

# ORIGINAL

## ORDINANCE NO. 524

**AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON AMENDING THE CITY'S ZONING MAP TO CHANGE THE ZONING FROM R-12 (RESIDENTIAL-12 UNITS PER ACRE) TO CB (COMMUNITY BUSINESS) FOR THE PROPERTY LOCATED AT 753 NORTH 185<sup>TH</sup> STREET.**

WHEREAS, the subject property, located at 753 North 185<sup>th</sup> Street is zoned R-12; and

WHEREAS, the owner of the property has applied to rezone the property to CB, Community Business; and

WHEREAS, the rezone of the property is consistent with the Comprehensive Plan land use designations of Community Business; and

WHEREAS, the Planning Commission considered the application for zone change at a public hearing on September 18, 2008, and has recommended approval of the rezone; and

WHEREAS, a Determination of Non-Significance has been issued for the proposal pursuant to the State Environmental Policy Act; and

WHEREAS, the City Council concurs with the Findings and Recommendation of the Planning Commission and determines that the rezone of the property should be approved to provide for residential dwelling units and other compatible uses consistent with the goals and policies of the City's Comprehensive Plan;

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

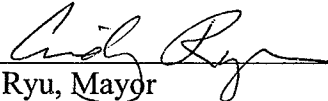
**Section 1.** Findings. The Planning Commission's Findings and Recommendation to approve rezone of the parcel, attached hereto as Exhibit A, are hereby adopted.

**Section 2.** Amendment to Zoning Map. The Official Zoning Map of the City of Shoreline is hereby amended to change the zoning classification of the property described as RICHMOND HIGHLANDS ADD N 65 FT LESS W 200 FT (Parcel No. 7283900303) depicted in Exhibit B attached hereto, from R-12, Residential 12 units per acre, to CB, Community Business.

**Section 3.** Effective Date and Publication. This ordinance shall go into effect five days after passage and publication of the title as a summary of this ordinance.

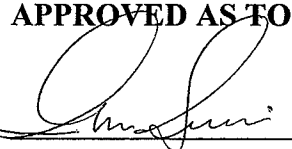
**PASSED BY THE CITY COUNCIL ON NOVEMBER 24, 2008.**

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Cindy Ryu, Mayor

**ATTEST:**

  
Scott Passey  
City Clerk

**APPROVED AS TO FORM:**  
  
Ian Sievers  
City Attorney

Date of Publication: November 27, 2008  
Effective Date: December 2, 2008

## CITY OF SHORELINE PLANNING COMMISSION

### FINDINGS, CONCLUSIONS AND RECOMMENDATION

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#### PROJECT INFORMATION SUMMARY

**Project Description:** Rezone application to change the zoning designation of one parcel from R-12 to Community Business (CB).

**Project File Number:** 201736

**Project Address:** 753 North 185<sup>th</sup> Street, Shoreline, WA 98133

**Property Owner:** Richmond Masonic Temple Association.

**SEPA Threshold:** Determination of Non-Significance (DNS)

**Staff Recommendation:** Recommend approval of a rezone to Community Business.

#### FINDINGS OF FACT

##### *Current Development*

1. The parcel at issue is located at 753 North 185<sup>th</sup> Street, generally on the southwest corner of North 185<sup>th</sup> Street and Linden Avenue North.
2. 753 North 185<sup>th</sup> Street (tax ID # 7285900065) is 13,051 square feet and is developed with the Richmond Masonic Lodge. The site is zoned R-12 and has a Comprehensive Plan Land Use designation of Community Business ("CB").
3. The surrounding neighborhood has experienced development recently: four townhomes have been developed west of the former James Alan Salon. Also, there is a current rezoning request at 18501 and 18511 Linden Avenue N to change the zoning from CB to RB.
4. There are existing sidewalks along N 185<sup>th</sup> Street adjacent to the applicant's property. No sidewalks exist along Linden Ave N. A traffic signal with crosswalks is located at the intersection of Linden Ave N and N 185<sup>th</sup> Street.
5. The existing building on-site is listed in Shoreline's Historic Inventory List.

##### *Proposal*

6. The applicant proposes to rezone the parcel to Community Business ("CB").

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7. Staff analysis of the proposed rezone includes information submitted in a pre-application meeting conducted on January 24, 2008 and two separate neighborhood meetings conducted on March 9 and March 30, 2008.
8. A Public Notice of Application was posted, mailed and advertised on July 17, 2008.
9. A Public Notice of Hearing was posted, mailed and advertised on August 7, 2008.
10. Two comment letters were received as of the date of the issuance of the staff report. The comment letters cited concerns about the Masonic Lodge being on Shoreline's Historic Inventory List and potential traffic issues.
11. The Planning Department issued a SEPA Determination of Non-Significance on August 7, 2008. The DNS was not appealed.
12. An open record public hearing is being held by the Planning Commission for the City of Shoreline on September 18, 2008.
13. City staff has reviewed the proposal and recommend that the parcels be rezoned to Community Business.

