

**CITY OF SHORELINE  
PLANNING COMMISSION**

**PRELIMINARY FINDINGS, CONCLUSIONS AND RECOMMENDATION**

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**PROJECT INFORMATION SUMMARY**

**Project Description:** Change the zoning of one parcel from R-12 to R-24.

**Project File Number:** 201680

**Project Address:** 17562 12<sup>th</sup> Ave NE, Shoreline, WA 98155

**Property Owner:** GHJ, LLC

**SEPA Threshold:** Determination of Non-Significance (DNS)

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

**FINDINGS OF FACT**

*Current Development*

1. The parcel at issue is located at 17562 12<sup>th</sup> Ave NE.
2. The parcel (tax ID # 6163900660) is 8,100 square feet and is developed with a one-story single-family home. The site is zoned Residential 12 dwelling units per acre ("R-12") and has a Comprehensive Plan Land Use designation of High Density Residential. See **Attachment 1** for surrounding Comprehensive Plan designations and **Attachment 2** for surrounding zoning designations.
3. If the request is approved, the parcel will be able to be developed with a maximum of 4 dwelling units. A maximum of 2 units could be developed under the existing R-12 zoning.
4. There are currently sidewalks along the east side of 12<sup>th</sup> Avenue NE adjacent to the applicant's property (there are none on the west side of the street). However, street improvements (or in-lieu fees) to accommodate the increased density and development will be required when the applicant applies for building permits and would include sidewalk, street lighting and curb and gutters.

*Proposal*

5. The applicant proposes to rezone the parcel from R-12 to R-24.
6. A pre-application meeting was held with the applicant and City staff on February 20, 2007, the applicant held the requisite neighborhood meeting on August 22,

## Agenda Item 7.2

2007, and a Public Notice of Application was posted at the site from November 15, 2007 to November 29, 2007.

7. Comments received at the neighborhood meeting included “additional townhomes and mailboxes might result in less parking on 12<sup>th</sup> Ave NE”. The applicant indicated these were the only negative comments received.
8. Advertisements were placed in the Seattle Times and Shoreline Enterprise, and notices were mailed to property owners within 500 feet of the site on November 15, 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 December 13, 2007. A reminder notice was mailed to property owners and posted at the site on February 7, 2008. Public Comment letters can be seen in **Attachment 3**.
9. The Planning Department issued a SEPA Determination of Non-Significance and notice of public hearing on the proposal on December 13, 2007. The DNS was not appealed.
10. An open record public hearing was held by the Planning Commission for the City of Shoreline on February 21, 2008.
11. The City’s Long Range Planner, Steven Cohn, and Associate Planner, David Levitan, have reviewed the proposal and recommend that the parcel be rezoned to R-24.

### *Comprehensive Plan Land Use Designations*

12. Parcels directly to the north, south and east have a Comprehensive Plan Land Use designation of High Density Residential, which allows for R-12 through R-48 zoning; parcels to the west, across 12<sup>th</sup> Avenue NE, are designated Low Density Residential, which allows R-4 and R-6 (see **Attachment 1**). Parcels further to the east and to the south are designated North City Business District.
13. The Comprehensive Plan describes High Density Residential as “intended for areas near employment and commercial areas; where high levels of transit service are present or likely; and areas currently zoned high density residential. This designation creates a transition between high intensity uses, including commercial uses, to lower intensity residential uses. All residential housing types are permitted”.

### *Current Zoning*

14. Parcels south of the subject parcel are zoned R-12 and developed with single-family homes and duplexes; the parcel to the north and east is zoned R-18 and developed with duplex and triplex uses; and parcels across 12<sup>th</sup> Avenue NE to the west are zoned R-6 and developed with one and two-story single-family homes (see **Attachment 2**). Parcels further to the east are zoned NCBD.
15. The purpose of R-12 zones, as set forth in Shoreline Municipal Code 20.40.030, is to “provide for a mix of single-family homes, duplexes, triplexes, townhouses, and community facilities, in a manner that provides for additional density at a modest scale.”

