



# City of Arlington Council Agenda Bill

Item:  
WS #5  
Attachment  
E-6

<b>COUNCIL MEETING DATE:</b>	
April 22, 2019	
<b>SUBJECT:</b>	
York Rezone Request PLN#515 – 2019 Docket Item	
<b>ATTACHMENTS:</b>	
Staff Report and Recommendation, Planning Commission Findings of Fact, Public Testimony, Ordinance	
<b>DEPARTMENT OF ORIGIN</b>	
Community & Economic Development; Marc Hayes, Director (360) 403-3457	
<b>EXPENDITURES REQUESTED:</b>	-0-
<b>BUDGET CATEGORY:</b>	-0-
<b>BUDGETED AMOUNT:</b>	-0-
<b>LEGAL REVIEW:</b>	
<b>DESCRIPTION:</b>	
<p>The York Rezone is a City-initiated request to rezone a .56-acre parcel that was declared surplus by the City. The request is to rezone from the existing Public/Semi-public zoning to High Density Residential. This item was placed on the 2019 Comprehensive Plan Amendment Docket.</p>	
<b>HISTORY:</b>	
<p>The subject parcel was surplus in 2018 and placed on the real estate market fall of 2018. The parcel received quite a bit of attention from potential purchasers who inquired about its potential for development for several months. It quickly became apparent that without any public utilities available onsite, that the parcel was not marketable for single family residential because of the cost of extending the water and sewer to service the parcel. Staff then evaluated the possibility of placing townhomes on the site which required an RHD zoning, we worked with a potential purchaser to create a townhome development, but the parcel would not yield enough townhome units to make the utility extensions monetarily feasible. The current, potential purchaser, evaluated the parcel and determined that an 18-unit apartment would allow feasibility to extend the utilities to the site. The utility extensions to serve this parcel, would also provide for the ability of the city to extend water and sewer from the York parcel east along 180<sup>th</sup> St. to Smokey Point Blvd. Smokey Point Blvd. from 174<sup>th</sup> St. to 200<sup>th</sup> St. has been designated to be rezoned as a Mixed Use corridor and is identified as such in both the City's Official Zoning Map and its Mixed Use Development Regulations. The neighborhood that the York parcel is located within has been identified to be redevelop-able in the near future because of its large parcel sizes.</p> <p>A Public Hearing was held April 16, 2019 at Planning Commission. Public testimony was taken and one person spoke in opposition of the request (see attached summary of testimony).</p>	



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ALTERNATIVES:
Remand back to staff.
RECOMMENDED MOTION:
Workshop; discussion only. At the May 6, 2019 council meeting, the recommended motion will be, "I move to deny the York Rezone, and maintain the parcel as Public/Semi-public."

# Community & Economic Development

PLANNING COMMISSION



Bruce Angell, Chair

238 N. Olympic Avenue

360-403-3551

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**Regarding:** PLN #515  
York Rezone

**Summary:**

The York rezone is a city-initiated project requesting that a 0.56 acre lot in the Smokey Point neighborhood be changed from Public/Semi-Public zoning to Residential High-Density zoning. The Planning Commission held a Workshop on March 5, 2019, and an open Public Hearing on April 16, 2019 regarding the above subject and transmits the following findings and recommendation to the City Council:

**Findings:**

1. This rezone request of the subject property from a Public/Semi-Public Zone to a Residential High-Density zone meets the requirements for inclusion on the 2019 Comprehensive Plan Docket per AMC 20.96.
2. Based on the submittal, this rezone will contribute to a variety of housing types and densities, locating them near commercial centers and close to transit.
3. One person voiced opposition to the rezone.

**Conclusion and Recommendation:**

Based on the foregoing findings and testimony received at the hearing, the Planning Commission hereby recommends on a 2 to 1 vote that the City Council disapprove the proposed rezone (PLN#515).

Respectfully submitted through the Department of Community and Economic Development to the City Council This Seventeenth day of April 2019 by

A handwritten signature in black ink that reads "Bruce Angell". The signature is written in a cursive style.

