Commission Meeting Date: January 4th, 2007 Agenda Item: 7.i

PLANNING COMMISSION AGENDA ITEM

CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Type C Action: Rezone Application #201570 for two parcels

generally located at 18501 and 18511 Linden Ave N from R-48 (Residential 48 dwelling units/acre) and Office (O) to Regional

Business (RB).

DEPARTMENT: Planning and Development Services

PRESENTED BY: Steven Szafran, Planner II

I. PROPOSAL

The applicant, James Alan Salon, applied for a rezone to modify the existing zoning category for a 6,648 square foot parcel zoned R-48 and a 7,079 square foot parcel zoned Office located at 18511 and 18501 Linden Ave N. This application before the Planning Commission is a request to *change the zoning designation from R-48* (Residential - 48 dwelling units per acre) and Office (O) to RB (Regional Business). The applicant is not proposing any development plans at this time. A site plan showing the site configuration of the proposal (existing site conditions) is included as **Attachment 1**. A vicinity map showing existing zoning for the project site and adjacent properties is located in **Attachment 2**. The parcels have Comprehensive Plan Land Use designations of Community Business and Mixed Use. (**Attachment 3** illustrates the comprehensive plan land use designations of the surrounding vicinity).

Staff is proposing that the parcels be rezoned to Community Business (CB). Staff's rationale for its recommendation is presented in the Findings section. The applicant has verbally conveyed to staff that he is comfortable with staff's recommendation.

Under the Appearance of Fairness Doctrine, local land use decisions that are not of areawide 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.

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. The recommendation is then forwarded to City Council, which is the final decision making authority for Type C Actions.

II. FINDINGS

1. SITE

The subject sites are located on the northwest corner of N 185th Street and Linden Avenue North. As indicated previously the sites are zoned Office and R-48 and have a land use designation of Community Business and Mixed Use, respectively.

The corner parcel is developed with the James Alan Salon and the parcel directly north is developed with one single-family residence. Together, the parcels measure 13,727 square feet in area (approximately .3 acres). The sites are generally flat and there are two significant trees.

Access to the salon is from a commercial driveway off of N 185th Street and the single-family home is accessed from a residential driveway off of Linden Avenue N (**Attachment 1**). If the site is redeveloped, access will most likely be from N. 185th Street.

Parking requirements for the site are based on use. Currently the James Alan site has sufficient parking for the salon. When a development proposal is submitted to the City, parking will be calculated using the square footage of any new structures. The Shoreline Development Code specifies 1 parking space for every 300 square feet accessible to the public for office/commercial uses. Along with the required amount of parking, the applicant will have to provide parking lot landscaping as well.

A traffic study will be required if P.M. Peak Hour Trips exceed 20. Since no development proposal is being submitted at this time, a traffic study will not be required. When a proposal for development is submitted to the City, the structure will be evaluated for traffic impacts at that time.

2. NEIGHBORHOOD

The project site is located in the Hillwood Neighborhood. Access to the property is gained from N 185th Street, a street that is classified as a Minor Arterial and Linden Ave. N., a street that is classified as a local street.

Surrounding Zoning

The zoning of the parcels immediately north of the subject parcels are R-18 and developed with a public utility building, single-family homes and condominiums. To the west are parcels zoned R-12 and are in the process of developing with townhomes. To the south, across N 185th Street, is a fire station, offices zoned R-12, R-18 and Office and the Fred Meyer shopping center zoned RB. To the east, across Linden Avenue N is a mix of uses including retail, office and apartments zoned RB, Office and R-48.

Surrounding Comprehensive Plan Land Use Designations

Parcels to the north and east are all designated for Mixed Use. The Mixed Use land use designation includes R-8 through R-48 residential zoning and all commercial and

industrial zoning. Parcels to the west are designated Medium Density Residential and parcels to the south are designated Community Business which allows R-12 through R-48 and Office, Neighborhood Business, Community Business and Regional Business. The zoning classifications and Comprehensive Plan Land Use designations for the project sites and immediate vicinity are illustrated in **Attachments 2 and 3**.

