

From: [Adel Sefrioui](#)
To: [City Council](#)
Subject: [EXTERNAL] Agenda item "Action on Ordinance No. 968
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Attachments: [Letter2.pdf](#)

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To Whom It May Concern,

Please find attached our written testimony for the upcoming, September 12th, council meeting, as it relates to Agenda item "Action on Ordinance No. 968 – MUR-70' Zone Development Code Amendments to Sections 20.30, 20.40, and 20.50. Thank you.

Adel Sefrioui | Vice-President

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August 2, 2022

Mayor Keith Scully
Mayor of Shoreline
17500 Midvale Ave N
Shoreline, WA 98133

Dear Mayor Scully and City Councilmembers:

Thank you for the opportunity to provide public, written testimony regarding the proposed MUR-70 tree retention amendment. Evergreen Point Group is a local multifamily developer operating exclusively in King County. To date, we have completed one multifamily project in Shoreline and plan to break ground on an exciting, 241-unit project in the MUR-70 148th substation area at the end of this month – the area’s first ever project of this sort. On the horizon, we have yet another multifamily project we hope to pursue in the MUR-70 zone, but adoption of the Council’s proposed tree retention amendment will make this effort impossible. **We strongly encourage the Council to reject this amendment.**

The area currently classified as MUR-70, as you are aware, was up-zoned from a traditionally single-family purpose. For developers, this means that we are required to assemble and consolidate multiple lots to achieve a scale efficient enough to pencil multifamily projects. These assemblages often contain several trees that are interspersed throughout the properties in a way that may have been contemplated under their previous, single-family use, but interfere with larger scale development. While developers strive to retain as many trees as possible, and in many instances do, some assemblages such as ours are consolidated in a way that tree retention, even 10%, is impossible. **Accordingly, user discretion and flexibility are key.**

Consider our future project, a 62,000 square foot assemblage that includes 10, contiguous single-family properties, each roughly 60 feet long (600 feet total) and 100 feet wide. A multifamily development on this assemblage would look like this: a long, rectangular, double-loaded corridor, roughly 80 feet wide (once setbacks and window-glazing requirements are accounted for). The project, in this instance, would leave no room for any tree retention, as all of the trees are situated along the northern length of the properties. You may ask, “why not make the building narrower to accommodate the trees,” but narrowing the building any further would leave insufficient dimensional width to construct an apartment building. This is not

to mention the effort that would need to be undertaken during excavation and shoring to salvage and protect any tree roots, which would also be a near impossible task with this sort of proximity to the building foundation. **Our assemblage, as-is, already affords very little room to work.**

Moreover, the trees in question on our assemblage are almost exclusively Douglas Fir or large conifer varieties that create foreseeable hazards to those walking under or around them, as well as potential liabilities for developers – not only to people on our property, but to the building itself. Indeed, the city’s own published 2021 Engineering Development Manual (EDM) advises against new plantings of large conifer or Douglas Fir varieties in redeveloped Right Of Ways (ROW) for this very reason. **It would be unusual for the city to require developers to retain these trees on private property when it advises against new plantings of them in public ROW.**

We understand that we’re providing just one example of an assemblage that would be negatively and substantially impacted by the proposed amendment; other developers may not encounter the same challenges. But I would offer this: trees will not disappear if the proposed amendment is not adopted. In fact, a wide variety of new trees, shrubs and vegetation will be reintroduced with each new development that are both appropriate for, and harmonize with, their reimagined surroundings. This is in addition to the many developers who have the ability to, and in consultation with their landscape architects, retain selected trees that are deemed appropriate for the newly developed environment. **Tree retention will occur where it makes sense.**

Among the city’s primary goals for upzoning this substation area to MUR-70 was to increase housing density and affordability. Unfortunately, adoption of the proposed amendment will lead to a chilling effect on development that may prevent, or substantially delay, realization of these goals. **At the very least, it will prevent our planned 330-unit development, which includes 20 percent of units dedicated to affordable housing, from moving ahead.**

We appreciate your careful consideration and are happy to make ourselves available to Councilmembers if questions or discussion relevant to this topic are required. We look forward to our continued work together. Thank you.

Sincerely,

Adel Sefrioui
Vice-President
Evergreen Point Group