### *Proposed Zoning*

16. Under SMC 20.30.060, a rezone is Type C action, decided by the City Council upon recommendation by the Planning Commission. The decision criteria for deciding a rezone, as set forth in SMC 20.30.320, are:
  - The rezone is consistent with the Comprehensive Plan; and
  - The rezone will not adversely affect the public health, safety or general welfare; and
  - The rezone is warranted in order to achieve consistency with the Comprehensive Plan; and
  - The rezone will not be materially detrimental to uses or property in the immediate vicinity of the subject rezone; and
  - The rezone has merit and value for the community.
17. The purpose of an R-24 zoning district, as set forth in the Shoreline Municipal Code 20.40.030, is to “provide for a mix of predominately apartment and townhouse dwelling units and other compatible uses.” The R-24 zoning category permits all residential land uses except detached single-family dwelling units which requires a Conditional Use Permit.

### *Impacts of the Zone Change*

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

## Agenda Item 7.2

	<b>R-12 (Current)</b>	<b>R-18</b>	<b>R-24 (Proposed)</b>
Units Permitted	2	3	4
Front Yard Setback	10'	10'	10'
Side Yard Setback	5'	5'	5'
Rear Yard Setback	5'	5'	5'
Building Coverage	55%	60%	70%
Max. Impervious Surface	75%	85%	85%
Height	35'	35'(40' with pitched roof)	35'(40' with pitched roof)
Density (residential development)	12 du/ac	18 du/ac	24 du/ac

### CONCLUSIONS

1. The purpose of a rezone is to provide a mechanism to make changes to a zoning classification, conditions or concomitant agreement applicable to property. Rezone criteria must be established by substantial evidence.
2. The notice and meeting requirements set out in SMC 20.30 for a Type C action have all been met in this case.

#### *Rezone criteria*

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

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

##### Land Use Goals

- Land Use Element Goal I - ensure that the land use pattern of the City encourages needed, diverse, and creative development, protects existing uses, safeguards the environment, reduces sprawl, promotes efficient use of land, encourages alternative modes of transportation and helps maintain Shoreline's sense of community.
- Land Use Element Goal III - Encourage a variety of quality housing opportunities and appropriate infrastructure suitable for the needs of Shoreline's present and future residents.

### Land Use Policies

- LU9 - Ensure that land is designated to accommodate a variety and styles of housing units adequate to meet the future needs of Shoreline citizens.
- LU14 – The High Density Residential 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.

### Housing Policies

- H1 and H5 – Increase housing opportunities that are compatible with the character of existing residential development 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

- TVI – Protect the livability and safety of residential neighborhoods from the adverse impacts of the automobile.

### Transportation Policies

- T26 – Provide adequate, predictable, and dedicated funding to construct pedestrian projects.
- T29 – Provide sidewalks on arterial streets and neighborhood collectors.

The applicant's proposal is consistent with the parcel's Comprehensive Plan designation of High Density Residential (HDR) and with numerous policies and goals of the Comprehensive Plan. Rezoning the site to R-24 would permit greater

## Agenda Item 7.2

development intensity, which would offer more housing opportunities in the area and be compatible with the recently built townhome development to the south and several other projects in the area. A more intensive development, such as a townhome development, would create a transition and buffer between the commercial uses to the east along 15<sup>th</sup> Ave NE (NCBD) and the single family residential uses to the west, consistent with Policy LU14.

Although the existing R-12 zoning category for the site is consistent with the HDR designation per Policy LU14, staff concluded in its discussion and recommendation for the recent rezone on 32<sup>nd</sup> Ave NE (Project File #201677) that R-12 zoning is more consistent with the Medium Density Residential Comprehensive Plan designation, which is detailed in Policy LU12 and applies to areas zoned R-8 and R-12 where single family detached dwelling units may be redeveloped at slightly higher densities. Additionally, the existing detached single family homes on this site and in the surrounding neighborhood (east side of 12<sup>th</sup> Ave NE) are not consistent with the vision of development in the HDR designation, as more intense residential zoning and development is encouraged in this area. Development on the site would result in additional frontage improvements in the area, and would be located within close proximity to retail uses in the North City Business District and transit lines.

