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Seattle Planning Commission Comments on the Port of Seattle's North Bay DEIS

Dear Mr. McCraney:

The Planning Commission appreciates the opportunity to contribute its comments on the Port of Seattle's North Bay DEIS. We appreciate the efforts by the Port of Seattle (Port) to determine the best use of their property in the Interbay area. At the same time, we recognize that these decisions can not be made out of the larger context of industrial land uses and zoning in the City of Seattle (City) and the Puget Sound region.

The City needs to fully understand the resource it has in industrial zoned land and must steward that resource to serve the people of Seattle. With this in mind, the Seattle Planning Commission looks forward to the completion of an industrial lands study being conducted by City staff in the Office of Economic Development and the Department of Planning and Development. Once this study is completed and an industrial lands strategy for the City is developed, only then will the Planning Commission be in a position to determine support for a specific development alternative in North Bay.

The six proposed alternatives suggest different configurations and development intensities of uses already allowed on the property under current zoning – except for three of the alternatives which also include housing. The Planning Commission supports the recent resolution by the Seattle City Council which does not favor the inclusion of housing in the North Bay project – at least prior to the development of an industrial lands strategy.

We look forward to the Final EIS and a thorough description and rationale of a preferred alternative and a detailed analysis of impacts and mitigation measures.

Specific Comments by Chapter

Earth

The master plan documents cites several areas of concern related to the project but proposed mitigation would, in the view of the DEIS authors, solve those problems. In looking at the report from the point of view of overlapping issues (proposed land use in relation to earth issues) raises questions from a policy perspective.

First, the proposed site is located in an area of extensive landfill and has been identified as having soil liquefaction concerns. The report characterizes the land in the area of the proposed changes in the following language:

”The entirety of the project site is shown on the City of Seattle critical areas map as a seismic hazard area and could be subject to liquefaction during a major seismic event. Based on the explorations reviewed for this project, the depth of liquefiable soils could be about 60 feet to 100 feet • ”

The DEIS does not adequately address concerns about building moderate to high density, mixed use development on land so described above. The FEIS should address this issue. The FEIS should also address the potential impacts of locating facilities for biotechnology in areas where earthquake damage could release harmful agents into the air and water of Puget Sound. Given the critical area designation of the site and the problems associated with building safely on such sites the Planning Commission suggest more detailed analysis of the risks for the Port and City in approving and developing a dense multi-story development in an area of serious earthquake risk.

Air Quality

Discussion of air quality does not take in to consideration a phased development process – only a qualitative analysis is provided for this period of time. Concentrations were only calculated for year 2030 – once development is already in place.

If residential units (except in Alternative 1) are constructed before other facilities, the discussion does not fully detail residential on-site impacts such as industrial odors, emissions, and construction – residents could be living in a construction site for several years. Mitigation measures need to be more clearly identified.

Does the modeling of existing conditions include the emissions from diesel locomotives, industrial sources, and marine vessels at Piers 90 and 91? If not, then the model results underestimate emissions, especially of particles.

Table 3.2-1 on CO concentrations should include the standards for 1 hr—35 ppm, and for 8 hr—9 ppm and also columns for percentages for existing, baseline and Alt. 1. This would enable the reader to better understand existing conditions and the impacts. The reductions in CO emissions shown in this table between existing conditions and 2030 No Action and Alt 1 scenarios are due

to the assumption of increasing stringent emission reduction requirements. Still, there is a significant difference of about 10-15% between the No Action and the Alternative 1. But it is also likely, that standards for CO emissions will be stricter in 2030, which could make the projected concentrations exceed the ambient air quality standards in 2030. The point being that if you assume stricter vehicle emission requirements in the future, you may also need to assume stricter CO concentration standards.

Also, given the phased approach of the development, and that several parcels on the project site are contaminated and will require remediation (and that the timeline for remediation is unknown at this time), some attention such be given in the air quality section to the air pollution impacts that remediation of the sites would have on existing and the first phase of new development.

Water

Existing impervious surface on the site is estimated at 84%. After redevelopment according to Alternatives 1-4, the impervious surface would be reduced to 70-75%, and therefore there would be a reduction in runoff.

Stormwater runoff now is discharged directly into Elliot Bay through several outfalls, and one overland area, with no treatment of the runoff. This likely contributes to water pollution problems in the Bay, in particular, dissolved copper, oxygen, and fecal coliform levels above standards. The FEIS should address these impacts.

