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**Staff Report to Hearing Examiner**  
**Preliminary Formal Subdivision**  
**File No. PLN20-0139, Pulte 5 Degrees**

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## A. APPLICATION

Applicant: Pulte Homes of Washington, Inc. (**Exhibit 2, Application**)

Property Owners:

Pulte Homes of Washington, Inc.: 2105, 2117, and 2123 N 148th St; 2116, 2122, 2132, 2142, and 2150 N 147th St; 14704, and 14710 Meridian Ave N

Inland Empire Residential Resources:(14718 Meridian Ave N

Owner's Authorized Agent: Jim Sprott, Pulte Homes of Washington, Inc.

Application for a Preliminary Formal Subdivision to subdivide eleven (11) residential parcels into seventy (70) unit lots for single-family attached residences (townhomes). This subdivision is being reviewed concurrently with building, site development, and right-of-way permits under the Consolidated Subdivision process set forth in Shoreline Municipal Code (SMC) 20.30.410(A)(3).

## B. BACKGROUND

### **1. SITE CHARACTERISTICS<sup>1</sup>**

- 1.1 Site addresses: 2105, 2117, and 2123 N 148th St; 2116, 2122, 2132, 2142, and 2150 N 147th St; 14704, 14710 and 14718 Meridian Ave N
- 1.2 Site tax parcel numbers: 7771300055, 7771300065, 7771300070, 7771300140, 7771300135, 7771300125, 7771300115, 7771300110, 7771300150, 7771300145 and 7771300060
- 1.3 The Site is a flag shaped property of approximately 106,291 square feet (2.44 acres).
- 1.4 The Site has frontage on three rights-of-way, starting with N 148<sup>th</sup> Street where three (3) parcels have frontage on the south side, then continuing west to Meridian Avenue N where four (4) parcels have frontage on the east side, and finally wrapping around to N 147<sup>th</sup> Street where six (6) parcels have frontage on the north side (**Exhibit 3, Boundary/Topographic Survey**).
- 1.5 The Site currently contains eleven single-family residences, two detached garages, and three small accessory structures. Demolition permits have been issued to remove these structures.
- 1.6 The Site generally slopes down to the north, with an approximate 14-foot change in elevation.

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<sup>1</sup> For the purpose of this Staff Report, "Site" means the eleven tax parcels collectively.

1.7 There are no critical areas or critical area buffers on the Site.

## **2. COMPREHENSIVE PLAN LAND USE DESIGNATION AND ZONING**

2.1 The Comprehensive Plan land use designation for the Site is Station Area 3.

2.2 The Site is zoned Mixed-Use Residential 35' (MUR-35') which requires a minimum density of 12 units per acre, or a minimum of 30 units for this Site.

2.3 Pursuant to SMC 20.40.120, single-family attached residential dwellings are an allowed use in MUR-35'.

## **3. NEIGHBORHOOD CHARACTERISTICS**

3.1 The Site is located on the east side of Meridian Ave N, between N 147th and 148th Streets in the Parkwood neighborhood (**Exhibit 4, Vicinity Map**).

3.2 Meridian Avenue North is classified as a Minor Arterial and N 147th and 148th Streets are classified as Local Secondary streets.

3.3 The adjacent parcels to the east are zoned MUR-35'. To the west, across Meridian Ave N, the properties are zoned R-6. To the north, across N 148<sup>th</sup> St, the properties are zoned R-6; these properties are scheduled to be rezoned by the City in the year 2033 to MUR-35' (Phase 2 of the 145<sup>th</sup> Street Station Sub-Area Plan). To the south, across N 147<sup>th</sup> St, the properties are zoned MUR-45'.

3.4 The Parkwood neighborhood is located along the southern border of the City at 145<sup>th</sup> Street, and stretches north up to 160<sup>th</sup> Street, between Aurora Ave N and I-5. It was developed as a low-density residential area in the 1940s and 1950s. Historically, the buildings were mostly one to two stories in height and their footprints typically covered only a small portion of their sites. However, Parkwood has experienced redevelopment in recent years of higher density three-story townhouse redevelopments since portions of it were included within the City's 145<sup>th</sup> Street Station Subarea and the MUR zoning was established in 2016.

## **4. REGULATORY AUTHORITY**

4.1 SMC 20.30.060 requires Preliminary Formal Subdivisions to be processed as a quasi-judicial or "Type-C" actions. The Hearing Examiner is to hold an open record public hearing and submit a recommendation, supported by findings and conclusions, to the City Council, which will make the final decision on the application.

4.2 Applicable regulatory controls set forth in the SMC include:

- SMC 20.30 – Procedures and Criteria  
(Preliminary Subdivisions – SMC 20.30.410 and Subchapter 8 Environmental Procedures)
- SMC 20.40 – Zoning and Use Provisions  
(Residential Uses – SMC 20.40.120)
- SMC 20.50 – General Development Standards  
(Dimensional and Density Standards – SMC 20.50.020)
- SMC 20.60 – Adequacy of Public Facilities
- SMC 20.70 – Engineering and Utilities Development Standards

4.3 RCW 58.17.110 Approval/Disapproval of Subdivisions

## 5. ENVIRONMENTAL

- 5.1 A 70-lot subdivision and 70-unit residential development is subject to environmental review under SEPA.
- 5.2 The City of Shoreline is acting as Lead Agency for SEPA review and environmental determination. The City issued a SEPA Determination of Nonsignificance (DNS) on November 22, 2021. **(Exhibit 5a, SEPA DNS)**. The applicant submitted a completed environmental checklist **(Exhibit 5b)** and referenced documents, which included a traffic impact analysis **(Exhibit 5c)**, arborist report **(Exhibit 5d)**, critical area reconnaissance report **(Exhibit 5e)**, geotechnical report **(Exhibit 5f)**, storm drainage report **(Exhibit 5g)**, Phase I environmental assessment **(Exhibit 5h)**, and a statement on removing heating oil underground storage tanks **(Exhibit 5i)**.

