

May 31, 2011

VIA DELIVERY AND E-MAIL

Maggie Glowacki  
Land Use Planner  
City of Seattle  
Department of Planning and Development  
P.O. Box 34019  
Seattle, WA 98124-4019

RE: Shoreline Master Program Update  
Comment letter from AnMarCo, property owners of 2130 – 2144 Harbor Ave SW

Dear Maggie:

Our client, AnMarCo, owns property located at 2130 – 2144 Harbor Avenue SW (“Property”). We write on behalf of AnMarCo to request that the Shoreline Master Program Update (“Update”) change the Property’s shoreline environment from Urban Industrial (“UI”) to Urban Commercial (“UC”).

We have prepared the information required for a shoreline redesignation request; this information is attached to this letter. The redesignation request has been prepared in compliance with the Update requirements for changes to shoreline environments.

In addition, you asked us to review the redesignation request for consistency with the recommendations contained in the “Comparison of Land Supply and Demand for Water-Dependent and Water-Related Uses,” a report prepared for the Update by Property Counselors in December 2009 (“report”). In that report, the authors make the following conclusions:

1. The amount of vacant submerged and dry waterfront land is greater in total than the projected increase in demand for the period 2008 to 2030, with the caveat that currently vacant land may not be in the correct location, or meet the other requirements to suit existing businesses;
2. The amount of vacant submerged and dry waterfront land is not adequate to meet demands in the Duwamish, Lake Union, Portage Bay, and Ship Canal.
3. Conversion of waterfront sites to non water-dependent uses will increase the strain on demand for waterfront land.
4. Restrictions on permitted uses will help relieve pressure on water-dependent and water-related businesses by reducing competition for sites, and by reducing land prices.

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5. Reduce regulatory requirements to assist existing waterfront users.

The proposal to change the shoreline designation from UI to UC is consistent with these conclusions. First, the Property is currently vacant. It is vacant because the site cannot find a suitable industrial user, as the Property lacks the amount of dry land, adequate access to rail, adequate access to roads, and adequate and safe access to the water to support industrial users. The Property owner has been actively searching for such tenants since 1992 (when the Port sold the property) and has been unable to find a large enough tenant to support industrial uses on the Property. For this reason, the owner proposes a change to UC. Second, there is not a large demand for industrial uses in Property location; the Property is located on the border between industrial and commercial/residential zones—commercial and residential uses nearby create conflict for industrial uses. As already stated, the Property includes several constraints that present major challenges to industrial users. The report supports the fact that there is little demand for industrial waterfront properties in this area. Third, the proposal will not necessarily result in the conversion of the waterfront site to a non water-dependent use; the UC environment strongly encourages the development of water-related uses, and a water-dependent use would be preferred by the Property owner. Finally, the UC environment and the underlying zoning create several restrictions on the uses permitted on the Property, which will relieve pressure on water-dependent businesses.

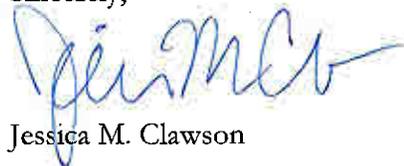
You also asked us to review the redesignation request for consistency with the Seattle Shoreline Master Program Update Citizens Advisory Committee Report, released in September 2009 (“CAC Report”). The CAC Report contained only one recommendation pertinent to the proposal:

Some CAC members believe that non-water oriented and non water-related uses along the commercial and shorelines should be allowed only if such uses provide substantial public benefit in the form of increased shoreline public access and restoration of ecologically damaged shorelines.

CAC Report, p. 13. The proposal is consistent with this guidance. The Urban Commercial environment prioritizes water-oriented and water-related uses along the shoreline, and requires substantial public access and improvement of the shoreline in the case of non-water dependent/related uses. Thus, any use that would eventually be located on the Property would be required to provide such access and/or improvement.

We look forward to your response to our comments. In the meantime, if you have any additional questions, please feel free to contact me at any time.

Sincerely,



Jessica M. Clawson

**SHORELINE MASTER PROGRAM AMENDMENT APPLICATION**  
**for**  
**2130 Harbor Avenue SW**

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## 1) Existing site information.

