

## Herbaugh, Melinda

---

**From:** David Moehring <dmoehring@consultant.com>  
**Sent:** Thursday, August 03, 2017 11:59 AM  
**To:** PRC  
**Cc:** Johnson, Rob; Bagshaw, Sally; Herbold, Lisa; Gonzalez, Lorena  
**Subject:** Rowhouse development with non-compliant townhomes proposed at 3641 22nd Ave W  
**Attachments:** KingCounty\_Detail\_2770601655\_08-03-2017.PDF; Seattle Council SubdivisionCODES.pdf; Site Plan\_back\_07282017.pdf; Site PlanV2.pdf; SMC\_Defined\_Rowhouses.docx

Dear Seattle PRC-

Thank you for the opportunity to comment on the subject property (3641 22nd Ave W in east Magnolia) released for public notice yesterday.

My wife and I are fellow LR1-zone home-owner that lives within 1000 feet of the proposed development at the LR1 parcel **2770601655 owned by Debra Wood**. An application has been made by Loren Landerholm of Sound Equities - who does not appear to have title or written owner authorization to this property. The application to subdivide, accordingly, *should be denied* at this time.

Moreover, this public comment requests that the proposed development within my neighborhood's **LR1 area does not exceed the allowable density** as established by the Seattle code. This proposal to build 5 dwellings on one development site only zoned for 3 is unfair to all property owners that own and live in a home within this LR1 zones (as myself).

As stated in the SDCI posted geotechnical report for this property dated July 15, 2017, the development consists of:

**"three Row Houses and 2 Town Homes at 3641 22<sup>nd</sup> Avenue West in Seattle".**

Site plans submitted for the development on this parcel have also been attached for reference.

### **How is there a land-use error with this application?:**

As identified in the Seattle Municipal Land-Use code, rowhouses are *not* allowed to be placed within the same development lot as other dwellings on the lot and all subdivided lots must have dedicated driveways to required parking on their lot. (SMC 23.84A.)

### **The impacts to adjacent homeowners like myself include:**

- *inflated property values when 5 verses 3 homes are built on LR1 zones,*
- *fewer affordable homes - with 14' wide rowhouses being sold at market rates over \$700K+,*
- *displacement of existing affordable homes within the area,*
- *significantly increased tax assessments within this and other Seattle LR1 zones,*
- *excuses to remove previously protected exceptional trees and tree groves, countering Green Canopy goals,*
- *insufficient space for new trees to mature with 10-15 foot radius drip-lines,*
- *reduced habitats for birds and wildlife - more insects,*
- *reduced stabilization of steep slope areas permanently or temporarily excavated for construction,*
- *less space for exterior amenity areas with should equate to a minimum of 25% of the site area,*
- *limited space for screened trash areas (3 ft. x 9 ft. per dwelling),*
- *less space to maneuver cars into on-site parking - resulting in unused garages and more on-street parking congestion,*
- *reduced daylight and privacy shared between homes, and*

- *overburdened infrastructure (sewer, water, electrical) without impact fees to the developers.*

### **Allowable Density Calcs:**

There are 5 new homes being developed on this typical 6,000 square foot LR1 site. The public may not be aware, however, that LR1 zones are intended to be transitional and less dense than LR2 and LR3 zones. That is perhaps why in August 2015, the zoning rounding factor was officially modified (via Podowski/Wentlandt) within SMC 23.45.512 Table A so that a lot of this size could be built out with a **maximum of three (3) homes!**

Calculation to determine allowable dwellings for LR1:

- Site Lot Size is 6,000 SF.
- Per Table A, LR1 density for rowhouses is unlimited for lots over 3,000 SF - provided no homes are built behind the rowhouses.
- Three (3) narrow rowhouses (10' interior wall to wall) could fit on the 50 wide lot with parking in the back half of the lot.
- Per Table B, LR1 density for townhouses is only two (2) dwellings per 2200 SF of lot area. This lot size, therefore, would only accommodate 2 townhouses or 2 single family homes - and a third home could be added only if the development was certified as green performance with on-site parking. [6000 / 1600 = 3.75 or just 3 dwellings. ]
- Therefore, the proposed **5 dwellings therefore exceeds the amount of allowable homes** on this traditional site within an LR1 zone.

### **Why follow City Zoning Maps and their densities?**

Although I and many others support adding homes and density within the city, there is **good planning reason to keep the balance the density** in increasing increments from SF to LR1 up to LR2 up to LR3 up to NC1... etc. It appears this property is looking for the SDCI to unofficially upzone this LR1 lot to an LR2/LR3 lot through a single-development property subdivision. This **city-wide zoning intent error** has been brought to the attention of the Seattle Council Planning, Zoning, and Landuse Committee this week on August 1 and was reiterated by four (4) LR1 residents who were each allowed to provide our 90-second comments (see the attached multiple page exhibit left at the committee hearing).

Nowhere in the Seattle code does it state that subdivisions allow one to build at a higher density than the original lot was purchased for. Developers cannot claim, for example, that they purchased a property on the basis of building five dwellings when the code is clear about the limit at three dwellings for that lot's zoning and size. In addition, rowhouse development limits do not include any exceptions within the SMC 23.84A code (attached) for subdividing a property as a means of adding dwellings behind rowhouses on the same purchased lot.

### **SDCI's response?**

The SDCI Planners' viewpoint (in the below email dated June 16, 2017) of looking at the subdivision independently from the parcel's overall development plans is hardly an allowable justification for exceeding the requirements of rowhouse development rules. As such, the applicant of this development must be advised by the SDCI accordingly. As mentioned during the public comment to Council Committee representatives **Johnson** and **Herbold** present, a public community outreach should be organized by the SDCI to vet this approach which has been *coached* behind the scenes to dozens of developers profiting from this approach. *Coached??* In this case, the developer originally submitted an idea just to build 3 rowhouses on May 15, 2017. Three weeks later, however, those plans then changed to add two compliant dwellings behind the 3 rowhouses. At some point the developer --- like many others --- have been guide to aim for more lofty and profitable goals at the cost of LR1 communities There are at least 6 of these type of proposed subdivisions being considered in nearby Ballard right now... and Council-person O'Brien has been notified by a Ballard resident. Something is amiss... and the public has the right to know.

Sincerely,

**David Moehring AIA NCARB**  
**dmoehring@consultant.com**

Seattle LR1 townhouse home-owner and concerned resident  
3444 23rd Ave W, #B