

CITY OF SHORELINE

PLANNING AND COMMUNITY DEVELOPMENT STAFF REPORT

Project Name: Jose Argueta Rezone Application

Project File No.: PLN17-0062

REQUEST: Jose Argueta requests application approval for a rezone of three (3) parcels from Residential 8-units per acre (R-8), a medium density residential zone, to Residential 24-units per acre (R-24), a high density residential zone.

GENERAL INFORMATION:

Applicant: Jose Argueta
 903 North 167th Street
 Shoreline, WA 98133

Property Owners: Jose Argueta, Genevieve Brenny, and the Sarah Taylor Sherman Trust

Property Location: 903, 909, and 915 North 167th Street, Shoreline, WA 98133

Tax Parcel Numbers: 0726049202, 0726049203, and 0726049204

Legal Description: 903 = E 60 FT OF W 82 FT OF N 200 FT OF SE 1/4 OF SE 1/4 OF SW 1/4
 LESS CO RD
 909 = LOT 1 SHORELINE SP SHSP 2008-04 REC #20091217900015 SD SP
 BEING E 60 FT OF W 142 FT OF N 200 FT OF SE 1/4 OF SE 1/4 OF SW 1/4
 LESS CO RD
 915 = E 61 FT OF W 203 FT OF N 200 FT OF SE 1/4 OF SE 1/4 OF SW 1/4
 LESS CO RD

PROJECT DESCRIPTION:

The Applicant proposes to rezone adjacent parcels located at 903, 909, and 915 North 167th Street from R-8 to R-24 for the purpose of constructing townhomes. The Applicant is the property owner of the parcel located at 903 North 167th Street. The parcel located at 909 North 167th Street is owned by the Sarah Taylor Sherman Trust and the parcel located at 915 North 167th Street is owned by Genevieve Brenny (collectively, “Adjacent Property Owners”).

The Adjacent Property Owners are requesting their properties to be included in the proposed rezone but have no immediate plans to redevelop the properties. (**Attachment 1 – Affidavits**). The Applicant has not yet submitted plans for the townhomes but has indicated that the property at 903 North 167th Street will be developed first. The intended development will consist of two buildings, each with three townhomes. (**Attachment 2 – Site Plan**).

PROPERTY DESCRIPTION:

The site at 903 North 167th Street is 10,200 square feet (.23 acres). There is currently a one-story, 1,020 square feet, single-family home that is occupied by the applicant.

The site at 909 North 167th Street is 5,100 square feet (.12 acres). There is currently a one-story, 1,120 square foot, single-family home on the site.

The site at 915 North 167th Street is 10,200 square feet (.23 acres). There is currently a one-story, 1,650 square foot, single-family home on the site.

All three parcels together (collectively, “Subject Property”) are 25,500 square feet (.59 acres) and are located approximately 400 feet east of Aurora Avenue North (**Attachment 3 – Vicinity Map**). The Subject Property is relatively flat with no known critical areas present. The Subject Property has no significant trees and there are no sidewalks along North 167th Street or Linden Avenue North.

ZONING and LAND USE:

The Subject Property is located approximately 400 feet east of Aurora Avenue N in the Richmond Highlands Neighborhood (**Attachment 4 – Zoning Map**). The Subject Property is currently zoned R-8.

The surrounding area has a mix of zoning. The parcel to the west, across Linden Avenue N, is zoned R-6 and is the located of the City’s Richmond Beach Recreation Center and ballfields. The parcels immediately to the north and northwest, across N. 167th Street, are zoned R-6 and is developed with single-family homes. The parcel across N. 167th Street to the northeast, however, is zoned R-18 and maintains a 10-unit townhome development. The parcels to the south are zoned R-24 and are developed with townhomes. The parcel to the east is zoned R-18 and developed with four-plex apartments.

The Subject Property and the parcels to the south have a Comprehensive Plan Land Use designation of Mixed Use 2 (**Attachment 5 – Comprehensive Plan**). As provided in Comprehensive Plan Policy LU10, the Mixed-Use 2 (MU2) designation is similar to the Mixed-Use 1 (MU1) designation, except it is not intended to allow more intense uses, such as manufacturing and other uses that generate light, glare, noise, or odor that may be incompatible with existing and proposed land uses. The MU2 designation applies to commercial areas not on the Aurora Avenue or Ballinger Way corridors, such as Ridgecrest, Briarcrest, Richmond Beach, and North City. This designation may provide retail, office, and service uses, and greater residential densities than are allowed in low-density residential designations, and promotes pedestrian connections, transit, and amenities.

The adjoining parcels to the east have a Comprehensive Plan Land Use designation of Mixed Use 1. The Mixed-Use 1 (MU1) designation encourages the development of walkable places with architectural interest that integrate a wide variety of retail, office, and service uses, along with form-based maximum density residential uses. Transition to adjacent single-family neighborhoods may be accomplished through appropriate design solutions. Limited manufacturing uses may be permitted under certain conditions. *Id.*

Parcels to the north, across N. 167th Street, have a Comprehensive Plan Land Use designation of Low Density Residential and High Density Residential. The Low Density Residential land use designation allows single-family detached dwelling units. Other dwelling types, such as duplexes, single-family

attached, cottage housing, and accessory dwellings may be allowed under certain conditions. The permitted base density for this designation may not exceed 6 dwelling units per acre. *Id.*

The High Density Residential designation is intended for areas near employment and/or commercial areas, where high levels of transit service are present or likely. This designation creates a transition between commercial uses and lower intensity residential uses. Some commercial uses may also be permitted. The permitted base density for this designation may not exceed 48 dwelling units per acre. *Id.*

The parcel to the west, across Linden Avenue N, has a Comprehensive Plan Land Use designation of Public Open Space and is developed with the Richmond Highlands Park.

The current zoning of R-8 permits townhomes, however, this zoning district would limit the development of the Subject Property to only five (5) townhouse units. Under the proposed R-24 zoning, the Subject Property could support 14 units.

The Subject Property is accessed from Linden Avenue N or North 167th Street which are classified as Nonarterial Streets in the City’s Transportation Master Plan.

PUBLIC NOTICE AND COMMENT:

Staff analysis of the proposed rezone considered information gathered from a pre-application meeting on March 14, 2017, two neighborhood meetings, public comments, site visits, the Shoreline Comprehensive Plan, and the Shoreline Municipal Code, Title 20 Unified Development Code.

Per SMC 20.30.060 and 20.30.090, the Applicant held two neighborhood meetings, one on April 3, 2017 and another on September 18, 2017. Comments raised at the neighborhood meetings were related to increased traffic, traffic speed on local streets, lack of neighborhood parking, and lack of sidewalks. (**Attachment 6** for summary)

As required by SMC 20.30.120 and 20.30.180, public notice of the rezone application for the proposal was posted on site, mailed to all residents within 500 feet, advertised in the *Seattle Times*, and posted on the City’s website on October 3, 2017 (**Attachment 7**) and notice of public hearing for the rezone proposal was posted on site, mailed to all residents within 500 feet, advertised in the *Seattle Times*, and posted on the City’s website on October 26, 2017 (See **Attachment 8**).

The City received one public comment letter in response to the proposed rezone. The public comment letter is included as **Attachment 9**.

AGENCY COMMENT:

The Applicant’s proposal was circulated among City departments and outside agencies for review and comment. The Public Works Department commented on the proposal and will require frontage and sidewalk improvements around the Subject Property when developed.