**Project number:**

Have not yet obtained.

**Subject property addresses and parcel numbers:**

2130 – 2144 Harbor Avenue SW

#7666705250

#7666705255

#7666705472

**Existing shoreline master program designation:**

Urban Industrial

**Proposed shoreline master program change:**

Urban Commercial

**Approximate size of area to be changed:**

Approximately 275,000 s.f.

**Information regarding Environmentally Critical Areas:**

The area is located within the Abandoned Landfill, Liquefaction, Floodprone, Wildlife Preservation area, Shoreline Habitat Buffer, Archaeological Buffer critical areas.

**Applicant information:**

The applicant is AnMarCo, 9125 10<sup>th</sup> Avenue South, Seattle, WA 98108, 206-762-9125

**Contact persons include:**

Jim Blais

AnMarCo

9125 10<sup>th</sup> Ave. S. Seattle, WA 98108

206-762-9125

[jblais@gmccinc.com](mailto:jblais@gmccinc.com)

Rich Hill or Jessie Clawson

McCullough Hill Leary

701 5<sup>th</sup> Avenue, Suite 7220

Seattle, WA 98104

(206) 812-3388

[Jessie@mhseattle.com](mailto:Jessie@mhseattle.com) or [rich@mhseattle.com](mailto:rich@mhseattle.com)

**Legal Description of property**

A survey of the property is attached to this redesignation request.

**Present Uses of Properties:**

The properties are currently vacant. The established uses on the properties are a cargo terminal and outdoor storage area.

**Structures to be demolished:**

No structures will be demolished as part of this redesignation application.

## 2) Proposed plans for property

### **Planned uses for property if shoreline designation change is approved:**

The planned uses for the property would likely be mixed/use commercial, consistent with the UC and underlying zoning. However, no redevelopment proposal or change of use is included with this redesignation request.

### **Plans for specific development proposal, if included:**

The proposal does not include a contract rezone; it is simply a shoreline master program redesignation. A related comprehensive plan amendment request is also pending for the property.

### **3) Analysis of requested change**

#### **Reason for requested change in shoreline designation:**

The reason for the requested change in the shoreline designation (from UI to UC) is to allow a wider variety of uses and development on the property. Also, the property is no longer in active industrial use, and no future industrial use is projected given the current and future industrial market demands.

#### **Anticipated benefits of change:**

The anticipated benefits of the change are that the property could eventually develop into a wider range of uses with more public access to the shoreline, public view protection, and increased recreational opportunities

#### **Summary of potential negative impacts of change:**

No major potential negative impacts of the change are anticipated.

#### **Other permits or approvals sought in conjunction with redesignation:**

The property also seeks a Comprehensive Plan Amendment to change the Comprehensive Plan designation of the property from "Industrial/MIC" to "Mixed Use/Commercial."

**4) Written analysis of redesignation criteria, including Chapter 23.60 SMC, Chapter 23.34 SMC, Chapter 90.58 RCW, WAC 173-26, and the Comprehensive Plan Area Objective Policies.**

**SMC 23.60.042<sup>1</sup>: A location of a shoreline environment constitutes a rezone, which requires a Council land use decision approval subject to the provisions of Chapter 23.76, and shall be evaluated under the following criteria:**

**A. The Shoreline Management Act. The proposed change is consistent with the intent and purpose of the Shoreline Management Act (RCW 90.58) and with Department of Ecology Guidelines (WAC 173-26).**

The intent of the Shoreline Management Act is to preserve the public's opportunity to enjoy the physical and aesthetic qualities of natural shorelines of the state, to prefer uses which are consistent with control of pollution and prevention of damage to the natural environment, and to allow changes in the classification of shorelines when circumstances warrant regardless of whether the change in circumstances occurs through man-made or natural causes. *See* RCW 90.58.020.

The Department of Ecology Guidelines regarding changes to master programs state that the local government should periodically review an SMP and make amendments to the SMP deemed necessary to reflect changing local circumstances, new information or improved data. WAC 173-26-090.

