

**CITY OF SHORELINE
PLANNING COMMISSION**

FINDINGS, CONCLUSIONS AND RECOMMENDATION

PROJECT INFORMATION SUMMARY

Project Description: Change the Comprehensive Plan designation from Medium Density Residential (MDR) to Mixed Use (MU) and concurrently rezone two parcels from Residential 12 dwelling units per acre (R-12) to Residential 48 dwelling units per acre (R-48).

Project File Number: 201599

Project Address: 416 and 422 North 145th Street, Shoreline, WA 98133

Property Owner: Shaun Leiser.

SEPA Threshold: Determination of Non-Significance (DNS)

Staff Recommendation: Recommend approval of a Comprehensive Plan Amendment to Mixed Use and concurrent rezone of the two parcels to R-48.

FINDINGS OF FACT

Current Development

1. The parcels at issue are located at 416 and 422 North 145th Street, the southwest corner of North 145th Street and Dayton Avenue North.
2. 416 North 145th Street (tax ID # 1826049099) is 7,110 square feet and is developed with a single family home. The site is zoned R-12 and has a Comprehensive Plan Land Use designation of Medium Density Residential. There are no current plans to redevelop this site.
3. 422 North 145th Street (tax ID # 1826049329) is 7,200 square feet, directly to the east of 416 North 145th Street, and is currently undeveloped. The site is zoned Residential 12 dwelling units per acre (“R-12”) and has a Comprehensive Plan Land Use designation of Medium Density Residential. See **Attachment 1** for surrounding Comprehensive Plan designations and **Attachment 2** for surrounding zoning designations.
4. A development of 9 townhomes and one single family home (permit #201265) has been approved for the properties at 422 North 145th Street and 14515 Dayton Avenue North, **Attachment 3** shows the approved site plan.
5. Parcels to the north are zoned R-48. Aside from the vacant parcel to the north, they are developed with multi-family uses. Parcels to the east are zoned R-18 and

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developed with a water tower and single and multi-family uses, and parcels to the south across North 145th Street are within the City of Seattle.

6. All surrounding parcels to the north and west are designated Mixed Use in the Comprehensive Plan. Parcels to the east are designated Public Facilities and High Density Residential and parcels to the south are within the City of Seattle.
7. There are no existing sidewalks along Dayton Avenue North adjacent to the applicant's property. Street improvements are required under application #201265 and include sidewalk, street lighting and curb and gutters. Street improvements exist along North 145th Street adjacent to the applicant's property.

Proposal

8. The applicant proposes to change the Comprehensive Plan land use designation of both parcels from MDR to MU and concurrently rezone both parcels from R-12 to R-48.
9. A pre-application meeting was held with the applicant and City staff on December 6, 2006. The applicant held the requisite neighborhood meeting on December 18, 2006, and a Public Notice of Application was posted at the site.
10. Four people that attended the neighborhood meeting. Comments received at the neighborhood meeting included a "liking of the proposal" and "it looks clean and should fit into the neighborhood". The applicant indicated no negative comments were received.
11. Advertisements were placed in the Seattle Times and Shoreline Enterprise, and notices were mailed to property owners within 500 feet of the site on March 22, 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 April 12, 2007.
12. The Planning Department issued a SEPA Determination of Non-Significance and notice of public hearing on the proposal on April 19, 2007. The DNS was not appealed.
13. An open record public hearing was held by the Planning Commission for the City of Shoreline on May 3, 2007.
14. The City's Long Range Planner, Steven Cohn, and Planner II, Steve Szafran, have reviewed the proposal and recommend that the parcels be re-designated in the Comprehensive Plan as Mixed Use and rezoned to R-48.

Comprehensive Plan Land Use Designations

15. Parcels to the north and to the west 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, across NE 145th Street, are in the City of Seattle; and parcels to the east are designated High Density Residential, which allows R-12 through R-48.
16. 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.” R-48 is allowed under Mixed Use land use designation.

