

# ORIGINAL

## ORDINANCE NO. 288

### AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON AMENDING THE CITY'S ZONING MAP TO CHANGE THE ZONING OF A PORTION OF A PROPERTY LOCATED AT 14516 12<sup>TH</sup> AVENUE NE FROM R-6 TO R-12.

WHEREAS, certain properties, located at 14516 12<sup>th</sup> Avenue NE, are designated on the Comprehensive Plan Map as Mixed Use; and

WHEREAS, owners of certain property, located at 14516 12<sup>th</sup> Avenue NE have filed an application to reclassify a portion of the property from R-6, residential – six units per acre to R-18, residential – eighteen units per acre; and

WHEREAS, on September 20, 2001, a public hearing on the application for reclassification of property was held before the Planning Commission for the City of Shoreline pursuant to notice as required by law; and

WHEREAS, on September 20, 2001, the Planning Commission recommended an alternate to the reclassification application to R-18 by recommending a reclassification to R-12 and entered findings of fact and a conclusion based thereon in support of that recommendation; and

WHEREAS, the City Council does concur with the Findings and Recommendation of the Planning Commission, specifically that the reclassification of certain portion of property, located at 14516 12<sup>th</sup> Avenue NE to R-12 is consistent with the Comprehensive Plan and appropriate for this site rather than the proposed R-18 zoning in the application;

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

**Section 1.** Findings. The Findings and Recommendation on File No. 2001-201031 as set forth by the Planning Commission on September 20, 2001 and as attached hereto as Exhibit 1 are hereby adopted.

**Section 2.** Amendment to Zoning Map. The official zoning map of the City of Shoreline, is hereby amended to change the zoning classification of certain portion of property, located at 14516 12<sup>th</sup> Avenue NE and further described and depicted in Exhibit 2 attached hereto, from R-6 to R-12.

**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 Agreement, or the application of such provision to other persons or circumstances, shall not be affected.

**Section 4.** Effective Date. This ordinance shall go into effect five days after passage,

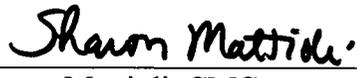
and publication of the title as a summary of this ordinance.

**PASSED BY THE CITY COUNCIL ON NOVEMBER 13, 2001.**

  
\_\_\_\_\_  
Mayor Scott Jepsen

**ATTEST:**

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Sharon Mattioli, CMC  
City Clerk

  
\_\_\_\_\_  
Ian Sievers  
City Attorney

Date of Publication: November 16, 2001

Effective Date: November 21, 2001

## **Findings and Determination of the City of Shoreline Planning Commission**

Viking Properties Rezone Request, File #2001-201031

### **Summary-**

After reviewing and discussing the Viking Properties rezone application on September 20, 2001 the Shoreline Planning Commission did find and determine that the request for R-18 zoning is denied. However, it was found that R-12 zoning was in compliance with City codes and not detrimental to the health, safety, or welfare of the City of Shoreline, and compatible with the neighborhood therefore recommended approval of such action.

### **I. Findings of Fact**

1. Project Description-
  - 1.1 Action: Reclassification request to change the zoning of the western portion of the parcel from R-6 (6 dwelling units/acre) to R-18 (18 dwelling units/acre). The eastern portion would remain R-48 (48 dwelling units/acre).
  - 1.2 Location: 14516 12<sup>th</sup> Avenue NE
  - 1.3 a.) The subject property has a land use designation "Mixed Use" as identified in the City of Shoreline's 1998 Comprehensive Plan.  
b.) Consistent zoning for the Mixed Use land use designation is R-12 (12 dwelling units/acre), R-18 (18 dwelling units/acre), R-24 (24 dwelling units/acre), R-48 (48 dwelling units/acre), O (Office), NB (Neighborhood Business), and CB (Community Business).
2. Procedural History-
  - 2.1 Public hearing held by the Planning Commission September 20, 2001
  - 2.2 Complete Application Date: June 26, 2001  
Notice of Application Date: July 5, 2001
  - 2.3 Neighborhood meeting dates: March 7, 2001
  - 2.4 No prior action or approvals related to the project have been taken.