All proposals for changes in environment designation shall provide written justification for such based on existing development patterns, the biophysical capabilities and limitations of the shoreline being considered, and the goals and aspirations of the local citizenry as reflected in the locally adopted comprehensive land use plan. WAC 173-26-110(3).

Project Response:

The redesignation proposes to change the property from the "Urban Industrial" ("UI") designation to the "Urban Commercial" ("UC") designation. As stated, the property is no longer in industrial use, and is not well-suited for modern industrial uses, particularly as the uses surrounding the property have evolved from industrial uses to commercial and residential uses. The property also is not well-suited for industrial uses due to challenges with its street access (not suitable for trucks), location on Harbor Avenue (major pedestrian and bikeway), water access (tidal and wave patterns are difficult), and rail access (blocked by access to Jack Block Park). A full accounting of the compliance of the proposed redesignation with the Seattle Comprehensive Plan, the rezone policies, and the Shoreline Master Program follows. The proposal will meet the intent of the Shoreline Management Act as it seeks to

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<sup>1</sup> / All shoreline code references refer to the code sections listed in the proposed Shoreline Master Plan Update.

redesignate a parcel that no longer fits the criteria for the UI shoreline environment. Further, it will meet the criteria required for redesignation in Seattle's shoreline regulations.

**B. Shorelines of Statewide Significance. If the area is within a shoreline of statewide significance the change is consistent with the preferences for shorelines of statewide significance pursuant to RCW 90.58.020.**

A portion of the area proposed for redesignation is within a shoreline of statewide significance, as it is waterward of the line of extreme low tide line in Puget Sound. RCW 90.58.030(2)(e)(iii). The redesignation must therefore give preference to uses in the following order:

- (1) Recognize and protect the statewide interest over local interest;
- (2) Preserve the natural character of the shoreline;
- (3) Result in long term benefit over short term benefit;
- (4) Protect the resources and ecology of the shoreline;
- (5) Increase public access to publicly owned areas of the shorelines;
- (6) Increase recreational opportunities for the public in the shoreline;
- (7) Provide for any other element as defined in RCW 90.58.100 deemed appropriate or necessary.

Project Response:

Although the proposal includes no specific plans for redevelopment, and therefore does not propose any specific uses, redesignation of the property to the UC environment will meet the preference for uses above. The UC development regulations include restrictions on the types of uses (mainly water-related or water-dependent allowed, with a focus on public moorage/recreational opportunities) that will be allowed on the parcel. This is in contrast to the UI environment, which is less restrictive and allows a wider variety of more intense industrial uses. Restricting the property to fewer industrial uses will preserve the natural character of the shoreline, result in long term benefit for the environment, and will protect the ecology of the shoreline. Redesignation to UC restricts the lot coverage to 50 percent, requires extensive view corridors for most uses, and requires public access to the shoreline for most uses. Thus, compliance with the UC development regulations will meet the goals above.

**C. Comprehensive Plan Shoreline Environmental Goals and Policies. The proposed change is consistent with the Comprehensive Plan Shoreline Environmental Goals and Policies for the area where the change is proposed.**

The Shoreline Area Goals and Policies can be found in policy LUG62 of the Comprehensive Plan. The proposal would be located in the Urban Commercial environment. In this environment, the following objectives apply:

- The purpose of the UC environment is to provide for water-oriented uses of the shoreline and for uses that are not water-oriented when shoreline restoration and enhancement or public access is provided.
- Allow uses that are not water-oriented only when in combination with water-dependent uses or in limited situations where they do not conflict with or limit opportunities for water-dependent uses or on sites where there is no direct access to the shoreline.
- Require visual access to the water through view corridors or other means for commercial and larger multifamily residential projects.
- Provide for public access to the shoreline and require shoreline environmental restoration and enhancement for uses that are not water-dependent.

Project Response:

The proposal complies with the Urban Commercial policies, which track with the purpose and locational criteria of the Urban Commercial environment. The property was historically used as a cargo terminal, however, this cargo terminal has become obsolete given the major tidal and wave action fronting the area, the growth in the size of container ships, and the migration of port activities farther east. The Port actually sold this property to the present owner since it was no longer needed for Port activities. The property also includes a small swath of dry land area and is constrained by Harbor Ave SW. Finally, the uses surrounding the property have changed from industrial to commercial/recreational/residential. The redesignation of the property to the UC environment allows the property to be used for water-dependent recreational uses, and the development regulations for the UC environment will require the property to comply with public access and shoreline restoration requirements.

