

ORIGINAL

ORDINANCE NO. 424

**AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON  
APPROVING A SPECIAL USE PERMIT FOR THE PURPOSE OF  
RECONSTRUCTING THE PAGODA UNION BUILDING ON THE  
SHORELINE COMMUNITY COLLEGE CAMPUS.**

WHEREAS, certain property, located at 16101 Greenwood Avenue North on the Shoreline Community College campus ("property"), is designated as R-4 on the Zoning Map and in the 2005 Comprehensive Plan as Single Family Institutional; and

WHEREAS, applicants desired expansion on this property consists of reconstructing the Pagoda Union Building from 2 stories to 3 stories; and

WHEREAS, this desired expansion requires approval of a Special Use Permit; and

WHEREAS, the applicants have filed a Special Use Permit application for the expansion;  
and

WHEREAS, on March 2, 2006, a public hearing on the application for Special Use Permit was held before the Planning Commission for the City of Shoreline pursuant to notice as required by law; and

WHEREAS, on March 2, 2006, the Planning Commission recommended approval of the Special Use Permit and entered findings of fact and a conclusion based thereon in support of that recommendation; and

WHEREAS, upon consideration of the application and the Planning Commission recommendation, the City Council has determined that the Special Use Permit application for the property located at 16101 Greenwood Avenue North on the Shoreline Community College campus is consistent with the Comprehensive Plan, Shoreline Municipal Code, and appropriate for this site;

WHEREAS, the City Council has determined that the approval of the Special Use Permit shall include two conditions of approval: Condition 1. Prior to building permit issuance of the Pagoda Union Building, the Community College shall submit an off-site parking agreement to accommodate displaced parking due to the construction of the building; and Condition 2. A campus master plan shall be completed by the Community College and approved by the City prior to the applications of any future construction permits to add habitable space. The master plan shall minimally address parking, area traffic and circulation, storm drainage, critical areas, and on-site future improvements.

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

**Section 1. Findings.** The Planning Commission Findings and Recommendation on File No. 201473, as set forth by the record and as attached hereto as Exhibit 1, are hereby adopted.


AMC 0190

ORIGINAL

**Section 2. 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 3. 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 APRIL 24, 2006.**

  
\_\_\_\_\_  
Mayor Robert L. Ransom

**ATTEST:**

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Scott Passey  
City Clerk

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

Date of Publication: April 27, 2006  
Effective Date: May 2, 2006

**FINDINGS AND DETERMINATION  
OF THE CITY OF SHORELINE PLANNING COMMISSION  
Shoreline Community College Special Use Permit**

**Summary** - This Special Use Permit (SUP), a Quasi-Judicial or "Type C Action," before the City Council is a request to rebuild the existing student union building from 2 stories to 3 stories on the Shoreline Community College campus. The building square footage is proposed to expand by 50% and the building height is proposed to exceed the underlying zoning height limit by 10 feet. Internally, the proposal would add more student union programs and services as well as improve the existing functions. Externally the proposal would remove 12 parking spaces and improve surrounding landscaping.

A building permit for the proposal has been submitted at this time but is on hold until approval of the SUP. Prior to construction on the site a building permit shall be obtained. The permit submittal will be reviewed administratively and is subject to the requirements of the Shoreline Municipal Code (SMC) and the 2003 International Building Code.

**I. FINDINGS OF FACT**

**1. Project Description**

The subject site is located at the southeast end of campus near the main entry. Like most campuses it is surrounded by the usual network of pedestrian paths, plazas, and parking.

The project site is located in the Highland Terrace Neighborhood. The campus is zoned R-4 as are the neighborhoods to the west and south. East of Greenwood Avenue the neighborhood is zoned R-6. Currently and in the recent past the neighborhood experienced commuter traffic and parking issues related to the campus in general.

**2. Timing and Authority**

The application process for this project began when the applicant held the requisite neighborhood meeting on September 12, 2005. A complete application was submitted to the City on October 31, 2005. A public notice of application and public hearing was 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 December 15, 2005 and re-noticed for a postponed hearing on February 9, 2006. This notice solicited public comments but no comment letters were received. The Planning Commission held a public hearing on March 2, 2006. The hearing closed and the Planning Commission made recommendations with conditions.