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*Bruce Angell*  
*Arlington City Planning Commission Chair*



# Community and Economic Development Planning Division

18204 59<sup>th</sup> Avenue NE, Arlington, WA 98223

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## Planning Commission STAFF REPORT & RECOMMENDATION

**To:** Planning Commission

**From:**

\_\_\_\_\_  
Josh Grandlienard, Planner II

**Date:** February 21, 2019

**Regarding:** York Rezone PLN#515

### A. INTRODUCTION

The York Rezone is a City-initiated project that is an amendment to the City of Arlington Comprehensive Plan. The Plan is submitted under the 2019 Comprehensive Update docket cycle.

### B. GENERAL INFORMATION

**Applicant:** City of Arlington

**Project Description:** 2019 Comprehensive Plan Amendment

**Requested Action:** Make a recommendation of approval to the Arlington City Council

**C. DETAILED PROJECT INFORMATION**

The City is rezoning a 0.56 acre Lot from Public/Semi-Public zoning to Residential High Density. Approval by the City Council is required for all rezone applications. If the request is granted, the City's Comprehensive Plan Land Use Map and the City's Official Zoning Map would need to be amended.

**D. REGULATORY REQUIREMENTS**

1. SEPA COMPLIANCE:

The amendment of a comprehensive plan amendment is subject to provisions of the State Environmental Policy Act (SEPA) and Chapter 20.98 of the Arlington Municipal Code (AMC).

2. PUBLIC NOTIFICATION/INVOLVEMENT

- a. Presentations and/or updates to the Planning Commission will occur on March 5, 2019, March 19, 2019 and April 16, 2019.
- b. Two Public Hearings will be held at Planning Commission, located at Arlington City Chambers on the following dates, March 19, 2019 and April 16, 2019.
- c. The City will present information and advertise the Public Hearings regarding the Planning Docket in the Everett Herald, and via area wide mailing.
- d. A Notice of Public Hearing for the May 6, 2019 Planning Commission meeting will be posted at the Arlington and Smokey Point Post Offices, The Arlington Library and City Hall. The Notice was also published in the Everett Herald.

3. WASHINGTON STATE DEPARTMENT OF COMMERCE NOTIFICATION

The York Rezone, along with the additional docket items will be submitted to the Washington State Department of Commerce (DOC), and the DOC will notify the City that if it is in procedural compliance with RCW 36.70A.106.

**E. BACKGROUND INFORMATION**

Staff has reviewed the draft findings during review of the project and finds that the applicant has met the intent of all applicable requirements and standards. The plan supplements the Comprehensive Plan, through planning goals: PH-1.1, PH-2.1, PH-2.3, PL-7.1, and PL-7.2. This means that based on the submittal that the rezone will contribute to a variety of housing types and densities, located near commercial and employment centers.

**F. ANALYSIS**

Staff recommends that the Planning Commission recommend for approval and adoption, the rezoning of tax parcel 00472500000806 from Public/Semi-Public to Residential High Density by City Council.

