

ORIGINAL

ORDINANCE NO. 513

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON AMENDING THE CITY'S ZONING MAP TO CHANGE THE ZONING FROM R-12 (RESIDENTIAL, 12 UNITS PER ACRE) TO R-18 (RESIDENTIAL, 18 UNITS PER ACRE) FOR THE PROPERTY LOCATED AT 14800 1ST AVE NE

WHEREAS, the subject property, located at 14800 1st Ave NE is zoned R-12, Residential, 12 units per acre; and

WHEREAS, the owner of the property has applied to rezone the property to R-24, Residential, 24 units per acre; and

WHEREAS, the rezone of the properties to R-18 and R-24 is consistent with the Comprehensive Plan land use designations of High Density Residential; and

WHEREAS, the Planning Commission considered the applications for zone change at a public hearing on May 15, 2008, and has recommended approval of the rezone to R-24; and

WHEREAS, a Mitigated Determination of Non-Significance has been issued for the proposal pursuant to the State Environmental Policy Act; and

WHEREAS, the City Council considered the Findings and Recommendation of the Planning Commission and determines that the rezone of the property to R-18 should be approved to provide for residential dwelling units and other compatible uses consistent with the goals and policies of the City's Comprehensive Plan;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON DO ORDAIN AS FOLLOWS:

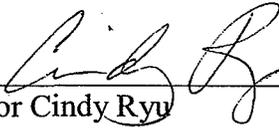
Section 1. Findings. The Planning Commission's Findings and Recommendation to approve rezone of the parcel, attached hereto as Exhibit A, are hereby adopted, with the modification to rezone the property to R-18.

Section 2. Amendment to Zoning Map. The Official Zoning Map of the City of Shoreline is hereby amended to change the zoning classification of the property described as GREEN LAKE FIVE-ACRE TRS S 166 FT OF 5 & N 132 FT OF 6 LY W OF STATE HWY & LESS ST (Parcel No. 2881700340) depicted in Exhibit B attached hereto, from R-12, Residential, 12 units per acre, to R-18, Residential, 18 units per acre.

Section 3. Effective Date and Publication. This ordinance shall go into effect five days after passage and publication of the title as a summary of this ordinance.

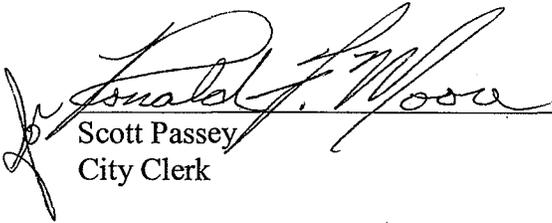
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PASSED BY THE CITY COUNCIL ON JULY 28, 2008.



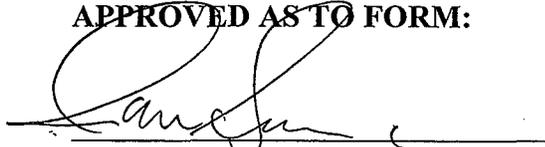
Mayor Cindy Ryu

ATTEST:



Scott Passey
City Clerk

APPROVED AS TO FORM:



Ian Sievers
City Attorney

Date of Publication: July 31, 2008
Effective Date: August 5, 2008

**CITY OF SHORELINE
PLANNING COMMISSION**

PRELIMINARY FINDINGS, CONCLUSIONS AND RECOMMENDATION

PROJECT INFORMATION SUMMARY

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

Project File Number: 201728

Project Address: 14800 1st Avenue NE, Shoreline, WA 98155

Property Owner: Todd Sucee, Northwest Center (authorized agent).

SEPA Threshold: Mitigated Determination of Non-Significance (MDNS)

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

Date of Public Hearing: May 15, 2008

INTRODUCTION

The applicants are requesting the zoning be changed on one parcel from R-12 to R-24. The rezone will facilitate the applicant's desired conversion of an existing church to a family resource center operated by the Northwest Center. There will be two phases to the applicant's proposal; first, The Northwest Center will renovate the existing building on-site to facilitate their existing child development program. Second, the applicant will add up to 24,000 square feet of new building space.

The child development program (+/- 150 children) indicated as phase one of the project above includes full day early learning programs, before and after school program and summer camp, early intervention services, and family support.