3. TIMING AND AUTHORITY

The application process for this project began on June 19th, 2006, when a pre-application meeting was held with the applicant and City staff. The applicant held the requisite neighborhood meeting on July 31st, 2006. The application was determined complete on September 14th, 2006. A Public Notice of Application was posted at the site, advertisements were placed in the <u>Seattle Times</u> and <u>Shoreline Enterprise</u>, and notices were mailed to property owners within 500 feet of the site on September 21st, 2006. The Notice of Public Hearing and SEPA Determination was posted at the site, advertisements were placed in the <u>Seattle Times</u> and <u>Shoreline Enterprise</u>, and notices were mailed to property owners within 500 feet of the site on October 12th, 2006.

Comments were received at the neighborhood meeting and during the public comment period. The comments are included in **Attachment 4** and discussed as part of Criteria #4 (below).

Rezone applications shall be evaluated by the five criteria outlined in Section 20.30.320 (B) of the Shoreline Municipal Code (SMC). The City Council may approve an application for rezone of property if the five decision criteria are met.

5. CRITERIA

The following discussion addresses whether the proposal meets or does not meet the decision criteria listed in Section 20.30.320(B) of the SMC.

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

The Comprehensive Plan land use map identifies the subject parcels as *Community Business* and *Mixed Use*. One parcel is developed with one single family home and the other is developed with a salon. The salon is consistent with the *Community Business* land use designation in use though not in building intensity. The single-family home is not consistent with the goals and policies of the *Mixed Use* land use category.

The following are zoning category definitions for the Shoreline Development Code (20.40.040).

<u>Community Business:</u> The purpose of the community business zone (CB) is to provide the location for a wide variety of business activities, such as convenience and comparison retail, personal services for local services and to allow for apartments and higher intensity mixed use developments.

<u>Regional Business:</u> The purpose of the regional business (RB) and industrial (I) zones is to provide for the location of integrated complexes made up of business and office uses serving regional market areas with significant employment opportunities.

The MU (Mixed Use) designation has no uniquely equivalent zoning designation. Below is the Comprehensive Plan description of the MU district:

"The mixed use designation applies to a number of stable or developing areas and to the potential annexation area at Point Wells. This designation is intended to encourage the development of pedestrian oriented places, with architectural interest, that integrate a wide variety of retail, office, and service uses with residential uses."

Although the proposed Regional Business zoning is permitted by the *Community Business* and *Mixed Use* Comprehensive Plan land use designations, staff believes that it would result in greater development intensity and use than is appropriate in this area, an area of transition between the commercial area of Aurora and the residential neighborhoods to the west. Therefore staff is recommending CB (Community Business) zoning on both sites.

The following table summarizes the bulk requirements for the current zoning and the potential Regional Business zoning. (Note: The following standards apply to new construction.

Standard	RB(Applicant Proposed)	Office (Current)	R-48 (Current)	
Front Yard Setback	10' (0 if improved)	10' (0 if improved)	10' (0 if improved)	
Side Yard Setback	15'	10'	5'	
Rear Yard Setback	15'	10'	5'	
Building Coverage	N/A	N/A	70%	
Max Impervious Surface	90%	85%	90%	
Height	65'	35'(50' for mixed-use)	50'	
Density (residential development)	No Maximum	24 du/ac	48 du/ac	

The following table summarizes the bulk requirements for the requested RB zoning and the recommended alternative of Community Business.

Standard		RB (Proposed)	CB (Recommended)
Front	Yard	10' (0 if improved)	10' (O if improved)
Setback			
Side	Yard	15'	10'
Setback			
Rear	Yard	N/A	N/A
Setback			
Building		N/A	N/A
Coverage			
Max		90%	85%
Impervious	3		
Surface			
Height		65'	60'
Density		No Maximum	48 du/ac

Both the Regional Business and Community Business zoning designations may be appropriate for the site in order to achieve the following goals of the Comprehensive Plan, including:

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

Goal LU V: To assure that a mix of uses, such as services, office, retail, and residential, are allowed either in low intensity buildings placed side by side or within the same building in designated areas, on arterials, or within close walking distance of high frequency transit, serving a neighborhood commercial and residential function.

