

DRAFT
CITY OF SHORELINE

SHORELINE PLANNING COMMISSION
MINUTES OF PUBLIC HEARING

November 21, 2019
7:00 P.M.

Shoreline City Hall
Council Chamber

Commissioners Present

Vice Chair Mork
Commissioner Craft
Commissioner Davis
Commissioner Lin
Commissioner Malek
Commissioner Maul

Staff Present

Rachel Markle, Director, Planning and Community Development
Nora Gierloff, Planning Manager
Julie Ainsworth-Taylor, Assistant City Attorney
Carla Hoekzema, Planning Commission Clerk

Commissioners Absent

Chair Montero

CALL TO ORDER

Vice Chair Mork called the public hearing meeting of the Shoreline Planning Commission to order at 7:00 p.m.

ROLL CALL

Upon roll call by Ms. Hoekzema the following Commissioners were present: Vice Chair Mork, and Commissioners Craft, Davis, Lin, Malek and Maul. Chair Montero was absent.

APPROVAL OF MINUTES

The November 7, 2019 minutes were approved as presented.

APPROVAL OF AGENDA

The agenda was accepted as presented.

GENERAL PUBLIC COMMENT

There were no general public comments.

PUBLIC HEARING: 2019 COMPREHENSIVE PLAN AMENDMENTS

Vice Chair Mork reviewed the rules and procedures for the public hearing. She reminded those present that the decision criteria for Comprehensive Plan Amendments is found in SMC 20.30.340(B) and the decision criteria for the concurrent rezone associated with Amendment 1 is found in SMC 20.30.320(B). She asked that public comments address the relevant decision criteria that the Commission will utilize when formulating its recommendation for the City Council. The criteria was displayed on the screen for reference. She emphasized that the character of a person or a particular business is not part of the decision criteria and will not serve as a basis for the Commission's recommendation. She asked that those commenting not use the name of the current owner. Instead, they should refer to the property by its address (1510 and 1517 NE 170th Street). She opened the public hearing.

Ms. Gierloff presented the staff report, explaining that the hearing is a continuation of the October 17th hearing. She briefly reviewed each of the amendments as follows:

- **Amendment 1** is a privately-initiated amendment that seeks to change the land use designation and zoning of two parcels located at 1510 and 1517 NE 170th Street from Medium Density Residential (MDR) to Mixed Use (MU-2) and concurrently rezone the properties from Residential (R-8) to Community Business (CB). The applicant's intent is to accommodate an existing business. However, the Commission should be mindful that the change would be permanent, regardless of what happens to any particular business in the future, it could always be redeveloped to any of the uses that would be permitted under the new zoning. It is unusual for commercial zoning to be downzoned in the future to residential zoning. Generally, once a property is zoned to a more intensive use, it rarely goes back to less intensive zoning. The amendment will be a long-range decision that will need to be considered in the context of the larger community.

Ms. Gierloff advised that the current Comprehensive Plan designation for the two parcels is MDR, which allows for single-family homes and small-scale multifamily residential uses such as duplexes, triplexes, and townhomes. The base density is limited to 12 dwelling units per acre. It is a small-scale district that is a buffer between the single-family residential and more intensive types of land uses. The proposal is to change the land use designation to MU-2, which is a more urban type of land use designation that encourages walkable places and allows for a wide variety of retail, office and service type uses, as well as denser housing types. It does not allow very intensive uses such as manufacturing or industrial, and it does not allow uses that create light, glare, noise or odor that interfere with the other uses that are permitted in the district. She summarized that the proposed amendment would change the designation from a primarily residential designation to something that is more wide open and urban.

Ms. Gierloff said the applicant has requested a concurrent rezone from R-8 to CB. The R-8 zone is for single-family residential and small-scale multifamily development. A few other types of uses are permitted with a conditional use permit, such as churches, restaurants, schools, and other small-scale, neighborhood-serving uses. The CB zone allows more intense residential uses, including apartments. It also allows restaurants, professional offices, medical clinics, and even things like auto repair and auto services. It is a wider-range commercial zone that allows uses that might impact residential neighborhoods.

