ORDINANCE NO. 224

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON AMENDING THE CITY'S ZONING MAP TO CHANGE THE ZONING OF A 1.6 ACRE PARCEL LOCATED AT 15th AVE NE AND NE 166th FROM R-6 TO CONTRACT ZONE #CZ-1999-01 SUBJECT TO RESTRICTIVE COVENANTS

WHEREAS, the subject property, described as Shoreline Village, located on the west side of 15th Avenue NE at NE 166th Street is designated on the Comprehensive Plan as low density, high density residential and community commercial (which allows high density residential development); and

WHEREAS, owners of the property have applied to rezone the above property from R-6 to a Contract Zone. The Planning Commission considered the application for zone change at a public hearing on November 4, 1999, and has recommended approval as subject to a concomitant zoning agreement as a covenant restricting the uses and setting conditions of development as specified in this Contract Zone and Concomitant Zoning Agreement #CZ-1999-01, and

WHEREAS, a declaration of nonsignificance has been issued for the proposal pursuant to the State Environmental Policy Act; and

WHEREAS, the City Council reviewed the recommendations of the Planning Commission and determined that the proposed amendment and Concomitant Zoning Agreement should be approved to provide residential development to accommodate growth consistent with the State of Washington Growth Management Act (RCW Ch. 36.70A);

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 attached hereto as Exhibit A, approving the rezone of the parcel, more fully described and depicted in Exhibit B attached hereto, and known as Shoreline Village, are hereby adopted.

Section 2. Amendment to Zoning Map. The official zoning map of the City of Shoreline adopted by Ordinance No. 125, is hereby amended to change the zoning classification of that certain property described and depicted in Exhibit B attached hereto, from R-6 to Contract Rezone #CZ-1999-01 subject to the Concomitant Zoning Agreement attached hereto as Exhibit C, which covenant is incorporated herein as part of this ordinance by reference, and all uses of the property rezoned by this ordinance shall be in strict conformity with the provisions of the Concomitant Zoning Agreement. Nothing in this ordinance or the concomitant zoning agreement attached hereto shall limit the Shoreline City Council from amending, modifying, or terminating the land use designation adopted by this ordinance.

Section 3. Severability. If any provision of this ordinance or the application of a provision to any person or circumstance, is declared invalid, then the remainder of this Covenant, or the application of such provision to other persons or circumstances, shall not be affected.

Section 4. Effective Date and Reversion. This ordinance shall go into effect five days after passage, publication of the title as a summary of this ordinance and the proper execution and recording of the Concomitant Zoning Agreement attached hereto as Exhibit "C"; provided, that if such Agreement is not executed and recorded within thirty days from the date of final passage of this ordinance, this ordinance shall become void and not go into effect. If a complete building application for development of the property rezoned by this ordinance is not filed within three (3) years of the effective date of this ordinance, or owners of all interest in the property file a written request, the property shall revert to an R-6 zoning designation or such other default land use or zoning designation as may hereafter be adopted by the City Council.

PASSED BY THE CITY COUNCIL ON JANUARY 24, 2000

Mayor Scott Jepsen

ATTEST:

Sharon Mattioli, CMC
City Clerk

APPROVED AS TO FORM:

Ian Sievers
City Attorney

Date of Publication: January 27, 2000
Effective Date: February 1, 2000

EXHIBIT A
Ordinance No. 224

Commission Meeting Date: November 4, 1999

PLANNING COMMISSION FINDINGS AND RECOMMENDATION

CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	SHORELINE VILLAGE TOWNHOMES RECLASSIFICATION OF PROPERTY (CONTRACT REZONE) File # 1998-1368

After reviewing and discussing the Shoreline Village Townhomes Reclassification of Property (Contract Rezone) at a public hearing on November 4, 1999 for the construction of 16 units (in 8 duplex buildings) on 1.6 acres, and considering the testimony and written comments presented, the Shoreline Planning Commission makes the following Findings, Conclusions and Recommendations to the City Council.

