

## Kathy Davis

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**From:** David Stalheim  
**Sent:** Wednesday, September 09, 2020 2:31 PM  
**To:** Adam Yanasak; Alexander Lark; Carly McGinn; Chris Holland ; Christine Lavra ; Michael Finch; Greg Tisdell (greg.tisdell@gmail.com); Kathryn Beck ; Michael Zelinski  
**Cc:** Kathy Davis  
**Subject:** Re: Housing Hope - Sequoia Site application

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

See responses to Michael's questions in **red** below.

### David Stalheim

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**From:** Finch, Michael <[MichaelFinch@CenturyPacificLP.com](mailto:MichaelFinch@CenturyPacificLP.com)>  
**Sent:** Friday, August 21, 2020 2:45 PM  
**To:** David Stalheim <[DStalheim@everettwa.gov](mailto:DStalheim@everettwa.gov)>  
**Subject:** RE: Housing Hope - Sequoia Site application

Thanks David. I will review all of the information available on the site you provided below. Upon my initial pass of the information, I have a few preliminary questions about this project-driven application from Housing Hope (HH).

1. Are there any components of the current Rethink Zoning efforts that, if adopted, would facilitate this project advancing?

**No, there is nothing in Rethink that would facilitate it.**

- **There isn't any rezone of that property in Rethink.**
  - **Multifamily housing (5 units ore more) is only allowed in multifamily and commercial mixed zones in Rethink.**
  - **There isn't any change in the boundaries of the historic overlay in Rethink.**
  - **There isn't any change in the historic standards in Rethink.**
2. Housing Hope's environmental checklist states significant outreach to the impacted neighborhoods and stakeholders. The checklist, however, does not provide details on stakeholder feedback. What do the neighborhoods think about the proposed changes to the historic overlay, the comp plan, and zoning? How is stakeholder feedback communicated to the PC and City Council? If the HH project has incorporated neighborhood comments, are there any neighborhood group endorsements that have been provided by HH?

**The Planning Commission has been provided the record that the applicant submitted, as well as other public comments.**

3. In the opening paragraph of your 8/14 memo to the Historical Commission, you stated that “The housing would serve families experiencing homelessness, which includes students attending Sequoia High School, and other homeless students and their families within the school district.” Was there a reason, besides proximity, that Sequoia HS was highlighted? Do Sequoia HS homeless families receive priority access to the 40-50 units or will the proposed development provide equal access to all homeless families with children enrolled in the Everett School District? I ask because Sequoia is a high school – and I assume there are homeless families (likely many with young children) across the geographic boundaries of the school district that would benefit from stable housing.

The language in the memo was taken from the application, and it is really what they state as intent. The recitals in their lease agreement with the school district does not appear to place any specific restrictions to Sequoia HS, but the intent is to serve families from the school district. Whether that is binding, I do not know. See lease agreement at this [link](#).

4. As you note in your memo to the Historical Commission, a fundamental evaluation criteria is that the rezone “bears a substantial relation to the public health, safety or welfare; and the proposed rezone promotes the best long-term interests of the Everett community”. It’s not entirely clear to me how to best evaluate the proposed project (the only reason for the proposed rezone) in the context of this criteria. It would seem that 911 calls and police activity proximate to like developments are relevant information. Will the PC and City Council be provided data? If the historic overlay is modified/comp plan changed/property rezoned/project built, would the increase in density require/merit/receive additional public resources? If this multifamily project were to be built in Metro Everett or other appropriately zoned areas, would it be more efficiently served by public resources?

See staff report and public comments. Most development projects will result in increased demand for public services and facilities - not just this one.

5. On page 3 of your 8/14 memo to the Historical Commission, you note that school district-owned properties are not subject to review by the Historical Commission (4), but in 4.b you note the school district agrees that a change in use or ownership would require the application of overlay standards to a project. Is the Historical Commission’s approval of the request to modify the Norton-Grand Historic Overlay required for this project to proceed? What happens if the Historical Commission rejects the modification request at the upcoming 8/25 meeting? If legally exempt due to school district ownership, has any legal guidance been provided/sought as it relates to ownership? Based on my lay read of the lease, the length of term, subordination, and absolute net nature of the ground lease convey to HH nearly all the rights and responsibilities of ownership.

The Historical Commission provides a recommendation to the Planning Commission. They recommended that the Historic Overlay boundary be retained as is. Their vote was 6-2. The School District is not exempt from historic overlay standards; the unique thing about the city's historic overlay standards is that it did not require review of school facilities. But, if the school district were to build housing for sale, they would be bound by the standards.

6. Your memo to the Historical Commission notes that the subject property is the former site of Jackson School that was torn down in 1955 – but this occurred decades before the NGHO was established. I have to assume that the property sought to be removed from the HO was intentionally included in the Norton Grand Historic Overlay by staff, citizens, and ultimately the City Council. If the undeveloped nature of this property has not materially changed since it was intentionally included in the HO, I’m confused by the implication that the subject property is non-contributory.

