



Memorandum

DATE: January 24, 2007

TO: Planning Commission

FROM: Steve Cohn, Senior Planner
Steve Szafran, Planner II

RE: Blake Rezone

Beginning this week, staff has implemented a new format for staff reports dealing with quasi-judicial matters. The Blake rezone report has been written in a form that provides draft “Findings, Conclusions, and Recommendations”. The Commission can modify the draft during its discussion, and, at the conclusion of the meeting, will have a document reflecting its findings that can be forwarded to the City Council.

Having the “Findings, Conclusions, and Recommendation” document at hand will allow all the Commissioners to view the language that will be seen by the City Council.

It is our intention that the replacement for the staff report contains the same information you are used to seeing. If you have questions about the rezone request that you would like answered at the February 1 meeting, contact Steve Szafran, 206-546-0786

**CITY OF SHORELINE
PLANNING COMMISSION**

FINDINGS, CONCLUSIONS AND RECOMMENDATION

PROJECT INFORMATION SUMMARY

Project Description: Rezone application to change the zoning designation of two parcels from Residential – 4 dwelling units per acre to Residential- 6 dwelling units per acre.

Project File Number: 210588

Project Address: 20309 8th Ave NW and 20320 10th Ave NW, Shoreline, WA 98177

Property Owner: Larry Blake

SEPA Threshold: Determination of Non-Significance (DNS)

Staff Recommendation: Recommend approval of a rezone of the two parcels to R-6.

FINDINGS OF FACT

Current Development

1. The parcels at issue are located at 20309 8th Ave NW and 20320 10th Ave NW, in the Richmond Beach Neighborhood and are generally bounded by NW 205th Street to the north, 8th Ave NW on the east, 12th Ave NW on the west and NW 200th to the south.
2. 20309 8th Ave NW (tax ID # 0126039216) is 60,112 square feet and is developed with one single-family home. The site is zoned R-4 and has a Comprehensive Plan Land Use designation of Low Density Residential (“LDR”). *Attachment 1.*
3. 20320 10th Ave NW (tax ID # 0126039632) is 21,000 square feet, directly to the west of 20309 8th Ave NW, and developed with one single-family residence. The site is zoned R-4 and has a Comprehensive Plan Land Use designation of Low Density Residential (“LDR”). *Attachment 1.*
4. The surrounding neighborhood has an abundance of single-family homes on mostly very large lots. Essentially, these two parcels are located in an island of very low density development (R-4), surrounded by R-6 zones developed with single-family homes.
5. There are no existing sidewalks along 8th Ave NW in the area of the rezone. The applicant will be required to install all required site improvements at the time of building permits.

Proposal

6. The applicant proposes to rezone both parcels to Residential 6 units per acre (R-6) in order to build 10 new single-family homes. The applicant expects to build one driveway, connecting to 8th Ave NW that will serve as access to all the homes. This configuration would keep the homes off the steeper portions of the property.
7. A pre-application meeting was held with the applicant and City staff on October 20, 2006, the applicant held the requisite neighborhood meeting on November 2, 2006, and a Public Notice of Application was posted at the site.
8. Thirteen people attended the neighborhood meeting. Comments received at the neighborhood meeting addressed overbuilding in Shoreline, removal of trees, and access to and from 10th Ave NW. The one written comment received during the public comment period included concerns about density, decline in property values, and substantial impacts to existing homes in the area. *Attachments 4 and 5.*
9. Advertisements were placed in the Seattle Times and Shoreline Enterprise, and notices were mailed to property owners within 500 feet of the site on November 30, 2006. The Notice of Public Hearing and SEPA Determination were 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 21, 2006.
10. The Planning Department issued a SEPA Determination of Non-Significance and notice of public hearing on the proposal on December 21, 2006. The DNS was not appealed.
11. An open record public hearing was held by the Planning Commission for the City of Shoreline on February 1, 2007.
12. The City's Long Range Planner, Steven Cohn, and Planner II, Steve Szafran, have reviewed the proposal and recommend approval of the applicant's proposed rezone to R-6.