## *Comprehensive Plan Land Use Designations.*

14. The site is designated Community Business in the Comprehensive Plan. Parcels to the west and east also have a Comprehensive Plan Land Use designation of Community Business. Parcels to the north, across N 185<sup>th</sup> Street, have land use designations of Community Business, Mixed-Use, and Medium Density Residential. The MU designation allows R-8 through R-48 residential zoning and all commercial and industrial zoning. Parcels to the south have High Density (HDR) and Medium Density Residential (MDR) Designations. The HDR designation allows R-12 through R-48 zoning and the MDR designation allows R-8 and R-12 zoning.
15. The Comprehensive Plan describes Community Business as areas within the Aurora Corridor, North City and along Ballinger Way. This designation provides for retail, office, and service uses and high density residential uses. Significant pedestrian connection and amenities are anticipated. Some limited industrial uses might be allowed under certain circumstances. Appropriate zoning designations for this area might include the Neighborhood Business, Community Business, Regional Business, Office, R-12, R-18, R-24, or R-48.

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## *Current Zoning and Uses*

16. Parcels immediately to the west of the subject parcels are zoned Office, R-18, and R-12 and developed with medical offices, condos, a fire station and other office uses. The parcel to the south is zoned R-48 and developed with an apartment building. The Fred Meyer shopping center is zoned RB and located directly east of this parcel. To the north is the former James Alan Salon building zoned CB.

## *Proposed Zoning*

17. The proposal is to change the zoning on the site from R-12 to Community Business (CB). Under SMC 20.30.060, a rezone is a Type C action, decided by the City Council upon recommendation by the Planning Commission. The decision criteria for deciding a rezone, as set forth in SMC 20.30.320, are:
- The rezone is consistent with the Comprehensive Plan; and
  - The rezone will not adversely affect the public health, safety or general welfare; and
  - The rezone is warranted in order to achieve consistency with the Comprehensive Plan; and
  - The rezone will not be materially detrimental to uses or property in the immediate vicinity of the subject rezone; and
  - The rezone has merit and value for the community.
18. The purpose of a Community Business zoning district, as set forth in the Shoreline Municipal Code 20.40.040, is to "provide for the location for a wide variety of business activities, such as convenience and comparison retail, personal services for local service, and to allow for apartments and higher intensity mixed use developments.

## *Impacts of the Zone Change*

19. The following table outlines the development standards for the current zoning (R-12) and the proposed zoning (CB):

	<b>R-12</b>	<b>CB</b>
Front Yard Setback	10'	0'
Side Yard Setback	5'	10'
Rear Yard Setback	5'	10'
Max. Impervious Surface	75%	85%
Height	35'	60'
Density (residential development)	12 du/ac	48 du/ac
Total Units (potential)	4	14

## 20. Traffic Impacts

Since the proposed CB zoning permits a variety of uses, specific impacts are uncertain at this time. However, two scenarios can be defined to provide a reasonable set of bookends regarding traffic impacts.

- a. Scenario 1: Develop the property as office. A reasonable development assumption is that as an office, ½ of the parking would be on grade and another full level of underground parking would be available. This results in 75-85 stalls. Setting aside some stalls for visitors, it is reasonable to assume 80 employees. These could be housed in a 21,000 square foot building, which would suggest a 3 or 4 story building on this site.

This scenario would generate 266 trips daily (3.32 daily trips, half of them are inbound and half outbound) and 39 trips during the PM rush hour (.48 trips during each hour of the PM peak).

- b. Scenario 2: Develop the property as housing. Because there is a maximum density in the CB zone, the number of units, and by extension, the traffic impacts, can be defined. Under a CB zone, 14 units could be developed. The ITE trip generation handbook estimates 6.72 daily trips per unit (half inbound and half outbound) and .62 average trips during one hour during the PM peak. If 14 units are built, this translates to an additional 94 trips during the day and 9 more trips during rush hour.

### Future Aurora Corridor Improvements

The City recognizes the concerns about this intersection and has developed plans to improve the eastbound travel lanes of 185<sup>th</sup> Street. This will include a left and right turn only lanes to Aurora Avenue as well as two through lanes continuing on 185<sup>th</sup> Street. These improvements will alleviate some of the traffic backups that occur on 185<sup>th</sup> Street.

