

ORDINANCE NO. 440

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON AMENDING THE CITY'S OFFICIAL ZONING MAP TILE NUMBER 434 CHANGING THE ZONING FROM RESIDENTIAL 12 DU-AC (R-12) TO RESIDENTIAL 24 DU-AC (R-24) OF A PORTION OF ONE PARCEL LOCATED AT 932 N 199th STREET (PARCEL NUMBER 2227900032).

WHEREAS, the owner of the property, with parcel number 2227900032, has filed an application to reclassify a portion of the property from Residential 12 units per acre (R-12) to Residential 24 units per acre (R-24); and

WHEREAS, on August 3rd, 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 August 3rd, 2006, the Planning Commission recommended approval of the reclassification to R-24 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 932 N 199th Street (parcel number 2227900032) to R-24 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. 201523 as set forth by the Planning Commission on August 3rd, 2006 and as attached hereto as Exhibit 1 is hereby adopted.


Section 2. Amendment to Zoning Map. The Official Zoning Map Tile 434 of the City of Shoreline is hereby amended to change the zoning classification of a portion of parcel number 2227900032, located at 932 N 199th Street and further described and depicted in Exhibit 2 attached hereto, from R-12 to R-24.

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 SEPTEMBER 11, 2006.

ORIGINAL



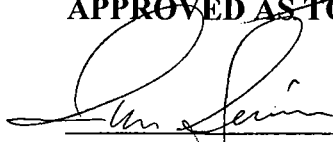
Mayor Robert L. Ransom

ATTEST:



Scott Passey
City Clerk

APPROVED AS TO FORM:



Ian Sievers
City Attorney

Date of Publication: September 14, 2006
Effective Date: September 19, 2006

**FINDINGS AND DETERMINATION OF THE CITY OF SHORELINE PLANNING
COMMISSION****Sundquist Rezone Request File #201523****Summary-**

Following the public hearing and deliberation on the request to change the zoning designation for a portion of a 18,039 Sq. Ft. parcel located at 932 N 199th Street, 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 a portion of the subject parcel from R-12 (Residential 12 units per acre) to R-24 (Residential 24 units per acre) in order to allow two additional townhomes on the site.
- 1.2 Site Address: 932 N 199th Street
- 1.3 Parcel Number: 2227900032
- 1.4 Zoning: R-12 and R-24
- 1.5 The subject property has a land use designation of High Density Residential identified on the City of Shoreline's Comprehensive Plan Land Use Map. A High Density Residential designation is consistent with the following zoning: R-12, R-18, R-24 and R-48.

2. Procedural History-

- 2.1 Public hearing held by the Planning Commission: August 3rd, 2006
- 2.2 Corrected Notice of Public Hearing and SEPA Determination of Nonsignificance: August 3rd, 2006
- 2.3 End of 14 day Public Comment Period: July 13th, 2006
- 2.4 Corrected Notice of Application with Optional DNS: June 29th, 2006
- 2.5 Complete Application Date: April 17th, 2006
- 2.6 Application Date: April 4th, 2006
- 2.7 Neighborhood meeting Date: March 30th, 2005

3. Public Comment-

3.1 The following individuals participated in Neighborhood Meetings:

2 people attended the required Neighborhood Meeting. General comments included timing of the project and how the units would look.

Written Comments have been received from:

Approximately 8 letters were received in response to the standard notice procedures for this application.

3.2 Oral testimony has been received from:

In addition to the applicant, several adjacent property owners testified at the open record public hearing. The comments included: Access, traffic, parking, loss of privacy and clearing of trees.

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 nonsignificance was issued on August 3rd, 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 rezoning is consistent with the Comprehensive Plan.

The Comprehensive Plan land use map identifies the subject property as *High Density Residential*. The goals and policies of the Comprehensive Plan for this site call for the accommodation of up to 48 dwelling units per acre. The proposed zoning change will allow the parcel to be developed to a higher level that was anticipated in the Comprehensive Plan.

The site is currently under development. The site will be redeveloped with 9 dwelling units at a density of 21.7 du/ac. The townhomes will be compatible with the existing condominiums to the north and to the east. The single-family home that is being built on the site will be compatible to the existing single-family homes to the west and south.

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

Staff concludes the proposed rezoning and redevelopment of this site will not adversely affect the public health, safety and welfare of the surrounding neighborhood and community.

- The applicant has submitted letters from the sewer and water district stating that the necessary infrastructure currently exists to accommodate new development.
- The proposed new development will be required to install landscape buffers on the north and east sides of the property to buffer adjacent home owners from the future new dwelling units.
- Sufficient parking is proposed for garages and in the driveways of the new townhome units.
- New development will be required to install sidewalks which will add to the public safety of the surrounding community.
- The clearing of trees was allowed under the Shoreline Development Code. The applicant had the right to take down the six significant trees on the property.
- Staff has concluded the traffic impacts will not be a substantial burden on the surrounding community. The proposed rezoning would add two additional townhomes

to a site that has already been approved for six townhomes and one single-family home.

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

The subject parcel is currently zoned R-12 and R-24. Right now, the site has approval to build one single-family home with 6 attached townhome under the current zoning category. The application to change the zoning on a portion of the parcel to R-24 was made in order to develop the site at a density similar to that developed adjacent to the site on the north. The site's Comprehensive Plan land use designation is *High Density Residential*. Consistent zoning designations for this land use include: R-12 through R-48.

The applicant's proposal for 8 townhomes and one single-family home is supported by the goals and policies of the Comprehensive Plan. R-24 zoning is an appropriate designation for the subject site, as it reflects a transition from Rregional Business zoning along Aurora Ave to the R-12 and R-6 density residential development to the west.

