

ORIGINAL

ORDINANCE NO. 442

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON AMENDING THE CITY'S OFFICIAL ZONING MAP TILE NUMBER 455 CHANGING THE ZONING FROM RESIDENTIAL 8 DU-AC (R-8) TO OFFICE (O) OF ONE PARCEL LOCATED AT 17503 10th AVENUE NE (PARCEL NUMBER 0927100318).

WHEREAS, the owner of the property, with parcel number 0927100318, has filed an application to reclassify the property from Residential 8 units per acre (R-8) to Office (O); and

WHEREAS, on September 21st, 2006, 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 21st, 2006, the Planning Commission recommended approval of the reclassification to Office and entered findings of fact and conclusions based thereon in support of that recommendation; and

WHEREAS, the City Council does concur with the Findings and Determinations of the Planning Commission specifically that the reclassification of property, located at 17503 10th Avenue NE (parcel number 0927100318), to Office is consistent with the goals and policies of the Comprehensive Plan and appropriate for this site;

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

Section 1. Findings. The Findings and Determinations on File No. 201552 as set forth by the Planning Commission on September 21st, 2006 and as attached hereto as Exhibit 1 is hereby adopted.

Section 2. Amendment to Zoning Map. The Official Zoning Map Tile 455 of the City of Shoreline is hereby amended to change the zoning classification of said parcel, located at 17503 10th Avenue NE (parcel number 0927100318) from R-8 to Office.

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

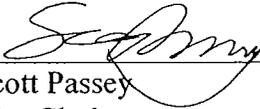
Section 4. Effective Date. This ordinance shall go into effect five days after passage, and publication of the title as a summary of this ordinance.

PASSED BY THE CITY COUNCIL ON OCTOBER 23, 2006.

ORIGINAL


Mayor Robert L. Ransom

ATTEST:



Scott Passey
City Clerk

APPROVED AS TO FORM:



Ian Sievers
City Attorney

Date of Publication: October 26, 2006
Effective Date: October 31, 2006

**FINDINGS AND DETERMINATION OF THE CITY OF SHORELINE PLANNING
COMMISSION**

Lancaster Rezone Request File #201552

Summary-

Following the public hearing and deliberation on the request to change the zoning designation of a 6,600 Sq. Ft. parcel located at 17503 10th Avenue NE, the City of Shoreline Planning Commission has determined that the request is in compliance with City codes and not detrimental to the health, safety, or welfare of the City of Shoreline, and therefore recommends approval of such action.

I. FINDINGS OF FACT

1. Project Description-

- 1.1 Rezone the subject parcel from R-8 (Residential 8 units per acre) to Office (O) so that the applicant can operate a professional law office on the site.
- 1.2 Site Address: 17503 10th Avenue NE
- 1.3 Parcel Number: 0927100318
- 1.4 Zoning: R-8
- 1.5 The subject property has a land use designation of *Mixed Use* identified on the City of Shoreline's Comprehensive Plan Land Use Map. A *Mixed Use* designation is consistent with the following zoning: R-8, R-12, R-18, R-24 and R-48, Office, Neighborhood Business, Community Business, Regional Business and Industrial.

2. Procedural History-

- 2.1 Public hearing held by the Planning Commission: September 21st, 2006
- 2.2 Notice of Public Hearing and SEPA Determination of Nonsignificance: August 24th, 2006
- 2.3 End of 14 day Public Comment Period: August 3rd, 2006
- 2.4 Notice of Application with Optional DNS: July 20th, 2006
- 2.5 Complete Application Date: July 10th, 2006
- 2.6 Application Date: April 4th, 2006
- 2.7 Neighborhood meeting Date: June 29th, 2006

3. Public Comment-

3.1 *The following individuals participated in Neighborhood Meetings:*

9 people attended the required Neighborhood Meeting. General comments included ample customer parking, traffic, commercial use in a residential area, and future use of the property. Most of the comments were supportive of the applicant's rezone request.

Written Comments have been received from:

3 letters were received in response to the standard notice procedures for this application and included comments on ample customer parking, traffic and commercial uses in a residential area.

3.2 *Oral testimony has been received from:*

In addition to the applicant, three adjacent property owners testified at the open record public hearing. All of the commenters supported the rezone application.

4 SEPA Determination-

4.1 The optional DNS process for local project review, as specified in WAC 197-11-355, was used. City staff determined that the proposal will not have a probable significant adverse impact on the environment and that an environmental impact statement is not required under RCW 43.21C.030 (2) (c). A notice of determination of non-significance was issued on August 24th, 2006.

7. Consistency –

5.1 Site Rezone:

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 A recommendation to approve the Rezone 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 are not 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 and any conditions of the Rezone.