### City of Shoreline Historic Inventory List

Because the current development on the property is listed on the historic inventory, staff contacted King County for suggestions about how to address the possibility that a site on the Historic Inventory might be demolished. The County suggested a number of options, which include asking the developer to place the building up for sale, and if the building cannot be sold and moved, to make a historical record of the building. Staff will inform a potential owner of the property that the City will place certain requirements on them if they intend to

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demolish the building. These requirements will be part of the SEPA for building/site development permits and not part of this rezone.

## CONCLUSIONS

1. The purpose of a rezone is to provide a mechanism to make changes to a zoning classification, conditions or concomitant agreement applicable to property. Rezone criteria must be established by substantial evidence.
2. The notice and meeting requirements set out in SMC 20.30 for a Type C action have been met in this case.

### *Rezone criteria*

#### *Is the rezone consistent with the Comprehensive Plan?*

The rezone is consistent with the following goals and policies of the comprehensive plan:

3. Goals LUI, LU III, LUIV, LUV, Land Use Policies LU1, LU30, LU155, H2, T17, every goal and policy within the Economic Development Element, CD 48, and CD 61.
4. Goal LUI, "Ensure that the land use pattern of the City encourages needed, diverse, and creative development, protects existing uses, safeguards the environment, reduces sprawl, promotes efficient use of land, encourages alternative modes of transportation and helps to maintain Shoreline's sense of community".
5. Goal LUIII, "Encourage a variety of quality housing opportunities and appropriate infrastructure suitable for the needs of Shoreline's present and future residents".
6. Goal LUIV, "Encourage attractive, stable, quality residential and commercial neighborhoods that provide a variety of housing, shopping, employment and services".
7. Goal LUV, "To assure that a mix of uses, such as service, office, retail, and residential, are allowed either in low intensity buildings placed side by side or within the same building in designated areas, on arterials, or within close walking distance of high frequency transit, serving a neighborhood commercial and residential function".
8. Policy LU1, "Preserve environmental quality by taking into account the land's suitability for development and directing intense development away from natural hazards and important natural resources".

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9. Policy LU30, "Encourage a mix of residential and commercial development in close proximity to create retail synergy and activity".
10. Policy LU36, "Provide opportunities and amenities for higher density residential communities to form within or adjacent to the Aurora Corridor in harmony with the surrounding neighborhoods".
11. Policy LU155, "Support the expansion of public mass transit and encourage cycling and walking in the City as an alternative to dependence on individual vehicles".
12. Policy H2, "Provide incentives to encourage residential development in commercial zones as a support to commercial areas".
13. Policy T17, "Utilize the Arterial Classification Map as a guide in balancing street function with land uses. Minimize through traffic on local streets".
14. Policy CD48, "Develop attractive, functional, and cohesive commercial areas that are harmonious with adjacent neighborhoods, by considering the impacts of land use, building scale, views and through traffic".
15. Policy CD61, "Work cooperatively with other jurisdictions, agencies, organizations, and property owners to preserve historic resources".

The rezone may be inconsistent with the following goals and policies of the Comprehensive Plan:

16. Policy LU84, "Consider and evaluate the immediate, long-range, and cumulative environmental impacts of policy and development decisions consistent with the SEPA and GMA".  
Full environmental impacts cannot be addressed at this time. The City is uncertain what will be built on the site at this time since this rezone is a non project action. Full environmental impacts will be addressed when and if an applicant submits building permits for a specific project.
17. Policy LU96, "Encourage the use of green building methods and materials that may reduce impacts on the built and natural environment".  
The City has recently adopted the Sustainability Strategy but Shoreline's Development Code does not require green building methods.
18. Policy T47, "Monitor traffic growth on collector arterials and neighborhood collectors and take measures to keep volumes within reasonable limits".  
The site is accessible by a Minor Arterial (N 185<sup>th</sup> Street) and a Neighborhood Collector Street (Linden Ave N). Linden Ave N will be

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impacted by any new development but has the capacity to handle additional trips.

19. Policy PR1, "Monitor changes in both existing and planned population and evaluate how the Parks, Recreation and Cultural Services Department can adapt to the changing population and varying needs".

20. Policy PR9, "Develop and distribute multi-use neighborhood, community and regional park facilities throughout the City to satisfy varying levels of citizen needs".

If the property is developed with residential uses, park facilities and open spaces are scarce in this area though the interurban trail is easily accessible.

21. Policy CD58, "Review proposed changes to historic landmark sites and structures to ensure that these resources continue to be part of the community".

