

**From:** [Wendy DiPeso](#)  
**To:** [City Council](#)  
**Subject:** Additional comments  
**Date:** Sunday, September 25, 2016 5:18:30 PM

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Dear Council,

Here are my additional comments, categorized by topic:

### **Critical Areas Purchases**

I support Mayor Roberts' proposal to create a policy for the City to purchase parcels with critical areas to add to the City's open space.

I would suggest that City staff start by working with private property owners to develop a list of specific lots that are ill suited to redevelopment, such as those that contain or are adjacent to steep slopes, high water table, located in a liquefaction zone or have other characteristics that would make development risky and impractical.

I would also suggest that once that list is complete that the City should consider revising their rezone or planned action accordingly to so that lots that cannot be redeveloped are graphically identified on the City land use maps and the zoning altered accordingly. This will help prevent developers from making land purchases with intent to develop, only to discover afterward that their investment was misspent.

### **Neighborhood Serving Businesses**

Page 8a-8, Paragraph 2, last sentence reads: "The MUR-35' and 45' zones also allow for the development of neighborhood serving businesses along arterials." Please ask staff which "neighborhood serving businesses" would be viable when the only population in the proposed neighborhood would be a mix of single-family homes, row houses and town homes? Even after full build-out, the population levels may not be sufficient to support additional community businesses beyond a modest restaurant next to the Crest Theater.

### **Infrastructure**

Paragraph 3 on the same page suggests that the needed infrastructure will be provided by redevelopment. For infrastructure to work effectively, it needs to be built first in a continuous system designed to support the community at peak population levels. Building patchwork infrastructure is not efficient nor does it ensure that the system will be finished or even function appropriately.

This means that for every redevelopment project that is isolated from already upgraded infrastructure, the City will have to pay for the connecting infrastructure, an expensive drain on city resources and one of the reasons community members passionately lobbied for smaller rezones and phasing. The City cannot afford to build the needed infrastructure for both the 145<sup>th</sup> Street rezone and the 185<sup>th</sup> Street rezone all at once. Phasing would allow the City to better plan and build the infrastructure.

Areas where sufficient infrastructure is already in place is where you will see the most rapid change from single-family homes to higher density.

### **Potential Amendment A**

In looking at the amendments proposed on the maps I am in favor of Potential Amendment A by Salomon and Roberts because it preserves R6 in what I consider to be a buffer area.

### **Single-Family Detached Housing in MUR-45' Zone**

Councilmember Hall's proposal to prohibit single-family detached housing in the MUR-45' zone is not supported by the community, the Planning Commission or staff. Repeatedly, members of the community have asked the Planning Commission and Council to make sure any zoning changes would not include minimum densities that would make single-family homes a non-conforming use.

### **Use of Planned Actions**

Page 8a-16 paragraph 3(not including the header) quote: "The key purpose of doing a Planned Action is to develop an understanding of cumulative impacts of potential redevelopment, rather than performing this analysis at the development project level."

Per RCW 43.21C.440 section (c) and 3 (b), this definition is inaccurate. A Planned Action, when appropriately executed under the law, does provide an understanding of cumulative impacts of potential redevelopment, but only when appropriately executed. The missing piece that Staff neglected to include is the project-level analysis before the Planned Action is adopted or a project-level review with public participation when a project is proposed.

The method that the City is taking to adopt the Planned Action without project-level analysis, and deferring project-level analysis to staff only when projects are proposed would have several negative consequences:

- Negates the benefit a properly executed Planned Action would provide to the community of understanding the cumulative impacts of redevelopment, since a realistic assessment is not possible absent project-level review.

Results in permitting in a vacuum, since under the city's proposed execution, city Staff would carry out project-level review without benefit of critical information only long-term property owners would be aware of (for example shifting water levels, or presence of salmonids).

- Increases the risk to developers who would purchase property based on the zoning map without understanding the existing lack of surface water infrastructure or geological characteristics that may add to the cost of construction and mitigation.
- Leaves the City vulnerable to lawsuit from developers who purchase property in good faith only to discover the lot cannot be redeveloped as they had planned once they start construction.
- Leaves the City vulnerable to lawsuit from others in the community concerned the City is thwarting appropriate application of the Planned Action ordinance and instead using it as a tool to cut the public out of participation in a project-level review.

If the Staff needs data for projecting future needs with a more general understanding like the FEIS recently completed, they can plan using a zoning overlay. A zoning overlay would not cut the public out of the project-level review.

Staff made a statement that if community members have additional information that would benefit them when reviewing specific projects they would welcome the input. This ignores the fact that the community won't likely know when a project has been proposed or a permit application submitted. There are few individual property owners that are going to take the time to check the city website for new permit applications on a regular basis. Signs posted on the property and a notice posted on the website would be insufficient notice. It is more likely that most community members would be unaware that anything has been proposed until the first bulldozer appears--too late to be of any help to City Staff.

I support Councilmember Scully's amendment to use a zoning overlay instead of a Planned Action.

Thanks for taking additional comments.

Wendy DiPeso