Yes, I think the property was intentionally included so that development adjacent to the historic resources would be required to be compatible. The property is non-contributory because there are no historic structures on this property - it is vacant.

7. Please explain 4.d in your 8/14 memo. You write “Removal of this property from the Historic Overlay... protects the historic features of the area...” I don’t understand how removal of the property protects historic features. Is your meaning that retaining the HO along Norton is consistent with the existing adjacent development patterns? If so, I’m not sure that point is noteworthy, as there are no proposed changes to NGHO along Norton. Please consider clarifying this point for the PC and Historical Commission.

The intent of that statement is that the Development Agreement would still require review for compatibility with the adjacent historic resources, including review by the Historic Commission. The only change is that the buildings and eaves might be taller than existing standards. Also, the historic overlay guidelines were never written to address either public, institutional or multifamily development; there is a large gap in having historic design standards that fit those uses if allowed.

8. In your 8/5 memo to Brent Planning Solutions, you note that under a Development Agreement, the development of the property is allowed only upon review and approval of a site plan and design standards by the City Council. Would a site plan and design standards come before the PC prior to going to the City Council for action in much the same way as the Polygon Riverfront development?

Ultimately, it would be the city council to decide whether it goes back through the Planning Commission; I was anticipating that it would, similar to the waterfront.

9. As discussed at previous PC meetings, there appear to be a number of appropriately-zoned multifamily properties with better access to services and transportation that do not require changes to an historic overlay, the comp plan, and zoning. The PC and City Council previously concluded, consistent with current zoning, that dense, multifamily use in this location was not in the public’s best interest. The location has not changed and the proposed project use and size (44 units, 96 bedrooms, 55 parking stalls) remain inconsistent with the current R-1 zoning and the neighborhood. HH now seeking to change the zoning feels like an end run – and a misuse of staff resources, volunteer advisory efforts, and a curious sponsor/public input mismatch given the current pandemic and the time and resource challenges faced by our working public. As you highlighted in the last PC meeting, city staff resources are more limited than ever – and this process seems like a significant staff undertaking. Is there something unique about this proposed project such that it must be built on a site zoned R-1 with material topography in a Historic Overlay next to a low capacity alternative high school? It’s a sincere question – I just can’t reconcile the tenacity and continued focus on this particular site.

The unique thing for a low-income housing provider is that they do not have to include the cost of land in their development costs due to the lease from the school district. This was a new tool provided by the Legislature to increase the supply of housing for low-income households.

Thanks David. Feel free to share these questions and your answers with my fellow commissioners. Have a great weekend.

I will pass this on to the applicant so that they may anticipate questions for the public hearing, too.

Michael.

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From: David Stalheim <[DStalheim@everettwa.gov](mailto:DStalheim@everettwa.gov)>

Sent: Wednesday, August 19, 2020 5:54 PM

To: Adam Yanasak <[ayanasak@outlook.com](mailto:ayanasak@outlook.com)>; Alexander Lark <[alexander.lark@gmail.com](mailto:alexander.lark@gmail.com)>; Carly McGinn <[studio.silverlining@gmail.com](mailto:studio.silverlining@gmail.com)>; Chris Holland <[cmhollsey@hotmail.com](mailto:cmhollsey@hotmail.com)>; Christine Lavra <[c.lavra@frontier.com](mailto:c.lavra@frontier.com)>; Finch, Michael <[MichaelFinch@CenturyPacificLP.com](mailto:MichaelFinch@CenturyPacificLP.com)>; Greg Tisdell <[greg.tisdell@gmail.com](mailto:greg.tisdell@gmail.com)> <[greg.tisdell@gmail.com](mailto:greg.tisdell@gmail.com)>; Kathryn Beck <[snowgosling@gmail.com](mailto:snowgosling@gmail.com)>; Michael Zelinski <[susankern53@gmail.com](mailto:susankern53@gmail.com)>

Cc: Kathy Davis <[KDavis@everettwa.gov](mailto:KDavis@everettwa.gov)>  
Subject: Housing Hope - Sequoia Site application

[EXTERNAL]

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Commissioners,

As I mentioned last night, the application from Housing Hope for a comprehensive plan and zoning amendment at the Sequoia Site is scheduled for public hearing on September 15<sup>th</sup>. This is a quasi-judicial land use decision, so you should not have communication with proponents or opponents. If you receive any communication, such as an email, please forward to Kathy so that we can make it part of the record and all commissioners will see it.

Part of the public record is available online. You can go to our online permitting portal (<https://pw.everettwa.gov/eTRAKiT/Search/project.aspx>) and search for the case number REVV19-005.

 **David Stalheim**  
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