Phase two of the project could include up to a 24,000 square foot building addition to double the number of children to 108, family respite care, family resource program, teen program, ADA accessible playground, community space, independent living spaces, adult vocational training, and clothing donation collection.

The applicant has indicated that a rezone to R-24 is necessary because some of the above mentioned programs (including overnight respite care) are impossible under the R-12 zoning designation. Since an applicant's expected future development of a site is not part of the criteria considered by the Planning Commission in making their recommendation to the City Council, this information about the desired conversion into a family resource center is provided as background information-only.

If the site is not redeveloped as a school, an R-24 zoning designation would permit the construction of 76 dwellings on the subject property, most likely as townhome development.

FINDINGS OF FACT

Current Development

1. The subject parcel is located at 14800 1st Avenue NE, Shoreline, WA 98155
2. The parcel is 137,214 square feet (3.15 acres) and developed with a church and a cell phone tower. The parcel is zoned R-12 and has a Comprehensive Plan Land Use designation of High Density Residential (“HDR”). See **Attachment 1** for surrounding Comprehensive Plan designations and **Attachment 2** for surrounding zoning designations.
3. If the request is approved, the parcel has a development potential of 76 units dwelling units (R-24 zoning).
4. There are no existing sidewalks along 1st Avenue NE adjacent to the subject property. Right-of-way improvements are required when the applicant applies for building permits and include sidewalk, street lighting and curb and gutters.

Proposal

5. The applicant proposes to rezone the parcels from R-12 to R-24.
6. A pre-application meeting was held with the applicant and City staff on February 20, 2008; the applicant held the requisite neighborhood meeting on March 6, 2008, and a Public Notice of Application and Notice of Public Hearing was posted at the site.
7. Comments received at the neighborhood meeting included the following topics (**Attachment 3**):
 - Traffic (circulation due to proposed school)
 - Possibility of higher density housing
 - Parking from Aegis, parking for the Northwest Center
 - Concern about the potential for violent residents
 - Noise from the freeway
 - Lack of tax revenue from the school
 - Lack of sidewalks around the area
8. Advertisements were placed in the Seattle Times and Shoreline Enterprise, and notices were mailed to property owners within 500 feet of the site on April 17, 2008 for the Notice of Application. The Notice of Public Hearing and SEPA

Determination were posted at the site, advertisements were placed in the Seattle Times and Shoreline Enterprise, and notices were mailed to property owners within 500 feet of the site on May 1, 2008. Public comment letters can be found in **Attachment 4**.

9. The Planning Department issued a SEPA Mitigated Determination of Non-Significance (**Attachment 5**) and notice of public hearing on the proposal on May 1, 2008. The MDNS was not appealed.
10. An open record public hearing was held by the Planning Commission for the City of Shoreline on May 15, 2008.
11. The City's Long Range Planner, Steven Cohn, and Associate Planner, Steve Szafran, have reviewed the proposal and recommend that the parcels be rezoned to R-24.

Comprehensive Plan Land Use Designation

12. The parcels to the north and south have a Comprehensive Plan Land Use designation of High Density Residential. (See **Attachment 2**). Parcels to the west, across 1st Avenue NE, have a land use designation of Low Density Residential. To the east is the I-5 freeway.
13. The Comprehensive Plan describes High Density Residential as "intended for areas near employment and commercial areas; where high levels of transit service is present or likely; and areas currently zoned high density residential. This designation creates a transition between high intensity uses, including commercial uses, to lower intensity residential uses. All residential housing types are permitted.

Current Zoning

14. The subject parcel is currently zoned R-12. The subject parcel is developed with a church. Parcels to the north are zoned R-24 and developed with the Aegis senior housing complex. Parcels to the south are zoned R-12 and developed with two separate churches. Parcels to the west side of 1st Ave NE are zoned R-6 and developed with single-family homes. To the east is the I-5 freeway.
15. The purpose of R-12 zones, as set forth in Shoreline Municipal Code 20.40.030, is to "provide for a mix of single-family homes, duplexes, triplexes, townhouses, and community facilities, in a manner that provides for additional density at a modest scale."
16. The purpose of R-24 zones, as set forth in Shoreline Municipal Code 20.40.030, is to "provide for a mix of predominately apartment and townhouse dwelling units and other compatible uses."