The Applicant has submitted a Certificate of Water Availability from Seattle Public Utilities and a Certificate of Sewer Availability from Ronald Wastewater District. Both of these agencies state that sewer and water are available to the Subject Property.

ENVIRONMENTAL REVIEW:

The City of Shoreline is acting as Lead Agency for the SEPA review and environmental determination. The City issued a SEPA Determination of Non-Significance on October 26, 2017 (See **Attachment 10**).

DEPARTMENT ANALYSIS:

Rezoning is provided for in Shoreline Municipal Code (SMC) 20.30.320. The purpose of a rezoning is a mechanism to make changes to a zoning classification, conditions or concomitant agreement applicable to property. Changes to the zoning classification that apply to a parcel of property are text changes and/or amendments to the official zoning map.

SMC 20.30.060 classifies a rezoning as a Type C decision. Pursuant to Table 20.30.060, the City of Shoreline Hearing Examiner, after holding an open record public hearing and preparing findings and conclusions, makes a recommendation to the City Council. The City Council is the final decision making authority on a rezoning.

Rezoning Applications – Legal Standard

Three general rules apply to rezoning applications: (1) there is no presumption of validity favoring a rezoning; (2) the rezoning proponent must demonstrate that circumstances have changed since the original zoning; and (3) the rezoning must have a substantial relationship to the public health, safety, morals, and general welfare. *Phoenix Development Inc. v. City of Woodinville*, 171 Wn. 2d 820, 834 (2011) (citing *Citizens for Mount Vernon v. City of Mount Vernon*, 133 Wash. 2d 861, 947 P.2d 1208 (1997)). However, as is the case for the present rezoning application, when a proposed rezoning implements the policies of a comprehensive plan, the rezoning proponent is not required to demonstrate changed circumstances. *Bjarnson v. Kitsap County*, 78 Wash. App. 840, 899 P.2d 1290 (1995).

The decision criteria set forth in SMC 20.30.320(B) address these general rules as well as other considerations the City has established for determining whether or not a rezoning should be granted.

Decision Criteria – SMC 20.30.320(B)

Decision criteria that the Hearing Examiner must examine for a rezoning is set forth in SMC 20.30.320(B). The Applicant provided responses to the following decision criteria and staff has analyzed each of the criteria below.

SMC 20.30.320(B) provides that an application for a rezoning of property may be approved or approved with modifications if:

1. The rezoning is consistent with the Comprehensive Plan.

Applicant’s Response:

The rezoning request is a change from the existing zone of R-8 to the proposed zone of R-24. The Comprehensive Plan designation of the site is Mixed Use 2. The R-24 Zone is considered an implementing zone for this designation.

Comprehensive Plan Policy LU-10 reads, “The Mixed-Use 2 (MU2) designation is similar to the MU1 designation, except it is not intended to allow more intense uses, such as manufacturing and other uses that generate light, glare, noise, or odor that may be incompatible with existing and proposed land uses. The Mixed-Use 2 (MU2) designation applies to commercial areas not on the Aurora Avenue or Ballinger Way corridors, such as Ridgecrest, Briarcrest,

Richmond Beach, and North City. This designation may provide retail, office, and service uses, and greater residential densities than are allowed in low-density residential designations, and promotes pedestrian connections, transit, and amenities.

Staff Analysis:

In addition to the policy stated by the Applicant, the proposed rezone also meets the following Goals and Policies:

Goal LU I: Encourage development that creates a variety of housing, shopping, entertainment, recreation, gathering spaces, employment, and services that are accessible to neighborhoods.

Goal LU II: Establish land use patterns that promote walking, biking and using transit to access goods, services, education, employment, recreation.

Goal LU V: Enhance the character, quality, and function of existing residential neighborhoods while accommodating anticipated growth.

LU8: Provide, through land use regulation, the potential for a broad range of housing choices and levels of affordability to meet the changing needs of a diverse community.

Goal CD I: Promote community development and redevelopment that is aesthetically pleasing, functional, and consistent with the City's vision.

T28. Encourage development that is supportive of transit, and advocate for expansion and addition of new routes in areas with transit supportive densities and uses.

Goal H II: Encourage development of an appropriate mix of housing choices through innovative land use and well-crafted regulations.

Goal H V: Integrate new development with consideration to design and scale that complements existing neighborhoods, and provides effective transitions between different uses and intensities.

H1: Encourage a variety of residential design alternatives that increase housing choice.

H3: Encourage infill development on vacant or underutilized sites.

H23: Assure that site, landscaping, building, and design regulations create effective transitions between different land uses and densities.

NE1. Promote infill and concurrent infrastructure improvements in areas that are already developed in order to preserve rural areas, open spaces, ecological functions, and agricultural lands in the region.

Based on the noted Comprehensive Plan Goals and Policies and the R-24 zone being one of the implementing zones of the Mixed-Use 2 Land Use Designation, the proposed rezone is consistent with the Comprehensive Plan and meets criteria #1.

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

Applicant's Response:

The Applicant states that this proposed rezone will not adversely affect public health, safety, or the general welfare of the City.

Staff Analysis:

The rezone will not adversely affect the public health, safety, or general welfare for the following reasons:

The Subject Property is located in close proximity of the Aurora Corridor, Richmond Highlands Park, and Shorewood High School. The Subject Property is adjoined by parcels zoned R-24 to the south, R-18 to the east and to the north, across North 167th Street, a mix of R-6 and R-18 zoning. The adjacent parcels to the south and east are designated for mixed-use development in the Comprehensive Plan and parcels to the north are designated for a mix of high-density residential and low-density residential uses.

The intended use for the Subject Property (townhomes) is an approved use in the R-24 zone and will be required to fully comply with the Shoreline Municipal Code at the time of building permit application. Specially, any future develop will be connected to sanitary sewer and public water system and will be required to install frontage improvements, including sidewalks and stormwater controls, to ensure public health and safety.

The rezone will not adversely affect the public health, safety or general welfare since the Applicant is not introducing a use (townhomes) that cannot already be developed on the site. The rezone will allow the Applicant and Adjacent Property owners to develop more townhomes than currently allowed which complies with the goals and policies of the Comprehensive Plan. The parcels to the south are in transition which is evident from the recent construction of multiple townhome projects.

This proposed rezone meets criteria #2.

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

Applicant's Response:

The Applicant states that the rezone is warranted in order to achieve consistency with the Comprehensive Plan.

Staff Analysis:

The rezone is warranted in order to achieve consistency with the Comprehensive Plan. Policy LU-10 states:

The Mixed-Use 2 (MU2) designation is similar to the MU1 designation, except it is not intended to allow more intense uses, such as manufacturing and other uses that generate light, glare, noise, or odor that may be incompatible with existing and proposed land uses. The Mixed-Use 2 (MU2) designation applies to commercial areas not on the Aurora Avenue or Ballinger Way corridors, such as Ridgecrest, Briarcrest, Richmond Beach, and North City. This designation may provide retail, office, and service uses, and greater residential densities

than are allowed in low-density residential designations, and promotes pedestrian connections, transit, and amenities.

The proposed rezone to R-24 is warranted since the proposal satisfies Land Use Policy LU-10. Specifically, this proposal will provide greater residential densities than are allowed in low-density residential designations. The proposed R-24 Zone is in an area near employment, commercial areas, and where high levels of transit are present. The proposed R-24 zone is similar to the R-24 zone directly to the south and the R-18 zone directly to the east.