## 6. PROCEDURAL HISTORY

- 6.1 A Pre-application Meeting for the subdivision was held on March 10, 2020.
- 6.2 A Neighborhood Meeting was held on April 1, 2020 **(Exhibits 6 and 7, Neighborhood Meeting Notice and Neighborhood Meeting Report)**.
- 6.3 Application for Preliminary Formal Subdivision (File No. PLN20-0139) was submitted on September 23, 2020.
- 6.4 The application was determined to be complete on October 19, 2020.
- 6.5 Three Notices of Application were issued for this Site:
  - Issued on October 22, 2020, with the comment period ending November 5, 2020. **(Exhibit 8a, Notice of Application)** This notice erroneously stated that the project qualified as a Planned Action consistent with Ordinance No. 752 Planned Action for the 145th Street Station Subarea.
  - A corrected notice issued on November 23, 2020, with the comment period ending December 7, 2020. **(Exhibit 8b, Notice of Application)** The required sign was not posted.
  - A corrected notice issued on December 4, 2020, with the comment period ending December 18, 2020. **(Exhibit 8c, Notice of Application)**
- 6.6 A Notice of Public Hearing was issued on January 3, 2022, for the Hearing Examiner open record public hearing on January 18, 2022 **(Exhibit 9, Notice of Public Hearing)**.

## 7. PUBLIC AND AGENCY COMMENT

- 7.1 Public Comment – Public comments were received from October 27, 2020, which was during the first Notice of Application comment period, to July 22, 2021. **(Exhibit 10, Public Comment)** The primary concerns raised in the comments were regarding increase in density, tree removal and protection, parking, and traffic. The applicant has adequately addressed these concerns as detailed below:
  - *Increase in Density:* The Site currently consists of a detached single-family residence on each lot and associated accessory structures. This was the typical low-density development pattern for this area until September 26, 2016, when it was rezoned to MUR-35' to implement the 145th Street Station

Subarea Plan. The 145<sup>th</sup> Street Station Subarea Plan outlines the vision for this area as one attracting a vibrant mix of land uses that offer additional housing choices and redevelopment that increases the number of people living in proximity to the light rail station to support the region's investment in high-capacity transit. MUR-35' does not have a maximum density but has a minimum density of 12 units per acre. This Site totals 106,291 square feet, which means a minimum of thirty (30) dwelling units are required by the Development Code. Seventy (70) units are proposed, which is a density of twenty-nine (29) units per acre. The original proposal was for 72 units; this was reduced to 70 units to provide better protection of trees to be retained. Since the SMC does not specify a maximum density, only minimum, how many units fit on a site depends on meeting other code requirements such as dimensional standards (e.g., minimum setbacks, maximum height), design standards, tree retention, landscaping, off-street parking, and stormwater management. While the City acknowledges the concerns of the public of the change from low-density to a higher-density development pattern, the decision to not adopt a maximum density for the MUR zones occurred in 2016 after a multi-year public process.

- *Tree Removal:* Twenty-four (24) of the twenty-six (26) public comments received contained concerns about tree removal, relating to overall loss of canopy and the various functions of trees, including stormwater control, air quality, and wildlife habitat.
  - Onsite Trees: SMC 20.50.350(B) requires retention of 20% of significant sized trees since there are no critical areas or buffers on the Site. The Site contains 86 significant sized trees, 67 of which are proposed for removal. Of these 67 trees, 16 are exempt from replacement and retention requirements, which means 27% of significant sized trees will be retained ( $19 / 70 = 0.2714$ ). SMC 20.50.360(C) requires 139 replacement trees. The applicant has requested, and been granted, a reduction as allowed by Exception SMC 20.50.360(C)(b), to 110 replacement trees.
  - Right-of-Way (ROW) Trees: Twelve (12) ROW trees will be removed: two (2) along Meridian Ave N, six (6) along N 147th St, and four (4) along N 148th St. SMC 12.30.040(B)(4) and 20.50.360(C) require 20 replacement street trees; 32 street trees are proposed by the applicant. Eleven (11) will be planted along the Meridian Ave N frontage, 15 along the N 147th St frontage, and six (6) along the N 148th St frontage.
  - Permit Conditions (DEV20-1621): To address concerns about tree removal and retention, pursuant to SMC 20.50.330(C) the following conditions are placed on the permit:
    - Tree protection shall be in place at time of pre-construction meeting as shown on approved plans. Tree protection shall remain in place until final inspection and shall not be removed except as outlined in the approved arborist report.
    - Pre-construction meeting required. Project arborist shall attend pre-construction meeting with city building inspector and project general contractor.

