

**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. If May 15th falls on a weekend, the deadline is the Friday closest to that date. Any proposals received after May 15th will be considered in the review process for the following year.

(Please Print or Type)

Date: **May 13, 2010**

Applicant: **American Life Inc.**

Mailing Address:

270 S. Hanford St., Suite 100

City **Seattle** State: **WA** Zip: **98134** Phone: **206-381-1690**

Email: **henry@americanlifeinc.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)

The proposed comprehensive plan policies would affect South of Downtown (SODO) area of the Duwamish Manufacturing/Industrial Center neighborhood. The defined SODO area for this proposal would be bounded by S. Spokane Street on the south, I-5 on the east, Colorado Ave S. on the west, and the Stadium Transition Overlay Area on the north.

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 **American Life Inc.**

Signature: **By:** _____, its president

Date: **5/14/2010**

On behalf of itself and a number of other property owners in the SODO area of Seattle, American Life Inc. submits this application for an amendment of the Seattle Comprehensive Plan.

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~~.

The proposal would add the following language to the Land Use Policies of the Greater Duwamish Manufacturing/Industrial Center

GD-P21

Promote a wider array of uses in the South of Downtown (SODO) area of the Duwamish Manufacturing/Industrial Center in the area bounded by S Spokane Street, Interstate-5, Colorado Ave S, and the Stadium Transition Area Overlay area by allowing the following:

a. Research and Development uses as distinct from laboratories, which would be an establishment engaged in industrial or scientific research, product design, development and testing, or production of prototypes leading to the development of new products.

b. High Technology Office uses, as distinct from ordinary office uses, up to 100,000 square feet per lot, which would be an employee work site used for computer software design and development, data processing, electronic data interchange, electronic commerce and/or information systems management, nanotechnology, biotechnology or other high technology uses. Consider higher limits for very large lots (over two acres).

c. Administrative office uses up to 25,000 square feet per lot.

d. General sales and service uses up to 25,000 square feet per lot along certain corridors, such as 1st Avenue South, 4th Avenue South, and South Lander Street.

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.

While this is not a request to amend the text of the Land Use Code, in order to become consistent with the Comprehensive Plan, the Land Use Code

should be amended to provide new definitions of Research and Development Use and High Technology Office Use. And the text of 23.50.027 should be amended to provide new The following language is suggested:

Add the following definition to SMC 23.84A.027:

“Office, High Technology” means a use as an employee work site used for computer software design and development, data processing, electronic data interchange, electronic commerce and/or information systems management, nanotechnology, biotechnology or other high technology uses

Add the following definition to SMC 23.84A,032:

“Research and Development Use” means a use that is engaged in industrial or scientific research, product design, development and testing, or production of prototypes leading to the development of new products

A new section would be added to SMC 23.50.027 to read as follows:

F. Exceptions for Portion of Greater Duwamish Manufacturing/Industrial Center.

1. In the area of the Greater Duwamish Manufacturing/Industrial Center bounded by South Spokane Street, Interstate-5, Colorado Avenue South, and the Stadium Transition Area Industrial Zone, size limits per lot for the following uses are as follows:

- a. Research and Development uses are allowed without square footage limitation;
- b. High Technology Offices are allowed up to 100,000 square feet.
- c. Other Office uses are allowed above the ground floor up to 25,000 square feet; and
- d. General Sales and Service Uses along 1st Avenue South and 4th Avenue South are allowed up to 25,000 square feet.

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

No change to the Future Land Use Map is proposed.

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 Comprehensive Plan has policies that are consistent with and support this proposed amendment:

Policy GD-P9, for example, requires the City to “Distinguish between the industrial zones in the Duwamish Manufacturing/Industrial Center by the amount and types of uses permitted in them.”

This policy is a good start at differentiating between the different areas in the Duwamish Manufacturing/Industrial Center, but it does not adequately address the significant differences between the different areas in the Duwamish M/I Center. The SODO area bounded by S Spokane Street, I-5, Colorado Ave S, and the Stadium Transition Overlay area has continued to change dramatically, has continued to lose larger manufacturing businesses to other parts of the state and country, and has continued to become more of a support area for Downtown. The SODO area has also changed with the location of a major urban transit infrastructure improvement – a Sound Transit Light Rail station. The marine industrial areas to the west of SODO, on the other hand, continue to be a vital part of Seattle’s marine industrial economy and no changes are proposed for those areas.