SUMMARY INFORMATION

Project Name:	Shoreline Village Townhomes
Project Address:	16605 15th Ave. N.E (including 16601, 16603, 16607 15th Ave. N.E. and unaddressed parcel: KC Assessors No. 0826049090)
Zoning:	R-6 (Residential – 6 units/acre)
Property Size:	1.6 Acres
Proposed Action:	Contract Rezone
Comprehensive Plan Designation:	Low Density Residential, High Density Residential and Community Commercial
Application Number:	1998-1368
Applicants:	John Garbe and Richard Smith
Property Owner:	John Garbe and Richard Smith
Public Hearing Date:	November 4, 1999

I. PROPOSAL:

The proposed Reclassification of Property (Contract Rezone) would permit the development of sixteen new dwelling units in eight duplex buildings on about 1.6 acres of land on the west side of 15th Avenue NE at NE 166th Street. The applicants are John Garbe and Richard Smith (c/o Jim Braun 22727 Hwy 99, Suite 203, Edmonds, WA 98026). The application was first discussed with the City in August 1997. The application was determined to be complete on July 9, 1999. The SEPA Determination of Non-Significance (DNS) was issued on October 15, 1999. The proposal is further described in the Concomitant Rezone Agreement, the Application and in the Shoreline Village Townhomes Plans for File No. 1998-1368. Details of the proposal include:

A. 16 three bedroom 2.5 bath duplex units with 1,600 SF and decks
B. 32 parking spaces, including 2 handicapped spaces
C. a pedestrian access to the school at the west end of the site
D. construction of a sidewalk system throughout the development
E. construction of a 34' x 65' area of open space
F. design (but not construction) of a future sidewalk along the entire north side of the road to accommodate possible short platting of the properties to the north
G. a 24' roadway constructed to urban road standards with curb and gutter
H. on site stormwater detention
I. planned retention of ten significant trees on site including four hemlocks at the northeast corner of the site, three cedars and one hemlock at the west end of the site and the 20' madrona at the southwest corner; removal of 23 other trees
J. a landscape plan that includes nine new red maples, six new redbuds, eleven flowering pears, fourteen vine maples, five Austrian pines and a number of other new plants including hemlock, arborvitae and rhododendron
K. architectural features that include front porches, pitched roofs and a mixture of four exterior materials (wood shingles, six inch siding, three inch siding and wood trim) with a style slightly reminiscent of a craftsmen home.

II. FINDINGS:

1. Project Site

1.1 The site now consists of five lots approved on 6-11-69 by King County Short Plat No. 7272. These lots would be consolidated into one single lot under the proposal.

1.2 Four existing single family dwellings with one outbuilding currently occupy the site. The buildings are generally in poor condition and appear to be deteriorated and in need of substantial rehabilitation. These buildings would be demolished to permit the construction of the new units.

1.3 A gravel road on the south side of the site currently provides access to the dwelling units. The development proposal would abandon this road and construct a new paved roadway on the north side of the site.

1.4 The site slopes gently (4-10%) from east to west and is vegetated with trees, brush and grass.

1.5 The current residential density of 2.5 dwelling units per acre does not meet the city's proposed minimum density of 4.0 dwelling units per acre.

2. Neighborhood

2.1 The site is located in the Ridgecrest Neighborhood. The site is bounded on the east by 15th Avenue NE, a heavily used arterial roadway.

2.2 Immediately to the south of the site is the Shoreline School Bus Barn. This is used for the storage, maintenance and repair of buses and other vehicles. The Bus Barn is a heavy industrial type use, likely to generate noise, odor and light trespass, especially during the early morning hours. A land use such as the Bus Barn is typically not considered to be highly compatible with single family residential use.

2.3 On the southwest and west of the site is the Ridgecrest Elementary School and playfields. A pedestrian path runs along the west boundary of the site. The school is likely to generate significant noise when in use.

2.4 On the north is a very well established, low density single family neighborhood. Of the seven single-family properties that abut the site, five have deep back yards that could connect to the new road proposed in this development. This may, in the future, provide short plat development opportunities for the owners of those properties.

3. Comprehensive Plan Designation

3.1 The Shoreline Comprehensive Plan provides for the development of 1600-2400 new dwelling units over a 20-year planning period. This is the target King County has established for us to meet the City's obligations under the Growth Management Act. Most of this housing production will be the result of infill development and the redevelopment of underutilized property. The Comprehensive Plan also calls for development that is in character with the existing neighborhood.