Current Zoning

17. Parcels immediately north of the subject parcels are zoned R-48 and (aside from the vacant parcel to the north) developed with multifamily structures; parcels to the south, across NE 145th Street, are within the City of Seattle and developed with single-family homes; parcels to the west are zoned R-48, Office and Neighborhood Business and are developed with apartments, a bank and a church; and parcels to the east are zoned R-18 and developed with a City of Seattle water tower, single-family homes, duplexes and apartments.
18. 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.”

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.

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20. 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-48 zoning category permits all residential land uses except detached single-family dwelling units which requires a Conditional Use Permit.

Impacts of the Zone Change

21. The following table outlines the development standards for the current zoning (R-12) and the requested zoning (R-48):

	R-12 (Current)	R-48 (Proposed)
Front Yard Setback	10'	10'
Side Yard Setback	5'	5'
Rear Yard Setback	5'	5'
Building Coverage	55%	70%
Max. Impervious Surface	75%	90%
Height	35'	50'
Density (residential development)	12 du/ac	48 du/ac

CONCLUSIONS

1. The purpose of a Comprehensive Plan Amendment and rezone is to provide a mechanism to make changes to a land use designation and zoning classification, conditions or concomitant agreement applicable to property. Comprehensive Plan Amendment and 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.

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Amendment of the Comprehensive Plan Criteria

The amendment is consistent with the Growth Management Act and not inconsistent with the Countywide Planning Policies, and the other provisions of the Comprehensive Plan and City policies

3. The amendment is consistent with the Growth Management Act; this amendment will provide more housing opportunities to meet the demands of this growing City. The amendment will encourage development in an urban area where adequate public facilities exist and the amendment will reduce sprawl by encouraging development of greater residential density in areas where added density can be efficiently served by existing and planned facilities.

The amendment addresses changing circumstances, changing community values, incorporates a sub area plan consistent with the Comprehensive Plan vision or corrects information contained in the Comprehensive Plan

4. The amendment addresses changing circumstances and changing community values. The property is in an area where redevelopment which brings valued change. These parcels of land are located on a heavily traveled arterial street. Given the surrounding comprehensive plan designations, a Mixed Use designation is more compatible than the existing Medium Density Residential designation.

The amendment will benefit the community as a whole; will not adversely affect community facilities, the public health, safety or general welfare

5. The amendment will benefit the community by creating new development in the neighborhood in an area where services already exist to handle increased population. The amendment will not adversely affect the surrounding property owners since they are designated Mixed Use and High Density Residential. The amendment will create consistency by having a uniform land use designation for the surrounding parcels west of Dayton Avenue North

Rezone criteria (Assuming Comprehensive Plan Amendment is approved)

Is the rezone consistent with the Comprehensive Plan?

6. a. R-48 is appropriate under Land Use Element Goals I and III 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.”

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- 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-48 rezone proposal is consistent with Land Use Element Goal I and III because more intense residential zoning should be encouraged along arterial streets away from existing low density residential homes.

The R-48 zoning would result in greater development intensity and will be more compatible with the already approved townhome development to the north. The current R-12 zoning category and existing single-family home do not fit as with likely future redevelopment of the area.

- b. Rezoning the parcels to R-48 is consistent with the Comprehensive Plan as it would allow more intense residential uses, and is supported by land use and community design goals of the Comprehensive Plan. R-48 zoning would allow for infill development that is compatible with existing and future housing types.

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

7. If the CPA and rezone are approved, the portion of the development that Attachment 3 shows as a single-family home will have a maximum development potential of 3 dwelling units. The property at 422 North 145th Street has a likely potential for up to 8 units, because it does not have an open space tract on it, and no additional street improvements are required.
8. 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-48 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?