The proposed rezone will allow commercial, residential or a mix of both uses on the two subject parcels. The two parcels are located adjacent to N 185th Street, a Collector Arterial, and 600 feet east of the Aurora Corridor. One of the parcels currently offers services to the Shoreline community (James Alan Salon) while the other will most likely serve that purpose in the future.

The proposed zone change complies with both the Comprehensive Plan designations of Community Business and Mixed Use. Practically, there are minor differences between the requested Regional Business and Community Business zoning in terms of permitted uses, but the use differences are important. The Regional Business category permits more intense land uses such as Warehousing, Kennels, Construction Retail and Auto Rental and allows unlimited residential density.

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

The following table outlines the differences among the likely development possibilities in the following zoning categories:

	RB	СВ	NB	0	R-48
Floor	.5	.5	.4	.4	.4
Area					
Ratio					
Max	65 ft	60 ft	50 ft	50 ft	50 ft
Height					
Max	No Max	48	24	24	48
DU's/					
Acre					
Likely	41,818	34,848	22,303	22,303	22,303
Bldg Sq.					
Ftg					
Likely	6,970	6,970	5,576	5,576	0
Bldg					
footprint					
Total	35	15	8	8	15
Units					
Site	13,727	13,727	13,727	13,727	13,727
Area					
Likely	76	45	30	30	22
no. of					
parking					
stalls					

With Community Business zoning, the height and density of the subject parcels would more compatible with what currently exists in the neighborhood. The requested Regional Business zoning category could result in structures that are taller and bulkier, and do not fit as well with other buildings in the area, even after nearby properties are redeveloped. Development under Community Business zoning would be more harmonious with adjacent land uses.

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

Staff concludes that a rezone to Community Business will not adversely affect the public health, safety or general welfare of the surrounding neighborhood and community. The James Alan Salon has been part of this community for many years without any ill effects. The rezoning would allow the expansion of the use onto the parcel directly north of the salon. Since the parcels are currently zoned for business (O) and high-density residential (R-48), more intense development can occur on the subject parcels whether the rezone is approved or not.

This area has seen changes recently. Four townhomes have been approved directly to the west of the subject parcels (732 N. 185th). In addition, a demolition permit for a single-family home was approved in preparation for additional townhome units (742 N. 185th).

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

The sites' Comprehensive Plan land use designations are *Community Business* and *Mixed Use*. Consistent zoning designations for these land uses include R-8 through R-48 and all commercial zoning categories. The subject parcels are currently zoned Office and R-48. Right now, one site is developed with a single-family house at a density of 6.6 dwelling units an acre, which is underdeveloped under the R-48 zoning category. The other site is the James Alan Salon zoned for Office uses (retail and personal services are allowed under the Office zoning category). The application to change the zoning of the parcels to Regional Business was made for future expansion of the salon and potentially developing a mixed-use building in the future.

The current zoning in the immediate vicinity of the project includes R-6, R-12, R-18, Office and Regional Business. The uses in the area include single-family houses, townhomes/condos, a fire station, offices, a bank and shopping centers.

Staff has recommended that Community Business be the approved zoning. Linden Ave N is a dividing line between more intense commercial uses that front along Aurora Ave N and lower intensity commercial, single-family and multi-family uses that exist west of Linden Ave N. Staff's proposal of Community Business would allow a wide range of commercial uses and achieve approximately 15 new dwelling units if the property develops for multi-family uses.

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

At this time the proposed rezone appears to have minimal negative impacts to the properties in the immediate vicinity. The property owner plans to expand the existing salon onto the property to the north.

Concerns have been raised by adjacent neighbors concerning appropriateness of the commercial zoning, increased traffic and parking, and pedestrian safety. The following summary addresses each of these.

Appropriateness of Commercial Zoning

Staff received comments that this area, west of Linden Ave N, was not planned for commercial uses. Historically, this has been true, but the Comprehensive Plan has identified this area as being appropriate for mixed use development which permits a variety of uses—single-family and multifamily uses, offices, and retail businesses.