3.2 The Land Use map in the plan designates this site with a combination of three different land use types: on the west, "low density residential" (about 33%), in the middle, "high density residential" (about 29%) and on the east "community commercial" (about 38%). Community commercial permits high density residential. If the site were rezoned to strictly conform to the adopted land use plan, it could theoretically accommodate as many as 55 dwelling units (<.33 x 1.6 x 6> + <.67 x 1.6 x 48> = 3.168 + 51.45 = 54.624).

4. Zoning Designation

4.1 The site is zoned by the City's interim zoning code as R6 Residential. This zone permits single family, duplex, and triplex units (Apartments only permitted under special conditions).

4.2 This zoning is not consistent with the adopted Comprehensive Plan's Land Use Map in the area shown as high density and community commercial. Zoning should be consistent with the Comprehensive Plan.

III. ANALYSIS/ ISSUES:

1. Density

The proposed density of 16 dwelling unit on 1.6 acres is well below the density permitted in the comprehensive plan.

2. Neighborhood Character

The land use for duplex units is an appropriate transition between the Bus Barn and the single-family neighborhood. The architectural design of the development is consistent with the character of the single-family area to the north.

3. Traffic

The applicant has provided a traffic study that has found that "The project would have no significant impacts to the traffic operations of the street system in the site vicinity". Staff concurs with this conclusion.

4. Stormwater

The applicant has provided a technical stormwater report that did not find any problems with the downstream conveyance system. Substantial stormwater system improvements that meet or exceed stormwater regulations will be required.

5. Sewer Easement

The City and the applicant are aware of the sewer line that crosses the property. Plans will be designed to protect the lines and maintain service.

6. Soil Stability

Soil studies have been conducted by the applicant and report that the proposed development can be accommodated on the site.

7. Tree removal

Some trees will be removed but significant tree retention is planned. Replacement vegetation will also be required.

8. Historic Resource

The eastern-most structure on this property, planned for demolition, is listed in a King County Historic Site Survey (#1168). The listing is for a c1921 Craftsman style home. This property does not meet any of the major criteria for landmark listing. A condition of the rezone is to establish an archival photograph of the property and to offer the property for sale prior to demolition.

IV. CONCLUSIONS:

1. The proposed contract rezone to permit the development of 16 new dwelling units in eight buildings is in conformance with the Shoreline Comprehensive Plan and the Growth Management Act.

2. The proposed development is an appropriate land use to transition between the Shoreline Bus Barn on the south and the single-family neighborhood on the north and is consistent with neighborhood character.

3. The proposal will provide adequate water, sewer, and stormwater service to the new units and will not denigrate from the level of service provided to abutting properties.

4. The proposal will not remove a valuable and/or significant historic resource.

5. The proposed development will assist the City of Shoreline in meeting its housing production targets as established by King County to meet our obligation under the Growth Management Act.

6. The Contract Zoning Agreement will provide certainty about what will be developed on the site. If the development does not proceed in a timely manner, the additional development right granted by this contract rezone will void.

V. RECOMMENDATION:

The Planning Commission recommends that the Contract Rezone for the Shoreline Village Townhomes be approved subject to the following conditions.

1. This Contract Rezone Agreement must be ratified by all parties and recorded against the properties in order to be a valid agreement.
2. A maximum of 16 townhomes in 8 duplex units are permitted as proposed on site plans submitted by JRR Engineering to the City of Shoreline on June 25, 1999.
3. The following features on site plans submitted by JRR Engineering to the City of Shoreline on June 25, 1999 shall control development:
   - Structural design, façade materials, gabled rooflines
   - Orientation and siting of structures
   - Building height
   - Building bulk and scale
   - Setbacks for front, back and side yards
   - Lot coverage for buildings
   - Privacy and defensible space
   - Pervious and impervious surface coverage
4. Tree retention as provided on site plans submitted by JRR Engineering to the City of Shoreline on June 25, 1999 shall be required for site development. In the event that trees stipulated for retention are removed (whether inadvertently or through an approved building permit), each tree which is removed shall be replaced by two trees of the same species as the tree that has been removed. Each replacement tree must be a minimum of two inches in caliper.
5. Development shall provide and maintain fencing around tree preservation areas for the duration of site preparation and construction activities, in order to preserve the natural environment existing within the site.
6. Development shall provide new landscape plantings, including trees, shrubs, groundcover, and perennial/annual flowering plants, as provided on site plans submitted by JRR Engineering to the City of Shoreline on June 25, 1999, and pursuant to the requirements of SMC Title18.16.
7. Development applications shall include:

   (a) a vegetation maintenance plan which describes products to be used (e.g., application of nutrients, pesticides and herbicides) and maintenance schedule to minimize the introduction of products into runoff flows.