It should be noted that the proposed R-24 zoning designation is one of many implementing zones in the Mixed-Use 2 Land Use Designation. The policy states, in part: “Greater residential densities than are allowed in the Low-Density Residential designations.” This statement from Policy LU-10 makes it clear that increased residential density should be allowed over that of the Low-Density Residential designation which allows up to an R-6 zone. What is not clear in Policy LU-10 is what the maximum density should be in the Mixed-Use 2 designation. The Mixed-Use 2 designation supports the R-8 zoning all the way up to a Community Business zone which does not have a density limit.

The Subject Property has R-24 zoning to the south and R-18 zoning to the east. Both zones implement the Land Use designation of Mixed-Use 2 and are very similar in terms of building height and hardscape. The only difference is the density limit. An R-24 zone will allow 14 units compared to 11 units if the site were to be rezoned to R-18.

Staff supports the request to rezone the Subject Property to R-24 because the five (5) parcels to the south were rezoned to R-24 in 2008 and the physical differences between the R-18 and R-24 are nominal. The R-24 zoning will allow more units to be developed where it is supported by the Comprehensive Plan.

This proposed rezone meets criteria #3.

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

Applicant Response:

The Applicant states that the rezone will not be materially detrimental to uses or property in the immediate vicinity of the subject rezone since new development will improve the area.

Staff Analysis:

The rezone will not be materially detrimental to uses or property in the immediate vicinity of the subject rezone because the area around this proposed rezone has been in transition and parcels just south of the subject parcels have recently been redeveloping. The City Council approved Ordinance No. 499 in April 2008 which rezoned five (5) parcels at 16538, 16532, 16526, 16522, and 16520 Linden Avenue North from R-8 to R-24 directly to the south of the subject parcels. In the last year, townhomes have been constructed at the 16538 Linden address and four new units have been constructed at the 16532 address (**See Attachment 9 and Attachment 11**).

Any new development on the Subject Property will be required to comply with the City’s Municipal Code, Stormwater Manual, Engineering Development Manual, and other City relevant codes that ensure the site will be developed with the latest building and engineering codes.

The rezone and any future development will be required to install frontage improvements which will improve pedestrian safety in front of the Subject Property. New development will be required to provide stormwater and surface water improvements which will mitigate flooding around the Subject Property. New development will also be required to provide sufficient parking onsite to mitigate any effects of street parking on the adjacent right-of-way.

Because of the recent development of townhomes near the Subject Property, improvements the surrounding area will gain when the Subject Property is developed in the future, and the rezone being supported by the Comprehensive Plan, this proposed rezone meets criteria #4.

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

Applicant’s Response:

The Applicant states that the rezone has merit and value for the community because new development will be aesthetically pleasing with a slightly modern architecture that will only improve the neighborhood.

Staff Analysis:

The proposed rezone and subsequent development has merit and value for the community. The proposed rezone is implementing the City’s vision for this area as stated in Comprehensive Plan Policy LU-10. This location was chosen for allocation of the City’s population growth and the proposed townhome development is consistent with other townhome projects that have been recently constructed. The rezone will increase property values for the Subject Property, thereby creating increase property tax benefits. Existing commercial uses are in close proximity to the site and transit is a short walk from the Subject Property given that Aurora Avenue N. is approximately 400 feet to the east. Any future development will be required to install full frontage improvements that include sidewalk, curb, gutter, and landscape/amenity zone adjacent to the sidewalk. New sidewalks around the site on North 167th Street and Linden Avenue North will alleviate the neighborhood concerns of unsafe walking surfaces for pedestrians. In addition, new residential development will require the payment of transportation impact fees and park impact fees, thereby allowing for system-wide improvements that are being required due to growth within the community.

This proposed rezone meets criteria #5.

DEPARTMENT RECOMMENDATION:

Based on the above applicant response to the rezone criteria, the Planning & Community Development Department recommends **APPROVAL** of the Rezone for Jose Argueta file PLN17-0062.

Steve Szafran, AICP, Senior Planner

November 6, 2017

Attachments:

- Attachment 1 – Affidavits
- Attachment 2 – Proposed Site Plan
- Attachment 3 – Vicinity Map
- Attachment 4 – Zoning Map
- Attachment 5 – Comprehensive Plan Land Use Map
- Attachment 6 – Neighborhood Meeting Summary
- Attachment 7 – Notice of Application
- Attachment 8 – Notice of Public Hearing
- Attachment 9 – Public Comment Letter
- Attachment 10 – SEPA Determination of Nonsignificance
- Attachment 11 – Adjacent Townhome Development

DECLARATION OF JANET C. MURRAY

I, Janet C. Murray, as attorney-in-fact for Brenny Genevieve under the Durable Power of Attorney for Brenny Genevieve dated 8/16/17, state that Brenny Genevieve is the owner of real property located at 915 N. 167th Street, Shoreline, Washington and identified by King County Tax Parcel No. 0726049204 ("Property").

I, Janet C. Murray, as attorney-in-fact, have current and present authority to manage the financial assets of Brenny Genevieve, including real property owned by Brenny Genevieve.

I, Janet C. Murray, as attorney-in-fact and on behalf of Brenny Genevieve, appoint Jose A. Argueta as the authorized agent for the limited purpose of seeking a change in the zoning classification of the Property pursuant to the rules and regulations of the City of Shoreline.

I make this declaration subject to penalty of perjury under the laws of the state of Washington.

Dated this 16 day of August, 2017, at Shoreline, Washington.

Janet C. Murray
 Janet C. Murray, Attorney-in-Fact for Brenny Genevieve

State of Washington)
) ss.
 County of King)

I certify that I know or have satisfactory evidence that Janet C. Murray is the person(s) who appeared before me, and acknowledged that he/~~she~~/they signed and delivered this instrument as his/~~her~~/their free and voluntary act for the uses and purposes set forth.

Dated this 16th day of August, 20 17.

Kari Tate
 Notary Public in and for the State of Washington
 My commission expires 6th May 2020



DECLARATION OF SARAH TAYLOR SHERMAN

I, Sarah Taylor Sherman, as trustee of the Sarah Taylor Sherman Trust, certify that the Sarah Taylor Sherman Trust ("Trust") is the owner of real property located at 909 N. 167th Street, Shoreline, Washington and identified by King County Tax Parcel No. 0726049203 ("Trust Property").

I, Sarah Taylor Sherman, as trustee, have the authority to manage the financial assets within the Trust, including real property owned by the Trust.

I, Sarah Taylor Sherman, as trustee, appoint Jose A. Argueta as my authorized agent for the limited purpose of seeking a change in the zoning classification of the Trust Property pursuant to the rules and regulations of the City of Shoreline.

I make this declaration subject to penalty of perjury under the laws of the state of Washington.

Dated this 29 day of August, 2017, at Shoreline, Washington.

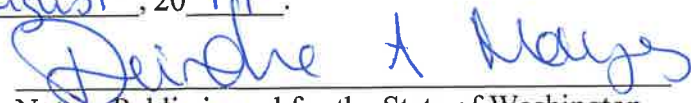


Sarah Taylor Sherman, Trustee
Sarah Taylor Sherman Trust

State of Washington)
) ss.
County of King)

I certify that I know or have satisfactory evidence that Sarah Taylor Sherman is the person(s) who appeared before me, and acknowledged that he/she/they signed and delivered this instrument as his/her/their free and voluntary act for the uses and purposes set forth.

