2013-2014
Proposed Comprehensive Plan Amendments

The proposed amendments to the Comprehensive Plan, shown in the table below, were submitted for consideration during the 2013-2014 amendment cycle.

All amendments are in PDF format

Abbreviations:
DPD—Department of Planning and Development
FLUM—Future Land Use Map

App. #	Applicant	Brief Description of Proposed Amendment Application
1	DPD	DPD proposes amendments to the University Community Urban Center neighborhood plan, including Future Land Use Map changes, placeholders for future policy amendments related to open space, economic development, diversity of housing types, and building form, and amendments to infrastructure and facility data.
2	Roosevelt Neighbors Alliance (RNA)	The RNA proposes to change the FLUM to expand the boundary of the University Community Urban Center to include the Blessed Sacrament Parish south of Northeast 53rd Street and east of 8th Avenue Northeast.
3	Nancy Bocek and neighbors	Ms. Bocek proposes to change the FLUM to remove the area west of the middle of the block between 9th Avenue Northeast and 10th Avenue Northeast and north of Northeast 47th Street from the University Community Urban Center.
4	DPD	DPD proposes amendments to the Central Area neighborhood plan, including Future Land Use Map changes and placeholders for future policy amendments.
5	DPD	DPD proposes amendments to the Duwamish Manufacturing/Industrial Center (MIC) and Stadium Transition Overlay District, including FLUM amendments and placeholders for policies related to protection of land for industrial uses and whether the Overlay District should be maintained or changed to another zoning category.
6	DPD	DPD proposes to change the FLUM to remove an area west of 16th Avenue West, east of the railroad tracks, and north of West Dravus Street from the Ballard/Interbay MIC and change the designation from industrial to mixed-use commercial.
7	Ian Morrison, for Hummel Architects, PC	Mr. Morrison proposes to Amend the FLUM for property south of Armory Way and west of 15th Avenue West to remove it from Ballard/Interbay MIC and change the designation from industrial to mixed-use commercial.

8	Ian Morrison, for 1290 Broadway REIT	Mr. Morrison proposes to amend the FLUM for property north of the Ballard Bridge, east of 15th Avenue West, and south of NW 54th Street to remove it from the Ballard/Interbay MIC and change the designation from industrial to mixed-use commercial.
9	Brent Carson, for 4000 Property LLC	Mr. Carson proposes change the FLUM designation of property bounded on the north by Northeast 45th Street and on the west by 38th Avenue Northeast, formerly occupied by a Battelle research facility, from single family to multifamily.

City of Seattle

Department of Planning and Development
Diane M. Sugimura, Director

May 15, 2013

TO: Councilmember Richard Conlin

FROM: Diane Sugimura

SUBJECT: Suggestions for Comprehensive Plan annual amendment cycle

The Department of Planning and Development has identified a number of topics that we believe should be considered in the 2013-2014 annual Comprehensive Plan amendment cycle. Even though we are in the process of conducting the state-mandated major review and update of the Plan and aiming for adoption of wide-reaching Plan revisions in 2015, the proposals below represent new or revised policy directions that will stand the test of time and are very unlikely to be changed through the major review process.

The suggestions below are still in early stages of formulation as DPD works through particular issues with community groups, and there is not specific language available. However, all of the processes are actively moving forward on these topics, and we believe that having complete language available in November when the Mayor sends recommended amendments to Council will afford the broader public, beyond these projects' stakeholders, sufficient opportunity to review and comment prior to Council action. For amendments stemming from community processes, moving the amendments forward now can help move more quickly to implementation steps, making more efficient use of community volunteers' time.

The numbered paragraphs in the description of each topic below correspond to the questions included in the Council's amendment application form.

A. University District Urban Center

As you know, DPD is currently working with the community in the University District to develop an area study for the neighborhood. From our conversations with the community so far, we have identified several possible types of changes we want to continue pursuing.

1. At this time, we do not have specific policy language to recommend, but the following points help describe the general purpose and direction of likely amendments:
    - Allow increased heights, especially in the core of the neighborhood. For example, amend UC-P2, which calls for heights up to 65' south of NE 43rd St. Based on community feedback, it's likely that DPD will recommend zoning for higher midrise and some highrise in this area.
    - Remove reference to specific subareas (e.g., University Gardens) which aren't likely to play a major role in the future growth of the neighborhood.
    - Remove the confusing and seemingly unnecessary policy UC-P4: "These goals and policies of the UCUC Neighborhood Plan are not intended to change the

policy basis for consideration of rezones proposed after adoption of these goals and policies."

- Update or eliminate all figures since they no longer correspond to long-range planning ideas in the neighborhood.
- Add references to the potential suitability of highrise development and incentive zoning?
- Rework open space references to focus on the community's desire for a park or plaza in the core of the neighborhood.
- Add reference(s) to increasing the diversity and density of jobs in the neighborhood; existing goals and policies are all focused on residential growth and amenities.
- Add updated language to support transportation choices, such as a bike plan, pedestrian facilities, transit coordination.
- Extend Urban Center boundary northward near University Way toward Ravenna Boulevard.

2. The City adopted the University District Neighborhood Plan in 1998. The ongoing effort between the City and the community is an opportunity to update some of the policies in that original plan.
3. The neighborhood plan helps guide key City decisions about the physical development of the neighborhood. The updated neighborhood plan's inclusion in the Comp Plan will continue to provide guidance for development in the area.
4. The amendments will provide a benefit to the community by recognizing the current neighborhood conditions and the neighborhood's desires, which would be reflected in policies that will help guide actions by both City departments and private developers.
5. The recommendations will be derived from extensive community engagement that considered the existing vision, goals and policies and will reflect revisions to some of those earlier statements.
6. The suggestion is based on our work with the community so far, and the final recommendations will be reviewed by the community prior to Council review.

B. Arena-related

The memorandum of understanding among the City, King County and ArenaCo called for two studies of land use issues in the vicinity of the proposed basketball arena. The MOU directs one of the studies to "...evaluate the necessary policies ... to protect maritime and industrial uses and reinforce the role of the manufacturing/industrial center (M/IC) as a manufacturing and industrial sanctuary." The second study, referred to as the stadium district study, is reevaluating the effectiveness of the existing Stadium Transition Area Overlay District (STAOD) and the existing Comprehensive Plan policies for that area. It is expected that each of the two related studies could result in amendments to the Comprehensive Plan. While the two studies are ongoing with draft recommendations scheduled for July 2013, the types of policy changes that could be pursued based on work to date are summarized in #1 below.

1. Potential changes that could emerge from the industrial land study include policies that restrict removal of land from the Duwamish M/IC or that further discourage development of non-industrial uses in the M/IC. One outcome of the stadium area will be an evaluation of that area's inclusion within the Duwamish M/IC and a recommendation about one of the following policy approaches: Continuing to use a

zoning overlay with stronger guiding policy in the Area Specific Land Uses section of the Comprehensive Plan; removing the area from the M/IC and adding it to the Downtown Urban Center, with extension and enhancement of Downtown Urban Center land use policies for the area; or removing it from the M/IC and adding policies that establish it as its own unique category of place.

2. The Plan includes the stadium area in the Duwamish M/IC and designates that land for industrial uses. The Plan also contains several policies that limit uses in the M/IC and on industrially zoned property to industrial uses. The recently adopted Container Port Element of the Plan further strengthened the concept of land use compatibility near Port facilities.
3. The two studies will produce recommendations specifically about the use of land in the M/IC and in the stadium area, for which the Comp Plan currently establishes the relevant policies. The schedule calls for both studies to produce draft recommendations in July of this year, with the goal of having final recommendations available in time for the executive recommendations in the fall.
4. The recommendations will further strengthen the City's commitment to restricting uses in the M/IC and will help formulate a more particular concept for the future of the stadium area.
5. Recommendations for both of these topics are being developed with the help of advisory committees that include people with professional interests in the future of these areas.
6. Once the draft recommendations are published, DPD will solicit comments from the broader public, beyond the advisory committees.

C. Ballard/Interbay

DPD has initiated a land-use study of an approximately 3-mile corridor along Elliott Avenue W and 15th Avenue NW from Interbay to Ballard. The purpose is to develop a vision for the lands close to this heavily travelled, multi-functional route.

1. So far in this study, DPD has identified one possible amendment to the Comprehensive Plan, and that is a change to the Future Land Use Map that would remove a small land area along 16th Ave. W. from the M/IC and change the designation from "industrial" to "mixed-use commercial."
2. The land that would be affected by this amendment is currently designated by the Comprehensive Plan as part of the Ballard Interbay Manufacturing/Industrial Center and for industrial uses.
3. Designating future uses of land is one of the primary purposes of the Comprehensive Plan, the designating of M/ICs is a tool the City has chosen to use for that purpose. Because development regulations, including zoning, need to be consistent with the Plan, when the City's desired outcome for an area changes, it is necessary to provide the policy direction for that change in the Plan. DPD has been working with the community to analyze conditions in the area and to develop recommendations about possible changes and expects to have a final recommendation prepared in time for Council consideration as part of this year's amendment cycle.
4. The ultimate outcome could be redevelopment of the parcels covered by the recommendation that would produce more commercial uses that could occur under the current designation, and could include residential uses that are not permitted today.

5. Community representatives, including stakeholders in BINMIC are participating in discussions with DPD about the future of the entire corridor and are reviewing potential recommendations for changes to Future Land Use Map designations.
6. While we are not prepared to make final recommendations at this time, discussions so far with the community appear to support this type of change.

D. Central Area Neighborhood Plan

DPD is working with the community around 23rd Ave. to update portions of the Central Area Action Plan, and we anticipate that process will generate amendments to the Central Area Neighborhood Plan in the Comprehensive Plan.

1. Potential Comprehensive Plan amendments include updating and clarifying goals and policies to reflect the current context and changed conditions in the neighborhood. Recommended amendments could also include changes to the Future Land Use Map as this work identifies locations would zoning changes could leverage public and private investment, particularly at the key nodes of 23rd at Union, Cherry and Jackson.
2. The Central Area Neighborhood Plan was adopted into the Comp Plan in 1998. The neighborhood's goals and policies for guiding growth and change may need to be refreshed, based on physical changes that have occurred in the neighborhood and on possible new visions current residents may have for the neighborhood.
3. The City has determined that the Comp Plan is the appropriate vehicle for conveying the growth goals for all the neighborhood planning areas. DPD has begun research and outreach to the community to discuss possible updates to the neighborhood vision and neighborhood plan. At this time, we anticipate having final recommendations in time to be part of Council's consideration of this year's amendments.
4. Outcomes from amending the neighborhood plan policies in the Comp Plan include renewed interest from the community in shaping the future of the area and new focus for that future that takes into account changes over the past 15 years, plus the aspirations of the current community.
5. The proposed changes would be a new version of the community vision, based on ongoing discussions between City staff and the community.
6. The recommendations DPD will forward in the fall of 2013 will be the product of an inclusive process of community engagement intended to understand and document directions that will have support of the community.

If you have questions about these suggestions, please contact Tom Hauger of my staff at 684-8380 or at tom.hauger@seattle.gov.

City of Seattle
COMPREHENSIVE PLAN AMENDMENT APPLICATION

Use this application to propose a change in the policies, future land use map, appendices, or other components of the adopted City of Seattle Comprehensive Plan. Applications are due to the Seattle City Council no later than **5:00 p.m. on May 15th** for consideration in the next annual review cycle. Any proposals received after May 15th will be considered in the review process for the following year.

(Please Print or Type)

Date: May 14th, 2013

Applicant: Roosevelt Neighbors Alliance

Mailing Address: University District Neighborhood Center - **4534 University Way**

City: Seattle State: WA Zip: 98105 Phone: (206) 992-5885

Email: rnalliance@gmail.com

Contact person (if not the applicant): Mark Griffin – RNA President

Mailing Address:

Email:

City: State: Zip: Phone:

Name of general area, location, or site that would be affected by this proposed change in text (attach additional sheets if necessary) – Blessed Sacrament Parish, south of 53rd Ave NE, east side of 8th Ave.

If the application is approved for further consideration by the City Council, the applicant may be required to submit a Sate Environmental Policy Act (SEPA) checklist.

Acceptance of this application does not guarantee final approval.

Applicant Signature: _____
Date: 5/15/13

Attachment A

REQUIRED QUESTIONNAIRE: Comprehensive Plan Amendment Application

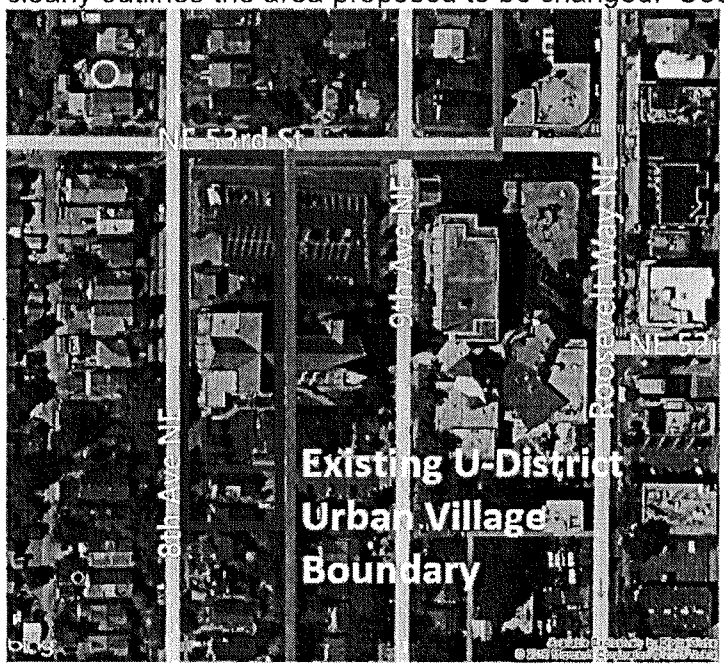
Please answer the following questions in text and attach them to the application. Supporting maps or graphics may be included. Please answer all questions separately and reference the question number in your answer. The Council will consider an application incomplete unless all the questions are answered. When proposing an amendment, you must show that a change to the Comprehensive Plan is required.

1. Provide a detailed description of the proposed amendment and a clear statement of what the proposed amendment is intended to accomplish. Include the name(s) of the Comprehensive Plan Element(s) (Land Use, Transportation, etc) you propose to amend.

a. If the amendment is to an existing Comprehensive Plan goal or policy, and you have specific language you would like to be considered, please show proposed amendments in "line in/line out" format with text to be added indicated by underlining, and text to be deleted indicated with ~~strikeouts~~.

b. If the proposed amendment would also require a change to the Seattle Municipal Code (SMC), please indicate the SMC section(s) needing amendment. If you have specific language you would like to be considered, please show proposed edits to the SMC in "line in/line out" format as described above.

c. If the amendment is to the Future Land Use Map, please provide a map that clearly outlines the area proposed to be changed. See attached



Attachment A

2. Describe how the issue is currently addressed in the Comprehensive Plan. If the issue is not adequately addressed, describe the need for it.

The current Urban Village boundary cuts through the middle of the church property and both the prior and church structure. This revision would shift the village boundary west to 8th Ave to encompass all of the church property. This shift would only include the church campus and the adjoining two rental properties that the church owns immediately adjacent to the SW of the church.

3. Describe why the proposed change meets the criteria adopted in Resolution 30662 for considering an amendment to the Comprehensive Plan. The criteria are listed at the end of this application form. Is a Comprehensive Plan amendment the best means for meeting the identified public need? What other options are there for meeting the identified public need?

Discussions with DPD indicated that the planned renovation and expansion of the priory would require a height limit that would limit the architectural height of the roof on the expansion. This limitation is due to the current single family zoning on the west half of the property. The request is two part, the first being the movement of the urban village boundary along with making the zoning on the property a uniform L1. This will enable the height to provide an addition that maintains the character of the 1908 campus. Note, if the urban village boundary isn't shifted, the City Council cannot consider rezoning the west half of the property from single family to L1.

4. What do you anticipate will be the impacts caused by the change in text, including the geographic area affected and the issues presented? Why will the proposed change result in a net benefit to the community?

As noted above, this will enable the preservation of the historic character of the Blessed Sacrament campus and the priory specifically. This renovation and remodel will enable an expansion of the services provided by the church, including the Sunday dinner program that provides over 500 meals per week to the homeless. The higher roof pitch would enable placing an elevator within the expanded priory, enabling ADA access to all of the housing and church administration, none of which is currently ADA accessible.

5. How would the proposed change comply with the community vision statements, goals, objectives, and policies of the Comprehensive Plan? Please include any data, research, or reasoning that supports the proposed amendments.

The revised change would enable the maintenance and expansion of services to the community, while enabling the maintenance of the historic character of the structures and the neighborhood. It would also make for a more accessible institution.

Attachment A

6. Is there public support for this proposed text amendments (i.e. have you conducted community meetings, etc.)? Note: The City will provide a public participation process, public notice, and environmental review for all applications.

At 7 pm, May 13th, 2013 at the University Heights Community Center, the board of the Roosevelt Neighbors Alliance discussed the merits of this proposal and voted 5-0 with one abstention to support this proposal. Discussion on the merits of this proposal was discussed with a number of neighbors in the adjoining blocks who attended the meeting.

Criteria for Comprehensive Plan Amendment Selection (from Resolution 30662)

The following criteria will be used in determining which proposed Comprehensive Plan amendments will be given further consideration:

A. The amendment or policy is appropriate for the Comprehensive Plan because:
   - The amendment is not appropriate as a regulatory measure, and warrants a Comprehensive Plan amendment;
   - The amendment is not better addressed as a budgetary or programmatic decision;
   - The amendment is not better addressed through another planning process, such as neighborhood planning; or
   - The Growth Management Act (GMA) mandates the amendment as part of the 10-year update.