The DEIS indicates that under the development alternatives, stormwater runoff from the project site would be treated before being discharged in two ways. In the western portion of the site (44 acres), a landscape drainage channel would be constructed at the base of the existing greenbelt, which would serve as a biofiltration swale where stormwater would be channeled from the storm drains before being sent to the outfall pipes (especially to outfall C). For the rest of the site, there is mention of the use of wet vaults and other measures before sending the stormwater to the outfalls. It is not clear whether the project intends to treat all runoff going into outfall A or only on site runoff. This is especially important since the onsite runoff going out of outfall A makes up only 9% of the total runoff being discharged by outfall A. If only onsite runoff is going to be treated by wet vaults, etc., then not much improvement of the discharge from outfall A can be claimed by the proposed redevelopment.

Potential underground parking is being considered in groundwater recharge areas. Groundwater is indicated to be within 4-5 feet of the surface. The DEIS indicates that dewatering the site would be required. But land subsidence is likely to occur in these areas, and should be addressed.

Plants and Animals

The Planning Commission has no comments on this chapter.

Environmental Health – Hazardous Materials

The site is proposed to be developed in a phased way over a period of time. The investigation and remediation of the Tank Farm seems to be furthest along in the investigation phase. Since the investigation and clean-up of the contaminated sites will be undertaken at different and in most cases unknown timetables, and through different protocols, clean-up schedules could affect the redevelopment of the sites, including the uses being proposed for it.

Also the EIS should address the possible contamination of Phase I development by air toxicants released by decontamination activities in nearby sites as mentioned in the air quality comments.

Noise

The construction noise/demolition discussion is very qualitative. Given that construction will take place over a 25 year period (intermittently), a quantitative range of impacts during construction should be included. This seems particularly important since it is likely that, in terms of noise, the highest negative impact in the area will be during construction. For example, Table 3.6-5 provides a quantitative comparison for year 2030 (construction is completed) but nothing is mentioned for the time period during construction (25 years).

If residential construction occurs before other facilities have been constructed, what are the impacts to those households living in a construction zone?

Given the various code limits on noise (depending on zoning), it was not clear which zoning code applied given the mixed use for all alternatives. This included industrial flex/tech, R&D, retail, office, residential zoning (except Alternative 1).

It is not clear what was considered in the discussion of traffic noise – vehicles, buses, monorail?

Discussion is provided on cumulative on-site noise, and the analysis suggests that the on-site noise will be higher than current levels. However, discussion is not included on the impact the development would have to areas around the study area to the north, west and east. Since these residents and businesses will be undergoing a change in their environment, it is essential that the impact on their noise levels be studied and included in the Final EIS as well as mitigation measures identified.

The FEIS should address the possible conflicts and any incompatibility between on-site residential uses, should housing be constructed on-site, and the existing and future industrial uses and the other proposed commercial uses.

Land Use – Land Use Patterns

One of the central land-use issues of the North Bay Area is that of introducing residential uses into an industrial zone. The possible incompatibility between industrial and residential uses does not appear to be specifically discussed in the DEIS. The study and the Framework Development

Plan do look at buffering between uses within the individual alternatives. The DEIS does not leave the reader with a clear vision of the positive impacts that can be obtained by including residential in the new mix of uses for the site.

Another critical issue is the displacement of maritime and traditional industrial uses. This long-term impact on traditional land use is acknowledged: "The character would reflect a dense, urban employment center, with more emphasis on emerging industry than on traditional/maritime industry." But a more lengthy general discussion of this process and possible mitigation should be included in the EIS to address the effects of allowing residential development in the area and expanding possibilities for commercial uses, especially at the waterfront.

The EIS should contain a general analysis of these weighty changes to industrial land use patterns. As stressed at the beginning of this letter, it is imperative that an industrial lands study be undertaken. Such a study would be instrumental in redefining industrial land uses and clarifying the function of these zones in a time when the needs of industry are shifting.

What are truly the impacts regarding industrial jobs displacement? What is the true benefit to the City? Discussion is provided on land use impacts for each proposed alternative, but it would be helpful to include a section on what happens in the future if land use is not changed (No Build option). This may help illustrate the difference in development and opportunities with and without the land use changes.

Table 3.7-2 should include column for existing and 2030 No Build conditions to clearly illustrate the modifications being proposed.