Dated this 29 day of August, 20 17.



Notary Public in and for the State of Washington
My commission expires 11-16-2018

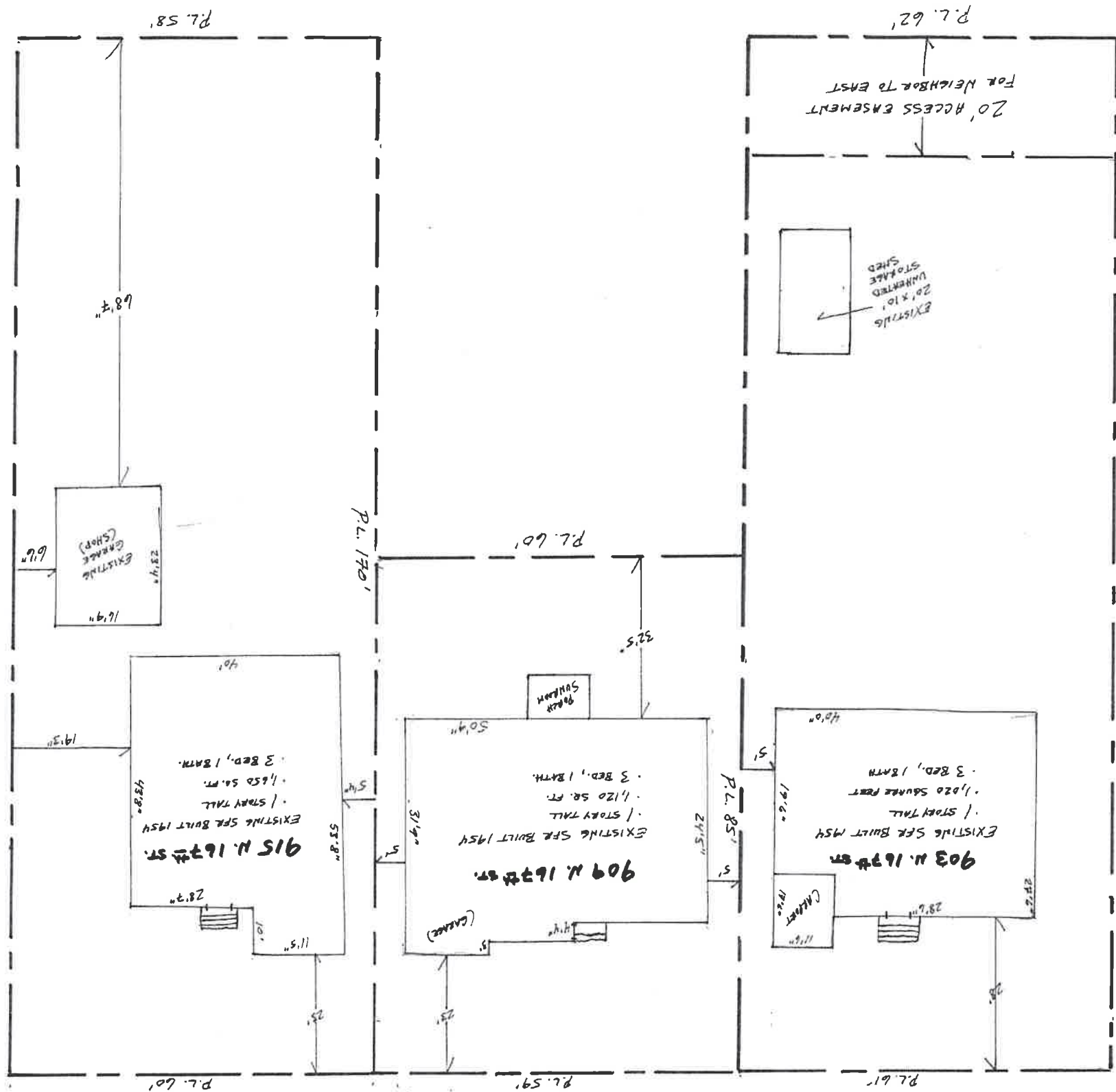


REVISION
SEP 19 2017
P&DS

DATE: 9/5/17
SCALE: 20' : 1" = 1"

PREPARED BY:
DAVE HYDELL
1532 ALI. 195th ST. #6
SHORELINE, WA. 98147
(206) 778-7355

ARGUETA RE-ZONE



NORTH
N. 167th ST.

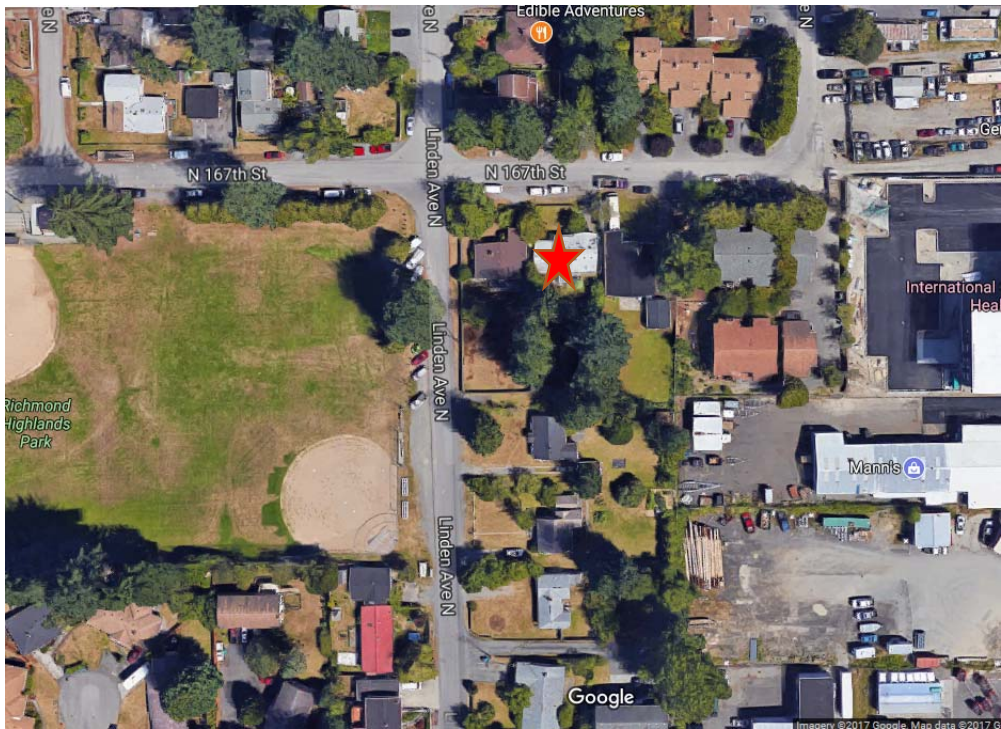
SCALE
20' : 1" = 1"