Comprehensive Plan Land Use Designations.

13. Parcels to the north, west, south and east have a Comprehensive Plan Land Use designation of Low Density Residential, which allows R-4 and R-6. *Attachment 3 to this Planning Commission Staff Report.*
14. The Comprehensive Plan describes Low Density Residential as applicable "for areas currently developed with predominately single family detached dwellings. Single family dwelling units will be allowed and other dwelling types, such as duplexes, single-family attached, and accessory dwellings, may be allowed under

certain circumstances. Appropriate zoning for this designation is R-4 or R-6 Residential, unless a neighborhood plan, subarea plan or special district overlay plan/zone has been approved.

Current Zoning

15. Parcels immediately to the north, south and west of the subject parcels are zoned R-4 and developed with a single-family homes; parcels to the east (across 8th Ave NW) are zoned R-6 and are also developed with single-family homes. *Attachment 2.*
16. The purpose of R-4, as set forth in Shoreline Municipal Code 20.40.040, is to “provide for a mix of predominately single detached dwelling units and other development types, such as accessory dwelling units, and community facilities that are compatible with existing development and neighborhood character”.

Proposed Zoning

17. Under SMC 20.30.060, a rezone is 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 an R-6 zoning district is the same as the purpose of the R-4 zone: to “provide for a mix of predominately single detached dwelling units and other development types, such as accessory dwelling units, and community facilities that are compatible with existing development and neighborhood character”.

Impacts of the Zone Change

19. The following table outlines the development standards for the proposed zoning (R-6) and the current zoning (R-4):

	R-6	R-4
Allowed Dwelling Units	11	7
Min Lot Area	7,200	7,200
Front Setback	20	20
Rear Setback	15	15
Side Setback	5/15 total	5/15 total
Height	35	35
Max Impervious Area	50	45

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 all been met in this case.

Rezone criteria

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

3. a. The rezone is consistent with the Comprehensive Plan and achieves consistency with the Comprehensive Plan. Both R-4 and R-6 maintain consistency with the Comprehensive Plan and are appropriate under Land Use Element Goals III and IV of the Comprehensive Plan.
 - Land Use Element Goal III of the Comprehensive Plan is to “encourage a variety of housing opportunities and appropriate infrastructure suitable for the needs of Shoreline’s present and future residents.
 - Land Use Element Goal IV of the Comprehensive Plan is to “encourage attractive, stable, quality residential and commercial neighborhoods that provide a variety of housing, shopping, employment and services.”

However, R-6 rezone proposal will provide greater consistency with the Comprehensive Plan goals and policies by providing greater density and more varied housing opportunities while still providing a housing product that fits with the area. Not only does the applicant’s proposal meet the goals and policies of the Comprehensive plan but an area-wide rezone of all the R-4 in the area would also meet these objectives.

b. The proposed rezone to R-6 is also consistent with the following land use policies:

- LU 10: Review and update infill standards for single-family houses that promote quality development and reflect the character of the existing neighborhood.
- LU 87 and LU 97: Provide incentives for site development that will minimize environmental impacts and mitigate drainage, erosion, siltation, and landslide impacts while encouraging native vegetation.

This zone change to R-6 will allow the developer to build 11 detached single-family homes on one lot. Regulations require that the homes be built away from areas with very steep slopes. .

The R-6 zoning would result in greater development intensity than exists immediately to the north, west and south but developing the site at the full R-4 potential would also result in greater intensity that exists now. R-6 zoning is appropriate in this area, as this is the only “pocket” of R-4 zoning in the area.

Rezoning the parcels to R-6 achieves consistency with the Comprehensive Plan as it would allow greater density of residential, allow for height and density that would be compatible with what currently exists in the neighborhood, and be more harmonious with adjacent land uses.

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

4. 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 R-6 zone protect against uses that would be contrary to the public health, safety or general welfare.
5. A rezone to R-6 will allow the property owner to develop the parcel with up to 11 homes. Under the current zoning the owner may build up to 7 homes. The difference between 7 and 11 homes will not adversely affect the public health, safety or general welfare, or have a substantial impact on the community.