B. The amendment is legal - the amendment meets existing state and local laws.

C. It is practical to consider the amendment because:
   - The timing of the amendment is appropriate and Council will have sufficient information necessary to make an informed decision;
   - City staff will be able to conduct sufficient analysis and to develop policy and any related development regulations within the available time frame;
   - The proposed amendment is consistent with the overall vision of the Comprehensive Plan and well-established Comprehensive Plan policy, or the Mayor or Council is interested in significantly changing existing policy;
   - The amendment has not been recently rejected; and
   - If the proposed change is to neighborhood plan policies, there has been a neighborhood review process to develop the proposal, or a neighborhood review process can be conducted prior to final Council consideration of the amendment.

Attachment A

City of Seattle
COMPREHENSIVE PLAN AMENDMENT APPLICATION

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(Please Print or Type)

Date: May 15, 2013 *(extended answers – May 29, 2013)*

Applicant: Neighbors of the RNA neighborhood/Nancy Bocek (contact person), Mary Hausladen, Judith Wirth, Eric Larson, Richard Anderson, Philip Thiel

Mailing Address: 5011 9th Ave NE (Nancy)

City: Seattle State: WA Zip: 98105 Phone: (206) 632-7760

Email: nancybocek@gmail.com

Contact person (if not the applicant): N/A

Mailing Address: Email:

City: State: Zip: Phone:

Name of general area, location, or site that would be affected by this proposed change in text (attach additional sheets if necessary)

4700 – 5000 blocks of 7th Ave NE, 8th Ave NE, 9th Ave NE to midblock between 9th Ave NE and Roosevelt Ave NE. (Please see attached: <Attch 1_Map_Comp plan UDNWUV boundary amendment proposed_513>).

If the application is approved for further consideration by the City Council, the applicant may be required to submit a Sate Environmental Policy Act (SEPA) checklist.

Acceptance of this application does not guarantee final approval.

Applicant Signature:

Nancy Bocek

Date: May 15, 2013

Attachment A

REQUIRED QUESTIONNAIRE: Comprehensive Plan Amendment Application

Please answer the following questions in text and attach them to the application. Supporting maps or graphics may be included. Please answer all questions separately and reference the question number in your answer. The Council will consider an application incomplete unless all the questions are answered. When proposing an amendment, you must show that a change to the Comprehensive Plan is required.

Our answers in boxes.

1. Provide a detailed description of the proposed amendment and a clear statement of what the proposed amendment is intended to accomplish. Include the name(s) of the Comprehensive Plan Element(s) (Land Use, Transportation, etc) you propose to amend.

We respectfully request the City to amend the Urban Center boundaries in the Comprehensive plan to exclude a few blocks of our community to preserve the unique single family homes, open space, and institutions that reflects "Seattle heritage".

As Prof. Emeritus Philip Thiel describes, "It encompasses the Blessed Sacrament Church and Parsonage; the University Child Development School; the University Branch of the Seattle Public Library; the Seven Gables Theatre; the University Playground (one of the U District's rare open spaces); and a significant number of 1900-1920 craftsman houses, many recently rehabilitated." See attached letter and map from Prof. Thiel for more details. (<Attch 2_PThiel ltr 052313>, <Attch 3_PThiel map attch_ltr 052313>.)

The requested boundary change requested = 4700 – 5000 blocks of 7th Ave NE, 8th Ave NE, 9th Ave NE to midblock between 9th Ave NE and Roosevelt Ave NE. No change to boundary at Blessed Sacrament Church and University Child Development School. (Please see <Attch 1_Map_Comp plan UDNWUV boundary amendment proposed_513>.)

a. If the amendment is to an existing Comprehensive Plan goal or policy, and you have specific language you would like to be considered, please show proposed amendments in "line in/line out" format with text to be added indicated by underlining, and text to be deleted indicated with ~~strikeouts~~.

UC-P3	Encourage a vibrant mixed-use residential neighborhood in the University Gardens Core area (between NE 50th Street, Brooklyn Avenue NE, NE 43rd Street, and ~~9th Avenue NE~~. Roosevelt Avenue NE.)
UC-P23	In the University Gardens Core (the area generally between NE 50th Street, Brooklyn Avenue NE, NE 43rd Street, and ~~9th Avenue NE~~. Roosevelt Avenue NE), create a connected network of open spaces integrated with development. Provide open space and recreation facilities for seniors.

Attachment A

b. If the proposed amendment would also require a change to the Seattle Municipal Code (SMC), please indicate the SMC section(s) needing amendment. If you have specific language you would like to be considered, please show proposed edits to the SMC in "line in/line out" format as described above.

The proposed amendment would require a change in the Municipal Code; specifically, in the Land Use Code, which is Title 23 of the Municipal Code. The change would be in the boundary of the University Community Urban Center on the official land use map cited in Section 23.32.016 of the Code.

c. If the amendment is to the Future Land Use Map, please provide a map that clearly outlines the area proposed to be changed.

Please see attached map that shows the boundary changes we requesting. (Please refer to: <Attch 1_Map_Comp plan UDNWUV boundary amendment proposed_513>)

2. Describe how the issue is currently addressed in the Comprehensive Plan. If the issue is not adequately addressed, describe the need for it.

The current boundary includes 4700 – 5000 blocks of 7th Ave NE, 8th Ave NE, 9th Ave NE to midblock between 9th Ave NE and Roosevelt Ave NE. We request this area removed from the Urban Center.

3. Describe why the proposed change meets the criteria adopted in Resolution 31402 for considering an amendment to the Comprehensive Plan. The criteria are listed at the end of this application form. Is a Comprehensive Plan amendment the best means for meeting the identified public need? What other options are there for meeting the identified public need?

Because this is a change to the Urban Center boundaries, the Comprehensive Plan needs to be amended. To the best of our knowledge, as citizens in the University District, our proposed boundary change aligns with the criteria listed below:

- Its intent cannot be accomplished by a change in regulations alone;
- It is not better addressed as a budgetary or programmatic decision; and
- The timing of the amendment is appropriate and Council will have sufficient information to make an informed decision;
- City staff will be able to develop within the time available the text for the Comprehensive Plan and, if necessary, amendments to the Municipal Code, and to conduct sufficient analysis and public review; and
- The amendment has not been recently rejected by the City Council.
- This proposed boundary change can be reviewed by such a process prior to final Council consideration of the amendment.

Attachment A

4. What do you anticipate will be the impacts caused by the change in text, including the geographic area affected and the issues presented? Why will the proposed change result in a net benefit to the community?

We respectfully request the City to amend the University District Northwest Urban Village boundaries in the Comprehensive Plan to exclude a few blocks of our community. These blocks have minimal impact on the Light Rail Transit Area Development or in future increases in population density within the Urban Center.

These blocks do not fall within the Station Overlay District Boundary, on the edge of the 10 minute walk from U District station at Brooklyn Ave NE and NE 43rd St, and are currently zoned L-1 and LR-2 for increased density, allowing for future development of a low rise type more in keeping with a ground related neighborhood.

This proposal will benefit the community. It will:

- Support the Urban Design Framework that emphasizes livability and pedestrian friendly streets.
- Support a diversity of housing choices and residents, with attention to preserving historic Seattle homes.
- Preserve the architectural integrity of significant public and institutional buildings.
- Ensure that our community has fair opportunity to participate in any rezoning process.
- Preserve surrounding historic houses and the ground related L-1 zone.
- Maintain walkability on 9th Ave to University Playground, University Library, University Child Development Center and Blessed Sacrament Church, which is used by many different age groups.
- Preserve many of homes that are owner occupied or properly cared for by landlords with good neighbors.
- Attract and retain life-long residents. We need our old houses with yards and a neighborhood feel, with habitat for birds and other wild life. Many of the older homes are where the urban canopy is preserved.
- Keep zoning low around the University Playground Park, the University District's only true open space in one of the densest neighborhoods in the state! It is critical that it is not overshadowed by tall buildings.

Attachment A

5. How would the proposed change comply with the community vision statements, goals, objectives, and policies of the Comprehensive Plan? Please include any data, research, or reasoning that supports the proposed amendments.

Being in the urban center boundaries means continual pressure to up zone, which puts at risk the neighborhood heritage, open space and breathability, and unique sense of place. Higher buildings and increased lot coverage reduce open space and urban canopy such as the large and mature trees, breathability and walkability.

CRG6 A city that celebrates and strives to protect its cultural legacy and heritage, to preserve and protect historic neighborhoods and to preserve, restore and re-use its built resources of cultural, heritage, architectural, or social significance in order to maintain its unique sense of place and adapt to change gracefully.

6. Is there public support for this proposed text amendments (i.e. have you conducted community meetings, etc.)? Note: The City will provide a public participation process, public notice, and environmental review for all applications.

We briefed the Roosevelt Neighbors' Alliance (RNA) board on Monday, May 13th, about our plan to request these boundary changes, but because we knew so little about the process, we were not able to give them full understanding of it. We will continue to communicate with them to keep them informed.

We have contacted many neighbors in these blocks to include them in awareness of this proposal and invite them to participate with us. Public support was evident in the number of residents (~50) who came to a meeting with Dave LeClergue, DPD, with only a few days notice. There is a belief that being in the University urban center, with light rail station imminent, that significant densification is expected and will eliminate the neighborhood's unique character and history.

We have not had time yet to bring this to the wider neighborhood community, having just learned about it ourselves. However there will be future opportunities to educate and gather community input. We are willing to take on many methods to do community outreach, such as organize gatherings, present at a Roosevelt Neighbors' Alliance membership meeting, do outreach at local events, neighborhood leafleting, emailing and Facebook.

This Applicant group is made up of individuals that have a long history with RNA. Nancy Bocek, Mary Hausladen, Eric Larson and Judith Wirth are past RNA presidents and board members. Phil Thiel a long time RNA member, consultant and board member. Richard Anderson is a long time RNA member. Our children were born and raised here. We are deeply committed to our community and value the character of our neighborhood.

Attachment A

Criteria for Comprehensive Plan Amendment Selection (from Resolution 31402)

The following criteria will be used in determining which proposed Comprehensive Plan amendments will be given further consideration:

A. The amendment is appropriate for the Comprehensive Plan because:

- It is consistent with the role of the Comprehensive Plan under the State Growth Management Act;
- It is consistent with the Countywide Planning Policies and the multi-county policies contained in the Puget Sound Regional Council's Vision 2040 strategy;
- Its intent cannot be accomplished by a change in regulations alone;
- It is not better addressed as a budgetary or programmatic decision; and
- It is not better addressed through another process, such as neighborhood planning.

B. The amendment is legal under state and local law.

C. It is practical to consider the amendment because:

- The timing of the amendment is appropriate and Council will have sufficient information to make an informed decision;
- City staff will be able to develop within the time available the text for the Comprehensive Plan and, if necessary, amendments to the Municipal Code, and to conduct sufficient analysis and public review;
- The amendment is consistent with the overall vision of the Comprehensive Plan and well-established Comprehensive Plan policy, or the Mayor or Council wishes to consider changing the vision or established policy; and
- The amendment has not been recently rejected by the City Council.

D. If the amendment would change a neighborhood plan, it either is the result of a neighborhood review process or can be reviewed by such a process prior to final Council consideration of the amendment.

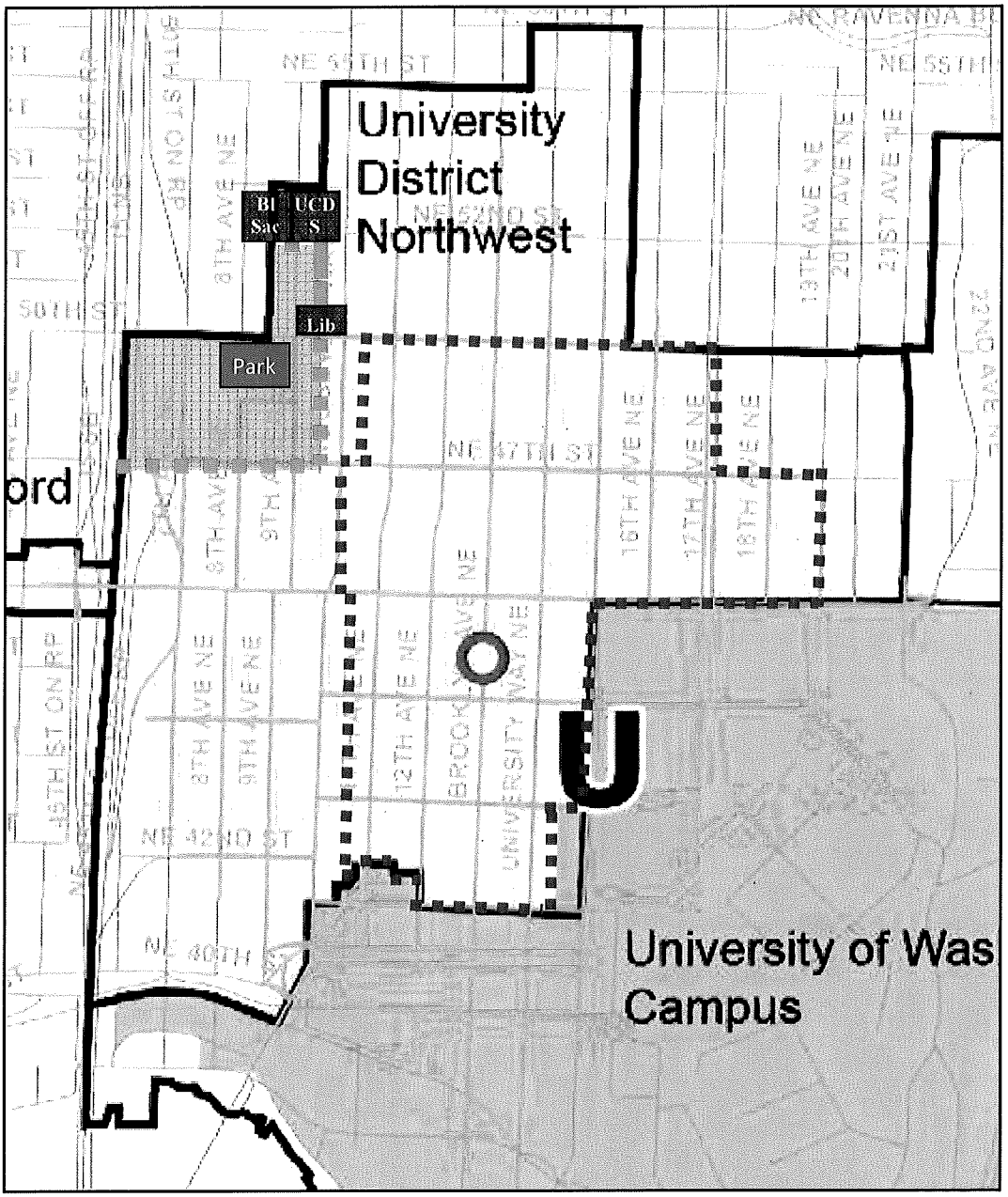
E. The amendment is likely to make a material difference in a future City regulatory or funding decision.

Attachment A

Proposed New Alignment for University District Northwest Urban Village Boundary

4700 – 5000 blocks of 7th Ave NE, 8th Ave NE, 9th Ave NE. Zoned LR1 and SF 5000

Boundary midblock between 9th NE and Roosevelt Way NE & NE 47th St from midblock 9th/ Roosevelt and 7th Ave NE.



Major Institutional Overlay

Urban Village Boundary

10-minute Walk around Station

Dashed blue line—Station Area Overlay District

Residential blocks proposed to be withdrawn from Urban Center Boundary

Adapted and excerpted from:

University District Urban Design Framework existing conditions report, Draft June 2012, pgs. 11, 38.
http://www.seattle.gov/dpd/cms/groups/pan/@pan/@plan/@udistrictstudy/documents/web_informational/dpds019212.pdf

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COMPREHENSIVE PLAN AMENDMENT APPLICATION

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(Please Print or Type)

Date: **May 15, 2013**

Applicant: **Hummel Architects, P.C.**

Contact person (if not the applicant): **Ian Morrison**

Mailing Address: **701 Fifth Avenue, Suite 6600**

Email: imorrison@mhseattle.com

City: **Seattle** State: **WA** Zip: **98104** Phone: **206.812.3388**

Name of general area, location, or site that would be affected by this proposed change in text (attach additional sheets if necessary)

Please see attached maps for locations that would be affected by the proposed Comprehensive Plan FLUM change.

If the application is approved for further consideration by the City Council, the applicant may be required to submit a Sate Environmental Policy Act (SEPA) checklist.

Acceptance of this application does not guarantee final approval.

Applicant Signature: _____
Date: 5/15/13

Attachment A

REQUIRED QUESTIONNAIRE: Comprehensive Plan Amendment Application

Please answer the following questions in text and attach them to the application. Supporting maps or graphics may be included. Please answer all questions separately and reference the question number in your answer. The Council will consider an application incomplete unless all the questions are answered. When proposing an amendment, you must show that a change to the Comprehensive Plan is required.

1. Provide a detailed description of the proposed amendment and a clear statement of what the proposed amendment is intended to accomplish. Include the name(s) of the Comprehensive Plan Element(s) (Land Use, Transportation, etc) you propose to amend.

The proposed amendment is a change to the Future Land Use Map ("FLUM") for property located in the Interbay neighborhood Armory area (Parcel Nos. 7666201147, 7666201150, 2325039045, 7666201460, 7666201491, 766201627 and 2771600910).

The amendment would change the Comprehensive Plan designation of the property from "Ballard/Interbay/Northend Manufacturing Industrial Center"/Industrial ("BINMIC") to "Mixed Use/Commercial." The proposed amendment would only amend the FLUM; it does not include a text amendment to the Comprehensive Plan. Conditions related to site specific development could potentially be placed on the amendment in order to address adjacency issues.

a. If the amendment is to an existing Comprehensive Plan goal or policy, and you have specific language you would like to be considered, please show proposed amendments in "line in/line out" format with text to be added indicated by underlining, and text to be deleted indicated with ~~strikeouts~~.

N/A. The proposal does not include changes to the Comprehensive Plan text at this time, although site specific development conditions could be placed on certain areas in order to address adjacency issues.

b. If the proposed amendment would also require a change to the Seattle Municipal Code (SMC), please indicate the SMC section(s) needing amendment. If you have specific language you would like to be considered, please show proposed edits to the SMC in "line in/line out" format as described above.

