

MEMORANDUM

To: The Town Council
From: Nick Bond
Date: August 10, 2011
RE: Jerry Nybo Development Regulations Amendment Request

At Issue

Jerry Nybo Construction sent a letter dated July 29th 2011 to the Mayor, Planning Commission, and to the Town Council. In it, he requests that the Council amend the development regulations related to the Aerospace zone. He has asked that Council consider adding multi-family uses to the list of principally permitted uses in the zone. There are several options available to Mr. Nybo which would allow him to accomplish his goals including amending the comp plan to change the land use designation of the site from AP to MF or applying for a planned unit development at the site. This particular proposal would offer Mr. Nybo the easiest and quickest path to accomplishing his goals, but could have considerable impacts on the town, the airport, and lands within the airport zone.

Because amending the development regulations is a legislative task which can't be funded by an applicant, this request is something which would have to be initiated by the Town Council and funded from the general fund. The proposed amendments would require SEPA review, public hearings, and feedback from the Department of Commerce. Additionally, review by the Planning Commission and Airport Committee would probably be a good idea. In all, preparing the proposed amendments, performing SEPA review, and publishing public notices is likely to cost \$400-\$700 dollars excluding staff time.

The question before the Town Council today is whether or not to ask the Mayor to instruct staff to prepare an amendment to the development regulations which would allow for multifamily uses as a principally permitted use within the AP zone. In the absence of direction from the Mayor, staff does not intend to initiate this amendment proposal due to the current financial state of the general fund.

Possible Motion

"I move to request that the Mayor direct staff to prepare an amendment to the development regulations which would allow multifamily uses as a principally permitted use in the aerospace zone, to conduct SEPA review on the proposal, to bring the proposal before the Planning Commission and the Airport Committee, finally before the Town Council for a public hearing and possible action."



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29 July 2011

The Honorable Ray Harper
Mayor, Town of Eatonville
Post Office Box 309
Eatonville, Washington 98328

RE: Retooling the Aviator Heights Plat
Town of Eatonville

Dear Mayor Harper:

For the past three years, I have been working in cooperation with the Town of Eatonville to build 23 single-family homes on my property at the Eatonville Airport site. The current economic recession precipitated by a nationwide housing crisis has significantly changed the housing market as we have known and experienced for the past thirty years. More and more people are opting to rent their homes instead of taking out a home loan and becoming a suburban single-family home owner. In addition, the elderly, those over 55 years and older, are selling their single-family homes and are looking for rental properties in organized communities where they can spend their senior years by not having to move the lawn and continually be burdened with household maintenance chores.

To respond to these changing trends and conditions in the housing market, I am going to put forward, in the next two to three weeks, a proposal to retool the Aviator Heights plat from constructing 23 single-family homes on one-half acre lots to a community of 78 rental homes, designed and dedicated to the 55 and older residents. The maintenance of the structures, including landscaping and lawn moving will be done by resident community-wide property manager.

In order for the Bank to continue with funding we need a higher density multi family use otherwise the Aviator Heights project is dead. We need to retool the site to accommodate elderly (55 and over) housing units in a mix of single family houses to duplexes to fourplexes. This retooling proposal is possible under the current ordinance and development regulations on the books at the Town of Eatonville, following the conditional use permit application procedures. As an alternative, the Town Council, with the advice and consent of the Planning Commission, can amend the current development code by allowing multi-family homes to be built on the land currently zoned as Aerospace District. The development code change can be made by simply adding two words "multi-family" to the current list of permitted uses in the Aerospace District.

The above described change will bring many benefits to the Eatonville community and will allow me to put my property to beneficial use. The alternative of no action will result in the bank repossessing the piece of land and let it grow over with weeds and brush. The investments already made in constructing sewer and water lines,

paved streets and sidewalks, and underground electrical and other communications networks will go to waste.

In addition, the proposed change from single-family to 55 and over housing community will bring other benefits to the Eatonville community. The construction of 78 housing units will create a number of construction jobs, will generate income to the Town in building permit fees and utilities hookup charges, and will add to the property tax base of the Town of Eatonville. Further, the new 55 and over residents will generate significant retail and services purchasing power in the community.

I envision that the proposed retooled project will not cause any concern on the part of the FAA. The FAA's concern is airport safety as it relates to height of structures at and around the airport property. You may recall that FAA had no safety concerns with the 23 single family home plat. The revised development does not penetrate the FAA height limitations any higher than that of the current 23 single-family plat.

The intent of this letter is to let you know in advance my intentions and ask for your cooperation and that of your administration and move forward with this project. As stated earlier, in the next two to three week period, I will formally submit an application to move forward with this change utilizing the current provisions in the land development code of the Town of Eatonville, specifically under the conditional use permit procedures.

I will be happy to meet with you and members of your administration to discuss my proposal in greater detail and answer any questions that you may have.

Sincerely,

Jerry Nybo

CC: Eatonville Town Council
Eatonville Planning Commission
Doug Beagle, Town Administrator
Nick Bond, Town Planner
Kerri Murphy, Public Works