   (b) a vegetation irrigation plan, pursuant to SMC Title 18.16.300 – 18.60.370.

   (c) a performance bond or other security equivalent to 150% of the value of the plantings, to be maintained in full force and effect for a minimum period of three years. The performance bond or security may be amended to continue for an additional three years following the installation of substantial replacement vegetation.

   The City must approve the Vegetation Mitigation Plan, including planting, maintenance and monitoring details, prior to the issuance of the Site development permit. Vegetation management shall be designed, implemented and

effectively/regularly maintained by the applicant pursuant to the approved Vegetation Mitigation Plan.

8. Parking spaces and landscaping of parking areas submitted by JRR Engineering to the City of Shoreline on June 25, 1999 shall be modified to include:
   (a) relocation of handicapped parking spaces to area in front of Building E, F or G
   (b) providing marked guest parking spaces north of Building H
   (c) combining landscaping areas in parking lot so that a planted areas is located adjacent to Building C,
   (d) providing that all planted sections within the parking area include trees and shrubs in addition to ground cover.

   The City must approve the Vegetation Planting Plan, including planting, maintenance and monitoring details, prior to the issuance of the Site development permit.

9. A sound attenuation fence along the southern boundary of the property, to address noise impacts from the adjacent Shoreline School District Bus Barn shall be provided. The fence shall be approved by the City of Shoreline and installed prior to the issuance of the Certificate of Occupancy for Shoreline Village.

10. A common open space area (34 feet by 65 feet) between buildings D and E shall be provided. This area shall be improved with plantings, seating, and other amenities, as identified on site plans submitted by JRR Engineering to the City of Shoreline on June 25, 1999, and pursuant to the requirements of SMC Title18.16.

11. A paved roadway as described on site plans submitted by JRR Engineering to the City of Shoreline on June 25, 1999, and pursuant to the requirements of SMC Title 12.10 shall be constructed. This roadway shall be dedicated in fee or as a public access easement to the City of Shoreline prior to the issuance of a Certificate of Occupancy for Shoreline Village.

12. A pedestrian sidewalk as identified on site plans submitted by JRR Engineering to the City of Shoreline on June 25, 1999, and pursuant to the requirements of SMC Title 18.18 shall be constructed.

13. The development shall provide for a vegetation mitigation plan for the vegetation along the north property line and such plan shall include a provision to protect off-site vegetation. The plan shall be reviewed and approved by a certified arborist.

14. Owner shall design, install and maintain streetlighting which is sufficient to illuminate the site and is directed toward the interior of the site in order to limit impacts on neighboring properties to the north of Shoreline Village. The lighting plan shall be approved by the City of Shoreline and lighting shall be installed prior to the issuance of the Certificate of Occupancy.

15. Owners shall construct and maintain a solid screen (e.g., wood fencing, landscaping) along the northern boundary of the property to provide a buffer along the joint north property line for Shoreline Village and the south property line of the abutting properties on NE 168th Street.

16. Owners shall install, monitor and maintain a Surface/Storm Water Management Plan, pursuant to Memorandum issued by the City of Shoreline on September 14, 1999. The Plan and Agreement shall incorporate the measures listed below:

    (a) Surface and stormwater management must be provided as stipulated in the Technical Information Report prepared by Ron Riach/JRR Engineers, dated 1/6/99.

    (b) A complete set of construction drawings is to be submitted, approved and a site development permit issued before beginning any construction.

    (c) An easement must be obtained from the School District for storm drain tight line;

    (d) All drainage facilities are to be dedicated to the City of Shoreline before a Certificate of Occupancy is issued for Shoreline Townhomes.