- Project arborist shall be onsite for removal of hardscape adjacent to tree protection area on the southeast corner of the site.
- Applicant shall provide city planner with monitoring reports (electronic, PDF file) from project arborist on retained trees as follows:
  - Start of construction (post-demolition, pre-site grading work)
  - Beginning of dry season (May), annually if construction spans more than one year
  - End of dry season (September), annually if construction spans more than one year
  - End of site grading and utility installation
- Trees shall not be removed during bird nesting season, which stretches from the last week of February to the first week of August, unless the project ecologist is onsite to facilitate bird nest relocation. If a young bird is encountered and is unable to fly, the project ecologist shall contact the approved rehabilitation facility, PAWS in Lynnwood, WA.
- *Parking/Traffic:* SMC 20.50.390 requires one (1) parking space for each dwelling unit or a total of 70 spaces for the development. The proposed project will include 111 parking spaces in individual unit garages, 77 of which are standard size (8.5 feet wide by 20 feet long) and 34 of which are compact size (8 feet wide by 16 feet long). This proposal exceeds required parking by 41 parking spaces. The development is located near two King County Metro bus lines, Route 346 on Meridian Ave N and Route 304 on NE 145th St. Route 346 runs from the Northgate Transit Center to the Aurora Village Transit Center. Route 304 runs from the Northgate Transit Center to the Shoreline Park and Ride. The Site is approximately one-third of a mile from the 148<sup>th</sup> Street Light Rail Station, and pedestrian mobility to and from the station will be greatly improved by the planned 148th Street bridge connection over Interstate 5. The City Traffic Engineer has completed a review of the applicant's Transportation Impact Analysis and concluded that neither the SMC nor the Engineering Development Manual required additional mitigation measures.

7.2 Agency Comment – One comment was received from the Puget Sound Clean Air Agency (PSCAA) during the Notice of Application comment periods. PSCAA commented that any project involving demolition is subject to PSCAA regulations and outlined applicable regulations with a website link. **(Exhibit 11, Agency Comment)**

## C. STAFF ANALYSIS

### 8. PRELIMINARY SUBDIVISION REVIEW CRITERIA (SMC 20.30.410)

The following criteria were used to review the proposed subdivision:

#### 8.1 SMC 20.30.410(B)(1): Environmental:

*Criterion (a): Where environmental resources exist, such as trees, streams, geologic hazards, or wildlife habitats, the proposal shall be designed to fully*

*implement the goals, policies, procedures and standards of the critical areas regulations, Chapter 20.80 SMC, Critical Areas, and the tree conservation, land clearing, and site grading standards sections.*

Staff Analysis: No critical areas or buffers exist on the Site. As proposed, the subdivision will comply with tree conservation (see Section 9.2 below), land clearing and site grading standards specified in SMC Chapter 20.50, Subchapter 5. There are eighty-six (86) significant trees existing on the Site. Significant trees range in measurement from 8.5 to 44.0 inches in diameter at breast height (DBH). Onsite significant trees include a variety of species: Alaskan cedar, Bigleaf maple, Cherry plum, Douglas-fir, Flowering cherry, Grand fir, Norway spruce, Pacific dogwood, Western hemlock, Western redcedar, and Western yew. Sixty-seven (67) significant trees are proposed for removal and nineteen (19) are proposed for retention. The trees proposed for retention are Alaskan cedar (1), Douglas-fir (16), Norway spruce (1), and Western redcedar (1). Per SMC 20.50.310(B), sixteen (16) significant trees under 30 inches DBH are exempt from retention and replacement requirements. Once the 16 partially exempt trees under 30 inches DBH are removed from the calculation, 27 percent of significant sized trees will be retained ( $19 / 70 = 0.2714$ ), more than the minimum retention requirement of 20 percent. The code requires one-hundred and thirty-nine (139) replacement trees. The applicant has requested, and been granted, a reduction as allowed by Exception SMC 20.50.360(C)(b), to one-hundred and ten (110) replacement trees. **(Exhibits 5d, 12, and 13, Arborist Report, Tree Retention Calculation Worksheet and Tree Replacement Exception Letter)**

*Criterion (b): The proposal shall be designed to minimize grading by using shared driveways and by relating street, house site and lot placement to the existing topography.*

Staff Analysis: The existing topography generally slopes to the north. Proposed townhome units are oriented both north-south and east-west. Where grades are more substantial in the north-south direction, townhomes oriented north-south step between units to more closely mimic existing topography. For some of the townhomes oriented east-west, grade is taken up between the front and back of units. The buildings are elevated to adhere to the maximum building height limits which are governed by the existing topography.

The layout of the development maximizes the units accessing common drive aisles. With the exception of the access at N 147th Street and the east access at N 148th Street, unit accesses are located on both sides of the interior drive aisles. Drive aisles will be graded to meet the Engineering Development Manual while attempting to minimize changes to existing topography. **(Exhibits 14 and 15, Site Plan and Road and Grading Plan).**

*Criterion (c): Where conditions exist which could be hazardous to the future residents of the land to be divided, or to nearby residents or property, such as floodplains, landslide hazards, or unstable soil or geologic conditions, a subdivision of the hazardous land shall be denied unless the condition can be*

*permanently corrected, consistent with subsections (B)(1)(a) and (b) of this section, Chapter 20.80 SMC, Critical Areas, and Chapter 13.12 SMC, Floodplain Management.*

Staff Analysis: There are no existing natural hazardous conditions on the Site.

*Criterion (d): Low impact development (LID) techniques shall be applied where feasible to minimize impervious areas, manage stormwater, and preserve on-site natural features, native vegetation, open space and critical areas.*

Staff Analysis: LID techniques and stormwater requirements are reviewed under the 2014 Department of Ecology (DOE) Stormwater Manual. The Public Works Department has indicated the proposed subdivision and associated site development shall conform to the stormwater requirements of the DOE Manual as mandated by the City's Engineering Development Manual. Construction permits have been reviewed to ensure compliance with applicable requirements.