3. Public Comment-
  - 3.1 The following individuals participated in Neighborhood Meeting:
    - Mary Carson 1108 NE 146<sup>th</sup> ST
    - Rodney and Carol Falor 1121 NE 146<sup>th</sup> ST
    - Brent and Ruth Holterman 14723 12<sup>th</sup> AVE NE
    - Elaine Kim 14721 12<sup>th</sup> AVE NE
    - Sonja Ashbaker 14516 12<sup>th</sup> AVE NE
    - Wen Kai Lee 1105 NE 147<sup>th</sup> ST
  - 3.2 Written Comments have been received from:
    - Mr. & Mrs. J. Williams 15212 12<sup>th</sup> AVE NE
    - Fred Drewien 15256 12<sup>th</sup> AVE NE
    - Rodney and Carol Falor 1121 NE 146<sup>th</sup> ST
  - 3.3 Public Testimony was given during the Public Hearing by:
    - Barbara Hallory 1102 Northeast 146<sup>th</sup> Street
    - Mary Carson 1108 NE 146<sup>th</sup> ST
    - Elaine Kim 14721 12<sup>th</sup> AVE NE
    - Virginia Barnes 14605 12<sup>th</sup> Avenue NE
    - Jack Barnes 14605 12<sup>th</sup> Avenue NE
    - Elaine Kim 14721 12<sup>th</sup> Avenue NE
    - Young Kim 14721 12<sup>th</sup> Avenue NE
4. SEPA: A new SEPA determination is not required. This rezone action is covered by the Final EIS, dated November 2, 1998, that was prepared for the 1998 Comprehensive Plan.
5. Consistency
  - 5.1 The application has been evaluated and found to be consistent with the five criteria listed in Shoreline Municipal Code Section 20.30.320 (B).
  - 5.2 This rezone action does not constitute approval for any development proposal. Applicable permits shall be obtained prior to construction. Permit applications shall show compliance with the 1998 King County Storm Water Design Manual and Title 20 of the Shoreline Municipal Code (SMC). Applicable sections of the SMC include but not be limited to the following: Dimensional and Density Standards 20.50.010, Tree Conservation 20.50.290, Surface and Stormwater Management 20.60.060, and Streets and Access 20.60.140.

## II. Conclusions

1. The rezone is consistent with the Comprehensive Plan.

The redesignation of property from R-6 to R-18 is not consistent with the Comprehensive Plan policies that call for compatibility with existing development and neighborhood character.

A zoning redesignation from R-6 to R-12 is consistent with the comprehensive plan designation of "mixed use."

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

The future development of the site shall show compliance with Title 20 of the Shoreline Municipal Code. Applicable sections of this code include, but are not limited to: Dimensional and Density Standards (20.50.010-20.50.050), Tree Conservation (20.50.290-20.50.370), Parking Access and Circulation (20.50.380-20.50-440), Wastewater, Water Supply and Fire Protection (20.60.030-20.60.050), Surface and Stormwater Management (20.60.060-20.60.130).

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

The current residential density of 2 units per acre indicates the site is underutilized per the density guidelines listed in the comprehensive plan. A rezone to R-12 would bring the parcel into compliance with the comprehensive plan designation.

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

The redesignation of property from R-6 to R-18 is not compatible with existing development due to higher density uses that would occur on the project site as compared to surrounding development.

It has been shown that the rezone and future development of the subject site will not be detrimental to uses in the immediate vicinity. Adequate infrastructure (water, sewer, storm, etc.) exists in the area to support development at R-12 density.

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

The rezone will help the City achieve the housing targets established by the Comprehensive Plan. Further, this site is an appropriate place to accommodate development of R-12 intensity because it is free of environmentally sensitive features and it has good access to infrastructure.