N/A. The proposal does not include changes to the text of the SMC.

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c. If the amendment is to the Future Land Use Map, please provide a map that clearly outlines the area proposed to be changed.

Please see attached map.

2. Describe how the issue is currently addressed in the Comprehensive Plan. If the issue is not adequately addressed, describe the need for it.

The Comprehensive Plan currently designates the property as "Industrial" and locates them within the BINMIC. Due to the nature of the property and surrounding area, the property should be designated "Mixed Use/Commercial." These properties are not currently in industrial use and are not likely to be in industrial use in the future. Accordingly, the BINMIC/Industrial designation is inappropriate. For more detail, please see below.

3. Describe why the proposed change meets the criteria adopted in Resolution 34102[1] for considering an amendment to the Comprehensive Plan. The criteria are listed at the end of this application form. Is a Comprehensive Plan amendment the best means for meeting the identified public need? What other options are there for meeting the identified public need?

Please see below.

4. What do you anticipate will be the impacts caused by the change in text, including the geographic area affected and the issues presented? Why will the proposed change result in a net benefit to the community?

The community will be benefited by the change in designation of these properties because it will allow redevelopment of non-industrial parcels that are surrounded by non-industrial uses/users in the Interbay neighborhood. The FLUM amendment would also align the Comp Plan designation with existing uses on select parcels, including the existing commercial uses along 15th Avenue W. The FLUM change could ultimately result in the rezoning of these properties to a zone consistent with the Comprehensive Plan. Rezones would occur based on the locational criteria for the underlying zone, resulting in a reduction of commercial areas that are included in the BINMIC/Industrial designations, consistent with the City's MIC policies in the Comprehensive Plan, the PSRC Vision 2040 Plan and the King County Countywide Planning Policies. The FLUM amendment will benefit the community by rendering the Comprehensive Plan and zoning more consistent with the existing conditions.

[1] The Council adopted updated Comprehensive Plan amendment selection criteria in August 2012 through Resolution 31402, which repealed the selection criteria established in Resolution 30662. This Application references the current criteria for Comprehensive Plan amendment selection.

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5. How would the proposed change comply with the community vision statements, goals, objectives, and policies of the Comprehensive Plan? Please include any data, research, or reasoning that supports the proposed amendments.

The proposal complies with the following Comprehensive Plan goals and policies:

<u>FLUM Discussion</u>: The FLUM is a graphic representation of the future of Seattle. It displays where different types of development are planned to occur...FLUM amendments will generally only be considered for significant changes to the intended function of a large area.

Policy LU1: Use the goals and policies included in this Plan to identify on the FLUM the general locations where broad categories of land uses are preferred.

Policy LU2: Generally, FLUM amendments will be required only when significant changes to the intended function of a large area are proposed.

Policy LU4: Ensure that there will continue to be room for the growth targeted for an area when considering changes that could reduce the capacity for jobs or housing.

Response: The area proposed for amendment includes multiple parcels and should therefore be considered large enough to warrant a FLUM change. The currently existing uses on these parcels are not and will not be industrial in nature and should therefore be redesignated in order to make them more consistent with the Comprehensive Plan and its policies.

Goal LUG17: Create strong and successful commercial and mixed-use areas that encourage business creation, expansion and vitality by allowing for a mix of business activities, while maintaining compatibility with the neighborhood-serving character of business districts, and the character of surrounding areas.

Response: The change to Commercial/Mixed Use and out of the BINMIC on this property will allow the expansion of the neighboring commercial/mixed use zones, creating additional commercial depth along 15th Avenue West adjacent to an existing, successful commercial business district.

Policy LU103: Prioritize the preservation, improvement and expansion of existing commercial areas over the creation of new business districts.

Response: The result of the proposal would be to extend the existing, successful Interbay business and mixed use district.

Goal LU134: Use general commercial zones to support existing auto-oriented commercial areas serving a citywide or regional clientele located with ready

access from principal arterials, or areas adjacent to industrial zones. Areas generally appropriate for general commercial zones should be characterized by a predominance of large lots, and limited pedestrian access, where adequate buffers or transitions can be provided between the area and residential areas or commercial areas of lesser intensity.

Response: The property is located adjacent to Commercial zones on the north and Industrial zones to the south and west. The property is buffered from residential uses on the east slope of Queen Anne Hill by 15th Avenue W. and other commercial uses. There are adequate buffers between the property and surrounding residential areas. The northern edge of the proposal abuts the Interbay Golf Center, providing additional transition between the area and residential areas.

The property is inconsistent with the following industrial lands-related Comprehensive Plan goals and policies:

Policy LU140: Designate industrial areas where:

> **1) The primary functions are industrial activity and industrial-related commercial functions**

Response: The primary function of this area is no longer industrial. The property includes a successful, commercial development with grocery anchor tenant.

> **2) The basic infrastructure needed to support industrial uses already exists.**

Response: The types of infrastructure necessary to sustain industrial uses are not available on the property. The property is near a rail line, but has no direct access. The property includes a successful commercial use fronting 15th Avenue W. Furthermore, the property is located in an isolated patch of industrially-designated property between those successful commercial uses and the Interbay Golf Center. The property is isolated to the east and south by existing rail and road infrastructure.

> **3) Areas are large enough to allow the full range of industrial activities to function successfully.**

Response: The property is a large area but lacks the infrastructure needed for successful industrial uses due to the lack of rail connectivity and site constraints.

> **4) There is either sufficient separation or special conditions that reduce the potential for conflicts with development in adjacent, less-intensive areas.**

Response: There is sufficient separation and already has been a change of use in the area, including adjacent commercial uses, which reduce the potential for conflicts.

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BI-P3: Retain existing businesses within the BINMIC and promote their expansion.

Response: Parcels within the property are no longer in industrial use, and instead includes several retail/commercial uses, including a Whole Foods grocery store. The Armory parcels (Parcels No. 7666201147, 7666201150) are currently in Washington State National Guard government service use. Parcel No. 2325039045 is vacant, underutilized land.

BI-P12: Within the BINMIC, water-dependent and industrial uses shall be the highest priority use.

Response: The property has no direct access to water, and water-dependent uses are therefore not able to be located on the property.

6. Is there public support for this proposed text amendments (i.e. have you conducted community meetings, etc.)? Note: The City will provide a public participation process, public notice, and environmental review for all applications.

The property has been part of the discussion related to the 15th Avenue W. corridor study headed by DPD. Neighborhood stakeholders have been meeting for the last six months to determine the best land uses in the Interbay neighborhood and have discussed specifically changes to this property.

Criteria for Comprehensive Plan Amendment Selection (from Resolution 31402)

The following criteria will be used in determining which proposed Comprehensive Plan amendments will be given further consideration:

A. The amendment or policy is appropriate for the Comprehensive Plan because:

- It is consistent with the role of the Comprehensive Plan under the State Growth Management Act;

The proposal is appropriate for a Comp Plan amendment because it is a proposed change to the FLUM. It is consistent with the role of the Comprehensive Plan as it would change the allowed land uses on the property.

- It is consistent with the Countywide Planning Policies and the multi-county policies contained in the Puget Sound Regional Council's Vision 2040 strategy;

The proposal is consistent with the Countywide Planning Policies ("CPPs") and the Vision 2040 strategy. The CPP for manufacturing/industrial centers ("MICs") like the BINMIC discourage large office and retail development

within the boundaries. FW-15(d); FW-16. As the properties include large, retail-oriented commercial uses, the proposal is consistent with the CPPs. The Vision 2040 strategy also discourages non-supportive land uses within MICs, including retail uses.

- Its intent cannot be accomplished by a change in regulations alone;

The proposal cannot be accomplished by a change in development regulation alone. The FLUM amendment is the best method to address site-specific map changes and will allow for future rezoning of the property.

- It is not better addressed as a budgetary or programmatic decision; and

The proposal cannot be accomplished as a budgetary or programmatic change. The FLUM amendment is the best method to address site-specific map changes.

- It is not better addressed through another process, such as neighborhood planning.

No. The proposal is not better addressed through another planning process. The FLUM amendment is the best method to address site-specific map and land use changes.

The proposal complements the ongoing discussion set forth in the Ballard/Interbay/15th Avenue corridor study, which has not been adopted by the City.

B. The amendment is legal under state and local law.

Yes. The proposal is consistent with the GMA and Seattle Municipal Code, both which authorize amendments to the FLUM.

C. It is practical to consider the amendment because:
- The timing of the amendment is appropriate and Council will have sufficient information to make an informed decision;

Yes. The proposal is part of the City's annual Comprehensive Plan amendment process; the Council will obtain the information for an informed decision.

City staff will be able to develop within the time available the text for the Comprehensive Plan and, if necessary, amendments to the Municipal Code, and to conduct sufficient analysis and public review.

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Yes. Staff is assumed to give itself sufficient time through the Comprehensive Plan annual amendment process to conduct analysis and develop policy regarding the proposal. The proposal is a FLUM amendment and will not likely require text amendments to the Comprehensive Plan or Municipal Code

- The amendment is consistent with the overall vision of the Comprehensive Plan and well-established Comprehensive Plan policy, or the Mayor or Council wishes to consider changing the vision or established policy; and

Yes. The proposal is consistent with the Comprehensive Plan policies regarding industrial properties, MICs and adjacent uses.

- The amendment has not been recently rejected by the City Council.

This specific amendment has not been proposed. The proposal includes the Armory site and privately owned parcels on both sides of Armory Way.

D. If the amendment would change a neighborhood plan, it either is the result of a neighborhood review process or can be reviewed by such a process prior to final Council consideration of the amendment.

There are no proposed changes to neighborhood planning policies.

E. The amendment is likely to make a material difference in future City regulatory or funding decisions.

The proposal will likely make a material difference in the City's future land use and funding decisions by preserving the consistency of the Comprehensive Plan and removing inconsistent, commercial land uses within the BINMIC.

The proposal may promote opportunities for additional commercial uses, increasing the retail tax base within the City while preserving and supporting industrial areas that are more appropriately designated for existing conditions.

Attachment A

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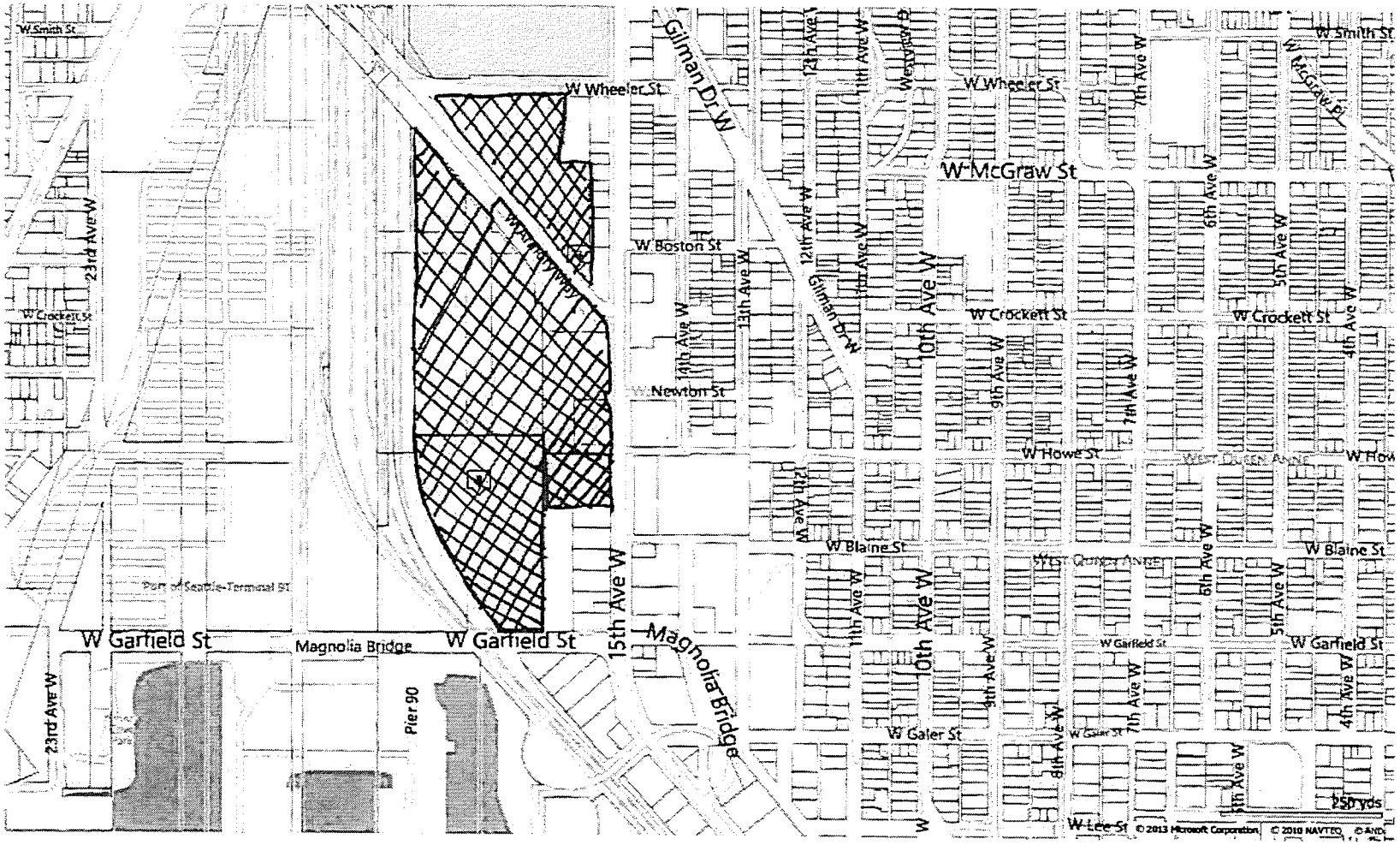
Proposed FLUM amendment



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City of Seattle
COMPREHENSIVE PLAN AMENDMENT APPLICATION

Use this application to propose a change in the policies, future land use map, appendices, or other components of the adopted City of Seattle Comprehensive Plan. Applications are due to the Seattle City Council no later than **5:00 p.m. on May 15th** for consideration in the next annual review cycle. Any proposals received after May 15th will be considered in the review process for the following year.

(Please Print or Type)

Date: **May 15, 2013**

Applicant: **1290 Broadway REIT, LLC d/b/a Block at Ballard II, LLC**

Contact person (if not the applicant): **Ian Morrison**

Mailing Address: 701 5th Avenue, Suite 6600

Email: imorrison@mhseattle.com or jack@mhseattle.com or jessica@mhseattle.com

City: **Seattle** State: **WA** Zip: **98104** Phone: **206-812-3388**

Name of general area, location, or site that would be affected by this proposed change in text (attach additional sheets if necessary)

Please see attached maps for locations that would be affected by the proposed Comprehensive Plan FLUM change.

If the application is approved for further consideration by the City Council, the applicant may be required to submit a State Environmental Policy Act (SEPA) checklist.

Acceptance of this application does not guarantee final approval.

Applicant Signature: _____

Date: 5/15/13

Attachment A

REQUIRED QUESTIONNAIRE: Comprehensive Plan Amendment Application

Please answer the following questions in text and attach them to the application. Supporting maps or graphics may be included. Please answer all questions separately and reference the question number in your answer. The Council will consider an application incomplete unless all the questions are answered. When proposing an amendment, you must show that a change to the Comprehensive Plan is required.

1. Provide a detailed description of the proposed amendment and a clear statement of what the proposed amendment is intended to accomplish. Include the name(s) of the Comprehensive Plan Element(s) (Land Use, Transportation, etc.) you propose to amend.

a. If the amendment is to an existing Comprehensive Plan goal or policy, and you have specific language you would like to be considered, please show proposed amendments in "line in/line out" format with text to be added indicated by underlining, and text to be deleted indicated with ~~strikeouts~~.

b. If the proposed amendment would also require a change to the Seattle Municipal Code (SMC), please indicate the SMC section(s) needing amendment. If you have specific language you would like to be considered, please show proposed edits to the SMC in "line in/line out" format as described above.

c. If the amendment is to the Future Land Use Map, please provide a map that clearly outlines the area proposed to be changed.

The properties that are the subject of this amendment application are currently designated "Industrial" by the Comprehensive Plan, and are located within the Ballard/Interbay Manufacturing/Industrial Center ("BINMIC"). The proposed amendment would designate the properties "Mixed Use/Commercial" in the Future Land Use Map ("FLUM") and would remove these properties from the BINMIC. Please see attached maps. The proposed amendment is a simple change to the FLUM, and does not propose a change to the text of the Comprehensive Plan.

2. Describe how the issue is currently addressed in the Comprehensive Plan. If the issue is not adequately addressed, describe the need for it.

The Comprehensive Plan FLUM currently designates the properties as Industrial, and locates them within the BINMIC. These properties are not in industrial use, and are not likely ever to be in industrial use. The properties are therefore not appropriate for designation as industrial, nor appropriate for location within the BINMIC. The change is needed to create consistency between land uses and the Comprehensive Plan.

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3. Describe why the proposed change meets the criteria adopted in Resolution 31402[1] for considering an amendment to the Comprehensive Plan. The criteria are listed at the end of this application form. Is a Comprehensive Plan amendment the best means for meeting the identified public need? What other options are there for meeting the identified public need?

Please see below. The most effective way to preserve the integrity of the BINMIC is to remove those properties with existing and long-term incompatible uses from the MIC. No other options, other than a FLUM change, exist to cure the inconsistency of the existing, long-term uses with the MIC policies.

4. What do you anticipate will be the impacts caused by the change in text, including the geographic area affected and the issues presented? Why will the proposed change result in a net benefit to the community?

The FLUM change would ultimately result in a rezoning of the properties to a zone consistent with the Comprehensive Plan, the FLUM designation for which is proposed to be Mixed Use/Commercial. Rezones would occur based on the locational criteria for the underlying zone. It would result in a reduction of the areas presently in commercial uses that are included in the BINMIC, consistent with MIC policies in the Comprehensive Plan, in PSRC VISION 2040, and in the King County Countywide Planning Policies. The proposed change will result in a net benefit to the community because it will render the Comprehensive Plan/zoning more conforming to the actual existing conditions, and will create more opportunities for the further development of an existing, established commercial corridor on 15th Avenue NW.