## 8.2 **SMC 20.30.410(B)(2): Lot and Street Layout**

*Criterion (a): Lots shall be designed to contain a usable building area. If the building area would be difficult to develop, the lot shall be redesigned or eliminated, unless special conditions can be imposed that will ensure the lot is developed consistent with the standards of this Code and does not create nonconforming structures, uses or lots.*

Staff Analysis: The lots will be platted in a linear manner, with the majority oriented east-west and the rest oriented north-south. Lots 1-5 will be oriented east-west facing N 148<sup>th</sup> Street; Lots 6-12 will be oriented north-south along one of the eastern property boundaries; Lots 13-17 will be oriented east-west just to the south of Lots 1-5; Lots 18-35 will be oriented east-west just to the north of Lots 36-57; Lots 36-57 will be oriented east-west facing N 147<sup>th</sup> Street; and Lots 58-70 will be oriented north-south facing Meridian Avenue N (lots 58-70). There are two tracts, Tract A is an access tract for vehicular circulation, and Tract B is common outdoor space. Each proposed lot is rectangular in shape, containing the necessary footprint for an attached single-family home and a portion of landscaping, walkways and driveways into private garages. Because this is a unit lot subdivision, redevelopment of individual lots will be limited and, a covenant shall be noted on the face of the final plat (see Section 9.4, Criteria E). **(Exhibit 16, Preliminary Plat).**

*Criterion (b): Lots shall not front on primary or secondary highways unless there is no other feasible access. Special access provisions, such as shared driveways, turnarounds or frontage streets, may be required to minimize traffic hazards.*

Staff Analysis: Thirteen (13) lots have frontage on Meridian Avenue N, which is a Minor Arterial; six (6) lots have frontage on N 148<sup>th</sup> Street and twenty-two (22) lots have frontage on N 147<sup>th</sup> Street, both of which are Local Secondary streets. There are three vehicle access points, two from N 148<sup>th</sup> Street and one from N 147<sup>th</sup> Street, so there is no vehicular

access from Meridian Ave N, which has the highest classification of the three streets abutting this proposal (**Exhibit 14, Site Plan**). Both the Shoreline Fire Department and Public Works Departments have approved the access as proposed; all three access points connect in a looping private access drive system, so no vehicle turnaround is required for this subdivision, per Section 12.6(A) of the Engineering Development Manual (**Exhibit 17, Project Reviews Report**).

*Criterion (c): Each lot shall meet the applicable dimensional requirements of the Code.*

- 8.3 Staff Analysis: SMC Table 20.50.020(2) does not establish a minimum lot width and area for the MUR-35' zoning district. Per Footnote 2 of that Table, standards such as setbacks and hardscape may be modified for individual lots in zero lot line developments, provided the overall site meets the dimensional standards. A unit lot subdivision is the subdivision of land for single-family attached dwelling units, in the form of unit lot development, mixed single-family attached development, or zero lot line development in all zones in which these uses are permitted (SMC 20.20.050). Unit lot subdivisions consist of the parent lot, which is the entire Site, and must meet the dimensional standards in SMC Table 20.50.020(2), and the individual unit lots, which are the "child" lots that are not required to meet the dimensional standards in SMC Table 20.50.020(2). The unit lot boundaries for this subdivision will include each unit footprint, and a portion of landscaping, walkways and driveways into private garages, giving the individual lots setbacks ranging from 0 feet to 14 feet and from 68% to 97% lot coverage. The parent lot meets the dimensional requirements as identified in Section 9 below. The maximum hardscape for the site overall will be under the 85% required under SMC Table 20.50.020(2) (**Exhibits 16 and 18, Preliminary Plat and Architectural Site Plan**).

Densities and Dimensions in the MUR-35' Zone (SMC 20.50.020)

Standard	Regulation	Parent Lot
Base Density	N/A	N/A
Min. Density	12 du/acre 30 units	29 du/acre 70 units
Min. lot width	N/A	N/A
Min. lot area	N/A	N/A
Min. front yard setback	0 ft. from Meridian Ave N (Arterial Street) 10 ft. from N 147 <sup>th</sup> & 148 <sup>th</sup> Streets (Non-Arterial Streets)	3.91 ft. from Meridian Ave N (Arterial Street) 10 ft. from N 147 <sup>th</sup> & 148 <sup>th</sup> Streets (Non-Arterial Streets)
Min. side yard setbacks	5 ft.	12.25 ft. (Northeast Side) 10.83 ft. (Southeast Side) 14 ft. (North Side)



Standard	Regulation	Parent Lot
Min. rear yard setback	5 ft.	N/A
Base height	35 ft.	28.84 ft. to 34.74 ft.
Max. building coverage	N/A	N/A
Max. impervious surface	85%	81%

*Per SMC Table 20.50.020(2), Footnote 2, except for density and height, all these standards may be modified for unit lot and zero lot line developments for internal lots only.*

*Criterion (d): Pedestrian walks or bicycle paths shall be provided to serve schools, parks, public facilities, shorelines and streams where street access is not adequate.*

Staff Analysis: Improvements to street frontage, including new sidewalks along the Site's frontages with Meridian Avenue N and N 147<sup>th</sup> and 148<sup>th</sup> Streets, are required as a condition of approval. The lots with street frontage will have direct pedestrian access from the public sidewalk to the front entry of each unit, and the remainder that do not have street frontage will be accessed via shared walkways that connect to the public sidewalk. To the west across Meridian Avenue N about one block to the north is the Evergreen School, a Kindergarten through Grade 8 private school. There are public sidewalks on both sides of the street along Meridian Avenue N and the application is required install frontage improvements as previously noted (**Exhibits 14 and 18, Site Plan and Architectural Site Plan**).

#### 8.4 **SMC 20.30.410(B)(3): Dedications and Improvements**

*Criterion (a): The City may require dedication of land in the proposed subdivision for public use.*

Staff Analysis: The proposal requires dedication of a ROW easement of 6.5 feet on Meridian Avenue N and of 0.5 feet on both N 147<sup>th</sup> and 148<sup>th</sup> Streets. The ROW easements are required to be recorded prior to issuance of the associated ROW permit and are also recommended as a condition of approval of this preliminary formal subdivision. As of the date of writing this report the applicant was in the final stages of having the easements recorded.