- **Amendment 2** is also a privately-initiated amendment to change Natural Environment Goal V to set local goals to reduce greenhouse gas (GHG) emissions in support of the Paris Climate Accord threshold to limit global warming to less than 1.5°C above pre-industrial levels. Staff has proposed language to make it clearer that the goal is to reduce GHG emissions to limit global warming. Staff's proposed language reads, *"Protect clean air and the climate for present and future generations through significant reduction of greenhouse gas emissions, to support Paris Climate Accord targets of limiting global warming to less than 1.5°C above pre-industrial levels. Local reduction targets will also promote efficient and effective solutions for transportation, clean industries, and development."*

Ms. Gierloff advised that, if Amendment 2 is adopted, it will necessitate adjustments in the land use, housing, economic development and utilities section of the Comprehensive Plan in the future, as well as updating the City's Climate Action Plan, Greenhouse Gas Inventory, and the Carbon Wedge Analysis. These are all on City staff's work plan in the near future.

- **Amendment 3** is related to Amendment 1 and is a different approach for accommodating an existing business. Instead of rezoning the two parcels, the amendment would amend Land Use Policy LU2 to allow professional offices in the MDR land use designation. The proposed language would add "professional offices" as one of the uses that may be allowed in the MDR land use category. If adopted, the change would apply to all MDR properties throughout the City, and would not be limited to the two specific sites that are the subject of Amendment 1. If the amendment is adopted, staff would bring back a Development Code amendment to change the Land Use Table to add "professional offices" as a conditional use in the R-8 and R-12 zones. She noted that this change would be consistent with how office uses are treated in the R-18 and R-48 zones. The existing business would still need to apply for and receive a Conditional Use Permit under this scenario and abide by any conditions that result from that process.

Ms. Gierloff summarized that staff is recommending denial of Amendments 1 and 3 and approval of Amendment 2. She concluded that the objective of the meeting is for the Commission to conclude the public hearing process, deliberate, and make a recommendation to the City Council.

Commissioner Craft observed that, currently, the property is zoned residential but is being used for commercial purposes. There is an existing violation on the property based on its current use. Ms. Gierloff said the current use is not permitted in the zone.

Vice Chair Mork invited members of the public to comment on Amendment 2.

Lee Keim, Shoreline, said she was present to speak in favor of Amendment 2, which is a proposal to support additional language in the Comprehensive Plan that limits the warming of the planet to 1.5°C above pre-industrial times. She said the City's current global warming targets and GHG limits are based on limiting global warming to 2.0°C, a goal which was been shared for several years by cities and counties that are part of the Puget Sound Regional Council (PSRC). While 0.5°C may not seem significant to ordinary citizens, global warming has only increased 1.0°C from pre-industrial times. Scientists warn that is the difference of having exponentially increased catastrophic damages to human habitation and irreversible changes to the planet's ecosystem. According to the PSRC's Vision 2050, which is currently

in draft form, the Central Puget Sound Region is expected to add another 1.8 million people by 2050, reaching a population of 5.8 million. Shoreline will need to prepare for this increased growth. Absorbing the growth while controlling, capping and sequestering carbon means there is much challenging work to do. She referred to a Seattle Times Article which notes that Washington's GHG emissions are still trending higher in the latest inventory. She stressed how important it is for even small cities like Shoreline to make changes that will result in a healthy climate.

Ms. Keim said the Planning staff have advised that updates to the City's GHG emission goals is planned for 2021. They must also update the Climate Action Plan and Carbon Wedge Analysis. These updates will help feed into an updated Comprehensive Plan that is coming in 2023. She summarized that approval of Amendment 2 will guide every new natural and built-environment policy and every new transportation, electricity and carbon emission goal to incorporate a carbon emission component. They need to think of climate change when considering any regulations that effects the City.

Ms. Keim reported that last Saturday was the initial Green Shoreline Day, and there were over 40 people in attendance at Hamlin Park. It was a wonderful experience seeing families planting over 200 plants, many of them trees. She questioned if the trees and the environment would still be healthy when the children return with their children and grandchildren. The current generation must consider the condition of the world they leave for today's young people and generations to come. The need is urgent, the time is short, and the responsibility is ours to fulfill. She asked that the Commission recommend approval of Amendment 2.

Ann Lynch, Shoreline, strongly encouraged the Commission to support Amendment 2. Shoreline can be a leader in this effort in the area.

