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**Sent:** Wednesday, February 6, 2019 3:04 AM

**To:** choekzema@shorelinewa.gov; Plancom@shorelinewa.gov

**Subject:** Comments on February 7, 2019 Planning Commissions Agenda Item 6a, Amendment #3 (NE 170th St Residential Rezone to Business)

Please make these comments part of the record for this proposal and upload this to the agenda website.

City of Shoreline Planning Commission,

I am providing comments on the February 7, 2019 Planning Commissions Agenda Item 6a, Amendment #3 (Change the Land Use Designation and Zoning of Two Parcels at 1510 and 1517 NE 170th Street) topic. This proposed amendment seeks to change the Land Use Designation from Medium Density Residential to Mixed-Use 2 and then rezone the property from Residential (R-8) to Community Business (CB).

The applicant has been illegally operating a contractor office and construction yard (business) at 1510 NE 170th Street (currently zoned Residential) since at least 2004 (14 years). The applicant recently purchased a second residential parcel at 1517 NE 170th Street and immediately began their illegal operations at this second residential property in violation of Shoreline laws, regulations, and codes, including willfully ignoring and violating Shoreline's Comprehensive Plan and Zoning. Shoreline has had a Comprehensive Plan since at least 1998 and the Comprehensive Plan and Zoning dictate what are acceptable uses in different zoned areas. Due to the nature of the applicant's business they should be well versed in Shoreline laws, regulations, and codes (if they receive permits for construction projects) and cannot plead ignorant to operating their business on residential-zoned parcels. They should have to comply with Shoreline laws, regulations, and codes like everyone else instead of getting rewarded by just amending the Comprehensive Plan and Zoning to make their illegal operations legal; which will continue the current business impacts on our neighborhood. Furthermore, they have the audacity to protest the City's rezone application fee and demand that the City rezone the property for them, for free; notwithstanding all of the business, environmental, and social justice impacts to the residential neighborhood. In addition to making the current business impacts legal, this change would permanently change what potential business uses, impacts, and development criteria would be allowed in the future. It is disheartening and astounding to see that City staff have recommended to the Planning Commission that this proposal be approved for the 2019 Comprehensive Plan Docket and that it move forward to the City Council.

Current illegal business impacts on the neighborhood include traffic, parking congestion on public streets (by employees, customers, large customer "party" events, and construction equipment/vehicles), noise from construction equipment and 24-hour alarms, light trespass and glare from 24-hour lighting, invasion of privacy by security cameras (recording backyards,

homes, families, and children), construction noise, air quality impacts from idling construction equipment, and other incompatible and unacceptable impacts on the neighborhood. There is a day care just a few doors away.

If approved, this will be a permanent change that will allow many other business uses (not just the applicant's construction company) in our neighborhood in the future and will create significant adverse impacts that are not compatible or acceptable to the neighborhood, including, but not limited to, traffic congestion, parking congestion, noise, air quality/odor/emissions, visual & aesthetics, housing, light and glare, soil and water quality, increased energy and natural resources consumption, environmental health (more toxic/hazardous chemicals, emissions, etc.), increased risk of fire and explosion, and social justice impacts by disproportionately impacting less advantaged residents and minorities adjacent to this proposal financially (property values and demand), as well as, with all of the aforementioned business impacts.

Other businesses that would be allowed in the future with this change could be hotel/motel, car/truck rentals, repair services, video rental, drinking establishments, funeral home, Gas or service stations, retail trade and services (which is just about any trade or product to sell), storage rentals, trucking services, nightclubs, utility yards, retail marijuana operations, and huge multifamily complexes that all have a wide range of significant adverse impacts to the neighborhood, residents, and citizens.

A meeting was held on January 23rd at the applicant's office where a couple of City staff and numerous concerned citizens that were notified of the meeting attended. Substantial opposing comments were provided orally. However, in reviewing the applicant's Meeting Summary that was made available on Feb. 5 (2 days before the scheduled Planning Commission meeting), the applicant did not accurately summarize the meeting and severely downplayed the concerns of the neighbors, and misrepresented and/or omitted most concerns of the neighbors based on my observation of the meeting, other attendee's observations, and talking points that I had prepared for the meeting. Talking with some neighbors, it also appears that the applicant did not notify all neighbors within the required distance of the January 23rd meeting as some neighbors within the required notification area said that they did not know about the meeting.

In reviewing the application materials for this proposal, it does not appear that the applicant accurately answered the questions and rezone criteria. In addition, based on first hand discussions at the neighborhood meeting, discussions with neighbors, and comments from the "Save Shoreline Neighborhoods" citizen group, the applicant erroneously speaks for the neighborhood and Shoreline citizens and attempts to describe this proposal as a benefit to the residents when this action solely benefits the applicant. They state on behalf of the residents that residents are happy with the illegal operations and changes that have happened. The applicant claimed in the neighborhood meeting and in the application materials that the Comprehensive Plan Amendment and Rezone was at the request of the City of Shoreline and seems to think that everyone else; neighbors, citizens, and the City of Shoreline

included, is at fault for the predicament that the applicant finds themselves in. These are gross and willful misrepresentations of facts.

The applicant also states on the Comprehensive Plan Amendment Criteria/Application (2.C) that the 1517 NE 170th St residential zoned parcel is being used as a garage with an ADU-Accessory Dwelling Unit and studio above the garage, along with a single family residence which is currently under construction. This use also is a code violation as Shoreline code 20.40.210 (C) requires either the primary residence or the ADU to be occupied by the owner or an immediate family member, which it is not. In addition, Shoreline code 20.40.210 (H) requires the owner of an ADU to record a document with King County stating that the ADU or primary residence is occupied by the owner or an immediate family member. All of these actions continue to demonstrate the applicant's disregard for Shoreline laws, regulations, and code and the will and opinions of the neighborhood residents.

I bought a house in a residential neighborhood in 2008 because I liked the neighborhood and being around homes and other families to raise my family. Now I find my home and family at risk of being next to a "Business" that might be a construction company for awhile, and who knows what after they retire, get bought out, or sell out. Instead of being near homes, I will be at ground zero for all of the associated adverse business impacts that come with this permanent change.

Concerned citizens have had to take time away from our family, friends, and our lives in order to defend our residential neighborhood because one company got caught violating the rules and now seeks to change the rules, instead of complying with them. Please don't further disrupt our lives; don't waste any more of your (Planning Commission's) time; don't waste the City Council's time; don't waste any more of staff's time; don't impact Shoreline tax payers and citizens further; reject this Proposal now to keep our residential neighborhoods residential.

Sincerely,  
Mark Rettmann  
Concerned Neighbor, Citizen, and Voter