    The City must approve the Surface/Storm Water Management Plan, including engineering details of the proposed facilities, shall be approved by the City's Planning Department prior to the issuance of the Site development permit.

17. Owner shall provide a Standard Conditions Plan and Agreement, with detailed information and specifications for Grading Conditions, Drainage Conditions and Erosion Control Conditions.

18. Owners shall be required to establish and maintain in force and effect, a Homeowner's Association, to be responsible for maintenance of common areas, infrastructure and utilities.

19. Owners shall file a lot line adjustment to vacate lot lines within the Property. The merger shall be completed prior to the issuance of the Site development permit for Shoreline Village.

20. Owners shall, in accord with the direction of the King County Historic Landmarks Commission: (a) provide an archival photographic record of the structure (Lot 87) that is listed in the King County Historic Site Survey; and (b) list the structure for sale for the amount of $1.00 with the listing to be published weekly for a period of one month prior to demolition. If the structure is sold, then the applicant shall pay to the buyer an amount equivalent to the cost of demolition of the structure to be contributed to the cost of its relocation.

Dan Kuhn

Dan Kuhn, Planning Commission Chair

1/12/00

Date

EXHIBIT B
Ordinance No. 224

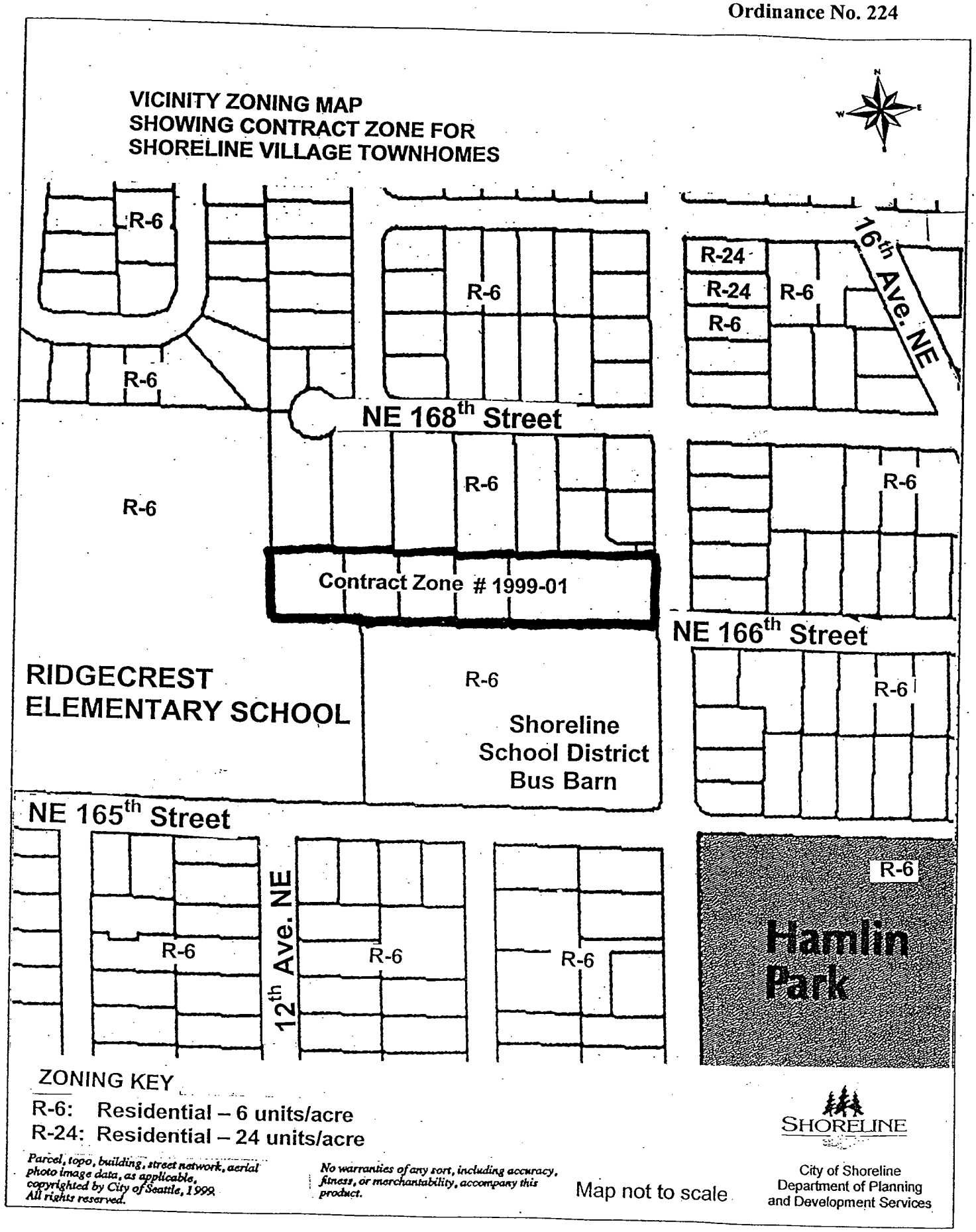

EXHIBIT B
Ordinance No. 224

LEGAL DESCRIPTION FOR CZ-#1999-01, SHORELINE VILLAGE TOWNHOMES

Section 8, Township 26 North, Range 4 East, Willamette Meridian, on the west side of the intersection of 15th Avenue NE and NE 166th Street (Tax Parcels 84, 85, 86, 87, 90).

Parcel 84: The east 90 feet of the west 210 feet of the south third of the east half of the north half of he south half of the southeast quarter per King County Short Plat No. 7272.

Parcel 85: Third of the east half of the north half of the south half of the southeast quarter of the southeast quarter per King County Short Plat No. 7272.

Parcel 86: The east 90 feet of the west 390 feet of the south third of the east half of the north half of the south half of the southeast quarter of the southeast quarter per King County Short Plat No. 7272.

Parcel 87: The south third of the east half of the north half of the south half of the southeast quarter of the southeast quarter less the west 390 feet, thereof, less county road per King County Short Plat 7272.