The City adopted the Comprehensive Plan and designated certain areas as areas where a mix of uses should occur. The subject parcel is in one of those areas. Commercial zoning is appropriate under the Mixed Use and Community Business land use designation. A Community Business zoning designation will result in new structures that will be compatible with existing densities, uses, and building heights.

Traffic/Parking

At this time, the applicant is proposing to rezone the parcels with no new changes to the site.

Currently the James Alan Salon has 9 parking spaces where 8 are required under the Shoreline Development Code. Depending on the uses of any new future structures, adequate parking requirements must be met.

Pedestrian Safety

There are existing sidewalks along N 185th Street adjacent to the applicant's property. No sidewalks exist along Linden Ave N. Development on one or both of the properties will require sidewalks be installed the length of the applicant's property along Linden Ave N. In addition to the sidewalks, there is a traffic signal with crosswalks at the intersection of Linden Ave N and N 185th Street.

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

The proposed rezone will allow a commercial use that has been located in Shoreline for a number of years expand to meet the changing needs of the community. A bigger building will employ more people, provide more services to the residents of Shoreline, provide adequate parking, and potentially add to the housing stock of the City.

This rezone provides an opportunity to accommodate more jobs and multi-family dwelling units in an area not immediately adjacent to existing single-family neighborhoods and in close proximity to services and transportation.

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

III. CONCLUSIONS

- 1. Consistency- The proposed reclassification for the subject properties is consistent with the Washington State Growth Management Act, the City of Shoreline Comprehensive Plan, and the City of Shoreline Development Code.
- **2. Compatibility-** The proposed and recommended zoning is consistent with existing and future land use patterns identified in the Comprehensive Plan.
- 3. Housing / Employment Targets- The current residential density of 6.6 dwelling units per acre on one of the sites indicates the site is underutilized per the density guidelines listed in the Comprehensive Plan for the Mixed Use land use designation. By changing the zoning to Community Business, the proposal can the City of Shoreline in meeting employment targets as well as housing targets established by King County to meet requirements of the Growth Management Act.
- **4. Environmental Review-** It has been determined that per WAC 197.11.600 (2) the SEPA obligations for analyzing impacts of the proposed rezone are fulfilled by previous environmental documents on file with the City. The FEIS prepared for the

- City of Shoreline's Comprehensive Plan, dated November 9, 1998, and is incorporated by reference to satisfy the procedural requirements of SEPA.
- **5. Infrastructure Availability-** There appears to be adequate infrastructure improvements available in the project vicinity. This includes adequate storm, water, and sewer capacity for the future development.

IV. PROPOSED PLANNING COMMISSION FINDINGS AND DETERMINATIONS

Summary-

Following the public hearing and deliberation on the request to change the zoning designation of two parcels totaling 13,727 square feet at 18501 and 18511 Linden Ave N, the City of Shoreline Planning Commission has determined that the request is in compliance with City codes and not detrimental to the health, safety, or welfare of the City of Shoreline, and therefore recommends approval of such action.

I. FINDINGS OF FACT

Project Description-

- 1.1 Rezone the subject parcels from Office (O) and R-48 (Residential 48 units per acre) to Community Business on 18501 and 18511 Linden Ave n for future development opportunities.
- 1.2 Site Address: 18501 and 18511 Linden Avenue N.
- 1.3 Parcel Number: 7283900302 and 7283900303
- 1.4 Zoning: Office and R-48
- 1.5 The property at 18501 Linden Ave N has a land use designation of Community Business and the property at 18511 Linden Ave N has a land use designation of Mixed Use identified on the City of Shoreline's Comprehensive Plan Land Use Map. Community Business zoning is consistent with the Community Business and Mixed Use land use designations.

Procedural History-

- 2.1 Public hearing held by the Planning Commission: January 4th, 2007
- 2.2 Notice of Public Hearing and SEPA Determination of Nonsignificance: October 12th, 2006
- 2.3 End of 14 day Public Comment Period: October 5th, 2006
- 2.4 Notice of Application with Optional DNS: September 21st, 2006
- 2.5 Complete Application Date: September 21st, 2006
- 2.6 Application Date: August 31st, 2006
- 2.7 Neighborhood meeting Date: July 31st, 2006

Public Comment-

The following individuals participated in Neighborhood Meetings:

Four people attended the required Neighborhood Meeting. General comments included wanting to see more redevelopment and mixed-use buildings and wanting more condos in the area.