This application is for both the expansion of the use and the structure. The state law behind this approach is based on the attached RCW 36.70A.200 – Siting of essential public facilities – limitations and liabilities. (1) Each City shall include a process for

identifying and siting essential public facilities which include state educational facilities.  
(5) No local comprehensive plan or development regulations may preclude the siting of essential public facilities.

A SUP is required because colleges are not permitted in R-4 zones, however, an existing, legal, and nonconforming use may be expanded subject to a Special Use Permit (SMC 20.30.280). A Type C action (SUP) is reviewed by the Planning Commission, where an Open Record Public Hearing is held and a recommendation for approval or denial is developed. This recommendation is then forwarded to the City Council, who is the final decision making authority for Type C actions.

The Planning Commission was asked to review the Special Use by applying the nine criteria in Section 20.30.330 (B) of the Shoreline Municipal Code (SMC). The City Council may approve an application for Special Use of property if the proposal meets all these criteria.

**4. Public Comment** - The City received no public comment letters regarding this proposed expansion of the student union building.

**5. SEPA Determination** - SEPA review is required for this application under the City's substantial authority established in SMC 20.30.490. The Shoreline Community College, acting as lead SEPA agency on this action, issued a SEPA Determination of Non-Significance November 28, 2005.

#### **6. ANALYSIS OF SUP CRITERIA**

Section 20.30.330.B of the Shoreline Municipal Code outlines the criteria by which Special Use Permit applications are reviewed. The City shall grant a Special Use Permit, only if the applicant demonstrates that it meets each of the following criteria. See Attachment H for the applicant's response to criteria.

**Criterion 1: The use will provide a public benefit or satisfy a public need of the neighborhood, district or City.**

The improved and updated student union building will better facilitate students and respond to student needs in Shoreline's only higher education institution.

The special use meets criterion 1.

**Criterion 2: The characteristics of the special use will be compatible with the types of uses permitted in surrounding areas.**

The proposed student union building is compatible with the surrounding campus uses because they are college facilities as well. The surrounding residential neighborhood is compatible only in that the campus has been there for 40 years including the student union building. More recently there are problems with traffic and parking impacts on the surrounding residential areas that is more an enforcement issue than on-site, parking issue. A parking study showed that the campus is at 85% of capacity at peak hour use

(9:30 AM). If the additional parking impacts are conditioned to be mitigated by the proposal then the proposed expansion could be compatible.

The special use meets criterion 2 if conditioned as recommended.

**Criterion 3: The special use will not materially endanger the health, safety and welfare of the community.**

There are no health and safety issues related to this proposal. If approved, the City will require a building permit to construct the building and be reviewed for structural safety. However, the welfare of the community is related to Criterion 2 and parking impacts in the neighborhood.

The special use meets criterion 3

**Criterion 4: The proposed location shall not result in either the detrimental over-concentration of a particular use within the City or within the immediate area of the proposed use, unless the proposed use is deemed a public necessity.**

The proposal is replacing the same use within the existing campus and therefore will not create a detrimental over-concentration of college uses.

The special use meets criterion 4.

**Criterion 5: The special use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood.**

The special use will not cause any increased pedestrian or vehicular traffic in the neighborhood except the infrequent service vehicle after construction.

The special use meets criterion 5.

**Criterion 6: The special use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts.**

The need for public facilities is not increased; adequate infrastructure exists for the site.

The special use meets criterion 6.

**Criterion 7: The location, size and height of buildings, structures, walls and fences, and screening vegetation for the special use shall not hinder or discourage the appropriate development or use of neighboring properties.**

The proposed building will be taller than most of the surrounding buildings but will not prevent other campus buildings from redeveloping. The added third story is approximately 500 feet from Greenwood Ave N which is the closest residential area. The student union building is not visible from Greenwood Ave because there is dense, mature vegetation between. All other nearby residential property is fully developed.

The special use meets criterion 7.