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

4. The rezone and associated future development will not adversely affect the neighborhood's public health, safety or general welfare. Current codes offer greater protection of downstream effects of development (drainage, in-street improvements, safer building codes, environmental quality, etc.) than those in place when the existing neighborhood was developed. The policies and goals listed in the Comprehensive Plan for High Density Residential and the City's development standards in its zoning regulations (Municipal Code) for the R-24 zone protect against uses that would be contrary to the public health, safety or general welfare. New development would require improvements to access and circulation through curb and gutters, sidewalks, and street frontage landscaping, and would be similar to the improvements required for the same applicant's recent project at 17510-17526 12<sup>th</sup> Ave NE. While density will increase in the neighborhood, the east side of 12<sup>th</sup> Ave NE will serve as a buffer and transition between the NCBD uses to the east and the R-6 uses to the west.

There was some concern voiced during the neighborhood meeting process and public review period about the impacts that increased residential density would have on what is perceived as an existing parking problem in the neighborhood, including overflow parking from higher density residential projects near NE 180<sup>th</sup> St and 15<sup>th</sup> Ave NE. Two citizens have submitted comments about the lack of street parking in the neighborhood, and City staff has logged four complaints over the last 8 months about parking in the vicinity of the townhome development to

the south (17510-17526 12<sup>th</sup> Ave NE). Should the rezone proposal be approved and four townhomes be developed, all four townhomes would be required by development standards to provide two car garages. This would provide more off-street parking than many of the single family homes in the neighborhood provide (many have either no garage or a one-car carport), and should result in no worsening of the existing parking conditions.

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

5. Both R-12 (current) and R-24 (proposed) zoning maintains consistency with the Comprehensive Plan designation for the site. As noted above, R-24 is appropriate in the High Density Residential land use category and more closely meets the goals and policies of the district than does the current R-12 zoning. R-24 zoning would provide a better transition from more intense uses to the east along 15<sup>th</sup> Ave NE (North City Business District) and the existing R-6 zoning directly to the west, and meet the long term higher density residential vision for the area.

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

6. The proposed rezone will not have an impact to the existing single-family properties to the west in terms of bulk/size, traffic, parking, and drainage. A traffic study was not required for the rezone; however, the addition of three residential units would not result in a reduced level-of-service along 12<sup>th</sup> Ave NE, given the minimal number of additional trips that would be generated.

Under the current codes, townhomes as well as single-family homes may be 35 feet in height (40 feet with pitched roof). This rezone could potentially add 2 additional units to what is permitted by the existing R-12 zoning. This increase in additional units is not detrimental to the property in the vicinity because appropriate infrastructure is in place, multi-family zoning is currently in place for the parcel, and new development triggers public amenities such as curb, gutter, sidewalks and updated drainage facilities.

As discussed under Criteria 2, there has been some concern about street parking in the immediate vicinity of the subject rezone. However, development on the parcel would be required to meet development standards (two-car garages) that are more stringent than those that existed in the past, and should not exacerbate existing conditions.

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

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

- 7. As detailed in the above criteria, rezoning the parcel to R-24 would allow for development consistent with the vision, goals, and policies of the High Density Residential Comprehensive Plan designation, provide a buffer and transition between higher intensity commercial uses to the east and single family uses to the west, and provide greater housing opportunities and choice in the City of Shoreline. Development would be subject to development standards and building codes that would ensure quality development on the site, and which would address any potential environmental or land use concerns.

**RECOMMENDATION**

The Planning Commission recommends that the City Council approve a rezone of one parcel at 17562 12<sup>th</sup> Ave NE to R-24.