Written Comments have been received from:

Two letters were received in response to the standard notice procedures for this application and included concerns about ample customer parking, traffic, pedestrian safety, commercial zoning on the west side of Linden and commercial uses in a residential area.

SEPA Determination-

The optional DNS process for local project review, as specified in WAC 197-11-355, was used. City staff determined that the proposal will not have a probable significant adverse impact on the environment and that an environmental impact statement is not required under RCW 43.21C.030 (2) (c). A notice of determination of non-significance was issued on October 12th, 2006.

Consistency -

Site Rezone:

The application has been evaluated and found to be consistent with the five criteria listed in Shoreline Municipal Code Section 20.30.320 (B).

A recommendation to approve the Rezone does not constitute approval for any development proposal. Applicable permits shall be obtained prior to construction. Permit applications shall show compliance with the 1998 King County Storm Water Design Manual and Title 20 of the Shoreline Municipal Code (SMC). Applicable sections of the SMC include but are not limited to the following: Dimensional and Density Standards 20.50.010, Tree Conservation 20.50.290, Surface and Stormwater Management 20.60.060, and Streets and Access 20.60.140 and any conditions of the Rezone.

V. 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.

The Planning Commission has the following options for the application:

- Adopt staff's recommendation to rezone the 18501 and 18511 Linden Avenue N
 (parcel numbers 7283900303 and 7283900303) from Office and R-48 to
 Community Business based on findings presented in this staff report.
- 2. Adopt the applicant's proposal to rezone the sites from Office and R-48 to Regional Business based on specific findings of the Planning Commission,
- 3. Recommend denial of the rezone application. The existing Office and R-48 zoning remains based on specific findings made by the Planning Commission.

VI. PRELIMINARY STAFF RECOMMENDATION

Staff recommends that the Planning Commission move to recommend to the City Council that Community Business zoning be adopted for the properties located at 18501 and 18511 Linden Ave N. (parcel numbers 7283900303 and 7283900303). 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.