BASED ON THE DECISION CRITERIA SET FORTH IN SMC 20.30.320(B), COMMISSIONER CRAFT MOVED TO RECOMMEND TO THE CITY COUNCIL APPROVAL OF PROPOSED AMENDMENT 2 OF THE 2019 COMPREHENSIVE PLAN AMENDMENTS. COMMISSIONER MALIK SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.

Next, Vice Chair Mork invited members of the public to comment on Amendments 1 and 3.

David Chen, Shoreline, commented that the Commission and public would be remiss if it did not carefully review the Comprehensive Plan Amendment Decision Criteria when considering Amendments 1 and 3. He acknowledged that it can feel emotional and challenging when looking at two subject properties within an area, but he asked that the Commission think of the ways in which this challenge can be seen as an opportunity to consider how the City will look and plan towards a long-term strategy around medium use and intense zoning in areas that are residential in nature. He pointed out that the subject parcels are not the only nonconforming parcels that abut a CB or other high-intensity zone. This should be considered within the decision-making criteria, as it is consistent with the Growth Management Act (GMA) and the City's Comprehensive Plan and policies. This is not an isolated incident, and there will be other nonconforming uses. Clarity around this issue will be inherently valuable to city planners and residents who are looking to use their properties in the R-8 and R-12 designations.

Mr. Chen observed that there are currently situations throughout the City where residential homes are being used for professional office spaces and otherwise. He suggested this should be addressed head on as a concurrent issue rather than an isolated issue related only to the subject properties. He said he supports Amendment 3 because the Conditional Use Permit model allows the City to place additional conditions on a use. The GMA does not support spot zoning. He said he is grateful they are looking at the issue in a larger context of how property owners are using their homes for small businesses, living wage jobs, reducing commuter traffic, etc. North City has a lot of potential. In the same way they looked at the station subareas, they must look at all of the zoning designations to ensure that the permitted and conditional uses continue to maintain the ethos they are trying to create in Shoreline.

Duana Kolouskova, Seattle, said she has been serving as legal counsel to the applicant since Amendment 1 was docketed. She redistributed the comments she submitted earlier in August. She also provided some excerpts from relevant City policies that she believes are appropriate for the Commission's consideration. As acknowledged by the Vice Chair, the Commission has heard quite a lot of comments throughout the process related to the subject parcels and the existing business.

Ms. Kolouskova commented that the City adopted the Vision 2029 framework that outlines a plan to move the City forward into the next iteration of the GMA and very modern ways of fostering a flourishing urban environment. As stated in a number of the framework goals in the Vision 2029 Plan, the success of the plan depends on continually attracting new residents and businesses to invest in the community, and the way a City does that is by progressive, forward-thinking, long-range planning. For example, one goal states, *"Create a business-friendly environment that supports small and local businesses and encourages innovation and creative partnerships."* She suggested that is exactly the intent of Amendments 1 and 3, innovative and creative ways to think about zoning and how to plan for the future of neighborhoods.

Ms. Kolouskova referred to an organization called Strong Towns, a prominent planning organization that presents to a number of west coast communities on how to modernize zoning in light of transit challenges, how to integrate communities, how to plan for the future, and how to support existing neighborhoods. She encouraged the Commissioners to visit their website, www.strongtowns.org, which emphasizes flexible zoning that allows a well-balanced mix of uses in a zone rather than the antiquated, rigid zoning that lawyers call Euclidian zoning that dates back 100 years and is considered outdated. Transition areas, like the subject property, are a perfect opportunity for the City to think carefully about the opportunities it has to increase flexibility in zoning to incorporate desirable uses and integrate small businesses in a manner that encourages them to be active, contributing members of a community and responsible neighbors. She posited that Amendment 3 provides just that opportunity for Shoreline.

Ms. Kolouskova said that, in the volume of materials the Commission has received, it is clear that the amendments comply with the GMA. There is ample discretion amongst the policies and framework of the GMA to support either of the amendments. The City's long-range planning policies also directly support either amendment. Starting with the North City Subarea Plan in 2001, there has been discussion for almost 20 years about increasing vitality and economic development through a public and private effort. She submitted that is precisely what Amendments 1 and 3 provide. Lest the Commission think she is just the hired gun, she said has actually been involved with the City of Shoreline on a personal level for a very long time. Her mother was the City's assistant planning director, charged with drafting and working on the North City Subarea Plan.