Proposed Zoning

17. Under SMC 20.30.060, a rezone is Type C action, decided by the City Council upon recommendation by the Planning Commission. The decision criteria for deciding a rezone, as set forth in SMC 20.30.320, are:
- The rezone is consistent with the Comprehensive Plan; and
 - The rezone will not adversely affect the public health, safety or general welfare; and
 - The rezone is warranted in order to achieve consistency with the Comprehensive Plan; and
 - The rezone will not be materially detrimental to uses or property in the immediate vicinity of the subject rezone; and
 - The rezone has merit and value for the community.

Impacts of the Zone Change

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

	R-12 (Current)	R-24(Proposed)
Front Yard Setback	10'	10'
Side Yard Setback	5'	5'
Rear Yard Setback	5'	5'
Building Coverage	55%	70%
Max. Impervious Surface	75%	85%
Height	35'	35'(40' with pitched roof)
Density (residential development)	12 du/ac	24 du/ac
Maximum # of units	38	76

CONCLUSIONS

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

Staff reviewed the rezone criteria and recommends that a higher density zoning designation is warranted. In its review, staff concluded that an R-24 zoning designation is appropriate for the subject property. Staff's analysis is reflected below:

Rezone criteria

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

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

Land Use

- Land Use Element Goal I - Ensure that the land use pattern of the City encourages needed, diverse, and creative development, protects existing uses, safeguards the environment, reduces sprawl, promotes efficient use of land, encourages alternative modes of transportation and helps maintain Shoreline's sense of community.
- Land Use Element Goal III - Encourage a variety of quality housing opportunities and appropriate infrastructure suitable for the needs of Shoreline's present and future residents.
- LU14 – The High Density Residential designation creates a transition between high intensity uses (I-5 freeway) to lower intensity residential uses.

Housing Goals

- H30 – Encourage, assist and support social and health service organizations that offer housing programs for people with special needs.
- H31 – Support the development of emergency, transitional, and permanent supportive housing with appropriate services for persons with special needs throughout the City.

Streams and Water Resources

- LU 111 – Native vegetation should be preserved, or replanted.
- LU 113 – Encourage the use of native and low maintenance vegetation to provide secondary habitat.

Transportation

- T27 – Place a high priority on sidewalk projects

- T35 – Require all commercial, multi-family and residential short and log plat developments to provide for sidewalks.

The R-24 rezone proposal is consistent with all of the above Comprehensive Plan Land Use Element Goals and Policies because more intense residential zoning is consistent with the High Density Residential designation and would act as a transition between the high intensity transportation corridor (I-5 freeway) and lower density residential uses to the west.

An R-24 zone would allow greater development intensity than the current zoning and be compatible with the already existing R-24 zoned parcel directly north of this site. The current R-12 zoning category is consistent with the High Density Residential designation; however, in recent rezone recommendations, the Commission concluded that the R-24 zoning designation could also be an appropriate transition between high intensity uses and low density single-family homes.

R-24 provides a better transition than an R-12 zoning designation for the transition between Interstate 5 to the east and low-density single-family residential to the west across 1st Avenue NE. In addition, R-24 zoning exists directly to the north. This section of 1st Avenue NE is classified as a local street and should reflect densities that are appropriate for these types of street sections. It is Staff's position that an R-24 zoning designation is an appropriate density for a local street.

The difference in unit count between R-12 and R-24 is 38. 76 units are allowed in the R-24 zone and 38 units are allowed in the current R-12 zoning category. Since the development standards for R-12 and R-24 are similar, the major impact will be the additional traffic generated by potential units.

Although rezone approval cannot mandate specific future development requirements, the current property owner/applicant has not indicated a desire to build residential units on this property. The applicant wants to change the use of the existing property from a church to a family resource center. An R-24 zoning will allow the applicant more uses than the existing R-12 zoning (primarily an overnight respite care use).

Rezoning the parcel to R-24 is consistent with the Comprehensive Plan as is accord with the High Density Residential designation on the property and is supported by land use, housing, transportation and community design/transition goals of the Comprehensive Plan.

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

4. Staff believes the rezone and associated future development will not adversely affect the neighborhoods general welfare. A rezone to R-24 will result in an

effective transition from the intense I-5 corridor to low density residential uses that exist to the west.

