

BEFORE THE HEARING EXAMINER
CITY OF SEATTLE

In the Matter of the Appeals of:

FRIENDS OF MADISON PARK, TREVOR
COX & JAKE WEYERHAEUSER,
HAWTHORNE HILLS COMMUNITY
COUNCIL, CHRIS R. YOUTZ, JOHN M.
CARY, and JENNIFER GODFREY et. al.

Hearing Examiner File: W-25-001, 002, -
003,-004,-005, and-006 (consolidated)

W-25-001 Declaration of Trevor Cox

Trevor Cox, declares as follows:

1. I was not aware of the One Seattle re-zoning plans or the Draft Environmental Impact Study (“DEIS”) until receiving an email newsletter from the Friends of Madison Park on December 6, 2024, see Exhibit 1.
2. I was not aware of the DEIS announcements in the Seattle Services Portal, in the LUIB, and in the DJC, and the State SEPA Register.
3. I subscribe to a variety of City of Seattle (“City”) alerts, and the City has my email and mobile number for a variety of City services. I have a registered business with the City at my home address. I have voting information mailed to my household on a regular basis. To my knowledge, I never received a mailing, text alert or email from the City related to the DEIS.
4. I emailed Anthony Derrick from Joy Hollingsworth office on December 11, 2024 about the DEIS, but did not receive a response, see Exhibit 2.
5. After learning about the DEIS on December 6, 2024, I met the subsequent deadlines including the deadline of December 20, 2024 to comment on the rezoning, see Exhibit 3

1 and Exhibit 4 for two separate comments submitted to the Office of Planning and
2 Community Development (“OPCD”).

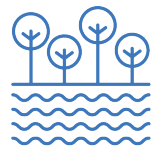
- 3 6. As of this date, I have not received the Discovery Requests from the OPCD related to the
4 hearing on April 2, 2024, which are directly related to the subject matter of the hearing,
5 see Exhibit 5.
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9 Dated this 1st of April 2025

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13 _____
14 Trevor Cox
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From: Friends of Madison Park president@friendsofmadisonpark.com
Subject: MADISON PARK RE-ZONING
Date: December 6, 2024 at 2:52 PM
To: trevor@trevorcox.com



**Friends of
Madison Park**
Bringing Our Community Together

MADISON PARK RE-ZONING

Octavia Chambliss — December 6, 2024



This is a special Newsletter to remind the community that Madison Park is facing major zoning changes in 2025 under the mayor's One Seattle Plan. Friends of Madison Park wants to be sure the community is aware of these significant changes and has an opportunity to comment on them by the **Deadline of December 20th**.

Here is a [sample letter](#) from a neighbor. Please adapt this letter or write your own and send to OneSeattleCompPlan@seattle.gov and cc. your city council rep Joy.Hollingsworth@seattle.gov as the proposals then head to our city council for review.

A BIT OF HISTORY

In 2023, the Washington State Legislature adopted House Bill 1110, often referred to as the "middle housing" bill. HB1110 requires many cities in the state to allow a broader range of housing types in areas that have allowed predominantly detached homes.

In October 2024, Seattle Mayor Harrell proposed a growth strategy now called the One Seattle Plan. That plan is made to comply with the state-mandated increased housing density requirements from HB1110. **The plan is open to public comment until December 20, 2024.** After that the review will take place and the City Council will vote in May 2025. And the State Legislation will have a final vote in June 2025.

PROPOSAL

Madison Park is one of 30 proposed new "Neighborhood Centers". They are deemed suitable for residential and mixed-use buildings up to 6 stories in the core. In Madison Park, it would mean the commercial 3 blocks could be built taller--up to 65 feet. The block of 41st E north of Bert's could go to 4 stories-40 feet (Lowrise 2) with multifamily development on the west side and 5 stories-50 feet (Lowrise 3) with multifamily on the east.

Now the height restriction is only 30 feet on most lots. There are approximately 6 more blocks of the 5-story zoning proposed around the commercial area and the park.