Ms. Kolouskova pointed out that the two parcels lie between MU2/CB zoned properties and R-8 zoned properties, providing a fantastic opportunity for the City to support this type of transitional schematic or zoning framework. As noted by staff, there is a recognized difference between the two zones. To the extent that the City can create a framework that allows flexibility between the zones to foster a transition area, there is a lot of good, modern planning policy that would support that.

Ms. Kolouskova commented that throughout the process of this Comprehensive Plan Amendment year there has been quite an evolution in terms of the community's response to this type of zoning. She has found that through education, talking about opportunities, and finding out what is happening in neighborhoods, a lot of people support the City taking this issue more seriously and having an opportunity to think hard about what neighborhoods need to stay vibrant. She recognized there are still a lot of people who are concerned about the zoning change, but she anticipates that she and most everyone else in the room has the utmost confidence in City staff to administer the zoning in a manner that is appropriate and consistent with the direction of the Planning Commission and City Council. Neither amendment seeks to force large business into inappropriate areas or to detract from a neighborhood's quality of life.

Ms. Kolouskova asked that the Commission not to be swayed by fears and personal concerns about what could be. They must look at what the long-range policies ought to be for the City. This is a perfect opportunity for what she has come to think of as a pilot program for the City, to really see if something like Amendment 1 or Amendment 3 will work for properties in this situation. There is a history on the site of an upstanding business, home-grown, local business that has been a vibrant member of the community. This is an opportunity to keep that business in the City. Rather than driving it out, she asked that they give the applicant a chance, for example through the Conditional Use Permit process, for a close look by staff and decision makers to determine if it is an appropriate way to go. The Conditional Use process would provide an opportunity to bring the community together. She urged the Commission to seriously consider either or both the amendments and provide a favorable recommendation to the City Council.

Kathy Hashbarger, Edmonds, commented that the present building has been adapted so it is useful for demonstrating American's with Disabilities Act (ADA) adaptations and is a community asset from that perspective. People can come to the business and see those adaptations in person. With the availability of transit, it would be very convenient to keep it in its current location. She observed that the impacts this particular business would have on the neighborhood would not be greater than having a residential family. She worked in a similar business, and it was very much like having a family in the neighborhood. She asked that the Commission consider recommending approval of Amendments 1 and 3.

Jenny Harding, Lynnwood, said she is the owner of New Chapter Weddings and Events, and was present in her capacity as a board member of the Greater Seattle Business Association (GSBA), Washington's LGBTQ and Allied Chamber of Commerce. She said the GSBA represents over 1,400 businesses and non-profits throughout the state who share the values of promoting equality and diversity in the work place. The organization knows how important small businesses, such as the business currently located at 1510 and 1517 NE 170th Street is to the local community and to the residents they serve. They provide good jobs and important tax revenue to the City of Shoreline. Beyond their own employees, they have a wider impact as a local, independently-owned business. The salaries they pay, the services they use, and

the profits they make circle back within the community. In short, companies like the one at 1510 and 1517 NE 170th Street are precisely the kind of small business that everyone says they want to attract to their community. The business joined the Allied Chamber of Commerce in 2004 and has been extremely exemplary members. They have hosted events to support the region's small businesses and been trustworthy contractors for many of their members. They even received the 2010 GSBA business leader of the year award. Their longevity in the community and the impact they have on the community at large should be considered when reviewing the land use of their properties.

Ms. Harding asked the Commission to support the application of the business at 1510 and 1517 NE 170th Street for the amendment of their zoning and comprehensive plan designations to reflect the current and established use for over a decade. Small businesses like theirs are vital to the local community.

Joshua Tubbs, Shoreline, said he currently lives at 1510 NE 170th Street as a resident, and he appreciates the location and affordability of the housing in the mixed-use building. The mixed-use building at 1510 NE 170th Street is the right transition between heavy commercial and residential. He said he supports Amendments 1 and 3 that will help the applicant continue to be the transition area.