Parcel 90: The west 120 feet of the south third of the east half of the north half of the south half of the southeast quarter of the southeast quarter per King County Short Plat No. 7272.

EXHIBIT C
Ordinance No. 224

CONCOMITANT REZONE AGREEMENT AND COVENANT RUNNING WITH THE LAND

Shoreline Village Townhomes
#CZ-1999-01

This Concomitant Rezone Agreement and Covenant (hereinafter "Covenant") dated _____, 2000, by and between the City of Shoreline, Washington, a municipal corporation (hereinafter "City"), and JOHN GARBE and RICHARD SMITH (hereinafter "Owners").

RECITALS

A. Owners are the owners of real property located in King County legally described as:

Section 8, Township 26 North, Range 4 East, Willamette Meridian, on the west side of the intersection of 15th Avenue NE and NE 166th Street (Tax Parcels 84, 85, 86, 87, 90).

Parcel 84: The east 90 feet of the west 210 feet of the south third of the east half of the north half of he south half of the southeast quarter per King County Short Plat No. 7272.

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Parcel 90: The west 120 feet of the south third of the east half of the north half of the south half of the southeast quarter of the southeast quarter per King County Short Plat No. 7272.

(Hereafter described as "Property").

B. Owners have applied to rezone the Property from its current zoning, R-6, to Contract Zone, consistent with the Comprehensive Plan adopted by the City pursuant to the Growth Management Act (RCW Ch.36.70A).

C. The City has approved the rezone application provided the Property is developed under conditions and limitations which shall be considered as a qualification to the City's zoning designation.

NOW THEREFORE, the Owners covenant and agree, on behalf of themselves and their successors and assigns, that during the entire period that the Property is zoned CZ #1999-01, the Property will be developed only in accordance with this Covenant and subject to the conditions provided herein.

The Owners specifically agree that this Covenant touches, concerns, enhances, benefits and runs with the Property.

1. **Title.** Owners are the sole and exclusive owners of the Property described above.

2. **Uses.** The Owners or their successors may construct sixteen (16) residential units in eight (8) duplex units on the Property.

3. **Conditions.** The rezone of the Property is subject to the conditions recited in Exhibit D.

4. **Remedies.** Violations of this Covenant shall be enforced by the City according to enforcement procedures applicable to zoning code violations.