**D. Harbor Areas. If the area proposed for a change in the shoreline change environment is within or adjacent to a harbor area, the impact of the change on the purpose and intent of harbor areas as set out in Articles XV and XVII of the State Constitution shall be considered.**

The property is neither located in, nor adjacent to, a harbor area.

**E. Consistency with shoreline environments. The proposed change is consistent with the shoreline environment purposes and locational criteria in section 23.60.220 and shall be considered pursuant to Sections 23.34.007 and .008.**

The proposal is consistent with the shoreline environmental purposes and locational criteria in section 23.60.220.

First, the property no longer belongs in the Urban Industrial environment. The purpose and locational criteria of the Urban Industrial environment state:

**Purpose.** The purpose of the UI environment is to provide for efficient use of industrial shorelines by major cargo facilities and other water-dependent and

water-related industrial uses and to allow for warehouse uses that are not water-dependent or water-related where they currently exist. Public access should be provided on public lands or in conformance with an area-wide Public Access Plan.

Locational Criteria.

- 1) Areas zoned Industrial; or
- 2) Areas adjacent to or part of major industrial centers that provide support services for water-dependent and other industrial uses; or
- 3) Areas where predominant uses are water-dependent or water-related manufacturing, warehousing, major port cargo facilities and other industrial uses

*Response:* The property is no longer in water-dependent or water-related industrial use, although it remains zoned industrial. An application to amend the Comprehensive Plan to redesignate the property as mixed use/commercial has been submitted to the City Council. The property is essentially an island of UI-designated land surrounded by other more “mixed-use” shoreline designations (including a public park, Harbor Avenue SW, and Salty’s Restaurant). The site is not well-suited for industrial uses due to several access constraints to water, rail, and roads that create major challenges for industrial users.

Second, the property is consistent with the Urban Commercial locational criteria, which state:

Purpose. The purpose of the UC environment is to provide for a mix of water-oriented uses and development, allow limited non-water-oriented uses and development where it would not displace water-oriented uses and if located on waterfront lots where it achieves another goal of the Shoreline Management Act, such as public access or protection or improvement of ecological functions, and to provide for public access and recreational enjoyment of the shoreline while protecting ecological functions.

Locational Criteria.

- 1) Areas zoned commercial, Neighborhood Commercial or lowrise multifamily.
- 2) Areas with minimal amounts of dry land between the shoreline and the first parallel street, with steep slopes, limited truck and rail access or other features making the area unsuitable for water-dependent or water-related industrial uses but that may be suitable for water-oriented commercial uses, or
- 3) Areas with large amounts of submerged land in relation to dry land and sufficient wave protection for water-dependent recreation.

Project Response:

The proposal is to change the shoreline designation of the property from UI to UC. The property was historically used as a cargo terminal. However, the property is no

longer used as a cargo terminal or for other industrial uses, therefore, it is not appropriate for inclusion within the UI environment. In addition, the property does not contain a large upland parcel suitable for industrial use, but is instead a narrow strip of property located between Harbor Ave SW and the water. This location does not lend itself to a high level of industrial use. Finally, the property is located within the Manufacturing/Industrial Center, but a comprehensive plan amendment is being concurrently submitted to take the property out of the MIC and out of the industrial designation. This area is no longer used predominantly for industrial uses, and does not support industrial uses. Instead, the surrounding uses are predominantly commercial/residential.

The property complies with both the purpose and the locational criteria for the UC environment. Upon redevelopment, the property is well-suited for providing recreational opportunities, marine-related moorage and retail, and public access to the shoreline. The underlying zoning is IG2, but this would change following the Comprehensive Plan redesignation. The property is a narrow strip between Harbor Ave SW and the water and therefore not well-suited for larger industrial uses, much of the property is submerged land rather than dry land, and the predominant land uses surrounding the property are commercial and/or recreational.

See below for an analysis of 23.34.007 and .008.