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

6. Concerns have been raised at the neighborhood meeting and one letter was received from an adjacent neighbor during the public comment period. Comments included over-building, increased density, removal of trees and traffic on 10th Avenue NW. The following summary addresses each of these.

○ Over-building and increased density

The current R-4 zoning of the two subject parcels allows up to 7 new homes, which amounts to 3.8 units per acre. If R-6 zoning is approved, 11 new homes will be allowed, which is 5.9 units per acre. Although there is no question that density will be increased with the R-6 rezone, the increase in density is minimal.

○ Removal of trees

The two subject sites have substantial environmental features including trees and slopes. The Shoreline Development Code allows 6 trees to be cut without a permit; however, trees in the slope area on-site cannot be cut since the slope is considered an environmentally sensitive area with areas of very high landslide hazards.

○ Traffic on 10th Avenue NW

Obtaining access to 10th Avenue is unlikely because a) it would entail the crossing of an environmentally sensitive area between the currently undeveloped property and the existing house near 10th, and b) it would require a 20-foot driveway, which could necessitate that a portion of the house be removed.

Will the rezone have merit and value for the community?

7. The proposed rezone will allow an under-developed area of Shoreline to generate more density while still meeting the goals and policies of the Low Density Residential land use designation. This criterion is met since the rezone provides an opportunity to accommodate more dwelling units that complement the existing single-family homes in the neighborhood.

RECOMMENDATION

The Planning Commission recommends that the City Council approve a rezone of the two parcels to R-6.