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. Development of the property under the proposed rezone would result in equal or lesser densities than those currently existing north and east of the subject parcel. The Richmond Firs Condominiums directly north are developed at 21 du/ac and the cCondominium development directly east is developed at 44.5 du/ac. ~~It~~ The proposed zoning and development provides a reasonable transition to the R-12 density to the west.

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

The redevelopment of the site will contribute to an increase in housing units and provide alternative housing options within the City. The proposed townhomes are an affordable option compared to new detached single-family construction. Additionally, this site is an appropriate place to accommodate higher density development considering the intensity of the adjacent Commercial and High Density uses to the east, because it is free of environmentally sensitive features, and because of close proximity to alternative transit options and infrastructure.

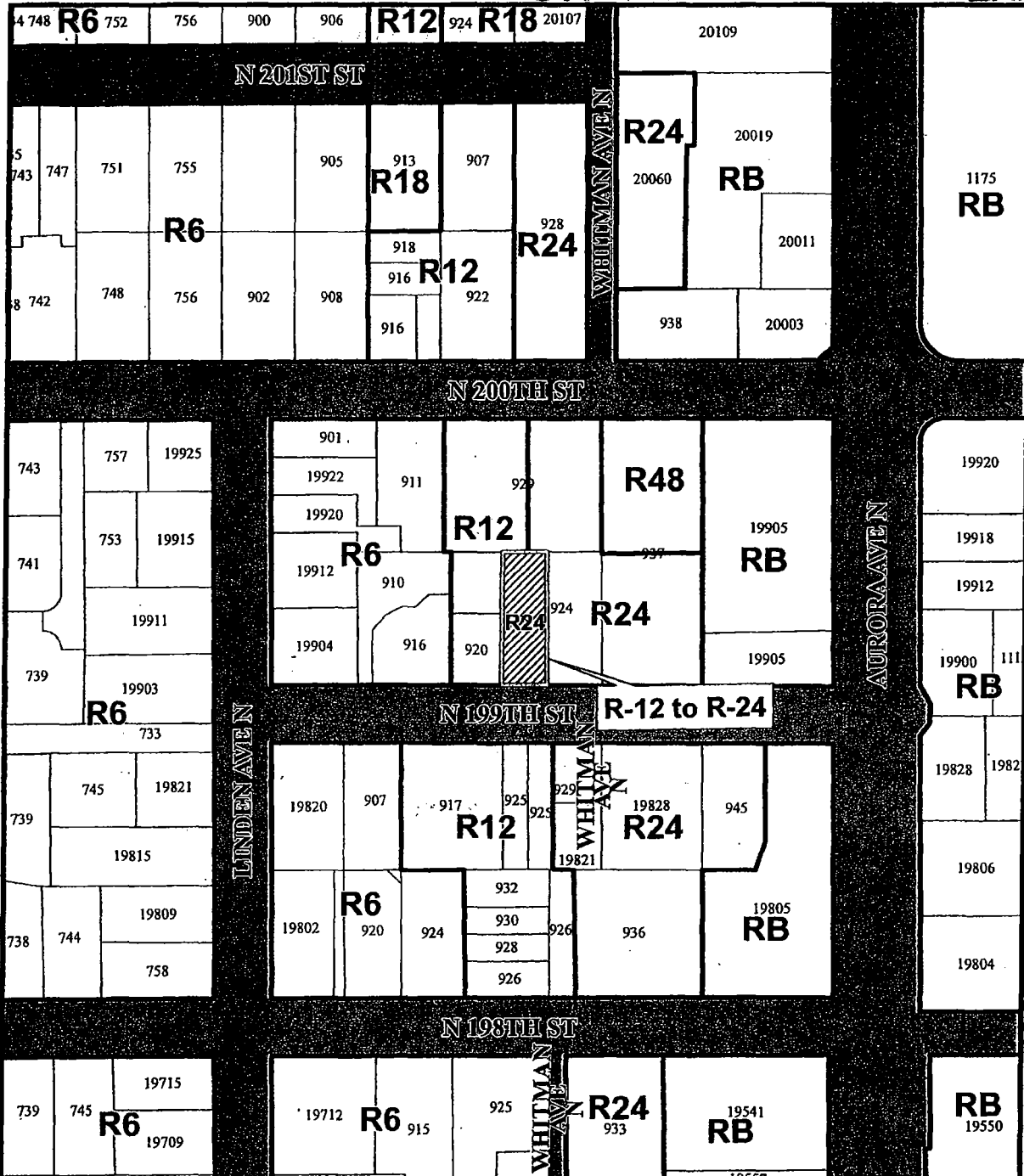
III. RECOMMENDATION

Based on the Findings, the Planning Commission recommends approval of application #201523; a rezone from R-12 to R-24.

City of Shoreline Planning Commission


Chairperson

Date: 29 AUG 2006



CITY OF SHORELINE ZONING MAP

Plot Date: 7/21/2005

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
- Unclassified ROW
- City Boundary
- Parcel Line



Amendment to Tile 434



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



ORIGINAL

EXHIBIT 2

LEGAL DESCRIPTION FOR R-24 ZONING

The south half of Lot 3, Echo Lake Park Division No. 2, according to the plat thereof recorded in Volume 28 of plats, Page 46, records of King County, Washington.

LEGAL DESCRIPTION FOR REMAINING R-12 ZONING

The north 65 feet of the east half of the south half of Lot 4, Echo Lake Park Division No. 2, according to the plat thereof recorded in Volume 28 of plats, Page 46, records of King County, Washington.