5. How would the proposed change comply with the community vision statements, goals, objectives, and policies of the Comprehensive Plan? Please include any data, research, or reasoning that supports the proposed amendments.

The properties are currently in commercial and/or retail use. This is inconsistent with the Seattle Comprehensive Plan, PSRC VISION 2040, and King County Countywide Planning Policies for MICs. The redesignation of these properties to Mixed Use/Commercial, thereby removing the properties from the MIC, would create more consistency with the following policies:

<u>Seattle Citywide Land Use Policies</u>

> **<u>Discussion</u>: The FLUM is a graphic representation of the future of Seattle. It displays where different types of development are planned**

[1] The Council adopted updated Comprehensive Plan amendment selection criteria in August 2012 through Resolution 31402, which repealed the selection criteria established in Resolution 30662. This Application references the current criteria for Comprehensive Plan amendment selection.

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to occur...FLUM amendments will generally only be considered for significant changes to the intended function of a large area.

LU1: Use the goals and policies included in this Plan to identify on the FLUM the general locations where broad categories of land uses are preferred.

LU2: Generally, FLUM amendments will be required only when significant changes to the intended function of a large area are proposed.

LU4: Ensure that there will continue to be room for the growth targeted for an area when considering changes that could reduce the capacity for jobs or housing.

Response: The area proposed for amendment includes many parcels and should therefore be considered large enough to warrant a FLUM change. The currently existing uses on these parcels are not and will not be industrial in nature and should therefore be redesignated in order to make them more consistent with the Comprehensive Plan and its policies.

Seattle Location-Specific Land Use Policies

UV12: Manufacturing/Industrial centers are intended to maintain viable industrial activity and promote industrial development.

Response: The properties located in the amendment area are not in industrial use and have no realistic prospect of converting to industrial use. To maintain the viability of the BINMIC as an industrial area, these sites should be excluded from the BINMIC. The non-industrial uses existing on these properties include, but are not limited to:

- Ballard Blocks I development, approximately 131,000 s.f. of intensive retail and parking uses that include Trader Joe's, LA Fitness, Counterburger, and other similar non-industrial uses.
- Permitted Ballard Blocks II development, an approximately 270,000 s.f. entitled development with intensive office and retail uses.
- PATH office building, approximately 90,000 s.f. office building constructed in 1991.
- Mars Hill Church, an approximately 40,000 s.f. church opened in this location in 2003
- Haight Roofing Company, an approximately 5,000 s.f. office building
- Stoneway Hardware, a retail store that sells plumbing supplies, electrical supplies, painting supplies, housewares, and lawn and garden supplies.
- Les Schwab Tires, an approximately 3,200 s.f. retail store

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- Louie's Chinese Restaurant, an approximately 7,500 s.f. restaurant with associated parking area.
- Nelson Chevrolet Auto Showroom and Lot
- Miller Paint Company

UVG22: Ensure that adequate accessible industrial land remains available to promote a diversified employment base and sustain Seattle's contribution to regional high-wage job growth.

Response: The proposed amendment does nothing to impact the existing uses on the property, which are non-industrial and already not contributing to the regional industrial land base. The amendment would take approximately 10 acres out of the 970-acre BINMIC that are not well-suited for inclusion in the BINMIC per Comprehensive Plan criteria (see below).

UVG23: Promote the use of industrial land for industrial purposes.

UVG24: Encourage economic activity and development in Seattle's industrial areas by supporting the retention and expansion of existing industrial businesses and by providing opportunities for the creation of new businesses consistent with the character of industrial areas.

Response: The properties are non-industrial and therefore do not require support related to industrial businesses.

UV23: Strive to retain and expand existing manufacturing and industrial activity.

Designate as manufacturing/industrial centers areas that are generally consistent with the following criteria and relevant CPPs:

1. Zoning that promotes manufacturing, industrial, and advanced technology uses and discourages uses that are not compatible with industrial uses.

Response: While the existing zoning may discourage incompatible uses, uses exist on all of the properties that are incompatible with industrial uses. Such uses include high-intensity retail and commercial development, which are specifically called out as incompatible with industrial uses. In addition, these incompatible uses will remain for decades to come. There is effectively no likelihood that industrial uses will be located on these properties in the future.

2. Buffers protecting adjacent, less intensive land uses from the impacts associated with the industrial activity in these areas (such

buffers shall be provided generally by maintaining existing buffers, including existing industrial buffer zones).

Response: Currently, the properties are actually located *within* the BINMIC, creating zero buffer between these commercial/retail properties and the industrial core.

3. Sufficient zoned capacity to accommodate a minimum of 10,000 jobs.

Response: Following removal of these properties from the BINMIC, the BINMIC will continue to have zoned capacity to accommodate a minimum of 10,000 jobs.

4. Large, assembled parcels suitable for industrial activity.

Response: Several of the properties included in the proposal are not large enough for industrial activity. The properties that are large enough for industrial activity are already in use or entitled as large scale commercial/retail uses that are incompatible with industrial activity. These incompatible developments represent tens of millions of dollars in capital investment and will therefore remain for decades.

5. Relatively flat terrain allowing efficient industrial processes.

Response: The terrain is relatively flat; however, the parcels are not in industrial use, as mentioned.

6. Reasonable access to the regional highway, rail, air and/or waterway system for the movement of goods.

Response: The properties lack connection to rail or water transportation systems, and are not adjacent to a regional highway system. The properties are located adjacent to 15th Avenue NW, which is designated as a freight corridor, but has developed into a mixed use/commercial/retail corridor north of the Ballard Bridge. Several major bus lines serve 15th Avenue NW, and the street is targeted for Rapid Ride bus service intended to serve the commercial and residential needs of Ballard and Northwest Seattle.

UV23: Maintain land that is uniquely accessible to water, rail, and regional highways for continued industrial use.

Response: See response to UV23.6 above.

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UV24: Limit in MICs those commercial or residential uses that are unrelated to the industrial function, that occur at intensities posing short- and long-term conflicts for industrial uses, or that threaten to convert significant amounts of industrial land to non-industrial uses.

Response: The properties in the proposal are already in long-term use as intensive commercial/retail activities that may create short and long term conflicts for industrial uses. These uses will be located on the properties for decades. Removing these properties/uses from the BINMIC will better protect the long-term integrity and industrial function of the BINMIC.

Seattle BINMIC Policies

BI-P1: Accept growth target of at least 3800 new jobs for the BINMIC by 2014.

BI-P2: Preserve land in the BINMIC for industrial activities such as manufacturing, warehousing, marine uses, transportation, utilities, construction and services to businesses.

BI-P3: Retain existing businesses within the BINMIC and promote their expansion.

BI-P4: Attract new businesses to the BINMIC.

BI-P5: Recognize the industrial businesses in the BINMIC have the right to enjoy the lawful and beneficial uses of their property.

BI-P8: Maintain the BINMIC as an industrial area and work for ways that subareas within the BINMIC can be better utilized for marine/fishing, high tech, or small manufacturing industrial activities.

BI-P12: Within the BINMIC, water-dependent and industrial uses shall be the highest priority use.

Response: The properties in the proposal are no longer consistent with the BINMIC neighborhood plan policies. The properties in the proposal are being used as intensive commercial and retail activities that will create short-and long-term conflicts with industrial uses. The uses located in these properties will be located there for decades, thereby reducing the amount of new industrial businesses that could be attracted to the area. In addition, several of the parcels are not large parcels well-suited to industrial uses. The largest parcels consist of a major office building, a large church, and two very large commercial/retail buildings. Practically speaking, these parcels will not ever be available for industrial use. Finally, the parcels are neither water-dependent nor are they industrial. The Industrial Lands Background Report completed in 2007 identifies that access to the water is one of the main reasons for industrial uses to be located in the BINMIC; these parcels have no

access to the water. The uses are not consistent with the BINMIC and no longer belong in the BINMIC. Removing these properties/uses from the BINMIC will better protect the long-term integrity and industrial function of the BINMIC.

Seattle Mixed-Use Commercial Area Policies.

LUG17: Create strong and successful commercial and mixed-use areas that encourage business creation, expansion and vitality by allowing for a mix of business activities, while maintaining compatibility with the neighborhood-serving character of business districts, and the character of surrounding areas.

LUG18: Support the development and maintenance of areas with a wide range of characters and functions that provide for the employment, service, retail and housing needs of Seattle's existing and future population.

LU103: Prioritize the preservation, improvement, and expansion of existing commercial areas over the creation of new business districts.

LU105: Designate as mixed-use commercial areas, existing areas that provide locations for accommodating the employment, service, retail and housing need of Seattle's existing and future population. Allow for a wide range in the character and function of individual areas consistent with the urban village strategy.

LU106: Provide a range of commercial zone classifications, which provide different mixes and intensities of activity, varying scales of development, varying degrees of residential or commercial orientation, and varying degrees of pedestrian or auto orientation and relationship to surrounding areas depending on their role in the urban village strategy and community goals as voiced in adopted neighborhood plans.

Response: The proposed properties are consistent with the Mixed Use/Commercial policies in the comprehensive plan. The properties are currently in commercial use, and would therefore not constitute an expansion of a commercial area. Redesignation to Mixed Use/Commercial on the FLUM will help support the development of these commercial uses, and will further support the current development of the 15th Avenue corridor north of the Ballard Bridge into an attractive corridor. In addition, any subsequent rezones would require compliance with the locational criteria for the chosen zones, which would allow for determination of the appropriate type of mixed use/commercial zoning based on each property's characteristics.

PSRC VISION 2040 policies

MICs are primarily locations of more intense employment and are typically not appropriate for housing. VISION 2040 calls for the recognition and

preservation of existing centers of intensive manufacturing and industrial activity and the provision of infrastructure and services necessary to support these areas. These centers are important employment locations that serve both current and long-term economic objectives. VISION 2040 discourages non-supportive land uses in MICs, such as retail or non-related offices.

MPP-Ec-19: Maximize the use of existing designated MICs by focusing appropriate types and amounts of employment growth in these areas and by protecting them from incompatible adjacent uses.

Response: The properties are located within an existing MIC. PSRC policies require the preservation of existing industrial activity; however, these properties are not in industrial use, and do not serve long-term industrial economic objectives. The properties are developed with non-supportive land uses (retail, office), and are incompatible with MIC policies. The incompatible commercial uses within the MIC will remain for decades; to preserve the integrity and industrial nature of the MIC, and to preserve the consistency of the properties with the Comprehensive Plan, the properties should be removed from the BINMIC.

6. Is there public support for this proposed text amendments (i.e. have you conducted community meetings, etc.)? Note: The City will provide a public participation process, public notice, and environmental review for all applications.

Response: Community meetings have not yet been conducted as part of this proposal; however, the proponents have engaged the City of Seattle in discussion related to this issue which has resulted in the two-part 15th Avenue corridor study.

Criteria for Comprehensive Plan Amendment Selection (from Resolution 31402)

The following criteria will be used in determining which proposed Comprehensive Plan amendments will be given further consideration:

A. The amendment or policy is appropriate for the Comprehensive Plan because:

- **It is consistent with the role of the Comprehensive Plan under the State Growth Management Act;**

  Response: The proposal is appropriate for a Comp Plan amendment because it is a proposed change to the FLUM. It is consistent with the role of the Comprehensive Plan.

It is consistent with the Countywide Planning Policies and the multi-county policies contained in the Puget Sound Regional Council's Vision 2040 strategy:

Response: The proposal is consistent with the Countywide Planning Policies ("CPPs") and the Vision 2040 strategy. The CPP for manufacturing/industrial centers ("MICs") like the BINMIC discourage large office and retail development within the boundaries. *See* FW-15(d); FW-16. As the properties include large, retail-oriented commercial uses, the proposal is consistent with the CPPs. The Vision 2040 strategy also discourages non-supportive land uses within MICs, including retail uses. *See* MPP Ec-19 (protect MICs from "incompatible adjacent uses").

- **Its intent cannot be accomplished by a change in regulations alone;**

  Response: The proposal cannot be accomplished by a change in development regulation alone. The FLUM amendment is the best method to address site-specific map changes.

- **It is not better addressed as a budgetary or programmatic decision; and**

  Response: The proposal cannot be accomplished as a budgetary or programmatic change. The FLUM amendment is the best method to address site-specific map changes.

- **It is not better addressed through another process, such as neighborhood planning.**

Response: The proposal is not better addressed through another planning process. The FLUM amendment is the best method to address site-specific map changes.

B. The amendment is legal under state and local law.

Response: The amendment is legal. It creates consistency between the existing uses on the properties and with the Comprehensive Plan. The change is consistent with VISION 2040 policies related to MICs, and to the Comprehensive Plan policies related to MICs and specifically to the BINMIC, which states that the BINMIC should be protected from incompatible uses.

C. It is practical to consider the amendment because:

- **The timing of the amendment is appropriate and the Council will have sufficient time to make an informed decision;**

Response: Yes. The proposal is part of the City's annual Comprehensive Plan amendment process; the Council will obtain the information for an informed decision.

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- **City staff will be able to develop within the time available the text for the Comprehensive Plan and, if necessary, amendments to the Municipal Code, and to conduct sufficient analysis and public review;**

Response: Yes. Staff is assumed to give itself sufficient time through the Comprehensive Plan annual amendment process to conduct analysis and develop policy regarding the proposal. The proposal is a FLUM amendment and will not require text amendments to the Comprehensive Plan or Municipal Code.

- **The amendment is consistent with the overall vision of the Comprehensive Plan and well-established Comprehensive Plan policy, or the Mayor or Council wishes to consider changing the vision or established policy; and**

Response: Yes. The proposal is consistent with the Comprehensive Plan policies regarding industrial properties, MICs and adjacent uses.

- **The amendment has not recently been rejected by the City Council.**

Response: The proposal is similar to previous amendments; however, the previous rejection was based on the potential SDOT/DPD 15th Avenue Corridor Study which is now ongoing. The Study is limited to parcels south of the 15th Avenue Bridge and does not include the property included in the proposal. Accordingly, the amendment is timely and appropriate for consideration in the current Comprehensive Plan cycle.

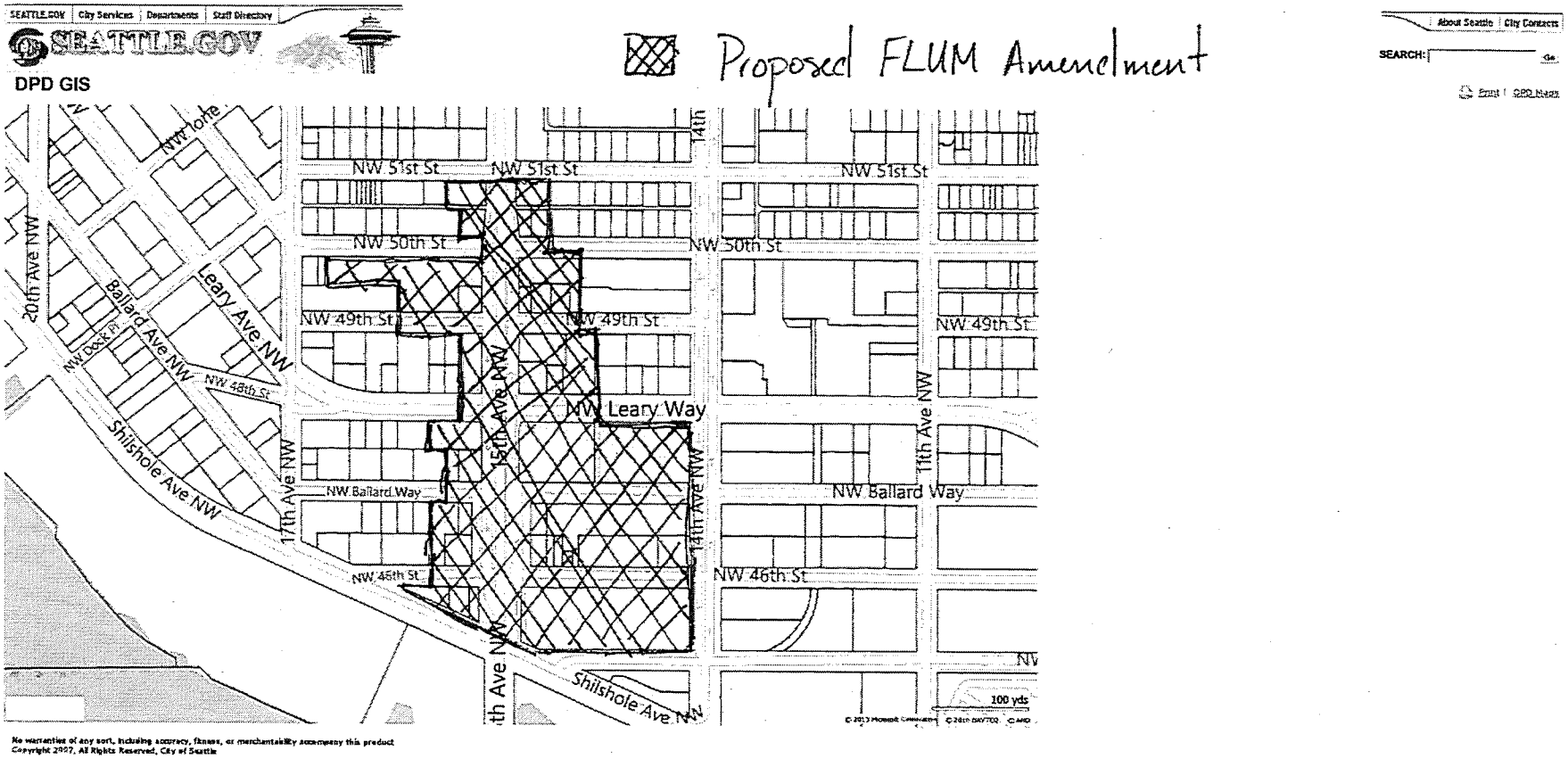
D. If the amendment would change a neighborhood plan, it either is the result of a neighborhood review process or can be reviewed by such a process prior to the final Council consideration of the amendment.