**F. Consistency with Underlying Zoning. The proposed change is consistent with the appropriate rezone evaluation criteria for the underlying zoning in Chapter 23.34 of the Land Use Code unless overriding shoreline considerations exist.**

The proposal would eventually result in a change to the underlying zoning, which is currently General Industrial 2 (“IG2”), with a height limit of unlimited/85 feet. However, a comprehensive plan amendment is first required to redesignate the property from industrial to mixed use/commercial. However, even though a comprehensive plan amendment is pending to change the designation of the property, the change to UC is still consistent with the current underlying zoning criteria; the compliance of the UC-designated property will then be considered for consistency with whatever zone the property is designated following the comprehensive plan amendment change at a future time.

The function of the IG2 area is:

An area with existing industrial uses that provides space for new industrial development and accommodates a broad mix of activity, including additional commercial development, when such activity improves employment opportunities and the physical conditions of the area without conflicting with industrial activity.

The IG2 zone is most appropriate in areas with the following characteristics:

- a. Areas that are developed with industrial activity or a mix of commercial activity and a wide range of commercial uses
- b. Areas where facilities such as the Kingdome or Design Center, have established a more commercial character for the surroundings and have created the need for a broader mix of support uses
- c. Areas with adequate access to the existing and planned neighborhood transportation network; where additional trips generated by increased commercial densities can be accommodated without conflicting with the access and circulations needs of industrial activity
- d. Areas where increased commercial densities would allow the economic reuse of small sites and existing buildings no longer suited to current industrial needs
- e. Areas that, because of their size and isolation from a larger industrial area due to separation by another type of zone or major physical barrier, such as an arterial or waterway, can accommodate more nonindustrial activity without conflicting with the industrial function of the larger industrial area
- f. Large areas with generally flat topography
- g. Areas platted into large parcels of land.

SMC 23.34.093.

#### Project Response

The property is zoned IG2 and is therefore not consistent with this single criterion of the UC environment. However, a comprehensive plan amendment application has been submitted to redesignate the property to mixed use/commercial; therefore the underlying zoning will be commercial. The redesignation to UC is consistent with the IG2 locational criteria. However, the change to UC is consistent with the IG2 locational criteria. The property is in an area that is currently developed with a mix of commercial uses (restaurants, shops). Next, the property is located directly adjacent to Harbor Avenue SW, which can accommodate additional commercial trips. Such trips will not conflict with industrial traffic for two reasons: first, the industrial activity is generally not in this area, and two, the industrial traffic trips that do exist in this area are directed to the south, away from the property. Finally, the property is located in an area that is isolated (due to it being in West Seattle, across the water from Harbor Island) from other larger industrial areas—it is truly an island of industrial designation in the middle of mainly commercial and other mixed uses.

#### **G. Rezone Evaluation. The proposed change shall comply with the rezone evaluation provisions in Section 23.34.007.**

SMC 23.34.007 directs the rezone evaluation to be based on the zone function statements and the zone functional criteria. Specific to shorelines, SMC 23.34.007.E states that the evaluation shall comply with SMC 23.60.060 and 23.60.220.

As identified in this section, the evaluation complies with the elements of 23.60.060. 23.60.220 includes the Urban Commercial Environment's purpose and locational criteria. See subsection (E) for an outline of the proposal's consistency with the UC purpose and locational criteria.

**H. General Rezone Criteria. The proposed change shall meet the general rezone standards in Section 23.34.008.b through 23.34.008.J.**

These standards include:

**23.34.008.B Match Between Zone Criteria and Area Characteristics.** The most appropriate zone designation shall be that for which the provisions of the designation of the zone type and the locational criteria for the specific zone match the characteristics of the area to be rezoned better than any other zone designation.

Project Response: As stated above, the purpose and the locational criteria of the UC environment fit the property better than the UI environment. The property is consistent with the UC environment.

**23.34.008.C Zoning history and Precedential Effect.** Previous and potential zoning changes both in and around the area proposed for rezone shall be examined.

