



Memorandum

DATE: January 22, 2007

TO: Planning Commission

FROM: Joe Tovar, PADS Director
Steve Cohn, Senior Planner
Steve Szafran, Planner II

RE: James Alan Salon Rezone Recommendation

Following the January 4 Commission meeting, staff reviewed the facts and policies as detailed in the James Alan Salon staff report, together with the testimony and Commission discussion at the Public Hearing. We concluded that the rationale for staff's original recommendation remains valid, and we recommend a CB zoning designation for this site.

At the same time, staff agrees with the applicant that commercially zoned sites within a short walk of Aurora Avenue shouldn't necessarily be limited to a maximum density of 48 dus/acre. Since Aurora has frequent bus service and is likely to be redeveloped with more businesses that serve the community, it makes sense to consider increased housing density on sites such as the one proposed for this rezone. Rather than rezoning this site to RB which staff believes is too intense of a zoning district, staff suggests a more comprehensive approach--one that permits greater residential densities in CB-zoned sites that fit certain criteria. Therefore, within the next few weeks, staff will initiate an amendment to modify the Development Code and permit greater residential densities on CB zoned properties between approximately Fremont and Ashworth Avenues.

In recent months, staff reviewed a number of Development Code regulations in light of this and other recent proposals. Our review suggests that the development standards section of the code merits additional analysis and assessment.

This year staff will suggest changes that will be relatively limited in scope. In the next couple of years, however; staff and the Commission may want to undertake a more comprehensive review of portions of zoning regulations and development standards section of the code to respond to the changing nature of the development market.

There are two additional items about the February 1 meeting that we want to mention:

- The City Attorney will be joining the Commission that evening to provide clarification regarding the concept of placing conditions on quasi-judicial rezone applications.
- Beginning this week, staff is implementing a new format for staff reports dealing with quasi-judicial matters. The James Alan Salon report is written in a form that provides draft “Findings, Conclusions, and Recommendations”. It is our expectation that the Commission will review and, if appropriate, modify the draft during its discussion. At the conclusion of the meeting, the Commission will have a document reflecting its findings that can be forwarded to the City Council..

Please contact staff prior to the meeting if you have questions about staff’s recommendation or the “new look” staff report.

**CITY OF SHORELINE
PLANNING COMMISSION**

FINDINGS, CONCLUSIONS AND RECOMMENDATION

PROJECT INFORMATION SUMMARY

Project Description: Rezone application to change the zoning designation of two parcels from Residential – 48 dwelling units per acre and Office to Regional Business.

Project File Number: 201570

Project Address: 18501 and 18511 Linden Avenue North, Shoreline, WA 98133

Property Owner: Hanfax Properties LLC.

SEPA Threshold: Determination of Non-Significance (DNS)

Staff Recommendation: Recommend approval of a rezone of the two parcels to Community Business.

FINDINGS OF FACT

Current Development

1. The parcels at issue are located at 18501 and 18511 Linden Avenue North, the northwest corner of North 185th Street and Linden Avenue North.
2. 18501 Linden Avenue North (tax ID # 7283900302) is 7,079 square feet and is developed with the James Alan Salon. The site is zoned Office (“O”) and has a Comprehensive Plan Land Use designation of Community Business (“CB”). *Attachment 1 to January 4, 2007 Planning Commission Staff Report.*
3. 18511 Linden Avenue North (tax ID # 7283900303) is 6,648 square feet, directly to the north of 18501 Linden Avenue North, and developed with one single-family residence used as storage space. The site is zoned Residential – 48 dwelling units per acre (“R-48”) and has a Comprehensive Plan Land Use designation of Mixed Use (“MU”).
4. The surrounding neighborhood has experienced development recently: four townhomes have been approved directly to the west of the subject parcels (732 N. 185th) and a demolition permit for a single-family home was approved in preparation for additional townhome units (742 N. 185th).
5. There are existing sidewalks along N 185th Street adjacent to the applicant’s property. No sidewalks exist along Linden Ave N. A traffic signal with crosswalks is located at the intersection of Linden Ave N and N 185th Street.