Date: _____

By: _____
Planning Commission Chair

ATTACHMENTS

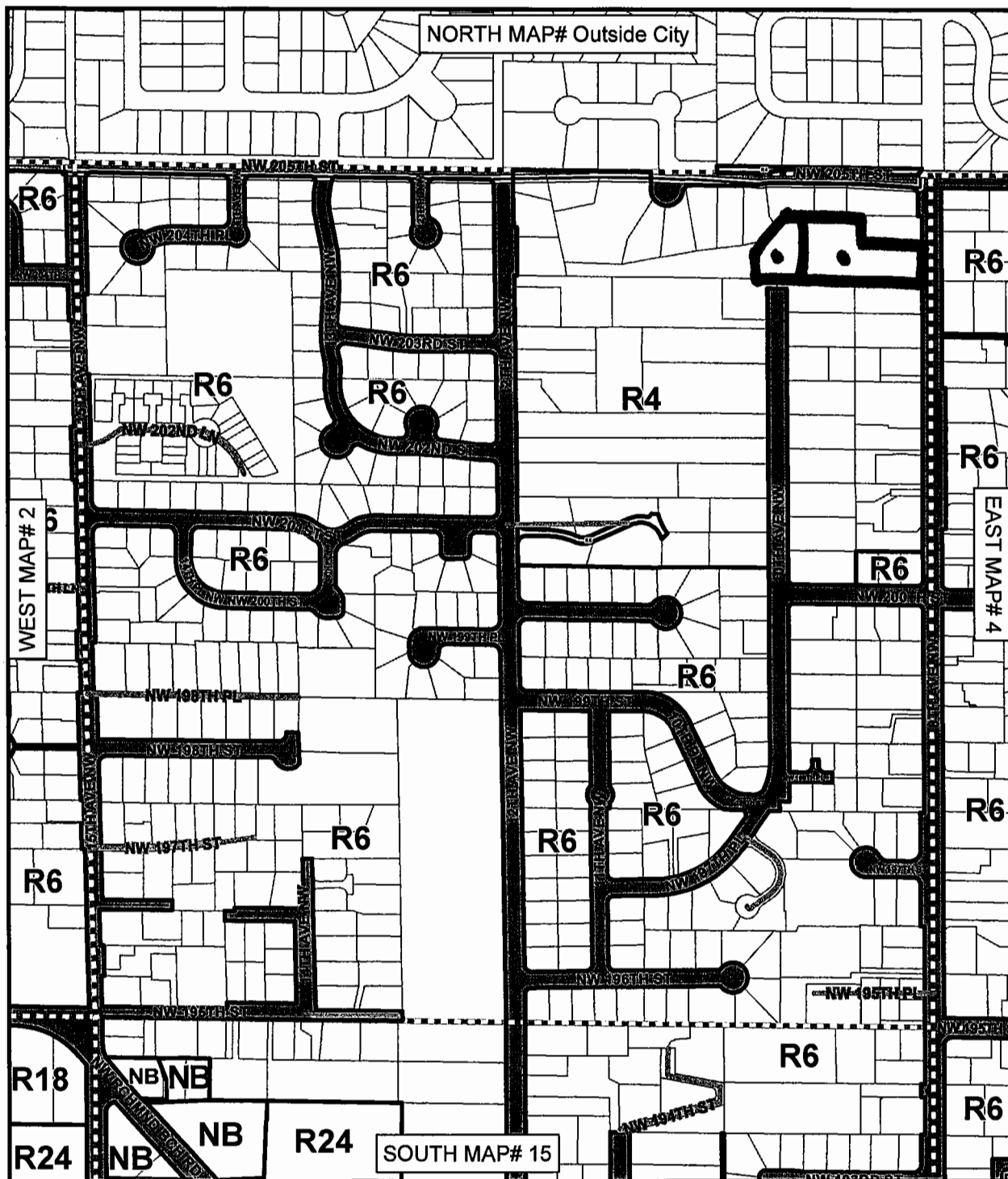
Attachment 1- Zoning Map

Attachment 2- Comprehensive Plan Map

Attachment 3- Neighborhood Meeting Report

Attachment 4- Public Comment Letter

Attachment 5- Applicant's Rezone Criteria



CITY OF SHORELINE ZONING MAP

Zoning Legend

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

Feature Legend

	- Map Tile Lines		- Unclassified ROW
	- City Boundary		- Parcel Line

1	2	3	4	5	6	7	8	9	10
13	14	15	16	17	18	19	20	21	22
25	26	27	28	29	30	31	32	33	
36	37	38	39	40	41	42	43	44	
47	48	49	50	51	52	53	54	55	
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MAP # 3

