
Re: Comment on File number 2023-CSD-002 notice of application for lakeview place commercial site development permit

From David Greetham <dgreetham@cityofflp.gov>
Date Fri 10/18/2024 9:51 AM
To Barbara Kavanaugh <barbarakavanaugh@hotmail.com>

Hello Ms. Kavanaugh,

Thank you for your comments regarding the Lakeview Place application; they'll be considered during project review.

On a related note, I wanted to let you know that the City has made live a public webpage containing application and public notice documents. Here's the link: <https://www.cityofflp.gov/693/Lakeview-Place-3803-NE-155th-St>

Please don't hesitate to let me know if you have any questions.

Best,

David Greetham | Temporary Senior Planner

City of Lake Forest Park
17425 Ballinger Way NE | 360-265-2441
www.cityofflp.gov

From: Barbara Kavanaugh <barbarakavanaugh@hotmail.com>
Sent: Friday, October 18, 2024 9:18 AM
To: David Greetham <dgreetham@cityofflp.gov>
Subject: Comment on File number 2023-CSD-002 notice of application for lakeview place commercial site development permit

Dear Mr. Greetham,

As a property owner very near the proposed townhome construction at 3803 NE 155th St, I am writing to express my deep concern about this project and request that you deny issuing the required land use permit. The parking on this street is already extremely limited, and this structure with added inhabitants and guests will severely impact the ability to navigate the street and to allow safe egress. Trying to enter Bothell Way already takes significant time, and the increase in cars coming and going, as well additional cars parked on the street, will only lengthen this time and potentially create safety concerns for ambulances attempting to navigate the street.

In addition, I am very concerned about the potential for landslides (which have already occurred) damaging the structural integrity of my home, which lies below the proposed new structure. This is of particular importance with the changing climate and generally wetter conditions faced in the Pacific Northwest.

Finally, I believe that the requested permit does not meet the minimum requirements.

These concerns are further outlined below:

1. The Cumulative Effects (LFPMC 16.16.050) of multiple major construction projects near 3803 NE 155th that directly impact Bsche'tla Creek and Ravine and NE 155th, creates unknown additional risks to this critical area and the homes adjacent to and at the foot of the creek.

- a. In addition to this development, two other major construction projects are planned. For the section of road on Bothell Way between NE 153rd and NE 155th, less than 500 feet from this proposed Townhome. Sound Transit needs to construct an entirely new dedicated eastbound bus lane to cross Blsche'tla Creek and Ravine on Bothell Way, which in turn accelerates WSDOT's requirement to repair the six culverts that block fish passage on Bsche'tla Creek. All the neighbors are deeply concerned about the cumulative effects of these projects on the safety and stability of this critical area. The developer's land use application, as required by LFPMC 16.16.050(B)(1) contains "an analysis of cumulative effects". There is no mention of these two projects in any of the land use application materials we have seen to date. **As such, the land use application for 3803 NE 155th at a minimum must be judged as incomplete and returned to the developer to complete a cumulative effects analysis that includes the probable impacts of Sound Transit's plan to add a bus lane over Bothell Way between 153rd and 155th and WSDOT's plan to repair the 6 culverts on Blsche'tla Creek that block fish passage.**

LFPMC 16.06.050 Cumulative Effects

16.16.050 (A).

1. A project or action that by itself does not create undue impacts on the environment may create undue impacts when combined with the cumulative effects of prior or simultaneous developments; further, it may directly induce other developments due to a causal relationship, which will adversely affect the environment.
2. An individual project may have an adverse impact on the environment or public facilities and services, which, though acceptable in isolation, could not be sustained given the probable development of subsequent projects with similar impacts.

16.06.050 (B)(1) The analysis of cumulative effects shall include, where necessary, a reasonable assessment of:

- a. The present and planned capacity of such public facilities as sewers, storm drains, solid waste disposal, parks, schools, streets, utilities, and parking areas to serve the area affected by the proposal.
- b. The present and planned public services such as transit, health, police and fire protection and social services to serve the area affected by the proposal; The capacity of natural systems, such as air, water, light, and land, to absorb the direct and reasonably anticipated indirect impacts of the proposal.
- d. The demand upon facilities, services, and natural systems of present, simultaneous and known future development in the area of the project or action.