5. **Binding Effect.** This Covenant shall remain in full force and effect, and be binding upon the Owners and their successors and assigns until 1) amended, modified or terminated by an ordinance adopted by the Shoreline City Council, 2) Owners fail to file a complete building permit application within three (3) years of the effective date of recording this covenant, or 3) Owners of all interest in the property file a written declaration with the City that they wish the Property to revert to a R-6 land use designation or such other default zoning as may have been adopted by the City Council for the Property subsequent to this agreement. Obligations contained herein shall be enforceable against all such successors and assigns.

6. **Filing.** A copy of this covenant will be filed for record with the King County records and elections division.

7. **Attorney Fees.** In the event that legal action is commenced to enforce or interpret any revision of this Covenant, including any appeal thereof, the substantially prevailing party shall be entitled to its costs including reasonable attorney's fees.

IN WITNESS WHEREOF, the parties have executed this Covenant as of the date first above written.

OWNERS

_____
John Garbe

_____
Richard Smith

CITY OF SHORELINE

_____
Bob Deis, City Manager

APPROVED AS TO FORM:

_____
Ian Sievers
City Attorney

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

I certify that I know or have satisfactory evidence that John Garbe appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

DATED:_____

By: _____
Notary Public in and for the State of Washington
residing at _____.
My commission expires_____.

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

I certify that I know or have satisfactory evidence that Richard Smith appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

DATED:_____

By: _____
Notary Public in and for the State of Washington
residing at _____.
My commission expires_____.

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

I certify that I know or have satisfactory evidence that Bob Deis appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

DATED:_____

By: _____
Notary Public in and for the State of Washington
residing at _____.
My commission expires_____.

SHORELINE VILLAGE TOWNHOMES: CONDITIONS OF CONCOMITANT REZONE AGREEMENT AND COVENANT RUNNING WITH THE LAND

The rezone of the Property is subject to the conditions recited herein as follows:

1. This Contract Rezone Agreement must be ratified by all parties and recorded against the properties in order to be a valid agreement.
2. A maximum of 16 townhomes in 8 duplex units are permitted as proposed on site plans submitted by JRR Engineering to the City of Shoreline on June 25, 1999 subject to revisions approved pursuant to condition 21.
3. The following features on site plans submitted by JRR Engineering to the City of Shoreline on June 25, 1999 shall control development:
   - Structural design, façade materials, gabled rooflines
   - Orientation and siting of structures
   - Building height
   - Building bulk and scale
   - Setbacks for front, back and side yards
   - Lot coverage for buildings
   - Privacy and defensible space
   - Pervious and impervious surface coverage
4. Tree retention as provided on site plans submitted by JRR Engineering to the City of Shoreline on June 25, 1999 shall be required for site development. In the event that trees stipulated for retention are removed (whether inadvertently or through an approved building permit), each tree which is removed shall be replaced by two trees of the same species as the tree that has been removed. Each replacement tree must be a minimum of two inches in caliper.
5. Development shall provide and maintain fencing around tree preservation areas for the duration of site preparation and construction activities, in order to preserve the natural environment existing within the site.
6. Development shall provide new landscape plantings, including trees, shrubs, groundcover, and perennial/annual flowering plants, as provided on site plans submitted by JRR Engineering to the City of Shoreline on June 25, 1999, and pursuant to the requirements of SMC Title18.16.
7. Development applications shall include:
   (a) a vegetation maintenance plan which describes products to be used (e.g., application of nutrients, pesticides and herbicides) and maintenance schedule to minimize the introduction of products into runoff flows.
   (b) a vegetation irrigation plan, pursuant to SMC Title 18.16.300 – 18.60.370.
   (c) a performance bond or other security equivalent to 150% of the value of the plantings, to be maintained in full force and effect for a minimum period of three years. The performance bond or security may be amended to continue for an additional three years following the installation of substantial replacement vegetation.

   The City must approve the Vegetation Mitigation Plan, including planting, maintenance and monitoring details, prior to the issuance of the Site development permit. Vegetation management shall be designed, implemented and effectively/regularly maintained by the applicant pursuant to the approved Vegetation Mitigation Plan.