Response: The proposal does not change a neighborhood plan.

E. The amendment is likely to make a material difference in a future City regulatory or funding decision.

Response: The proposal will likely make a material difference in the City's future land use and funding decisions by preserving the consistency of the Comprehensive Plan and removing inconsistent, commercial land uses within the BINMIC. The proposal may promote opportunities for additional commercial uses, increasing the retail tax base within the City while preserving and supporting industrial areas that are more appropriately designated for existing conditions.

Attachment A


SEATTLE.GOV
DPD GIS
Proposed FLUM Amendment
NW 51st St
NW 50th St
NW 49th St
NW 48th St
NW Leary Way
NW Ballard Way
NW 46th St
20th Ave NW
Ballard Ave NW
Leary Ave NW
Shilshole Ave NW
17th Ave NW
15th Ave NW
14th Ave NW
11th Ave NW
100 yds
No warranties of any sort, including accuracy, fitness, or merchantability accompany this product
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City of Seattle
COMPREHENSIVE PLAN AMENDMENT APPLICATION

Use this application to propose a change in the policies, future land use map, appendices, or other components of the adopted City of Seattle Comprehensive Plan. Applications are due to the Seattle City Council no later than **5:00 p.m. on May 15th** for consideration in the next annual review cycle. Any proposals received after May 15th will be considered in the review process for the following year.

(Please Print or Type)

Date: **May 7, 2013**

Applicant: **4000 Property LLC**

Contact person (if not the applicant): **Brent Carson, Partner, Van Ness Feldman GordonDerr; David Van Skike, Planner, Van Ness Feldman GordonDerr**

Mailing Address: **719 2nd Avenue, Suite 1150**

City: **Seattle** State: **WA** Zip: **98104** Phone: **206-623-9372**

Email: **brc@vnf.com; dvs@vnf.com**

Name of general area, location, or site that would be affected by this proposed change in text (attach additional sheets if necessary).

Property owned by 4000 Property LLC; King County Tax Parcel 152504-9010. See Map A.

If the application is approved for further consideration by the City Council, the applicant may be required to submit a State Environmental Policy Act (SEPA) checklist.

Acceptance of this application does not guarantee final approval.

Applicant Signature: Vik, its President Date: May 10, 2013

REQUIRED QUESTIONNAIRE: Comprehensive Plan Amendment Application

Please answer the following questions in text and attach them to the application. Supporting maps or graphics may be included. Please answer all questions separately and reference the question number in your answer. The Council will consider an application incomplete unless all the questions are answered. When proposing an amendment, you must show that a change to the Comprehensive Plan is required.

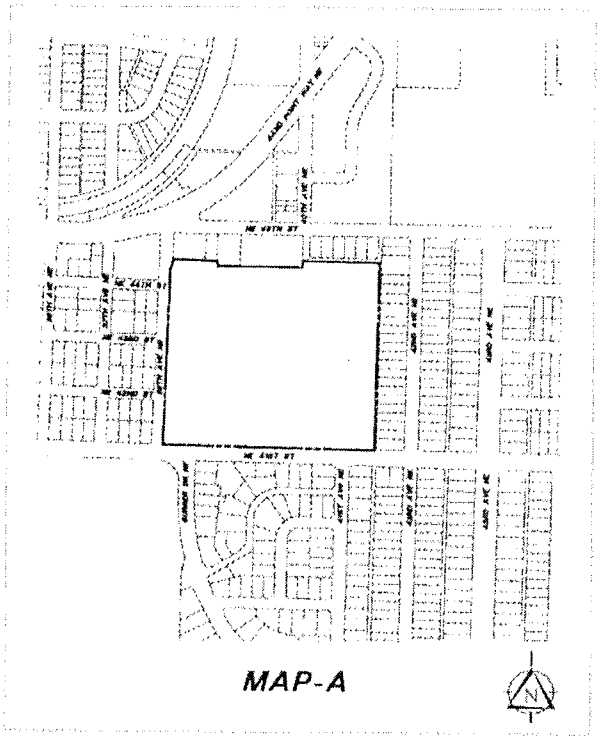
1. Provide a detailed description of the proposed amendment and a clear statement of what the proposed amendment is intended to accomplish. Include the name(s) of the Comprehensive Plan Element(s) (Land Use, Transportation, etc) you propose to amend.

a. If the amendment is to an existing Comprehensive Plan goal or policy, and you have specific language you would like to be considered, please show proposed amendments in "line in/line out" format with text to be added indicated by underlining, and text to be deleted indicated with ~~strikeouts~~.

b. If the proposed amendment would also require a change to the Seattle Municipal Code (SMC), please indicate the SMC section(s) needing amendment. If you have specific language you would like to be considered, please show proposed edits to the SMC in "line in/line out" format as described above.

c. If the amendment is to the Future Land Use Map, please provide a map that clearly outlines the area proposed to be changed.

This amendment would revise the Future Land Use Map designation of the property owned by 4000 Property LLC from Single Family to Multi-Family. The area in question as shown on the attached Map A depicted below.



A companion proposal to amend the Land Use Code's single family rezone criteria for this site has been filed with the Department of Planning and Development. See Attachment A. The proposed text amendment would read as follows:

SMC 23.34.010 Designation of single-family zones

D. Areas zoned single-family within the map area shown as Map A for Section SMC 23.34.010, that consist of one or more lots and meet the criteria for single-family zoning contained in subsection B of Section 23.34.011 may be rezoned through a contract rezone and concurrent development agreement to multifamily and/or neighborhood commercial zones if the Comprehensive Plan Future Land Use Map designation is a designation other than Single Family and the proposed development preserves significant areas of open space and reasonable public access.

E. The proposed development agreement may set forth development standards that vary from otherwise applicable development regulations, subject to the following limitations:

1. Any additional structure height allowed may not exceed a base height limit of 47 feet. Uses prohibited in the underlying zone shall not be permitted;

Together, adoption of the Future Land Use Map amendment and the text amendment would allow 4000 Property LLC to request a contract rezone of its property and a development agreement to implement a Low Impact Residential project that has been discussed with the city and the community for the past year. The Low Impact Residential project would develop between 250 and 333 new multifamily units and 8 single family residences. The apartments would provide housing for a mix of incomes and would be built on existing foundations and on new foundations tucked near existing trees to provide effective screening. The bulk of the site would be preserved in publicly accessible open space.

2. Describe how the issue is currently addressed in the Comprehensive Plan. If the issue is not adequately addressed, describe the need for it.

The site in question is designated Single Family on the Future Land Use Map of the Comprehensive Plan. The site is zoned Single Family 5000 (SF 5000). However, this unique 18-acre site has never been platted for Single Family use. Rather, it has been used as a non-conforming Institute for Advanced Study.

The site was originally developed by Battelle Memorial Research Institute in the 1960s as a research facility. 4000 Property LLC purchased the site in 2000 to house the Talaris Research Institute, which conducted research on early childhood development. In 2011, the Talaris Research Institute completed its research and the intellectual property was sold. A modest conference center use remains on the site.

4000 Property LLC has been looking for a long-term sustainable use for this property. The owner worked with philanthropic advisors and commercial real estate brokers to

find another non-profit user but was unsuccessful. The code prohibitions on expansion of these uses, parking limitations, and the limited size of the facility, make the property uncompetitive for non-profit research tenants.

The owner could develop the site with a single family plat, as allowed under existing zoning. As described in a 2004 Environmental Impact Statement, the property could be redeveloped into 90 Single Family lots. The site would require mass grading and excavation. Most of the mature trees and landscaping would be removed. Such a plat would eliminate the publicly accessible open space that has been valued by the community. The resulting development pattern would match much of the nearby blocks in Laurelhurst. The single family homes in this plat, like other homes in Laurelhurst, would be priced for upper income individuals.

4000 Property prefers redevelopment of the site based on its Low Impact Residential plan. That plan requires multifamily zoning for the site. Given the Single Family designation on the Future Land Use Map and LU59, such a rezone would be precluded. By amending the designation to Multifamily and by approving the companion Land Use Code text amendment, the City Council would provide the owner with the opportunity to apply for a contract rezone and development agreement seeking to implement the Low Impact Residential development option.

3. Describe why the proposed change meets the criteria adopted in Resolution 30662 for considering an amendment to the Comprehensive Plan. The criteria are listed at the end of this application form. Is a Comprehensive Plan amendment the best means for meeting the identified public need? What other options are there for meeting the identified public need?

A full response to the criteria in Resolution 30662 is provided below. The Future Land Use Map amendment is needed to allow a multifamily rezone of the site in order to achieve the Low Impact Residential development option.

4. What do you anticipate will be the impacts caused by the change in text, including the geographic area affected and the issues presented? Why will the proposed change result in a net benefit to the community?

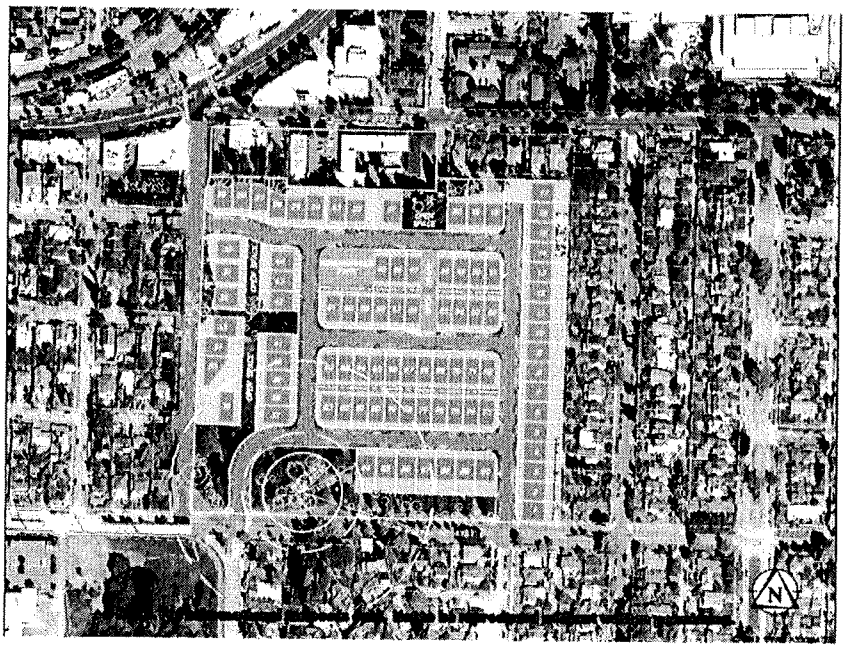
The primary effect of the map change from Single Family to Multifamily is procedural. Under the proposed Future Land Use Map amendment and proposed Land Use Code text amendment, future redevelopment of the site to multifamily as outlined below, would only occur with approval of a concurrent contract rezone and development agreement.

Whether or not this map amendment and subsequent rezone are granted, the site will be redeveloped. 4000 Property has evaluated two viable options for that redevelopment, one would conform to the current land use designation and zoning, the preferred option requires a rezone. The rezone requires a Future Land Use Map amendment and the Land Use Code text amendment.

The impacts from the proposed amendment can best be explained by first examining the impacts from the Single Family Development Option.

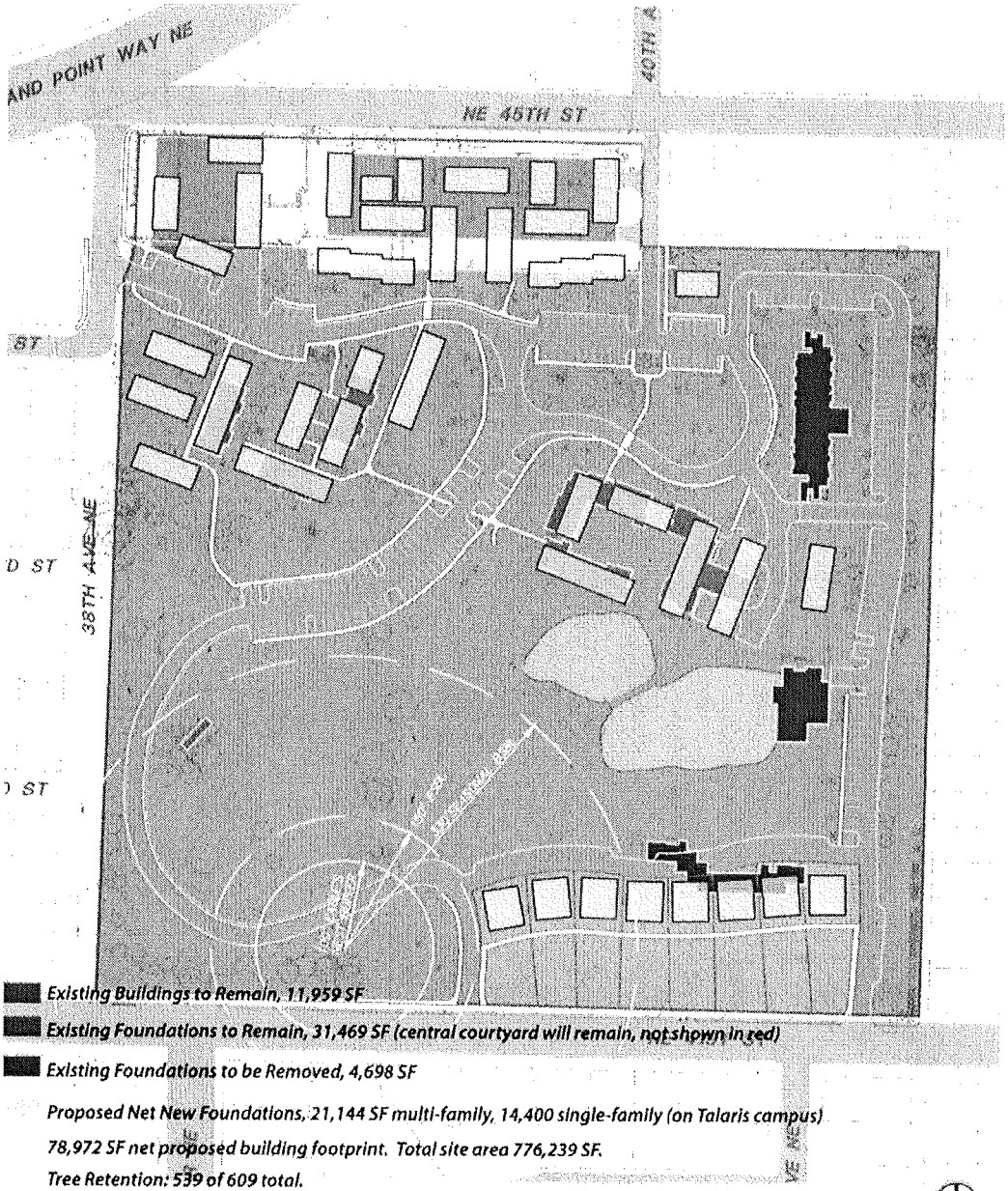
Single Family Development Option

As noted above, the 2004 FEIS examined impacts from redevelop of the property into 90 Single Family lots conforming to the existing single family zoning standards. The site would require mass grading and excavation. Most of the mature trees and landscaping, including the iconic ponds and fountains, would be removed. The resulting development pattern would match much of the nearby blocks in Laurelhurst. A conceptual site plan for this option is presented below.



Preferred Low Impact Residential Option

The requested Land Use Map Amendment, text amendment and subsequent contract rezone and development agreement would allow for a sustainable redevelopment of the site. The Low Impact Residential alternative would re-use existing foundations and preserve the bulk of the site's existing open space. This option would yield between 250 and 333 market rate apartment and townhouse units and a short plat for 8 single family residences along NE 41th Street. A conceptual site plan for this option is presented below.



The final size and distribution of multifamily units is not yet determined but apartments as small as 330 square feet and as large as 1500 feet would be available. Smaller units could rent for less than $1,000 while larger penthouse units could rent for up to $4,000. As such, this new neighborhood would offer housing for a mix of incomes with many units targeted at the local workforce housing market and individuals wishing to downsize from larger homes later in life. The primary objectives for this development plan are:

- **Maintain the extensive open space and mature landscaping to preserve its natural beauty and to enhance walkability of the neighborhood.**
- **Provide a housing option for residents seeking to downsize, for employees wanting to be part of a walkable community, and for young families wanting to raise children in a safe and vibrant neighborhood.**
- **Make use of advanced conservation technology that would substantially conserve energy and natural resources.**
- **Make use of a substantial portion of the siding, beams and framing materials from the older structures repurposed into the new structures.**
- **Maximize retention of mature trees and native plants.**
- **Minimize new building footprints and impervious surfaces.**

The goal would be to use virtually all of the existing infrastructure including building foundations, drainage, utilities, and roadways to minimize excavation and grading. Only minimal earthwork will be required for new building foundations in strategic locations. Coordinating redevelopment with the existing buildings along the NE 45th Street corridor would focus use intensity and vehicular access and parking at the northern edge of the property. Approximately 86% of the existing trees would remain intact with new residential buildings tucked into the mature tree canopy. Clear cedar building materials would be reclaimed and reused.

The Low Impact Residential option, made possible by the proposed Amendment, has a clear net benefit to the broader community because it would preserve open space, provide affordable and innovative housing and would allow the site to remain largely intact. If the map amendment were not granted, the site would be developed with a single family plat.

5. How would the proposed change comply with the community vision statements, goals, objectives, and policies of the Comprehensive Plan? Please include any data, research, or reasoning that supports the proposed amendments.

Response:

The property is not located in an area with an adopted neighborhood plan.

The proposal would further several objectives and policies of the Comprehensive Plan.

LUG11 Encourage the development and retention of a diversity of multifamily housing types to meet the diverse needs of Seattle's present and future populations.

> **The amendment would support development of a mixed income multifamily community while preserving much of the site in publicly accessible open space.**

LUG12 Promote a residential development pattern consistent with the urban village strategy, with increased availability of housing at densities that promote walking and transit use near employment concentrations, residential services and amenities.