**III. Recommendation**

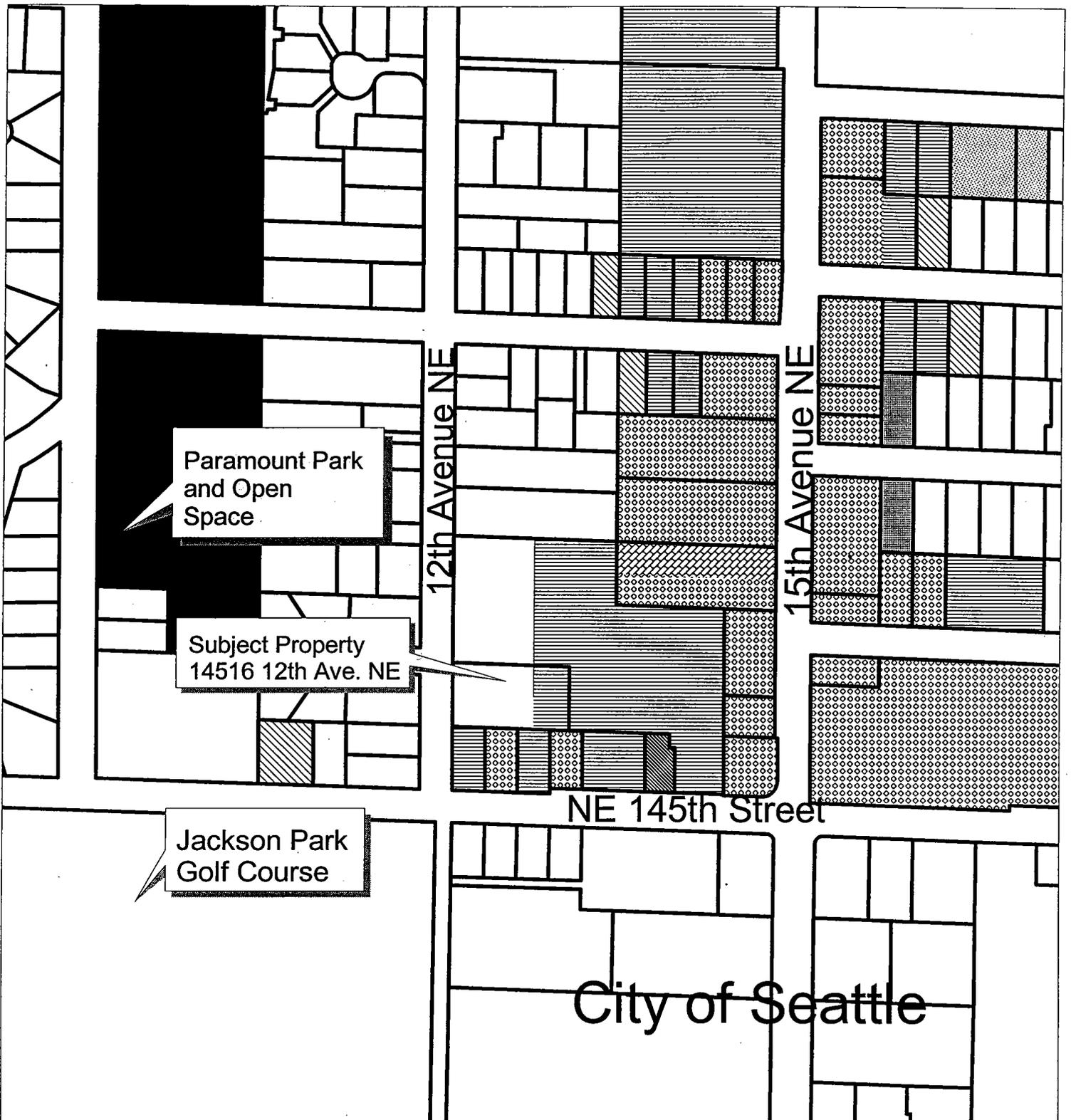
Based on the Findings, the Planning Commission recommends that R-12 zoning be adopted for rezone application 2001-201031 for the western portion of the site located at 14516 12<sup>th</sup> Avenue NE. The eastern portion of the parcel would remain R-48.

**City of Shoreline Planning Commission**

Brian F. Doerndirck

Chairperson

Date: 10/5/01



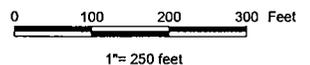
**SHORELINE**

GEOGRAPHIC INFORMATION SERVICES

**VICINITY MAP WITH ZONING DESIGNATIONS**

DEVELOPMENT CODE  
JUNE 26, 2001  
REZONE 201031

- |               |                                  |  |                                  |
|---------------|----------------------------------|--|----------------------------------|
|               | Parcel Boundary                  |  | R-48; Residential, 48 units/acre |
|               | Park                             |  | O; Office                        |
| <b>Zoning</b> |                                  |  |                                  |
|               | R-6; Residential, 6 units/acre   |  | NB; Neighborhood Business        |
|               | R-8; Residential, 8 units/acre   |  | CB; Community Business           |
|               | R-12; Residential, 12 units/acre |  | RB; Regional Business            |
|               | R-18; Residential, 18 units/acre |  | I; Industrial                    |
|               | R-24; Residential, 24 units/acre |  | CZ; Contract Zone                |



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