MADISON PARK

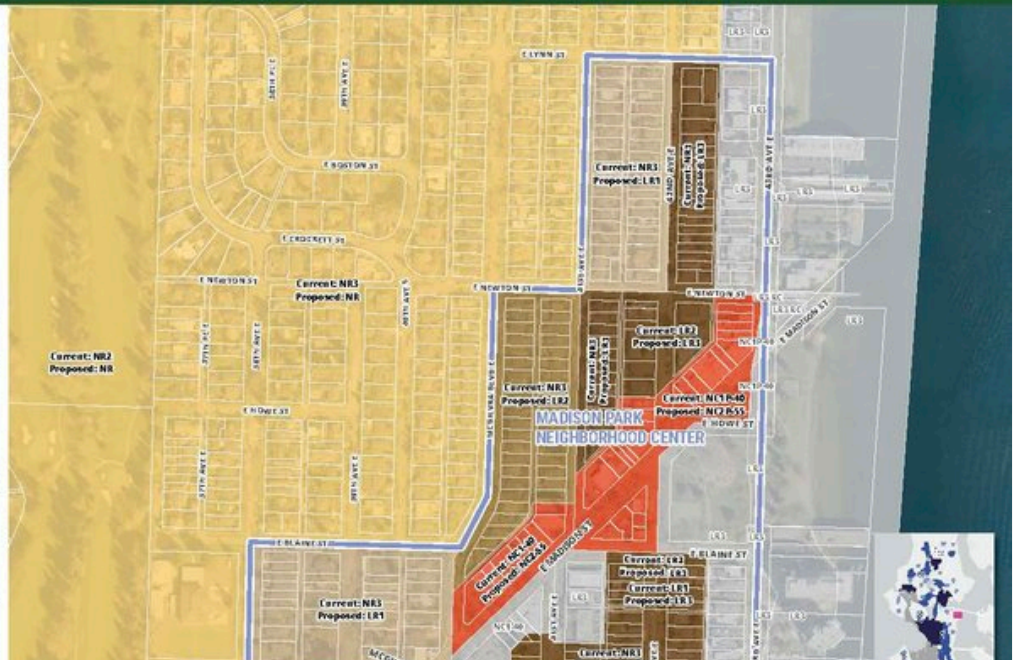
To view and comment on interactive maps, visit zoning.OneSeattlePlan.com

Proposed zoning changes

- Neighborhood Residential (NR)**
NR (formerly called Single Family) is Seattle's lowest-density residential zone. It allows a mix of primarily attached and detached homes. Updated NR zoning would allow more middle housing types and fulfill requirements in House Bill 1110.
- Lowrise 1 (LR1)**
LR1 is a low-density residential zone that allows low-house-style development at a three-story scale.
- Lowrise 2 (LR2)**
LR2 is a residential zone that allows multifamily development up to four stories.
- Lowrise 3 (LR3)**
LR3 is a residential zone that allows multifamily development up to five stories.
- Midrise (MR1 or MR2)**
MR1 is a proposed new residential zone that would allow multifamily development up to six stories. MR2, currently simply called "Mid rise," is a residential zone that allows multifamily development up to eight stories.
- Neighborhood Commercial (NC)**
NC zones are mixed-use areas that allow a range of retail, office, institutional, light industrial, and auto-oriented commercial uses.
- Commercial (C)**
C zones are mixed-use areas that allow a range of retail, office, institutional, light industrial, and auto-oriented commercial uses.
- No rezone proposed**

Growth Strategy place types

- ☐ **Regional Center**
Most densely populated neighborhoods, with a mix of housing, office, retail, entertainment, and access to frequent transit. These areas can include zoning for high-rise towers.
- ☐ **Urban Center**
Areas zoned to accommodate a mix of housing, jobs, shops, and services with access to frequent transit. Residential and mixed-use structures up to eight stories are allowed, with higher densities around light rail stations.
- ☐ **Center expansion**
Proposed expansion of a Regional or Urban Center.
- ☐ **Neighborhood Center**
These areas are a new designation situated in residential areas across the city and designed to accommodate a diverse mix of moderate-density housing around existing commercial districts and





Light brown is 3 stories, townhouse-style

Medium brown is 4 stories- zoned to ~40'

Dark brown is 5 stories- zoned to ~50'

Orange is the commercial district- zoned to 65' height.

Gray is unchanged

There are many questions about how much of the lot could be covered. The majority of the lots in the Madison Park proposal are 40'x 100'. All of this is subject to confirmation, not set in stone.

Attached is one example proposal from W Seattle on a 40'x96' lot- showing how three dwelling units could be built on it. The ground-level open space(= yard) is only required to be 20% of the lot, or 8' x 100' on each lot, or one 8' strip along one side. The rest is building and walkways. The building would be setback from the boundaries by a minimum of just 5' on each side, except an alley, which would have zero setback.

No off-street parking will be required within a half-mile of bus rapid transit stops or light rail stops. 1 parking spot will be required for every two dwelling units, ADUs will be exempted from parking requirements.

Growth will come to Madison Park- how it is managed will hopefully not sneak up on our community but proceed in tandem with our community planning.

