Councilmember Herbold – Disclosure of Ex-parte Communication on the proposed contract rezone for 5911 42<sup>nd</sup> Avenue SW (C.F. 314343)

On November 27, the Planning, Land Use and Zoning (PLUZ) Committee recommended the approval of proposed contract rezone with conditions for 5911 42nd Avenue SW (C.F. 314343) to Full Council. I abstained from the vote because I wished to review the record more fully. On November 28, I read statements posted in opposition to PLUZ's decision regarding the rezone posted on a social media site. These communications expressed:

- Criticism of Council staff's representation of the applicants' objection to the application of the provisions of Mandatory Housing Affordability, as a condition of the rezone;
- Doubts regarding PLUZ's understanding of the issue;
- Derision about the PLUZ's decision-making process on this matter; and
- Disapproval of my abstention from the PLUZ vote on the recommendation.

I responded to these posted comments with a post on the same social media site explaining my abstention and providing a hyperlink to the online information regarding the rezone application, CF 314343.

Attached to this written statement, is the screen capture of the posted comments described above.





### **David Neiman**

Follow-up: At the hearing tonight, council staff gave the most cursory summary imaginable. While noting that the applicant objected to paying MHA fees, they made no attempt to present our arguments. Lisa Herbold asked for a clarification as to why the community and the church did not want to pay the MHA fees. The answer given by Council Staff was that we had struck a deal w/ the community of re-zone in exchange open space. That was not our argument. The argument we presented to the hearing examiner was that the re-zone does not confer value to the church, b/c the dedication of land to public open space leaves the church w/ less development potential in a re-zone scenario than they have today. Lisa Herbold admitted that she had t road the briefing decum



Write a comment...



















#### David's Post

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When **Rob Johnson** offered to delay a vote until Dec 5th to allow for more study time, CM Herbold demurred, allowing the vote to go forward.

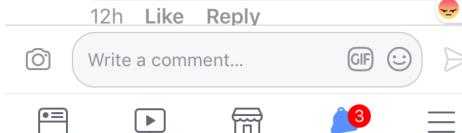
12h Like Reply





## **David Neiman**

The WSCN folks are a really great bunch of people who could have cashed out years ago, but they wanted to find a way to preserve the church green for their neighborhood to use instead of just selling their land for development. They put in four years working for their community to get to this point. In the end, the council-member that represents them didn't even read the brief, and the rest of the committee couldn't even be bothered to discuss their arguments on the merit. It was a pretty sad showing all around.







### David's Post

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Lisa,
Do you hear?
You hadn't read the material?
Sad.

2h Like Reply



# Lisa Herbold

Ashamed? What shame is there in wanting to have all the materials available to me before voting? I said in the meeting that I wanted to read the Morgan Community Association's support letter - rather than depend upon staff characterization of that letter. The letter was part of the record but not provided Councilmembers as part of the 50 plus pages of materials (which I did read) here:

http://seattle.legistar.com/ LegislationDetail.aspx? ID=2601689&GUI... See More



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