The structure on site is on Shoreline's Historic Inventory List. This status will not be changed because of the rezone as the rezone is only changing the zoning designation of the site. Specific building impacts will be addressed by subsequent SEPA Determinations.

*Will the rezone adversely affect the public health, safety or general welfare?*

22. The GMA planning process of developing Comprehensive Plan designations which allows this level of development and the City's development standards in its zoning regulations for the CB zone protect against uses that would be contrary to the public health, safety or general welfare.

23. If the site is developed with residential uses, it could have a positive impact on public health. Placing density closer to area amenities such as shopping, restaurants and public transportation, encourages walking or biking rather than driving. Density in this instance creates better health opportunities than before.

*Is the rezone warranted in order to achieve consistency with the Comprehensive Plan?*

24. CB as well as Neighborhood Business, Office, and residential zoning categories R-12 through R-48 are consistent with the Comprehensive Plan vision for the area (Community Business). Specifically, CB is a better fit for this site because recent land use actions have been approved in close proximity of this site (#201753 was approved for CB zoning and recently recommended for a change to RB), adjacent land uses include medical/office buildings, apartments, the Fred Meyer shopping center and the former James Alan Salon.

25. Efficient use of land, higher densities in appropriate areas, close to services and transportation and an improved circulation pattern on 185<sup>th</sup> and Aurora support more intense development on this site and the proposed CB zoning.

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*Will the rezone be materially detrimental to uses or property in the immediate vicinity of the subject rezone?*

26. Staff does not believe that this rezone will be materially detrimental to uses or properties in the immediate vicinity for the following reasons:
27. Concerns have been raised about the historical status of the building on-site and pedestrian and traffic safety issues by the proposed CB zoning.

(a) Historic Inventory List

The Current building on-site is listed on Shoreline's Historic Inventory List. Staff has contacted King County's Historic Preservation Officer, who had specific procedures for these types of properties. Specific requirements will be placed on the applicant if and when building permits are applied for. These requirements include archival documentation (photos, plans, additional research) and require a good faith effort to advertise the building for sale to be moved to another site and the cost of demolition and disposal contributed to the move. Digital photos by a professional photographer would be available to King County as well as the Shoreline Museum. A historic preservation professional will be required to do supplemental research on the property and Lodge that is acceptable by King County's Historic preservation Officer.

(b) Traffic and Pedestrian Circulation

Analysis shows that the heaviest traffic impacts will occur if the property is developed as office uses. Future improvements to N. 185<sup>th</sup> Street and the Aurora Corridor by the Aurora Corridor Improvement Project will help traffic flow in this area, specifically traveling east-bound on N. 185<sup>th</sup> Street. Sidewalks, traffic signals, and crosswalks are all available at the corner of N. 185<sup>th</sup> Street and Linden Ave. N.

*Will the rezone have merit and value for the community?*

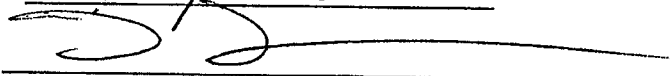
28. The proposed rezone will allow commercial and residential expansion to meet the changing needs of the community. The CB zoning category will allow commercial uses, residential uses or a mix of both uses. The CB zoning category is capped at 48 dwelling units per acre making the increase in density minimal at this location.
29. This criterion is met since the rezone provides an opportunity to accommodate more jobs and multi-family dwelling units in an area not immediately adjacent to existing single-family neighborhoods and in close proximity to services and transportation.