9. Both R-12 (current zoning) and R-48 (proposed zoning) zoning maintain consistency with the Comprehensive Plan. However, R-48 zoning provides better compatibility with Comprehensive Plan goals and policies than the existing zoning. North 145th Street is a Collector Arterial street that carries large amounts of traffic. It makes sense that more intense development occur along arterials such as this.

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

10. The proposed rezone will have minimal negative impacts to the properties in the immediate vicinity. Concerns have been raised by an interested party (See

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Attachment 4) concerning a potential lack of parking for the townhomes proposed for the eastern property (one of the two rezone sites) and the adjacent property on Dayton (already zoned R-48).

The history of this issue is: Administrative Order (AO) #301150 was approved in June 2003 reducing the number of required parking spaces to one per unit for the proposed townhouse development. This AO was applied to a development of 12 units. The current proposal is for a development of 11 units.

The applicant is in the process of making improvements to Dayton Avenue North which includes a 30 foot right-of-way dedication, sidewalks, curb, gutter and streetlights. With these improvements, there will likely be additional street parking available.

Will the rezone have merit and value for the community?

11. The proposed rezone will permit additional housing units to be constructed in Shoreline in an area that is served by existing and planned infrastructure. Higher density development will be oriented toward arterial streets and away from single-family neighborhoods.

RECOMMENDATION

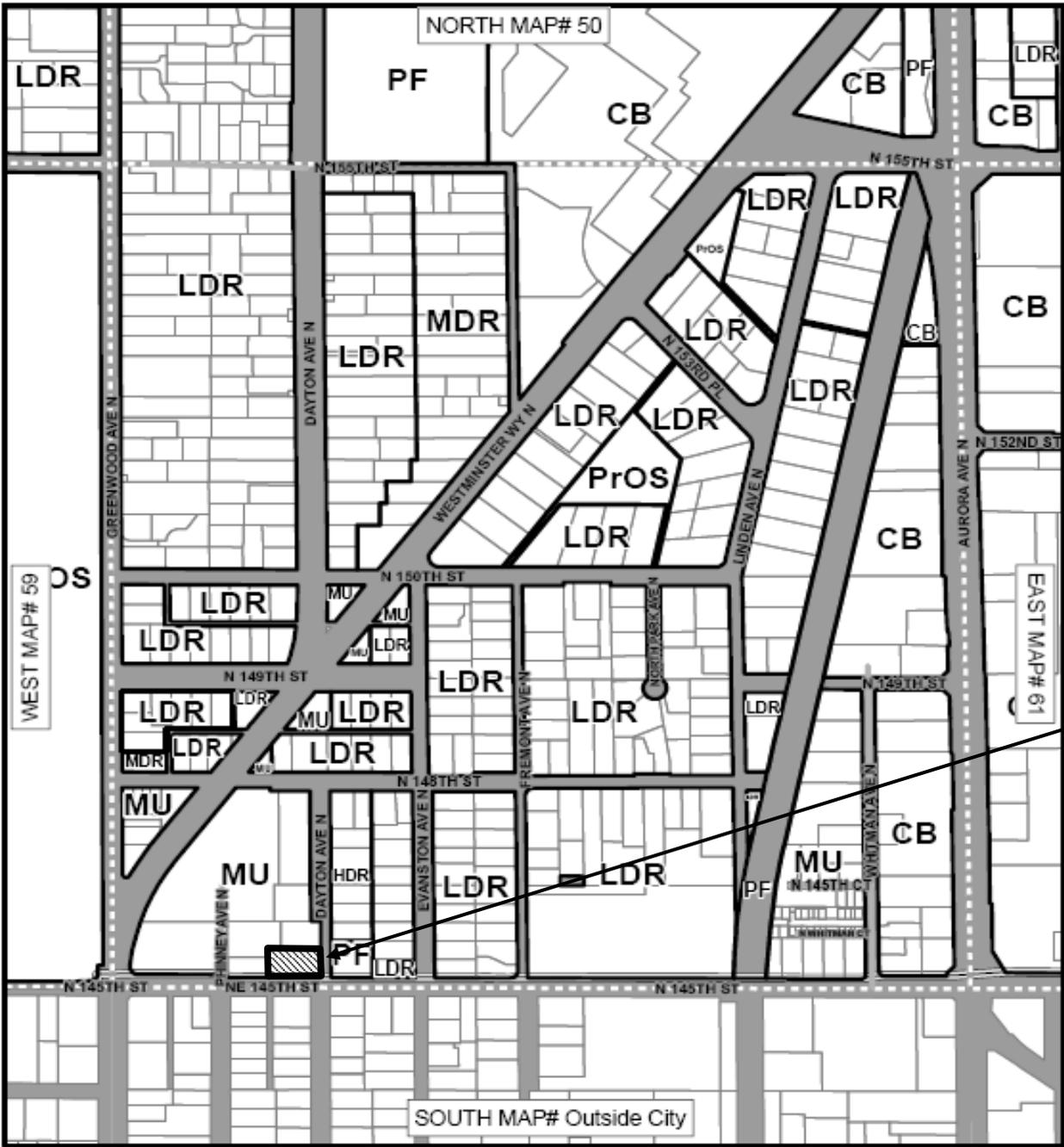
The Planning Commission recommends that the City Council approve a Comprehensive Plan Amendment to Mixed Use and a concurrent rezone of the two parcels to R-48.