Kristi Rettmann, Shoreline, said she is a member of Save Shoreline Neighborhoods and lives next door to one of the residentially-zoned properties mentioned in Amendments 1 and 3, which would allow for a permanent rezone of two residential parcels. This may seem benign to some, but it is vital that the Commission thoroughly considers the long-term effects of this permanent rezone to Shoreline residents now and in the future. If the lots on NE 170th Street are rezoned, it will be permanent. There will be no going back, and any business allowed in the CB zone can then be put up right next to the homes in the future. Once a rezone is approved, it is done, and you don't see many commercially-zoned lots being rezoned to residential. Business uses on a residential street invites increased noise, traffic, congestion, pedestrian safety issues, and light and glare impacts. A traffic study was conducted on NE 170th Street this fall, and the City's evaluation indicates that there are already greater than 700 cars per day just on this one stretch. There are speed violations with alarming frequency, greater than 30 miles per hour, and permanently expanding the business zone into the neighborhood cannot possibly reduce the traffic. It will only invite more as the business continues to grow.

Like many who stand in opposition to Amendments 1 and 3, Ms. Rettmann said she moved into the neighborhood assuming that the residential feel of her street would remain intact. She asked the Commission to continue to uphold the thoughts they have conveyed over the last few months and recommend denial of Amendments 1 and 3.

Mark Rettmann, Save Shoreline Neighborhoods, said he was present to speak on behalf of more than 230 concerned neighbors, citizens and voters that are part of the Save Shoreline Neighborhoods Group. They oppose the land use re-designation and rezone at 1510 and 1517 NE 170th Street (Amendments 1 and 3). He provided a map to illustrate the subject parcels, as well as the surrounding area in which the group conducted community outreach. They only spent a few hours of their personal time over a few weekends to collect over 230 signatures opposing the rezone. Not all residents were home when they stopped by, but nearly 100% of the residents contacted opposed the rezone or wanted more information about it. The red highlights on the map identify those who oppose the rezone. If they had spent more of their personal time doing outreach in the area, he is confident the map would be almost completely red.

Mr. Rettmann said he does not need to take 10 minutes to reiterate 11 months of facts, environmental impacts, problems and opposing comments that have been submitted to the City for the Commission and City Council to make an informed decision and represent the overwhelming opposing position of the community. Volunteer neighbors and citizens have sacrificed their personal and family time over the last 11 months to conduct community outreach; educate Shoreline citizens; represent the overwhelming opposing position of the community; review city planning documents, zoning and codes; review application materials, staff reports, meeting agendas, meeting minutes and environmental checklists; attend over 11 Planning Commission and City Council meetings; provide written and oral comments; and defend personal attacks and harassment towards some members of the group.

Mr. Rettman summarized that, based on all the facts and previous opposing comments submitted, the group did not feel it was necessary to mobilize over 230 citizens to show up again at this hearing and sacrifice more of their personal and family time to reiterate 11 months of the community's opposition to the rezone. The issue is not about whether the proponent is a good business. It is strictly about whether or not it is appropriate to permanently rezone two residential lots to business (CB) to fix code violations that the violators caused themselves. In order to recommend approval of Amendments 1 and 3, the Commission must find that they are consistent with the Comprehensive Plan Amendment and Rezone Criteria, City regulations, GMA and the community welfare and opinion. Besides the few economic vision policies and goals selectively referenced earlier and displayed electronically, there are numerous other environmental and residential vision policies and goals of the criteria that support maintaining residential zoning and not rezoning to business. An analysis was submitted earlier to the City by Save Shoreline Neighborhoods and other commenters. Spot rezoning is not comprehensive zoning. He asked that the Commissioners maintain the previous positions that were voiced at the earlier meetings, accept the staff's recommendation, listen to the overwhelming majority of Shoreline citizens, and recommend denial of Amendments 1 and 3.

John McCoy, Shoreline, said most of his concerns have already been mentioned. However, he pointed out that he is a Shoreline native, a veteran of the United States Army, and he and his wife moved back to Shoreline four years ago because it has a wonderful residential vibe. The City's planning has been going very well, but a lot of hard decisions will need to be made as the transit stations come on line. He urged the Commissioners to look at the work done by staff and support their recommendation of denial of Amendments 1 and 3.