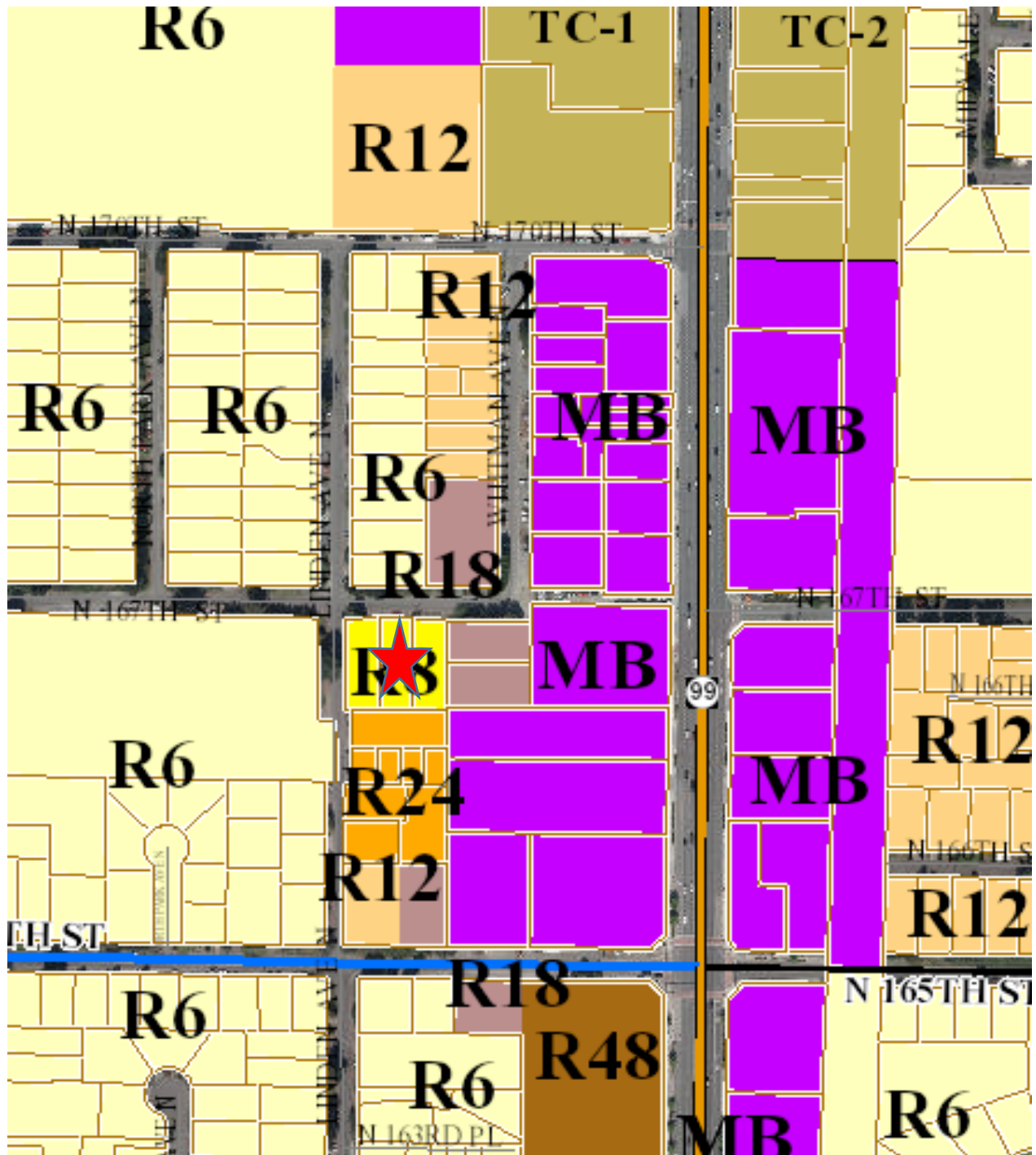
Row 28'

Row 22'

LINDEN AVE. N.

Vicinity Map







Summary of Neighborhood meeting

September 18, 2017

This is the summary of the neighborhood meeting for the proposal to re-zone the 3 lots (903, 909, 915 N. 167th St. Shoreline, Wa.) from the current R-8 zoning to R-24 zoning.

In attendance:

Jack Noble (206)542-7090 746 N. 165th St. Shoreline, WA. 98133

David Jackson (206)409-6279 16723 Whitman Ave. N. Shoreline, WA. 98133

Candy Hamel (206)931-5567 16723 Whitman Ave. N. Shoreline, WA. 98133

Sarah Sherman (206)334-1838 909 N. 167th St. Shoreline, WA. 98133

Cynnemin and Jim O'Sullivan (206)533-0007 16707 North Park Ave. N.
Shoreline, WA. 98133

Candy who lives directly across from Gerber Towing on Whitman Ave N., expressed that the area is "already too congested." Not enough places to park around the Park. She mentioned petitioning to get speed bumps on Whitman to slow traffic down. She also asked why the proposal is for R-24 and not R-18 or R-12? She is ok with the project, but would like to see fewer Townhouses built. She is worried about all the cars and the safety of children. She also mentioned the lack of access off of Aurora. She doesn't want the Townhouses to be over 2-stories high.

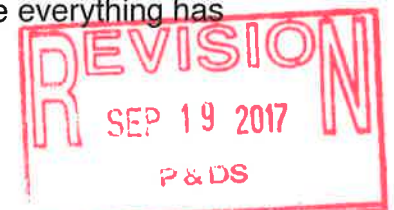
Jack shared his concern about lack of parking in the area. He was curious that during the process of permits and building, whether or not he was able to see how the off-street parking would look like.

David shared his concern for parking. He lives across the street from Gerber Towing, as well. Finds it very difficult to park in front of his own house, with the amount of cars on the street, from the surrounding businesses.

Cynnemin asked about how the extension of the sidewalks would look, extending to the North from the new construction on Linden? Will the sidewalks "dive-in" or "dive-out" into Linden? She was also concerned about the off-street parking.

Jim mentioned that Gerber Towing seems to just be able to park wherever they wish. Shared his frustration with all the new construction and how expensive everything has gotten.

Meeting lasted approximately 1 hour and there was no fist fights.



Summary of Neighborhood meeting

April 5, 2017

RECEIVED
MAY 22 2017

This is the summary of the neighborhood meeting for the proposal to re-zone the 3 lots (903, 909, 915 N. 167th St. Shoreline, Wa.) from the current R-8 zoning to R-24 zoning.

In attendance:

Janet Murray 15508 Ashworth Ave N. Shoreline, Wa. 98133
(representing her mother who owns 915 N. 167th St.)

David Jackson 16723 Whitman Ave. N. Shoreline, WA. 98133

Candy Hamel 16723 Whitman Ave. N. Shoreline, WA. 98133

Thomas Giylometi 16726 N. Park Ave N. Shoreline Wa. 98133

Julie Fisher 16525 Linden Ave N. Shoreline, Wa. 98133

Candy who lives directly across from Gerber Towing on Whitman Ave N., expressed that the area is "already too congested." Not enough places to park around the Park. She mentioned petitioning to get speed bumps on Whitman to slow traffic down. She also asked why the proposal is for R-24 and not "R-12"? She is ok with the project, but would like to see fewer Townhouses built.

Julie Fisher who lives at 16525 Linden Ave N. is worried about more traffic and what will happen to the street. She had heard that the street was supposed to be narrowed at some point in time. She was curious when this was going to happen, and exactly where on the street. Also expressed concern for the amount of traffic that races up and down Linden. Safety for her kids walking to school.

Both Candy and Julie were under the impression that just 903 N. 167th was proposing a re-zone, from the way that the letter was written. They thought the letter was intentionally misleading, without stating all 3 addresses on N. 167th.

Meeting lasted 1 hour and no fighting took place.