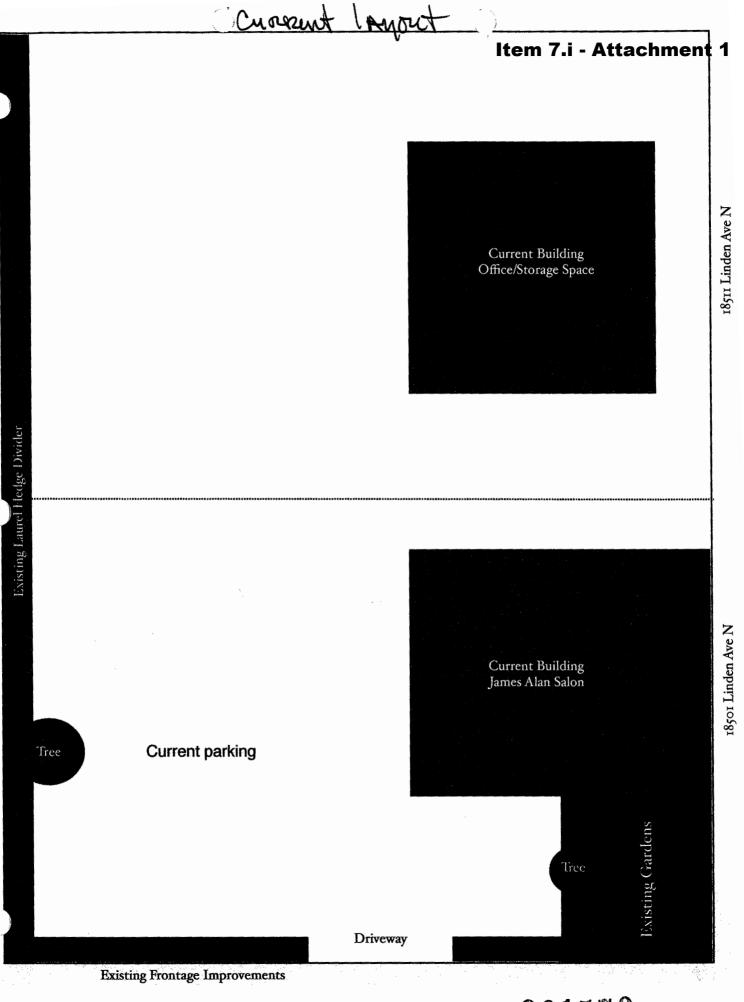
VII. ATTACHMENTS

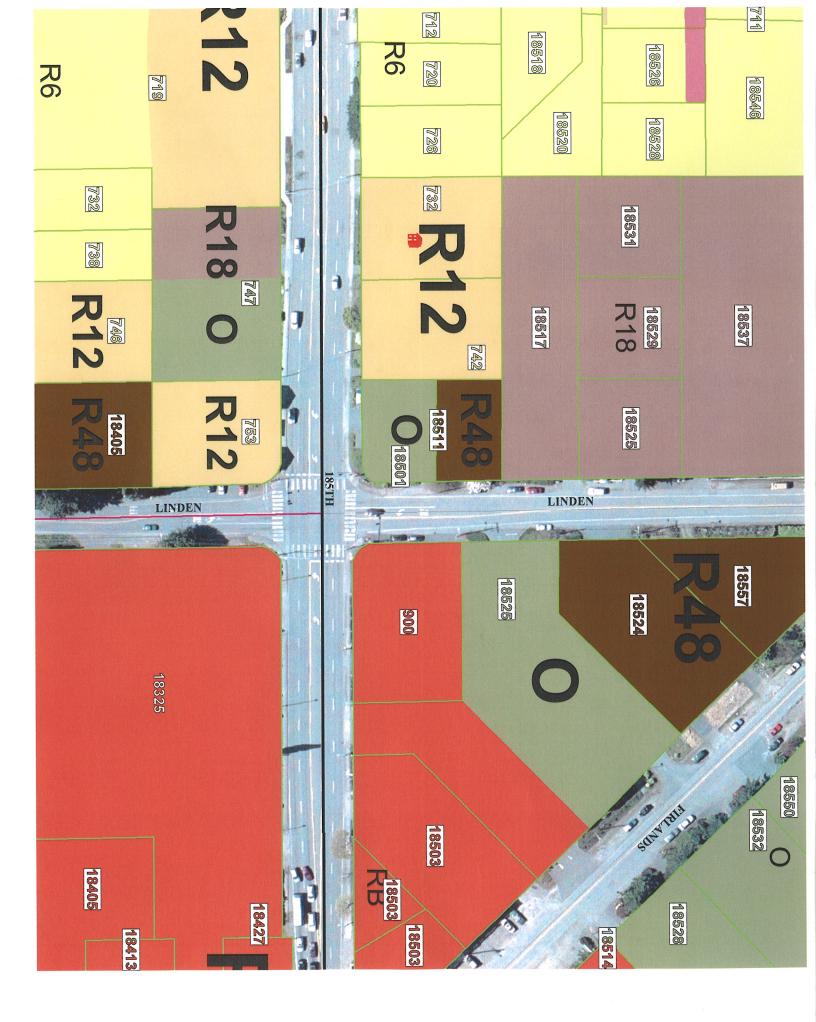
Attachment 1: Existing Condition Site Plan

Attachment 2: Vicinity Map with Zoning Designations

Attachment 3: Vicinity Map with Comprehensive Plan Designations

Attachment 4: Public Comment Letters







			\$ 30				
Comments	LIKE TO SEE SUME MULTI-USE SO IT CAN 1-157 THE CONDO S	Mi matthem!	We like the concept of issuatinden improving the correct of 185th 2 indensity whe would like to see property regards	I LIKE THE REZONE PLAN.			
Acdi	638 NW 181 COURT	638 NW 181 COUNT hi matthem	1832 N 190 th shoretine 44 98133	1832 NU90 M SHOKELING WH 98133			
Name	CHRSTOPHER JOHNS	Cage Johns	Jeanne Monger	LARRY MONGER			