Date: _____

By: _____
Planning Commission Chair

ATTACHMENTS

- Attachment 1- Comprehensive Plan Map
- Attachment 2- Zoning Map
- Attachment 3- Site Plan
- Attachment 4- Public Comment



SITE

CITY OF SHORELINE COMPREHENSIVE PLAN
LAND USE MAP
 Land Use Designation Legend

BaSSA Ballinager 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

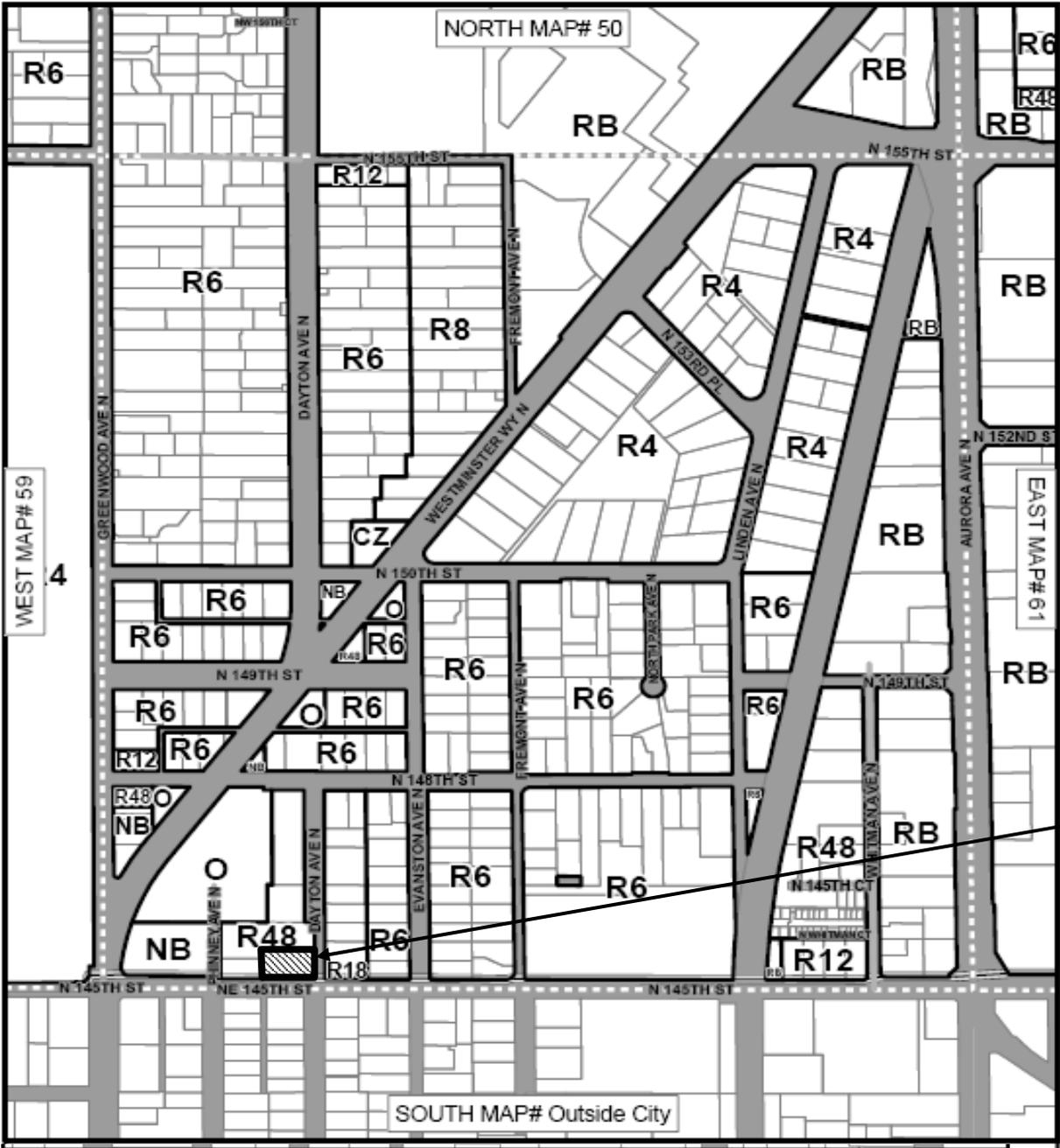
- Map Tile Lines	- Unclassified ROW
- City Boundary	- Parcel Line