**Criterion 8: The special use is not in conflict with the policies of the Comprehensive Plan or the basic purposes of this title.**

The Shoreline Community College campus is designated on the Comprehensive Plan 2001 as Single Family Institution.

**LU67: Provide for Essential Public Facilities as required by State regulations. Ensure that these essential public facilities:**

- Provide for basic public needs (health, welfare, and safety);
- Offer substantial public benefits to Shoreline and to the greater community (e.g., public services, public amenities);
- Enhance the identity and image of the community (e.g., attractive, compatible with surrounding community, community service orientation); and
- Are accessible to community members and/or to the regional population, where appropriate.

**LU70: Ensure that all new development, redevelopment, and/or expansion of an existing use shall comply with Essential Public Facilities policies and regulations.**

**LU72: Ensure that the design of these facilities will mitigate impacts to the project site and to the affected community through:**

- Siting of facilities in a location that will have the least impacts on the surrounding community.
- Design of facilities to be visually attractive and harmonious with existing facilities and with surrounding developments. Structures, landscaping, signage and other improvements should comply with the goals outlined in the Community Design Element of the Comprehensive Plan.
- Use of aesthetically compatible buffers (e.g. fences, landscaping and similar means) to separate the Essential Public Facility from surrounding uses.
- Improvements to limit impacts to environmental health (e.g. footprint, noise quality; air quality; use, storage and destruction of hazardous materials, storm water runoff management).
- Infrastructure improvements (e.g., transportation, capital facilities and utilities) to support the underlying facility. Improvements may include, but need not be limited to streets, sidewalks, streetlights, transit shelters, parking and utility lines.
- Open space as part of the development plan. Where feasible and appropriate, this open space should be accessible to the public.
- Provision of aesthetic improvements (including application of the One

Percent for the Arts) as a part of the development plan; where feasible and appropriate, these arts improvements should be accessible for community viewing.

**LU75:** All new Essential Public Facilities and redevelopment, expansion of a use and/or change of a use of an existing Essential Public Facility shall be required to undergo development review by the City of Shoreline. Development standards and review criteria shall consider:

- the types of facility uses and operations and their impacts;
- compatibility of the proposed development, expansion or change of use, with the development site, with neighboring properties and with the community as a whole;
- environmental review pursuant to State Environmental Policy Act (SEPA Rules WAC 197-11); and
- development standards to mitigate aesthetic and functional impacts to the development site and to neighboring properties.

The special use meets criterion 8 if conditioned as recommended.

**Criterion 9: The special use is not in conflict with the standards of the critical areas overlay.**

The site of the student union building is not in a critical area.

The special use meets criterion 9.

## **II. CONCLUSIONS**

The applicant has proposed an expansion of the student union building that does not expand the facility toward the surrounding neighborhood or increase impervious surfaces while staying within the context of the overall campus. The immediate concern is that construction may take a year and that up to 90 parking stalls will be temporarily displaced, which adds pressure for parking on a campus already with parking problems. In the past, the college has made small changes that did not meet the threshold for overall improvements to the traffic and off-site parking there. The City has encouraged the college for several years to create a master plan that the City can approve. The City has not received an application for a master plan. The proposed building is adding a floor of college functions that do not require parking. The City's Engineer has evaluated the college's parking study and finds the use and capacity to be adequate.

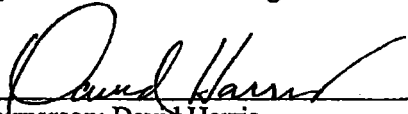
## **III. RECOMMENDATION**

Based on the Findings, the Planning Commission recommends adoption of the Special Use Permit with the following conditions.

**Condition 1.** Prior to building permit issuance of the student union building the community college shall submit an off-site parking agreement to accommodate displaced parking due to the construction of the building.

**Condition 2.** A campus master plan shall be completed by the college and approved by the City prior to the applications of any future construction permits to add habitable space. The master plan shall minimally address parking, area traffic and circulation, storm drainage, critical areas, and on-site future improvements.

**City of Shoreline Planning Commission**

  
\_\_\_\_\_  
Chairperson: David Harris

Date: 3/31/2006