You can view a past information session or request a virtual office meeting HERE. Go to "District 3" Zoning Changes HERE to learn more. And again,

Here is a sample letter from a neighbor. Please adapt this letter or your own and send to OneSeattleCompPlan@seattle.gov and cc. your city council rep Joy.Hollingsworth@seattle.gov as the proposals then head to our city council for review. **The DEADLINE is December 20, 2024.**

NEIGHBORHOOD REMINDERS

*** The survey for the Farmer's Market will end December 15th, Please respond now if you haven't already.

*** The sign-ups for the Wreath Making Class are still open; Sign-up HERE.

*** **DON'T FEED THE RACOONS!** They are tearing up the North Beach lawns. The Parks Dept. is sending out help.

*** New crosswalk signs have replaced the battered ones on East Madison at McGillivray

New crosswalk signs have replaced the battered ones on East Madison at Mcgilvra.
Interested in helping us get more robust signage for ur crosswalks? Volunteer [HERE](#).

**Join Us for all the Activities in December and Little
Beats Concert December 7th at 11 at Pioneer Hall!**



**2024
HOLIDAYS
in the PARK**

SATURDAY DEC.14

WREATH MAKING CLASS \$80/person
Limit 25 spots
Must preregister*
@PIONEER HALL 10AM~NOON

ARTISAN MARKET 25 VENDORS &
HOLIDAY PHOTO BOOTH
@42ND AVE. E. BY PARLOUR WINES 10~5

WINTER WONDERLAND PARTY & CRAFT
@THE BATHHOUSE 3~4:30PM (DROP~IN)

TREE LIGHTING & SINGALONG
@THE PARK 5PM WITH MCGILVRA STUDENTS

UGLY XMAS SWEATER PARTY
@MCGILVRAS 9PM WITH THE DADDZ BAND



*Learn more and register
for wreath-making:



SATURDAY DEC.21

SANTA PHOTOS @THE BATHHOUSE 6PM

CHRISTMAS SHIPS & BONFIRE

@THE BEACH 8:35~8:55PM

image source: freepress

friendsofmadisonpark.com

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Madison Kitchen

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MADISON
PARK!**

[View original post](#)



Friends of Madison Park, 1848 41st Ave E, Seattle, WA 98112, USA

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From: Trevor Cox <trevor@trevorcox.com>
Subject: One Seattle Plan
Date: December 11, 2024 at 6:08:09 PM PST
To: anthony.derrick@seattle.gov

Hi Alex,

I live in Madison Park, and have a few questions about the One Seattle Plan.

Let me know if you have 10 minutes to chat in the coming days.

My mobile is 415-699-4226

Thx,
Trevor Cox
1629A 42nd Ave East
Seattle, WA 98112

Trevor Cox
1629A 42nd Ave East, Seattle WA 98112
trevor@trevorcox.com
415-699-4226

December 19, 2024

VIA EMAIL WITH CC: COUNCILMEMBER JOY HOLLINGSWORTH

Seattle Office of Planning and Community Development
600 4th Ave, Floor 5
Seattle, WA 98105

Subject: Opposition to Excessive Rezoning of 42nd Ave East – Request to Limit Zoning Changes to LR1

Dear Seattle Office of Planning and Community Development:

I am writing to express my concerns regarding the proposed upzoning of the 42nd Ave East block (east of Madison Street) to LR3. While I understand Seattle's goals of increasing housing supply, this particular block poses serious challenges under state and local policy frameworks. Madison Park's unique constraints, potential environmentally critical area (ECA)-like conditions, the requirements of the Growth Management Act (GMA), existing infrastructure limitations, the lack of high-capacity transit, and the need for consistent and equitable development standards all weigh against such a dramatic zoning change. A more modest approach—either retaining current zoning or adopting LR1—would be far more appropriate.

1. Environmentally Critical Area-Like Conditions and Infrastructure Constraints

42nd Ave East sits in a low-lying area bordered by higher elevations, causing natural drainage challenges similar to those encountered in ECAs. Over nearly a decade, I've had to address ongoing groundwater issues beneath my foundation with professional construction work. Other nearby homes face similar basement flooding due to diverted underground streams. Increasing the density and lot coverage through LR3 zoning would allow larger, taller buildings and more impervious surfaces, exacerbating water management problems and increasing flooding risks.

Before implementing any zoning changes, a thorough environmental review is needed to ensure compliance with state requirements for protecting critical areas and preventing further environmental harm.