Project Response: The property is located on the southern border of the Urban Commercial environment. South of the property is located within the Urban Industrial environment. Redesignation of the property to the US environment will not create a precedential effect that would require redesignation of the UI designated property to the south to UC because the property to the south is Jack Block Park, and will not be changed. Farther to the south (also in the UI environment), the Port of Seattle owns land that is currently in heavy industrial use that is not likely to be redesignated in the foreseeable future.

**23.34.008.D. Neighborhood Plans**

The property is located within the Duwamish MIC neighborhood.

Project Response: The redesignation is consistent with the goals and policies of the Duwamish MIC neighborhood plan:

**GD-P5: Limit the location or expansion of non industrial uses, including publicly sponsored non-industrial uses, in the Duwamish MIC.**

**GD-P6: Strive to separate areas that emphasize industrial activities from those that attract the general public.**

*Response: The property is located between Salty's Restaurant, Jack Block Park, and is located along Harbor Ave SW, a major biking and pedestrian way. The property is therefore between areas that attract the general public and create conflicts between industrial users and the public.*

**GD-G5: Land in the Duwamish MIC is sufficient to allow an increase in the number of family-wage industrial jobs that can be filled by workers with diverse levels of education and experience.**

**GD-G7: the City and other government bodies recognize the limited industrial land resource and the high demand for that resource by private industrial businesses within the Duwamish MIC when considering the siting of public uses there.**

*Response: Taking this property out of the MIC will not negatively impact this goal. The property has been largely vacant since 1992 and has been unable to attract industrial tenants due to its major site constraints. The City and the Port recognized that this use is no longer suitable for industrial uses when it created Jack Block Park to the south, and when the Port sold the property.*

**GD-P8: Strive to protect the limited an non-renewable regional resource of industrial, particularly waterfront industrial, land from encroachment by non-industrial uses.**

*Response: The property has already been encroached upon by non-industrial users (Salty's Restaurant, Park), and is not suitable for industrial uses. It was sold by the Port as not suitable for port purposes in 1992.*

**23.34.008.E Zoning Principles.** The following zoning principles shall be considered:

1) The impact of more intensive zones on less intensive zones or industrial and commercial zones on other zones shall be minimized by the use of transitions or buffers, if possible. A gradual transition between zoning categories, including height limits, is preferred.

Project Response: The UC environment is intended to apply in areas in which limited truck and rail access or other features make it unsuitable for industrial use. Such is the case with the subject property where there is a narrow strip of dry land between the water and Harbor Avenue Southwest, and poor industrial transportation connections. In addition, the property is located directly south of the UC environment. The extension of the UC environment a bit further south will not create additional impacts on industrial uses in the area, but will add

additional buffer between commercial and industrial uses, and create a transition between the uses moving from the south: Heavy Industrial on the Port Property, park, and the UC environment to the north. The UC environment is not the most intense commercial use designation in the shoreline environment.

2) Physical buffers may provide an effective separation between different uses and intensities of development. The following elements may be considered as buffers:

- a. Natural features such as topographic breaks, lakes, rivers, streams, ravines, and shorelines;
- b. Freeways, expressways, other major traffic arterials, and railroad tracks;
- c. Distinct change in street layout and block orientation;
- d. Open space and greenspaces;

Project Response: The property is buffered from the adjacent UI environment by railroad tracks and by Jack Block park. The proposal would simply extend the UC environment farther to the south.

### 3) Zone Boundaries

- a. In establishing boundaries the following elements shall be considered:
  - (1) Physical buffers as described in E2 above;
  - (2) Platted lot lines.

Project Response: The boundary between UC and UI will be separated by two physical buffers (railroad tracks and Jack Block Park), and will follow platted lot lines.

b. Boundaries between commercial and residential uses shall generally be established so that commercial uses face each other across the street on which they are located, and face away from adjacent residential areas. An exception may be made when physical buffers can provide a more effective separation between uses.

Project Response: Not applicable.

4) In general, height limits greater than 40 feet should be limited to urban villages. Height limits greater than 40 feet may be considered outside of urban villages where higher height limits would be consistent with an adopted neighborhood plan, a major institution's adopted master plan, or where the designation would be consistent with the existing built character of the area.

Project Response: Not applicable.