170062



**Re-Notice of Rezone Application
including Optional SEPA DNS Process
(October 3, 2017)**

Name of Applicant and Application No.: Jose Argueta, PLN17-0062

Location & Description of Project: 903, 909, and 915 N. 167th Street. The applicant has requested to rezone three parcels from Residential 8-units per acre (R-8) to Residential 24-units per acre (R-24) in order to construct townhomes.

Application Re-Submitted & Complete: September 19, 2017 and September 25, 2017.

Project Manager Name & Phone #: Steven Szafran, AICP. 206-801-2512.

Environmental Review: The City expects to issue a SEPA Determination of Nonsignificance (DNS) on this project. This may be the only opportunity to comment on the environmental impacts of this proposal. The proposal may include mitigation measures under applicable codes, and the project review process may incorporate or require mitigation measures regardless of whether an environmental impact statement is prepared. A copy of the subsequent threshold determination for the specific proposal may be obtained upon request.

Public Comment: The public comment period ends **October 18, 2017 at 5:00 p.m.** Interested persons are encouraged to mail, fax (206) 801-2788 or deliver comments to City of Shoreline, Attn. Steven Szafran, 17500 Midvale Avenue N, Shoreline, WA 98133 or email to sszafran@shorelinewa.gov. You may also request a copy of the decision once it has been made.

Development Regulations Used and Environmental Documents submitted:

Current editions of Shoreline Municipal Code and Comprehensive Plan, Stormwater Manual, Engineering Development Manual, Transportation Master Plan, and SEPA Checklist, All documents are available for review at City Hall, 17500 Midvale Avenue N.

Other Required Permits: Building, Demolition, and Right-of-Way Permits.

NOTICE OF DISCLOSURE

The City of Shoreline will enter all comments received into the public record and may make these comments, and any attachments or other supporting materials, available unchanged, including any business or personal information (name, email address, phone, etc.) that you provide available for public review. This information may be released on the City's website. Comments received are part of the public record and subject to disclosure under the Public Records Act, RCW 42.56. Do not include any information in your comment or supporting materials that you do not wish to be made public, including name and contact information.



Notice of Public Hearing of the Hearing Examiner and SEPA Determination

Applicant, Application No. and Permit Requested: Jose Argueta, PLN17-0062 Rezone

Location & Description of Project: 903, 909, and 915 N. 167th Street. The applicant has requested to rezone three parcels from Residential 8-units per acre (R-8) to Residential 24-units per acre (R-24) in order to construct townhomes.

Interested persons are encouraged to provide oral and/or written comments regarding the above project at an open record public hearing. The hearing is scheduled for Wednesday, November 15, 2017 at 6:00 pm in the Council Chamber at City Hall 17500 Midvale Avenue N, Shoreline, WA.

Any person requiring a disability accommodation should contact the City Clerk at (206) 801-2230 in advance for more information. For TTY telephone service call (206) 546-0457. Each request will be considered individually, according to the type of request, the availability of resources, and the financial ability of the City to provide the requested services or equipment.

SEPA Threshold Determination

Effective Date of Notice: October 26, 2017

Threshold Determination: The City of Shoreline has issued a Determination of Nonsignificance (DNS) under the State Environmental Policy Act Rules (Chapter 197-11 WAC) for the project described above. After review of the environmental checklist and other information on file, the City has determined this proposal will not have a probable significant adverse impact on the environment.

The optional process, as specified in WAC 197-11-355, was used. A notice of application that stated the City's intent to issue a DNS for this project was issued on October 3, 2017 and the public comment period expired on October 18, 2017. There is no additional public comment period for this Threshold Determination.

Judicial Appeal: There is no administrative appeal available for this decision. The SEPA Threshold Determination may be appealed with the decision on the underlying action to superior court. If there is not a statutory time limit on filing a judicial appeal, the appeal must be filed within 21 calendar days following the issuance of this decision and in accordance with State law.

Copies of the notice of application, SEPA threshold determination, application materials, applicable codes and more specific information on submitting a judicial appeal are available for review at City Hall, 17500 Midvale Avenue N.

NOTICE OF DISCLOSURE

The City of Shoreline will enter all comments received into the public record and may make these comments, and any attachments or other supporting materials, available unchanged, including any business or personal information (name, email address, phone, etc.) that you provide available for public review. This information may be released on the City's website. Comments received are part of the public record and subject to disclosure under the Public Records Act, RCW 42.56. Do not include any information in your comment or supporting materials that you do not wish to be made public, including name and contact information.

October 17, 2017

Mr. Steve Szafran, AICP
 City of Shoreline
 17500 Midvale Ave N.
 Shoreline, WA 98133-4905

RE: Application No: PLN17-0062
 Applicant: Jose Argueta

Dear Steve:

We are taking this opportunity to present our comments on the Re-Notice of Rezone Application including Optional SEPA DNS Process regarding the above referenced Application located at 903, 909 and 915 N. 167th Street, Shoreline, WA. Since all of the residents that live next to and across the street from these properties are renters, Dave Jackson and I are the closest homeowners that will be directly impacted by the possible rezoning to R-24 of these properties.

We feel the best way is to present numbered items listing our concerns and comments about this potential rezoning. Please see these below:

1. We want to clarify some points of the Summary of Neighborhood meeting notes that were submitted after the September 18, 2017 meeting.
 - a. It was incorrectly reported that Dave Jackson and I live directly across from Gerber Towing. We actually live at 16723 Whitman Ave N, across from the Methadone Clinic parking lot (which is next to Gerber Towing). It is also incorrect to state that I am "ok with the project". What I said, numerous times, is that I understand that there is growth happening in Shoreline and welcome it. I currently work for a developer and understand how things are changing. However, Dave Jackson and I both have concerns about these three properties on N 167th potentially being rezoned to R-24.
 - b. Since the first neighborhood meeting was held earlier in the year, the Owner of 915 N 167th St has passed away. Jose Argueta and his Realtor, Dave, told us at the second meeting that they have been in discussion with the deceased owner's family regarding purchasing this property, upon condition that this property be rezoned to R-24. That is why both properties are now being considered to be developed as soon as possible.
 - c. As was discussed at both neighborhood meetings, with Jose and Dave (the realtor), they envision adding at least 5 and possibly 6 new townhomes each on the 903 and 915 N. 167th properties. When Jose first told us about the possibility of what he wants to build on his lot, he said it would probably be the maximum height of 35' with a roof top deck on each one. We believe he may have a different idea now, but we also believe that he intends to make them as tall as the City will allow (35' – 40' depending on design) in an R-24 zone. All of the current townhomes across the street (zoned R18), apartment buildings the east of 915 167th (zoned R18) and homes on Lynden and Whitman (zoned R6 thru R12) in this area are no more than two story. The apartments that are located just east of 915 N 167th are surrounded by trees and are not obtrusive to the neighborhood. PLEASE SEE ATTACHED "Townhomes Across Street", "Apartments next door" and "Corner of Whitman and 167th".
 - d. What is also concerning, and not included in the Summary of the Neighborhood Meeting, is that Sarah Sherman, the woman who lives at 909 N 167th also attended the meeting and had many questions and concerns about what it would mean if her property and the other two properties were rezoned to R-24. She had not realized, or it was not clarified to her, that if these properties

were rezoned, there would be two sets of townhomes going up on both sides of her and her home. As she described it, she wasn't comfortable with having a wall on both sides of her property. Additionally, her property was originally subdivided into two lots years ago and the 2nd lot was purchased and a brand new single family home (16546 Lynden Ave N) now located directly behind her house, nestled in between the back portion of the 903 and the 915 properties. It is zoned R-8 and is not being rezoned. This house, too, would be "walled in" by the possibility of 6 townhomes each, one in front and one in back of this new home. PLEASE SEE ATTACHED "New Home #1".