2. Growth Management Act (GMA) Compliance and Geographic Constraints

Under the GMA, growth must be supported by adequate infrastructure. Madison Park is effectively a peninsula, bounded by water on two sides and with Broadmoor acting as a third barrier. There is only one primary roadway in and out—already strained by choke points at Lake Washington Blvd and Madison Valley. Significantly increasing density here would overburden this single corridor.

Further, please look at the proposed Madison Valley Neighborhood Center, the Montlake Neighborhood Center, and the First Hill / Capital Hill development. The One Seattle Plan has blocked Madison Park from any meaningful access to other infrastructure. The One Seattle Plan adds density and traffic to infrastructure that simply wasn't built for this. Pushing this much traffic through limited city roadway violates the GMA.

Achieving concurrency under the GMA would require an enormous infrastructure overhaul, potentially involving SR-520 reconfigurations or even eminent domain of Broadmoor or Washington Park. Such extreme measures are neither practical nor aligned with the incremental housing goals behind these zoning changes. The inability to feasibly expand transportation and utility infrastructure to support LR3-level density suggests that this proposal is out of step with GMA requirements.

3. Lot Sizes, Building Form, and Reasonable Local Standards

The current lot sizes on 42nd Ave East are not conducive to LR3 development. Many parcels are simply too small to reasonably accommodate four or more units, let alone the five-story buildings and sixplexes that LR3 zoning could allow. State housing reforms do not eliminate local jurisdictions' authority to maintain reasonable development and design standards. Seattle can—and should—limit zoning changes to LR1 or maintain current zoning, ensuring that any increased density is physically viable, context-sensitive, and consistent with life-safety and drainage requirements.

By choosing LR1 instead of LR3, the City can ensure that new projects fit the existing built environment rather than forcing in structures that dwarf neighboring homes and place undue pressure on limited infrastructure.

4. Lack of High-Capacity Transit (No Immediate BRT Service in Madison Park)

While recent state legislation encourages more density near high-capacity transit, that condition does not apply here. Madison Park's main bus route, the #11, is not a Bus Rapid Transit (BRT) line in Madison Park. Without genuine high-capacity transit at our doorstep, there is no compelling state mandate to push density beyond what our local infrastructure can bear. This lack of BRT or rail service justifies a more measured approach, not a full-scale upzoning to LR3.

5. Neighborhood Character, Equity, and Consistency With Existing Investment

42nd Ave East features a mix of homes, including several that have undergone significant investment to add density through townhomes and other modest infill projects. These changes have already increased housing options without undermining the neighborhood's character. Adopting LR3 now, by contrast, would introduce buildings that are out of scale—five stories tall and far more intensive than anything currently on the street.

This inconsistency would not only overshadow and erode the value of existing single-family homes—many of which are substantial investments—but also disrupt the harmonious balance the community has achieved through incremental density increases. Developers would likely push out longtime residents, including those who rent or occupy more affordable homes, resulting in displacement and accelerated gentrification. Retaining current zoning or moving only to LR1 respects the community's existing investments, prevents massive property-value disruptions, and maintains economic and social diversity.

6. Equal Protection

As I walk through the neighborhood, it appears that certain sections of the neighborhood have been targeted. The map appears to target smaller and less affluent parts of Madison Park. The areas where renters and lower income people live. The map seems to specifically exclude wealthier areas, and areas where residence might have the political capital or financial means to object to the plan. This doesn't seem right.

In Conclusion

The proposal to upzone 42nd Ave East to LR3 is neither justified nor consistent with state requirements, environmental realities, local infrastructure capabilities, transit availability, or the neighborhood's character and recent incremental improvements. A more balanced approach would be to maintain the current zoning or consider LR1. Such a decision would allow careful, context-sensitive growth that respects the GMA, avoids exacerbating water and drainage issues, fits within existing lot sizes, recognizes the absence of BRT-level transit service, and preserves the hard-earned value and character of 42nd Ave East.

Thank you for your time and consideration. I welcome any further discussion and am happy to provide additional information.

Sincerely,

Trevor Cox

1629A 42nd Ave East, Seattle WA 98112

trevor@trevorcox.com

415-699-4226

Trevor Cox
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December 16, 2024

VIA EMAIL WITH CC: COUNCILMEMBER JOY HOLLINGSWORTH

Seattle Office of Planning and Community Development

600 4th Ave, Floor 5
Seattle, WA 98105

Subject: Opposition to Excessive Rezoning of 42nd Ave East – Request to Limit Zoning Changes to LR1

Dear Seattle Office of Planning and Community Development,

I am writing to express my deep concern about the proposed rezoning of 42nd Ave East, east of Madison Street. The plan to rezone the entire block to higher-density LR3 zoning is excessive and threatens to cause significant harm to the infrastructure, environment, and long-standing character of this neighborhood. I urge the committee to carefully reconsider this proposal and limit any rezoning to LR1, or ideally, retain the current zoning.