8. Parking spaces and landscaping of parking areas submitted by JRR Engineering to the City of Shoreline on June 25, 1999 shall be modified to include:

   (a) relocation of handicapped parking spaces to area in front of Building E, F or G

   (b) providing marked guest parking spaces north of Building H

   (c) combining landscaping areas in parking lot so that a planted areas is located adjacent to Building C,

   (d) providing that all planted sections within the parking area include trees and shrubs in addition to ground cover.

   The City must approve the Vegetation Planting Plan, including planting, maintenance and monitoring details, prior to the issuance of the Site development permit.

9. A sound attenuation fence along the southern boundary of the property, to address noise impacts from the adjacent Shoreline School District Bus Barn shall be provided. The fence shall be approved by the City of Shoreline and installed prior to the issuance of the Certificate of Occupancy for Shoreline Village.

10. A common open space area (34 feet by 65 feet) between buildings D and E shall be provided. This area shall be improved with plantings, seating, and other amenities, as identified on site plans submitted by JRR Engineering to the City of Shoreline on June 25, 1999, and pursuant to the requirements of SMC Title18.16.

11. A paved roadway as described on site plans submitted by JRR Engineering to the City of Shoreline on June 25, 1999, and pursuant to the requirements of SMC Title 12.10 shall be constructed. This roadway shall be dedicated in fee or as a public access easement to the City of Shoreline prior to the issuance of a Certificate of Occupancy for Shoreline Village.

12. A pedestrian sidewalk as identified on site plans submitted by JRR Engineering to the City of Shoreline on June 25, 1999, and pursuant to the requirements of SMC Title 18.18 shall be constructed.

13. The Development shall provide for a vegetation mitigation plan for the vegetation along the north property line and such plan shall include a provision to protect off-site vegetation. The plan shall be reviewed and approved by a certified arborist.

14. Owner shall design, install and maintain streetlighting which is sufficient to illuminate the site and is directed toward the interior of the site in order to limit impacts on neighboring properties to the north of Shoreline Village. The lighting plan shall be approved by the City of Shoreline and lighting shall be installed prior to the issuance of the Certificate of Occupancy.

15. Owners shall construct and maintain a solid screen (e.g., wood fencing, landscaping) along the northern boundary of the property to provide a buffer along the joint north property line for Shoreline Village and the south property line of the abutting properties on NE 168th Street.

16. Owners shall install, monitor and maintain a Surface/Storm Water Management Plan, pursuant to Memorandum issued by the City of Shoreline on September 14, 1999. The Plan and Agreement shall incorporation the measures listed below:

   (a) Surface and stormwater management must be provided as stipulated in the Technical Information Report prepared by Ron Riach/JRR Engineers, dated 1/6/99.

   (b) A complete set of construction drawings is to be submitted, approved and a site development permit issued before beginning any construction.

(c) An easement must be obtained from the School District for storm drain tight line;

(d) All drainage facilities are to be dedicated to the City of Shoreline before a Certificate of Occupancy is issued for Shoreline Townhomes.

The City must approve the Surface/Storm Water Management Plan, including engineering details of the proposed facilities, shall be approved by the City's Planning Department prior to the issuance of the Site development permit.

17. Owner shall provide a Standard Conditions Plan and Agreement, with detailed information and specifications for Grading Conditions, Drainage Conditions and Erosion Control Conditions.

18. Owners shall be required to establish and maintain in force and effect, a Homeowner's Association, to be responsible for maintenance of common areas, infrastructure and utilities.

19. Owners shall file a lot line adjustment to vacate lot lines within the Property. The merger shall be completed prior to the issuance of the Site development permit for Shoreline Village.

20. Owners shall, in accord with the direction of the King County Historic Landmarks Commission: (a) provide an archival photographic record of the structure (Lot 87) that is listed in the King County Historic Site Survey; and (b) list the structure for sale for the amount of $1.00 with the listing to be published weekly for a period of one month prior to demolition. If the structure is sold, then the applicant shall pay to the buyer an amount equivalent to the cost of demolition of the structure to be contributed to the cost of its relocation.

21. Prior to filing the Concomitant Rezone Agreement, staff and the applicant shall revisit the site layout with the goal of rotating some of the buildings or reconfiguring them so they face the street where feasible.