II. CONCLUSIONS

SITE REZONE:

Rezoning is subject to criteria contained in the Development Code. The proposal must meet the decision criteria listed in Section 20.30.320(B) of the SMC. The criteria are listed below, with a brief discussion of how the request meets the criteria.

1. The rezone is consistent with the Comprehensive Plan.

The Comprehensive Plan land use map identifies the subject parcel as *Mixed Use*. The Office zoning category is consistent with the *Mixed Use* land use designation. The parcel is developed with one single family home (developed at a density of 6.6 dwelling units per acre)—which is also consistent with the density goals and policies of the Comprehensive Plan which plans for this site to accommodate 8 to 48 dwelling units or businesses to support employment targets within the City.

The applicant does not currently plan to modify the existing structure, ensuring the proposed office use integrates into the neighborhood. If the parcel redevelops with a new office building in the future, the new structure will have to meet development guidelines in effect at that time.

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

Staff concludes the proposed rezone will not adversely affect the public health, safety or general welfare of the surrounding neighborhood and community. The existing home will continue to integrate into the neighborhood while providing an office location for the applicants. The small office use will not burden the community with overbearing signage, lighting or traffic. The rezone will however change the designation of this parcel from R-8 to Office meaning, in the future, more intense development can occur.

This area, designated for Mixed Use, will begin to change over time. This is the first parcel in the area to do so. During the transition of the area, adjacent properties may be impacted by new development. Any new development on-site will be

required to provide landscape buffers. The Shoreline Development Code has measures to mitigate impacts to adjacent properties. These measures include landscaping, on-site parking and building design requirements.

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

The site's Comprehensive Plan land use designation is *Mixed Use*. Consistent zoning designations for this land use include R-8 through R-48 and all commercial zoning categories. The subject parcel is currently zoned R-8. Both the existing and proposed zoning designations are consistent with the Comprehensive Plan.

Right now, the site is developed with one single-family house at a density of 6.6 dwelling units an acre, which is underdeveloped under the current zoning category. The application to change the zoning of the parcel to Office was made in order to locate the applicant's professional office within the City of Shoreline.

The current zoning in the immediate vicinity of the project includes R-6 and R-8. The uses in the area include mostly single-family houses, and a church with a Metro Park and Ride. Approximately 850 feet to the east is the North City Business District.

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

At this time the proposed rezone appears to have minimal negative impacts to the properties in the immediate vicinity. The property owner does not plan to modify the existing structure or site. In the future, under the Office zoning, the property could change if the parcel is redeveloped with a new office building.

Concerns have been raised by adjacent neighbors concerning appropriateness of the commercial zoning (Office), increased traffic and noise, and parking. The following brief summary demonstrates how the project addresses each of these.

Changing Land Use

Staff received several comments that this area has historically been a single-family residential area. Historically, this has been true, but the Comprehensive Plan has identified this area as being appropriate for mixed use development which permits a variety of uses—single-family and multifamily uses, offices, and retail businesses.

The City adopted the Comprehensive Plan and designated certain areas as areas where a mix of uses should occur. The subject parcel is in one of those areas. Office is an appropriate zoning category under the Mixed Use land use designation. The Office zoning category is the least intense zoning category in the commercial designation and can provide a good transition between commercial and residential land uses.

If office zoning is adopted, it will be the first parcel in the area to change to a commercial use. Land uses along NE 175th have been changing to more businesses oriented uses in the recent years but generally in areas closer to North City.

Traffic/Parking

The applicant is proposing to use the existing home as an office. The P.M. peak hour vehicular trips will be .92 (.46 X 2) for the office. Since the P.M. peak hour trips are not greater than 20, a traffic study was not required (SMC 20.60.140(A)).

The office is required to supply 3 on-site parking spaces while the applicants are planning for four. Staff experience is that an office like this is unlikely to have more than two visitors at a time, and there is little likelihood of spillover parking. If, in the future, the building is expanded or rebuilt, the traffic generation will be recalculated and mitigated if necessary.

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

The proposed rezone to Office is the least intensive commercial zoning allowed under the Mixed Use Land Use designation. The Office zoning will provide a natural transition between NE 175th Street and the low-density single-family homes to the west, north and east. The proposed Office zoning will allow a business that the neighborhood may need in the community.

In summary, the Planning Commission concludes that the proposed change will benefit the community.

III. RECOMMENDATION

Based on the Findings, the Planning Commission recommends approval of application #201552; a rezone from R-8 to Office.

ORIGINAL

PLANNING COMMISSION FINDINGS & DETERMINATION

FILE #201552

City of Shoreline Planning Commission

(To be signed) 
Chairperson

Date: 10/6/06