The property proposed for this map amendment, like many sites with multifamily zoning, lies just outside of an Urban Village. The site is within walking distance to both Children's Hospital and the University of Washington, both major employment centers. The site would be interconnected with the commercial district along NE 45th Street. Increasing density on this site can provide greater opportunities for improved pedestrian, transit and Link Light Rail connections.

LU59 Permit up zones of land designated single-family and meeting single-family rezone criteria, only when all of the following conditions are met...

LU 59 provides limitations for rezoning land that is designated on the future land use map of the Comprehensive Plan for single family use. However, LU 59 does not limit the City Council's ability to revise the future land use map in order to redesignate property from single family to multifamily use. Once property is designated on the future land use map as multifamily, the rezone limitations of LU 59 no longer apply to that property. If there were any question as to the meaning of LU 59 we would recommend that the City Council clarify the language in this policy by revising "designated single family" to "designated single family on the future land use map" in order to confirm that LU 59 is not intended to limit the City Council's authority under GMA to make Land Use Map Amendments and thereafter consider rezoning consistent with the future land use map.

LU72 Maintain a variety of multifamily zoning classifications to permit development at low, moderate and high densities with a variety of scales and configurations appropriate to the specific conditions and development objectives of different areas within the city.

As described above, the site conditions in this case are unique. The map amendment would allow residential development at increased density but in a manner sensitive to surrounding single family homes.

LUG14 Create transitions in development intensity between single-family zones and more intensive multifamily or commercial areas.

As described in the response to LUG 12, the reuse of existing foundations along the northern central portions of the site means that the multifamily uses will be buffered from the south, east and west by existing landscaping and vegetation and will transition to the commercial and existing Multifamily zoning located along the northern border of the site.

LU92 Establish a range of low-density multifamily zones to accommodate a range of housing choices that

- *Provide opportunities for multifamily infill development compatible with surrounding zones;*

  The map amendment would allow for a very compact redevelopment that, due to the configuration of the existing lot and surrounding topography and landscaping, would be well buffered from adjacent single family homes.

- *Allow for densities and building types that encourage both new construction and the conversion of existing structures; and*

  As described above, the redevelopment that would be allowed by a future rezone would take advantage of the existing foundations to convert the existing developed footprints to residential. The site would be left largely in its current state. The future rezone would result in significantly less development coverage than the alternative single family plat option while providing more residential units and apartments for individuals and families with a broader range of incomes.

- *Provide for multifamily development where units have direct access to residential amenities, which may include ground-level open space, to increase opportunities for families with children.*

  By preserving the existing open space, the site would be providing a very unique community setting with an abundance of open space for passive use. While the unit count and breakdown is not yet known, it is likely that some units would be of a size and type to support young families with children.

HG4 Achieve a mix of housing types that are attractive and affordable to a diversity of ages, incomes, household types, household sizes, and cultural backgrounds.

This map amendment provides an opportunity for a true mixed income community, near several major employers including Children's Hospital and the University of Washington, in a setting that takes advantage of existing development without requiring major new infrastructure, mass grading or substantial vegetation removal. Although the final size and distribution of units under the Low Impact Residential option has not yet been determined, units as small as 330 square feet and as large as 1,500 feet would be available. Smaller units could rent for less than $1,000 while larger penthouse units could rent for up to $4,000. The single family alternative would not achieve this goal.

HG6 Encourage and support accessible design and housing strategies that provide seniors the opportunity to remain in their own neighborhood as their housing needs change

One of the challenges of many Seattle neighborhoods is the lack of housing into which seniors can transition into after selling their single family homes. The proposed development would allow for independent seniors to move from nearby single family areas into a multifamily setting in a neighborhood that is familiar to them.

E23 Achieve no net loss of tree canopy coverage, and strive to increase tree canopy coverage to 40 percent, to reduce storm runoff, absorb air pollutants, reduce noise, stabilize soil, provide habitat, and mitigate the heat island effect of developed areas

E22 Work to achieve a sustainable urban forest that contains a diverse mix of tree species and ages in order to use the forest's abilities to reduce storm water runoff and pollution, absorb air pollutants, provide wildlife habitat, absorb carbon dioxide, provide shade, stabilize soil, and increase property values.

The Amendment promotes achievement of these two policies. As noted above, a light touch redevelopment of the exiting building footprints would preserve much of the site as it is in its vegetated state. The Amendment would allow most of this unique 18 acre private site to be maintained in publicly accessible open space.

6. Is there public support for this proposed text amendments (i.e. have you conducted community meetings, etc.)? Note: The City will provide a public participation process, public notice, and environmental review for all applications.

The applicant has been engaged over the last year in an extensive community outreach effort. In February 2012, 4000 Property's consultants began an outreach effort to solicit input from the Laurelhurst Community Club and other stakeholders in the neighborhood. Four meetings were held with officers of the Club. A presentation was made at the Laurelhurst Community Club's November 5, 2012 general meeting. Neighbors of the site were invited to 9 community open houses to explain the plan and gather community input. Over 140 individuals from the community attended these meetings, some of which lasted four hours. The graphic boards that were used in the 9 meetings are attached as Attachment B. The community discussions are continuing. A mailed notice was recently sent to 1,580 residents in Laurelhurst inviting them to a series of topic-specific meetings. The first such meeting, a walking tour of the site where the location of proposed buildings were marked with paint and balloons, was attended by 35 individuals.

Based on the feedback received, we believe that this project can be supported by the majority of the surrounding community.

Criteria for Comprehensive Plan Amendment Selection (from Resolution 30662)

The following criteria will be used in determining which proposed Comprehensive Plan amendments will be given further consideration:

A. The amendment or policy is appropriate for the Comprehensive Plan because:

- The amendment is not appropriate as a regulatory measure, and warrants a Comprehensive Plan amendment;

  The accompanying text amendment would not, in and of itself, allow for a rezone of the property. In this case, both a map amendment and rezone are warranted.

- The amendment is not better addressed as a budgetary or programmatic decision;

  Not applicable.

- The amendment is not better addressed through another planning process, such as neighborhood planning; or

  The development team has reviewed all other planning options. The neighborhood does not have a neighborhood plan. The Low Impact Residential option requires multifamily zoning. We have concluded that this can best be achieved by an amendment to the Future Land Use Map and the proposed Land Use Code text amendment.

- The Growth Management Act (GMA) mandates the amendment as part of the 10-year update.

  Not applicable.

B. The amendment is legal - the amendment meets existing state and local laws.

   The Amendment is legal. It is authorized by the Growth Management Act and the Seattle Municipal Code.

C. It is practical to consider the amendment because:

- The timing of the amendment is appropriate and Council will have sufficient information necessary to make an informed decision;

The property owner needs to move forward with redevelopment of the site. The owner will defer seeking single family development while this amendment and the companion text amendment are considered. The Council will have sufficient information to make an informed decision. Environmental review can occur now on the text amendment and address the potential impacts of that request and the request to amendment the Future Land Use Map. Finally, approval of the Future Land Use Map amendment and the text amendment will not be the final decision on the project. These actions will allow the owner to seek a contract rezone and development agreement, which will also come before the City Council some time in 2014.

- City staff will be able to conduct sufficient analysis and to develop policy and any related development regulations within the available time frame;

See above

- The proposed amendment is consistent with the overall vision of the Comprehensive Plan and well-established Comprehensive Plan policy, or the Mayor or Council is interested in significantly changing existing policy;

As described above, the proposal is consistent with Comprehensive Plan policies that recognize the uniqueness of the site. While there are policies that protect existing single family neighborhoods, this site has never been developed as a single family site. This site also offers unique conditions that would allow the property to be adaptively re-used to meet the City's housing goals while preserving open space and trees.

- The amendment has not been recently rejected; and

  Not applicable

- If the proposed change is to neighborhood plan policies, there has been a neighborhood review process to develop the proposal, or a neighborhood review process can be conducted prior to final Council consideration of the amendment.

  This map amendment is not within an area covered by a neighborhood plan.

Attachment A

VanNess
Feldman
GordonDerr
ATTORNEYS AT LAW

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206-623-9372 P
206-623-4986 F

April 9, 2013

Diane Sugimura
Director
Department of Planning & Development
City of Seattle
PO Box 34019
Seattle, WA 98124-4019

Re: 4000 Property LLC – Application for Text Amendment

Dear Diane:

4000 Property LLC, owner of the former Talaris Institute site in Laurelhurst, is pleased to submit this request for a text amendment to the Seattle Land Use Code to modify the single-family rezone criteria. A companion request is being filed with the Seattle City Council to amend the Comprehensive Plan's Future Land Use Map for this property from Single Family to Multifamily. These two applications, if approved, will allow the owner to request a contract rezone of this site and a development agreement to implement the Low Impact Residential project that we have been discussing with you, your staff and the community for the past year. As you know, this development proposal, if approved, would preserve much of the property in publically accessible open space and provide needed housing to the City.

The Proposed Text Amendment Language

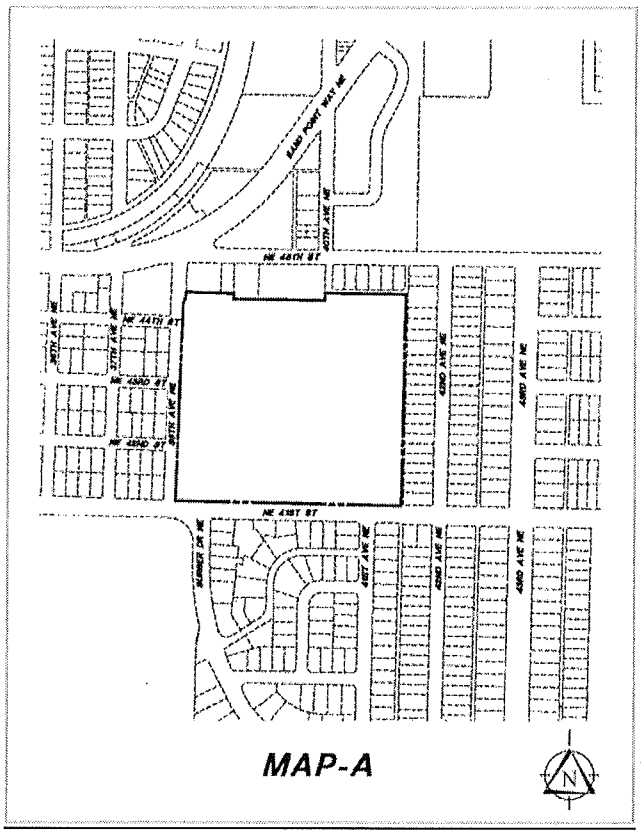
The proposed text amendment is provided below in strikethrough and underline format. This text amendment would add a new, specific exception to the single-family rezone criteria in SMC 23.34.010. As you can see,we are also proposing that the code allow this rezone only with a contract rezone and a concurrent development agreement pursuant to RCW 36.70B.170. The reasons for this are explained in detail below.

SMC 23.34.010 Designation of single-family zones

D. Areas zoned single-family within the map area shown at Map A for Section SMC 23.34.010, that consist of one or more lots and meet the criteria for single-family zoning contained in subsection B of Section 23.34.011 may be rezoned through a contract rezone and concurrent development agreement to multifamily and/or neighborhood commercial zones if the Comprehensive Plan Future Land Use Map designation is a designation other than Single Family and the proposed development preserves significant areas of open space with reasonable public access.

E. The proposed development agreement may set forth development standards that vary from otherwise applicable development regulations, subject to the following limitations:

1. Any additional structure height allowed may not exceed a base height limit of 47 feet. Uses prohibited in the underlying zone shall not be permitted;



Background on Talaris Site

The property owned by 4000 Property LLC is a unique site. This 18-acre pastoral wooded lot, zoned SF-5000, has never been developed with single family homes. The site was originally developed by Battelle Memorial Research Institute in the 1960s as a research facility. 4000 Property LLC purchased the site in 2000 to house the Talaris Research Institute, which conducted research on early childhood development.

The site was the subject of a 2004 Environmental Impact Statement that contemplated expansion of Institute for Advance Studies uses on the site. Two single family plat alternatives, consistent with the underlying SF-5000 zoning, were also evaluated in that EIS.

In 2011, the Talaris Research Institute completed its research and the intellectual property was sold. A modest conference center use remains on the site.

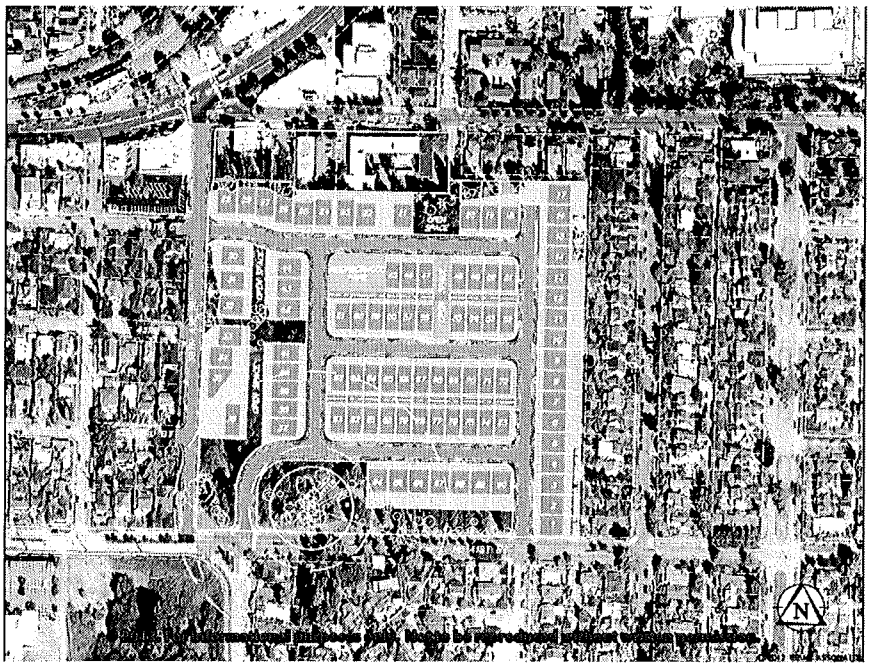
4000 Property LLC has been looking for a long-term sustainable use for this property. The owner worked with philanthropic advisors and commercial real estate brokers to find another non-profit user but was unsuccessful. The code prohibitions on expansion of these uses, parking limitations, and the limited size of the facility, make the property uncompetitive for non-profit research tenants. Although the owner could develop the site with a single family plat, as allowed under existing zoning, this would eliminate the valued open space. For the past year, ownership has been exploring a Low Impact Residential development alternative that builds new multifamily units on existing foundations and on new foundations tucked near existing trees to provide effective screening and to preserve the bulk of the site's existing open space. This option would yield between 250 and 333 market rate apartments and townhouse units and a short plat for 8 single family residences.

The owner is committed to implementing the Low Impact alternative if the necessary changes to the Land Use Code can be approved in the near future.

SF 5000 Development Option

Before describing the Low Impact Residential development option and proposed text amendment in more detail, it is worth explaining the single family development option which is permitted under existing zoning.

As outlined in the 2004 FEIS, the property could be redeveloped into 90+ Single Family lots conforming to the existing single family standards. The site would require mass grading and excavation. Most of the mature trees and landscaping would be removed. The resulting development pattern would match much of the nearby blocks in Laurelhurst. Although this is not the preferred option, the plan shown would meet current zoning restrictions and critical area constraints and has a clearly defined permitting process.

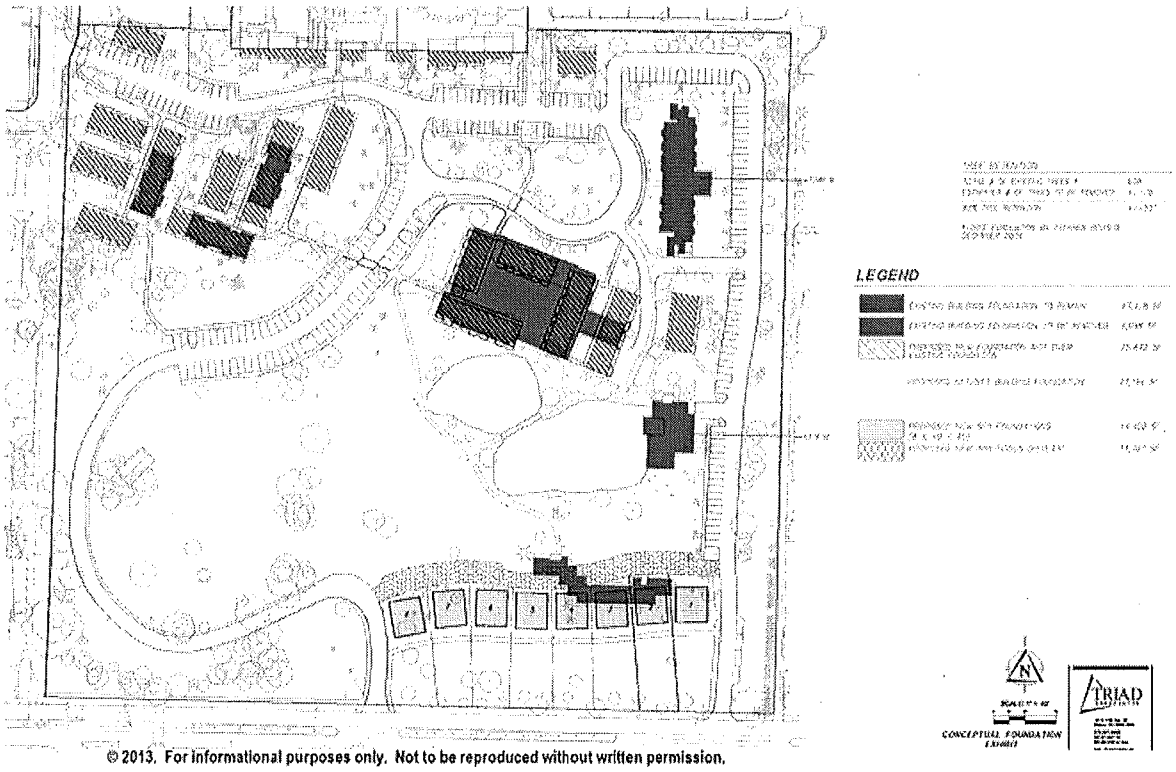


Low Impact Residential Option

The preferred Low Impact sustainable development alternative would re-use existing foundations and preserve the bulk of the site's existing open space. This option would yield between 250 and 333 market rate apartment and townhouse units and a short plat for 8 single family residences. The final size and distribution is not yet determined,but units as small as 330 square feet and as large as 1500 feet would be available. Smaller units could rent for less than $1,000 while larger penthouse units could rent for up to $4,000. As such, this neighborhood would offer housing for a mix of incomes with many units targeted at the local workforce housing market and individuals wishing to downsize from larger homes later in life. The primary objectives for this development plan are:

- Maintain the extensive open space and mature landscaping to preserve its natural beauty and to enhance walkability of the neighborhood.
- Provide a housing option for residents seeking to downsize, for employees wanting to be part of a walkable community, and for young families wanting to raise children in a safe and vibrant neighborhood.
- Make use of advanced conservation technology that would substantially conserve energy and natural resources.
- Make use of a substantial portion of the siding, beams and framing materials from the older structures repurposed into the new structures.
- Maximize retention of mature trees and native plants.
- Minimize new building footprints and impervious surfaces.