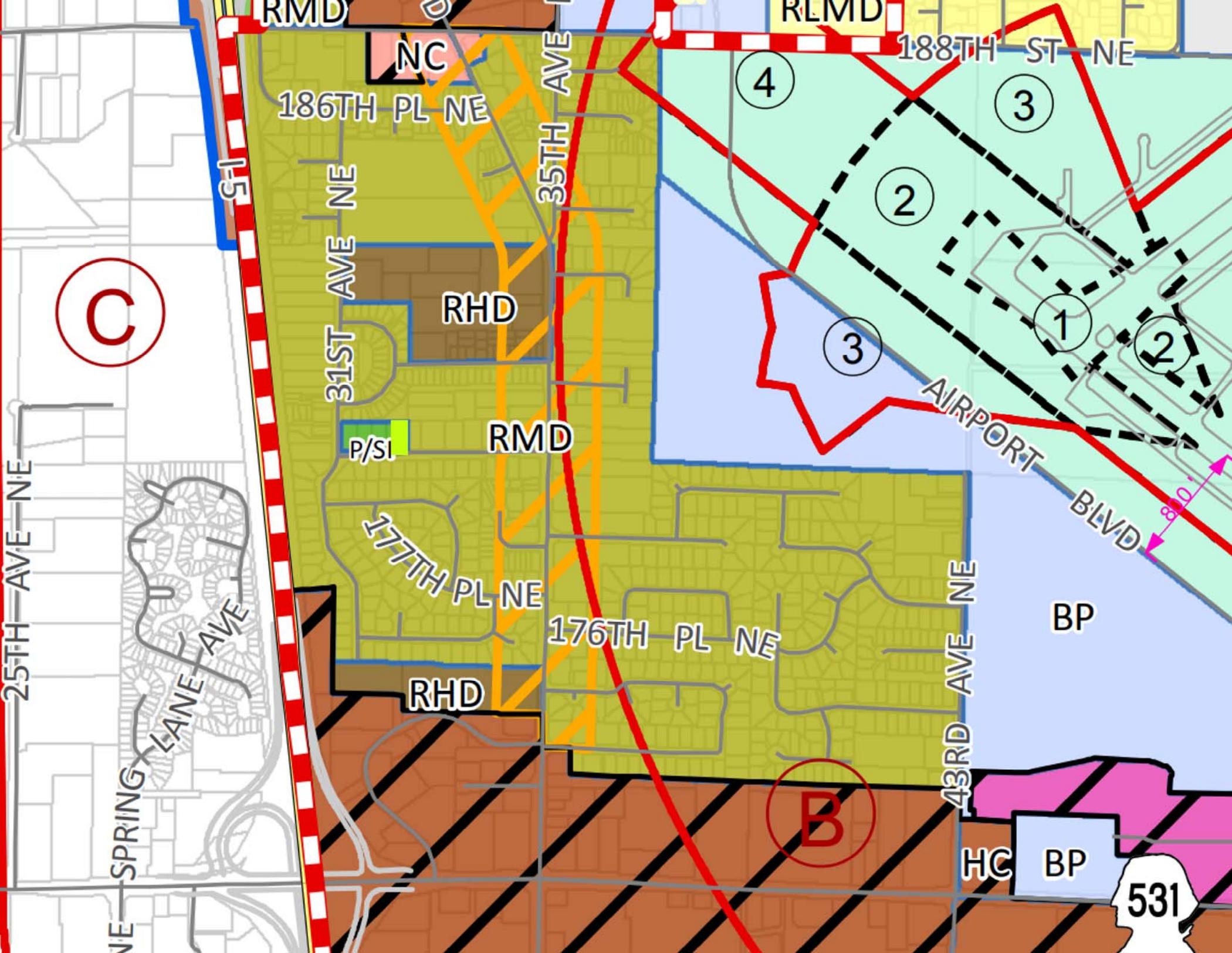
**G. FINDINGS AND CONCLUSIONS**

1. Public meetings will be held on March 5, 2019, March 19, 2019, and April 16, 2019.
2. The Planning Docket and associated staff reports will be submitted to the DOC in accordance with RCW 36.70A.106 and the submittal will meet all DOC's procedural requirements.

3. On March 5, 2019, the Planning Commission will review a draft of the City of Arlington 2019 Comprehensive Plan Docket at their workshop meeting.
4. On February 19, 2019 a Notice of Public Hearing for the March 19, 2019 Planning Commission public hearing was posted at Arlington City Hall, Arlington Post Office, Smokey Point Post Office and the Arlington Public Library.
5. On March 29, 2019 a Notice of Public Hearing for the April 16, 2019 Planning Commission public hearing will be posted at Arlington City Hall, Arlington Post Office, Smokey Point Post Office and the Arlington Public Library.
6. The application for PLN#515 has been reviewed for consistency with the Arlington Comprehensive Plan and for internal consistency, and the 2019 Comprehensive Plan amendments are consistent with, and internally consistent with, the Arlington Comprehensive Plan.
7. PLN#515 has been reviewed in accordance with, and is consistent with, the Snohomish County Countywide Planning Policies.
8. The proposed Comprehensive Plan Amendments were prepared in accordance with the Washington State Enabling Legislation (RCW 35A.63) and the Growth Management Act.
9. Documentation supporting the findings of fact is located in the file PLN#515, which is adopted by reference into this approval.
10. Adoption of the proposed Comprehensive Plan Amendments, PLN#515, furthers the public health, safety and general welfare.

**H. RECOMMENDATION**

Staff recommends that the Arlington Planning Commission make a recommendation to the Arlington City Council to adopt the York Rezone, 2019 Comprehensive Plan Amendment, PLN#515.





