing Traffic Volumes

Recent daily traffic volumes collected by the City of Shoreline in 2006 were reviewed on streets that serve as access to these residential properties. As shown in **Attachment A**, existing average weekday daily traffic (AWDT) volumes range from approximately 700 AWDT on Linden Avenue to over 1,900 AWDT on N 170th Street east of the site.

Rezone Trip Generation Potential

Currently, there are 5 residential units located on the five residential properties under consideration for a rezone. Under the rezone request, up to 58 total residential units could be developed on the properties under R48 on the 1.21 acres. For the purposes of evaluating potential increases in trip generation from these properties, redeveloped residential uses were assumed as townhome/condominiums.

As shown in **Attachment B**, approximately 25 new p.m. peak hour trips and 293 daily trips would be generated by increased housing units that could be developed on the properties under R48 zoning. As the net increase in new trips distributed onto vicinity streets would represent an approximately 11 percent or less increase in existing traffic volumes (see **Attachment A**), no significant traffic impacts would result due to the proposed change in residential zoning.

If you have any questions, please do not hesitate to contact me at (206) 361-7333 ext. 101.

Attachment A
Comparison of Existing Traffic Counts with New Traffic
Generated by Potential Rezone

Attachment A

Shoreline Rezone TIA - 32nd Avenue NE

Location 1 - Linden Avenue N (south of N 170th Street)

Date	AWDT
2006	706
% Trip Distribution	30%
Project Increase	88
% Increase in AWDT	11%

Location 2 - Linden Avenue N (south of N 165th Street)

Date	AWDT
2006	1,635
% Trip Distribution	15%
Project Increase	44
% Increase in AWDT	3%

Location 3 - N 165th Street (west of Aurora Avenue - SR 99)

Date	AWDT
2006	1,578
% Trip Distribution	50%
Project Increase	147
% Increase in AWDT	9%

Location 4 - N 170th Street (west of Aurora Avenue - SR 99)

Date	AWDT
2006	1,943
% Trip Distribution	15%
Project Increase	44
% Increase in AWDT	2%

Source: City of Shoreline 2006 AWDT Traffic County Program.

Attachment B
Trip Generation Potential of Rezone Request

Attachment B

Trip Generation Potential Linden Avenue N Rezone Request

Existing Uses

Existing	ITE Land Use Code	Units	PM Peak			Daily
			Enter	Exit	Trips	Trips
Single Family Homes	210	5	3	2	5	48
Totals		5	3	2	5	48

Proposed Uses (1.21 acres @ 48 du/acre)

Existing	ITE Land Use Code	Units	PM Peak			Daily
			Enter	Exit	Trips	Trips
Townhome/Condominium	230	58	19	11	30	341
Totals		58	19	11	30	341

Net Change in Trip Generation		25	293
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5 properties totaling:
1.21 acres