*Criterion (b): Only the City may approve a dedication of park land.*

Staff Analysis: No dedication of park land is required or proposed. Future development of the site with housing units will require the payment of park impact fees pursuant to SMC Chapter 3.70.

*Criterion (c): In addition, the City may require dedication of land and improvements in the proposed subdivision for public use under the standards of Chapter 20.60 SMC, Adequacy of Public Facilities, and Chapter 20.70 SMC, Engineering and Utilities Development Standards, necessary to mitigate project*

*impacts to utilities, rights-of-way, and stormwater systems. Required improvements may include, but are not limited to, streets, curbs, pedestrian walks and bicycle paths, critical area enhancements, sidewalks, street landscaping, water lines, sewage systems, drainage systems and underground utilities.*

Staff Analysis: Improvements are required as a condition of approval within the Meridian Avenue N and 147<sup>th</sup> and 148<sup>th</sup> Streets rights-of-way adjacent to the site. All required improvements are pursuant to the 2020 Engineering Development Manual

Along Meridian Avenue N, from the centerline of the street, these improvements consist of a 5-foot half of a center turn lane, 11-foot travel lane, 7-foot bike lane, 6-inch curb, 5-foot amenity zone, and 8-foot sidewalk. Pedestrian scale lighting is required. ADA compliant curb ramps are required for the legal crossings across Meridian Avenue N at N 147th St and N 148th St. **(Exhibits 14 and 19, Site Plan and Right-of-Way Plan).**

Along N 147th Street, from the centerline of the street, provide a 10-foot travel lane, 7-foot parking lane, 6-inch curb, 5-foot amenity zone, and 8-foot sidewalk. A reduced throat of 24-feet is required on N 147th St at Meridian Ave N. ADA compliant curb ramps are required for the legal crossing across N 147th St at Meridian Ave N. **(Exhibits 14 and 19, Site Plan and Right-of-Way Plan).**

Along N 148th Street, from the centerline of the street, provide a 10-foot travel lane, 7-foot parking lane, 6-inch curb, 5-foot amenity zone, and 8-foot sidewalk. A reduced throat of 24-feet is required on N 148th St at Meridian Ave N. ADA compliant curb ramps are required for the legal crossing across N 148th St at Meridian Ave N. **(Exhibits 14 and 19, Site Plan and Right-of-Way Plan).**

Future development of the site with housing units will require the payment of transportation impact fees pursuant to SMC 3.80.

#### **8.5 SMC 20.30.410(B)(4): Unit Lot Subdivision**

This subdivision is a unit lot development with 70 proposed lots.

*Criterion (b): Unit lot developments may be subdivided into individual unit lots. The development as a whole shall meet development standards applicable at the time the permit application is vested.*

Staff Analysis: For vesting purposes, this application was filed on September 23, 2020, and deemed complete on October 19, 2020. The 70 lots proposed to be created by the proposed subdivision will be structurally independent fee-simple lots for individual townhome units. For the overall Site, all development standards, as noted in Sections 9, 10, and 11 of this report, are being met.

*Criterion (c): As a result of the subdivision, development on individual unit lots may modify standards in SMC 20.50.020, Exception 2.*

Staff Analysis: The individual unit lots in the proposed subdivision have modified setback and hardscape coverage requirements. The individual lots setbacks range from zero feet to 14 feet and from 68% to 97% lot coverage (**Exhibits 16 and 18, Preliminary Plat and Architectural Site Plan**). However, the Site overall meets the minimum setback and hardscape requirements not subject to SMC Table 20.50.020(2), Exception 2. (**Exhibit 16, Preliminary Plat**).

*Criterion (d): Access easements, joint use and maintenance agreements, and covenants, conditions and restrictions identifying the rights and/or the homeowners' association shall be executed for use and maintenance of common garage, parking and vehicle access areas; on-site recreation; landscaping; underground utilities; common open space; exterior building facades and roofs of individual units; and other similar features, and shall be recorded with the King County Recorder's Office.*

Staff Analysis: A shared access and utilities tract (Tract A) and a shared outdoor common space tract (Tract B) will be established as part of this subdivision. At the applicant's discretion, each unit lot may have an undivided interest in Tracts A and B or a homeowner's association may be formed for ownership of Tracts A and B. Easements are also needed for shared walkways that traverse individual unit lot lines. All covenants, restrictions, and responsibilities of property owners are required to be recorded prior to approval of the final plat, or, in the alternative, shown on the face of the final plat.

*Criterion (e): Within the parent lot or overall site, required parking for a dwelling unit may be provided on a different unit lot than the lot with the dwelling unit, as long as the right to use that parking is formalized by an easement on the plat, to be recorded with King County Records and Licensing Services Division.*

Staff Analysis: The applicant does not propose parking for dwelling units on a different unit lot. Parking will be limited to within the garages of each proposed townhouse unit.

*Criterion (f): The unit lot is not a separate buildable lot, and that additional development of the individual unit lots may be limited as a result of the application of development standards to the parent lot and shall be noted on the plat, to be recorded with King County Records and Licensing Services Division.*

Staff Analysis: This criterion is a mandatory condition of approval for a unit lot subdivision. As a condition of subdivision approval, this information shall be included on the face of the final plat.

*Criterion (g): The applicant shall record a covenant on the plat that states, "These units will be considered individual units and part of one structure that cannot be segregated from one another. A unit lot development is defined as one building or one structure in the International Building Code and International Fire Code and National Electrical Code."*

Staff Analysis: This criterion does not apply since the units were designed as structurally independent, they are not considered one building or structure under the International Building Code, International Fire Code, or National Electrical Code.