At the time of the most recent rezone of all Seattle’s Industrial zones in 2007, all the City’s industrially-zoned areas were treated the same including areas of the Duwamish Manufacturing/Industrial Center. The Council recognized that this one size fits all approach was not appropriate for a final resolution, but felt it did not have time in 2007 to address those issues. This proposal addresses that unfinished business of addressing the appropriate treatment of the SODO area.

The proposed change to the definition of Research and Development uses for the SODO area was originally proposed in the adopted neighborhood plan for the Duwamish M/I Center in 1999, which is still in place.

The proposal to allow High Technology Office uses to a greater degree in SODO is identical to the approach used by the City of Chicago. Chicago has been widely praised by land use planners for its ability to preserve industrial areas. In the Chicago approach, the City of Chicago zoning code has low limits on ordinary professional, governmental, management or administrative office uses in its industrial preservation zones. But Chicago allows High Technology Offices uses (defined identically to the language in the proposal above) to an unlimited degree. This has had the effect of promoting startup, high tech uses, which need lower rents than regular downtown office space can accommodate, in Chicago while also preserving industrial uses.

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?

Criterion A. The proposed amendment meets three of the four alternate criteria in Criterion A. It is appropriate for a Comprehensive Plan amendment because it

differentiates the SODO area of the Duwamish M/I Center as an area for special attention, as recognized by the Council during the prior rezone of Seattle's industrially-zoned lands. The proposal addresses potential uses in that small subarea of the M/I Center, so it is not appropriate for budget or programmatic decisions. The amendment is not better addressed by the neighborhood plan because the SODO area is a small portion of the overall Greater Duwamish M/I Center. In addition, the existing neighborhood plan already supports this revision to the definition of Research and Development Uses for the entire M/I Center, although the proposed amendment would only apply that use category to the SODO area in order to maximize protections for the waterfront industrial areas.

Criterion B. The proposed amendment clearly meets existing state and local laws because it addresses types of land uses within the SODO area of the M/I Center.

Criterion C. The timing is practical because the Council will have many months to consider information about the SODO area. Numerous landowners in the area are available to update staff and the Council on the present use patterns and trends in the SODO. Because the area is limited in geographic scope and because the proposed amendment is limited in scope, staff will have ample time to develop policy and code language. Policy and code language are already suggested above in this request. As mentioned above, the proposed amendment is already consistent with the policies in the Comprehensive Plan calling for differentiation of areas in the M/I Center. This is a new amendment request and has not been recently rejected. Finally, this proposal has been discussed and is supported by a number of major land and business owners in the SODO area. Because it is a relatively small geographic area, outreach and public participation will not be unduly burdensome and can easily be accomplished during the present planning cycle.

The plan amendment is needed because the SODO area is distinct and different from other areas of the M/I Center and has undergone significant change in the past years due to economic trends that are independent of the City's planning and regulatory process. This amendment would recognize those changes, would allow the business activity in the area to reflect that economic reality, and would not significantly affect any of the remaining manufacturing businesses in the SODO area.

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?

SODO will continue to evolve in response to economic conditions. Research and development uses already are located in the area, and this amendment will clarify their role in the area. The new High Technology Office use definition will allow these types of uses to locate in SODO to a limited degree – rather than locating

outside of Seattle – at the time when they are starting up and unable to pay the significantly higher rents in Downtown. Because they would be limited to 100,000 square feet per lot, if any high tech company grew significantly, it would need to relocate at that time to another area of the City such as Downtown when it was a more mature company and could afford higher rents. The minor changes to regular office uses and general sales and service uses reflect the existing general character of the area.

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.

See discussion in #2 above.

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.

Yes. Numerous users and property owners in the area are supportive of these minor revisions that recognize that the SODO area is significantly different from other M/I Center areas.

Your comprehensive Plan Amendment Application must be received by the City Council no later than 5:00 p.m. on May 15th to be considered in the next year's annual review process. You can send your application via e-mail (the preferred method) to compplan@seattle.gov, or via regular mail to: Office of the City Clerk, 600 Fourth Avenue, Floor 3, PO Box 34025, Seattle, Washington 98124-4025.

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.