**23.34.008.F. Impact evaluation.** The evaluation of a proposed rezone shall consider the possible negative and positive impacts of the area proposed for rezone and its surroundings.

1) Factors to be examined include, but are not limited to, the following:

a. Housing, particularly low-income housing;

Project Response: The change to the UC environment will have no negative impact on housing. The change may have a positive impact on existing housing in the area, as redevelopment of the property under the UC environment will likely increase the amount of recreational opportunities and shoreline access opportunities available to people living in nearby housing.

b. Public services;

Project Response: The change to the UC environment will have no negative or positive impact to public services.

c. Environmental factors, such as noise, air and water quality, terrestrial and aquatic flora and fauna, glare, odor, shadows and energy conservation;

Project Response: The change to the UC environment will have no negative impacts to any of the above environmental factors. There may be some positive impacts to noise (less potential for heavy industrial use), and terrestrial and aquatic flora and fauna (eventual redevelopment may require habitat mitigation). Any future redevelopment, as well as this proposal, and any potential underlying rezone, would require analysis under the State Environmental Policy Act ("SEPA") which would further evaluate environmental impacts.

d. Pedestrian safety;

Project Response: The change to the UC environment will have no negative or positive impacts to pedestrian safety, as it does not seek to develop, change the use, or the change the underlying zoning of the property that would impact pedestrians.

e. Manufacturing activity

Project Response: The change to the UC environment may reduce the amount of manufacturing activity that could occur on the property. However, the property is no longer in industrial/manufacturing use, and the property is not physically suitable for effective use as industrial land in today's market. In addition, the change to the UC environment will have no negative impact on adjoining UI-designated property, as stated above (physical buffers).

f. Employment activity

Project Response: The change to the UC environment may ultimately result in a positive impact on employment activity on the property, as redesignation to UC may ultimately result in redevelopment of the property creating employment opportunities. The property as it is currently designated employs very few people and is underdeveloped and underutilized. The property owner has been actively seeking industrial tenants since 1992 and has been unable to find significant tenants.

**g. Character of areas recognized for architectural or historic value**

Project Response: The area is located within the archaeological buffer, as it is adjacent to Puget Sound and may have been used by Native Americans at one time. The change to the UC environment will have no negative impacts on this area as any potential redevelopment (not proposed here) will be required to comply with the Seattle Municipal Code regarding archaeologically sensitive areas.

**h. Shoreline view, public access and recreation**

Project Response: The change to the UC environment will have positive impacts on shoreline view, public access and recreation, as the UC environment requires more provisions for views, access, and recreation than does the UI environment.

**2) Service capacities.** Development which can reasonably be anticipated based on the proposed development potential shall not exceed the service capacities which can reasonably be anticipated in the area, including:

- a. street access to the area;
- b. street capacity in the area;
- c. transit service;
- d. parking capacity;
- e. utility and sewer capacity;
- f. shoreline navigation.

Project Response: No development is proposed as part of the UC redesignation, and none can reasonably be anticipated at this time. However, as part of any underlying rezone, change of use, or development proposal, these items will be required to be analyzed as part of SEPA, code, and shoreline review.

**SMC 23.34.008.G. Changed Circumstances.** Evidence of changed circumstances shall be taken into consideration in reviewing proposed rezones, but is not required to demonstrate the appropriateness of a proposed rezone. Consideration of changed circumstances shall be limited to elements or conditions included in the criteria for the relevant zone and/or overlay designations in this chapter.

Project Response: As stated above, the property is no longer in active industrial use, and cargo facility activities have moved further east away from this site to Harbor Island and beyond. The area north of the property is characterized by more commercial/recreational uses. Thus, the circumstances on and surrounding the property have changed, making this area less industrial and more commercial.

**SMC 23.34.008. H. Overlay Districts.** If the area is located in an overlay district, the purpose and boundaries of the overlay district shall be considered.

Project Response: The property is located in the Manufacturing/Industrial Center; a separate comprehensive plan amendment applicant submitted to the City by the applicant is pending to take the property out of the MIC and shift the boundary to the southern property line of the subject property.

**SMC 23.234.008.I. Critical Areas.** If the area is located in or adjacent to a critical area, the effect of the rezone on the critical area shall be considered.