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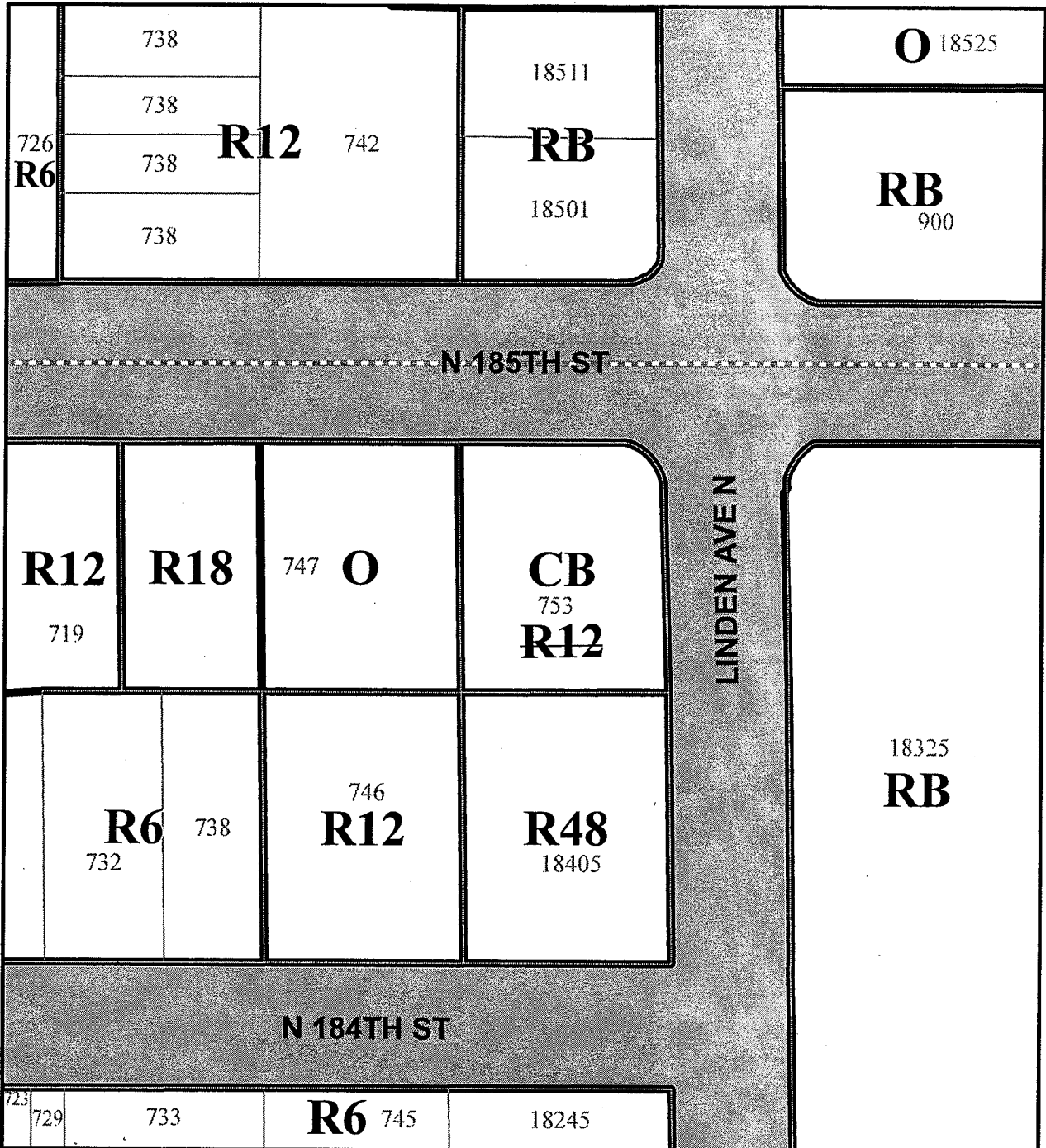
RECOMMENDATION

The Planning Commission recommends that the City Council approve a rezone of one parcel located at 753 N. 185<sup>th</sup> Street from R-12 to Community Business.

Date: 11/6/2008

By: 

Planning Commission Chair

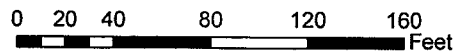
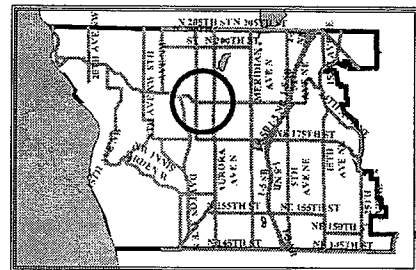


**753 N 185th St Rezone**

**R-12 to CB**

**Zoning Legend**

- |                                       |  |
|---------------------------------------|--|
| <b>R4</b> Residential, 4 units/acre   | <b>NB</b> Neighborhood Business              |
| <b>R6</b> Residential, 6 units/acre   | <b>NCBD</b> North City Business District     |
| <b>R8</b> Residential, 8 units/acre   | <b>CB</b> Community Business                 |
| <b>R12</b> Residential, 12 units/acre | <b>O</b> Office                              |
| <b>R18</b> Residential, 18 units/acre | <b>RB</b> Regional Business                  |
| <b>R24</b> Residential, 24 units/acre | <b>RB-CZ</b> Regional Business-Contract Zone |
| <b>R48</b> Residential, 48 units/acre | <b>I</b> Industrial                          |
| <b>CZ</b> Contract Zone               |  |



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

Representation of official zoning map adopted by City Ordinance No. 292. Shows amendments through November 6, 2008.

- Feature Legend**
- Map Tile Lines
  - City Boundary
  - Unclassified ROW
  - Parcel Line