1:3,600



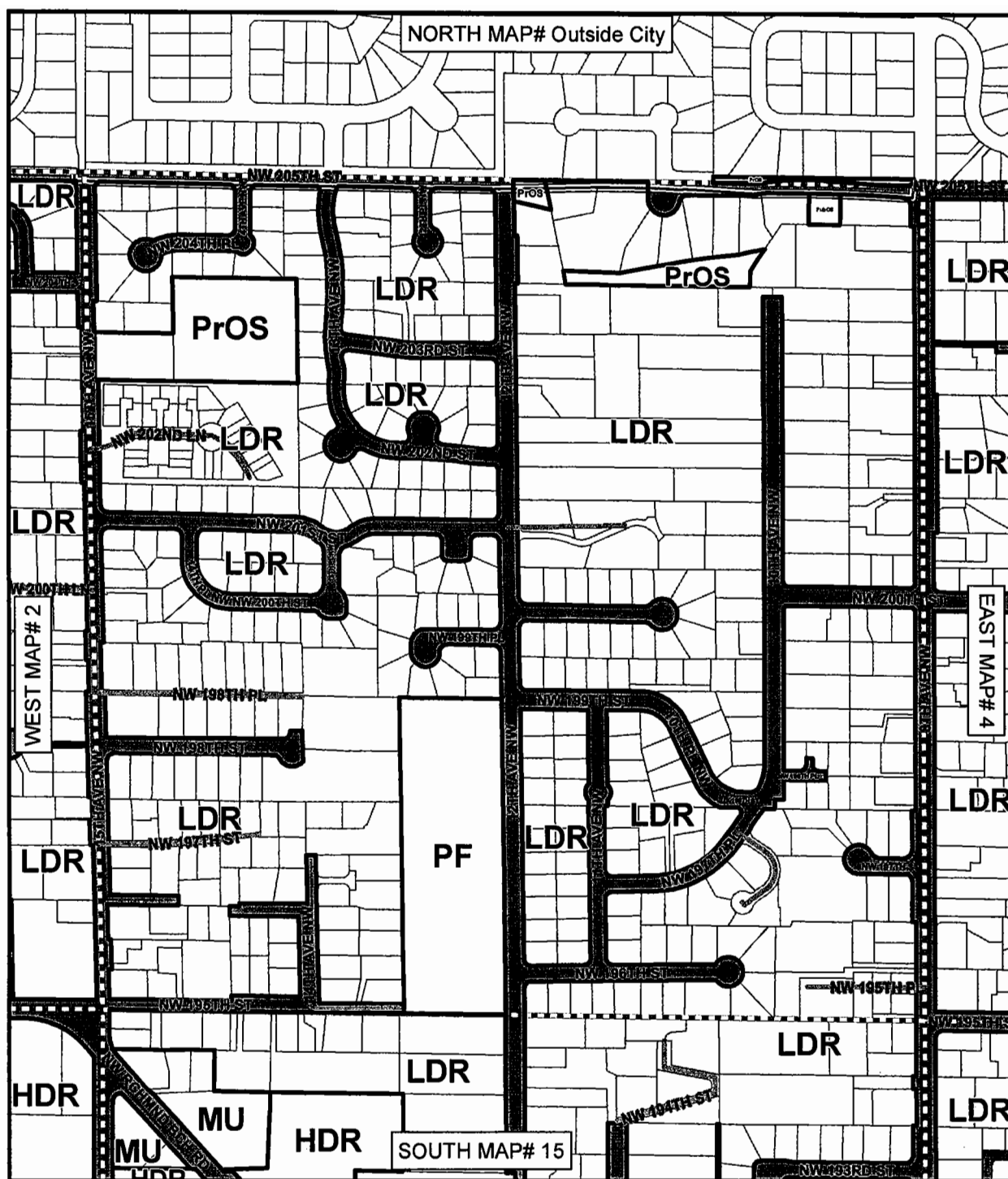
0 75 150 300 450 600 Feet

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 December, 2006.



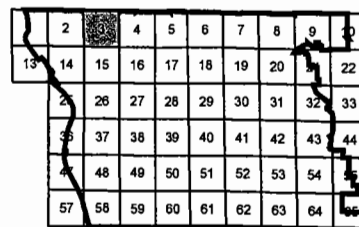
NW1/4-S1-T26N-R3 E



CITY OF SHORELINE COMPREHENSIVE PLAN LAND USE MAP

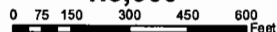
Land Use Designation Legend

BaSSA	Ballinager Special Study Area	PF	Paramount Special Study Area
BrSSA	Briarcrest Special Study Area	PSSA	Private Open Space
CB	Community Business	ProS	Public Facility
HDR	High Density Residential	PubOS	Public Open Space
LDR	Low Density Residential	RB	Regional Business
MDR	Medium Density Residential	SFI	Single Family Institution
MU	Mixed Use	SSA	Special Study Area
NCBD	North City Business District		



MAP # 3

1:3,600



Feature Legend



- Map Tile Lines



- Unclassified ROW

- City Boundary

- Parcel Line

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

Representation of official Comprehensive Plan land use map adopted by City Ordinance No. 292. Shows amendments through June 21, 2005.



NW1/4-S1-T26N-R3 E

**Neighborhood Meeting Report
For Project at 20309 8th NW**

Thirteen people attended the neighborhood meeting representing 8 separate properties.

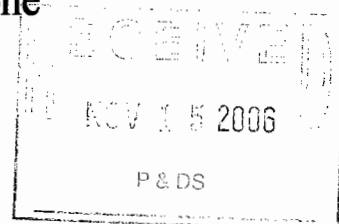
One person living east of 8th NW in Hillwood neighborhood attended and was concerned in general about over building in Shoreline, but since this project met the Comp Plan criteria and since he also supported private property rights he didn't plan on fighting this project.