## 9. SITE DEVELOPMENT STANDARDS (SMC 20.50)

- 9.1 Densities and Dimensions in the MUR-35' Zone (SMC 20.50.020) – See Section 8.3 above.
- 9.2 Significant Tree Removal (SMC 20.50.290-370) – See Section 8.1 above.
- 9.3 Parking and Access (SMC 20.50.380-440)  
Each dwelling unit must provide one off-street parking space (SMC 20.50.390A). All required parking spaces are proposed to be located within the garages of each townhome unit. The spaces must measure at least 8.5 feet by 20 feet in size. Each townhome unit has at least one parking space meeting this measurement, with some having in excess of this dimension, resulting in 111 parking spaces in individual unit garages, 77 of which are standard size (8.5 feet wide by 20 feet long) and 34 of which are compact size (8 feet wide by 16 feet long).

## 10. ADEQUACY OF PUBLIC FACILITIES (SMC 20.60)

- 10.1 Wastewater – City of Shoreline Public Works Department Wastewater Utility staff have reviewed the subdivision and determined that sufficient sewer capacity is currently available, subject to conditions. (**Exhibit 17, Project Reviews Report**)
- 10.2 Water – Seattle Public Utilities has reviewed the subdivision and has issued a Water Availability Certificate, subject to conditions (**Exhibit 20**).
- 10.3 Fire Protection – The Shoreline Fire Department, a special purpose district separate and distinct from the City, has reviewed the plans for access, water pressure to the site, and proximity to fire hydrants and found the plans satisfactory, subject to conditions. Future development of the site with housing units will require the payment of fire impact fees pursuant to SMC 3.75 (**Exhibit 17, Project Reviews Report**).
- 10.4 Surface and Stormwater Management – The Public Works Department has reviewed the proposed subdivision and associated development and determined that surface water standards as set forth in the Engineering Development Manual, which are based on the 2014 Ecology manual shall be satisfied (**Exhibit 17, Project Reviews Report**).
- 10.5 Streets and Access – The Public Works Department has reviewed the proposed subdivision and associated development and determined that there is adequate access from N 147<sup>th</sup> and 148<sup>th</sup> Streets via a shared access driveway that loops. Frontage improvements for Meridian Avenue N and N 147<sup>th</sup> and 148<sup>th</sup> Streets, including re-paving of travel lanes (all), a half-center turn lane (Meridian), new curbs (all), gutters (all), bike lane (Meridian), parking lane (N 147<sup>th</sup> and 148<sup>th</sup>), sidewalks (all), and an amenity zone (all) will be required prior to final plat approval. Alternatively, the applicant may post a bond or other surety for frontage improvements, as provided in SMC 20.30.440, prior to final plat approval.

## 11. ENGINEERING AND UTILITY DEVELOPMENT STANDARDS (SMC 20.70)

- 11.1 Right-of-Way Dedication – The proposal requires a ROW easement of 6.5 feet on Meridian Avenue N and of 0.5 feet on both N 147th and 148th Streets as a condition of approval.
- 11.2 Frontage Improvements – The following frontage improvements will be required as a condition of approval and shall be installed by the applicant prior to final plat approval, or the applicant may post a bond or other surety as described in Section 10.5 above.
- a) Along N 147th St:
    - i. From the centerline of the existing ROW, provide a 10' travel lane, 7' parking, 6" curb, 5' amenity zone, and 8' sidewalk.
    - ii. Provide a reduced throat on N 147th St at Meridian Ave N. The roadway width at the reduced throat should be 24'.
    - iii. ADA compliant curb ramps are required for the legal crossing across N 147th St at Meridian Ave N.
  - b) Along N 148th St:
    - i. From the centerline of the existing ROW, provide a 10' travel lane, 7' parking, 6" curb, 5' amenity zone, and 8' sidewalk.
    - ii. Provide a reduced throat on N 148th St at Meridian Ave N. The roadway width at the reduced throat should be 24'.
    - iii. ADA compliant curb ramps are required for the legal crossing across N 148th St at Meridian Ave N.
  - c) Along Meridian Ave N:
    - i. From the centerline of the existing ROW, provide 5' for half of a center turn lane, 11' travel lane, 7' bike lane, 6" curb, 5' amenity zone, and 8' sidewalk.
    - ii. Pedestrian scale lighting is required along Meridian Ave N per Section 7.9 of the 2020 EDM.
    - iii. ADA compliant curb ramps are required for the legal crossings across Meridian Ave N at N 147th St and N 148th St.
- 11.3 Utility Undergrounding – Undergrounding of all utilities per SMC 20.70.430 will be required.

## C. CONCLUSIONS

Based on the above, staff concludes the proposed Preliminary Formal Subdivision:

- Has met the applicable requirements of the Shoreline Municipal Code, including SMC Title 20 Unified Development Code.
- Has met the criteria in RCW 58.17.110, Approval or disapproval of subdivision and dedication.
- Will make appropriate provisions for the public health, safety, and general welfare. The units within the subdivision will be connected to public sewer and water systems, subject to conditions set forth by the sewer and water providers. Additional stormwater runoff due to the increase of hardscape on Site will be managed according to current City and State standards. Anticipated traffic impacts will be mitigated through the payment of Transportation Impact Fees and construction of frontage improvements along Meridian Avenue N and NE 147<sup>th</sup> and 148<sup>th</sup> Streets. Impacts to the City's Park System and to the Shoreline Fire Department will be mitigated through Park and Fire Impact Fees. Impacts fees will be due at building permit issuance.