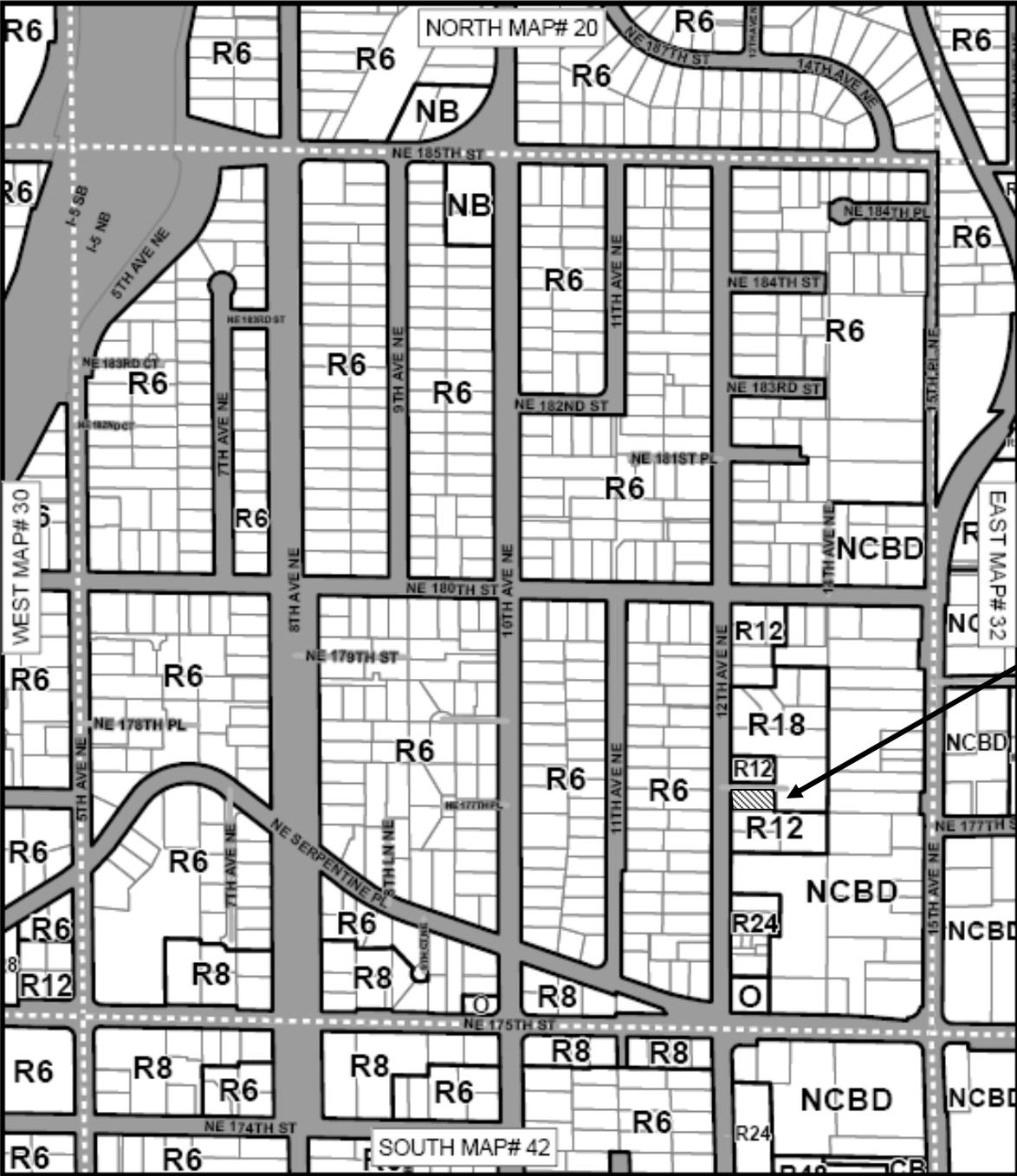
Date: \_\_\_\_\_

By: \_\_\_\_\_  
Planning Commission Chair

**ATTACHMENTS**

- Attachment 1- Comprehensive Plan Map
- Attachment 2- Zoning Map
- Attachment 3- Public Comment Letters