The DEIS acknowledges that there are areas on the site that the Port does not own, there are several parcels that are owned by the National Guard and BNSF. The DEIS states, "potential future regulatory mechanisms would be necessary to facilitate the change in land use patterns. This could be accomplished via extension of the Overlay to these properties, or rezones. Future development, consistent with these regulatory changes, could result in new uses at these site areas as well. For purposes of this EIS, it is assumed that the land use pattern at the National Guard property (Area 5) would change from governmental facility and storage use to a mixed-use environment consisting of office, retail, and potentially residential uses. For the BNSF portion of the site (Area 6), the land use pattern for Area 6 (to the west of the mainline tracks) would be assumed to change from rail switching yard to traditional industrial, emerging industrial, office and retail service uses." Are these really accurate assumptions to make? What happens if rezones do not occur on BNSF or National Guard sites?

Section 3.7.4 - Significant Unavoidable Adverse Impacts States that Alternatives 1-4 would result, "in the displacement of some existing uses." It will be necessary to elaborate on what those are in the Final EIS.

Relationship to Plans and Policies

The DEIS does contain a comprehensive description of existing State, regional, and City plans and policies that guide development within the City of Seattle. There is little question that these plans and policies encourage greater density and support development within the City. The question remains whether the specific development scenarios proposed by the Port of Seattle in this DEIS are the best development for this particular location.

The breadth of plan review indicates that the Port of Seattle understands the context of their proposal. However, the discussions that follow each plan description often make no reference as to how the Port's proposals vary from what is currently allowed or encouraged under the plan – except for the addition of housing in some of the alternatives. In other words, most of the development proposed is allowed under current zoning and plans. It is not until the last item, City of Seattle Land Use Code, that the DEIS clearly states the difference - a North Bay Overlay is described allowing taller building heights, potential higher FAR limits, and greater development levels for office and retail uses per lot all superimposed over the existing IG-1 zoning. It is these very points that need to be explored as to how they fit (or don't fit) with the existing plans and policies. Additionally the FEIS should more thoroughly analyze the impacts of the alternatives in the context of a clear preference outlined in existing state, regional and city policies to preserve industrial lands.

Instead of simply stating that all of the proposals support and fulfill the State, regional, and City goals for greater employment and residential density within Seattle, this section should more specifically describe why increasing height and density allowances are needed in order for the site to become developed as the plans envisioned – or how not increasing heights and densities prohibits the site from developing. And, perhaps most importantly, how fulfilling the Port's request for the application of an overlay zone would impact all of the plans and policies.

The Final EIS should clearly state what is being requested as a change to existing plans and policies, how the change will allow the property to fulfill its role in the region's growth capacity, and how the change impacts the policies of areas physically adjacent to the site or related to it – such as employment centers, industrial zoned land, or Manufacturing Industrial Centers – within the region.

Employment, Population and Housing

In order to make a case for the inclusion of housing in this project, the Final EIS needs to provide a better description of demand for housing in this location, income levels expected to be served, densities, housing types, and how such housing might be financed.

Given the fact that industrial uses in the City are concentrated in two industrial centers, one of those being BINMIC/North Bay - the Final EIS should consider potential impacts to where the industrial and manufacturing jobs will be located in the City if zoning changes allow commercial and other uses at North Bay. What impacts might there be to the other industrial uses in BINMIC? What are the potential impacts on other industrially zoned land in the City and to other commercially zoned areas in the City – specifically those areas with development capacity and

which are zoned to accommodate office, retail, technology, biotech, bioscience and research facilities?

Aesthetics/Light and Glare

Some alternatives could potentially eliminate a large part of the view to the south from the Magnolia Bridge. Although this is not a city-protected view, it is an important public asset and should be minimized by keeping heights lower than the maximum on the parcels south of the bridge.

The Planning Commission would like more details about the design review that the project go through and notes that most large projects in the city now go through review whether by local design review boards or the Design Commission. We believe this project should also have such a process.

Historic and Cultural Resources

In general, the supplemental report thoroughly discusses the history of the area's geology, geography, earliest inhabitants, previous and current uses and the buildings in a satisfactory manner. However, the building inventory descriptions should explain more completely the alterations that led to the conclusion that none of the buildings have sufficient integrity to be significant.