Mr. Steven: Szafran

Vanning and Development Services

17544 Midvale Augunul N.

Mashington, 98133-4921

Mashington, 98133-4921

Dear Sirs:

Project warmber # 201570 has secured concerns for one who lives around the corner from 1850, and 18511 Linden aue. N.:

1. Traffic: the new rezone promises helivy increases around this (small) corner of automobile traffic 2. Parking: will the new commercial businesses have adequate parking? Currently there is only on street parking which heavily impacts homeowners and the Jukela appart ments already.



Item 7.i - Attachment 4

October 3, 2006

Planning and Development Services 17544 Midvale Avenue N. Shoreline, WA 98133

Dear Steven Szafran and Planning Department:

The rezone application #201570 should not be granted by your department. The Shoreline Comprehensive plan will be adversely effected by this proposed rezone. The comp. plan has clear borders for the classification of "regional business". The west side of Linden Avenue was never intended to be rezoned into this category as I understand the intent of RB zoning described in the comp. plan. Residential properties face Linden Avenue on the west side. New residences have been constructed on 182nd just west of Linden Avenue. Linden is the clear dividing line between residential and regional business uses such as Fred Meyer. The dental office on 182nd is zoned for that location due to the contamination from the auto maintenance and fuel business that was located on that site historically. It is my understanding that residential property use was not appropriate on that site due to long term contamination of the soil. On the west side of Linden Avenue the phone utility station now belonging to Verizon has been the only commercial historic use besides the more recent hair salon office on 185th. By observation alone city planners will see that the primary property use on the west side of Linden Avenue from 175th to 188th is residential.

As I understand it a form of staged zoning west of Aurora would direct future development. To my recollection the Comprehensive Plan has not been amended to change this light about direction. The current designation (R48) at the proposed project location follows the step down zoning plan. Other apartments exist on the west side of Linden. The two locations laborated appear to be too small for the concept of regional business. The current have man office use is barely appropriate because employees' parking blocks pedestrian access to pauce street business cannot provide adequate parking how does the city believe that adequate parking will be available at the zoning of regional business?

Linden Avenue is not designated an arterial so the 18511 Linden property should not be accepted as part of this proposal. Regional business is located on arterials everywhere else in Shoreline. With Aurora designated as the arterial there is no need to change the designation of Linden Avenue that ends at 175th to an arterial. The street is already stressed with cut through traffic avoiding Aurora and extra vehicles from apartments located along the street. Linden Avenue is a unique location in the city because R-6 zoning exists on the west side and RB is designated on the east side. Locations like this require sensitive planning not "spot zoning". If city planners will observe the relationship of residential and business use along 45th street through Wallingford in Seattle they will see what is necessary in Shoreline. The rear of business locations such as the Wallingford Center, QFC, and The Guild 45th theater are across the street from residences and small apartments. Traffic circles on the residential streets restrict the business traffic to 45th. The west side of Linden Avenue is not the appropriate location for any expansion of RB zoning.

The need for an expansion of RB zoning does not seem to be justified. The Aurora corridor has many properties available for development or redevelopment. The Discount Tire store on 200th and Aurora is evidence that new commercial ventures can still find locations on Aurora. In the notice sent to my home from your office no justification was given

MIL CIB

Item 7.i - Attachment 4

for this rezone application. When the fire station moved near our home a detailed justification was given to our neighborhood of why that location was necessary for public safety. My understanding of the Shoreline Comprehensive plan is that zoning changes are not granted just because an owner has thought of a more profitable use for his property. The entire purpose for zoning and comprehensive planning appears to be overturned in this application.

I strongly urge the planning department and planning commission to deny this application. The precedent set by approving this "spot zoning" proposal is something that most citizens would not agree to if they knew this was occurring in their neighborhood.

Thank you for your consideration,

Kenneth Howe

745 N. 184th Street Shoreline, WA 98133