1. Impact on Infrastructure

42nd Ave East is uniquely situated in a valley, with 43rd Ave to the east and McGilvra Blvd / 41st Ave to the west, both sitting at higher elevations. Over the years, as new homes have been built and impervious surfaces have increased, underground streams in the area have been diverted, causing significant water-related issues.

For example, Bodine Construction was recently hired by me to rebuild our foundation footing drains due to ongoing water problems related to an underground stream beneath our foundation.

This diversion of underground water flows on 42nd Ave East has already caused basement flooding in multiple existing homes; and increasing the density of development will only exacerbate these problems. Furthermore, the area's sewer infrastructure is already strained, with limited storm sewers to handle increased runoff. Additional impervious surfaces will funnel even more water onto the streets, creating flooding risks and overwhelming our limited capacity to manage drainage.

Prior to any rezoning, at a minimum, an environmental impact study must assess these issues in detail, particularly given the valley-like geography of 42nd Ave East acts as a catchment area for water from surrounding higher elevations. The risk of flooding and property damage will increase significantly if zoning changes allow for larger buildings with minimal infrastructure upgrades.

2. Traffic and Parking Concerns

Parking is already a chronic issue on 42nd Ave East due to its proximity to local businesses, the park, and the beach. Unlike surrounding streets with time-restricted parking, 42nd Ave East is unrestricted, making it the first choice for employees and patrons of nearby shops, as well as visitors to the park and beach. As a result, street

parking is often fully occupied by people who do not live in the neighborhood, leaving little to no parking available for residents.

Rezoning to LR3 or higher-density zoning will dramatically increase the number of residents and vehicles, adding to the already substantial parking burden. With off-street parking requirements, the overflow from higher-density developments will spill onto the streets, making an already difficult situation untenable. Increased density will also contribute to heavier traffic, further diminishing the livability and safety of the neighborhood.

3. Loss of Neighborhood Character

42nd Ave East has long been a single-family residential street, with many families living here for generations. Some of the homes on this block are historic, contributing to the unique character and identity of the neighborhood.

Rezoning to higher density threatens the appearance of the neighborhood. While density may be appropriate in some areas, a blanket rezoning of 42nd Ave East would erase its history and community feel, replacing it with structures that prioritize developers' interests over the preservation of a vibrant, livable street.

4. Environmental Concerns

The soil composition on 42nd Ave East, which is primarily clay, poses significant challenges for drainage. When new homes are constructed, often replacing older, smaller homes, the water runoff from impervious surfaces such as roofs is directed onto the streets due to the lack of storm sewers.

This issue has already resulted in street flooding during heavy rains, with water pooling in low-lying areas. Increasing density without addressing these drainage and infrastructure concerns will only amplify these problems, creating an unsustainable and hazardous situation for residents and visitors alike.

5. Equity and Gentrification

42nd Ave East is home to a diverse community, including a significant number of renters and low-income households. Over half of the residences on this block are considered affordable housing or occupied by renters with limited means. Rezoning to higher-density categories would incentivize landowners to sell their properties to developers, leading to the loss of affordable housing and the displacement of long-term residents who have been integral to this community.

While new development often promises greater housing supply, the reality is that these projects frequently prioritize luxury units, which are unaffordable to the very people who are displaced. This would not only erode the neighborhood's diversity but also contribute to the ongoing gentrification of Madison Park, transforming it into an exclusive area accessible only to higher-income residents.

As a local lawyer once commented, 42nd Ave East is one of the only and remaining racially and economically diverse blocks in all of Madison Park. It is very ironic that the city is looking to gentrify this particular block.

In Conclusion

While adding density to Madison Park is a reasonable goal, the proposal to rezone 42nd Ave East beyond LR1 is unjustified. The unique environmental, infrastructural, and social dynamics of this block require careful consideration and tailored solutions. Allowing excessive density would have significant negative consequences

for the neighborhood and its residents, including increased flooding, parking shortages, traffic congestion, and the loss of affordable housing and neighborhood character.

I strongly urge the committee to maintain the current zoning for 42nd Ave East or limit any changes to LR1. Doing so will balance the need for thoughtful development with the responsibility to preserve the livability, diversity, and history of this special community.

Thank you for your time and consideration. I look forward to your response and am happy to provide additional information or engage in further discussion.

Sincerely,

Trevor Cox
1629A 42nd Ave East, Seattle WA 98112
trevor@trevorcox.com
415-699-4226