The goal would be to use virtually all of the existing infrastructure including building foundations, drainage, utilities, and roadways to minimize excavation and grading. Only minimal earthwork will be required for new building foundations in strategic locations. Coordinating redevelopment with the existing buildings along the NE 45th Street corridor would focus use intensity and vehicular access and parking at the northern edge of the property. Approximately 86% of the existing trees would remain intact with new residential buildings tucked into the mature tree canopy. Clear cedar building materials would be reclaimed and reused. The desire is that ongoing positive relations with neighbors would allow the current permissive use of the open space to continue.



The Low Impact neighborhood also incorporates into the development three properties to the north of the Talaris site along NE 41st Street. One of these properties is zoned NC2P-35 and the other two are zoned LR3. The development proposal would construct a two-level parking structure on the property now zoned LR3 with apartments over the central parking structure. The property with the NC2P-35 zoning would have a neighborhood commercial center with retail on the ground floor level and apartments or professional offices above. This structure has a single level underground parking garage to accommodate the neighborhood retail center. *See* Graphics Boards, Attachment A, pg. 6. The central garage would also serve the multifamily properties on the Talaris site. This garage allows the development to provide adequate parking to serve the entire neighborhood without mass grading and paving on the Talaris site itself for a parking structure. Although these properties north of the Talaris site are an integral part of the development plan, the text amendment only addresses the SF-5000 zoned Talaris site.

The Low Impact neighborhood also includes development of 8 single family home sites near the NE 41st Street side of the site. A future short plat would be submitted to establish these lots. Development and sale of these lots are critical to the overall economic viability of this project.

Community Involvement Efforts

In February 2012, 4000 Property's consultants began an outreach effort to solicit input from the Laurelhurst Community Club and other stakeholders in the neighborhood. Four meetings were held with officers of the Club. In addition, there was presentation at the

Laurelhurst Community Club's November 5, 2012 general meeting. Thereafter, neighbors of the site were invited to 9 community open houses to explain the plan and gather community input. Over 140 individuals from the community attended these meetings, which lasted up to four hours each. The graphic boards that were used in those 9 meetings are attached at Attachment A. These community discussions are continuing. A mailed notice was recently sent to 1580 residents in Laurelhurst inviting them to a series of topic-specific meetings. The first such meeting, a walking tour of the site where the location of proposed buildings were marked with paint and balloons, was attended by 35 individuals.

Based on the feedback we have received, we believe that this project can be supported by the majority of the surrounding community. As described below, having a development agreement as a component to the land use approval process has been viewed by some as a critical element in gaining acceptance. For that and other reasons, a development agreement has been incorporated into our proposed text amendment.

Why a Text Amendment and Future Land Use Map Amendment Are Needed

We reviewed the existing Comprehensive Plan and Land Use Code to explore the various options for obtaining entitlements for the Low Impact Residential proposal. Our analysis revealed that there is no existing land use process within the Land Use Code to approve such a development, even with the unique features and circumstances of this site and this proposal.

The Future Land Use Map designates this site Single Family. Land Use Policy 59 permits upzones of land with a single family designation only under specific conditions, none of which apply to this site.

LU 59 - Permit upzones of land designated single- family and meeting single-family rezone criteria, only when all of the following conditions are met:

- *The land is within an urban center or urban village boundary.*
- *The rezone is provided for in an adopted neighborhood plan.*
- *The rezone is to a low-scale single-family, multifamily or mixed-use zone, compatible with single-family areas.*
- *The rezone procedures are followed*

Section 23.34.011 of the Land Use Code similarly restricts rezoning of single family zoned property. The policy language in LU 59 and the code language in SMC 23.34.011 do not contemplate sites like this 18 acre largely undeveloped parcel located in a highly urbanized area of the City, which has never been developed with single family use, and on which is proposed a project that would preserve much of the open space and tree cover through clustering of multifamily buildings. LU 59 and SMC 23.34.011 prevent creative sustainable redevelopment of this site and without amending the Comprehensive Plan and this code section, this site will be platted like other single family blocks in Laurelhurst.

For this reason, we are requesting by this letter a text amendment to the single family rezone criteria and will be filing with the City Council an amendment to the Future Land Use Map in the Comprehensive Plan. These legislative actions, if approved, will allow the owner to apply for a contract rezone and development agreement that would establish the zoning and development standards to enable a project-specific development, implementing the Low Impact Residential alternative, to be submitted for approval.

The Importance of Our Proposed Development Agreement

We have included in our proposed text amendment a requirement to have a development agreement as part of any proposed contract rezone for several reasons.

A development agreement will give the city the ability to recognize the uniqueness of the site and impose development standards that allow a low impact approach and clustering of new multifamily buildings on many of the existing foundations thus preserving the balance of the site in current open space. It is for this reason that we have requested that buildings up to 47 feet in height be allowed so that four story buildings can be constructed on any of the existing foundations. As described above, given the site's unique topography and tree cover this height will not impact the surrounding single family zones that allow a maximum roof height of up to 35 feet.

The development agreement also gives both the City and neighbors long term assurance of what is going to be developed on site. Contract rezones with a Property Use and Development Agreement (PUDA) have a life of only two years. In a site of this scale, that is a very short development window. If a project does not proceed immediately under a PUDA, it can lose its entitlements.

A development agreement has terms set by Council in its approval. The development agreement can include detailed conditions for how the site will be developed regardless of when the development commences. It could address, for example, phased traffic mitigation, open space preservation and maintenance requirements. In this way, even if the development is delayed or phased over time, the City and neighbors will have a higher level of assurance that what was agreed to in the early stages will be followed through to the end. The development agreement is the best tool for the long term preservation of this site's open space areas for public enjoyment.

City policy in recent years has been moving towards recognizing that certain areas are uniquely situated as to benefit from a more sophisticated tool for evaluating projects. The provisions for Northgate Overlay at 23.71.020 and Station Area Overlays at 23.61.016 both recognize the City's existing authority under RCW 36.70B.170 to enter into development agreements. Both sections focus on allowing flexibility in certain development standards to achieve public policy goals. As is the case of the Northgate overlay and Station area overlays, development agreements are ultimately valuable tools for the City and the community to assure thoughtful, flexible and contractually binding development, which a contract rezone alone does not provide.

Facts Supporting Text Amendment

As described above, this site is unique. At 18 acres in size, it is one of the largest undeveloped, if not the largest tract of largely undeveloped Single Family zoned property within the City. This property was never platted into single family lots. Its only use has been for a nonconforming Institute for Advanced Study. The public has been allowed to enjoy the site and its park-like setting.

The location of the site makes it uniquely suited to multifamily residential development. It is close to major employers and has excellent access to transit and shopping. The property doesn't fit neatly into a category contemplated by the land use code rezone criteria for single family properties. It is highly urbanized within a few blocks of the site. The site itself borders Lowrise 3 and Neighborhood Commercial zoning to the north. The property is not in an area covered by a neighborhood plan, nor is it in an Urban Village area. If the code were to remain as is, the reasonable use for the site would be development of a large single family plat.

Although a plat would allow the construction of some 90 homes, given the land costs, it is quite likely each of the homes would sell for well above one million dollars. This would not serve the need for workforce and retiree housing units. It would not provide replacement units for the nearby apartments lost with the recent demolition of Laurelon Terrace. Further, the plat requirement for streets and alleys, front and rear yards, setbacks etc. would require mass grading of the site. This, in turn, would exchange the park-like setting for a series of standard single family blocks. For the owner, platting is a less desirable option, although it is what will be developed if the Low Impact Residential proposal cannot proceed.

Request to Expedite Text Amendment

The owner has taken the last year to carefully evaluate its options and work with the community to arrive at a viable Low Impact Residential option. It now needs to know, as soon as practicable, whether this alternative has the support of DPD, the community and the City Council.

Because the Comprehensive Plan amendment will not be considered for approval until March 2014 under the adopted process for such amendment requests, we are asking DPD to expedite its review of the proposed text amendment so that it can be considered by the City Council by the summer of 2013. This will allow DPD and the public to weigh in on, and for the City Council to act on, the first legislative component to this phased development plan. If the City Council denies the text amendment, the owner can withdraw the Comprehensive Plan amendment request and proceed with plat development. If this text amendment is approved, the owner can begin work on a contract rezone and development agreement application that will be ready to file if the Comprehensive Plan amendment is approved next March. This would place the project on schedule for a Master Use Permit application for development of the project in the fall of 2014 with construction in 2015.

We appreciate the opportunities we have had to date to explore ideas and options with you and your staff. We have also had an excellent dialogue with neighbors and community

leaders concerning this property. It is now time to move forward expeditiously and determine if the proposed approach for this unique site will receive the legislative approvals that are needed.

Please let me know if we can provide further information or otherwise assist in your Department's review of this proposed text amendment.

Very truly yours,

VAN NESS FELDMAN GORDONDERR

Brent Carson
Partner

David Van Skike
Land Use Planner

Attachment

Attachment B

The Talaris Property

Beginnings

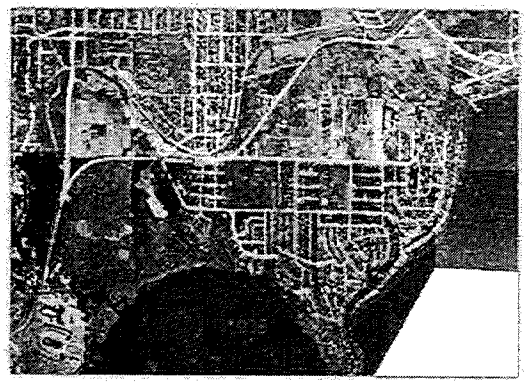
1950s Property remained undeveloped as surrounding neighborhood built up

1960s Battelle purchased property for Seattle Research Center. Phase 1 buildings completed—Main Research Center and Apartments near 38th Ave right-of-way.

1971 Phase 2 buildings completed—perimeter parking lots, conference center and offices aligned with urban grid of neighboring streets.

1990s Battelle's active operation of the conference center ended in the late 1990s. Conversion to residential retirement facility proposed. Local residents opposed the plan, seeking to minimize density on the property.

2000 Present owners purchased the property and established Talaris Institute for Early Childhood Learning.



Present

- Talaris Institute for Early Childhood Learning no longer using facilities. Various tenants occupy offices.
- Conference center continues to operate, serving groups ranging from 5 up to 105 people each.
- The original landscape and buildings remain intact.
- Operations and site maintenance costs exceeding revenue.

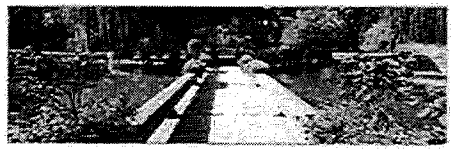
Mutual Desires

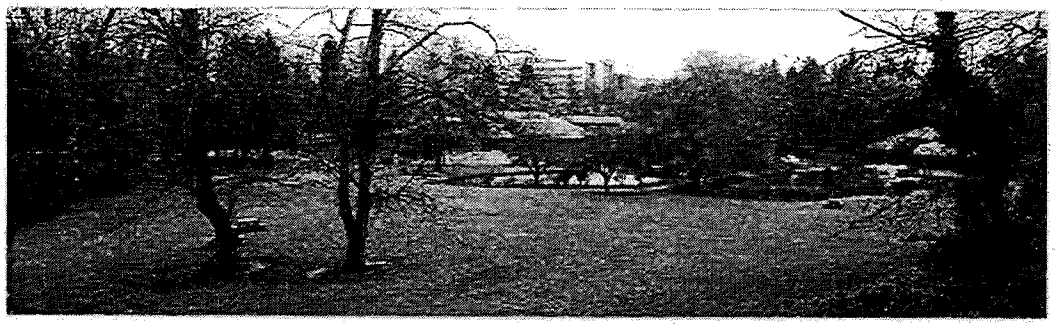
- Preserve the character and distinct identity of the Laurelhurst community.
- To the extent possible, maintain the present aesthetics and open space.
- Allow informal use now enjoyed by Laurelhurst residents to continue.

Future

Our primary objectives for the Talaris property are:

- Maintain the extensive open space and mature landscaping to preserve its natural beauty and to enhance walkability of the neighborhood.
- Provide a housing option for residents seeking to downsize, for employees wanting to be part of a walkable community and for young families wanting to raise children in a safe and vibrant neighborhood.
- Achieve net-zero energy standards in all new buildings.
- Maximize retention of mature trees and native plants.
- Minimize new building footprints and impervious surfaces.

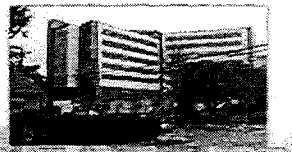




Preserve this legacy landscape or grade it into city blocks for 90 homes?

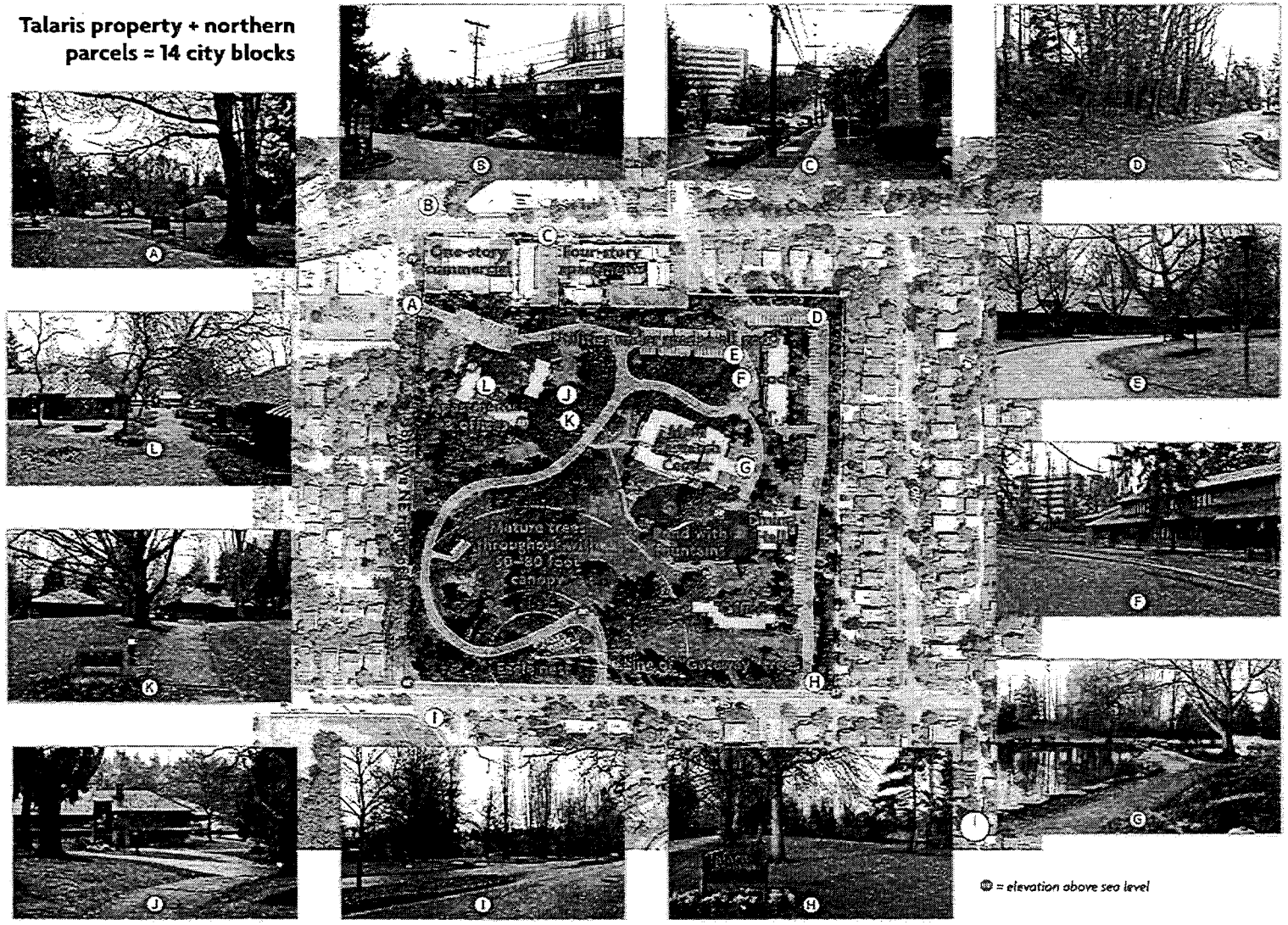
Surrounding Neighborhood

A vibrant mix of institutional, commercial & residential



Existing Features

Talaris property + northern parcels = 14 city blocks



= elevation above sea level

Five Natural Development Areas

Land Use Goals

- Work with sloping topography to emphasize outward and internal views.
- Preserve mature landscaping and sense of nature and privacy.
- Maintain public access to park-like grounds.
- Design new buildings to fit within their setting and the residential neighborhood.