5. New development requires improvements to access and circulation through curb and gutters, sidewalks and street frontage landscaping. Allowing this rezone will improve public health, safety and general welfare by adding needed sidewalks in an area where there are none.

In addition, mitigation measures proposed by the Watershed Company (**Attachment 6**) will improve the health of the Thornton Creek stream and buffer area that lies on the applicant's property.

Though the rezone cannot be conditioned, in reviewing a building permit, staff would refer to the rezone MDNS to determine appropriate mitigation.

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

6. R-12 and R-24 (proposed) zoning maintains consistency with the High Density Residential designation in the Comprehensive Plan. However, staff's review of the Plan's policies for additional direction has led staff to conclude that the Comprehensive Plan envisions a transition from high intensity uses (I-5 freeway) to lower densities and less intense land uses as you transition to the west. The proposal for R-24 meets this long term vision for the area as higher residential densities are expected within this transitioning area (new Aegis facility to the north).

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

After reviewing the information submitted by the applicant, staff concludes that the proposed rezone will not have a negative impact to the existing single-family properties in terms of use, traffic, parking or impact to critical areas.

7. The applicant submitted a traffic assessment evaluating traffic impacts at the applicant's family resource center at Queen Anne. It is shown that the facility has not had an impact on residential uses in the area. If the applicant's proposed use was never realized and residential units were to be constructed in the future, an additional traffic study would be required.
8. The applicant has an abundance of parking on-site. The potential change of use on the site will generate less parking demand than the existing church. Some of the community concerns had to do with overflow parking from the recently constructed Aegis senior homes. The subject parcel has more than enough parking and could be possibly used to alleviate parking demand of other uses in the area.
9. An increase in additional units envisioned by an R-24 zoning designation is not detrimental to the property in the vicinity because appropriate

infrastructure is in place, and will provide a reasonable transition between the I-5 freeway and the existing low density residential uses to the west of this site. New development will provide amenities such as curb, gutter, and sidewalk improvements.

A MDNS has been issued, and with proposed mitigation measures in place, no environmental issues remain.

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

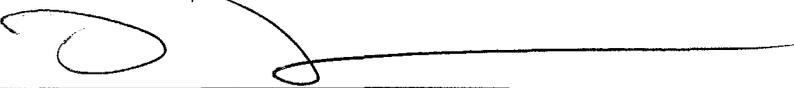
Staff has reviewed the applicant's materials and believes that the issues raised during the neighborhood meeting have been adequately addressed.

- By rezoning the parcel, the Commission will be implementing the vision that has been adopted in the Comprehensive Plan;
- Parking and traffic issues have been analyzed –An abundance of parking exists on the subject parcel and traffic impacts can be handled by the existing infrastructure.
- This rezone will encourage the reuse of an underutilized parcel. The use will also be a community asset.
- Appropriate transition requirements, specifically density, are being employed to address proximity to intense uses to low-density single-family uses to the west.