Project Response: The property is located in and adjacent to the following critical areas: Liquefaction Hazard Zone, Abandoned Landfill, Wildlife Preservation Area, Shoreline Habitat Buffer, and Archaeological Buffer critical areas. There is no proposed development associated with the redesignation to UC, and therefore no impact to the critical areas is expected. Upon redevelopment of the property (not included in this proposal), the redevelopment will be required to comply with the critical areas regulations for each critical area.

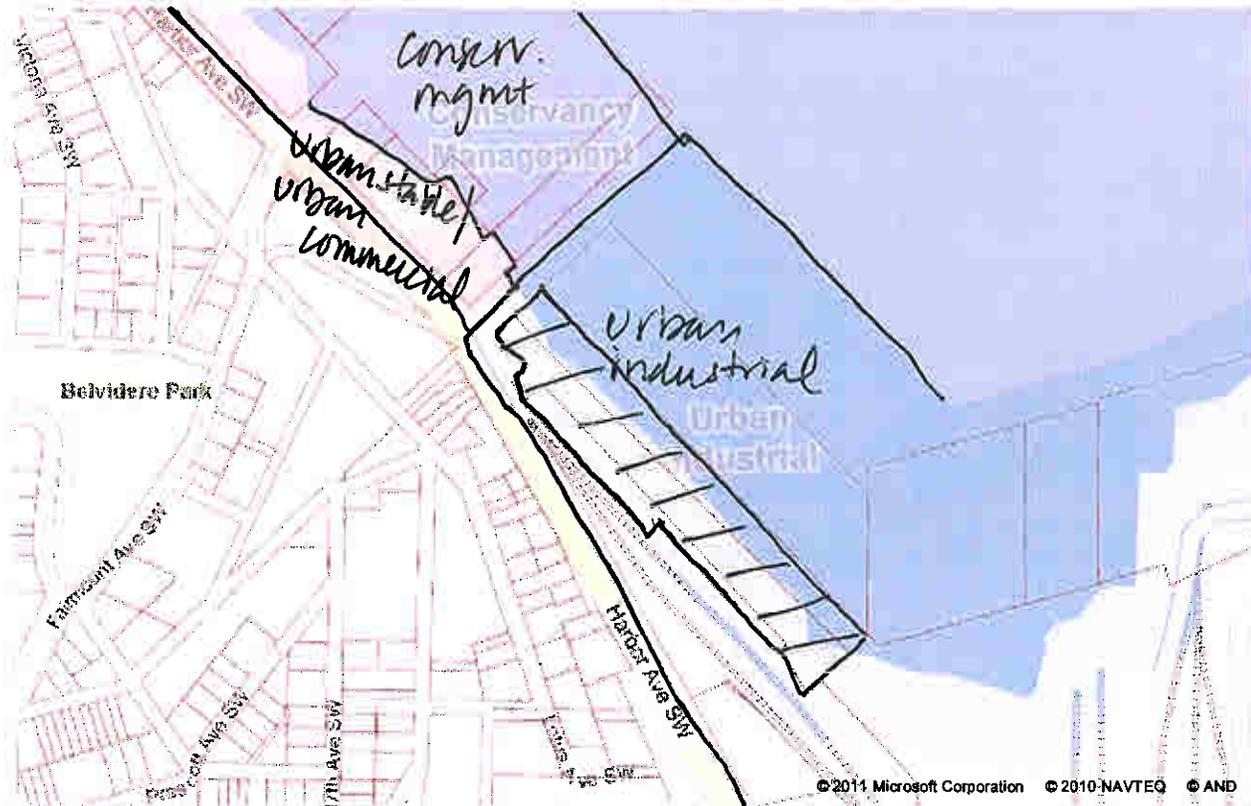


**Displaying layers:**  
 Parcels  
 Shoreline Zoning

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*proposed shoreline designations*

*[Hatched box symbol] area proposed to be redesignated to urban commercial*



**Displaying layers:**  
 Parcels  
 Shoreline Zoning

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*Current shoreline designations + current shoreline designations in draft Shoreline Master Plan update.*

* AnMarLo owned parcels*