- e. Here is another bit of history regarding the five properties located on Lynden that are currently zoned R-24 and that is referenced in the August 29, 2017 letter regarding the Neighborhood meeting. The 3 owners of these 5 properties got together about 14 years ago (before Shoreline's Comprehensive Plan was prepared) and tried to have their properties rezoned to R-48. We believe it was their intention to sell all of their properties to one individual and a potential 48 unit apartment building was being considered. Fortunately (for us) and unfortunately (for them), there was a large neighborhood turnout to the neighborhood meeting and for whatever reason, they did not wish to pursue the R-48 zoning. Since then, two of the 5 lots have been developed. One has added TWO story townhomes and kept them as rentals. PLEASE SEE ATTACHED "New Home #1". They look nice and fit in with the R-6 and R-8 zoning in the surrounding neighborhood. Unfortunately, the 2nd lot was subdivided and four HUGE homes were built and sold. Again, we understand a need for homes but this looks like Gulliver in the land of Lilliput. They look like monsters and are out of place in this neighborhood. PLEASE SEE ATTACHED "New Home #2".
2. **The issue of traffic and parking** is a big one. This development is proposed, and may require access to the townhomes, from N 167th, which forces people to either go west on 167th to Lynden Ave. and turn south to 165th or north to 170th to then go East to Aurora OR people go east on 167th and merge on to Whitman and proceed north to 170th, then East to Aurora. The problem with this plan is that from 170th and Whitman south to 167th & Lynden, we are already inundated with traffic, parking and driving hazards as described below.
- a. We have the back entrance to the methadone clinic, which serves just under 700 guests A DAY (and yes, a lot of them do drive or are driven by taxi, Mercy Care, Cabulance, Access vans, etc.),
 - b. We have a landscape company with their 8 trucks and their employees cars,
 - c. We have Gerber Towing PLEASE SEE ATTACHED "Gerber Towing #1 and #2" which tows, drops off, picks up, parks in the middle of the street, etc. and
 - d. We have the ICHS Clinic back entrance, which not only has people and cars cutting through it each day but has their employees parking on both sides of 167th between Whitman and North Park Ave and around Richmond Highlands Rec Center. PLEASE SEE ATTACHED "Clinic Parking #1 thru #7".
 - e. We have a 2nd junkyard directly across the street from the 903 and 909 property which is definitely zoned R-6 and should not have a junkyard there. PLEASE SEE ATTACHED "2nd Junkyard #1 and #2".
 - f. The parking around the park and up and down the neighboring streets is full every weekend by families using the field and facilities PLEASE SEE ATTACHED "Weekend Parking #1 thru #5". The four large townhomes built on Lynden already have some of their homeowners parking across the street at the park.
 - g. Last but not least – there are at least 10 children that walk DAILY from 170th & Whitman down around the corner to wait for the school bus at 167th and Lynden each day.

3. The drainage system in this area is not good and at one time was not even connected to the City's main system at the southeast corner of the property located at 915 N 167th (behind Mann Welding). There is also a drain located on the East side of Whitman, and just north of Gerber Towing, that does not drain and is constantly blocked by debris anyway. There is usually a very large pool of water in the middle of the road for quite a few days after it rains. About 10 years ago, I met with 4 gentlemen from the City of Shoreline regarding this drain. They all confirmed that the infrastructure was bad in this area and yep, this drain and the one it is connected to basically goes to nowhere down behind Mann's Welding. Nothing has ever been done about this drain on Whitman and we don't know if something was corrected down the line when ICHS or the new storage facility were recently built. PLEASE SEE ATTACHED "Drainage #1 & #2".

To summarize, we are very aware that Shoreline is growing and are glad to be a part of this community. Dave and I truly believe that rezoning these three lots, 903, 909 and 915 N 167th, to R-24 would be a detriment to this little pocket of Shoreline. There simply is not the existing infrastructure or capacity to hold a lot more homes, traffic, runoff, etc. on this little two block area. If a different rezone is considered, we strongly request that you consider some size and height limitations to blend in more with the homes that are already existing in the surrounding neighborhood.

Thank you for the opportunity to share our concerns about this possible rezone. We realize there were concerning statements made at the neighborhood meetings regarding discussions the realtor had with you, and after talking with you, we now understand the full picture. We have lived here for over 15 years and appreciate knowing that we are heard and can have a voice and some input.

Would you please notify us once a decision has been made? We would really appreciate it.