Proposal

6. The applicant proposes to rezone both parcels to Regional Business (“RB”).
7. A pre-application meeting was held with the applicant and City staff on June 19, 2006, the applicant held the requisite neighborhood meeting on July 31, 2006, and a Public Notice of Application was posted at the site.
8. Comments received at the neighborhood meeting addressed a desire to see more condominiums, redevelopment and mixed use buildings in the area. The two written comments received during the public comment period included concerns about ample customer parking, traffic, pedestrian safety, commercial zoning on the west side of Linden and commercial uses in a residential area.
9. Advertisements were placed in the Seattle Times and Shoreline Enterprise, 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 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 12th, 2006.
10. The Planning Department issued a SEPA Determination of Non-Significance and notice of public hearing on the proposal on October 12, 2006. The DNS was not appealed.
11. An open record public hearing was held by the Planning Commission for the City of Shoreline on January 4, 2007.
12. 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 Community Business.

Comprehensive Plan Land Use Designations.

13. Parcels to the north and to the east have a Comprehensive Plan Land Use designation of Mixed Use, which allows R-8 through R-48 residential zoning and all commercial and industrial zoning; parcels to the south have a Community Business designation, which allows R-12 through R-48, Office, Neighborhood Business, Community Business and Regional Business; and parcels to the west are designated Medium Density Residential, which allows R-8 and R-12. *Attachment 3 to January 4, 2007 Planning Commission Staff Report.*
14. The Comprehensive Plan describes Mixed Use as applicable “to a number of stable or developing areas and to the potential annexation area at Point Wells,” and intended “to encourage the development of pedestrian oriented places, with architectural interest, that integrate a wide variety of retail, office, and service

uses with residential uses.” Regional Business is allowed under Mixed Use land use designation.

15. The Comprehensive Plan describes Community Business as areas within the Aurora Corridor, North City and along Ballinger Road. This designation provides for retail, office, and service uses and high density residential uses. Significant pedestrian connection and amenities are anticipated. Some limited industrial uses might be allowed under certain circumstances. Appropriate zoning designations for this area might include the Neighborhood Business, Community Business, Regional Business, Office, R-12, R-18, R-24, or R-48.

Current Zoning

16. Parcels immediately to the north of the subject parcels are zoned R-18 and developed with a public utility building, single-family homes and condominiums; parcels to the south (across 185th) have a variety of uses and zoning designations including offices zoned R-12, R-18 and Office, the Fred Meyer shopping center zoned RB, and a fire station; parcels to the west are zoned R-12 and townhomes are currently under development; and parcels to the east (across Linden Avenue North) have a variety of uses and zoning designations including retail, office and apartments zoned RB, Office, and R-48. *Attachment 2 to January 4, 2007 Planning Commission Staff Report.*
17. The purpose of Office zones, as set forth in Shoreline Municipal Code 20.40.040, is to “allow for low intensity office, business and service uses located on or with convenient access to arterial streets” and to “accommodate medium and higher density residential, townhouses, mixed use types of development, while serving as a buffer between higher intensity uses and residential zones.”
18. The purpose of R-48 zones, as set forth in Shoreline Municipal Code 20.40.040, is to “provide for a mix of predominantly 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:
 - 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 a Regional Business zoning district, as set forth in the Shoreline Municipal Code 20.40.040, 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 Regional Business category permits intense land uses such as warehousing, kennels, construction, retail, and auto rental and allows unlimited residential density.
21. The purpose of a Community Business zoning district, as set forth in Shoreline Municipal Code 20.40.040, is to “provide 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.”