**Legend**

-  Rezone to RHD
-  City Limits
-  Public Right of Way
-  Assessor Parcels

**Existing Zoning**

-  RMD = Moderate Density Residential
-  RHD = High Density Residential
-  HC = Highway Commercial

City of Arlington

# York Rezone

Scale:  
1 inch = 250 feet

File:  
York8.5x11\_19

Date:  
4/12/2019

Cartographer:  
kdh

Maps and GIS data are distributed "AS-IS" without warranties of any kind, either express or implied, including but not limited to warranties of suitability for a particular purpose or use. Map data are compiled from a variety of sources which may contain errors and users who rely upon the information do so at their own risk. Users agree to indemnify, defend, and hold harmless the City of Arlington for any and all liability of any nature arising out of or resulting from the lack of accuracy or correctness of the data, or the use of the data presented in the maps.

**April 16, 2019**  
**Planning Commission Public Hearing**  
**Summary of Testimony**

AVS Communities Rezone – PLN#524

1. Ruth Gonzales – 6823 211<sup>th</sup> Place NE
  - Rezoning this property to General Commercial is in keeping with the Comprehensive Plan
  - This is an appropriate location to rezone for multi-family adjacent to already commercial areas and very little single family is located near this with very little impact on existing single family.
  - Rezoning to General Commercial with the overlay is in keeping with the Comprehensive Plan and general zoning rules
2. Neil Knutson – 18825 42<sup>nd</sup> Drive NE
  - Likes the 9 acre site to be utilized as a mixed use development
  - Is in favor of the rezone
  - Location is excellent
  - Likes this plan and is interested to see how it builds out
  - Would like to see it go forward and expedited
  - What is proposed couldn't be any better than what is trying to be done to it

Grandview North Rezone – PLN#509

1. Michelle Lilgreen – 20913 67<sup>th</sup> Drive NE
  - Is in opposition of the rezone
  - Bought house in 2014 excited to move out of the city to a new to them home within a beautiful residential neighborhood
  - Main point of purchasing their home was to sit in backyard and look at blue sky with barn in background
  - When they bought their home they knew a vacant lot backed their property but heard it would potentially become storage units
  - Never would have guessed the beautiful barn and farm house would be torn down and three story high apartments with businesses on the first floor would be built on the vacant land that backs their home
  - Her family doesn't want this nor does the neighborhood
  - Doesn't blend with neighborhood identity or character of existing homes
  - Apartments and businesses are going to create more traffic and roads can't handle it
  - Already 5000 trips occurring daily on 211<sup>th</sup> as quoted in Cathy Devoir's letter attached to the Agenda

- Drivers speed down the road after exiting HWY 530 and don't drop down to the 25 MPH speed limit which makes it challenging for them to pull out of their neighborhood onto 211th
  - Concern of cars parking up and down the street of Pioneer Meadows to access the apartments and businesses
  - Their children play outside and ride bikes and they don't want their safety jeopardized
  - 211<sup>th</sup> is a dangerous road for pedestrians and adding apartments and businesses will increase pedestrian traffic
  - Concerned that the curb is the only thing to stop vehicles from pedestrian traffic heading towards Centennial Trail along 211<sup>th</sup>
  - Pedestrian don't fit in the path provided along 211<sup>th</sup>, path is not safe and hasn't seen any progress to address this
  - Wants healthy growth for the community but also wants to preserve the quality of life for all residence surrounding this property
  - Hoping vacant land behind her house would be a low key storage area
  - There are already similar businesses down town that they can access
  - Revenue shouldn't be more important than existing residence here in Arlington
  - Doesn't want three story apartments peering into her backyard
2. Debbie Dugger – 20919 67<sup>th</sup> Drive NE
- Opposes this proposition
  - Didn't like the postcards and would like the address on the cards instead of just a PLN#
  - Has a petition going with 36 people signed in opposition to the rezone
  - Wants neighborhood to stay as neighborhood and not be commercialized with huge apartments looking into backyards
  - Understands that Grandview built the duplexes on her road and that they fit in and would like to see that for this property
3. Ruth Gonzales – 6823 211<sup>th</sup> Place NE
- Property that is to be rezoned used to be a dairy farm
  - By doing this rezone taking property and portioning off a small bump out of what is a continuously portion of single family homes and those single family homes used to be part of the farm
  - Dividing line was set in 1995 to keep that property as a buffer as residential and turned the corner into Neighborhood Commercial
  - If the small piece is changed then the buffer is lost
  - Proposal dwarfs single family homes
  - Proposed structure is not in keeping with the neighborhood
  - Goals that are listed in the proposal are listed as supporting but can also be used to not support