Four people from two properties north of the potential project were concerned about removal of trees from the gully and potential construction in the gully itself. Since this project plans on retaining most trees (I pointed out a couple of trees that would be cut due to disease and safety concerns) with no construction in the gully itself they seemed satisfied with the project.

One neighbor living on 8th NW attended, but was only interested in learning details of the project and made no comments pro or con concerning the project.

Finally, 7 people living on 10th NW questioned the possibility of a road accessing the project from 10th would have a negative impact on traffic on their street. Since the project will access 8th NW and not 10th NW there should be no negative impact on their properties.

Most of the meeting consisted of informing people on the details of the project and general comments and concerns from everyone about growth in Shoreline, and the impact of the GMA on development requirements in Shoreline.



Steve Szafran

From: neil riddle [seaplym@hotmail.com]
Sent: Thursday, December 14, 2006 4:31 PM
To: Steve Szafran
Subject: Blake application #201588

Blake application #201588

City of Shoreline

attn: Steven Szafran, Planner II

To whom it may concern:

We hereby oppose the building of 10 new homes at the proposed address of 20309 - 8 ave NW, Larry Blake, appl.#201588

We live directly South of the project at 20303 - 8 ave NW and feel that the density will be too much for the lot & site.

We have just completed a remodel/addition to our home at the above address and probably would never have done so, if we had been informed of this development.

The neighborhood we live in is all single-family R-4 zoned and this many new homes on one lot is just too many - the impact will be substantial.

We just want to go on the record as being opposed to this high-density planning.

Thanks for your consideration -

Neil & Carol Riddle

REZONE OF PROPERTY AND ZONING MAP CHANGE CRITERIA

1. The rezone is consistent with the Comprehensive Plan in several ways including:

LU9 states that "Low Density Residential land use is intended for areas currently developed with predominantly single family detached dwellings...(a)ppropriate zoning for this designation is R-4 or R-6 Residential..." Richmond Beach neighborhood and neighboring Hillwood neighborhood is zoned R-6 already. A change to R-6 will not materially change the livability of Richmond Beach or neighboring Hillwood neighborhood..

Under "Housing Policies" in the Comprehensive Plan H6 states "Encourage infill development on vacant or underutilized sites to be compatible with existing housing types." One house on the existing property is past its useful life (no real foundation) and the other two homes hardly can be seen as utilizing the site effectively. Rezoning the site from R-4 to R-6 would more fully utilize the site and still fit into the existing neighborhood.

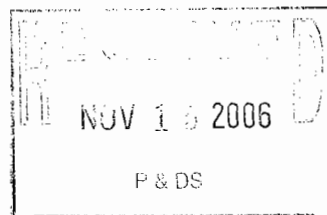
Since the State Growth Management Act mandates cities to plan for growth, and since one aspect of Shoreline's plan has been repealed (cottage housing) rezoning this site will increase the potential development of this site and help the city meet its development requirements mandated by the Growth Management Act.

2. The rezone will not adversely affect the public health, safety or general welfare because development of this site as R-6 fits the existing zoning for virtually all of Richmond Beach neighborhood and all of neighboring Hillwood neighborhood. Nothing in the rezone would adversely affect public health or safety (any development would still have to comply with building and development codes) and since development would increase the existing tax base it would actually add to the general welfare of the community.

3. The rezone is warranted in order to achieve consistency with the Comprehensive Plan since there no material reasons to maintain the existing R-4 designation and changing the designation would actually be more consistent to the existing heighborhoods in the vicinity of the site. There is nothing materially different about the subject site and other similar sites in Hillwood or Richmond Beach that have an R-6 zoning.

4. The rezone will not be materially detrimental to uses or property in the immediate vicinity of the subject rezone for the same reasons as stated above. Existing densities directly across the street (8th Avenue NW) are R-6. Any development would be residential so it shouldn't be detrimental to existing residences in the immediate vicinity.

5. The rezone has merit and value for the community because it is consistent with the Comprehensive Plan, it fits into the existing neighborhoods and it increases the potential tax base for the city.



201588