Will any of the alternatives require a Federal permit, and will compliance with Section 106 of the National Historic Preservation Act be required?

Since there is no adverse impact to historic or cultural resources, no mitigation is required. However, the project and the community could benefit from an exhibit or other interpretation for the public of the site's complex history. This interpretation could address the history of the original inlet, the filling of the inlet, early settlers and the use of the property by the railroad and the US Navy, as well as possible Native American activities in the area.

Transportation

The FEIS should evaluate the possible impacts of constrained traffic volume on the 15th Avenue West/Elliott Avenue West corridor and intersections proximate to North Bay that might occur with the construction of the Monorail.

The FEIS should analyze impacts to North Bay in the event the Monorail is not built.

The FEIS should analyze impacts in the event Monorail stations are eliminated or postponed.

The DEIS does not mention potential impacts given the construction of the Viaduct. Although the development at North Bay is to occur over a long period of time however it is possible that

traffic patterns and timeliness of buses are going to change during the years the viaduct work is underway. The FEIS should address the impacts of the Viaduct project.

The FEIS should be explicit about commute modeshare assumptions and how the number of off-street parking spaces built for office, R&D, flex-tech and industrial uses will support the targeted modeshares, particularly commute modeshares. The number of on-street spaces within the site should be considered in this analysis as well. All LOS modeling for the project is based on the assumption that no more than 55 percent of all trips would be made in single-occupant vehicles, based upon Commute Trip Reduction (CTR) Act goals. The EIS should analyze to what extent planned parking build-out will support this goal, and what level of investment in alternative modes (e.g., carpool, transit, walk, bike) will be needed to attain this goal. As noted in the DEIS, the alternative with the least amount of development would result in would generate more than 14 times the number of current peak hour riders along Elliott Avenue. By extrapolation, the alternative with the most amount of development would generate over 100 times the number of peak hour riders, according to Table 3.12-5. Should the actual SOV modeshare be higher than projected in the EIS, the peak traffic volumes will be much higher than in the modeled scenario at full build out.

The DEIS could better communicate the magnitude to which the project will affect traffic on proximate arterials. The DEIS focuses on a metric, LOS at key intersections, that is difficult for the lay person to fully appreciate. One suggestion would be to add a side-by-side comparison of trips generated by alternative development plan (depicted in Figures 3.12-10 to 3.12-15) compared to the baseline number of trips on key arterials.

The study area for the transportation chapter of the DEIS extends over four miles north to 85th Street along 15th Avenues NW, but does not examine the extent to which traffic will be affected in between the subject and Interstate 5, particularly on Mercer and Denny streets through South Lake Union. Given the projected rates of development in both South Lake Union and North Bay, a strong case can be made for including arterials through South Lake Union in the study.

Public Services and Facilities

The Planning Commission has no comments on this chapter.

Utilities

Creating the need for additional power capacity where none exists today has an effect on available resources. The EIS should detail the impacts and needs of utilities such as these and the potential need to provide a substation serving North Bay. This analysis should include the possible impacts to the proposed substation in the South Lake Union/Denny Triangle areas which are zoned for commercial and residential uses and where capacity has not yet been realized.

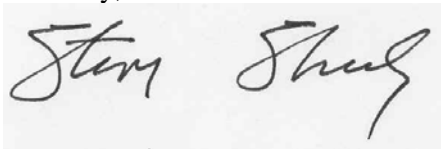
Concluding Comments

Again, the Planning Commission thanks you for the opportunity to comment on the North Bay DEIS. We urge you to expand your Final EIS as necessary to more explicitly articulate your preferred alternative and provide the supporting information – including response to our concerns detailed in this letter and the concerns of other commentators.

It can not be overemphasized as to the importance the Planning Commission puts on the completion of an industrial lands strategy for the City of Seattle prior to being able to determine support of any specific proposal for the North Bay site. Although we recognize that the Port may be anxious to begin development of its site prior to the completion of such a strategy – this property has been, and we believe will continue to be, a significant part of Seattle's industrial economy and the determination of its future development should be made in context of a complete understanding of Seattle's current and future industrial needs.

The Planning Commission looks forward to continuing to work with the Port of Seattle as well as the City of Seattle Office of Economic Development and the Department of Planning and Development in determining the future of North Bay. Please do not hesitate to contact us if you have questions or wish to further discuss our comments.

Sincerely,



Steve Sheehy
Vice Chair

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