- Will serve the public use and interest. The Site is located within the 145<sup>th</sup> Street Station Subarea which promotes denser development in proximity to future high-capacity transit, specifically Sound Transit's 145<sup>th</sup> Street light rail station located approximately one-third of a mile from the Site. The denser mixed-use residential zoning is intended to improve walkability and reduce car dependency. The proposed subdivision's creation of 70 unit lots will result in an additional 59 housing units thereby helping to address the regional housing shortage in the Central Puget Sound area. In addition, by increasing density of this type, walkability and social interaction is promoted; car dependency is reduced, resulting in less greenhouse gas emissions and congestion; public services can be provided more efficiently; and more housing types are provided within the City.

#### D. STAFF RECOMMENDATION

Staff's recommendation to the Hearing Examiner is to forward to the City Council a recommendation of approval for the proposed Preliminary Formal Subdivision application, PLN20-0139, subject to the following conditions:

1. The applicant shall file for a Lot Merger to merge the eleven (11) existing lots. Development permits for the Site, including but not limited to, clearing and grading permits, site development permits, right-of-way permits, and building permits, shall not be issued until the City has approved a Lot Merger for the Site and the same has been recorded with the King County Recorder's Office. Failure to apply for or receive approval of a Lot Merger, or to record an approved Lot Merger, shall render the Preliminary Plat null and void and as such, no Final Plat shall be approved or recorded.
2. Applicant shall comply with all applicable provisions of the Shoreline Municipal Code, specifically SMC Title 20 Unified Development Code.
3. All existing and proposed restrictions, easements, tracts, and their purpose shall be clearly shown on the face of the Final Plat.
4. All utility easements for water service, sewer service, underground power, and telecommunications shall be noted on the face of the Final Plat.
5. A use and maintenance agreement shall be recorded, filed separately, or noted on the face of the Final Plat for all joint access and utility easements/tracts.
6. The stormwater facilities shall be complete and pass inspection prior to approval of the Final Short Plat, or the applicant shall post suitable bond or surety to guarantee the completion of improvements within one year of the approval of the final plat.
7. A stormwater declaration of covenant in a form acceptable to the City shall be recorded with the King County Recorder's Office prior to approval of the final plat and the recording number shall clearly be noted on the final plat. If the applicant has posted a bond or surety, then the declaration of covenant shall be recorded on each lot shown on the final plat prior to release of the bond or surety. Or, in the alternate, covenant language in a form acceptable to the City shall be included on the face of the final plat.
8. A joint use maintenance agreement identifying the rights and responsibilities of property owners within the final plat, or a homeowner's association, shall be executed for the maintenance and operation of the stormwater facilities and recorded with the King County Recorder's Office prior to approval of the final plat. Or, in the alternative, joint use maintenance agreement language shall be included on the face of the final plat. If the

declaration of covenant is used to outline the maintenance requirements, it must expressly be stated on the final plat.

9. The ROW Dedication(s) shall be recorded and the recording number(s) shall be shown on the final plat.
10. All conditions for access and life safety, as required by Shoreline Fire Department, shall be met. One hydrant is required and spacing shall be within 500 feet from another hydrant. The proposed access roads must be a minimum 20 feet wide and marked as a fire lane with no parking allowed. Both shall be noted on the face of the Final Plat, and the improvements shall be completed prior to Final Plat approval.
11. All conditions of the water availability certificate shall be met:
  - a. Design and Install approximately 135 feet of 8-inch ductile iron pipe water main in N 148th Street extending from the end of the existing 8-inch main to the east parcel boundary, including appurtenance(s).
  - b. If the proposed project changes after the Water Availability Certificate is certified, or if the current plan submitted to SPU does not detail the entire scope of the proposed project, water requirements may change, and a new Water Availability Certificate may be required.
  - c. Fire flow or other Fire Department requirements may alter water system needs at any time.
  - d. Water availability requirements will change if existing system cannot support desired water service.
12. All conditions set forth by City of Shoreline Public Works for new sewer connections shall be met:
  - a. Sanitary Sewer Developer Extension required to provide sewer service.
  - b. All materials and workmanship in connection with the installation of any sewers connected to the public sewer shall be as specified by City of Shoreline Public Works Department Engineering Development Manual (EDM) Division 4 Wastewater.
  - c. Wastewater easements will be required on City of Shoreline form. The easement shall be recorded prior to Final Plat approval and it shall be clearly noted on the face of the Final Plat.
13. All new development shall be served with underground power and separate meters for each dwelling unit.
14. Tree protection shall be in place at time of pre-construction meeting as shown on approved plans for DEV20-1621. Tree protection shall remain in place until final inspection and shall not be removed except as outlined in the approved arborist report.
15. Pre-construction meeting required. Project arborist shall attend pre-construction meeting with city building inspector and project general contractor.
16. Project arborist shall be onsite for removal of hardscape adjacent to tree protection area on the southeast corner of the site.