Respectfully,

Candy Hamel
Dave Jackson
16723 Whitman Ave N
Shoreline, WA 98133
(206) 931-5567

/cjh
Enclosures

PLN17-0062-23

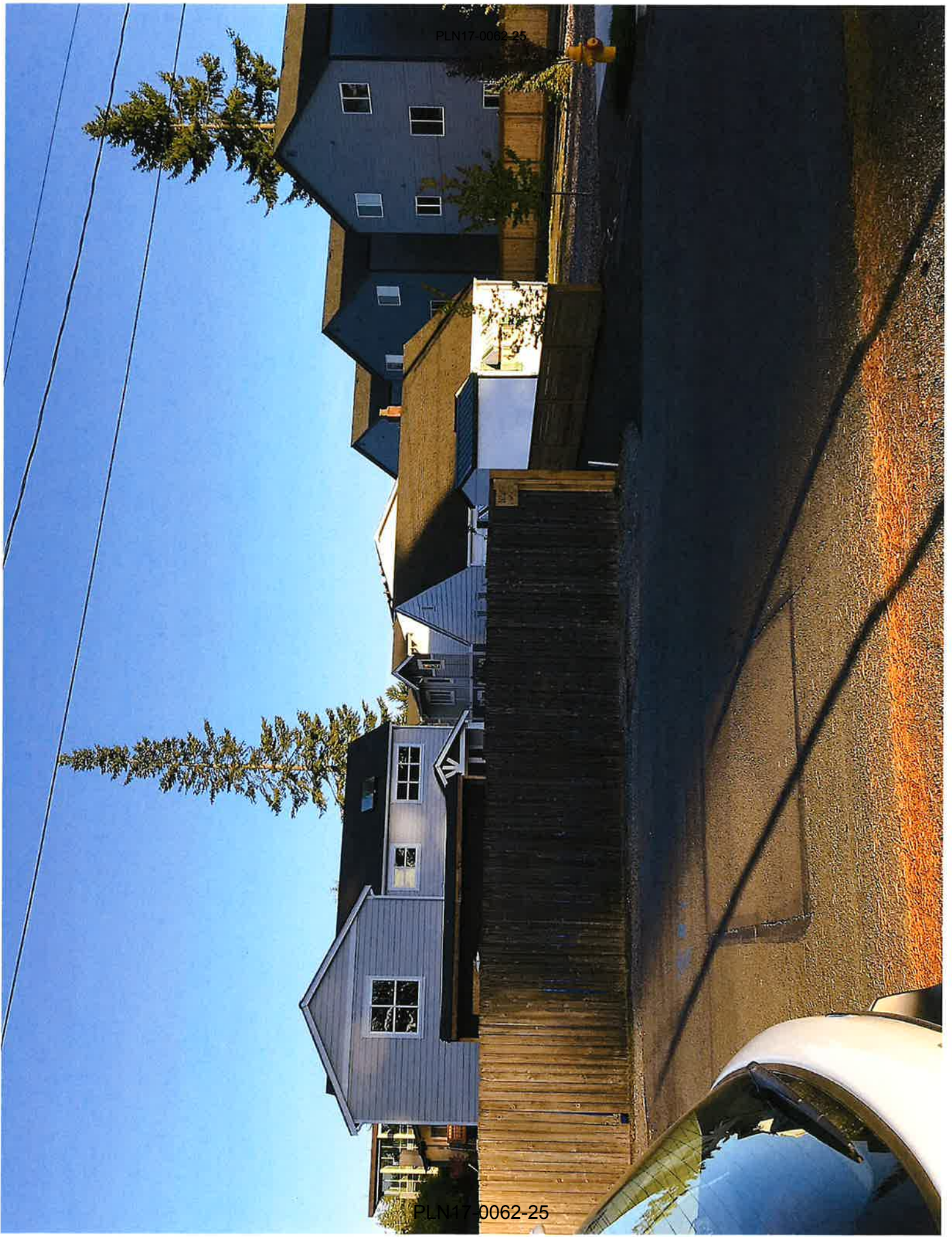


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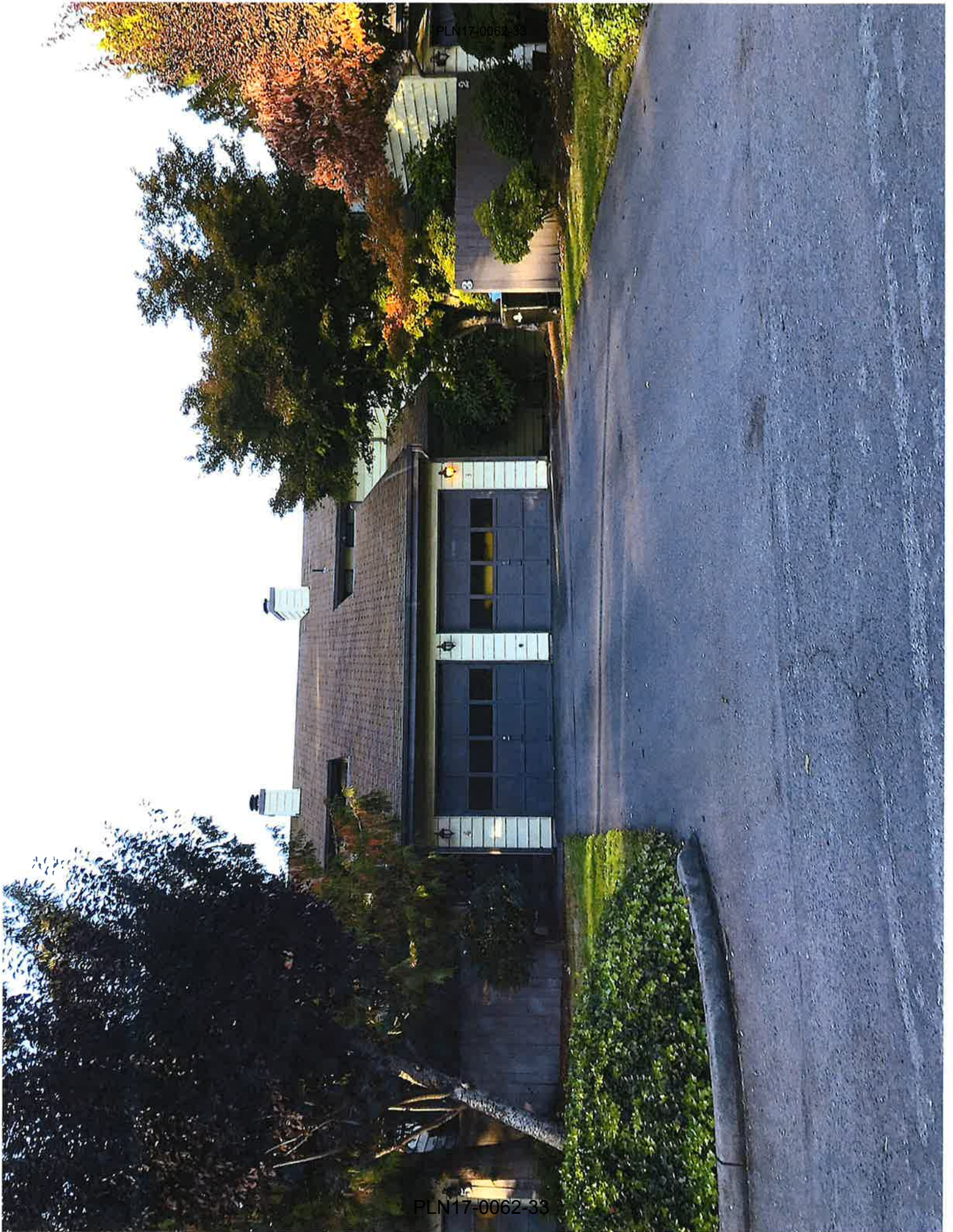
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PLN17-0062-35

PLN17-006236



PLN17-006236



17500 Midvale Avenue North
Shoreline, WA 98133-4905
(206) 801-2500 ♦ Fax (206) 801-2788

SEPA THRESHOLD DETERMINATION OF NONSIGNIFICANCE (DNS)

PROJECT INFORMATION

DATE OF ISSUANCE: **October 26, 2017**
PROPONENT: **Jose Argueta**
LOCATION OF PROPOSAL: **903, 909, and 915 N. 167th Street**

DESCRIPTION OF PROPOSAL: The applicant has requested to rezone three parcels from Residential 8-units per acre (R-8) to Residential 24-units per acre (R-24) in order to construct townhomes.

PUBLIC HEARING **Scheduled for November 15, 2017**

SEPA THRESHOLD DETERMINATION OF NONSIGNIFICANCE (DNS)

The City of Shoreline has determined that the proposal will not have a probable significant adverse impact(s) on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of the environmental checklist, the City of Shoreline Comprehensive Plan, the City of Shoreline Development Code, and other information on file with the Department. This information is available for public review upon request at no charge.

This Determination of Nonsignificance (DNS) is issued in accordance with WAC 197-11-340(2). The City will not act on this proposal for 15 days from the date below.

RESONSIBLE OFFICIAL: **Rachael Markle, AICP**
Planning & Community Development, Director and SEPA Responsible Official

ADDRESS: **17500 Midvale Avenue North** PHONE: **206-801-2531**
Shoreline, WA 98133-4905

DATE:

10/19/17

SIGNATURE:

Rachael E. Markle

PUBLIC COMMENT, APPEAL, AND PROJECT INFORMATION

The public comment period will end on November 11, 2017. There is no administrative appeal of this determination. The SEPA Threshold Determination may be appealed with the decision on the underlying action to superior court. If there is not a statutory time limit in filing a judicial appeal, the appeal must be filed within 21 calendar days following the issuance of the underlying decision in accordance with State law.

The file and copy of the Rezone Application are available for review at the City Hall, 17500 Midvale Ave N., 1st floor – Planning & Community Development or by contacting Steven Szafran, AICP, Senior Planner at sszafran@shorelinewa.gov or by calling 206-801-2512.

The file and copy of this SEPA Determination of Nonsignificance is available for review at the City Hall, 17500 Midvale Ave N., 1st floor – Planning & Community Development.

PLN17-0062-38



PLN17-0062-38