Pod #1
Northwest corner Adjacent to Commercial

Tuck new structures under existing trees. Buffer nearby homes by preserving 38th Avenue right-of-way as undeveloped greenway.

Pod #2
NE 45th Street Redevelopment Area

Build central parking garage to maintain green space on the Talaris Property. Replace existing apartments with buildings more suitable to the Laurelhurst Neighborhood. Provide "boutique" specialty neighborhood center at corner. Gently blend commercial into residential. Soften the typical retail streetscape with generous setbacks and abundant landscaping.

Pod #3
Central Area

Preserve iconic ponds and landscaping. Build on existing raised platform surrounding garden court. Maintain views with lower buildings on south side.

Pod #4
The Gateway to Laurelhurst

Maintain overlook into the site. Maintain stand of trees and add walkway to enhance pedestrian connections. New single-family homes compliment the Laurelhurst Neighborhood.

Pod #5
The Conference Center

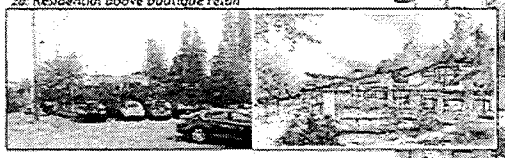
Preserve transition area between building and adjacent homes. Continue operation as "boutique" conference center.

Low Impact Residential Option

Preserving the character and natural beauty of the site

1: Buildings tucked under mature tree canopy

2a: Residential above boutique retail



2b: Generous landscaping softens streetscape on NE 45th

2c: Contemporary sustainable Northwest design

3a: Touching the land as lightly as possible

3b: New buildings on existing foundations

Building Materials Reclaimed

- Aluminum standing seam roofing
- Interior cedar beams
- Smooth-faced cedar plank siding
- Textured and battered concrete foundation walls

Amenities & Habitat Preserved

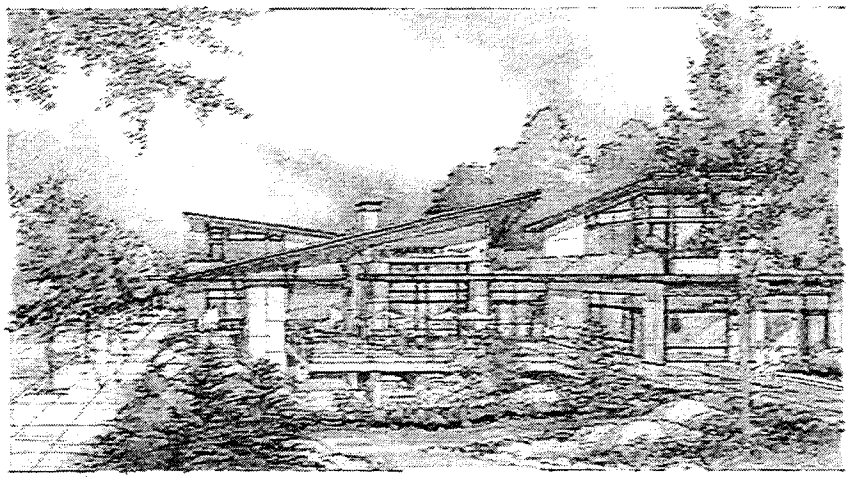
- Mature trees
- Established landscaping
- Pond with fountains
- key walking sightlines

Infrastructure Reused

- Existing roadways will be resurfaced
- Current underground utilities have sufficient capacity

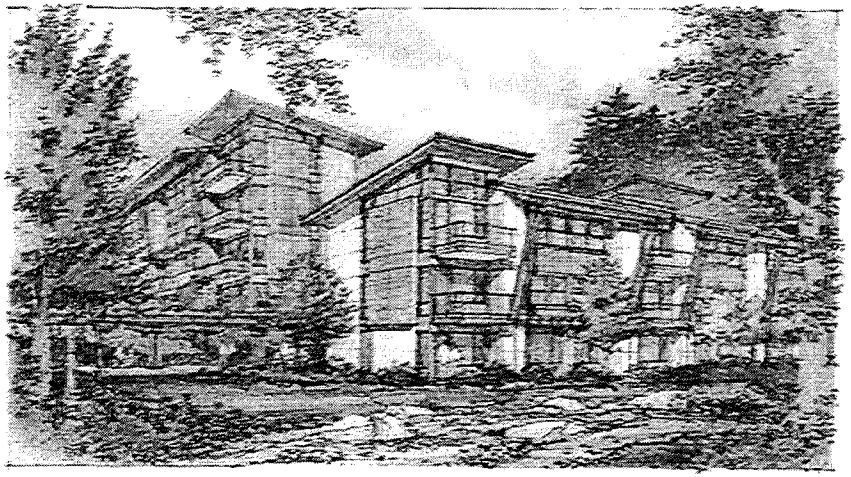
4: Gateway trees preserved by setting homes back

Low Impact Residential Option

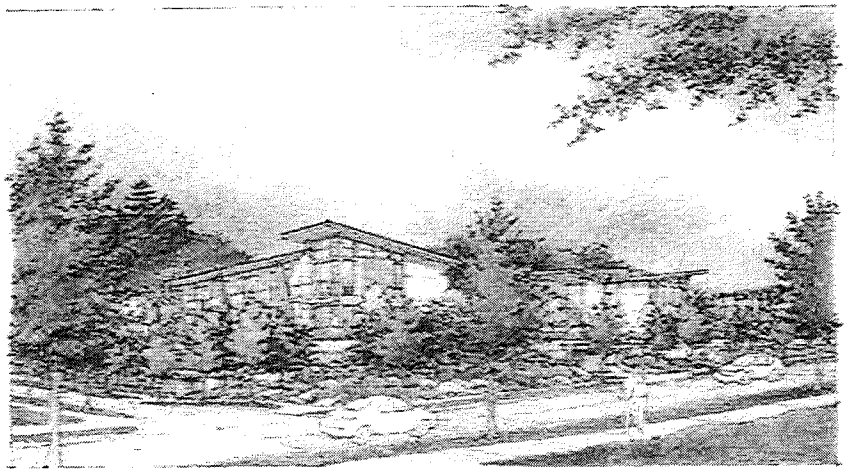


Redeveloped retail with underground parking. View facing east into property from northwest corner where existing health club is located.

Redeveloped apartments with underground parking. View facing east along NE 45th Street from where existing Laurelhurst and Village Manor apartments are located.



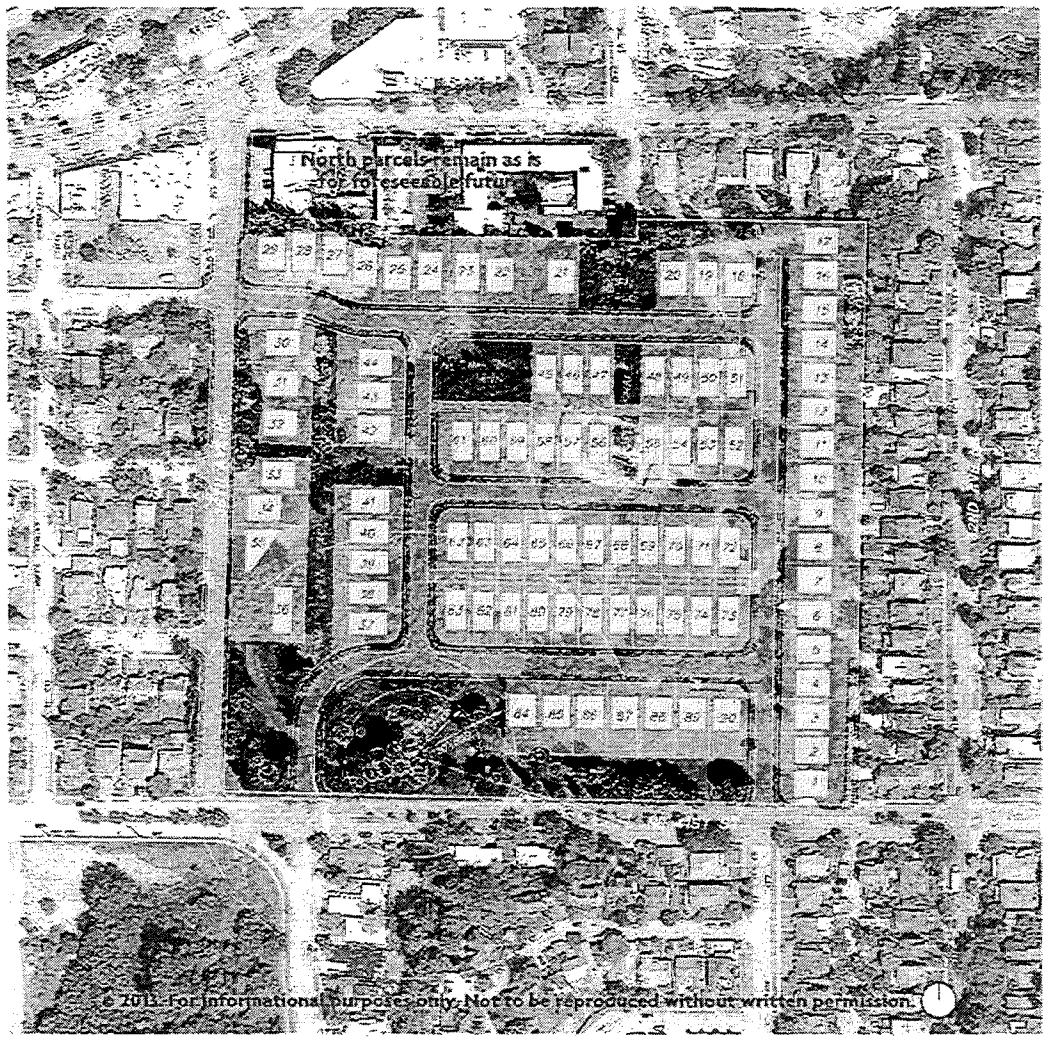
Conceptual rendering of multifamily buildings located on existing foundations at center and west side of property.



Redeveloped apartments with underground parking. View facing southwest across NE 45th Street toward where existing Laurelhurst Apartments are located.

Single-family Residential Option

Clear and grade property to accommodate new streets, utilities and building lots



Site graded and subdivided into 90+ single-family parcels

- Most trees removed
- Trees near eagle's nest and line of gateway trees along NE 41st Street protected
- Ponds and low areas filled with up to 10 feet of off-site material
- Existing landform bulldozed and graded into private single-family building lots

New Private roads, alleys and utilities

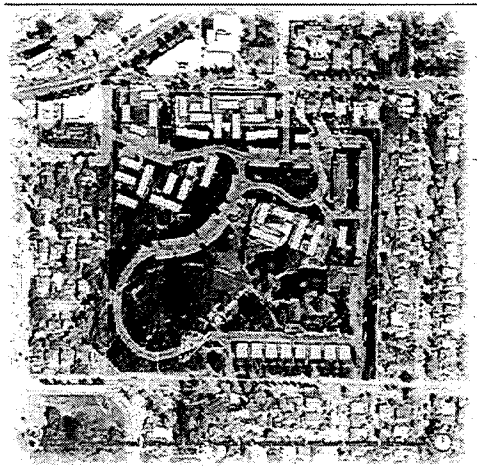
- Existing roadways, walkways and underground utilities replaced with private street network
- 38th Avenue right-of-way developed into standard city street

Open space converted to private yards

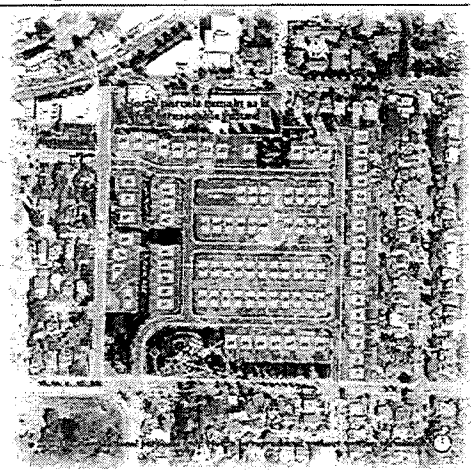
- Publicly-accessible park-like landscape converted to private yards with small pockets of open space

Compare and Contrast

Low Impact Residential*		Single-Family Residential
557,642	Amount of Open Space (sf)	148,650
521	Number of Mature Trees	171
77,573	Building Footprint Area (sf)	170,000
155,568	Building Floor Area (sf)	270,000
44	Maximum Building Height (ft)	35
138,679	Amount of Impervious Surface (roads & parking)	162,160
100%	Utilities Re-Used	0%
minor	Earthwork Required	major
10**	Number of Property Owners	90+
3	Length of Construction (years)	7+



Public use of site permitted as ongoing courtesy



Public use limited to sidewalks and roadways

* For comparison, figures in left column pertain to Talaris site only

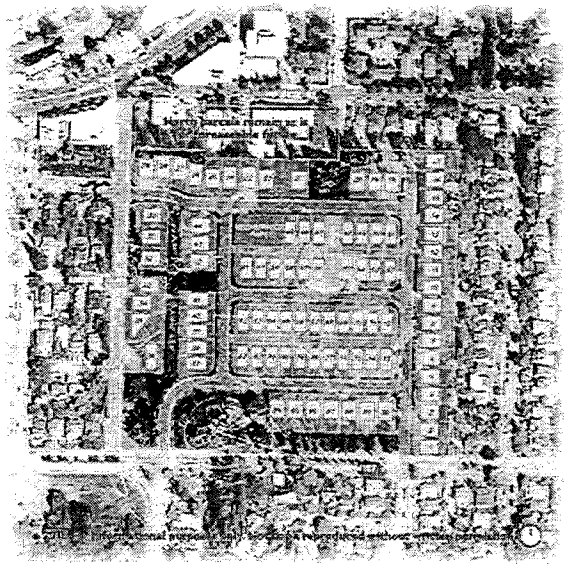
** Includes single-family homes along NE 41st Street

Note: All figures in chart above are best estimates as of January 2013

What do you think about the options?

Do you support the Low Impact Residential Option that preserves the legacy landscape?

— or —



Do you prefer conversion of the landscape to 90+ single-family building lots?

Please submit a comment form and tell us what you think.

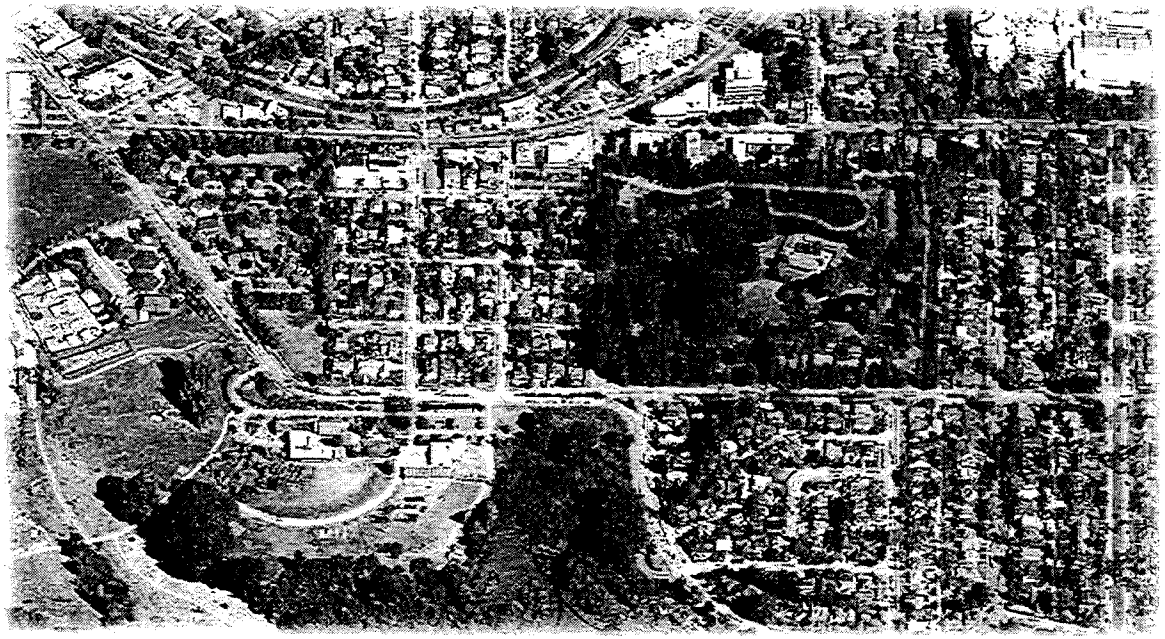
www.talarisliving.us

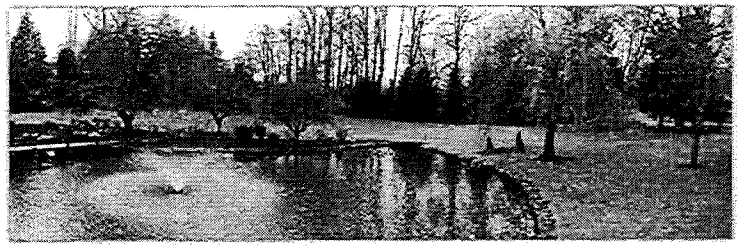
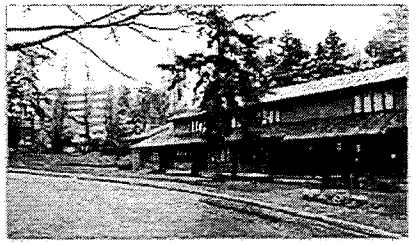
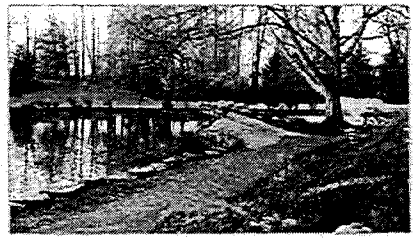
TALARIS
Laurelhurst Neighborhood, Seattle

Timeline

January	Small group meetings
February	Open meeting with community Advisory meeting with city staff
March	Compile neighborhood preferences
April	Decision by owners on path forward Formal land use application with city

Where do you live?



Legacy Landscape Preserved

These views would remain largely unchanged in Low Impact Residential option.