Impacts of the Zone Change

22. The following table outlines the development standards for the current zoning, the proposed zoning (RB) and the staff recommended zoning (CB):

	Office (Current)	R-48 (Current)	RB (Applicant Proposed)	CB (Staff recommended)
Front Yard Setback	10' (0 if improved)	10' (0 if improved)	10' (0 if improved)	10' (0 if improved)
Side Yard Setback	10'	5'	15'	10'
Rear Yard Setback	10'	5'	15'	N/A
Building Coverage	N/A	70%	N/A	N/A
Max. Impervious Surface	85%	90%	90%	85%
Height	35' (50' for mixed-use)	50'	65'	60'
Density (residential development)	24 du/ac	48 du/ac	No maximum	48 du/ac
Total Units	8	15	35	15
Likely no. of parking stalls	30	22	76	45

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. a. Under the first criterion, both RB and CB are appropriate under Land Use Element Goals I and V of the Comprehensive Plan.

- Land Use Element Goal I of the Comprehensive Plan is to “[e]nsure that the land use pattern of the City encourages needed, diverse, and creative development, protects existing uses, safeguards the environment, reduces sprawl, promotes efficient use of land, encourages alternative modes of transportation and helps maintain Shoreline’s sense of community.”
- Land Use Element Goal V of the Comprehensive Plan is 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 RB rezone proposal is consistent with Land Use Element Goal I and V because a more intense commercial zone will promote redevelopment and allow for a greater mix of uses. CB is also consistent with these goals.

b. However, the proposed rezone to RB is not consistent with Community Design Element Policy CD 48. CD 48 states: “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 RB zoning 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. Specifically, the RB 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.

c. Rezoning the parcels to CB is consistent with the Comprehensive Plan as it would allow commercial, residential or a mix of both uses, is supported by land use and community design goals of the Comprehensive Plan. CB zoning would allow for height and density that would be more compatible with what currently exists in the neighborhood and more harmonious with adjacent land uses.

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 RB or CB zone protect against uses that would be contrary to the public health, safety or general welfare.

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

5. Both RB and CB zoning maintain consistency with the Comprehensive Plan. However, CB provides better compatibility with Comprehensive Plan goals and policies than the existing 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. A Community Business rezone would allow a wide range of commercial uses and achieve approximately 15 new dwelling units if the property develops with multi-family uses.

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

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

- a. Appropriateness of Commercial Zoning

Although, historically, the area west of Linden Ave N was not planned for commercial uses, 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.

As the two parcels have Mixed Use and Community Business land use designations, commercial zoning is appropriate. A Community Business zoning designation will result in new structures that will be compatible with existing densities, uses, and building heights.

- b. Traffic/Parking

Depending on the uses of any new future structures, adequate parking requirements must be met.

- c. Pedestrian Safety

Development on one or both of the properties will require sidewalks be installed the length of the applicant's property along Linden Ave N. .

Will the rezone have merit and value for the community?

- 7. The proposed rezone will allow commercial expansion to meet the changing needs of the community. This criterion is met since the 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.