16.06.050(B)(2) Subject to the Policies for Specific Elements of the Environment. An action or project may be conditioned or denied to lessen or eliminate its cumulative effects on the environment:

- a. When considered together with prior, simultaneous, or induced future development

Secondly, all things considered, no buffer or setback reductions should be allowed, given the highly sensitive area the property sits on and the obvious potential of another landslide in this area.

2. **3803 NE 155th is in a Critical Area.** As shown in the City of Lake Forest Park's Critical Area Map, this development sets in the Blsche'tla Creek and Ravine area, which runs the distance from Bothell Way, between NE 153rd and NE 155th, eastward to Lake Washington. To the west side of Bothell Way, the slopes are pitched on both sides as much as 80 degrees and as deep as 90 feet. The area is classified as a Landslide, Steep Slope, and Seismic Hazard Area. In 1997, a serious landslide occurred on the property adjacent to 3803 NE 155th, nearly toppling the home (3829 NE 155th) into the creek 90 feet below. This home and the origin of the landslide is just feet away from the property at 3803 NE 155th. The landslide necessitated the immediate evacuation of homes at the rim of Blsche'tla Creek and Ravine on NE 153rd and NE 155th. The slide debris blocked the Bsche'tla Creek channel and created a large pool of water behind the blockage, posing a serious threat to downstream properties
- a. The current developer submitted A Geo-Technical report to the City, a report dated October 29, 2021. This report is identical, word for word, page for page, to the Geo-Technical Report dated October 24, 2016, created for a developer who was seeking to build a large condominium on this property. To our knowledge, no borings have been conducted at the rim of the canyon where this property sits since 2016. **As a result, at a minimum, no reductions in buffers nor changes to the minimum setbacks should be allowed or permitted at this location.**
 - b. **LFPMC 16.16.290 Landslide Hazard Area**
 - 16.16.290 (A) minimum buffer of 50 feet shall be established from all edges of the landslide hazard area. Buffer widths shall be extended or adjusted as needed to mitigate a steep slope or erosion hazard or to promote the health and safety of the public.
 - a. **LFPMC 16.16.310 Steep Slope Hazard Areas**
 - b. 16.16.310 (A)(1) A minimum buffer shall be established at a horizontal distance of 50 feet from the top, toe, and along **all sides of any slope 40 percent or greater.**
 - c. 16.16.310 (A)(2): All buildings and structures shall have a minimum setback of 15 feet from the edge of the slope buffer.
 - d. **LFPMC 16.16.355 Streams Development Standards**
 - e. 16.16.035 A(2) Type F stream containing fish habitat shall have a 115-foot buffer.
3. Another reason why this permit application should be denied involves the developer's claim that "live/work" units qualify as "commercial", as is needed for properties seeking to build in the Southern Gateway Corridor (SG-3) found in the LFPMC Chapter 18.46, Southern Gateway Corridor.
- a. The property is zoned Southern Gateway-Corridor. The Comprehensive Plan and Municipal Code says SG-C is a mixed-use "community residential and commercial development," describing "commercial" as "Retail Sales of Food and Commodities; Business offices and uses rendering professional, personal, and instructional services, such as real estate, insurance brokerages, consultants, medical or dental clinics, technical training, and health clubs. And that Business and residential portions must be separated by soundproof walls, floors, equipment, utilities, or other suitable architectural features.
 - b. The developer asserts they meet that standard with 6 units they call "Live/Work", a term not found in the Municipal Code or the Comprehensive Plan. Architectural renderings show a "work area" of 61 to 120 square feet, with a desk and 3 chairs. The rest of the floor shows a kitchen with countertop seating, a dining area, a living room with a sofa and chair, and a TV. The total work area is less than 5% of a unit's total square footage. It would seem obvious these "work areas" don't meet the standard and intended purpose of SG-C zoning as "residential and commercial" use.

As a homeowner two homes away from the proposed new development, I am extremely concerned about the negative effects of this proposed application. This neighborhood is a beautiful, safe and, peaceful place, and that is one of the reasons I chose to purchase my home here and become a part of the community. This proposal demonstrably increases the risk of landslide, creates hazards to parking and safe egress, and does not meet the standard of "residential and commercial use"; I strongly urge you to therefore deny this proposal.

Sincerely,

Barbara Kavanaugh
3833 NE 155th St