Brian Ellsworth, Shoreline, said he lives on NE 170th Street and is a fan of people working together to compromise and find middle ground. It is unfortunate that there has been none of that in this process. He expressed his belief that Amendment 3 would work for the property at 1510 NE 170th Street property, but applying it to the property at 1517 NE 170th Street would be pure and simple spot zoning. He said he doesn't see any other resolution except denying Amendments 1 and 3.

Yoshiko Saheki, Shoreline, said she appreciates the Commission's previous position to reject the amendments regarding the two parcels on NE 170th Street. She is pleased that the staff is also in agreement. She said she was present to comment on the process. She realizes that anyone can propose an amendment to the City's Comprehensive Plan; and at first blush, that is a good thing since many good ideas can come from the community. Those who live in Shoreline have the most to gain and lose from

the Comprehensive Plan. She believes that engagement from the public will always strengthen the City as a whole. However, as a Shoreline resident, she finds it odd that the Comprehensive Plan can be used to rezone specific properties such that any current illegal use of those properties can be made legal. This is a loophole that can potentially promote zoning violations in the future. It means anyone can purchase property, use it in violation of zoning law, and then after a period of time, apply for a Comprehensive Plan amendment and concurrent rezone to make the violations legal. This is an odd use of the Comprehensive Plan amendment process and the loophole needs to be closed. She acknowledged that the process cannot be changed for the 2019 docket, but she suggested such use of the Comprehensive Plan amendment process be prohibited in future years.

Joseph Irons, Shoreline, said he is the owner of the 1510 and 1517 NE 170th Street properties and has been a resident and business owner in Shoreline for over two decades. He asked for the Commission's support of Amendments 1 and 3 to allow great companies to be a buffer between the commercial and residential zones. He said he believes his two properties are an ideal transition. The City should consider how the business has been operating for over a decade with zero complaints, except for one about parking in 2014. The situation has been working, and they should consider using it as an example when doing long-term planning. He expressed his opinion that Shoreline didn't do the best thing when planning the City, as there are a lot of commercial zones right next to residential zones. Many people do not want to live right next to a commercial zone that has a high use. Changing the zoning to CB would allow a buffer between the residential and commercial zones, which does not currently exist.

If the Commission does not find the amendments acceptable, Mr. Irons asked that they postpone a decision and continue the process until a solution can be found. He said he and his wife are willing to work with whatever that solution is, but they want to make sure there is a good buffer in place that allows an existing, outstanding business to remain. He said his business serves all Shoreline neighborhoods and they have support throughout the community for the proposed amendments, including many residents in North City. He concluded that the residents of Shoreline know that neighborhood businesses are the real fabric of the community, and they need to allow them as a buffer.

Mr. Irons referred to City Council Goal 1, Points 2 through 5, which talk about economic development and supporting small businesses. A recommendation of approval of Amendments 1 and 3 will show that the Commission is ready to walk the talk.

Mr. Irons disagreed with the map provided by Save Shoreline Neighborhoods, showing in red the people who oppose the amendments. He said he talked to numerous neighbors on NE 170th Street yesterday. Many of them indicated their homes were included on the map as opposing the amendments, when in fact, they support the amendments. Some voiced concern that they didn't have all the facts when offering their initial position, and one resident indicated he was pressured by a crowd on the porch who wouldn't leave until he signed it. The map is not accurate, and a number of residents submitted emails to the City today indicating support for the amendments. Many residents who have lived there decades spoke highly of how the neighborhood has changed over the years. There has been a transition for the better, and neighborhood businesses are that good transition between heavy commercial and residential. Mixed Use is a good transition, too. The 1510 NE 170th Street property was previously zoned Mixed Use and is currently developed with a remodeling company with residences on top. It provides affordable housing,

and the commercial business must be respectful to retain their tenants. The rents are appropriate for the size of space, filling the need for both middle housing and a transition.

Mr. Irons said he and his wife were frustrated that the testimony was delayed last month, since over 100 people from throughout the City were present at the meeting to speak in support of the amendments. He noted that City Council Goal 1 calls for strengthening Shoreline's economic climate and opportunities, encouraging robust private investment and economic opportunities to enhance the local economy, providing jobs and housing choices, and supporting the public services and lifestyle amenities that the community desires and expects. He expressed his belief that the community desires and expects his business to stay in its current location.