SW1/4-S18-T26N-R4 E

Plot Date: 2/6/2007

MAP # 60
 1:3,600
 0 75 150 300 450 600 Feet

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.



SITE

CITY OF SHORELINE ZONING MAP

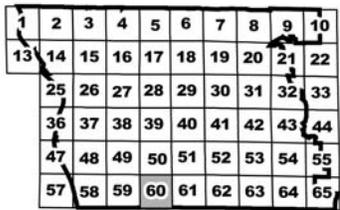
Plot Date: 1/2/2007

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 # 60

1:3,600



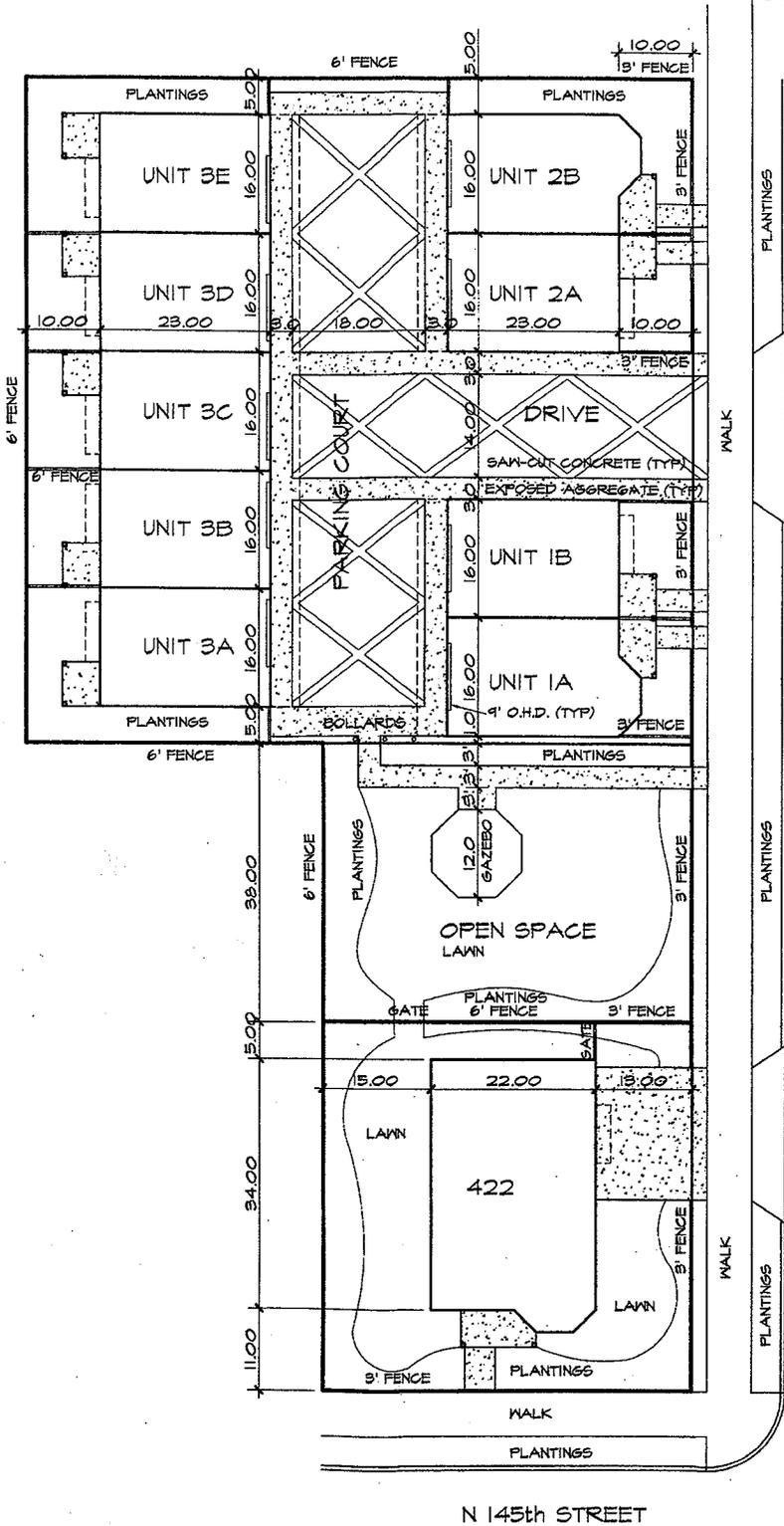
No warranties of any sort, including accuracy, fitness, or merchantability, accompany this product.

Representation of official zoning map adopted by City Ordinance No. 292. Shows amendments through December, 2006.



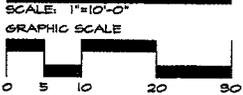
SW1/4-S18-T26N-R4 E

Item 7.1 - Attachment 3



DAYTON AVENUE N

site plan



ASSESSORS PARCEL #:
 LEGAL DESCRIPTION:

DRAWING IN	
A1	SITE PLAN
A2	FOUNDATION PLAN AND FIRE
A3	SECOND FLOOR PLAN AND I
A4	ELEVATIONS
A5	ELEVATIONS
A6	DETAILS AND SECTIONS
L1	LANDSCAPING PLAN
S	STRUCTURAL PLANS AND DE
C	CIVIL PLANS AND DETAILS

REVISION

R

Item 7.1 - Attachment 4

-----Original Message-----

From: Mike Hinrichsen [mailto:michaelh@lakere.com]

Sent: Monday, April 02, 2007 11:25 AM

To: Steve Szafran

Subject: RE: Rezone #201599

Thank you Steve,

As you can see if you take just one extra vehicle per unit, where are they going to go? Would the city consider mitigation through improvement of the street right of way to accommodate parallel parking spaces? This makes the most sense for the developer as well because they can market the units easier knowing they can overflow the parking out on to the street. Any chance for curbs and sidewalks too? This is a growing issue in that area.

Mike