RECOMMENDATION

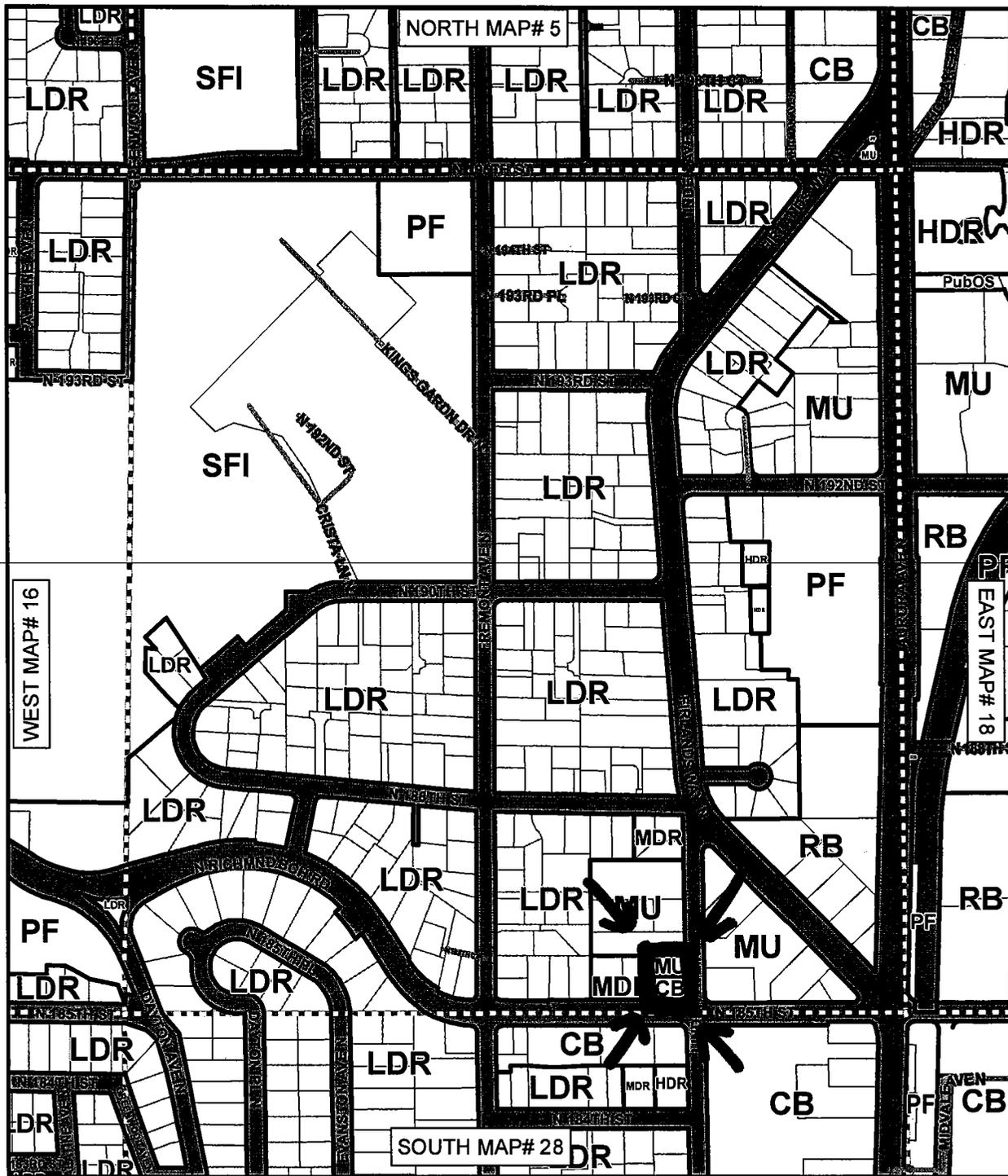
The Planning Commission recommends that the City Council approve a rezone of the two parcels to Community Business, but deny the request for rezone to Regional Business.

Date: _____

By: _____
Planning Commission Chair

ATTACHMENTS

- Attachment 1:** Zoning Map
- Attachment 2:** Comprehensive Plan Map

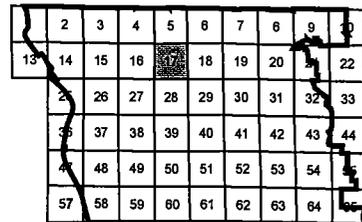


**CITY OF SHORELINE COMPREHENSIVE PLAN
LAND USE MAP**

Plot Date: 1/22/2007

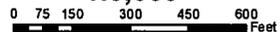
Land Use Designation Legend

- | | |
|--|--|
| BaSSA Ballnager Special Study Area | PF Paramount Special Study Area |
| BrSSA Briarcrest Special Study Area | PSSA Private Open Space |
| CB Community Business | PrOS Public Facility |
| 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 | |



MAP # 17

1:3,600



Feature Legend

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

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, 2005.



SW1/4-S6-T26N-R4 E