Mr. Irons said Point 3 of Council Goal 1 calls for continuing to foster innovative community support of placemaking efforts that help create diverse communities with a mix of residential and commercial uses that promote economic development. Point 4 calls for encouraging affordable housing development in Shoreline, engaging the community in determining which additional housing types and policies may be appropriate for Shoreline, and codifying standards for selecting styles. Point 5 calls for facilitating collaboration between members of the business community in order to remove barriers to starting and growing businesses, increasing commerce and profitability, and identifying the approach of new industries for Shoreline. He expressed his belief that good long-term planning hasn't been done in Shoreline because there are numerous situations throughout the City where CB zoning is right next to residential zoning. They need a transition zone, and his business provides a good buffer. He asked that the Commission support small businesses and transitional zoning by recommending approval of Amendments 1 and 3.

Melissa Irons, Shoreline, said she is a resident of Shoreline and the applicant for Amendments 1 and 3. She asked all those present who support Amendment 1 or Amendment 3 to raise their hands. (Over 20 people raised their hands). She noted that she provided a large number of support letters earlier in the day, as well. She referred to her husband's earlier comment about the inaccuracy of the map presented by Save Shoreline Neighborhoods. As he walked the neighborhood for just three hours, several people were surprised to learn the factual information he provided. She emphasized that the issue is not intended to be a popularity contest; it is about their properties. She provided an excerpt from a letter that was submitted earlier in the day from a resident on NE 170th Street.

"I'm totally supporting the rezone petition to be able to allow 1510 and 1517 to stay in the neighborhood and operate as a business. They are great people; the kind of people who run a business that you dream of having in your own neighborhood, friendly and helpful."

Vice Chair Mork reminded Ms. Irons that the public comments should address the relevant decision criteria the Commission will utilize when formulating its recommendation to the City Council. The character of a person or a particular business is not part of the decision criteria and will not serve as a basis for the Commission's recommendation. Ms. Irons responded that she is not talking about a business. She is trying to provide the Commission with factual information to help them make an informed decision. She said the woman went on to say,

“We came to know them a few years ago when we had them work on our house, and they did an amazing job. They are down at the end of the block and it feels good to have a business nearby. I was approached earlier this year at our door by people wanting us to sign in opposition. . .”

Assistant City Attorney Ainsworth Taylor cautioned that the Vice Chair has twice advised speakers to stick to the criteria of approval. The Vice Chair also advised at the start of the meeting to avoid comments related to character. She further cautioned the speakers to stay away from accusations that the map is incorrect since that relates to character. She asked Ms. Irons to redirect back to the criteria that applies to Amendment 1 and 3.

Ms. Irons explained that she and her husband have followed all notices and requests that the City has asked them to comply with for the two properties. They have met financial obligations, time and attendance at all meetings for the application, and the process has presented a hardship. They would like to continue to operate in their location, and she knows there are a number of other businesses that are in R-6, R-8 and other zones in the City that are outgrowing their spaces. The City should support the Comprehensive Plan so that it addresses future growth. Her company is a part of the fabric of the business district in North City, and they want to continue. She asked that the Commission work to find a solution to meet the needs of the residents of the neighborhood that the amendment effects. The opposers quantified less than 5% of the City’s population. As a family, property owner and employer in Shoreline, she believes the application and the Commission’s support has been overshadowed. The City should work collaboratively with all small businesses to continue to meet City Council Goal 1, Points 2 through 5. She asked them to continue to work to lead a city that represents and supports those that not only live in the City but also those who have businesses in the City that provide employment, benefits, tax revenue and livelihood to the residents. She asked that the Commission consider the benefit that Amendments 1 and 3 would give to all neighborhoods to Shoreline, as well as their specific application to North City, and recommend approval of Amendments 1 and 3. Specific to Amendment 3, they are ready to work with the City on the Conditional Use Permit process if given the opportunity. They are also willing to work with the City on other future planning needs that combine with small business matters.