RECOMMENDATION

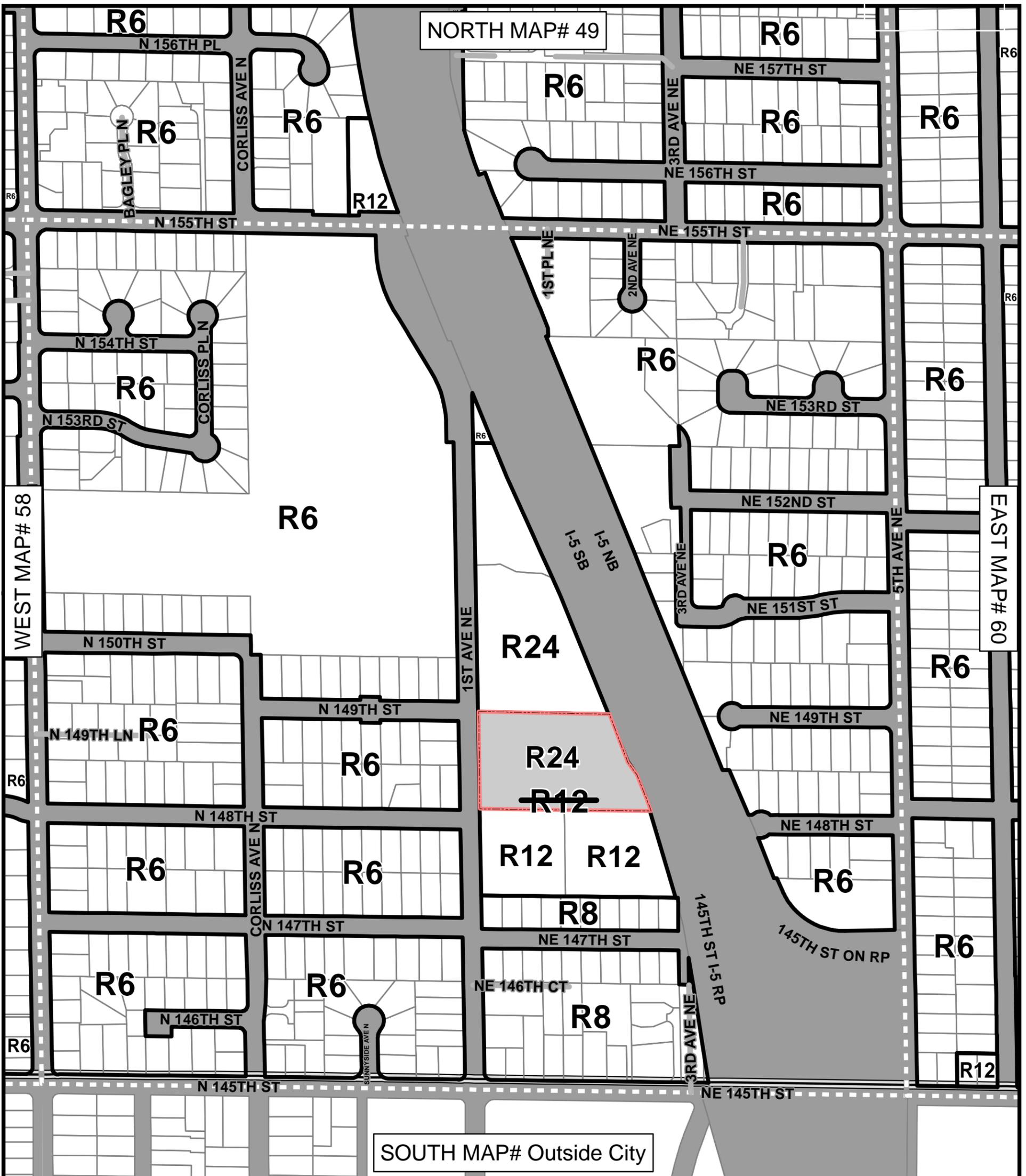
The Planning Commission recommends that the City Council approve a rezone of one parcels at 14800 1st Avenue NE, Shoreline, WA 98155 from R-12 to R-24.

Date: 7/25/08

By: 
Planning Commission Chair

ATTACHMENTS

- Attachment 1 - Comprehensive Plan Map
- Attachment 2 - Zoning Map
- Attachment 3 - Neighborhood Meeting Notes
- Attachment 4 – Public Comment Letters
- Attachment 5- Mitigated Determination of Non-Significance
- Attachment 6 – Watershed Company Letter



CITY OF SHORELINE ZONING MAP

Plot Date: 5/4/2007

Zoning Legend

- R4** Residential, 4 units/acre
- R6** Residential, 6 units/acre
- R8** Residential, 8 units/acre
- R12** Residential, 12 units/acre
- R18** Residential, 18 units/acre
- R24** Residential, 24 units/acre
- R48** Residential, 48 units/acre
- CZ** Contract Zone
- NB** Neighborhood Business
- NCBD** North City Business District
- CB** Community Business
- O** Office
- RB** Regional Business
- RB-CZ** Regional Business-Contract Zone
- I** Industrial

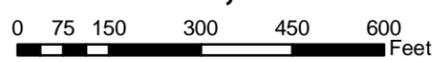
Feature Legend

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

1	2	3	4	5	6	7	8	9	10
13	14	15	16	17	18	19	20	21	22
25	26	27	28	29	30	31	32	33	
36	37	38	39	40	41	42	43	44	
47	48	49	50	51	52	53	54	55	
57	58	59	60	61	62	63	64	65	

MAP # 59

1:3,600



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

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



SE1/4-S13-T26N-R3 E