SITE

**CITY OF SHORELINE ZONING MAP**

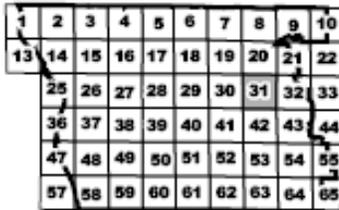
Plot Date: 5/4/2007

**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 # 31**

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



NE1/4-S8-T26N-R4 E

**Item 7.2 - Attachment 3****David Levitan**

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**From:** N64halfpipe@aol.com  
**Sent:** Wednesday, November 28, 2007 3:36 PM  
**To:** David Levitan  
**Subject:** Re: Appl # GHJ LLC 201680

Thank You for the explanation of the zoning.

As a resident of 12th Ave. NE I have strong concerns about any additional multi units going up on our street. The parking on this street has become almost unbearable because of all the multi units/apartments going up. 12th Ave has now become a parking area for the cars from the new apartment on 15th & 180th due to the inadequate parking there. We don't get our mail/perscriptions due to the parking problems that are constantly occurring. Some days you can't even turn on to 12th Ave. from 175th, due to the cars that are parked right up to the stop sign/corner. There has been at least two occurrences where we cannot get out of our driveway w/ our trailer because of the parked cars that belong to the now "condos" on 12th. Apartment/Condo residents also use 12th as a Sell /Advertise Your Car as they are constantly parked w/ for sale signage along the street & never moved. Our street floods (we're talking water over the curb)! because of the street drains being plugged up (or lack of drainage). The street sweeper (that comes through twice a year) can't get to these drains because of the parked cars... so the drains remain plugged. There is just not adequate parking for all these units being built.

12th Ave has also become a "detour" zone for the many cars that want to by pass 15th. They speed through our neighborhood street very regularly!

Yes, the police are called as often as we can all keep up, but as many times as the police have come out, the problems still persist.

On behalf of the residents on 12th Ave. NE (between 180th & 175th), we ask you to please take into consideration these problems that I have mentioned above. We know the people who want to make \$\$ on these multi units do not live here & therefore do not have to endure these constant problems that they themselves have helped to create.

Thank You

Sincerely,

*Kimberly Fischer & Neighbors*

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Check out AOL Money & Finance's list of the hottest products and top money wasters of 2007.

## Item 7.2 - Attachment 3

**David Levitan**

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**From:** David Levitan  
**Sent:** Tuesday, November 20, 2007 8:08 AM  
**To:** 'N64halfpipe@aol.com'  
**Subject:** RE: Appl # GHJ LLC 201680

Hi Kimberly-

Rezoning the property to R-24 would allow the development of up to 24 units per acre (versus the 12 units allowed per acre under the current zoning). Given the size of the lot (8100 sf), this would allow the applicant to build four residential units on the property. The applicant has proposed 4 townhomes similar to the ones he built just south of the park/YMCA (17510-17524 12<sup>th</sup> Ave NE).

In order to recommend the project for approval to the Planning Commission and City Council, City staff will need to make findings that the rezone would be consistent with the Comprehensive Plan and consistent with the goals of the City.

We will be sending out a Notice of Public Hearing once we determine when the item will go before the Planning Commission (likely not until early February). If you received the Notice of Application, you will also receive the Notice of Public Hearing. I will make sure to include in that notice the scope (4 units) of the proposed development should the rezone be approved.

Please feel free to contact me should you have any other questions.

David Levitan  
Associate Planner, City of Shoreline  
206-546-1249

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

**From:** N64halfpipe@aol.com [mailto:N64halfpipe@aol.com]  
**Sent:** Tuesday, November 20, 2007 6:17 AM  
**To:** David Levitan  
**Subject:** Appl # GHJ LLC 201680

Hello David:  
The rezoning of the 17562 12th Ave. NE house from an R-12 to an R-24..... What does this mean?  
What is R 24?

*Kimberly Fischer*

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