17. Applicant shall provide city planner with monitoring reports (electronic, PDF file) from project arborist on retained trees as follows:
  - a. Start of construction (post-demolition, pre-site grading work)
  - b. Beginning of dry season (May), annually if construction spans more than one year
  - c. End of dry season (September), annually if construction spans more than one year
  - d. End of site grading and utility installation
18. Trees shall not be removed during bird nesting season, which stretches from the last week of February to the first week of August, unless the project ecologist is onsite to facilitate bird nest relocation. If a young bird is encountered and is unable to fly, the project ecologist shall contact the approved rehabilitation facility, PAWS in Lynnwood, WA.
19. Covenants, conditions and restrictions identifying the rights and responsibilities of the property owner(s) and/or the homeowners' association shall be executed for the use and maintenance of vehicle access areas; walkway areas; solid waste storage and/or collection area(s); on-site common outdoor space; landscaping; underground utilities; exterior building facades and roofs of individual units; and other similar features shall be recorded, filed separately or noted on the Final Short Plat. Regarding landscaping, the maintenance agreement shall specifically address maintenance responsibilities of required replacement trees and landscaping.
20. The square footage of each lot shall be clearly shown on the face of Final Plat.
21. All addresses shall be shown on the recorded Final Plat. Each unit shall be addressed as follows:
  - a. Lot 1 – 2119 N 148th St Unit A
  - b. Lot 2 – 2119 N 148th St Unit B
  - c. Lot 3 – 2119 N 148th St Unit C
  - d. Lot 4 – 2119 N 148th St Unit D
  - e. Lot 5 – 2119 N 148th St Unit E
  - f. Lot 6 – 2123 N 148th St Unit A
  - g. Lot 7 – 2123 N 148th St Unit B
  - h. Lot 8 – 2123 N 148th St Unit C
  - i. Lot 9 – 2123 N 148th St Unit D
  - j. Lot 10 – 2121 N 148th St Unit A
  - k. Lot 11 – 2121 N 148th St Unit B
  - l. Lot 12 – 2121 N 148th St Unit C
  - m. Lot 13 – 2117 N 148th St Unit E
  - n. Lot 14 – 2117 N 148th St Unit D
  - o. Lot 15 – 2117 N 148th St Unit C
  - p. Lot 16 – 2117 N 148th St Unit B
  - q. Lot 17 – 2117 N 148th St Unit A
  - r. Lot 18 – 2116 N 147th St Unit A
  - s. Lot 19 – 2116 N 147th St Unit B
  - t. Lot 20 – 2116 N 147th St Unit C
  - u. Lot 21 – 2116 N 147th St Unit D
  - v. Lot 22 – 2116 N 147th St Unit E



- w. Lot 23 – 2126 N 147th St Unit A
- x. Lot 24 – 2126 N 147th St Unit B
- y. Lot 25 – 2126 N 147th St Unit C
- z. Lot 26 – 2126 N 147th St Unit D
- aa. Lot 27 – 2126 N 147th St Unit E
- bb. Lot 28 – 2150 N 147th St Unit A
- cc. Lot 29 – 2150 N 147th St Unit B
- dd. Lot 30 – 2150 N 147th St Unit C
- ee. Lot 31 – 2150 N 147th St Unit D
- ff. Lot 32 – 2150 N 147th St Unit E
- gg. Lot 33 – 2150 N 147th St Unit F
- hh. Lot 34 – 2150 N 147th St Unit G
- ii. Lot 35 – 2150 N 147th St Unit H
- jj. Lot 36 – 2142 N 147th St Unit E
- kk. Lot 37 – 2142 N 147th St Unit D
- ll. Lot 38 – 2142 N 147th St Unit C
- mm. Lot 39 – 2142 N 147th St Unit B
- nn. Lot 40 – 2142 N 147th St Unit A
- oo. Lot 41 – 2132 N 147th St Unit E
- pp. Lot 42 – 2132 N 147th St Unit D
- qq. Lot 43 – 2132 N 147th St Unit C
- rr. Lot 44 – 2132 N 147th St Unit B
- ss. Lot 45 – 2132 N 147th St Unit A
- tt. Lot 46 – 2122 N 147th St Unit F
- uu. Lot 47 – 2122 N 147th St Unit E
- vv. Lot 48 – 2122 N 147th St Unit D
- ww. Lot 49 – 2122 N 147th St Unit C
- xx. Lot 50 – 2122 N 147th St Unit B
- yy. Lot 51 – 2122 N 147th St Unit A
- zz. Lot 52 – 2112 N 147th St Unit F
- aaa. Lot 53 – 2112 N 147th St Unit E
- bbb. Lot 54 – 2112 N 147th St Unit D
- ccc. Lot 55 – 2112 N 147th St Unit C
- ddd. Lot 56 – 2112 N 147th St Unit B
- eee. Lot 57 – 2112 N 147th St Unit A
- fff. Lot 58 – 14704 Meridian Ave N Unit D
- ggg. Lot 59 – 14704 Meridian Ave N Unit C
- hhh. Lot 60 – 14704 Meridian Ave N Unit B
- iii. Lot 61 – 14704 Meridian Ave N Unit A
- jjj. Lot 62 – 14718 Meridian Ave N Unit E
- kkk. Lot 63 – 14718 Meridian Ave N Unit D
- lll. Lot 64 – 14718 Meridian Ave N Unit C
- mmm. Lot 65 – 14718 Meridian Ave N Unit B
- nnn. Lot 66 – 14718 Meridian Ave N Unit A
- ooo. Lot 67 – 14728 Meridian Ave N Unit D
- ppp. Lot 68 – 14728 Meridian Ave N Unit C
- qqq. Lot 69 – 14728 Meridian Ave N Unit B
- rrr. Lot 70 – 14728 Meridian Ave N Unit A

22. The subdivision shall comply with tree conservation, land clearing and site grading standards specified in SMC Chapter 20.50, Subchapter 5, specifically by retaining

nineteen (19) onsite significant trees and complying with the tree protection conditions numbers 14-18.

23. A Covenant shall be recorded either by stating it on the face of the Final Plat or by filing a Declaration of Covenant with King County Recorder's Office prior to Final Plat approval. The recording number of this Declaration shall be noted on the plat. The language of the covenant shall be:

"Each unit lot is not a separate buildable lot. Additional development of the individual unit lots may be limited as a result of the application of development standards to the parent lot. These units will be considered individual units and part of one structure that cannot be segregated from one another."

24. The following note shall be placed on the face of the Final Plat:

"This subdivision is approved based on SMC 20.30.410.D Unit Lot Development standards and Exception (#2) to Table 20.50.020(2) that allows modifications to certain dimensional standards for unit lot developments. Any future development of the individual lots created by this subdivision may be limited as a result of the application of development standards."