

**FISCAL NOTE FOR NON-CAPITAL PROJECTS**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>CBO Analyst/Phone:</b>
Seattle Department of Transportation	Angela Steel/684-5967	Christie Parker/684-5211

**Legislation Title:** AN ORDINANCE granting ProLogis, L.P. permission to maintain and operate an existing truck loading access area in Colorado Avenue South, north of Diagonal Avenue South, abutting 4200 East Marginal Way South; for a ten-year term, renewable for two successive ten-year terms; specifying the conditions under which this permit is granted; and providing for the acceptance of the permit and conditions.

**Summary of the Legislation:**

This legislation grants ProLogis, L.P. permission to maintain and operate an existing truck loading access area in Colorado Avenue South, north of Diagonal Avenue, abutting 4200 East Marginal Way South. The purpose of the truck loading access area is to maintain access for trucks and trailers to the ProLogis, L.P. eastern truck court. An area map is attached for reference.

This permit is for a ten-year term, renewable for two successive ten-year terms. The legislation has an insurance provision as recommended by the City’s Risk Manager, specifies the conditions under which authorization is granted, and provides for acceptance of the permit and conditions.

The ordinance requires ProLogis, L.P. to pay the City an annual fee of \$36,364.61 commencing on the effective date of this ordinance, and annually thereafter. Adjustments to the annual fee may be made every year and if so made shall be calculated in accordance with a term permit fee schedule adopted by the City Council by Ordinance 123485. An Street Use Annual Fee Assessment is attached for reference.

**Background:**

ProLogis, L.P. operates a distribution facility at 4200 East Marginal Way that supports customers transporting freight from the Port of Seattle.

In 1986, this portion of Colorado Avenue South was reconstructed as a requirement of the redevelopment of the property that ProLogis, L.P. currently owns and operates. This portion of Colorado Avenue South was specifically designed to accommodate the operations of this facility, including the way that trucks maneuver, back-in, and access the loading bays on east side of the building. Colorado Avenue South currently operates the way in which it should to accommodate the facility.

By Resolution 31480, the City granted conceptual approval for the existing truck loading access area.

Please check one of the following:

This legislation does not have any financial implications.

This legislation has financial implications.

**Appropriations:**

N/A

**Anticipated Revenue/Reimbursement Resulting from this Legislation:**

<b>Fund Name and Number</b>	<b>Department</b>	<b>Revenue Source</b>	<b>2014 Revenue</b>
Transportation Operating Fund 10310	Seattle Department of Transportation	Annual Fee	\$36,364.61
<b>TOTAL</b>			<b>\$36,364.61</b>

Revenue/Reimbursement Notes:

None

**Total Regular Positions Created, Modified, or Abrogated through this Legislation, Including FTE Impact:**

N/A

**Do positions sunset in the future?**

No

**Spending/Cash Flow:**

N/A

**Other Implications:**

a) **Does the legislation have indirect financial implications, or long-term implications?**  
No.

b) **What is the financial cost of not implementing the legislation?**

If the legislation is not enacted by the City Council, the City of Seattle will not receive the annual fee of \$36,364.61. As previously stated, the City of Seattle has the option to adjust the fee amount on an annual basis.

**c) Does this legislation affect any departments besides the originating department?**

No.

**d) What are the possible alternatives to the legislation that could achieve the same or similar objectives?**

ProLogis, L.P. could continue to operate their existing truck loading access area without a term permit ordinance. ProLogis, L.P may be subject to the risk of having to remove this use from the public place upon shorter notice than the term permit ordinance would require.

**e) Is a public hearing required for this legislation?**

No.

**f) Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**

No.

**g) Does this legislation affect a piece of property?**

Yes, the abutting ProLogis, L.P. property at 4200 East Marginal Way South.

**h) Other Issues:**

N/A

**List attachments to the fiscal note below:**

Attachment A – ProLogis, L.P. Truck Loading Access Area Map

Attachment B – Street Use Annual Fee Assessment

Attachment C – Depiction of the Truck Loading Access Area

### Attachment A – ProLogis, L.P. Truck Loading Access Area Map



Map is for informational purposes only and is not intended to modify or supplement the legal description(s) in the Ordinance.

Attachment B – Street Use Annual Fee Assessment

STREET USE ANNUAL FEE ASSESSMENT

Date: 2/11/14

<p><u>Summary:</u> <b>Land Value: \$31.00/SF</b> <b>2014 Permit Fee:</b> <b>\$36,364.61</b></p>
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**I. Property Description:**

ProLogis, L.P. has proposed to maintain and operate an existing truck loading access area in Colorado Avenue South, north of Diagonal Avenue South. The truck loading access area is **18,329 square feet.**

**Applicant:**  
ProLogis, L.P.

**Abutting Parcel, Property Size, Assessed Value:**

Parcel 7666207536, Square Feet 783,522

Tax year 2014 Appraised Land Value \$24,289,100

Average 2014 tax assessed land value: \$31.00/SF

**II. Annual Fee Assessment:**

The 2014 permit fee is calculated as follows:

$(\$31/\text{SF}) \times (18,329 \text{ SF}) \times (80\%) \times (8\%) = \$36,364.61$  where 80% is the degree of alienation for at-grade structures/restricted access and 8% is the annual rate of return.

Fee methodology authorized under Ordinance 123485.

Attachment C – Depiction of the Truck Loading Access Area



Looking north along Colorado Avenue South