- Overall impact on surrounding properties – neighbors think it's a negative impact
- General impact to existing transportation network – street is already undersized for traffic and has no drainage
- Would like the Public Hearing extended so people can submit written testimony

### Complete Streets – PLN#513

1. Dwan Kinney – 70231 172<sup>nd</sup> Street NE
  - Sounds like a wonderful utopia plan but if we're going to have complete streets it doesn't seem to follow with the aggressive rezoning and high density zoning

### York Rezone – PLN#515

1. Ruth Gonzales – 3823 211<sup>th</sup> Place NE
  - Surprised taken out of public park space
  - Was on planning Commission when City proposed to purchase the property and the main reason to purchase was for it to be a park
  - Doesn't remember how it was funded and hopes it wasn't funded through some sort of grant process because if it was and now taking that property out of a park status there may be some sort of repercussions
  - Appears to be a spot rezone as a small ½ acre property within a residential medium density zone with all single family homes
  - Feels can take same numbers of Comprehensive Plan Guidelines and use them in reverse
  - It doesn't blend in with adjacent surroundings and is mainly adjacent to single family homes
  - No option to expand high density unless take down existing single family homes and sees it as highly unlikely
  - Request that the rezone be denied and if City is able to sale the property it should be for single family homes

ORDINANCE NO. 2019--XXX

AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON, APPROVING THE YORK PROPERTY ARLINGTON LAND USE MAP AMENDMENT AND CONCURRENT REZONE (PLN #515)

WHEREAS, the City of Arlington has the authority to regulate land uses within the City, and is in the process of its periodic annual review and update of the Comprehensive Plan; and

WHEREAS, included in the review of the Comprehensive Plan was a series of proposed amendments to the City of Arlington Comprehensive Plan and Zoning Map; and

WHEREAS, the City Planning Commission considered the proposed York Property Land Use Map amendment and Concurrent Rezone (PLN #515) and conducted an open record public hearing on April 16, 2019 and recommended approval to the City Council; and

WHEREAS, the City Council considered the same at a workshop held on April 22, 2019, and considered them along with the Planning Commission recommendations, at their regular meeting conducted on May 6, 2019; and the City Council having determined approving said amendment was in the best interest of the City; and

WHEREAS, the City Council has considered the proposed York property comprehensive plan amendment and concurrent rezone and finds it to be consistent with city and state law and in the best interests of the citizens;

NOW, THEREFORE, the City Council of the City of Arlington do hereby ordain as follows:

Section 1. Findings. The City Council adopts the following findings as required by AMC Chapter 20.96:

- a. The subject property is suitable for development in general conformance with adjacent land use and the surrounding development pattern, and with zoning standards under the potential zoning classifications.
- b. The proposed amendment is consistent with the goals, objectives, and policies of the comprehensive plan;
- c. The proposed amendment is consistent with the scope and purpose of the city's zoning ordinances and the description and purpose of the zone classification applied for;
- d. Circumstances have changed substantially since the establishment of the current zoning map or district to warrant the proposed amendment;
- e. The proposed zoning is consistent and compatible with the uses and zoning of surrounding property;
- f. The property that is the subject of the amendment is suited for the uses allowed in the proposed zoning classification; and
- g. Adequate public services can be made available to serve the full range of

proposed uses in that zone.

Section 2. The City Council approves the York Property Arlington Land Use Map Amendment and Concurrent Rezone (PLN #515). The comprehensive plan designation and Land Use Map for the Property identified on Exhibit "A" shall be modified from Public/Semi-Public zoning to Residential High Density and the City's official zoning map shall be amended to reflect this change as depicted on the attached Exhibit "B".

Section 3. Severability. If any provision, section, or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 4. Effective Date. The title of this Ordinance, which summarizes the contents of this ordinance, shall be published in the official newspaper of the City. The Ordinance shall take effect and be in full force five (5) days after the date of publication.

PASSED BY the City Council and APPROVED by the Mayor this 6<sup>th</sup> day of May, 2019.

CITY OF ARLINGTON

\_\_\_\_\_  
Barbara Tolbert, Mayor

Attest:

\_\_\_\_\_  
Erin Keator, City Clerk

Approved as to form:

\_\_\_\_\_  
Steven J. Peiffle  
City Attorney