Liz Poitras, Shoreline, said she has lived in Shoreline for over 40 years. While she doesn’t know a lot about planning, the proposed amendments appear to be spot zoning and planning via squatters’ rights. The applicant has been following illegal procedures for quite a while. They are paying property tax on residential properties. Not only have they not been following the rules, they have been saving a lot of money, too. She said she doesn’t think this is the way to do planning—someone does something wrong, and then the City tries to fix it for them. Planning should be a well-thought-out process, and they should look at the entire scheme of an area and decide what they want the future to be. Everyone in the City should be given an opportunity to discuss it.

Vice Chair Mork closed the public comment portion of the hearing.

BASED ON THE DECISION CRITERIA SET FORTH IN SMC 20.30.320(B) AND SMC 20.30.340(B), COMMISSIONER MAUL MOVED TO RECOMMEND TO THE CITY COUNCIL DENIAL OF PROPOSED AMENDMENTS 1 AND 3 OF THE 2019 COMPREHENSIVE PLAN AMENDMENTS. COMMISSIONER MALEK SECONDED THE MOTION.

Commissioner Maul commented that Amendments 1 and 3 have implications to the greater City. Approving an amendment to address a situation in just one location without considering how it affects the entire City would be a mistake. He commented that his business was previously located within a single-family residence. When they outgrew the space, they moved to an appropriate location. That's what businesses have to do. It is unfair to force the amendments on the neighbors who clearly don't want them. The purpose of the zoning code is to give people predictability they can count on, and approval of the amendments would set a bad precedent. Commissioner Craft concurred.

Commissioner Malik also concurred with Commissioner Maul. He said he has had an opportunity to review some of the historic deed restrictions that were put onto plats throughout the City in the 1930s, 1940s, 1950s and 1960s to give assurances to the people buying into the neighborhoods as they were being platted. They were restrictive as to size and use to ensure that businesses and other uses were not located next to single-family homes. He expressed his belief that Amendments 1 and 3 are not just spot zoning, but they remove some of the good work they are trying to do with North City, Sears/Central Market and other larger commercial areas that are becoming business hubs. He said he is compelled to deny the amendments.

Commissioner Davis said she heard loud and clear the community's desire to look at opportunities for transition zoning in the City. However, this is a larger planning question that takes a lot of time because it involves an extensive community process so that decision making is inclusive and not based on the needs of just a few individual property owners. She expressed her hope this is something the City can look at going forward, collaborating with small businesses, neighborhoods and communities. As the zoning changes in the City, they must consider the best way to transition in areas near commercial zones where the edges are more abrupt. However, this is not the correct process for accomplishing that task. She said she supports the motion to deny Amendments 1 and 3.

Commissioner Lin said she also supports denial of Amendments 1 and 3. She commented that traffic, noise and open space must all be considered when planning for business zones. An extensive public process is needed to look at the issue on a bigger scale. The current amendment process does not allow the public participation that is needed to make a decision that can impact a number of properties throughout the City.

THE MOTION CARRIED UNANIMOUSLY.

Vice Chair Mork closed the public hearing.

DIRECTOR'S REPORT

There was no Director's Report.

UNFINISHED BUSINESS:

Assistant City Attorney Ainsworth-Taylor referred to the draft Planning Commission recommendation that was provided in an email she sent out prior to the meeting, noting that the language was changed to deny Amendment 1, approve Amendment 2 and deny Amendment 3. Also in the email, she invited the

Commissioners to provide any commentary they wanted to add to the recommendation (either majority or minority). Vice Chair Mork responded that the Commission's deliberation and recommendation has been very succinct, and their position is clear. Assistant City Attorney Ainsworth-Taylor commented that the minutes of the meeting would be transcribed and available to the City Council soon.

NEW BUSINESS

There was no new business.

REPORTS OF COMMITTEES AND COMMISSIONER ANNOUNCEMENTS

There were no committee reports or Commissioner announcements.

AGENDA FOR NEXT MEETING

Ms. Gierloff advised that the December 5th agenda will include a study session on proposed amendments to the Master Development Plan and Special Use Permit Process, which are the subject of a moratorium that is currently in effect. The amendments focus on the criteria for siting essential public facilities and master development plans for campus zones. Following the study session, the amendments will be presented for a public hearing in January.

ADJOURNMENT

The meeting was adjourned 8:20 p.m.

Laura Mork
Vice Chair, Planning Commission

Carla Hoekzema
Clerk, Planning Commission